

# THE REGIONAL MUNICIPALITY OF NIAGARA

## PUBLIC WORKS COMMITTEE

### REPORT 3-2010

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Minutes of a meeting of the Public Works Committee held in Committee Room #4, Regional Municipal Building, Thorold, Ontario, on Tuesday, February 23, 2010 commencing at 9:37 a.m.

#### ATTENDANCE

Committee: Regional Chair Partington; Councillors Rigby (Chair), Augustyn; Badaway (Vice-Chair), Baty, D'Angela, Henderson, Hodgson, Marshall, Salci; Timms.

Staff: Messrs. Trojan, Chief Administrative Officer; Brothers, Commissioner Public Works; Cousins, Director, Transportation Services; Colosimo, Director, Development Services; Pollock, Director, Waste Management Services; Steele, Associate Director, Strategy Business Management; Moffat, Manager Property Management; Riesink, Biosolids Manager; Lalonde, Planning; Ms. Matthews-Malone, Director, Water and Wastewater; Ms. Pilon, Deputy Regional Clerk; Ms. McManus, Legislative Assistant.

Others: Mr. John Taylor, Grand Niagara Resort; Mr. Frank Racioppo, Queenston Quarry Reclamation Company.

#### 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 seven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

#### APPROVAL OF AGENDA

37. Moved by Councillor Timms  
Seconded by Regional Chair Partington

That Agenda 3-2010 being the agenda for the Public Works Committee meeting of Tuesday, February 23, 2010 be approved as amended to include that PWA 14-2010 respecting Official Plan Amendment No. 69 Grand Niagara Resort West of Montrose Road, north of Biggar Road City of Niagara Falls be dealt with later in the meeting, upon Councillor Salci's arrival; and

That Report PWA 07-2010 respecting Proposed Parking Prohibition Regional Road 3 (Lakeshore Road) Township of Wainfleet be dealt with at the conclusion of the Closed Session portion of the meeting.

Carried.

**ITEMS FOR CONSIDERATION**

38. Proposed Parking Prohibition  
Regional Road 1 (Farr Avenue)  
Town of Fort Erie  
**PWA 08-2010**

Moved by Councillor D'Angela  
Seconded by Councillor Timms

That Report PWA 08-2010, February 23, 2010 respecting Proposed Parking Prohibition Regional Road 1 (Farr Avenue) Town of Fort Erie, be received; and

That parking be prohibited at anytime on the north side of Regional Road 1 (Farr Avenue) from Elmwood Avenue to Regional Road 116 (Gorham Road); and

That the Regional Clerk be requested to submit the necessary by-law amendment to Council on March 4, 2010 to affect this change.

Carried.

39. Approval of the 2010 Vehicle and Equipment  
Replacement Program, Phase 1  
**PWA 13-2010**

Moved by Councillor Henderson  
Seconded by Regional Chair Partington

That Report PWA 13-2010, February 23, 2010, respecting Approval of the 2010 Vehicle and Equipment Replacement Program, Phase 1, be received;

That staff be authorized to proceed with the proposed 2010 Vehicle and Equipment Replacement Program Phase 1 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.

*At this point in the meeting Quorum was achieved*

40. Appeal of Zoning By-law Amendment (Z-WA-09/2009)  
Erie Park Holding Inc.  
Lakeshore Road, west of Brawn Road  
Township of Wainfleet  

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**PWA 16-2010**

Moved by Regional Chair Partington  
Seconded by Councillor Henderson

That Report PWA 16-2010, February 23, 2010, respecting Appeal of Zoning By-law Amendment (Z-WA-09/2009) Erie Park Holdings Inc. Lakeshore Road, west of Brawn Road Township of Wainfleet, be received;

That Regional Council support the appeal to the Ontario Municipal Board of the decision by the Township of Wainfleet Council to grant Zoning Amendment Application Z-WA-09/2009;

That Regional staff attend the Ontario Municipal Board hearing in support of the Regional Policy Plan; and.

That the applicant and the Township of Wainfleet be advised of Council's decision.

Carried.

