

THE REGIONAL MUNICIPALITY OF NIAGARA

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 10-2009

Minutes of a meeting of the Integrated Community Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, July 22, 2009 commencing at 1:12 p.m.

ATTENDANCE

Committee: Councillor Smeaton, Co-Chair; Augustyn, Badaway, Baty, Casselman, D'Angela, Gabriel, Goulbourne, Henderson, Lepp, Puttick, Salci, Timms, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer, Robson, Commissioner Integrated Community Planning; Brothers, Commissioner Public Works; Kyne, Director, Legal Services; Cousins, Director Transportation Services; Pollock, Director, Waste Management Services; Colosimo, Director Development Services; Ms. Matthews-Malone, Director Water and Wastewater; Ms. Pilon, Deputy Clerk; Ms. McManus, Legislative Assistant.

Other: Messrs. Roach, Manager, Public Works Financial Services; Moffat, Manager Property Management; Weaver, Director Corporate & Community Planning; Murphy, Manager Policy Development; Ms. Rae, Legal Counsel-Real Estate; Ms. Koz, Manager Fleet Services; Ms. Habermehl, Associate Director, Collection and Diversion Operations; Ms. Torbicki, Manager.

Guests: Mr. Russell, President Russell Industries; Mr. Brady, Director of Planning, Urban & Environmental Management Inc.; Mr. Little, Barrister, Heelis Williams Little and Almas; Mr. Gordon, Rolling Meadows Land Development Corporation.

PUBLIC MEETINGS

263. Proposed Stopping up, Closing, Declaring Surplus and Transfer
Part of an untraveled portion of Regional Road 89 (Glendale Avenue)
City of St. Catharines
-

Councillor Smeaton called the Public meeting to order at 1:10 p.m.

Councillor Smeaton, in accordance with the Planning Act Requirements and with respect to the Regional Policy Plan Amendment, read out the following:

Public Meeting – Proposed Stopping up and Closing of Part of Regional Road 89 (Glendale Avenue) and declaring surplus of land in City of St. Catharines:

Purpose of the meeting

Pursuant to the Municipal Act and Regional Policy, a public meeting must be held to hear any public objections to this proposed disposal and stopping up and closing of part of Regional Road 89 (Report PWA 76-2009, CSD 110-2009)

In accordance with Regional Policy, the public notice of the meeting was advertised on the Region's website at least 10 days prior to this meeting (Corporate Policy - Public Notice C3.P09).

Mr. Brothers, Commissioner Public Works introduced the matter for public hearing and advised the committee that the notice of the meeting was published on the Region's website commencing July 9, 2009.

Councillor Smeaton asked whether there were any persons in the gallery who wished to speak to the Proposed Stopping up and Closing of Part of Regional Road 89 (Glendale Avenue) and declaring surplus of land in City of St. Catharines. There were no members of the public in attendance wishing to be heard.

Councillor Smeaton called a second and third time for persons in the gallery who wished to speak to the Proposed Stopping up and Closing of Part of Regional Road 89 (Glendale Avenue) and declaring surplus of land in City of St. Catharines. There being no response he declared the Public Meeting closed.

PUBLIC WORKS – ITEMS FOR CONSIDERATION

At the request of Councillor Smeaton the Committee approved Report PWA 76-2009(CSD 110-2009) respecting Stop Up, Close, Declare Surplus and Transfer Portions of Regional Road 89 (Glendale Avenue) Merritton Developments Inc., Kaupp Electric Ltd., City of St. Catharines be dealt with at this time.

264. Stop Up, Close, Declare Surplus and Transfer
Portions of Regional Road 89 (Glendale Avenue)
Merritton Developments Inc.
Kaupp Electric Ltd
City of St. Catharines

PWA 76-2009(CSD 110-2009)

Moved by Councillor Timms
Seconded by Councillor Casselman

That Report CSD 110-2009 (PWA 76-2009), July 22, 2009, respecting Stop Up, Close, Declare Surplus and Transfer Portions of Regional Road 89 (Glendale Avenue) Merritton Developments Inc., Kaupp Electric Ltd., City of St. Catharines, be received;

That a portion of Glendale Avenue, more particularly described as Parts 10, 11, 12, 13, 14, 15, 16, and 17 on Plan 30R-13352, being portions of Regional Road 89, be stopped up and closed;

