

**THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
OPEN SESSION**

**CSC 7-2021
Wednesday, July 14, 2021
Council Chamber / Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Foster (Committee Chair)

Committee Members Present via Video Conference: Butters, Campion, Diodati, Easton, Edgar, Fertich, Gale, Heit, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Bradley (Regional Chair)

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, E. Fabiani, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, T. Cimino, Associate Director, Water, Wastewater Engineering, S. Crocco, Legal Counsel, N. Early, Director, Corporate Strategy & Innovation, D. Gibbs, Director, Legal & Court Services, R. Fleming, Senior Tax & Revenue Analyst, F. Fucile, Manager, Real Estate, K. Lotimer, Legislative Coordinator, R. McDougall, Commander, Emergency Management Services Logistics, M. Murphy, Associate Director, Budget Planning & Strategy, E. Prpic, Associate Director, Waste Disposal Operations & Engineering, D. Rurak, Director, Asset Management, K. Smith, Chief/Director, Emergency Medical Services, F. Tassone, Associate Director, Transportation Engineering, N. Wolfe, Director, Construction, Energy & Facilities

1. CALL TO ORDER

Committee Chair Foster called the meeting to order at 9:30 a.m.

2. **DISCLOSURES OF PECUNIARY INTEREST**

Councillor Gale declared an indirect pecuniary interest with respect to Report CSD 45-2021 (Agenda Item 7.2), respecting 2018-RFP-33 Architectural Services for Two Long Term Care Homes in the City of St. Catharines and the Town of Fort Erie, as his daughter-in-law is employed at a Niagara Region long term care home.

3. **PUBLIC PARTICIPATION MEETING PURSUANT TO THE MUNICIPAL ACT, 2001 AND REGIONAL POLICY**

Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie

At 9:32 a.m., Committee Chair Foster called the public participation meeting pursuant to the *Municipal Act, 2001*, and Regional Policy to order.

The Committee Chair advised that the purpose of this meeting was to receive comments and answer questions from the public respecting the proposed stop up and close of a portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie and for the consideration of Report CSD 44-2021 following the opportunity for the public to provide comments.

The Committee Chair stated that in accordance with Regional Policy, public notice of the meeting was advertised on June 29, 2021, on the Region's website.

3.1 **Registered Speakers**

The Committee Chair advised that there were no registered speakers for today's meeting and that members of the public could submit written comments after the public meeting by sending them to the Regional Clerk.

3.2 **Report for Consideration**

3.2.1 **CSD 44-2021**

Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie

Moved by Councillor Redekop
Seconded by Councillor Easton

That Report CSD 44-2021, dated July 14, 2021, respecting Stop Up and Close a Portion of Regional Road 1 (Dominion Road) in the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That a portion of Regional Road 1 (Dominion Road), described as Part of Lot 18, Plan 424, former Township of Bertie, now Town of Fort Erie, designated as Part 1 on Plan 59R-8808, being part of PIN 64470-0002, and containing approximately 1,791 square feet as shown in Appendix 1 to Report CSD 44-2021 (the "Lands") **BE APPROVED** to be stopped up and closed; and
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Carried

3.3 Adjournment of the Public Participation Meeting Pursuant to the Municipal Act, 2001 and Regional Policy

The Committee Chair declared the public participation meeting pursuant to the *Municipal Act, 2001*, and Regional Policy adjourned at 9:35 a.m.

4. **PUBLIC PARTICIPATION MEETING PURSUANT TO THE RETAIL BUSINESS HOLIDAYS ACT**

Application for Tourism Exemption under the Retail Business Holidays Act - Home Depot Store, 7190 Morrison Street in the City of Niagara Falls

At 9:36 a.m., Committee Chair Foster called the public participation meeting pursuant to the *Retail Business Holidays Act* to order.

The Committee Chair advised that the purpose of the meeting was to receive comments and answer questions from the public regarding the application for tourism exemption under the *Retail Business Holidays Act* from Home Depot Store - 7190 Morrison Street in the City of Niagara Falls.

The Committee Chair stated that, in accordance with Regional Policy, public notice of the meeting was advertised on the Region's website on June 7, 2021. Additionally, public notice was advertised in the Niagara Falls Review on June 5 and June 8, 2021.

4.1 Registered Speakers

The Committee Chair advised that there were no registered speakers for today's meeting and that members of the public could submit written comments after the public meeting by sending them to the Regional Clerk.

