

THE REGIONAL MUNICIPALITY OF NIAGARA

PUBLIC WORKS COMMITTEE

REPORT 7-2010

Minutes of a meeting of the Public Works Committee held in Council Chamber, Regional Municipal Building, Thorold, Ontario, on Tuesday, May 25, 2010 commencing at 9:35 a.m.

ATTENDANCE

Committee: Regional Chair Partington; Councillors Rigby, Chair; Augustyn, Badaway, Baty, D'Angela, Hodgson, Marshall, Puttick, Salci, Timms, Trombetta.

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

Other: Councillor Goulbourne; Messrs. Roberts, Executive Officer to the Regional Chair; Steele, Associate Director, Strategy Business Management; Moffat, Manager Property Management; Roach, Manager, P.W. Financial Services; Mr. Pilon, Associate Director, Service Quality & Improvement; Janas, Associate Director Water and Staff Development; Ms. Sim, Process Engineer; Ms. Radman, Manager of Development Planning; Ms. Swigger, Co-op Student Clerks Division and Brock University Political Science Student.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Chair 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.

PRESENTATIONS

124. Appeal to Ontario Municipal Board
Official Plan Amendment No. 70 and
Zoning By-law Amendment 29-2010
Brock Student Residence / Tri-Deg Properties Inc.
3490 Schmon Parkway/City of Thorold
PWA 42-2010

Mr. Jason Bottoni and Mr. Carlo DiGiacchino

Mr. Bottoni, Project Manager Metrus Development Inc., along with Mr. Carlo DiGiacchino, Project Manager Dundurn Edge Developments were present to state their opposition to Report PWA 42-2010 and provided Committee members with a PowerPoint presentation entitled, "Purpose-built Student Housing; Proposal for City of Thorold and Niagara Region".

At this point in the meeting quorum was achieved.

Mr. Mark Basciano, Mountainview Homes

Mr. Basciano, Mountainview Homes was present to express his support of the Brock Student Residence/Tri-Deg Properties Inc., proposal at 3490 Schmon Parkway in the City of Thorold and his opposition to Report PWA 42-2010 respecting Appeal to Ontario Municipal Board Official Plan Amendment No. 70 and Zoning By-law Amendment 29-2010 Brock Student Residence / Tri-Deg Properties Inc. 3490 Schmon Parkway/City of Thorold.

Moved by Councillor D'Angela
Seconded by Councillor Timms

That the presentations respecting Report PWA 42-2010 Appeal to Ontario Municipal Board Official Plan Amendment No. 70 and Zoning By-law Amendment 29-2010 Brock Student Residence / Tri-Deg Properties Inc. 3490 Schmon Parkway/City of Thorold, be received for information and referred to Report PWA 42-2010 for consideration.

Carried.

A copy of the Dundurn Edge Developments Inc., Metrus Development Inc., and Mountainview Homes presentations can be found attached to these minutes.

125. Moved by Councillor D'Angela
Seconded by Councillor Baty

That Report PWA 42-2010, May 25, 2010, respecting Appeal to Ontario Municipal Board Official Plan Amendment No. 70 and Zoning By-law Amendment 29-2010 Brock Student Residence / Tri-Deg Properties Inc. 3490 Schmon Parkway/City of Thorold, be brought forward and dealt with at this time.

Carried.

ITEMS FOR CONSIDERATION

126. Appeal to Ontario Municipal Board
Official Plan Amendment No. 70 and
Zoning By-law Amendment 29-2010
Brock Student Residence / Tri-Deg Properties Inc.
3490 Schmon Parkway/City of Thorold
PWA 42-2010

Moved by Councillor D'Angela
Seconded by Councillor Timms

That Report PWA 42-2010, May 25, 2010, respecting Appeal to Ontario Municipal Board Official Plan Amendment No. 70 and Zoning By-law Amendment 29-2010 Brock Student Residence / Tri-Deg Properties Inc. 3490 Schmon Parkway/City of Thorold, be received, as **amended**;

That Regional Council **withdraw** the appeal to the Ontario Municipal Board of the decision by the City of Thorold to approve Official Plan Amendment No. 70, and the implementing Zoning Bylaw Amendment 29-2010 to permit the conversion of prestige employment lands in the Brock Business and Industrial Park for development of a multi-storey student residence with ground floor commercial; and

That the City of Thorold be advised of Council's decision.

Carried.

127. Public Works Committee Membership

Moved by Councillor Augustyn
Seconded by Councillor Salci

That Councillor Goulbourne be appointed as a member of the Public Works Committee effective immediately.

Carried.

128. Revised Funding Request (CSO Cost Sharing Program)
For Sewer Lining and Replacement
Town of Lincoln
PWA 40-2010

Moved by Councillor Marshall
Seconded by Councillor Trombetta

That Report PWA 40-2010, May 25, 2010 respecting Revised Funding Request (CSO Cost Sharing Program) For Sewer Lining and Replacement Town of Lincoln, be received;

That the application of the Town of Lincoln, in the amount of \$212,500, towards replacement and lining of sewers, be approved for funding; and

That the additional funding be charged against Capital Project ZSW0004, Wet Weather Flow Control Program.

Carried.

PUBLIC MEETINGS

129. Regional Policy Plan Amendment 1-2009
Queenston Quarry Reclamation Company (QQRC)
Town of Niagara-on-the-Lake

Date: Tuesday, June 22, 2010
Time: 6:30 p.m.
Place: Committee Room 4, Campbell West, Regional Headquarters

Councillors Salci.

130. Regional Policy Plan Amendment 8-2009
Switchgrass Pelletization and Pallet
Recycling Facility
Township of West Lincoln

Date: Monday, June 14, 2010
Time: 6:30 p.m.
Place: Township of West Lincoln, Council Chambers

Councillors Trombetta

131. Transfer from Capital Variance Reserve and
Tender Award 2010-T-101 (RN 10-01)
Reconstruction of Regional Road 20 from
300m east of Cataract Road to 300m east of Hansler Road
City of Thorold
PWA 39-2010(CSD 53-2010)

Moved by Councillor D'Angela
Seconded by Councillor Augustyn

That Report PWA 39-2010(CSD 53-2010), May 25, 2010, respecting Transfer from Capital Variance Reserve and Tender Award 2010-T-101 (RN 10-01) Reconstruction of Regional Road 20 from 300m east of Cataract Road to 300m east of Hansler Road City of Thorold, be received;

That Tender 2010-T-101 (RN 10-01), Reconstruction of Regional Road 20 from 300m east of Cataract Road to 300m east of Hansler Road, in the City of Thorold, be awarded to the low tenderer, Rankin Construction Inc., at the bid price of \$ 4,212,681;

That a contingency allowance in the amount of \$ 420,000 be provided for this contract;

That the Engineering Agreement with the consulting firm of AMEC Earth & Environmental be extended to include contract administration and inspection services of \$191,100, with the engineering fees being calculated on a time plus disbursements basis;

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of The Regional Municipality of Niagara, are presented to Regional Council on June 3, 2010;

That funding, in the amount of \$3,608,995, be transferred from the Capital Levy Variance Reserve to Project ZRC0626/RC1035, Reconstruction of Regional Road 20, from 300m east of Cataract Road to 300m east of Hansler Road; and

That all project costs be charged against Capital Works Project ZRC0626/RC1035.

Carried.

(Please note that Report PWA 39-2010(CSD 53-2010) can be found behind the Joint Reports Blue Book Tab)

132. Water Financial Plan
PWA 43-2010(CSD 54-2010)

Moved by Councillor Timms
Seconded by Councillor Marshall

That Report PWA 43-2010(CSD 54-2010), May 25, 2010, respecting Water Financial Plan, be received;

That the Water Financial Plan, as attached, be received for information;

That the following statements included in the Water Financial Plan be approved by a resolution of Regional Council in accordance with O.Reg. 453/07:

- Pro Forma Statement of Financial Position – Water
- Pro Forma Statement of Financial Operations – Water
- Pro Forma Statement of Cash Flow/Cash Receipts – Water

Carried.

(Please note that Report PWA 43-2010(CSD 54-2010) can be found behind the Joint Reports Blue Book Tab)

133. Proposed Amendments to the Solids Waste Management Bylaw No. 95-2008
PWA 44-2010

Moved by Councillor D'Angela
Seconded by Councillor Baty

That Report PWA 44-2010, May 25, 2010, respecting Proposed Amendments to the Solids Waste Management Bylaw No. 95-2008, be received;

That the Solid Waste Management Bylaw No. 95-2008, as amended, be updated to include new Section 17.4 as follows:

From time to time, the Region may define specific collection times other than as shown in Section 17.1 and 17.2 for As Designated areas. The Owner of a Premises in an As Designated area shall set out Collectible Material for collection at the prescribed times and schedules As Designated which will be published or communicated by the Region for the As Designated areas. Publication for purposes of this section and s. 40.3 means notice placed on the Region's website at least thirty (30) days prior to any As Designated changes to collection schedule or area being implemented. Communication by the Region for purposes of this section and s. 40.3 means notices given to Owners of affected Premises either mailed by ordinary mail (where receipt is deemed to be three days after mailing) or hand delivered at least thirty (30) days prior to any As Designated changes to collection schedule or area being implemented. Information posters and media releases may be used in addition to the above publication or communication methods. The only exception to the thirty (30) day publication or communication requirement is in the event of an emergency situation as determined by the Region where emergency involves a situation of public safety or legal or regulatory requirement which requires As Designated changes to be implemented faster than on thirty (30) days notice.

That the Solid Waste Management Bylaw No. 95-2008, as amended, be updated to include new Section 40.3 as follows:

Notwithstanding any other provision of this By-law, no person or Owner shall be charged with an offense for setting out, or permitting to be set out contrary to this By-law (including specific As Designated areas or collection times or schedules), any Collectible Material for Curbside collection where the As Designated provisions have not been published or communicated as set out in s. 17.4 of this By-law.

In addition to the publication and communication of As Designated changes set out in Section 17.4, the Region will communicate to the Owner of a Premises in an As Designated area verbally and issue a minimum of one (1) written notification to inform the Owner of the As Designated alternate schedule for the As Designated area before any such Owner is charged with an offense as set out above.

Carried.

134. Official Plan Amendment No. 42
Winston Road Neighbourhood Secondary Plan in the
Town of Grimsby
PWA 45-2010

Moved by Councillor Augustyn
Seconded by Councillor Trombetta

That Report PWA 45-2010, May 25, 2010, respecting Official Plan Amendment No. 42 Winston Road Neighbourhood Secondary Plan in the Town of Grimsby, be received;

That Amendment No. 42 to the Town of Grimsby 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 Planning Act requirements; and

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

Carried.

135. Regional Niagara Bicycling Committee
April 13, 2010

Moved by Councillor Baty
Seconded by Councillor Trombetta

That the minutes of the Regional Niagara Bicycling Committee meeting of April 13, 2010, be received and the following recommendation be approved:

That the Public Works Department be encouraged to ensure that road and bridge closures are listed on the RNBC website and that Chair Baty send correspondence to the Niagara Region with the same request.

That a printing of ten thousand Regional Niagara Bicycling maps at a cost of \$3600 be initiated.

Carried.

ITEMS FOR INFORMATION

136. Capital Projects Activity Report
Waste Management Services Division
PWP 14-2010

Moved by Councillor Trombetta
Seconded by Councillor Augustyn

That Report PWP 14-2010, May 25, 2010, respecting Capital Projects Activity Report Waste Management Services Division, be received for information.

Carried.

137. Project Activity Report
Water & Wastewater Services
PWP 16-2010

Moved by Councillor Trombetta
Seconded by Councillor Augustyn

That Report PWP 16-2010, May 25, 2010, respecting Project Activity Report Water & Wastewater Services, be received for information.

Carried.