41. Combined Sewer Overflow (CSO)  
Cost Sharing Program  
2010 Funding Recommendations  
Project ZSW0004  

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**PWA 17-2010**

Moved by Councillor D'Angela  
Seconded by Councillor Timms

That Report PWA 17-2010, February 23, 2010, respecting Combined Sewer Overflow (CSO) Cost Sharing Program 2010 Funding Recommendations Project ZSW 0004, be received;

That the amount of \$3,138,500 be approved for 2010 Area Municipal projects identified in Table 1 for funding under the CSO Cost Sharing program;

That two applications not be approved at this time but that they be reconsidered in a subsequent PWA report subject to further clarification of the scope of work by the proponent;

That Area Municipalities be advised of the results of Regional funding support as set out in Tables 1 and 2;

That the Terms and Conditions of Funding Agreements be modified to indicate that Regional funding may be withdrawn if no invoices (including interim invoices) are submitted for the Region's share of the costs within three years of the date of the agreement;

That Regional staff prepare and execute the respective partnership funding agreements for up to 50% funding support to Area Municipalities for qualifying projects to reflect the terms and conditions set out in the attached Appendix 2; and

That remaining funds from the annual program continue to be retained and accumulated for purposes of funding future CSO projects such as High Rate Treatment at Wastewater Treatment Plants (WWTP) as per Capital Asset Management Policy C3.C16 Article 5.3 (i) and (ii).

Carried.

42. Declaration of Surplus Land Disposition  
The Consumers' Gas Company  
Regional Road 101 (Mountain Road)  
City of Niagara Falls  

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**PWA 19-2010(CSD 29-2010)**

Moved by Councillor Baty  
Seconded by Regional Chair Partington

That Report PWA 19-2010(CSD 29-2010), February 23, 2010, respecting Declaration of Surplus Land Disposition The Consumers' Gas Company Regional Road 101 (Mountain Road) City of Niagara Falls, be received;

That a 144 square metre portion (more or less) of land legally described as Part of Township Lot 28, Township of Stamford, now the City of Niagara Falls, Regional Municipality of Niagara, designated as Part 1 on Plan 59R-14112 and shown on Appendix 1 attached hereto be declared surplus to the Region's needs;

That the requirements under the Region's *Disposal of Surplus Property* policy (C3.D02) to first offer the surplus lands to Regional Departments and area municipalities be waived;

That the subject lands be transferred to The Consumers' Gas Company as detailed in confidential Committee Report CSD 30-2010/PWA 18-2010 dated February 23/24, 2010; and

That the Regional Chair 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 19-2010(CSD 29-2010) can be found behind the Joint Reports Blue Book Tab)*

43. JAC Wainfleet Water & Wastewater Servicing Project (1-2010)  
**January 28, 2010**

Moved by Councillor Henderson  
Seconded by Regional Chair Partington

That Report 1-2010 (JAC) being the minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of January 28, 2010, be received and the following recommendation be approved:

- That the Wainfleet Service Area Financial Tools Study: Scope and Strategy Presentation be received and forwarded, together with the JAC Wainfleet Water and Wastewater Servicing Project minutes of January 28, 2010, to the Wainfleet Township Council.

Carried.

*(Please note that the Minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of January 28, 2010 can be found behind the Joint Reports Blue Book Tab)*

**ITEMS FOR INFORMATION**

44. Waste Management Planning Steering Committee (1-2010)  
**February 9, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Baty

That Report 1-2010 being the minutes of the Waste Management Planning Steering Committee meeting of February 9, 2010, be received for information.

Carried.

45. Project Activity Report  
Transportation Services  
**PWP 05-2010**

Moved by Councillor Marshall  
Seconded by Councillor Timms

That Report PWP 05-2010, February 23, 2010, respecting Project Activity Report Transportation Services, be received for information.

Carried.

(Refer to Councillor Information Requests)

**ITEMS FOR CONSIDERATION (continued)**

46. Official Plan Amendment No. 69  
Grand Niagara Resort  
West of Montrose Road, north of Biggar Road  
City of Niagara Falls  
**PWA 14-2010**

Moved by Councillor Salci  
Seconded by Councillor Timms

That Report PWA 14-2010, February 23, 2010, respecting Official Plan Amendment No. 69 Grand Niagara Resort West of Montrose Road, north of Biggar Road City of Niagara Falls, be received;

That Amendment No. 69 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.

**ITEMS FOR INFORMATION**

47. Results of Public Consultation on  
Same Side of Road Waste Collection  
In Rural Areas  
**PWP 06-2010**

Moved by Councillor Baty  
Seconded by Councillor Henderson

That Report PWP 06-2010, February 23, 2010, respecting Results of Public Consultation on Same Side of Road Waste Collection in Rural Areas, be received for information.

Carried.

48. Lead – Corrosion Control Planning  
**PWP 07-2010**

Moved by Councillor Timms  
Seconded by Councillor Hodgson

That Report PWP 07-2010, February 23, 2010, respecting Lead – Corrosion Control Planning, be received for information.

Carried.