4.2 Report for Consideration

4.2.1 CLK 8-2021

Application for Tourism Exemption for Holiday Openings under the Retail Business Holidays Act - Home Depot Store, 7190 Morrison Street, City of Niagara Falls

Moved by Councillor Diodati
Seconded by Councillor Gale

That Report CLK 8-2021, dated July 14, 2021, respecting Application for Tourism Exemption for Holiday Openings under the Retail Business Holidays Act - Home Depot Store - 7190 Morrison Street, City of Niagara Falls, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the application from Home Depot, requesting a tourism exemption under the Retail Business Holidays Act, to permit the store located at 7190 Morrison Street, in the City of Niagara Falls, to open on all statutory holidays, with the exception of Christmas Day, from 7:00 a.m. to 9:00 p.m., **BE APPROVED**; and
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Carried

4.3 Adjournment of the Public Participation Meeting under the Retail Business Holidays Act

The Committee Chair declared the public participation meeting pursuant to the Retail Business Holidays Act adjourned at 9:43 a.m.

5. **PRESENTATIONS**

There were no presentations.

6. **DELEGATIONS**

There were no delegations.

7. ITEMS FOR CONSIDERATION

7.1 CSD 37-2021

Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby

Moved by Councillor Fertich

Seconded by Councillor Whalen

That Report CSD 37-2021, dated July 14, 2021, respecting Development Charge Demolition Credit Extension Request – Brownfield Redevelopment, Grimsby, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the eligibility period extension request for the Regional Development Charge demolition credits associated with the brownfield redevelopment located at 362-398 North Service Rd., Grimsby (commonly referred to as “5th Wheel”) **BE APPROVED** as per Table 2 of Report CSD 37-2021, in accordance with section 18 (c) of By-law 2017-98;
2. That the eligibility period extension request for the Regional Development Charge demolition credits associated with 2 Winston Rd., Grimsby, **BE DENIED**; and
3. That no additional extension for the Brownfield Transition agreement made under Schedule F of By-law 2017-98 between the Regional Municipality of Niagara and Losani Homes (1998) LTD., or other grants associated with the 5th Wheel development **BE APPROVED**.

Moved by Councillor Gale

Seconded by Councillor Whalen

That the motion **BE AMENDED** as follows:

2. That the eligibility period extension request for the Regional Development Charge demolition credits associated with 2 Winston Rd., Grimsby, ~~**BE DENIED**~~ **BE APPROVED**; and
3. ~~That no additional extension for the Brownfield Transition agreement made under Schedule F of By-law 2017-98 between the Regional Municipality of Niagara and Losani Homes (1998) LTD. or other grants associated with the 5th Wheel development **BE APPROVED**.~~ ***That any extensions to brownfield grant agreements between the Regional Municipality of Niagara and Losani Homes (1998) LTD. BE APPROVED if the extension aligns with the Town of Grimsby’s Development Charges By-law.***

Moved by Councillor Butters
Seconded by Councillor Redekop

That the following amendments **BE DEFERRED** to the Corporate Services Committee meeting being held on August 11, 2021:

2. That the eligibility period extension request for the Regional Development Charge demolition credits associated with 2 Winston Rd., Grimsby, ~~**BE DENIED**~~ **BE APPROVED**; and
3. ~~That no additional extension for the Brownfield Transition agreement made under Schedule F of By-law 2017-98 between the Regional Municipality of Niagara and Losani Homes (1998) LTD. or other grants associated with the 5th Wheel development~~ **BE APPROVED. That any extensions to brownfield grant agreements between the Regional Municipality of Niagara and Losani Homes (1998) LTD. BE APPROVED if the extension aligns with the Town of Grimsby's Development Charges By-law.**

Carried

The Committee Chair called the vote on Clause 1 of the motion and declared it,

Carried

7.2 CSD 45-2021

2018-RFP-33 Architectural Services for Two Long Term Care Homes in the City of St. Catharines and the Town of Fort Erie

Moved by Councillor Butters
Seconded by Councillor Edgar

That Report CSD 45-2021, dated July 14, 2021, respecting 2018-RFP-33 Architectural Services for Two Long Term Care Homes in the City of St. Catharines and the Town of Fort Erie, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract Administration Services identified in "2018-RFP-33 Architectural Services for Two Long Term Care Homes in City of St. Catharines and Town of Fort Erie" **BE AWARDED** to MMMC Inc., in the amount \$1,829,206.43 (including 13% HST); and
2. That the Regional Chair and the Regional Clerk **BE AUTHORIZED** to execute an amending agreement between Niagara Region and MMMC Inc. as proposed in Recommendation of Report CSD 45-2021.

Carried

7.3 CSD 46-2021

Engineering Roster Extension - Water, Wastewater, Transportation, Waste Management and Facilities

Moved by Councillor Heit

Seconded by Councillor Campion

That Report CSD 46-2021, dated July 14, 2021, respecting Engineering Roster Extension - Water, Wastewater, Transportation, Waste Management and Facilities, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the 2019 Niagara Region engineering roster for Water, Wastewater, Transportation, Waste Management and Facilities (2019-RFPQ-173) **BE EXTENDED** from July 31, 2021, to December 31, 2021 (5 months).

