

***Proposed Common Position Resolution***

**Whereas** the Regional Municipality of Niagara at its Regional Council meeting on September 22, 2016 approved the following motion and direction to staff;

**“Regional Council Motion: September 22, 2016.**

That Correspondence Item PWC-C 22-2016, dated September 6, 2016, being a memorandum from R. Walton, Regional Clerk, respecting Recommendations from the Transportation Steering Committee meeting held on July 26, 2016 for Consideration, BE RECEIVED and the following recommendations BE APPROVED:

1. That Niagara Region SUPPORT IN PRINCIPLE adopting sole responsibility for operations and governance of Niagara District Airport (NDA) and Niagara Central Dorothy Rungeling Airport (NCDRA);
2. That, subject to completion of a phase 2 environmental assessment paid for by the current owners/operators, Regional staff BE AUTHORIZED to initiate detailed negotiations with the current funding partners of both the NDA and the NCDRA to transition responsibility to Niagara Region;
3. That a transition plan BE DEVELOPED with the current funding partners, including transitional funding and budget implications for ongoing operations and capital requirements during the transition period for inclusion in the Regional budget deliberations, and a proposal for a new governance structure satisfactory to Regional Council;
4. That a report BE PRESENTED to the Transportation Steering Committee summarizing the outcome of these negotiations and the transition plan prior to final approval by Regional Council; and
5. That notification of the Council-approved motions related to NDA and NCDRA BE PRESENTED to the twelve local municipalities, the Niagara District Airport Commission, the Niagara Central Dorothy Rungeling Airport Commission and Transport Canada.

The Regional Chair declared the vote, Carried”

**And whereas** The Welland-Port Colborne Airport Act was assented to on May 7, 2006 and this act contains the following applicable section;

Under Schedule B section2 subsection 2 (b)

That the Commission shall not sell or otherwise dispose of the said airport  
Provided however, that the Commission may in its sole discretion sell, lease or

otherwise dispose of the buildings on the said airport as the Commission may consider advisable and for sole benefit of the Commission,

And further under Schedule b subsection 2 (c)

That the Commission shall not use or permit to be used the said airport for purposes other than airport purposes and shall maintain and operate said airport as a public airport.

**And whereas** Schedule A of The Welland-Port Colborne Airport Act provides the following clauses governing the ongoing activities of the Commission as follows:

“And whereas pursuant to the provisions of the Municipal Act R.S.O. 1970 chapter 284, section 352, paragraph 9, bylaws may be passed for the establishment, operation, maintenance of air harbours or landing grounds, together with such other rights and powers as are contained therein;

**And whereas** section 254 of the Municipal A, R.S.O 1970 chapter 284 provides for the passing of by-laws by a municipality for entering into and performing any agreement with any other Council for fulfilling, executing and completing at their joint expense and for their joint benefit, any undertaking or work within the jurisdiction of the Council,

**And whereas** the Niagara Region is currently considering the longer-term opportunities to grow the economic impacts of these airports as Regionally managed and operated airports;”

**And whereas** the Regional Municipality of Niagara (Niagara Region) has two municipally supported and funded airports, the Niagara District Airport and the Niagara Central Dorothy Rungeling Airport;

**And whereas** the Niagara Central Dorothy Rungeling Airport has completed the terms of section 2, notably, “That, subject to completion of a phase 2 environmental assessment paid for by the current owners/operators, Regional staff BE AUTHORIZED to initiate detailed negotiations with the current funding partners of both the NDA and the NCDRA to transition responsibility to Niagara Region;

**And whereas** there must be formal discussions between stakeholder municipalities and Niagara Region,

**THEREFORE, WE RESOLVE** that representatives of the NDA and NCDRA stakeholder municipalities and the Region of Niagara commence formal discussions to finalize the assumption of the management/operational responsibilities of the NDA and NCDRA,

**AND**, by all stakeholder municipalities of NCDRA adopting this resolution, the stakeholder municipalities of the NCDRA approve the formal discussions with the Region of Niagara and the

NDA to see both airports managed and operated as Regional airport facilities and that the, **“Framework for the Memorandum of Understanding”** attached to this motion be the basis of NCDRA stakeholder municipalities terms of reference for these discussions.

Moved by

Seconded by

Approved