49. Background Information Report  
Proposed Regional Policy Plan Amendment 1-2009  
Queenston Quarry Reclamation Company (QQRC)  
North of Townline Road and Highway 405  
Town of Niagara-on-the-Lake  
**PWP 08-2010**

Moved by Regional Chair Partington  
Seconded by Councillor D'Angela

That Report PWP 08-2010, February 23, 2010, respecting Background Information Report Proposed Regional Policy Plan Amendment 1-2009 Queenston Quarry Reclamation Company (QQRC) North of Townline Road and Highway 405 Town of Niagara-on-the-Lake, be received for information.

Carried.

50. Projects/Studies Activity Report  
Transportation Strategy  
**PWP 09-2010**

Moved by Councillor Marshall  
Seconded by Regional Chair Partington

That Report PWP 09-2010, February 23, 2010, respecting Projects/Studies Activity Report Transportation Strategy, be received for information.

Carried.

51. Closure of Capital Projects  
**CSD 03-2010**

Moved by Councillor Henderson  
Seconded by Councillor Hodgson

That Report CSD 03-2010, January 13, 2010, respecting Closure of Capital Projects, be received for information.

Carried.

*(Please note that Report CSD 03-2010, January 13, 2010, respecting Closure of Capital Projects can be found behind the Joint Reports Blue Book Tab)*

52. Letter from St. Catharines Hydro re: Shickluna Small  
Hydro Project – Environmental Screening Report –  
Notice of Completion  
**PWC 04-2010**

Moved by Councillor Badawey  
Seconded by Councillor Salci

That Correspondence PWC 04-2010, February 23, 2010, respecting Letter from St. Catharines Hydro re: Shickluna Small Hydro Project – Environmental Screening Report – Notice of Completion, be received for information.

Carried.

53. Letter from the Ministry of the Environment  
Re: Congratulations for receiving the Municipal Drinking Water Licence  
and Permit Accreditation

**PWC 03-2010**

Moved by Councillor Baty  
Seconded by Councillor Badawey

That Correspondence PWC 03-2010, February 23, 2010, respecting Letter from Ministry of Environment, being congratulated for receiving the Municipal Drinking Water Licence and Permit Accreditation, be received for information.

Carried.

54. Memorandum (February 3, 2010) from John Rizzo, Project Manager Transportation Engineering to Commissioner of Public Works re: Use of Recycled Rubber Tires In Asphalt Pavements

**PWC 05-2010**

Moved by Councillor Henderson  
Seconded by Councillor Salci

That Correspondence PWC 05-2010, February 23, 2010, respecting Memorandum (February 3, 2010) from John Rizzo, Project Manager Transportation Engineering to Commissioner of Public Works re: Use of Recycled Rubber Tires In Asphalt Pavements, be received for information.

Carried.

55. Memorandum (dated February 16, 2010) from Mr. Brothers, Commissioner Public Works to Chair and Members of Public Works Committee respecting: Biosolids Management in Niagara Region and the Niagara Biosolids Process

**PWC 07-2010**

Moved by Councillor Timms  
Seconded by Councillor Hodgson

That Correspondence PWC 07-2010, February 23, 2010, respecting Memorandum (dated February 16, 2010) from Mr. Brothers, Commissioner Public Works to Chair and Members of Public Works Committee respecting: Biosolids Management in Niagara Region and the Niagara Biosolids Process, be received for information.

Carried.

56. Memorandum (dated February 16, 2010) from Mr. Brothers, Commissioner Public Works to Chair and Members of Public Works Committee respecting: Council Information Request – Capital Projects from the 12 Area Municipalities  
**PWC 06-2010**

Moved by Councillor Badawey  
Seconded by Councillor Henderson

That Correspondence PWC 06-2010, February 23, 2010, respecting Memorandum (dated February 16, 2010) from Mr. Brothers, Commissioner Public Works to Chair and Members of Public Works Committee respecting: Council Information Request – Capital Projects from the 12 Area Municipalities, be received for information.

Carried.

57. Regional Niagara Bicycling Committee  
**January 19, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Salci

That Report the minutes of the Regional Niagara Bicycling Committee meeting of January 19, 2010, be received for information.

Carried.

### **OTHER BUSINESS**

58. Waste Management Strategy Discussion

Moved by Councillor Timms  
Seconded by Councillor Salci

That public notice respecting the March 11<sup>th</sup> Committee of the Whole be posted on the Regional website in order to meet the requirements of the Public Notice policy; and

That the March 11, 2010 6:30 p.m. Committee of the Whole meeting be subject to Council's approval on March 4, 2010.

Carried.