That Parts 10, 11, 12, 13, 14, 15, 16, 17, 24, 25, 26, 27, and 28 on Plan 30R-13352 be declared surplus to the Region's needs;

That a 5287.4 square metre (56,914.96 square feet, more or less) portion of the stopped up and closed portion of Glendale Avenue, more particularly described as Parts 10, 11, 12, 13, 14, 15, 17 on Plan 30R-13352, be transferred to Merritton Developments Inc. (MDI) as concluding a land exchange agreement to allow for the realignment of Glendale Avenue to be completed;

That the Region receive payment of \$41,825.10 from MDI, representing MDI's share of the Keg Restaurant/Sobey's entrance signalization costs, prior to completion of the land transfer to MDI;

That a 440.1 square metre (4,737.35 square feet, more or less) portion of the stopped up and closed portion of Glendale Avenue, more particularly described as Part 16 on Plan 30R-13352, together with an additional 433.5 square metres (4,666.30, square feet, more or less) of land, more particularly described as Parts 24, 25, 26, 27, and 28 on Plan 30R-13352, be declared surplus to the Region's requirements and transferred to Kaupp Electric Ltd. (Kaupp), at the nominal sum of \$1.00;

That the transfer of these lands be subject to any identified easement requirements being retained by the Region, or established for such purposes as utilities, access, or granting to other levels of government/utilities upon transfer;

That the Regional Chairman and the Regional Clerk be authorized to execute the necessary documents on behalf of The Regional Municipality of Niagara.

Carried.

(Please note that Report PWA 76-2009(CSD 110-2009) can be found behind the Joint Report Blue Book Tab.)

PUBLIC MEETINGS (continued)

265. Regional Policy Plan Amendment 3-2009
Canadian Motor Speedway-Town of Fort Erie

Dates: Tuesday, September 8, 2009
Time: 6:00 p.m.
Place: Town of Fort Erie Council Chambers

Councillors: Smeaton.

PRESENTATIONS

266. Official Plan Amendment No. 88
Buttrey Street Area
City of Niagara Falls
PWA 77-2009

Mr. Daniel Russell, President Russell Industries was present to ask that Committee members consider deferring Report PWA 77-2009, respecting Official Plan Amendment No. 88 Buttrey Street Area City of Niagara Falls, in an effort to allow him the necessary time to review the document with his Solicitor and Planner.

Mr. Rick Brady, Director of Planning, Urban & Environmental Management Inc., was present to ask that Committee members consider, instead of a deferral, the separation of approval to note that the lands south of Buttrey move forward and the lands north of Buttrey be deferred.

Mr. Peter Colosimo stated that it would be staff's advice that the Report be dealt with in its entirety and not split.

Councillor Smeaton requested, Committee members approved, that Report PWA 77-2009 respecting Official Plan Amendment No. 88 Buttrey Street Area City of Niagara Falls be dealt with at this time.

PUBLIC WORKS – ITEMS FOR CONSIDERATION (continued)

267. Official Plan Amendment No. 88
Buttrey Street Area
City of Niagara Falls

PWA 77-2009

Moved by Councillor Salci
Seconded by Councillor Augustyn

That Report PWA 77-2009, July 22, 2009, respecting Official Plan Amendment No. 88 Buttrey Street Area City of Niagara Falls, be deferred until the September 2, 2009 meeting of the Integrated Community Planning and Public Works Committee.

Carried.

PRESENTATIONS (continued)

Conflict of Interest

Councillor Timms declared a pecuniary interest with respect to matters related to Regional Development Charges as his family owns a business that may be subject to development charges, and he therefore took no part in the discussion of or voting on these matters.

268. Region of Niagara 2009 Development Charge
Background Study and Proposed By-law

Amended ICP 38-2009(CSD 112-2009)

Mr. Glen Gordon, Rolling Meadows Land Development Corporation was present to ask that Committee members include the 4.3 million for the Peele Street Pumping Station in the Development Charge By-law but that nothing be considered until the completion of the Regional Servicing Study's completion in 2011.

At the request of Councillor Smeaton the Committee approved that Report ICP 38-2009(CSD 112-2009) respecting Region of Niagara 2009 Development Charge Background Study and Proposed By-law be dealt with at this time.

269. Region of Niagara 2009 Development Charge
Background Study and Proposed By-law
Amended ICP 38-2009(CSD 112-2009)

Moved by Councillor Badawey
Seconded by Councillor Trombetta

That Amended Report ICP 38-2009(CSD 112-2009), July 22, 2009, respecting Region of Niagara 2009 Development Charge Background Study and Proposed By-law, be received and approved, **as amended**.

That the 2009 Development Charge Background Study be adopted, and that the proposed Region of Niagara Development Charge By-law (2009) be approved **as amended by the Regional Development Charge Task Force on July 20, 2009 (see recommendation 4 and related correspondence)**.

That the capital forecast contained in the Region of Niagara 2009 Development Charge Background Study reflect Council's intent to ensure that the increase in the need for service attributable to the anticipated development is met.

That the proposed Region of Niagara Development Charge By-law (2009) comes into force on September 1, 2009.

That the proposed 2009 Development Charge By-law incorporate an exemption for the new West Lincoln Memorial Hospital.

That staff be directed to implement a system of tracking development charge discounts and exemptions and that these exemptions be reflected in the Budget.

That, as the originally proposed By-law has been modified since the Public Meeting on July 16, 2009, Council confirms that no further Public Meeting under the Development Charges Act, 1997 (S.12) is necessary as a result.

Moved by Councillor Goulbourne
Seconded by Councillor Salci

That Amended Report ICP 38-2009(CSD 112-2009) respecting Region of Niagara 2009 Development Charge Background Study and Proposed By-law, be further **amended**;

That the proposed Region of Niagara Development Charge By-law (2009) comes into force on January 1, 2010.

Lost.

Upon a vote being taken the Committee Co-Chair declared the original motion carried.

Councillor Salci requested to be recorded as opposed to the aforementioned motion.

(Please note that Amended Report ICP 38-2009(CSD 112-2009) can be found behind the Joint Report Blue Book Tab.)

At the request of Councillor Smeaton the Committee approved that Report PWA 81-2009 respecting Additional Funding Request (CSO Cost Sharing Program) For Combined Sewer Relief Structure be dealt with at this time.

PUBLIC WORKS - ITEMS FOR CONSIDERATION (continued)

270. Additional Funding Request (CSO Cost Sharing Program)
For Combined Sewer Relief Structure
City of Thorold

PWA 81-2009

Moved by Councillor D'Angela
Seconded by Councillor Badawey

That Report PWA 81-2009, July 22, 2009, respecting Additional Funding Request (CSO Cost Sharing Program) For Combined Sewer Relief Structure, be received ***as amended***;

That the application of the City of Thorold be approved for funding, in the amount of \$800,000, towards construction of a second Peel Street Pump Station Combined Sewer Separation Relief Structure project;

That the additional funding be charged against Capital Project ZSW0004 Wet Weather Flow Control Program; and

That staff further report, based on recent City of Thorold's motions pertaining to Rolling Meadows, respecting exact CSO funding amounts, timelines, and funding allocation at the September 2, 2009 meeting of the Integrated Community Planning and Public Works Committee.

Carried.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Co-Chairs determined that the ordinary quorum for the meeting be reduced to eleven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

PRESENTATIONS (continued)

271. The Next Collection Contract - Opportunities to Increase Waste Diversion and Improve Efficiencies

Mr. Pollock, Director Waste Management Services provided Committee members with a presentation respecting The Next Collection Contract – Opportunities to Increase Waste Diversion and Improve Efficiencies.

(Please note that a copy of the Presentation can be found behind the Integrated Community Planning and Public Works Report Blue Book Tab.)

PUBLIC WORKS - ITEMS FOR CONSIDERATION (continued)

272. The Next Collection Contract - Opportunities to Increase Waste Diversion and Improve Efficiencies
PWA 79-2009

Moved by Councillor Goulbourne
Seconded by Councillor Augustyn

That Report PWA 79-2009, July 22, 2009 respecting The Next Collection Contract - Opportunities to Increase Waste Diversion and Improve Efficiencies, be received;

That the range of waste, recycling and organics collection services, as outlined in this report, be approved and included in the new collection contract tender document, including the following changes to existing base service levels:

Standardized service levels for recycling, waste and organics collection for the low density residential sector (one to six units) across the Region, including the Townships of Wainfleet and West Lincoln

Provision of recycling services to multi-residential buildings Region-wide

Discontinuation of collection services to properties located in industrial parks/zones, properties with commercial buildings and plazas greater than 7,500 sq. ft. in total floor area located outside designated business areas, and all commercial buildings greater than three storeys

That the elimination of municipal collection boundaries, the same side of the road set out on rural roads and various provisional service options, as outlined in this report, be approved and included in the new collection contract tender document.

Carried.

Councillors Trombetta and Timms requested that they be recorded as opposed to the aforementioned motion.

At this point in the meeting quorum was achieved.

273. Agreement for Road Works
Seaway Pointe Developments Ltd.,
Proposed Residential Condominiums
Condition of Approval
Regional Road 54 (330 Prince Charles Drive)
City of Welland

PWA 69-2009

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 69-2009, July 22, 2009 respecting Agreement for Road Works Seaway Pointe Developments Ltd. Proposed Residential Condominiums Condition of Approval Regional Road 54 (330 Prince Charles Drive) City of Welland, be received;

That the Region enter into an Agreement with Seaway Pointe Developments Ltd., owner of a proposed residential condominium development currently being constructed on the east side of Regional Road 54 (Prince Charles Drive) approximately 400 metres south of Regional Road 29 (Lincoln Street West);

That the Agreement outline responsibilities and secure financial commitments to cover 100% of costs associated with the construction of the required road improvements to accommodate a mutual access;

That all project costs be charged against Project ZRC0932/RC0990, common development related projects;

That the Regional Chair and Regional Clerk be authorized to execute this Agreement;

That the City of Welland be circulated a copy of this report; and

That the Commissioner of Public Works be authorized to proceed, as necessary, with the publication of a Notice of Meeting, in accordance with the provisions of the Municipal and Environmental Assessment Acts.

Carried.

274. Encroachment Agreement
Niagara Waste Systems Limited
Regional Road 70 (Taylor Road)
City of Niagara Falls and
Town of Niagara-on-the-Lake
PWA 70-2009(CSD 105-2009)

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 70-2009(CSD 105-2009), July 22, 2009 respecting Encroachment Agreement Niagara Waste Systems Limited Regional Road No. 70 (Taylor Road) City of Niagara Falls and Town of Niagara-on-the-Lake, be received;

That the Region enter into an Encroachment Agreement with Niagara Waste Systems Limited to permit a 150mm pipe and related appurtenances within the road allowance of Regional Road N. 70 (Taylor Road) in the City of Niagara Falls and Town of Niagara-on-the-Lake;

That the Regional Chair and Regional Clerk be authorized to execute the Encroachment Agreement, in a form satisfactory to the Director of Legal Services.

Carried.

(Please note that Report PWA 70-2009(CSD 105-2009) can be found behind the Joint Report Blue Book Tab.)

275. Official Plan Amendment No. 82
Site Plan Control Policies
Olde Humberstone Main Street Area Community
Improvement Area
City of Port Colborne
File D10.07.OPA-01537
PWA 71-2009

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 71-2009, July 22, 2009 respecting Official Plan Amendment No. 82 Site Plan Control Policies Olde Humberstone Main Street Area Community Improvement Area City of Port Colborne File D10.07.OPA-01537, be received;

That Amendment No. 82 to the City of Port Colborne Official Plan be approved;

That all parties be notified of Regional Council's decision on this application in accordance with Provincial regulations;

That staff issue a notice of final decision for the Amendment 20 days after notice of Council's decision has been given provided that no appeals have been lodged against the decision.

Carried.

276. Initiation of Project ZGL0627
Ground Water Investigation at
Mountain Road Landfill Site
City of Niagara Falls
PWA 72-2009(CSD 107-2009)

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 72-2009(CSD 107-2009), July 22, 2009 respecting Initiation of Project ZGL0627 Ground Water Investigation at Mountain Road Landfill Site City of Niagara Falls, be received;

That Waste Management Reserve Fund financing in the amount of \$200,000 gross and net be approved and initiated for Project ZSW0627 Ground Water Investigation at Mountain Road Landfill Site;

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council.

Carried.

(Please note that Report PWA 72-2009(CSD 107-2009) can be found behind the Joint Report Blue Book Tab.)

277. Approval of 2009 Vehicle and Equipment Replacement Program, Phase 2
PWA 73-2009

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 73-2009, July 22, 2009 respecting Approval of 2009 Vehicle and Equipment Replacement Program, Phase 2, be received;

That staff be authorized to proceed with the proposed 2009 Vehicle and Equipment Replacement Program Phase 2 as outlined in this report; and

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council.

Carried.

278. Tender 2008-T-149(RN 08-49)
Garner Road Biosolids Facility Twin Centrifuge
In the City of Niagara Falls
Project ZSW9407/SW0810

PWA 74-2009(CSD 108-2009)

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 74-2009(CSD 108-2009), July 22, 2009, Tender 2008-T-149 (RN 08-49) Garner Road Biosolids Facility Twin Centrifuge in the City of Niagara Falls, Project ZSW9407/SW0810, be received;

That approval be given to transfer funding in the amount of \$773,000 from Project ZSW0302 / SW0302 Alternative Biosolids Management Program to Project ZSW9407 / SW0810 Garner Road Biosolids Facility Twin Centrifuge;

That Tender 2008-T-149 (RN 08-49) Garner Road Biosolids Facility Twin Centrifuge in the City of Niagara Falls be awarded to Procon Niagara at their bid price of \$2,241,135;

That a contingency amount of \$243,635 be provided for this project;

That Hydromantis, Inc. be retained to provide contract management and construction supervision services in the amount of \$91,506;

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara;

That the cost associated with this project be charged against Project ZSW9407/SW0810.

Carried.

(Please note that Report PWA 74-2009(CSD 108-2009) can be found behind the Joint Report Blue Book Tab.)

279. Agreements for Improvements to the McLeod Road
And QEW Interchange, City of Niagara Falls
PWA 75-2009(CSD 109-2009)

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report CSD 109-2009 (PWA 75-2009), July 22, 2009, respecting Agreements for Improvements to the McLeod Road and QEW Interchange, City of Niagara Falls, be received;

That the Region enter into an agreement with Oakwood Place Shopping Centre Limited, Canadian Tire Real Estate Limited, McLeod Square Inc., Cookshire Developments Inc., Hamburg Honda Corporation, Scott Group of companies Inc., The TDL Group Corp. and the Corporation of the City of Niagara Falls for the funding of road improvements at the McLeod Road and QEW interchange;

That the Region enter into an agreement with Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (MTO) for the design and construction of the necessary road improvements to McLeod Road, including the QEW interchange ramps; and

That the Regional Chair and Regional Clerk be authorized to execute the agreements, such agreements to be satisfactory to the Director of Legal Services.

Carried.

(Please note that Report PWA 75-2009(CSD 109-2009) can be found behind the Joint Report Blue Book Tab.)

280. Official Plan Amendment No. 89
Cytec Area
City of Niagara Falls
PWA 78-2009

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 78-2009, July 22, 2009, respecting Official Plan Amendment No. 89 Cytec Area City of Niagara Falls, be received;

That Amendment No. 89 to the City of Niagara Falls Official Plan be approved with modifications as set out in this report;

That all parties be notified of Regional Council's decision on this application in accordance with Provincial regulations; and

That staff issue a notice of final decision for the Amendment 20 days after notice of Council's decision has been given provided that no appeals have been lodged against the decision.

Carried.

281. Transportation Services Sustainability Review
PWA 82-2009

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 82-2009, July 22, 2009, respecting Transportation Services Sustainability Review, be deferred until the September 2, 2009 meeting of the Integrated Community Planning and Public Works Committee.

Carried.

282. Transportation Strategy Steering Committee
Minutes – July 14, 2009

Mr. Cousins updated Committee members respecting funding and stimulus dollars:

- “Draft” Final Report should be completed by the end of August/09
- August 13, 2009 meeting has been scheduled of the Transportation Strategy Steering Committee in an effort to gather feedback and provide input in to the Airport Report
- Any additional information/amendments will be captured in that report and brought forward at the September 2, 2009 meeting of the Integrated Community Planning and Public Works Committee; along with staff recommendations of how to proceed
- The Report will be reviewed by Corporate Services in an effort to provide information on how these options will be financed and/or any financial implications associated

Moved by Councillor Timms
Seconded by Councillor Badawey

That the Minutes of the Transportation Strategy Steering Committee meeting of July 14, 2009, be received and the recommendations contained therein approved.

Carried.

(Refer to Councillor Information Requests)

283. Accessibility Advisory Committee
Ontarians with Disabilities Act
Minutes – July 7, 2009

Moved by Councillor Timms
Seconded by Councillor Badawey

That the Minutes of the Accessibility Advisory Committee meeting of July 7, 2009, be received and the recommendations contained therein approved.

Carried.

284. Waste Management Steering Committee
Minutes – June 23, 2009

Moved by Councillor Timms
Seconded by Councillor Badawey

That the Minutes of the Accessibility Advisory Committee meeting of July 7, 2009, be received for information.

Carried.

PUBLIC WORKS - ITEMS FOR INFORMATION

285. Moved by Councillor Badawey
Seconded by Councillor Baty

That the following items be received for information:

- | | |
|-------------|--|
| PWC 36-2009 | Memo from Mike Janas Re: 2007-2008 Chief Drinking Water Inspector's Annual Report |
| PWC 37-2009 | Letter to City of Thorold Re: Proposed Official Plan Amendment and Zoning Bylaw Amendment for Brock Business and Industrial Park, 3490 Schmon Parkway, City of Thorold |
| PWC 38-2009 | Letter to City of Hamilton Re: Official Plan and Zoning Bylaw Amendment applications – Mady Developments, Winona Road and Fifty Road, former City of Stoney Creek |

Carried.

INTEGRATED COMMUNITY PLANNING - ITEMS FOR CONSIDERATION

286. Proposed Regulations of the *Green Energy Act*, 2009
Comments to the Province through the Environmental Registry
EBR Registry Number 010-6516
ICP 36-2009

Moved by Councillor Goulbourne
Seconded by Councillor Henderson

That Report ICP 36-2009, July 22, 2009, respecting Proposed Regulations of the *Green Energy Act*, 2009 Comments to the Province through the Environmental Registry EBR Registry Number 010-6516, be received;

That the comments outlined in this report be endorsed and submitted to the Province through the Environmental Registry as the Regional comments on the proposed regulations of the *Green Energy Act*; and

That this report be circulated to the 12 local municipalities, the Niagara Peninsula Conservation Authority, Niagara Escarpment Commission, Niagara Parks Commission and Ministry of Municipal Affairs and Housing for information.

Carried.

287. Niagara Region's Participation in the
Count Me In! Community Challenge
ICP 37-2009

Moved by Councillor Augustyn
Seconded by Councillor D'Angela

That Report ICP 37-2009, July 22, 2009, respecting Niagara Region's Participation in the Count Me In! Community Challenge, be received;

That the Region register to participate in the Count Me In! Community Challenge 2009 to promote energy conservation; and

That this report be circulated to the 12 area municipalities for their potential participation in the Count Me In! Community Challenge.

Carried.

288. Smarter Niagara Steering Committee
Minutes – June 24, 2009

Moved by Councillor Augustyn
Seconded by Councillor D'Angela

That the Minutes of the Smarter Niagara Steering Committee meeting of June 24, 2009, be received and the recommendations contained therein approved.

Carried.

Conflict of Interest

Councillor Timms declared a pecuniary interest with respect to matters related to Regional Development Charges as his family owns a business that may be subject to development charges, and he therefore took no part in the discussion of or voting on these matters.

289. Regional Development Charges Task Force
Minutes – July 20, 2009

Moved by Councillor Augustyn
Seconded by Councillor D'Angela

That the Minutes of the Regional Development Charges Task Force meeting of July 20, 2009, be received and the recommendations contained therein approved.

Carried.

(Please note that the Minutes of the Regional Development Charges Task Force meeting of July 20, 2009 can be found behind the Joint Report Blue Book Tab.)

INTEGRATED COMMUNITY PLANNING - ITEMS FOR INFORMATION

290. Accessibility for Ontarians with Disabilities Act (2005) Compliance
ICP 39-2009

Moved by Councillor Baty
Seconded by Councillor Trombetta

That Report ICP 39-2009, July 22, 2009 respecting the *Accessibility for Ontarians with Disabilities Act (2005) Compliance*, be received for information.

Carried.

291. Ontario Municipal Board Appeals
Regional Policy Plan Amendment 2-2009
Sustainable Community Policies
ICP 40-2009

Moved by Councillor Trombetta
Seconded by Councillor Henderson

That Report ICP 40-2009, July 22, 2009, respecting Ontario Municipal Board Appeals Regional Policy Plan Amendment 2-2009 Sustainable Community Policies, be received;

That this report be received and circulated for information to the local municipalities, the Ministry of Municipal Affairs and Housing and the Ministry of Energy and Infrastructure and the Niagara 2031 stakeholders.

Carried.

(Refer to Councillor Information Requests)

292. Correspondence (dated June 11, 2009) from the Town of Niagara-on-the-Lake Town Clerk Ms. Dowd to the Regional Chair re: Agricultural Sub-Committee Meeting Minutes – May 6, 2009
ICP-C 90-2009

Moved by Councillor Baty
Seconded by Councillor Augustyn

That Report ICP 90-2009, July 22, 2009, respecting Correspondence (dated June 11, 2009) from the Town of Niagara-on-the-Lake Town Clerk Ms. Dowd to the Regional Chair re: Agricultural Sub-Committee Meeting Minutes – May 6, 2009, be received; and

That the above mentioned correspondence be circulated to the Agricultural Sub Committee for information.

Carried.

293. Correspondence (dated June 30, 2009) from Patrick Robson, Commissioner, Integrated Community Planning to Mr. Joad Durst, respecting the Proposed Boundary Changes to Fonthill Kame-Delta ANSI
ICP-C 91-2009

Moved by Councillor Augustyn
Seconded by Councillor Baty

That Report ICP 91-2009, July 22, 2009, respecting Correspondence (dated June 30, 2009) from Patrick Robson, Commissioner, Integrated Community Planning to Mr. Joad Durst, respecting the Proposed Boundary Changes to Fonthill Kame-Delta ANSI, be received; and

That this Committee endorse the recommendations contained therein; and

That staff forward a letter of endorsement to local members of Parliament, local members of Provincial Parliament and Area Municipal Councils.

Carried.

CLOSED SESSION

294. Moved by Councillor Baty
Seconded by Councillor Timms

That this Committee do now meet in Closed Session for purpose of dealing with Personal Information About Identifiable Individuals – Regional Chair's Bursary 2009, Matters of Litigation before the Ontario Municipal Board and Solicitor-Client Advice and the Proposed Acquisition of Land by the Municipality.

Carried.

295. Personal Information About Identifiable Individuals –
Regional Chair's Bursary 2009
ICP 41-2009 Confidential

Moved by Councillor Puttick
Seconded by Councillor Baty

That Confidential Report ICP 41-2009, July 22, 2009, respecting Personal Information About Identifiable Individuals – Regional Chair's Bursary 2009, be received and the recommendations contained therein approved.

Carried.

296. Matters of Litigation before the Ontario Municipal Board and Solicitor-Client Advice re: Appeal of Regional Council's Approval of the Town of Niagara-on-the-Lake's Official Plan Amendment No. 37 (Queenston Secondary Plan)
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PWA 83-2009 Confidential

Moved by Councillor Puttick
Seconded by Councillor Baty

That Confidential Report PWA 83-2009, July 22, 2009, respecting Matters of Litigation before the Ontario Municipal Board and Solicitor-Client Advice re: Appeal of Regional Council's Approval of the Town of Niagara-on-the-Lake's Official Plan Amendment No. 37 (Queenston Secondary Plan), be received;

That staff be instructed to proceed as outlined in the report.

Carried.

297. Proposed Acquisition of Land by the Municipality, Frenchman's Creek Trunk Sanitary Sewer Servicing Project, Phase 2, Town of Fort Erie
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PWA 84-2009(CSD 114-2009) Confidential

Moved by Councillor Puttick
Seconded by Councillor Baty

That Confidential Report PWA 84-2009(CSD 114-2009), July 22, 2009, respecting Proposed Acquisition of Land by the Municipality, Frenchman's Creek Trunk Sanitary Sewer Servicing Project, Phase 2, Town of Fort Erie, be received and the recommendations contained therein approved.

Carried.

298. Moved by Councillor Casselman
Seconded by Councillor Goulbourne

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- Forward a copy of correspondence item TSSC 150-2009 to all members of Council (Refer to Minute Item #282) (Councillor Casselman)
- Schedule a joint meeting between the Planning staff of West Lincoln, Planning staff of Niagara Region, Solicitors of West Lincoln and Solicitors of the Niagara Region (Refer to Minute Item #291) (Councillor Trombetta)

ADJOURNMENT

The Committee adjourned at 4:32 p.m. to meet again at 1:00 p.m. on Wednesday, September 2, 2009 in Council Chambers, Regional Headquarters.

Councillor Rigby
Co-Chair

Councillor Smeaton
Co-Chair

Lisa McManus
Legislative Assistant

Kevin Bain
Regional Clerk