138. Closure of Capital Projects
CSD 60-2010

Moved by Councillor Trombetta
Seconded by Councillor Augustyn

That Report CSD 60-2010, May 26, 2010, respecting Closure of Capital Projects,
be received for information.

Carried.

*(Please note that Report CSD 60-2010 can be found behind the Corporate
Services Committee Reports Blue Book Tab)*

(Refer to Councillor Information Requests)

139. Transportation Strategy Steering Committee
April 20, 2010

Moved by Councillor Trombetta
Seconded by Councillor Augustyn

That the minutes of the Transportation Strategy Steering Committee meeting of
April 20, 2010, be received for information.

Carried.

140. Inter-Municipal Specialized Transit Advisory Committee
February 22, 2010

Moved by Councillor Trombetta
Seconded by Councillor Augustyn

That the minutes of the Inter-Municipal Specialized Transit Advisory Committee
meeting of February 22, 2010, be received for information.

Carried.

OTHER BUSINESS

141. Development Strategy for the St. David's Merritville Highway Areas

Moved by Councillor Timms
Seconded by Councillor Augustyn

That (Integrated Community Staff) Report to the Public Works Committee on a process and protocol for engaging the City of Thorold and City of St. Catharines in a development strategy for the St. David's, Merritville Highway areas of the two cities; and

That the two cities be advised of the Regions interest in a jointly developed strategy.

Carried.

142. Traffic Lights at Lundy's Lane West – City of Niagara Falls

Councillor Salci inquired as to the status of the traffic light request for Lundy's Lane West in the City of Niagara Falls.

Mr. Cousins stated that regional staff have been asked to treat this as a priority and it should be complete within the next two months.

143. Convention Centre – Installation of Traffic Lights at Livingston and Stanley Avenue
City of Niagara Falls

Councillor Salci inquired as to the status of the planned installation at Livingston and Stanley Avenue in the City of Niagara Falls.

Mr. Cousins stated that regional staff was coordinating information with Municipal staff and waiting for notification respecting a start date.

144. Port Robinson Ferry

Councilor D'Angela updated Committee members on the Port Robinson Ferry Service. He stated that the ferry is up and running and working fine; remaining minor issues will continue to be addressed on an ongoing basis.

145. Signage on Regional Roads

Councillor Augustyn requested information regarding the process respecting applying for signage; inquires had been made to him respecting signage that would direct people down to the shops in Ridgeville.

Mr. Cousins stated that community members could contact Peter Vujic, Supervisor Traffic Studies for information regarding the permit process. He further stated that any cost for signage would be the business owners responsibility.

CLOSED SESSION

146. Moved by Councillor Timms
Seconded by Councillor Salci

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to "Proposed Acquisition of Land by the Municipality Reconstruction of Stanley Avenue at Lyons Creek Road City of Niagara Falls".

Carried.

147. Proposed Acquisition of Land by the Municipality
Reconstruction of Stanley Avenue at Lyons Creek Road
City of Niagara Falls
Confidential PWA 47-2010(CSD 61-2010)

Moved by Councillor Salci
Seconded by Councillor Trombetta

That Confidential Report PWA 47-2010(CSD 61-2010), May 25, 2010, respecting ""Proposed Acquisition of Land by the Municipality Reconstruction of Stanley Avenue at Lyons Creek Road City of Niagara Falls"., be received for information and the recommendations contained therein approved.

Carried.

148 Moved by Councillor Trombetta
Seconded by Councillor Marshall

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- Clarify why Road ZRC0601 RC0645 Intersection RR20 (Formerly Highway 20) at Timmsdale Crescent had budgeted \$220,000.00 yet only spent \$2,680.00 (Refer to Minute Item #138) (Councillor Augustyn)

ADJOURNMENT

The Committee adjourned at 11:27 p.m. to meet again at 9:30 a.m. on Tuesday, June 15, 2010 in Committee Room #4, Regional Headquarters.

Tim Rigby
Chair

Lisa McManus
Legislative Assistant

Janet Pilon
Deputy Clerk