*Councillor D'Angela requested to be listed as opposed to the aforementioned motion specifically; the time noted.*

(Refer to Councillor Information Requests)

59. Phase II Inter-Municipal Transit

Moved by Councillor D'Angela  
Seconded by Councillor Hodgson

That public notice respecting the May 12, 2010 Committee of the Whole be posted on the Regional website in order to meet the requirements of the Public Notice policy; and

That the May 12, 2010 4:00 p.m. Committee of the Whole meeting be subject to Council's approval on March 4, 2010.

Carried.

*Councillor Timms requested to be listed as opposed to the aforementioned motion specifically; the time noted.*

60.. Public Works Division – Spring 2010

Mr. Brothers felt it was important to advise the Committee of the Public Works Department's upcoming projects, such as Water & Wastewater Rates; Transit; Waste contract.

61. Tree Stump Carving

Councillor Timms requested that staff come back with a Policy (utilizing the City of London's Policy) respecting Tree Stump Carving on Regional Road allowances.

62. Acknowledgement and Thanks

Councillor Augustyn extended his sincere thanks and appreciation to the Public Works staff for their quick attention to the issues surrounding Highway 20 and Effingham Road (City of Pelham).

63. Lundy's Lane – City of Niagara Falls

Councillor Salci inquired as to the status of this previously mentioned issue surrounding Lundy's Lane and Kalar Road (City of Niagara Falls).

Mr. Cousins advised that the Region had recommended the installation of one Pedestrian Priority System near the nursing home in question and that currently two other locations nearby were also being assessed.

64. Lundy's Lane and Glenholme – City of Niagara Falls

Councillor Salci inquired as to the status of this previously mentioned issue surrounding Lundy's Lane and Glenholme (City of Niagara Falls).

Mr. Cousins advised that Transportation is currently undergoing a review of the area in question and that he will update Committee members at a future meeting of the Public Works Committee

65. Public Space Recycling Pilot Update  
Oral Update – Milestones (Appendix 1)  
Waste Management Planning Steering Committee Minutes (February 9, 2010)

Councillor D'Angela inquired as to why Waste Management staff would decide to commence this pilot on July 5<sup>th</sup>, 2010 (as noted in Appendix 1), instead of commencing at the start of the sporting season.

Mr. Pollock advised that he believed that the date had actually been revised to note a commencement of May 24, 2010 and that he would forward confirmation of this detail at his earliest convenience to Councillor D'Angela.

**CLOSED SESSION**

66. Moved by Councillor Badawey  
Seconded by Councillor Augustyn

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to a Proposed Acquisition of Land by the Municipality Township of Wainfleet.

Carried.

67. Proposed Acquisition of Land by the Municipality  
Township of Wainfleet  
**Confidential – PWC 08-2010**

Moved by Councillor Badawey  
Seconded by Regional Chair Partington

That Confidential Report PWC 08-2010, February 23, 2010, respecting a Proposed Acquisition of Land by the Municipality Township of Wainfleet, be received and the recommendations contained therein be approved.

Carried.

68. Moved by Councillor Badawey  
Seconded by Councillor Henderson

That this Committee do now rise with report.

Carried.

### **ITEMS FOR CONSIDERATION (continued)**

69. Proposed Parking Prohibition  
Regional Road 3 (Lakeshore Road)  
Township of Wainfleet  
**PWA 07-2010**

Moved by Councillor Henderson  
Seconded by Councillor Timms

That Report PWA 07-2010, February 23, 2010 respecting Proposed Parking Prohibition Regional Road 3 (Lakeshore Road) Township of Wainfleet, be received; and

That parking be prohibited at anytime on both sides of Regional Road 3 (Lakeshore Road) from the West Limit of the Regional Municipality to Side Road 30 and from Side Road 22 (Brown Road) to Regional Road 3 (Station Road); and

That the Regional Clerk be requested to submit the necessary by-law amendment to Council on March 4, 2010 to affect this change.

Carried.

### **COUNCILLOR INFORMATION REQUESTS**

Staff was requested to:

- Provide additional information respecting the Development Charge Waivers for the new Hospital (Refer to Minute Item #45) (Councillor D'Angela)
- Bring forward arguments that could possibly engage the Province in considering to contribute to inter-change costs (Refer to Minute Item #45) (Councillor Timms/Marshall)
- Revise the 2010 Meeting Schedule Listing to include the May 6, 2010 40<sup>th</sup> Anniversary Gala (Minute Item #58) (Councillor Timms)

**ADJOURNMENT**

The Committee adjourned at 11:10 a.m. to meet again at 9:30 a.m. on Tuesday, March 9, 2010 in Committee Room #4, Regional Headquarters.

Councillor Rigby  
Chair

Lisa McManus  
Legislative Assistant

Kevin Bain  
Regional Clerk