Carried

7.4 CSC-C 19-2021

Deferred Motion Respecting Hospice Niagara Request for Funding

Moved by Councillor Ip

Seconded by Councillor Easton

That Correspondence Item CSC-C 19-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated July 14, 2021, respecting Deferred Motion - Hospice Niagara Request for Funding (Report CSD 24-2021), **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Hospice Niagara Funding request of \$4 million **BE RECEIVED** for information;
2. That Council **SUPPORTS** the request for funding by Hospice Niagara in the amount of \$4 million;
3. That funding for the project **BE INCLUDED** in the 2022 Niagara Region operating budget, to be paid in 4 equal annual instalments with timing to be determined and a report to come forward to the Budget Review Committee of the Whole; and
4. That staff **BE DIRECTED** to develop a program for dealing with this type of health care related request for funding, possible criteria to include how the proposed project integrates with other health care services in Niagara, the extent of service to all residents of Niagara, the impact of proposed new services or extension of existing services and how the project will be funded through private fundraising and other sources of revenue.

Carried

8. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Campion
Seconded by Councillor Fertich

That the following items **BE RECEIVED** for information:

CSD 48-2021
Councillor Information Request - Niagara-on-the-Lake Wastewater Treatment Plant Update

CSC-C 20-2021
Minutes of the Regional Development Charges Policy Task Force

Carried

9. OTHER BUSINESS

9.1 Provincial Downloading of Responsibilities

Councillor Redekop enquired whether Regional Council had passed a resolution or taken any steps to organize other Ontario municipalities to approach the provincial government respecting downloading of various responsibilities that have occurred. Ann-Marie Norio, Regional Clerk, advised that she would confirm if a resolution had been passed.

10. CLOSED SESSION

Moved by Councillor Gale
Seconded by Councillor Whalen

That this Committee **DO NOW MOVE** into closed session for the purpose of receiving information of a confidential nature respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”).

Carried

Committee resolved into closed session at 10:32 a.m.

11. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 10:44 a.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber: Foster (Committee Chair)

Committee Members Present via Video Conference: Butters, Campion, Diodati, Easton, Edgar, Fertich, Gale, Heit, Ip, Redekop, Rigby, Whalen (Committee Vice-Chair)

Absent/Regrets: Bradley (Regional Chair)

Staff Present in the Council Chamber: H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, E. Fabiani, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, B. Menage, Director, Procurement & Strategic Acquisitions, A.-M. Norio, Regional Clerk, M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: D. Ane, Manager, Program Financial Support, T. Cimino, Associate Director, Water, Wastewater Engineering, S. Crocco, Legal Counsel, D. Gibbs, Director, Legal & Court Services, F. Fucile, Manager, Real Estate, K. Lotimer, Legislative Coordinator, R. McDougall, Commander, Emergency Management Services Logistics, K. Smith, Chief/Director, Emergency Medical Services

11.1 Confidential CSD 38-2021

A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”)

Moved by Councillor Redekop
Seconded by Councillor Easton

That Confidential Report CSD 38-2021, dated July 14, 2021, respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant (“NOTL WWTP”), Niagara-on-the-Lake Sewage Pumping Station (“NOTL SPS”), and Welland Wastewater Treatment Plant Upgrades (“Welland WWTP”), **BE RECEIVED** for information.

Carried

11.2 Confidential CSD 43-2021

A Matter Respecting a Proposed Acquisition of Land by the Municipality under s. 239(2) of the Municipal Act, 2001 – Emergency Medical Services (EMS) Lease Agreement

Moved by Councillor Rigby
Seconded by Councillor Fertich

That Confidential Report CSD 43-2021, dated July 14, 2021, respecting A Matter Respecting a Proposed Acquisition of Land by the Municipality under s. 239(2) of the Municipal Act, 2001 – Emergency Medical Services (EMS) Lease Agreement, **BE RECEIVED** and the recommendations contained therein, **BE APPROVED**.

Carried

11.3 South Niagara Falls Wastewater Treatment Plant

Moved by Councillor Gale
Seconded by Councillor Heit

That staff **BE DIRECTED** to provide a project management report directly to Council, related to the new South Niagara Falls Water and Wastewater Treatment plant, that includes a project road map with timelines, projected costs and milestones.

Carried

12. **NEXT MEETING**

The next meeting will be held on Wednesday, August 11, 2021 at 9:30 a.m.

13. ADJOURNMENT

There being no further business, the meeting adjourned at 10:52 a.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk