



City of Port Colborne
Regular Meeting of Committee of the Whole 10-19
Monday, March 25, 2019 – 6:30 p.m.
Council Chambers, 3rd Floor, 66 Charlotte Street

Agenda

- 1. Call to Order:** Mayor William C. Steele
- 2. National Anthem:**
- 3. Introduction of Addendum and Delegation Items:**
- 4. Confirmation of Agenda:**
- 5. Disclosures of Interest:**
- 6. Adoption of Minutes:**
 - (a) Special meeting of Committee of the Whole 02–19, held on January 21, 2019.
 - (b) Special meeting of Committee of the Whole 03–19, held on January 23, 2019.
 - (c) Special meeting of Committee of the Whole 05-19, held on February 4, 2019.
 - (d) Special meeting of Committee of the Whole 08-19, held on March 4, 2019.
 - (e) Regular meeting of Committee of the Whole 09-19, held on March 11, 2019.
- 7. Determination of Items Requiring Separate Discussion:**
- 8. Approval of Items Not Requiring Separate Discussion:**
- 9. Presentations:**
 - (a) Lori Kleinsmith Co-Chair, Providing a Report from Social Determinants of Health Committee – Everyone Matters (Page No. 9)
- 10. Delegations (10 Minutes Maximum):**
 - (a) Patty Moss regarding the Impact of Herbicide spraying in ditches and to request the creation of a by-law to keep vegetation alive in ditches and waterways on City owned lands (Page No. 15)
- 11. Mayor's Report:**
- 12. Regional Councillor's Report:**
- 13. Councillors' Items:**
 - (a) Councillors' Issues/Enquiries
 - (b) Staff Responses to Previous Councillors' Enquiries

14. Consideration of Items Requiring Separate Discussion:**15. Notice of Motion:****16. Adjournment:****Upcoming Committee of the Whole and Council Meetings**

Monday, April 8, 2019	Committee of the Whole/Council – 6:30 P.M.
Tuesday, April 23, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, May 13, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, May 27, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, June 10, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, June 24, 2019	Committee of the Whole/Council – 6:30 P.M.

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

Committee Items:

Notes	Item	Description / Recommendation	Page
WCS MB EB RB GB FD AD DK HW	1.	<p><u>Planning and Development Department, Planning Division, Report 2019-38, Subject: Site Alteration Permit Additional Review – Port Colborne Quarries</u></p> <p>That Council approve a Site Alteration Permit for Port Colborne Quarries for the placement of approved MECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:</p> <ul style="list-style-type: none"> i) That the Ministry of Natural Resources' consent to change the type of rehabilitation program. ii) That Port Colborne Quarries follow Golder's Soil Management Plan. iii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes. iv) That a Site Alteration Permit fee of \$1,420 be submitted to the Department of Planning and Development. v) That a \$2500 retainer be submitted by PCQ to cover any costs related to complaints received. vi) That any future MECP guideline be in compliance prior to the placement of fill. 	33
WCS MB EB RB GB FD AD DK HW	2.	<p><u>Planning and Development Department, Planning Division, Report 2019-35, Subject: Downtown CBD CIP Expansion</u></p> <p>That staff be directed to process an application to consider the inclusion of 176 Elm Street in the Central Business District Community Improvement Plan.</p>	43
WCS MB EB RB GB FD AD DK HW	3.	<p><u>Planning and Development Department, By-law Enforcement Division, Report 2019-40, Subject: 2019-02 By-law Enforcement Services – Refuse/ Debris Removal & Property Grass Mowing – 4 year contract</u></p> <p>That Council award Tender 2019-02 By-law Services - Refuse and Debris Removal & Property Grass Mowing – 4 year contract to Greenside Landscaping & Lawn Service Inc. of Port Colborne, Ontario, for the total tendered price of \$7,185.00 plus applicable taxes.</p> <p>That this report be approved as presented and the Clerk be authorized to execute the contract Agreement.</p>	47

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<p>WCS RB AD</p>	<p>MB GB DK</p>	<p>EB FD HW</p>	<p>4.</p>	<p><u>Corporate Services Department, Finance Division, Report 2019-37, Subject: 2019 Operating/Capital Budget</u></p> <p>That the Corporate Services Department, Finance Division Report 2019-37 be approved; and</p> <p>That Council confirm and approve, that in compliance with Ontario regulation 284/09, the 2019 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,124,154 and the amount of post-employment benefits expense which amounts to approximately \$247,000.</p> <p>That the 2019 Budget be approved as presented with the City's net overall levy for 2019 at \$18,167,975 (Operating levy of \$15,970,715 and Capital levy of \$2,197,260).</p> <p>That the operating expenditures of \$25,025,858 operating revenues/fees/reserves/OMPF funds of \$9,055,143 and capital expenditures of \$5,654,095 with capital revenues from reserves/grants of \$3,456,835 be approved.</p> <p>That the Storm Sewer budget be approved to be funded through an established flat fee schedule to include an operating/capital budget raising approximately \$740,800 annually to fund operations, the current storm sewer debt and establish a storm sewer capital reserve for future infrastructure.</p> <p>That the Mayor and City Clerk be authorized to execute the appropriate By-law for the budget estimates for all sums required for the operations for the year 2019.</p>	<p>51</p>
<p>WCS RB AD</p>	<p>MB GB DK</p>	<p>EB FD HW</p>	<p>5.</p>	<p><u>Memorandum from Peter Senese, Director of Corporate Services Re: 2019 Ontario Municipal Partnership Fund (OMPF) Budget Allocation</u></p> <p>That Council approve the reduction of the OMPF funding amounting \$47,900 reduce the budgeted allocation to the Downtown CIP from \$100,000 to \$52,100. Any required funding for the difference to the Downtown CIP project to be funded from the Capital Infrastructure Reserve Fund.</p>	<p>71</p>

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WCS RB AD	MB GB DK	EB FD HW	6.	<p><u>Corporate Services Department, Finance Division, Report 2019-36, Subject: Statement of Remuneration and Expenses 2018</u></p> <p>That the Report on Remuneration and Expenses for 2018 be received for information purposes as per Sections 283 and 284 of the Municipal Act, 2001, as amended.</p>	73
WCS RB AD	MB GB DK	EB FD HW	7.	<p><u>Engineering and Operations Department, Engineering Division, Report 2019-39, Subject: Application for Bulk Water Haulage Agreement – Village Enterprises Water Haulage</u></p> <p>That the Council of the City of Port Colborne authorize entering into a Bulk Water Sales Agreement with:</p> <p>Village Enterprises Water Haulage 3645 Carver Street Stevensville, ON L0S 1S0</p> <p>And that the Mayor and Clerk be authorized to sign the agreement.</p>	77
WCS RB AD	MB GB DK	EB FD HW	8.	<p><u>Engineering and Operations Department, Operations Division, Report 2019-32, Subject: Port Colborne Distribution System Annual Summary Report</u></p> <p>That Council accepts report 2019-32, Port Colborne Distribution System Annual Summary Report, prepared in accordance with O.Reg. 170/03 for information.</p>	91
WCS RB AD	MB GB DK	EB FD HW	9.	<p><u>Engineering and Operations Department, Operations Division, Report 2019-33, Subject: 2018 Sherkston Community Centre Cistern System Annual Drinking Water Quality Report</u></p> <p>That Council accept report 2019-33, Sherkston Community Centre Annual Drinking Water Quality Report, prepared in accordance with O.Reg. 170/03, for information.</p>	111

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WCS	MB	EB	10.	<p><u>Community and Economic Development Department, Parks and Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival</u></p> <p>That the Director of Community and Economic Development be directed to coordinate with the City Clerk to schedule a facilitated strategic planning session for City Council (via a special Council meeting) regarding the Canal Days Marine Heritage Festival at the earliest possible date, as outlined in Community & Economic Development, Parks & Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival; and</p> <p>That the Director be authorized to secure the services of MHBC for the purpose of facilitating the above noted strategic planning session, at a cost of \$5,500, excluding taxes, as part of the preparation of the City's Parks and Recreation Master Plan to be funded with surplus funds from the completed Arts and Culture Master Plan which the Director of Corporate Services has advised are available.</p>	123
RB	GB	FD			
AD	DK	HW			
Miscellaneous Correspondence					
WCS	MB	EB	11.	<p><u>Memorandum from Richard Daniel, Manager of Operations Re: Request for Proclamation of April 2019 as Dig Safe Month</u></p> <p>That the month of April 2019 be proclaimed as "Dig Safe Month" in the City of Port Colborne in accordance with the request received from Richard Daniel, Manager of Operations, City of Port Colborne.</p>	127
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	12.	<p><u>Vance Badawey, Member of Parliament, Niagara Centre Re: Update on the Investing in Canada Infrastructure Program</u></p> <p>That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Update on the Investing in Canada Infrastructure program be received for information.</p> <p>The full text of the Canada-Ontario bilateral agreement can be found at the link below:</p> <p>https://bit.ly/2Oj9N2M</p>	129
RB	GB	FD			
AD	DK	HW			

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WCS RB AD	MB GB DK	EB FD HW	13.	<p><u>Region of Niagara Re: Status of Niagara Region Incentives and Grants Programs</u></p> <p>That the correspondence received from Doug Giles, Director of Community & Long Range Planning, Region of Niagara Re: Status of Niagara Region Incentives and Grants Programs, be received for information.</p>	135
WCS RB AD	MB GB DK	EB FD HW	14.	<p><u>Region of Niagara Re: Provincial Review of Regional Government</u></p> <p>That the letter received from the Region of Niagara regarding a letter from the Local Area Municipal Mayors, dated March 6, 2019 respecting Provincial Review of Regional Government, for consideration by respective Councils, be supported.</p>	137
WCS RB AD	MB GB DK	EB FD HW	15.	<p><u>Region of Niagara Re: Notice of Passing of By-law to Amend By-law 112-2013 Being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke – Triple Majority Requirement – PHD Report 02-2019 – January 8, 2019</u></p> <p>That Council consent to the update of Regional By-law No. 112-2013 to harmonize with the Smoke Free Ontario Act to include vaping and cannabis, as an interim measure for consistency, with an appropriate sunset clause.</p>	141
WCS RB AD	MB GB DK	EB FD HW	16.	<p><u>Region of Niagara Re: 2019 Budget-Waste Management Services Operating Budget and Requisition (CSD Report 7-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2019 Budget-Waste Management Services Operating Budget and Requisition, be received for information.</p>	161
WCS RB AD	MB GB DK	EB FD HW	17.	<p><u>Region of Niagara Re: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD Report 8-2019 Revised)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD Report 8-2019), be received for information.</p>	175

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WCS	MB	EB	18.	<u>Region of Niagara Re: Environmental Planning Function Overview (PDS Report 2-2019)</u>	209
RB	GB	FD			
AD	DK	HW		That the correspondence received from the Region of Niagara Re: Environmental Planning Function Overview (PDS Report 2-2019), be received for information.	
WCS	MB	EB	19.	<u>Region of Niagara Re: Development Applications Monitoring Report - 2018 Year End (PDS Report 3-2019)</u>	235
RB	GB	FD			
AD	DK	HW		That the correspondence received from the Region of Niagara Re: Development Applications Monitoring Report – 2018 Year End, be received for information.	
WCS	MB	EB	20.	<u>Region of Niagara Re: Update on Natural Environment Work Program – New Regional Official Plan (PDS Report 10-2019)</u>	245
RB	GB	FD			
AD	DK	HW		That the correspondence received from the Region of Niagara Re: Update on Natural Environment Work Program – New Regional Official Plan, be received for information.	
WCS	MB	EB	21.	<u>Niagara Regional Housing Re: Quarterly Report – October 1 to December 31, 2018</u>	251
RB	GB	FD			
AD	DK	HW		That the correspondence received from Niagara Regional Housing Re: Quarterly Report – October 1 to December 31, 2018, be received for information.	
Outside Resolutions – Requests for Endorsement					
WCS	MB	EB	22.	<u>City of Guelph Re: Maintaining the Voters' List for Municipal Elections</u>	267
RB	GB	FD			
AD	DK	HW		That the resolution received from the City of Guelph Re: Maintaining the Voters' List for Municipal Elections, be received for information.	
Responses to City of Port Colborne Resolutions					
Nil.					

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Social Determinants of Health Committee Everyone Matters

Report to the City of Port Colborne Council

March/April 2019

Who We Are

Committee Members Include:

- ▶ City Councillors
- ▶ City Departments: Fire, By-law Enforcement, Community Services, Library
- ▶ Community Agencies: Port Cares, Bridges Community Health Centre, Niagara Regional Police Services, Canadian Mental Health Association, Niagara Community Legal Services, Niagara Region Community Services
- ▶ One member of the general public

What Are the Social Determinants of Health?

The primary factors that shape the health of Canadians are not medical treatments or lifestyle choices but rather the economic, social and living conditions they experience. These conditions have come to be known as the social determinants of health (SDOH).

Aboriginal Status	Health Services
Disability	Housing
Early Child Development	Income and Income Distribution
Education	Race
Employment and Working Conditions	Social Exclusion
Food Insecurity	Social Safety Net
Gender	Unemployment and Job Security

What We Have Been Doing

- ▶ Formed in September 2015
- ▶ Meet quarterly for presentations, discussions, and actions on topics including:
 - ▶ Affordable housing and homelessness
 - ▶ Hoarding
 - ▶ Mental health
 - ▶ Transportation
 - ▶ Oral health
 - ▶ Basic income pilot

Considerations for 2019

- ▶ Call for the development of a coordinated municipal affordable housing strategy or plan with the goal to create affordable options across the housing continuum
- ▶ Further understanding of the roles the municipality can play in addressing the root causes of poverty through public policy and reducing the impact of poverty through programs/services
- ▶ Further identification of needed programs/services and public policies to address the SDOH/poverty
- ▶ Ways to increase social awareness and engagement amongst council and the community-at-large
- ▶ Exploration of living wage policy

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Delegate for March 25 council meeting patty moss to:

amberlapointe@portcolborne.ca, brendaheidebrecht@portcolborne.ca 03/15/2019
08:20 AM

From: "patty moss" <[REDACTED]>

To: "amberlapointe@portcolborne.ca" <amberlapointe@portcolborne.ca>,
"brendaheidebrecht@portcolborne.ca" <brendaheidebrecht@portcolborne.ca>

History: This message has been replied to.

Good Morning,

Could you please put me as a delegate for the Monday March 25th council meeting.

I wish to inform council the impact of herbicide spraying in ditches and request a bylaw to be created to keep vegetation alive in ditches and waterways on city owned lands.

I will have a summary in before Wednesday, and come in with my power point presentation to download.

Thank you for your time

Patty Moss
[REDACTED]

As mentioned on a previous email I would like to be added as a delegate for the March 25th council meeting regarding the request for a Bylaw creation for keeping the vegetation alive along city roadsides.

And I would like to attend the April 8th meeting as a delegate to request additional changes to the roadside initiative, and to provide a summary on last years observations.

I have attached a summary for both of these meeting dates.

Thank you

Patty Moss

Request for new Bylaw and request changes on Port Colborne's Roadside Mowing Initiative March 25th and April 8th Council Meetings

I like to start off this summary stating my thanks to all the members of the EAC committee for their support and advice to this roadside project. Also thanks to City Staff and Councilors that have worked along and implemented ideas to make this initiative possible. I believe this project will have huge benefits in the future years, and wouldn't have been possible without everyone's support and understanding.

I will be a delegate at two council meetings, due the fact the 10 min time requirement I have to speak. The next meeting on March 25th I will be asking for the implementation of a Bylaw creation to protect city owned roadside vegetation from herbicide. And at the April 8th meeting I will be giving a brief update on my study summary of last year and discuss the other requests I have for the roadside initiative.

Plant Studies

Last year was the first year after the initial three year trial area study time period. So my monitoring was changed where as I focused my study more on the 'difficult' plants and their disbursement and growing patterns throughout all the roads besides the original trial area. The plants I still find that are concern are the thistle species especially Sow Thistle, and Canada Thistle because of the aggressive seed development throughout the growing season. I still have come to the same conclusion with this species as the years prior, is other than using herbicide for removal there is no other method to control the development of seeds. As noted before in previous presentations, these species however produce more seed heads if they receive the 2nd cut during the summer months due to the fact they go into stress mode, however they are of shorter height growth.

Another 'difficult' plant is Canada Fleabane, it is a concern due to the fact the plant has evolved to have developed a resistance to herbicides. This plant does not release seeds until mid-September, therefore I believe the correct timing of mowing can eliminate any concerns of the plant species seed dispersal. A mention about this plant, it thrives in poor soil therefore it is commonly seen around culverts where there is runoff of chemicals, and along the shoulders of roadsides.

Popular tree seedlings are found throughout the roadside ditches of Port Colborne, these tree seedlings have been able to grow more vigorously with the delay of summer mowing. I have spoken with the roads department regarding any concerns with the mowing of branches of these species. They stated that the mowers are still able to cut them down in fall even with the extended growing period. I also looked at how these trees can collect other plant debris and garbage carried by water flow and whether it has caused blockage or impediment of the water flow. So far I haven't found a drainage area blocked by these Popular species.

I asked last year to have the first roadside mowing performed at a later date; the city had the contracting company start on June 4th, which is about 2 weeks later than usual. I wanted to allow the spring flowers to have a full bloom period and determine if the later cut would delay the seed development of the Canada Fleabane plant and other fall species. I still want the later cut to be preformed for the next few years, so I can't comment whether this does delay seed development. Too many factors are involved regarding temperature and rainfall for each year and will take years to determine if the later cut helps.

I was happy to see that the delay in the first cut didn't impact the Common Milkweed or the flowering species for pollinators since there were flowers within the two weeks after the cut,(and the weather was dry!)

Last summer less roads received the second cut, Killaly street East of Lorraine road, Second Con., Chippawa Road, 3rd Con. were some of the roads that received the delay as well. Was great news for me, and for the pollinators! I collected over 300 eggs and caterpillars of the Monarch Butterfly from Brookfield Road however!! Curious to know any concerns from residents regarding the addition of roads being delayed..

Pollinators along the Roads

Once again lots of Monarch activity was observed along the roadsides on the Common Milkweed plants. The timing of roadside mowing has proved to benefit the Monarchs migrating through our area.

I also studied the various pollinators that are to be found along the roads, noticing the increase of various species of butterflies.

These vegetative strips provide continuous habitat for certain pollinators that also play a role of a predator species for crop and garden pests. So having natural strips of plant vegetation will help in the reduction of required pesticides in some cases.

An increase of Red Wing bird habit was noticed along the ditches that didn't receive the second cut, these birds make their nests in ditches with tall vegetation, and these birds main food source is bugs.

I have noticed more residents leaving their ditches natural, I am hoping in the future in we can implement some sort of recognition for their support. But I feel the city has to do more to support the pollinator habitat in on their lands, before we start recognizing resident's efforts.

Drainage

I also observe the ditch growth and cutting waste of the fall cut to see if it impedes the flow of water and cause flooding. The fall growth cut waste is thrown in clumps along the top edge of the ditch, not in the base of the ditch. Also, education has to be done in order for residents to understand that the natural growth needs to be established along the ditch were the original runoff is occurring. Such as farmers fields (especially the fields that have drainage systems in place under their crops) and residents who have landscaped yards with no natural vegetation to slow the runoff of water. In the future, public education and implementation of natural vegetation growth along our roadsides in the properties in the North section of rural

Port Colborne could help reduce flood problems of residents that live along the roads closer to the lake.

Another problem is erosion from fields with fast water runoff carrying dirt and sediments into our ditches. And roads such as Chippawa road, having the grading of the road too high, and the shoulder gravel in place slide into the base of ditches. Natural vegetation in these areas can help prevent erosion.

I don't want to seem I'm against farmers needs to keep their fields drained, I understand the climate is becoming more extreme with heavy downpours. However it will actually benefit them to have a natural vegetative strip to control the erosion and run off of important nutrients from their fields. Having a natural strip could improve soil conditions along the edges of the crops, and still allow water to flow off their fields.

This year's Requests

The creation of a Bylaw to prevent Herbicide in ditches

Upon observation of these roadsides I have been noticing certain property owners applying herbicide to the ditches. I have done some reading this past year regarding the impacts of Roundup to our waterways, and also how the product should be used by the manufacturer.

There are six Roundup products developed by Monsanto for Canadian commercial uses.

They are as follows:

- R/T 540
- Roundup Weathermax
- Roundup Transorb
- Roundup Xtend
- XTendimax
- Visionmax

The labels of these products state...

- Toxic to aquatic organisms
- Avoid application to any body of water
- Keep product out of drains, ditches and waterways
- All ask the user of the product to observe buffer zones needed when applying product
- Recommends including a vegetative strip between treated area and bodies of water

Please understand Roundup is not the only type of herbicide products available in Canada, however many herbicide products state the same requirements of the product use.

The bylaw should just enforce the city's drainage ditches to have live vegetation to help with erosion, chemical runoff absorption, and protecting the corridor habitat for pollinators. I'm looking for support and ideas on how we can create this Bylaw with consideration of the farmer's needs as well; I believe this can be possible!

Let us be the first city in Ontario to look at the health of our ditches in a future forward vision. This roadside initiative is not just about the butterflies and bees anymore, it's our water supply too!!

Other requests for this year's Roadside Initiative

I would to see if short widths of cuts (approx 3 feet) can be performed on roadsides, and be done more often especially where there is a higher concentration of unwanted plants. Or where there is poor growing conditions along roadsides i.e.; Chippawa Road. And have a full cut performed during the fall.

I had this discussion with the Roads Department in the fall, and how could a study like this be performed. They suggested using roads that very little residents or farmers on, such as parts of 3rd Con. and Ramey road west of 140. I'm hoping to include some of the residents who have already supported the idea with having a ditch strip of vegetation.

I am interested in this idea because by having a full cut performed only later in year could increase the amount of desirable pollinator plants such as Goldenrod and New England Aster to be able to grow to flower stage. Having smaller cuts could be performed more frequently in areas to help control Poison Ivy, Canada Fleabane, and perhaps Sow Thistle.

And by having a smaller cut performed along our roads could if fact maybe enable the city staff to take over control of the mowing. This is really something I can't discuss further because the city staff knows best on budgeting and equipment and staffing requirements.

Having the fall cut preformed earlier

I would like to ask if the fall cut to be preformed earlier than October 1st this year. I believe this could eliminate any concerns of the dispersal of the Canada Fleabane seeds. As long as the cut is performed after Goldenrod has finished its bloom period, due to the fact that plant is the last of the main nectar and pollen sources for bees. Temperatures are dropping in later September weeks, and therefore pollinators are greatly reduced along with the majority of Monarchs have departed for Mexico. I'm trying to figure out ideas to implement the best mowing practices to please the pollinators and help the farmers with growing our food!

Support of this Initiative

I had received lots of great feedback from the display I had at the Market in August last year. Residents seem to notice and understand the importance of the natural vegetation along our roadsides; I even spoke with a couple from England that was thrilled to see this happening

here. They stated where they live the natural hedgerows along fields have enforced protection from their municipality.

There has been mowing performed from one farmer who has stated he would start mowing himself since the trial period is done. He cut the roadside in areas where Sow Thistle and Canada Thistle is established. I understand there are always concerns about seed dispersal of thistles especially for farmers who farm organically.

And there are farmers who have always had practiced mowing alongside their farm lands, and I understand and respect their farming practices. I'm hoping though with more observance and studying the roadside habitat we can come to an agreement of the best roadside management practices to benefit everyone.

Future Ideas..

As one farmer stated to me, residents have to do more to protect and encourage a healthy environment on their own properties. And with that comment, I feel more education for the importance of native plants in not just rural areas of our community. More focus is also needed on the use of chemicals in urban areas which there is no natural vegetations to absorb the chemical before it runoffs into our storm drainage systems.

Patty Moss























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Report Number: 2019-38

Date: March 25, 2019

SUBJECT: Site Alteration Permit Additional Review - Port Colborne Quarries

1) PURPOSE:

The purpose of the report is to seek Council's consideration of a Site Alteration Permit received from Port Colborne Quarries (PCQ).

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

On October 9, 2018, Council received Planning & Development Report 2018-138 regarding a Site Alteration Permit Application submitted by Port Colborne Quarries (PCQ). The report provided the following recommendation:

"That Council approve a Site Alteration Permit for Port Colborne Quarries for the placement of approved MECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:

- i) That the Ministry of Natural Resources' consent to change the type of rehabilitation program.*
- ii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.*
- iii) That a Site Alteration Permit fee of \$1,320 be submitted to the Department of Planning and Development.*

On October 9, 2018, Harry Wells of 548 Highway 3 East addressed Council with a Power Point presentation on the application.

On October 9, 2018, as the Director of Planning & Development was not in attendance, Council deferred consideration until their next meeting on November 13, 2018.

On November 13, 2019, prior to consideration, Harry Wells addressed Council with another Power Point presentation on the application. Council subsequently passed a motion for deferral thereby ending any further discussion on the permit application. Attached, as Appendix A is a copy of Mr. Wells' presentation.

On November 13, 2018, David Sisco with the IBI Group on behalf of PCQ had submitted additional information in response to Jack Hellinga & Harry Wells October 9, 2018 comments to Council. Attached as Appendix B are Mr. Sisco's November 13, 2018 comments.

On March 11, 2019, Council received a supplemental Planning & Development Report 2019-14 regarding a Site Alteration Permit Application submitted by Port Colborne Quarries (PCQ).

The following delegates spoke to the report:

- David Sisco with the IBI Group and Steven Desrocher with Golder Associates for PCQ
- David Henderson, 2199 Babion Road
- Jack Hellinga, 770 Highway 3

Following all presentations, Council deferred consideration of the site alteration permit until further information and questions can be answered.

3) STAFF COMMENTS AND DISCUSSIONS

Staff provides the following comments in response to the delegates:

- The Fill Management Plan was reviewed by the Ministry of Environment, Conservation and Parks (MECP) and now a recommendation will be added to ensure that any soil deposited will comply with any future guideline.
- Staff are now in receipt of the Survey of Municipal Soil By-laws and Staff will update the current by-law in the future.
- The MECP's Best Management Practices Guidance was considered and went beyond it in the Golder Management plan.
- Staff are in receipt of the Ontario Soil Regulation Task Force model fill by-law however, the Golder plan goes into more detail.
- Much was made of the Earthworx soil management. Soil was being dumped before there was any guidance from the MECP on excess fill management. PCQ permit will follow and comply with all provincial regulations.
- That PCQ will cover any City costs related to any complaints received.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Council could decide to not grant approval of the Site Alteration Permit.

Other Options

Council can make the approval conditional on other reasonable matters or change the permit fee to a different amount.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

Appendix A – David Henderson presentation

RECOMMENDATION

That Council approve a Site Alteration Permit for Port Colborne Quarries for the placement of approved MECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:

- i) That the Ministry of Natural Resources' consent to change the type of

rehabilitation program.

ii) That Port Colborne Quarries follow Golder's Soil Management Plan.

iii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.

iv) That a Site Alteration Permit fee of \$1,420 be submitted to the Department of Planning and Development.

v) That a \$2500 retainer be submitted by PCQ to cover any costs related to complaints received.

vi) That any future MECP guideline be in compliance prior to the placement of fill.

Prepared on March 1, 2019 by:

Reviewed and Respectfully Submitted:



Dan Aquilina, MCIP, RPP, CPT
Director of Planning and Development



C. Scott Luey
Chief Administrative Officer

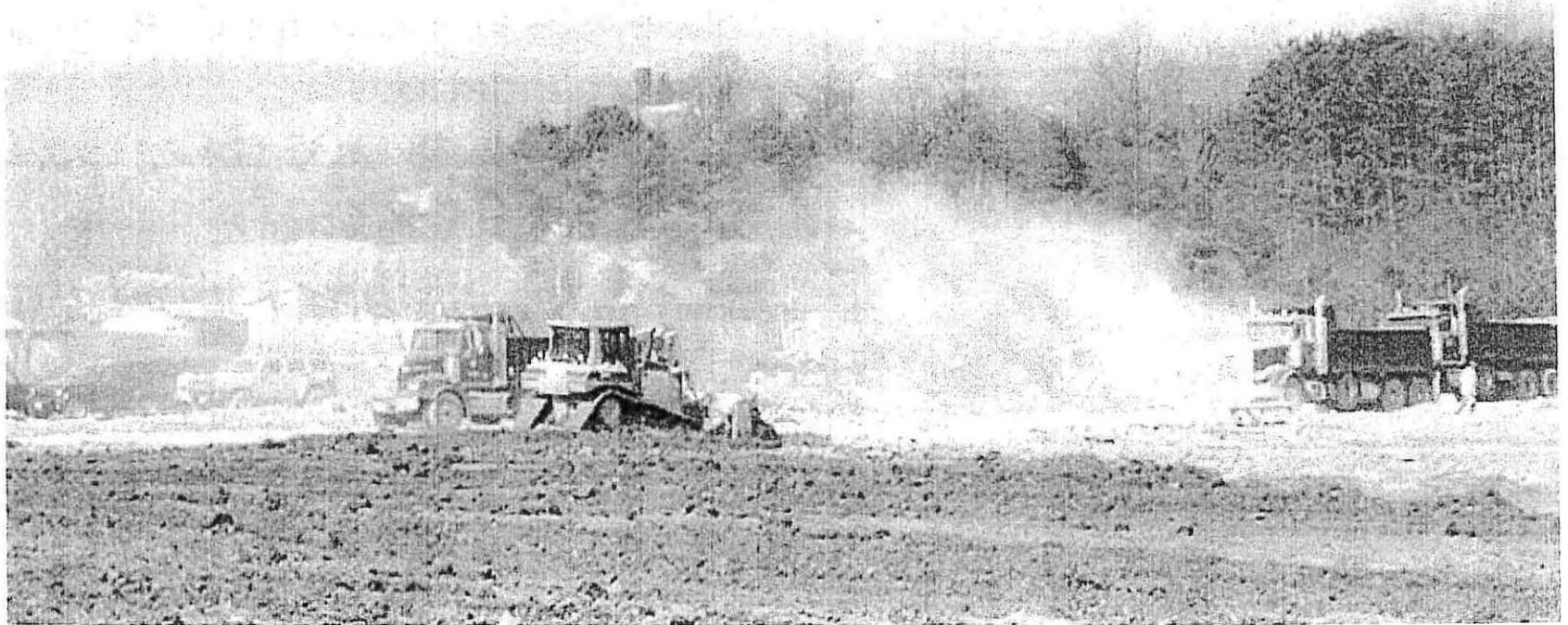
“THE SOLUTION TO
POLLUTION IS
DILLUTION”

15% OF ALL CLEAN FILL
IS CONTAINATED

Definition in Uxbridge and Scugog Site-Alteration By-laws

“commercial fill operation”-means the placing or dumping of fill involving remuneration paid, or any other form of consideration provided, to the owner or occupier of the land, whether or not the remuneration or consideration provided to the owner is the sole reason for the placing or dumping of the fill;

Clean Fill Landfill North East of GTA



The conclusion of “Survey of Municipal Soil By-laws” stated:

“From our ongoing research it appears that the municipalities located nearest to the Toronto area have developed site alteration by-laws governing the placement of soil. However, most site alteration by-laws do not specifically reference MOE O.Reg 153/04 criteria tables to define soil quality criteria. Municipalities further away from the immediate GTA appear to be slower to adopt a fill by-law as fill disposal has not posed a significant issue thus far.”

February 19/2019

Port Perry Star | Thursday, Feb



Port Perry Star file photo

Scugog has decided to retain \$160,000 in security deposit funds from Earthworx after recently learning that unknown tests carried out in 2016 at the former fill site showed exceedances.

SCUGOG HOLDS ONTO SECURITY FUNDS AFTER UNKNOWN 2016 TESTS SHOW MORE DIRTY DIRT AT EARTHWORX TOWNSHIP JUST LEARNED OF SURPRISING RESULTS IN JANUARY

CHRIS HALL
chall@durhamregion.com

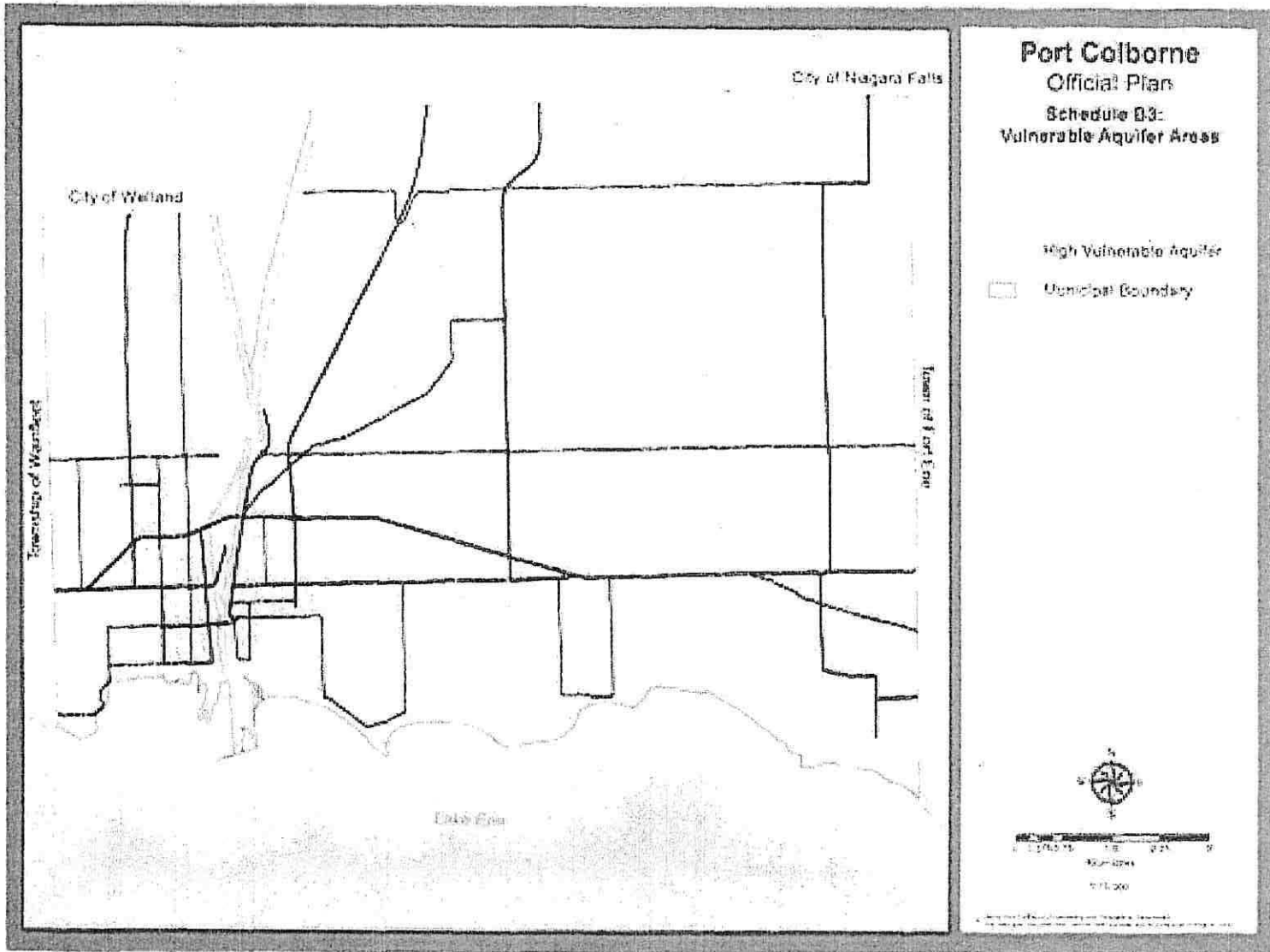
SCUGOG - Scugog has decided to hold onto a security deposit valued at

residential," said Marshall.

A former gravel pit, the Earthworx site began receiving fill in May 2010 but Scugog issued a stop-work

"I agree with the idea of taking some more time to investigate further now that we have additional information that we didn't have before," said Cole-

Port Perry Star Feb 14/2019



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Report Number: 2019-35

Date: March 25, 2019

SUBJECT: Downtown CBD CIP Expansion

The purpose of the report is to provide Council with information and consideration of expanding a Community Improvement Plan project area.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

On January 28, 2019, following a delegation from Michael Smith, President, Hometown Properties Inc., regarding a request to include 176 Elm Street within the Community Improvement Plan (CIP) Boundary, City Council approved the following:

"That the Director of Planning and Development be directed to evaluate the request for 176 Elm Street to be included within the Downtown CIP boundary; and That staff review the Downtown CIP boundary as a whole; and That staff report back to Council with recommendations."

The Downtown Central Business District Community Improvement Plan (CBD CIP) was adopted in 2010. Prior to the adoption, the CBD CIP project area (boundary) was approved in 2009 by By-law.

In 2011, the CBD CIP was expanded to the northerly intersection of Sugarloaf Street (capturing the entire West Street Promenade) and the inclusion of the block of properties bounded by Kent Street and Victoria Street on the east side of King Street, and an expansion to the south side of Princess Street between Elm Street and Fielden Avenue. Attached as Appendix A is the CBD CIP project area.

3) STAFF COMMENTS AND DISCUSSIONS

In 2012, Council considered a request to include the Talwood Manor Bed & Breakfast at 303 Fielden Avenue to the CBD CIP but it was denied as it was well outside of the area.

Any CIP boundary expansion would require staff to look at things such as:

- The rationale for needs;
- The goals of the existing CIP; and
- A description of the project area characteristics.

Further study of the area would be based on the following questions:

- Is the property near the existing community improvement project area?
- Does it have potential for conversion to commercial or mixed use?
- Is it in need of improvement?

The CBD CIP as a whole has been successful since its adoption with many property owners reinvesting in their storefronts, signage, access to buildings and creation of new residential units. Staff have processed and approved 73 applications in the CBD CIP totaling \$467,011.20 in City funds to date.

The inclusion of 176 Elm Street would require public consultation under the Planning Act prior to consideration as it is outside the CBD CIP project area. Staff will not evaluate the inclusion of 176 Elm Street prior to public process completion.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) **Do nothing.**

Council can decide to not direct staff to process a change in the CBD CIP boundary.

b) **Other Options**

N/A

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A.

6) ATTACHMENTS

Appendix A - CBD CIP Project Area

7) RECOMMNDATION

That staff be directed to process an application to consider the inclusion of 176 Elm Street in the Central Business District Community Improvement Plan.

8) SIGNATURES

Prepared on March 15, 2019 by:

Reviewed and Respectfully Submitted:



Dan Aquilina, MCIP, RPP, CPT
Director of Planning and Development



Scott Luey
Chief Administrative Officer

APPENDIX "A"
BIA CBD CIP PROJECT AREA



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Report Number: 2019 - 40

Date: March 25, 2019

SUBJECT: 2019-02 By-law Enforcement Services – Refuse/Debris Removal & Property Grass Mowing - 4-year contract

1) PURPOSE:

The purpose of the report is to inform Council of the outcome of the tender proceedings for 2019 By-law Enforcement Services – Refuse/Debris Removal & Property Grass Mowing and to obtain approval to award the contract to the approved bidder.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

On February 22, 2016, Council approved Lot Maintenance By-law 6329/09/16 which provides that a municipality may require the owner or occupant of land to clean and clear the land (not including buildings), or to clear refuse or debris from the land (not including buildings). With the passing of the Lot Maintenance By-law and the repeal of the Grass By-law, the municipality has one main by-law to deal with clean yards, including grass mowing. The By-law Enforcement Division entered into agreements for Grass Mowing in 2014-2016 and Lot Maintenance clean-up for 1 year in March 2016-March 2017. Now that both contracts have expired, the By-law Enforcement Division has tendered for both services to be provided by one company. Awarded in 2017, the 2-year contract for refuse clean up expires on March 31, 2019.

The municipality may direct or require a person to clear the land of refuse, or cut long grass/weeds and, if in default of it being done, the cleaning/clearing of land and cutting grass/weeds shall be done by the City at the owner's expense. The Lot Maintenance By-Law was revamped in 2018 to reduce the timeframe for repeat offenders to come into compliance.

Tender documents were prepared and a public tender procedure was initiated. There were a total of six (6) contractors that obtained the tender documents. On March 4, 2019 at 2:00 p.m. the tender closed and a total of three (3) documents were submitted. The result of that tender opening is listed below.

3) STAFF COMMENTS AND DISCUSSIONS

Staff prepared documents, contacted refuse removal contractors that have done work for the By-law Enforcement Division in the past, advertised in the local paper and on the City's Web page for the submittal of a formal quotation.

The documents called for:

- Submission for pricing for April 1, 2019 to March 31, 2023. It is a four-year contract.

- Refuse and Debris removal from complaint properties (private property) with work to commence within two days of the direction of the Contract Administrator and work to be completed within three days of commencement of the clean-up.
- Grass mowing on complaint properties (private property) shall be completed within 2 business days of a written directive from the Contract Administrator.

All submitted tender documents have been checked for errors or omissions and corrected pricing has been listed below.

The prices quoted are the sum of the standard schedule of "Loads" (ft³) cubic feet for contract purposes, and lump sum of parcels in the below noted categories.

The pricing is based on criteria listed below:

Load Criteria	Cubic Feet
Single item	Single item
¼ Load	100 ft ³
½ Load	200 ft ³
¾ Load	300 ft ³
Full Load	400 ft ³
Full Load (2 or more full loads)	Full Load (2 or more full loads)
Grass mowing	Unit Price
1 to 7500 sq ft	Lump sum
7,501 sq ft to 15,000 sq ft	Lump sum
15,001 to 30, 000 sq ft	Lump sum
30, 001 sq ft to 1 acre	Lump sum
1 acre to 1.5 acres	Lump sum
1.5 acres to 2 acres	Lump sum
Each additional acre	Lump sum

<u>2019 PRICES AS QUOTED</u>	
Name of Contractor	Sum of unit pricing
Insert Name of Contractors	Insert sum of pricing

As is indicated above, the lowest pricing was submitted by Greenside Landscaping & Lawn Service Inc. of Port Colborne, Ontario. The documents submitted by Greenside Landscaping & Lawn Services Inc. were found to be complete in all aspects with regard to specifications, details and format.

Greenside Landscaping & Lawn Service Inc. are presently working for the City of Port Colborne under the 2 Year Refuse and Debris Removal contract which expires March 31, 2019. The By-law Enforcement Division are satisfied with the services provided.

The individual unit prices for clean-up and cutting cannot be disclosed as this would undermine the bidding process and tender procedures. The proposed contract would

expire in March of 2019 and a new tender would be available for bidding with a 4-year term during the new term of Council.

All costs for clean-up and cutting are actual costs as per the tender and contract agreement which will be charged back to the owner of the property. The By-law Enforcement Division does not require to budget funds for this process.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing

If no action is taken at this time, the Lot Maintenance By-law will require 2 quotes from contractors for each clean-up and grass mowing which is a time consuming and costly service. This option is not recommended.

b) Other Options

Council may choose to direct staff to retender and separate the Lot Maintenance clean-up and grass mowing.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Pro-active enforcement and compliance with City By-laws are a desire of Council.

6) ATTACHMENTS

Nil.

7) RECOMMENDATION

That Council award Tender 2019-02 By-law Services - Refuse and Debris Removal & Property Grass Mowing – 4 year contract to Greenside Landscaping & Lawn Service Inc. of Port Colborne, Ontario, for the total tendered price of \$7,185.00 plus applicable taxes.

That this report be approved as presented and the Clerk be authorized to execute the contract Agreement.


8) SIGNATURES

Prepared on March 13, 2019 by:



Sherry Hanson, C.P.S.O.
Manager of By-law Services

Reviewed by:



Dan Aquilina, RPP, MCIP, CPT
Director of Planning and Development

Reviewed and Respectfully Submitted:

A handwritten signature in black ink, appearing to read "C. Luey", followed by a period.

C. Scott Luey
Chief Administrative Officer

Report Number: 2019-37

Date: March 25, 2019

SUBJECT: 2019 Operating/Capital Budget

1) PURPOSE:

This report is presented to Council for adoption and approval of the 2019 Operating and Capital Budget.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Budget deliberations commenced for the year 2019 with Council receiving the budget package and an overview presentation to the Committee of the Whole of Council on January 21, 2019. The budget was reviewed and discussed in detail by the Committee for consideration of the operating and capital portions of the budget on January 23, February 4 and approved on March 4, 2019.

As it was anticipated that an overall budget increase of 4% to 5% would be projected, departments were requested to bring forth a base level of service budget with inflationary increase at approximately 2.5% for base operations. Staff projected an operating budget increase of 2% to 3% plus the annual capital levy increase of 1.25% to 1.5% and the final Operations Centre debenture levy of 0.81% for an estimated overall levy increase of 4% to 5%.

The 2019 operating budget was presented with a 2.59% operating levy increase for the base level of service, which includes some cost reductions and increased revenues and the separate utility budget for Storm Sewers, thus reducing the tax levy. With the annual capital levy increase of \$257,000 (1.50%), the levy increase amounts to 4.09%. With regard to the new Operations Centre debt, Council approved the funding of the remaining amount of the debenture for \$114,094 (0.67%) in 2019. The proposed levy increase was 4.76%. Council approved the funding of the Operations Centre debt of \$114,094 from existing funds from the matured debt of the Fire Hall, thus reducing the tax levy to 4.09%.

After consideration of staff's new budget requests, Council approved additional staffing and services amounting to \$350,973 as detailed below. Therefore, the final budget proposed has a 6.14% overall levy increase amounting to \$1,051,580, including the annual capital levy increase and additional new debt charges. The estimated average residential property tax increase, with an increased assessment from \$185,605 to \$191,070 (average current value assessment of a single family detached home) would be approximately 5.41% or \$84.62. See attached Schedule B – 2019 Operating Levy Summary.

Discussions between the Committee and staff regarding levels of service, staffing requirements, new services, operating expenditures, capital projects and financing, were considered along with numerous requests from staff.

Council reviewed the listing of unfinanced requests and after deliberation approved the following to be funded from the tax levy:

• Full Time Staffing	\$ 66,082
• Part Time staffing	\$ 61,840
• P&H Lease revenue to reserve	\$ 63,000
• Operations	\$ 36,107
• Marina surplus to reserve	\$ 10,000
• Airport Commission	\$ 6,269
• Canal Days	\$ 48,500
• Fishing Tournaments	\$ 25,000
• Economic Development	\$ 18,000
• Physician Recruitment	\$ 16,175

With the above increases to the budget, the City's net overall levy for 2019 is \$18,167,975 (operating levy of \$15,970,715 and capital levy of \$2,197,260). This amounts to an increase of \$1,051,580 over 2018 or a 6.14% levy increase as per Schedules A and B. With the phased in reassessment increase of properties, the estimated City property tax increase would be 5.41% on an average assessed home valued at \$191,070 or approximately \$84.62. The combined tax increase with the estimated Region tax rates and no change to Education tax rates (unavailable) would be 4.02% or approximately \$124.00, as approved by the Committee of Council. Please note that any reduction in Education tax rates (as in the past years) will lower the tax increase.

At the time of writing this report, the Region has not finalized the tax policies and tax class ratios for 2019 (these are subject to change).

The Ontario Municipal Partnership Fund (OMPF), which is normally announced in December, has not been provided to municipalities to date. It was announced that due to the lateness that the funding would remain virtually the same as in 2018. The City received \$2,786,200 in 2018. With such funding being very volatile, staff recommended, with Committee approval, that the base funding be applied to the tax levy and the balance be applied to fund one-time expenditures, new capital projects and/or the unfunded capital (levy) amortization. As per Schedule C, the amount allocated to the operating tax levy budget remains at the same level as 2018 of \$2,345,900. Committee approved the expenditure of the additional OMPF funds for one-time projects amounting to \$340,300 and \$100,000 allocated to the downtown CIP Phase 1.

In 2012, Council approved a minimum 10-year plan to annually increase the Capital (Levy) Amortization amount by \$100,000 in 2016, \$150,000 in 2017 and \$200,000 in 2018. Continuation of this plan from 2013 to 2018 provided a total capital levy amounting to \$1,940,260. Committee approved an amount for \$257,000 in 2019, which represents a 1.50% increase on the levy to keep up with inflation. The total capital levy for 2019 amounts to \$2,197,260.

The City is eligible to receive \$555,335 in 2019 from the Federal Gas Tax funds program to fund general road resurfacing with \$170,000 allocated to the Downtown CIP Phase 1. Funding from the Ontario Community Infrastructure Fund (OCIF) of \$404,300 (increased from \$259,755 in 2018) is allocated to the Downtown CIP Phase 1 amounting \$324,300 and \$80,000 towards Asset Management. A total of \$3,156,895 is available for capital

projects. While still short of the required \$4,281,049 in amortization to replace capital assets, this helps reduce the capital infrastructure deficit to fund existing capital assets to approximately \$1,124,154. To meet this deficit, Council should continue to levy 1.5% levy increase or approximately \$280,000 each year over the next 4 years to the capital levy.

Council reviewed staff's recommendations for capital replacement projects to be funded from the capital levy (amortization) (included in the base levy requisition), Federal Gas Tax Funds, OCIF funds, grants and reserve funds (see Schedules D, E and F).

The total amount of capital replacement projects in 2019 amounts to \$5,654,095. This is funded through the capital levy of \$2,197,260, allocation of Federal Gas Tax funds of \$575,495 for Roads, OCIF funds of \$324,300 for Downtown CIP Phase 1, a grant application for additional OCIF funds of \$1,176,940 for Downtown CIP Phase 1, other grants and reserve funds for various projects.

Other deferred capital projects approved by the Committee include:

- Downtown CIP Phase 1 in 2020 \$2,028,760
- Bethel Community Centre – furnace 2020 \$ 16,000
- Fire Self Contained Breathing Apparatus – 2020 \$ 450,000
- Fire Engine No. 2 – 2021/2022 \$ 550,000

Committee of Council approved the following:

- Repurpose the matured Fire Hall and Marina debt payments to fund the balance of the Operations Centre debt for \$114,094 and the Fire Self Contained Breathing Apparatus in 2020
- To fund the replacement of Fire Engine No. 2 by way of issuing a new debenture in 2021/2022 and the debt payments to be funded through the matured debt for the City Hall in 2021 and a Fire Vehicle in 2022
- Repurpose the Main St CIP matured debt to fund the balance of the Vale Health & Wellness Centre debt in 2020 to 2023 (subject to other funds being available)
- Funding out of Reserves and Reserve Funds amounting \$1,030,742 and Transfers into Reserves amounting \$911,584 (Schedule G)
- Main St. BIA budget of \$10,000 and Downtown BIA of \$34,333
- Implement a Storm Sewer Utility Budget and removal of the Storm Sewer operations budget from the tax levy in the amount of \$185,425 (Schedule I)
- Established a Storm Sewer flat fee schedule and an operating/capital budget raising approximately \$740,000 annually to fund operations, the current storm sewer debt and establish a storm sewer capital reserve for future infrastructure (Schedules H and I).
- A Roadside Ditching Program be established as a pilot project for 2019 in using internal city staff to perform the work and with the rental of the necessary equipment to be accomplished using the existing budgeted funds for roadside ditching and culvert repairs amounting \$270,810

After detailed discussions on many issues presented, the following were approved for 2019 as per the attached schedules:

- Total operating expenditures of \$25,025,858.
- Total operating revenues/fees/reserves/OMPF of \$9,055,143.
- Net operating levy increase of \$794,580 from 2018 operating levy of \$15,176,135 to \$15,970,715 in 2019.
- Capital levy increase of \$257,000 from \$1,940,260 in 2018 to \$2,197,260.
- Capital expenditures of \$5,654,095 funded from Capital levy amortization of \$2,197,260 (included in net tax levy), Federal Gas Tax funds of \$575,495 for Roads, OCIF funds of \$324,300 for Downtown CIP Phase 1, a grant application for additional OCIF funds of \$1,176,940 for Downtown CIP Phase 1, other grants and reserve funds for various projects.
- Total net tax levy amounts to \$18,167,975 (operating \$15,970,715 and capital \$2,197,260).
- City portion of average residential property tax increase is 5.41% or \$84
- Municipal net tax levy increase is 6.14%.
- Tax rate increase of 2.39%.
- Estimated blended property tax increase is 4.02% or \$124 to average residential property with assessed value of \$191,070 with estimated Region tax rates and no change to Education tax rates (unavailable). Please note that any reduction in Education tax rates (as in the past years) will lower the tax increase. (all rates are subject to changes in Regional Tax Policy and Tax Class Ratios)
- Approval of projects to be financed from Federal Gas Tax Funds and OCIF funds.

3) STAFF COMMENTS AND DISCUSSIONS

The 2019 budget estimates for operations and capital are presented to Council for adoption based on discussions and approvals of the Committee of the Whole of Council. The 2019 budget estimates must be approved by by-law in accordance with Section 290(1) of the Municipal Act, 2001, as amended.

Staff advises that a net levy requirement increase of \$1,051,580 represents a 6.14% increase to the City levy, which includes \$443,607 in operating costs, an additional \$257,000 to the capital levy requirement and \$350,973 in approved staffing and services. With the reassessment values of properties, assessment growth and the levy increase, the residential tax rate will increase by 2.39% from 0.00843103 to 0.00863274.

The final tax rates for the City will be provided to Council in a later report and a by-law prepared in conjunction with the final tax rates for the Region and School Boards. The Regional tax rates (including education rates) and tax class ratios/tax policy are yet to be approved by Regional Council. The report will be presented to Council to pass all tax rates.

In addition, the Downtown BIA has requested a levy of \$34,333 be raised in 2019 (\$34,333 – 2018) and the Main St. BIA has requested a levy of \$10,000 in 2019 (\$10,000 – 2018).

Historically, municipal budgets have been developed on a cash requirement basis, including the funding of capital projects. Audit requirements have changed to require municipalities to report their tangible capital assets on the balance sheet and amortize the assets over their expected useful life. This results in the financial statements being prepared under the accrual basis of accounting, similar to most private corporations. The new accounting standards, however, do not require that municipal budgets be prepared on the same basis. Staff recommend that the City of Port Colborne continue to prepare budgets on the traditional cash requirement basis, as has been done for 2010 to 2018.

Ontario Regulation 284/09 states that: “In preparing the budget for a year, a municipality or local board may exclude from the estimated expenses described in paragraph 3 of subsection 290(2) of the Municipal Act all or a portion of the following: Amortization expenses and Post-employment benefits expenses.”

Under Ontario Regulation 284/09, to continue budgeting on the cash basis, the municipality shall, before adopting a budget for the year that excludes any of the expenses for amortization or post-employment benefits, report on the excluded expenses and adopt, by resolution, that the 2019 budget has excluded the following non-cash expenses:

- Amortization expenses of tangible capital assets
- Post-employment benefit expenses

As described previously in this report, amortization expenses are estimated to be approximately \$4,281,049 and a portion is excluded as a cost in the 2019 budget. Included in the budget are the cash requirements of \$3,156,895 for capital funding of amortization to fund the purchase of tangible capital assets. The cash requirements for funding the purchase of new assets are lower than the historical amortization expense and, therefore, the difference of \$1,124,154 is not budgeted.

The present value of post-employment obligations is estimated at \$6,137,200 with annual net benefit expense estimated at \$541,000 and are excluded as a cost in the 2019 budget. The budget contains \$294,000 for the current year's post-employment benefit expense for the retired employees eligible for this expense. The difference of \$247,000 is not budgeted.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

This is not an option as budget estimates must be provided and approved by Council for the 2019 year as per the Municipal Act.

b) Other Options

- i. Council may change and establish new budget estimates.
- ii. The proposed 2019 budget for operating and capital purposes establishes the City's spending requirements for this year. The 2019 operating budget was presented with a 2.59% operating levy increase of \$443,607 for the base level of service. With the annual capital levy increase of \$257,000 (1.50%) and additional staffing/services of \$350,973, the budget proposed a 6.14% overall levy increase amounting to \$1,051,580.

With the above increases, the City's net overall levy for 2019 is \$18,167,975 (Operating levy of \$15,970,715 and Capital levy of \$2,197,260). This amounts to an increase of \$1,051,580 over 2018 or a 6.14% levy increase.

The estimated average residential property tax increase for the City portion, with an increased assessment from \$185,605 to \$191,070 (average current value assessment of a single family detached home) would be approximately 5.41% or \$84.62. The combined tax increase with the estimated Region tax rates and no change to Education tax rates (unavailable) would be 4.02% or approximately \$124.00, as approved by the Committee of Council. Please note that any reduction in Education tax rates (as in the past years) will lower the tax increase.

To implement a Storm Sewer Utility Budget and removal of the Storm Sewer operations budget from the tax levy in the amount of \$185,425. The Storm Sewer budget to be funded through an established flat fee schedule to include an operating/capital budget raising approximately \$740,000 annually to fund operations, the current storm sewer debt and establish a storm sewer capital reserve for future infrastructure.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

- Schedule A – 2019 Budget Worksheet Summary
- Schedule B – 2019 Summary of Operating Budget Changes
- Schedule C - Ontario Municipal Partnership Fund (OMPF)
- Schedule D – Other Grants
- Schedule E – Federal Gas Tax Revenues
- Schedule F – Funds Transferred to Capital Projects (Capital Levy)
- Schedule G – Reserves and Reserve Funds
- Schedule H – Storm Sewer Fees Schedule
- Schedule I – Storm Sewer Budget and Capital Funding
- Schedule J – Estimated Residential Property Tax Change

7) RECOMMENDATION

That the Corporate Services Department, Finance Division Report 2019-37 be approved; and

That Council confirm and approve, that in compliance with Ontario regulation 284/09, the 2019 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,124,154 and the amount of post-employment benefits expense which amounts to approximately \$247,000.

That the 2019 Budget be approved as presented with the City's net overall levy for 2019 at \$18,167,975 (Operating levy of \$15,970,715 and Capital levy of \$2,197,260).

That the operating expenditures of \$25,025,858 operating revenues/fees/reserves/OMPF funds of \$9,055,143 and capital expenditures of \$5,654,095 with capital revenues from reserves/grants of \$3,456,835 be approved.

That the Storm Sewer budget be approved to be funded through an established flat fee schedule to include an operating/capital budget raising approximately \$740,800 annually to fund operations, the current storm sewer debt and establish a storm sewer capital reserve for future infrastructure.

That the Mayor and City Clerk be authorized to execute the appropriate By-law for the budget estimates for all sums required for the operations for the year 2019.

8) SIGNATURES

Prepared on March 12, 2019 by:

Reviewed and Respectfully Submitted:



Peter Senese
Director of Corporate Services

C. Scott Luey
Chief Administrative Officer

**CITY OF PORT COLBORNE
2019 BUDGET WORKSHEET SUMMARY**

SCHEDULE A

2018 Levy 17,116,395 6.72%
 Staff PROPOSED LEVY \$ 17,931,096 4.76%
 CURRENT PROPOSED LEVY \$ 18,167,975 6.14%
 Note-\$171,000 = 1% levy increase / \$16 increase to Ave Residential Property

	Cost	OMPF Funds	Add To Tax Levy	Reserve Funds	Other/ Grants	Defer Funding	Description
UNFINANCED REQUESTS							
Council	Fund OPS Centre Debt	(114,094)		(114,094)			Fund from Fire Hall matured debt amount
Council	Remuneration-loss of 1/3 tax exemption	\$11,431		\$11,431			add'l cost for same net wages same gross wages-add'l cost \$5,463 included in levy phase in levy for community grants wien off annual investment interest direct feral cat group to Grants Committee-provide extension increase to \$25,000
Council	Comm Grants	\$10,000		\$10,000			net increase of interest earned on loans (1,600 +1,413)
Council	Feral Cat grant	(5,000)		(5,000)			Balance of net lease revenue to Goderich capital reserve
Council	Council Conferences	\$16,107		\$16,107			Balance of Marina surplus to Marina capital reserve
Council	Airport Commission	\$9,282		\$6,269	\$3,013		work term of 400 hours in fall/winter months
Council	P&H (Goderich Lease)	\$63,000		\$63,000			Office 365/Adobe Pro/Citrix Server/Desktop Deploy Software
	Marina	\$10,000		\$10,000			responding to vandalism in the community-0.5% tax levy one time funding-from a reserve as required and to be replenished
Human Resources	Coop Student	\$6,300		\$6,300			website audit/training/accessibility plan update-Accessibility reserve
IT	New Software and lincensing	\$36,100	\$36,100				review for internal/pay equity and market rates
CAO	Community Safety	\$85,000				\$85,000	assessments of 2 locations annually
							Online Enhanced Safety Program for all staff
CAO	Corporate Accessibility Compliance	\$5,000		\$5,000			Funded from Health & Safety reserve
CAO	CUPE Job Evaluation	\$30,000		\$30,000			phased in over 2016/2017 for 2019 implementation
Health & Safety	Bill 168 Workplace Risk Assessments	\$10,000	\$10,000				1/2 2019 and 1/2 2020
Health & Safety	WHMIS Program Enhancement	\$13,600		\$13,600			Provide summer coverage for customer service -wages and benefits
Health & Safety	Advanced Training for Equip Operators	\$12,990		\$12,990			2 part time @ 24 hrs each starting July - 1/2 2019 and 1/2 2020
Corp Services-Clerks Divisic	Records Mgmt & Retention System	\$80,000		\$80,000			Available funding from OCIF max \$80,000
Corp Services-Clerks Divisic	Records Mgmt Annual Licence Fee	\$20,000		\$10,000		\$10,000	Smoke and Carbon Monoxide Alarm Program
Corp Services	Summer Student	\$9,500		\$9,500			OMPFF 2015
Corp Services	Customer Service Part Time staffing	\$68,000		\$34,000		\$34,000	consultant required to investigate feasibility of installing at Operations Centre
Corp Services-Finance Divisic	Capital Asset Supervisor-wages & ben	\$80,000			\$80,000		Spill Response kits for facilities and vehicles
							8 week rental-tractor with arm mower-cut on rural and clay roads
Fire Dept	Fire Safety Initiative	\$20,000		\$20,000			increase for shouldering and stone road repairs in rural area
Engineering	Facility Maintenance Study	\$75,500		\$75,500			rent 2 loaders for one snow route-city operator
Engineering	Renewable Passive Energy Generation	\$15,000		\$15,000			Zavitz Drain/Sherkston North and East & West Trail Branch Drains
Operations	Environmental Compliance	\$7,500	\$7,500				Young and Hopf-Wagner Drains-2019 construction
Operations	Tree Trimming Equip Rental	\$10,000		\$10,000			Condition assessment-interior finish/mechanical,electrical and structure
Operations	Stone Repairs on roads and shoulders	\$5,000		\$5,000			General Parks- fund from equipment reserve
Operations	Snow Ploughing Equipment Rental	\$54,000		\$54,000			General Parks- fund from facility reserve
Operations	Drainage Works-City portion of costs	\$110,586	\$10,000	\$100,586			replace 40 garbage containers in downtown core@\$1,206 each plus HST
Operations	Drainage Works-City portion of costs	\$90,093	\$75,200			\$14,893	
Facility Maintenance	Roselawn	\$15,000	\$15,000				contract services savings-rental of equipment/2 seasonal parks staff/materials costs covered through registration fees
Parks and Recreation	Tools	\$10,000		\$10,000			Allocate to Canal days reserve-new initiative spending approval by council
Parks and Recreation	Ballfield Maintenance	\$15,000		\$15,000			
Parks and Recreation	Downtown Fixtures	\$49,090				\$49,090	
Parks and Recreation	Overholt Cemetery-expansion	\$30,000	\$14,000	\$16,000			
Parks and Recreation	Parks grass cutting - in house/no contract	\$147,267				\$147,267	
Parks and Recreation	VHWC - Summer Camp Program	\$20,000				\$20,000	
Parks and Recreation	Canal Days-New Initiatives	\$5,000	\$5,000				

**CITY OF PORT COLBORNE
2019 BUDGET WORKSHEET SUMMARY**

SCHEDULE A

2018 Levy		17,116,395	6.72%					
Staff PROPOSED LEVY				\$ 17,931,096	4.76%			
CURRENT PROPOSED LEVY				\$ 18,167,975	6.14%			levy increase
Note-\$171,000 = 1% levy increase / \$16 increase to Ave Residential Property								
	Cost	OMPF Funds	Add To Tax Levy	Reserve Funds	Other/ Grants	Defer Funding	Description	
Parks and Recreation	Public Art Reserve Fund	\$5,000	\$5,000				annual amount to reserve for implementing the Arts&Culture Master Plan	
Parks and Recreation	Parks&Recreation Locator Map	\$15,000	\$15,000				Parks&Recreation Master Plan	
Parks and Recreation	Active Transportation Masterplan	\$50,000	\$50,000				Safer roads and trails for cyclists and walkers-Committee recommended	
Parks and Recreation	Canal Days-Volunteer Incentive Program	\$3,500			\$3,500		Minor Sports Teams donations for working bar at Canal Days	
Parks and Recreation	Canal Days-New Initiatives	\$45,000			\$45,000		Allocate to Canal days reserve-new initiative spending approval by council	
Parks and Recreation	New Fishing Tournaments	\$25,000			\$25,000		potentially 3 tournaments operated by outside groups	
Parks and Recreation	Celebrate Ontario 2019 Grant	\$10,000	\$10,000				Application to be done by consultant	
Vale Health & Wellness Cer	Ceilings in Rink 1 and Rink 2	\$33,000		\$33,000			Coat with concrete sealer-both ceilings are stained	
Vale Health & Wellness Cer	Video Security	\$5,000		\$5,000			addition of 2 cameras as identified in Risk Assessment Study	
Vale Health & Wellness Cer	Community Room Acoustics	\$7,000		\$7,000				
Vale Health&Wellness centr	Second Sports Wall of fame	\$3,000	\$3,000					
Economic Development	Economic Development Strategy	\$25,000	\$25,000				matching funds to Prov/Fed grants for initiatives	
Economic Development	Niag Development Corridor Partnership	\$2,500			\$2,500		increase in membership fees from \$5,000	
Economic Development	BESS office at Roselawn	\$15,500			\$15,500		Business Development Consultants-2 days/mth consultations/expenses	
Economic Development	New Corporate and Tourism Branding	\$10,000				\$10,000	branding and design work	
Economic Development	Industrial Land clearing	\$60,000				\$60,000	Invertose Drive 23 acres cleared over 3 years-\$20,000/year (3rd of 3 years)	
Museum	Receptionist increased hours-180 hours	\$3,101			\$3,101		increased hrs to 980 for customer service-May 1 to Dec 20 5 days/week	
Museum	Administrative Assistant-95 hours	\$1,636			\$1,636		Arabella's Tea Room-5 hrs/wk June to Sept & 20 hrs in Dec	
Library	additional 100 part time hours	\$2,172			\$2,172		current budget at 2100 part time hours	
Library	Update website to AOD compliance	\$2,000	\$2,000					
Planning	Official Plan Review	\$15,000	\$15,000				Annual amount for 5 years	
Building/By-law Division	Administrative Intake Clerk	\$54,168		\$27,084		\$27,084	see memo provided-1/2 year 2019	
Building/By-law Division	Inspections Officer	\$77,995		\$38,998		\$38,997	see memo provided-1/2 year 2019	
By-law Division	Review of Crossing Guards locations	\$20,000	\$20,000				Study including St.Patricks school and Killay St W/Steele St corner	
Building Division	New Inspection Software and Hardware	\$46,500			\$46,500		MobilINSPECT provides handheld technology for field inspections/reporting	
Physician Recruitment	future recruitment	\$43,175		\$16,175		\$27,000	Comm recommends additional \$16,175 for new physicians. Would like \$50,000	
YMCA	Request additional funding	\$22,500	\$22,500				Presentation from the YMCA-asking \$24,692	
New Operations Centre	Debenture - \$114,094						remove from levy and fund from Fire Hall matured debenture	
Annual Capital Levy	Future Capital Amortization						\$257,000 capital levy in 2019	
Total Expenditures		\$1,738,998	\$340,300	\$236,879	\$652,476	\$250,280	\$259,064	
TOTAL LEVY				<u>\$ 18,167,975</u>	6.14%			levy increase

**CITY OF PORT COLBORNE
2019 SUMMARY OF OPERATING BUDGET CHANGES**

SCHEDULE B

2018 Tax Levy		17,116,395	
<u>Operations</u>			
Salaries/Wages - Full time	2.04%	349,563	
Salaries/Wages - Part time	0.28%	47,273	
Benefits	1.84%	314,849	
Utilities/Telephone	-0.18%	(30,559)	
Library	0.19%	32,010	
Other net costs	0.51%	87,206	
Change in Debentures	0.00%	500	
New revenues	-1.33%	<u>(228,310)</u>	
		<u>572,532</u>	
 2019 Operating Levy		 17,688,927	 3.34%
<u>Other Unexpected Costs</u>			
Loss of Revenues	0.33%	56,500	
Operations Centre Debt Reserve	0.67%	<u>114,094</u>	
		<u>170,594</u>	<u>1.00%</u>
		17,859,521	4.34%
Operations Centre Debt-final amount		<u>(114,094)</u>	
Proposed 2019 Base Tax Levy		17,745,427	3.68%
 Storm Sewer Budget		 <u>(185,425)</u>	 -1.08%
 Proposed 2019 Tax Levy		 17,560,002	 2.59%
 Capital Levy (Amortization-PSAB)		 257,000	 1.50%
Funding New Operations Centre -remaining debenture (2019 levy)		 114,094	 0.67%
		<u>17,931,096</u>	<u>4.76%</u>
 Additional staffing/services		 236,879	 1.38%
 Proposed 2019 Tax Levy		 <u>18,167,975</u>	 6.14%

**CITY OF PORT COLBORNE
ONTARIO MUNICIPAL PARTNERSHIP FUND**

SCHEDULE C

	2011	2012	2013	2014	2015	2016	2017	2018	2019
Ontario Municipal Partnership Fund	2,438,600	2,446,900	2,384,000	2,345,900	2,345,900	2,345,900	2,345,900	2,345,900	2,345,900
Ontario Municipal Partnership Fund - New	8,300	(62,900)	(38,100)	247,300	341,800	426,200	454,200	440,300	440,300
	2,446,900	2,384,000	2,345,900	2,593,200	2,687,700	2,772,100	2,800,100	2,786,200	2,786,200
Funds applied to tax levy	2,446,900	2,384,000	2,345,900	2,345,900	2,345,900	2,345,900	2,345,900	2,345,900	2,345,900
Funds applied to levy during budget									
	0	0	0	247,300	341,800	426,200	454,200	440,300	440,300
- Tax Appeal Outstanding									
Recommended allocation of OMPF									
- Downtown CIP Phase 1									(100,000)
- one time projects				(133,000)	(203,000)	(140,000)	(287,320)	(440,300)	(340,300)
- new capital projects				(114,300)	(138,800)	(286,200)	(166,880)		
Funds Available	0	0	0	0	0	0	0	0	0

Recommendation

- staff recommend that the OMPF funding at the 2018 level of \$2,345,900 be applied to the general operations budget as grant revenue for its intended purpose of assessment equalization
- staff recommend that the increased OMPF funding of \$440,300 be applied to fund the unfunded capital amortization or one time expenditures (new capital or initiatives)

**CITY OF PORT COLBORNE
OTHER GRANTS**

SCHEDULE D

	2015	2016	2017	2018	2019	2020
Ontario Community Infrastructure Fund (OCIF)	96,592	96,592	182,945	259,755	404,300	418,760
Ontario Main Street Revitalization Initiative	-	-	-	51,549		
	96,592	96,592	182,945	311,304	404,300	418,760
Recommended allocation of Funds						
- Roads	(96,592)	(96,592)	(182,945)	(129,755)		
- Downtown CIP Phase 1					(324,300)	(378,760)
- Capital Asset/Budget Supervisor				(80,000)	(80,000)	(40,000)
- WorkOrders & Equip Maint Software				(50,000)		
- Traffic Signals				(6,000)		
- Pedestrian Crossing				(45,000)		
- Contingency				(549)		
Funds Available	0	0	0	0	0	0

Implement and manage AMP with capital budgeting
Welland and Clarence-power supply cabinet
Clarence St at Catharine St

Eligible Expenditures

- OCIF funds are eligible for core infrastructure (roads, bridges, water/wastewater, stormwater) as part of asset mgmt plan, including asset mgmt planning expenditures such as software, condition assessments and consultants. In addition, up to \$80,000 for staff responsible for asset management planning.
- Capital Asset Supervisor to be funded through tax levy in 2020 and 2021
- Ontario Main Street Revitalization Initiative funds are eligible for downtown and main streets for such improvements as pedestrian crosswalks/landscaping/direct funding to businesses for storefront appearance ie:lighting or new signage

**CITY OF PORT COLBORNE
FEDERAL GAS TAX REVENUES
2019**

SCHEDULE E

Available in Reserve Fund at Dec 31 2015		275,386
2016 Funds Available		560,148
Projects to be completed (Reserve Fund)		
- Roads	(585,585)	
- Traffic Signals	(104,552)	
- Traffic Signals (unspent funds from other projects)	(58,814)	(748,951)
- Unexpended funds		86,583
Interest		3,441
Available in Reserve Fund at Dec 31 2016		90,024
Balance in Reserve		
- Facility LED Lighting	50,000	
- Unallocated funds	40,024	
		90,024
Legacy Fund Received		9,917
2017 Funds Available		560,148
		660,089
- Roads	(538,000)	
- Sidewalk Replacement (Lakeshore Road West)	(18,437)	
		(556,437)
- Unexpended funds		103,652
- Interest		1,686
Available in Reserve Fund at Dec 31 2017		105,338
Balance in Reserve		
- Facility LED Lighting	50,000	
- Unallocated funds	55,338	
		105,338
2018 Funds Available		586,822
		692,160
- Roads	(622,000)	
- Facility LED Lighting	(50,000)	
		(672,000)
- Unexpended funds		20,160
2019 Funds Available		555,335
		575,495
- Roads	405,495	
- Downtown CIP Roads	170,000	

**CITY OF PORT COLBORNE
2019 BUDGET
FUNDING CAPITAL AMORTIZATION
FUNDS TRANSFERRED TO CAPITAL PROJECTS**

SCHEDULE F

Traditional Allocation of Budgeted Capital Funds		2018 budget	2019 Est Cost	Capital Levy Funds	Reserve Funds	Grant Funds	Defer Funding	
Sidewalk Replacements	Annual allocation	100,000	132,800	125,000	7,800			Includes Westwood Estates Phase 1 sidewalk construction
Road Resurfacing Program	Annual allocation	1,130,810	834,550	429,055		405,495		Fed Gas Tax \$575,495 (Roads \$405,495 / CIP Roads \$170,000)
Road Resurfacing Program	Fed Gas Tax \$622,000 OCIF \$129,755	(751,755)						
Council	Downtown CIP-Phase 1 Clarence St West St to Catharine St		4,000,000			1,176,940		Ontario Community Infrastructure Fund (OCIF) Grant Application pending
Council	Downtown CIP-Phase 1 Clarence St West St to Catharine St					324,300	378,760	OCIF Formula Grant Funding 2019/2020
Council	Downtown CIP-Phase 1 Clarence St West St to Catharine St					170,000	150,000	Fed Gas Tax 2019/2020 - Roads
Council	Downtown CIP-Phase 1 Clarence St West St to Catharine St					100,000	100,000	Ontario Municipal Partnership Fund (OMPF) Grant
Council	Downtown CIP-Phase 1 Clarence St West St to Catharine St			200,000				2020 Capital Levy
Council	Downtown CIP-Phase 1 Clarence St West St to Catharine St						1,200,000	Water Wastewater Budget
Road Resurfacing Program	Roads Debenture	34,567	34,567	34,567				debenture cost for roads
Vehicles and Equipment	Annual allocation	335,000	350,000	350,000				
Museum	unfunded museum building renovations	6,000	6,000	6,000				funding year 4 of 4 years
Museum	Photocopier		5,000	5,000				
Museum	Cedar shingles		10,000	10,000				Treatment and repairs
Museum	Building equip/repairs	10,000	10,000	10,000				museum lump sum \$15,000 each year
Museum	Shelving/Art Rack Heritage Resource Building	10,000	25,000	15,000	10,000			
Museum	Replace 2 HVAC units	10,000	20,000	10,000	10,000			Replace 2nd HVAC unit along with the original 2018 budgeted HVAC unit
Museum/Library	Security Cameras		15,000			15,000		Security for the grounds-\$5,000/Library res/\$7,000 cultural res
Library	Library capital	35,000	35,000	35,000				per library capital budget
Library	increase to capital budget-accessible washrooms/security	15,000	15,000	15,000				Enabling Accessibility Fund Grant - \$29,402
IT	Annual allocation for computers	60,400	86,150	86,150				
IT	New Server Rack	3,000	3,000		3,000			
IT	Access Control Door Reader for Server Room	2,000	2,000		2,000			Secure acces to the IT servers and equipment
IT	Monitor for first floor Comm Room		3,500		3,500			
Facility Maintenance	Roselawn - annual allocation	100,000	100,000	100,000				
Facility Maintenance	Roselawn		5,500	5,500				New kitchen windows and raised roof repairs
Facility Maintenance	Roselawn		20,000	20,000				Main theatre entrance roof replacement
Facility Maintenance	Roselawn		8,500	8,500				Replace the Public Announcement (PA) Speaker System
Facility Maintenance	Vimy Park Washroom building		4,000	4,000				Replace roof with metal roof
Facility Maintenance	Lions Field Hydro Panel		5,000	5,000				Install an exterior hydro panel with timer
Facility Maintenance	Lions Field Roof Replacement-metal panels		31,200		31,200			pending roof tender
Facility Maintenance	Lions Field Building		2,500	2,500				Replace exhaust filters and grease trap for compliance
Facility Maintenance	HarbourMaster Building	24,500	24,500		24,500			siding complete/skirting replaced/deck structure and boards replaced
Facility Maintenance	Humberstone Centennial Park		17,400		17,400			replace south side large older pavilion roof - metal roof
Facility Maintenance	HH Knoll Park		16,500		16,500			replace old band shell roof with original cedar shingles
Facility Maintenance	Ice Box Facility - Steel roof and gutter replacement		30,000		30,000			fund over two years 2016 and 2017 (requires assessment)
Facility Maintenance	VHWC - Lighting upgrades		23,000		23,000			replace 400 watt metal halide to beacon LED-energy/maint savings
Facility Maintenance	VHWC - Lighting-\$50,000 (grant \$25,000)	25,000	50,000		25,000	25,000		change all T5 light tubes to LED light tubes-payback in 6 months
Facility Maintenance	VHWC - Main entrance pylon sign		9,000	9,000				rebuild the sign including design, if required
Facility Maintenance	VHWC - Washroom and Dressing room tiles		7,500	7,500				Replacement of 2 rooms per year @ \$3,750 per room
Facility Maintenance	VHWC - Insulating ductwork		4,600	4,600				in the Bocce Club area
Facility Maintenance	VHWC - Insulating ductwork		16,500	16,500				in Rink 1 area-could be done in 2020

**CITY OF PORT COLBORNE
2019 BUDGET
FUNDING CAPITAL AMORTIZATION
FUNDS TRANSFERRED TO CAPITAL PROJECTS**

SCHEDULE F

Traditional Allocation of Budgeted Capital Funds	2018 budget	2019 Est Cost	Capital Levy Funds	Reserve Funds	Grant Funds	Defer Funding	
Facility Maintenance		2,200	2,200				underside of the central roof gutter system to prevent condensation
Facility Maintenance		20,000	20,000				prevention of snow and ice build up on the roof
Facility Maintenance		24,000	24,000				manufacture and install proper roof access ladders
Facility Maintenance		46,000	46,000				Fall arrest protection on the roof
Facility Maintenance		10,000	10,000				fabricate/install an interior gutter cover to capture drips along central roof
Facility Maintenance		5,000	5,000				Remote monitoring system for the Stand-by generator and sewage pumps
Facility Maintenance		12,000		12,000			new flashing-leaking into the attic
Facility Maintenance		7,500	7,500				remove chimney & fix roof/new hot water tank/replace sewer vent pipe
Facility Maintenance		51,000		51,000			Heritage engineer inspection and roof replacement
Facility Maintenance		16,000				16,000	Furnace replacement & hazardous material removal in area-2020/2021
Facility Maintenance		2,500	2,500				Air Exchanger
Facility Maintenance		4,000	4,000				Replace steel canine access doors
Facility Maintenance		20,000	20,000				upgrades to 6 year old HVAC units
Facility Maintenance		45,000	45,000				2019 - 3rd floor/ 2020 - 2nd floor \$40,000/ 2021 - 1st floor \$40,000
Facility Maintenance		12,000	12,000				Fall arrest protection on the roof
Facility Maintenance		10,000	10,000				Flat roof area patched & vents installed to prevent condensation leaking
Facility Maintenance		50,000	50,000				Accessible doors for all floors including washrooms
Facility Maintenance		2,500		2,500			Install an exhaust fan to clear the air (transit reserve)
Facility Maintenance		5,000	5,000				Remote monitoring system for the Stand-by generator and sump pumps
Facility Maintenance		5,000	5,000				Remote monitoring system for the Stand-by generator and sewage pumps
Facility Maintenance		5,000	5,000				Replace sewage pumps which have failed
Facility Maintenance		13,000	13,000				Replace lower flat roof and repair wall and ceiling areas
Facility Maintenance		2,500	2,500				Back Flow preventor for water supply
Facility Maintenance		6,000	6,000				Replace East side hydro box enclosure
Facility Maintenance		25,700	16,188			9,512	
Engineering/Parks		193,000		96,500	96,500		upgrade/refurbish existing network of trails as approved by Council
Community & Econ Dev	7,500	7,500	7,500				2nd year of 4 yr commitment to Sport Tourism Capital Reserve - \$30,000
Parks and Recreation		15,000	5,000			10,000	fund over 3 years-1st of 3 years
Parks and Recreation		10,000	10,000				replacement of concrete headstone bases-\$1,000 x 10 per year
Parks and Recreation		45,000		45,000			9,000 each for 5 parks-2 in 2013-1 in 2014/2015/2016
Parks and Recreation		28,550		28,550			Field Bleachers at Westside fields/Vimy Complex/Lannan complex
Parks and Recreation		60,000		60,000			Fund from Facility Reserve
Nickel beach	50,000	50,000		50,000			Future Washroom/Changeroom Upgrades to reserve
Nickel beach		6,300	6,300				Currently no security cameras-placement for main entrance
Nickel beach		14,000	14,000				Picnic Tables
Nickel beach		15,000	15,000				Waste Receptacles
Nickel beach		1,000	1,000				Accessible Beach Mat
Nickel beach		25,000	25,000				annual allocation to capital reserve for Nickel Beach
Marina	15,000	15,000	15,000				replace old pedestals - 10 units @ \$1,500
Marina	65,000	10,000	10,000				inspect and replace
Marina		12,000		12,000			replace walkway lights with LED energy efficient lighting

**CITY OF PORT COLBORNE
2019 BUDGET
FUNDING CAPITAL AMORTIZATION
FUNDS TRANSFERRED TO CAPITAL PROJECTS**

SCHEDULE F

Traditional Allocation of Budgeted Capital Funds	2018 budget	2019 Est Cost	Capital Levy Funds	Reserve Funds	Grant Funds	Defer Funding	
Marina		15,000		15,000			Concrete required between the ramps existing concrete slabs
Marina		300,000		300,000			includes \$50,000 in 2018 budget
Vale Health&Wellness centre		10,000			10,000		donation from Golden Puck Hockey over 2 years
Vale Health&Wellness centre	23,000	23,000		23,000			to accommodate rec programming in summer months
Vale Health&Wellness centre	5,150	12,000	6,850	5,150			SCALA Systems Software
Sherkston Community Centre	5,000	5,000	5,000				funding year 4 of 4 years
City Hall		175,000		175,000			phone system/front counter upgrades/software/hardware/furniture (capital reserve)
City Hall	10,000	10,000	10,000				
City Hall		44,000		44,000			see memo for explanation
Fire Dept	19,000	13,600	13,600				
Fire Dept	25,000	20,000	20,000				replace fire and safety equipment
Fire Dept		20,000	20,000				New MTO requirements to add blue lights
Fire Dept		30,000	30,000				Memorial site at Fire Station
Fire Dept		6,400	6,400				Painting/carpets/security system upgrades
Fire Dept		75,000	75,000				
Fire Dept		450,000				450,000	2020 expenditure-see Option 1a
Fire Dept		550,000				550,000	2021/2022 replacement by new debenture or possible matured fire debenture
Marina		1,900	1,900				
Marina		5,500	5,500				annual amount to replace 16 floats per year
Marina		10,000	10,000				Replace one existing machine
Marina		20,000	20,000				replacement of existing old pump
Marina		5,000	5,000				current boat has reached its end of lifecycle
Marina		9,450	9,450				3 additional cameras for boat storage and parking area
Marina		15,000	15,000				replace 20 waste containers
Marina		20,000	10,000		10,000		Funding from Conservation Club in 2018 \$10,000
Traffic Signals	4,000						Main St Revitalization Fund \$6,000/\$10,000 cost
Museum	10,000						Year 3 - \$10,000/yr for 3 yrs plus Fundraising over 5 years
Corporate Services	23,700						Virtual City Hall - Citizen Self-Service Suite
Facility Maintenance	11,285						
Facility Maintenance	21,535						
Facility Maintenance	5,000						electrical surges damaged equipment
Facility Maintenance	25,000						City Hall/Marina/Bethel and Sherkston Comm Centres
Engineering	5,400						
Engineering	5,000						
Engineering	7,000						
Parks	2,500						
Parks	75,000						playground equipment
Parks	15,000						replace retaining wall and stairs
Nickel beach	15,000						\$3,000 x 5 chairs
Marina	2,660						
Marina	3,500						
Marina	11,600						storage area in parking lot
Vale Health&Wellness centre	2,500						
IT	5,000						
IT	3,000						
Fire Dept	12,000						includes annual maintenance fee
Fire Dept	20,000						Hose \$15,000 Nozzles \$5,000
Fire Dept	14,000						carpets/painting/appliances/dorms/chairs/tables
Capital Reserve	166,408						
Total Budgeted Capital Funds	1,940,260						
		8,718,367	2,197,260	1,138,600	2,318,235	3,064,272	
Future Capital Amortization			(257,000)				
Funds Available in Library capital levy			(35,000)				
Funds Available in capital levy			(1,905,260)				
(Unallocated capital funding)			-				

NOTE: Amortization for the City's operations capital assets amounts to \$4,281,049 of which the City levys \$2,197,260 plus OCIF Funds of \$404,300 and Federal Gas Tax funds of \$555,335. The total allocation for capital amounts to \$3,156,895 with a shortfall in covering capital amortization in the amount of \$1,124,154. Based on the above annual increases to capital levy of \$257,000 (or a 1.5% annual levy increase), the shortfall to amortization will take approximately 4.5 years to reach amortization costs.

**CITY OF PORT COLBORNE
2019 BUDGET
RESERVES AND RESERVE FUNDS**

SCHEDULE G

FUNDING OUT OF RESERVES AND RESERVE FUNDS

Employee Benefits Reserve	Benefits	65,000	operations
Grants Reserve	Community Groups	30,000	operations
General Debt Reserve	East Side Employment Lands-Servicing Design	30,692	operations
VHWC Sponsorship Reserve	VHWC Debenture	343,816	operations
Debt Reserve or Storm Fees	Nickel Area Storm Sewers	299,819	operations
Transit Reserve	Operations	34,267	operations
Marina Debt Reserve	Marina-Mobile Lift	40,548	operations
Physician Recruitment	Existing Commitment	33,000	one time
Niag South Coast Tourism	Tourism Initiatives	9,000	one time
MYAC		1,000	one time
Corporate Services	OCIF funding for Capital Asset Supervisor	80,000	one time
Public Works	Snow Ploughing Equipment Rental	54,000	capital
Public Works	Tree Trimming Equip Rental	9,600	capital
Included in current levy		<u>1,030,742</u>	

TRANSFERS INTO RESERVES

Elections	Annual contribution	30,000	required for 2022 election
Physician Recruitment	Annual contribution	10,000	future recruitments
Goderich	Lease-Capital/Demolition Reserve	19,000	replenish reserve as approved by Council
Goderich	Capital contribution per lease agreement	85,000	as per agreement
Goderich	Lease revenue from Communication Towers	22,400	as per Council Direction
Drains	Maintenance	23,840	annual portion of City cost
Marina	Capital Reserve	51,000	approved by Council in 2016-surplus to capital reserve
Marina Debt Reserve	Unfunded capital (matured debentures)	80,115	allocate \$40,548 to mobile lift debenture
Marina Debt Reserve	Unfunded capital (matured debentures)	12,963	boat ramp matured debentures
General Debt Reserve	New debt	38,000	matured debentures
General Debt Reserve	Fire Dept matured debentures	312,024	matured debentures
Roselawn	Capital contribution-ticket sales	10,000	required for capital works
Main St CIP Reserve	Unfunded capital (matured debentures)	210,869	matured debentures
Planning	Development Charge Study	6,373	required for study done every 5 years
Included in current levy		<u>911,584</u>	

Note: Under new PSAB accounting rules Reserves are now considered surplus funds although Council can continue to track funds for the specific projects as earmarked by Council as allocated surplus (formerly reserves)

**CITY OF PORT COLBORNE
2019 BUDGET
STORM SEWER FEES SCHEDULE**

SCHEDULE H

Property Description	# of Properties	\$ Flat Fee per Year	\$ Total Funding
Single Family Properties	5104	100	510,400
Multi-Residential 2 to 5 Units	481	175	84,175
Multi-Residential 6 to 9 Units	44	225	9,900
Institutional/Multi Res > 10 units	54	275	14,850
Small Commercial	286	175	50,050
Medium Commercial	10	225	2,250
Large Commercial	2	275	550
Light Industrial	50	375	18,750
Heavy Industrial	5	475	2,375
City Owned	133	225	29,925
CNPI Owned	5	225	1,125
Hydro One Owned	1	225	225
Niagara Peninsula Housing	3	275	825
Niagara Region	21	225	4,725
Niagara Regional Housing	2	275	550
Transport Canada Owned	43	225	9,675
MTO Owned	2	225	450
TOTAL	6246		740,800

**CITY OF PORT COLBORNE
STORM SEWER BUDGET AND
CAPITAL FUNDING**

SCHEDULE I

Year	Fees Collected	Less Operating Budget	Less City Portion Storm Fees	Capital funding Available	Less Debenture Costs	Accumulated Capital Funding
1	740,000	185,000	30,000	525,000	300,000	225,000
2	754,800	188,700	30,600	535,500	300,000	460,500
3	769,896	192,474	31,212	546,210	300,000	706,710
4	785,294	196,323	31,836	557,134	300,000	963,844
5	801,000	200,250	32,473	568,277	600,000	932,121
6	817,020	204,255	33,122	579,642	600,000	911,764
7	833,360	208,340	33,785	591,235	600,000	902,999
8	850,027	212,507	34,461	603,060	600,000	906,059
9	867,028	216,757	35,150	615,121	600,000	921,180
10	884,369	221,092	35,853	627,424	600,000	948,604

NOTE: 2% Cost of Living Increase Annually

NOTE: \$5,500,000 Debenture for Nickel Area Storm Sewer project-annual cost \$300,000 over 30 years
Assume a second debenture in year 5

**CITY OF PORT COLBORNE
2019 BUDGET
ESTIMATED RESIDENTIAL PROPERTY TAX CHANGE**

SCHEDULE J

	Phased In Assessment change			
	\$ 2018	\$ 2017	\$ Change	% Change
City	86.327	84.310	2.02	2.39%
Region - general	56.627	56.708	-0.08	-0.14%
Region - waste mgmt	8.416	8.613	-0.20	-2.29%
Education	17.000	17.000	0.00	0.00%
Tax Rate Change	<u>168.370</u>	<u>166.631</u>	1.74	1.04%

** with 6.14% levy increase
with no reduced education rate

ESTIMATES OF TAX CHANGES

	\$ 2019	\$ 2018	\$ Change	% Increase
Average Residential Assessment	<u>191,070</u>	<u>185,605</u>		
City	1,649.46	1,564.84	84.62	5.41%
Region-general	1,081.97	1,052.53	29.44	2.80%
Region-waste mgmt	160.81	159.86	0.95	0.59%
Education	324.82	315.53	9.29	2.94%
Total Property Tax	<u>3,217.05</u>	<u>3,092.76</u>	124.29	4.02%

**Note: Regional tax policy changes and tax ratios same as 2018 and subject to change
Assessment increase of 2.94% in 2019**

MEMO



To: Mayor and Council

January 08, 2019

From: Peter Senese
Director of Corporate Services

RE: 2019 Ontario Municipal Partnership Fund (OMPF) Budget Allocation

The Provincial government has announced the allocations of OMPF funding to municipalities.

The City of Port Colborne received the Ontario Municipal Partnership Fund (OMPF) amounting \$2,786,200 in 2018. The 2019 budget was prepared with the same amount of OMPF funding as in 2018. The Committee of Council during budget deliberations approved the base amount of funding of \$2,345,900 continue to be applied to the tax levy and the additional amount, being very volatile, of \$440,300, be applied to fund one-time expenditures. As per Schedule A to Director of Corporate Services Report 2019-37, \$340,300 is allocated to various one-time projects and \$100,000 is allocated to the Downtown CIP.

The Provincial Government has released the amount that the City of Port Colborne will receive as \$2,738,300 in 2019. This is \$47,900 less funding than what was budgeted in the 2019 budget presented to Committee of Council.

Recommendation:

That Council approve the reduction of the OMPF funding amounting \$47,900 reduce the budgeted allocation to the Downtown CIP from \$100,000 to \$52,100. Any required funding for the difference to the Downtown CIP project to be funded from the Capital Infrastructure Reserve Fund.

Sincerely


Peter Senese,
Director of Corporate Services

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Report Number: 2019-36

Date: March 25, 2019

SUBJECT: Statement of Remuneration and Expenses 2018

1) PURPOSE

This report is written to provide to Council information for total remuneration, benefits and expenses paid, in respect of services as a member of Council as well as each person appointed by the municipality to serve as a member of any body, including a local board, for the year 2018.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Pursuant to Section 283 of the Municipal Act, 2001, as amended, a municipality may pay any part of the remuneration and expenses of the members of any local board of the municipality and of the officers and employees of the local board.

Pursuant to Section 284 of the Municipal Act, 2001, as amended, the City Treasurer shall on or before March 31 provide to Council an itemized Statement of Remuneration and Expenses paid in the previous year to each member of Council and each person appointed by the municipality to serve as a member of any body, including a local board, in respect of services as a member of Council or member of any body.

The following by-laws authorize the payment of such remuneration and expenses:

- By-law No. 4609/140/04 Being a By-law to Provide for the Remuneration of the Mayor and to Repeal By-law No. 2864/43/93
- By-law No. 4610/141/04 Being a By-law to Provide for the Remuneration of the Councillors and to Repeal By-law No. 2922/101/93
- By-law No. 4897/122/06, as amended, Being a By-law to Establish a Policy for Business Travel, Seminars and Conferences etc. for Appointees to Local Boards of the City of Port Colborne
- By-law No. 5141/47/08 Being a By-law to Amend By-law No. 4896/121/06 a By-law to Establish a Conference and Seminar Policy for Members of Council
- By-law No. 5719/150/11 Being a By-law to Establish Remuneration of Committee of Adjustment Members

3) STAFF COMMENTS AND DISCUSSIONS

The attached Statement of Remuneration and Expenses for the twelve-month period January 1 to December 31, 2018 was prepared pursuant to Sections 283 and 284 of the Municipal Act, 2001, as amended.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

Not applicable.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

Appendix A - Statement of Remuneration and Expenses 2018

Appendix B - Detail of Conference Expenses 2018

7) RECOMMENDATION

That the Report on Remuneration and Expenses for 2018 be received for information purposes as per Sections 283 and 284 of the Municipal Act, 2001, as amended.

8) SIGNATURES

Prepared on March 8, 2019 by:



Deborah Salmon
Accounting Clerk

Reviewed & approved by:



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted:



C. Scott Luey
Chief Administrative Officer

**CITY OF PORT COLBORNE
STATEMENT OF REMUNERATION AND EXPENSES 2018**

	Payroll Remuneration	Fringe Benefits	Car Allowance	TOTAL	Renumeration	Membership/ Training	Conference Expenses**	Travel	Mobile Service	Per Diem*	TOTAL	GRAND TOTAL
Council												
Mayor John Maloney	32,714.16	5,739.78	3,570.00	42,023.94				761.68	1,056.17		1,817.85	43,841.79
Councillor Ron Bodner	10,255.18	6,857.53		17,112.71			38.16		409.08		447.24	17,559.95
Councillor Barbara Butters	9,466.32	6,408.94		15,875.26			922.43		943.31		1,865.74	17,741.00
Councillor Frank Danch	10,255.18	6,989.14		17,244.32					271.70		271.70	17,516.02
Councillor Angie Desmarais	10,255.18	6,989.14		17,244.32			1,380.45		286.14		1,666.59	18,910.91
Councillor Yvon Doucet	9,466.32	6,350.62		15,816.94					607.27		607.27	16,424.21
Councillor David Elliott	9,466.32	6,408.94		15,875.26					332.66		332.66	16,207.92
Councillor Bea Kenny	9,466.32	6,350.62		15,816.94			38.16		317.49		355.65	16,172.59
Councillor John Mayne	9,466.32	6,331.15		15,797.47			38.16		164.89		203.05	16,000.52
New Council Members												
Mayor Bill Steele	2,726.18	689.96	210.00	3,626.14				37.66	90.40		128.06	3,754.20
Councillor Mark Bagu	788.86	573.72		1,362.58					10.18		10.18	1,372.76
Councillor Eric Beauregard	788.86	240.40		1,029.26					10.18		10.18	1,039.44
Councillor Gary Bruno	788.86	526.38		1,315.24					10.18		10.18	1,325.42
Councillor Donna Kalalief	788.86	526.38		1,315.24					10.18		10.18	1,325.42
Councillor Harry Wells	788.86	573.72		1,362.58					10.18		10.18	1,372.76
Committee of Adjustment												
Councillor Yvon Doucet					450.00	130.00					580.00	580.00
Councillor Bea Kenny					675.00	130.00					805.00	805.00
Councillor John Mayne					300.00	130.00					430.00	430.00
Dan O'Hara					720.00	420.00			73.27		1,213.27	1,213.27
Bill Steele					680.00	130.00					810.00	810.00
Property Standards Committee												
Councillor Frank Danch					60.00						60.00	60.00
Councillor Angie Desmarais					60.00						60.00	60.00
Tim Hoyle					60.00						60.00	60.00
Notice to Muzzle Appeal Committee												
Councillor Barbara Butters					45.00						45.00	45.00
TOTALS	117,481.78	61,556.42	3,780.00	182,818.20	3,050.00	940.00	2,417.35	799.34	4,603.28	0.00	11,809.97	194,628.17
* Per Diem - for additional meetings (out of town business)												
** Conference Expenses - see Detail of Conference Expenses 2018												

City of Port Colborne							
Detail of Conference Expenses 2018							
	FCM	AMO	OSUM	HWY H2O	ROMA/OGRA	Other Conferences & Seminars	CONFERENCE EXPENSES TOTAL
Mayor John Maloney							-
Councillor Ron Bodner						38.16	38.16
Councillor Barb Butters					884.27	38.16	922.43
Councillor Frank Danch							-
Councillor Angie Desmarais					1,185.80	194.65	1,380.45
Councillor Yvon Doucet							-
Councillor David Elliott							-
Councillor Bea Kenny						38.16	38.16
Councillor John Mayne						38.16	38.16
TOTALS	-	-	-	-	2,070.06	347.29	2,417.35
FCM - Federation of Canadian Municipalities							
AMO - Association of Municipalities of Ontario							
OSUM - Ontario Small Urban Municipalities							
ROMA/OGRA - Rural Ontario Municipal Association/Ontario Good Roads Association							

Report Number: 2019-39

Date: March 25, 2019

SUBJECT: Application for Bulk Water Haulage Agreement – Village Enterprises Water Haulage

1) PURPOSE:

This report was prepared by Janice Peyton, EAA to the Director of Engineering & Operations, under the authorization of Steve Shypowskyj, Acting Director of Engineering & Operations. Applications for use of the City's Bulk Water Stations must be approved by City Council and the applicants must enter into a Standard Agreement, which provides for insurance coverage and billing requirements.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Attached is a letter of application to the City from Village Enterprises Water Haulage for access to the City's bulk water filling station. This is an existing bulk water business that is now changing ownership. The Agreements are non-transferable and therefore the applicant, who has been provided with a copy of the standard agreement and the current water rates bylaw, has been asked to apply for a new agreement with the City. They will be required to provide a copy of their current insurance certificate and will be required to show the City of Port Colborne as an additional insured party on signing of the agreement.

3) STAFF COMMENTS AND DISCUSSIONS

The standard agreement for bulk water haulers ensures that the City has liability insurance coverage for the hauler's operations and provides a means for monthly billing of the haulers. Bulk water sales are a source of revenue for the City in sustaining the water distribution system. They are also a viable business operation and a lifeline for rural residents in need of potable water.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Council could turn down the application. This is not recommended.

b) Other Options

Council can authorize the Mayor and Clerk to sign a Standard Bulk Water Agreement with the applicant.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

Copy of Standard Agreement for Bulk Water Sales
Schedule A Current Bulk Water Rates

7) RECOMMENDATION

That the Council of the City of Port Colborne authorize entering into a Bulk Water Sales Agreement with:

Village Enterprises Water Haulage
3645 Carver Street
Stevensville, ON L0S 1S0

And that the Mayor and Clerk be authorized to sign the agreement.

8) SIGNATURES

Prepared on March 14, 2019 by:

Reviewed and respectfully submitted by:



Janice Peyton
EAA to the Director of Engineering &
Operations

C. Scott Luey
Chief Administrative Officer

Reviewed by:



Steve Shypowskyj
Acting Director, Engineering & Operations

THIS AGREEMENT made this _____ day of _____ 2019.

B E T W E E N:

THE CORPORATION OF THE CITY OF PORT COLBORNE

Hereinafter called "THE CITY"
of the First Part

-AND-

OWNER:

of the City of Port Colborne, in the Regional Municipality of Niagara,
carrying on business under the firm name and style of:

COMPANY NAME:

Hereinafter called "THE OPERATOR"
of the Second Part

WHEREAS the City operates the water supply system for the Corporation of the City of Port Colborne;
AND WHEREAS the City is agreeable to supplying water to the Operator on the following conditions;
THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein
and subject to the terms and conditions set out in this agreement, the parties hereto agree and
covenant as follows:

WATER RATES

1. The City agrees to sell bulk water and the Operator agrees to purchase bulk water and pay any applicable fees at the rate established from time to time, for all bulk water consumers within the City. The current rates are set out in Schedule "A" attached hereto. These rates are subject to change at the sole discretion of the City and the Schedule "A" shall be amended as required.

STATEMENT OF ACCOUNTS

2. All accounts submitted hereunder are due and payable when rendered. Billing period shall be as established by the City.

DISCONTINUANCE OF SERVICE IN DEFAULT OF PAYMENT

3. It is understood and agreed that the City shall have the right to discontinue water supply if payment in full of any water invoices are not made by the Operator within two weeks from the date of invoice and there shall be no liability on the part of the City for so doing.

INDEMNIFICATION

4. The Operator shall indemnify and save harmless the City from and against any and all claims, actions, losses, expenses, costs, damages or demands whether for injuries to persons, or loss of life or damage to property arising out of the acts or omissions of the Operator in the operation of the bulk water hauling service.

INSURANCE

5. At the time of signing of this agreement, the Operator agrees to furnish to the City a certified copy of a third party liability and property damage insurance in the amount of Two Million Dollars (\$2,000,000.00) showing the City as an additional insured and in a form satisfactory to the City. On or before the 1st day of January in each year the Operator agrees to provide written confirmation of renewal of the subject policies from the insurer for a further term of twelve months.

NON-ASSIGNMENT

6. No rights of the Operator given under this agreement shall be assigned without the written consent of the Engineer or the City of Port Colborne, or his duly authorized representative. Any attempts to assign any of the rights, duties or obligations of this agreement without written consent are void.

TERMINATION

7. Save as is referred to in Clause 3 hereof, either party to this agreement at any time has the right to terminate this agreement, thirty days after giving written notice to the other party.

DISCLAIMER

8. The parties hereto acknowledge and agree that no term of this agreement shall be deemed to imply a guarantee of a supply of water by the City to the Operator or the general public at any given time and the City shall not be held liable or responsible in any manner should water supply be unavailable for any reason whatsoever.

TERM

9. This agreement and any amendments thereto shall continue until terminated in accordance with clause 3 or 6 hereof.

AMENDMENTS

10. If at any time during the continuance of this agreement the parties shall deem it necessary or expedient to make any alterations or additions to this agreement they may do so by means of a written agreement between them which shall be supplemental and form part of this agreement.

NOTICES

11. Any notice under this agreement shall be sufficiently given by personal delivery or by registered mail, postage prepaid and mailed in a Canadian Post Office, addressed in the case of the City to:

The Corporation of the City of Port Colborne
66 Charlotte Street
Port Colborne, Ontario. L3K 3C8

and in the case of notice to the Operator to:

or to any other address as may be designated in writing by the parties and the date of receipt of any notice by mailing shall be deemed conclusively to be 5 days after the mailing.

ENTIRETY

12. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement except as expressed in it.

HEADINGS

13. Descriptive headings are inserted solely for a convenience of reference, do not form part of

this agreement and are not to be used as an aid in the interpretation of the agreement.

INVALIDITY OF PARTICULAR PROVISION

14. The invalidity of any particular provision of this agreement shall not affect any other provision of it, but the agreement shall be construed as if the invalid provision had been omitted.

ACKNOWLEDGEMENT OF RECEIPT OF COPY

15. The Operator acknowledges receipt of a true copy of this agreement.

PRIOR AGREEMENTS

16. This agreement shall replace any previous agreement between the parties prior to this date.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hand and seal and Corporate seal duly attested to by the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED	)	THE CORPORATION OF THE CITY OF
In the Presence of	)	PORT COLBORNE
	)	PER: _____
	)	Mayor
)	
	)	PER: _____
	)	Clerk
)	
	)	THE OPERATOR
)	
	)	PER: _____
	)	Owner
)	
	)	PER: _____
	)	Owner

The Corporation of the City of Port Colborne

By-Law No. 6648/12/19

Being a By-law to Amend By-law No. 3151/22/95, As Amended, A By-law to Regulate the Supply of Water and to Provide for the Maintenance and Management of the Water Works and for the Imposition and Collection of Water Rates

Whereas at its special meeting of March 4, 2019, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Corporate Services Department, Finance Division Report 2019-29, Subject: Proposed 2019 Water and Wastewater Rates, and resolved as follows:

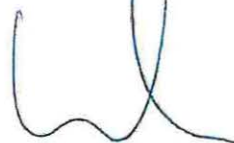
- that the rate for water usage for 2019 be set at \$1.291 per cubic meter
- that the fixed rate for 2019 be set at \$384.65 per year.

And Whereas Council is desirous of amending By-law No. 3151/22/95, as amended, Being a By-law for the Imposition and Collection of Water Rates.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That By-law No. 3151/22/95, as amended, Being a By-law to Regulate the Supply of Water and to Provide for the Maintenance and Management of the Water Works and for the Imposition and Collection of Water Rates, be further amended by replacing Schedule "A" thereto with Schedule "A" hereto.
2. The fixed rates established by this By-law shall be effective January 1, 2019 for large users and March 1, 2019 for bulk water haulers and shall be effective for residential and Institutional/Commercial/Industrial (ICI) quarterly billings commencing with the first quarter of 2019 and subsequent billings (subject to further amendments of the By-law).
3. The usage rate established by this By-law shall be effective March 1, 2019 for large users, March 1, 2019 for bulk water haulers and for residential and ICI quarterly billings commencing with the second billing of 2019 and subsequent billings (subject to further amendments of the By-law).

Enacted and passed this 4th day of March, 2019.



William C. Steele
MAYOR



Amber LaPointe
CITY CLERK

**Schedule "A" to By-law No. 6648/12/19
and By-law No. 3151/22/95, As Amended**

Water Rates

1. Metered Consumption Rates

Residential, Institutional/Commercial/Industrial (ICI) consumption is subject to a metered rate of \$1.291/cubic meter per billing period. No minimum charge per billing period.

2. Bulk Water Sales Rates

The metered rate for bulk water sales is \$1.291/cubic meter per billing period.

The service charge is based on a 75 mm (3") meter regardless of the actual meter used and is \$4,231.20 per annum or \$352.60 per month.

3. Fixed Rate (Service Charge)

All users are subject to a fixed rate based on meter size. The residential service charge is \$384.65 per annum or \$32.05 per month for a 15mm (5/8") and 19 mm (3/4") meter. The ICI fixed rate is \$384.65 per annum or \$32.05 per month for a 15 mm (5/8") and 19 mm (3/4") meter.

For other size meters, the fixed rate will be based on the following meter factors:

<u>Meter Size</u>	<u>Service Charge Meter Factor</u>
25 mm (1")	1.4
38 mm (1 1/2")	1.8
50 mm (2")	2.9
75 mm (3")	11.0
100 mm (4")	14.0
150 mm (6")	21.0
200 mm (8")	29.0
250 mm (10")	40.0

All vacant land directly abutting the water/sewer distribution system will be charged the annual fixed rate as per the rate set out in the Sewer Rate By-law, as amended.

4. Flat Rate (Residential)

Rate of \$397.00 per billing period (average user) where an accurate meter reading cannot be recorded for the following:

- where service connection has been turned on at the property line but where no meter has been installed (water meter refusal);
- refusing to provide a meter reading and/or providing access to read a water meter or reading device;
- refusing to remove any obstructions to reading a meter or reading device;
- refusing to provide for meter or reading device repairs for accurate meter readings;

- the tampering with or alteration of the water meter or reading device and meter readings cannot be obtained.

Flat Rate (Commercial)

Rate to be calculated based on the following, where an accurate meter reading cannot be recorded for the same reasons as above for Residential:

2x the current fixed rate per Section 3, PLUS 2x the monthly average of the previous 12 months' consumption history (monthly billings)

OR

2x the current fixed rate per Section 3, PLUS 2x the quarterly average of the previous 3 years of the same billing cycle consumption history (quarterly billings)

5. Water for Construction Rates

Flat Rate:

Residential	\$198.00
Commercial	\$332.00
Industrial	\$332.00
Institutional	\$332.00

Upon final inspection, rates to be charged at the current consumption rates.

6. Administration Charge

- issuing of water shut off tags shall be charged to the property owner at a fee of \$45.00;
- water account inquiries will be provided at a fee of \$7.00;
- Reading of analog meter due to refusal to upgrade to RF meters will be provided at a fee of \$45.00 per scheduled reading dates;
- Customer request to change out from an RF meter to an analog meter will be at the customer's expense to cover the actual cost of the new analog meter plus removal and installation costs.

7. Late Payment Fee

A two and one half (2 ½%) percent late payment fee is charged on the first day of default to all users. This is a one-time charge on the amount billed and outstanding past the due date. Water payments must be received at the Municipal Office City Hall on or before the due date.

8. On and Off Charges

A single charge for turn off/on will be levied if performed on the same calendar day during regular hours.

A single charge at the after-hours/weekend rate will be levied if the turn off/on is performed within a 4 hour (maximum) period.

9. **Meter Testing**

All meter testing will require a minimum deposit of \$50.00 and will be billed at actual cost. The minimum deposit will be applied to the bill. If the meter is found to be inaccurate, creating an over billing, the deposit will be refunded.

10. **New Water Meter and Remote Reader**

5/8" X 3/4" meter complete	actual cost
3/4" meter complete	actual cost
1" meter complete	actual cost
1 1/2" meter complete	actual cost
2" meter complete and larger	actual cost

11. **Permits**

A fee for new water service installation will be charged based on the current annual Public Works Services Schedule of Rates and Fees, to be collected on the building permit.

12. **Billing Cycle**

All users with meters greater than 50 mm (2") to be billed monthly. This includes bulk water and large users. All other users to be billed quarterly, meters being read and billed between three defined areas designated by the Corporation.

THIS AGREEMENT made this ____ day of ____ March ____ 2019.

B E T W E E N:

THE CORPORATION OF THE CITY OF PORT COLBORNE

Hereinafter called "THE CITY"
of the First Part

-AND-

OWNER:

of the City of Port Colborne, in the Regional Municipality of Niagara,
carrying on business under the firm name and style of:

COMPANY NAME:

Village Enterprises Water Haulage

Hereinafter called "THE OPERATOR"
of the Second Part

WHEREAS the City operates the water supply system for the Corporation of the City of Port Colborne;
AND WHEREAS the City is agreeable to supplying water to the Operator on the following conditions;
THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein
and subject to the terms and conditions set out in this agreement, the parties hereto agree and
covenant as follows:

WATER RATES

1. The City agrees to sell bulk water and the Operator agrees to purchase bulk water and pay any applicable fees at the rate established from time to time, for all bulk water consumers within the City. The current rates are set out in Schedule "A" attached hereto. These rates are subject to change at the sole discretion of the City and the Schedule "A" shall be amended as required.

STATEMENT OF ACCOUNTS

2. All accounts submitted hereunder are due and payable when rendered. Billing period shall be as established by the City.

DISCONTINUANCE OF SERVICE IN DEFAULT OF PAYMENT

3. It is understood and agreed that the City shall have the right to discontinue water supply if

payment in full of any water invoices are not made by the Operator within two weeks from the date of invoice and there shall be no liability on the part of the City for so doing.

INDEMNIFICATION

4. The Operator shall indemnify and save harmless the City from and against any and all claims, actions, losses, expenses, costs, damages or demands whether for injuries to persons, or loss of life or damage to property arising out of the acts or omissions of the Operator in the operation of the bulk water hauling service.

INSURANCE

5. At the time of signing of this agreement, the Operator agrees to furnish to the City a certified copy of a third party liability and property damage insurance in the amount of Two Million Dollars (\$2,000,000.00) showing the City as an additional insured and in a form satisfactory to the City. On or before the 1st day of January in each year the Operator agrees to provide written confirmation of renewal of the subject policies from the insurer for a further term of twelve months.

NON-ASSIGNMENT

6. No rights of the Operator given under this agreement shall be assigned without the written consent of the Engineer or the City of Port Colborne, or his duly authorized representative. Any attempts to assign any of the rights, duties or obligations of this agreement without written consent are void.

TERMINATION

7. Save as is referred to in Clause 3 hereof, either party to this agreement at any time has the right to terminate this agreement, thirty days after giving written notice to the other party.

DISCLAIMER

8. The parties hereto acknowledge and agree that no term of this agreement shall be deemed to imply a guarantee of a supply of water by the City to the Operator or the general public at any given time and the City shall not be held liable or responsible in any manner should water supply be unavailable for any reason whatsoever.

TERM

9. This agreement and any amendments thereto shall continue until terminated in accordance with clause 3 or 6 hereof.

AMENDMENTS

10. If at any time during the continuance of this agreement the parties shall deem it necessary or expedient to make any alterations or additions to this agreement they may do so by means of a written agreement between them which shall be supplemental and form part of this agreement.

NOTICES

11. Any notice under this agreement shall be sufficiently given by personal delivery or by registered mail, postage prepaid and mailed in a Canadian Post Office, addressed in the case of the City to:

The Corporation of the City of Port Colborne
66 Charlotte Street
Port Colborne, Ontario. L3K 3C8

and in the case of notice to the Operator to:

Village Enterprises Water Haulage
3645 Carver Street
Stevensville, ON L0S 1S0

or to any other address as may be designated in writing by the parties and the date of receipt of any notice by mailing shall be deemed conclusively to be 5 days after the mailing.

ENTIRETY

12. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement except as expressed in it.

HEADINGS

13. Descriptive headings are inserted solely for a convenience of reference, do not form part of this agreement and are not to be used as an aid in the interpretation of the agreement.

INVALIDITY OF PARTICULAR PROVISION

14. The invalidity of any particular provision of this agreement shall not affect any other provision of it, but the agreement shall be construed as if the invalid provision had been omitted.

ACKNOWLEDGEMENT OF RECEIPT OF COPY

15. The Operator acknowledges receipt of a true copy of this agreement.

PRIOR AGREEMENTS

16. This agreement shall replace any previous agreement between the parties prior to this date

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hand and seal and Corporate seal duly attested to by the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED	)	THE CORPORATION OF THE CITY OF
In the Presence of	)	PORT COLBORNE
	)	PER: _____
	)	Mayor
)	
	)	PER: _____
	)	Clerk
)	
	)	THE OPERATOR
)	
	)	PER: _____
	)	Owner
)	
	)	PER: _____
	)	Owner

Report Number: 2019-32

Date: March 25, 2019

**SUBJECT: PORT COLBORNE DISTRIBUTION SYSTEM
ANNUAL SUMMARY REPORT**

1) PURPOSE:

This report, prepared by Darlene Suddard, Environmental Compliance Supervisor and authorized by Chris Lee, Director of Engineering and Operations, has been prepared in accordance with Schedule 22 "Summary Reports for Municipalities", of O. Reg. 170/03, under the *Safe Drinking Water Act, 2002* (SDWA).

Under the Schedule, it is a requirement that Council be presented with the Annual Summary Report, summarizing the water quality results from the previous calendar year by March 31. Therefore, submission of the report at this time will ensure the City has met this requirement.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The *Safe Drinking Water Act, 2002* and associated O. Reg. 170/03 (Drinking Water Systems), dictate the City's legislated reporting requirements with respect to the Port Colborne Distribution System. Section 11 of O. Reg. 170/03 details the information to be included in the annual report, as well as the deadline (February 28) for preparing the report. Additionally, this section details that the public must be notified that the report is ready and available, that the report must be made available free of charge and how the report must be made available. The reports are posted to the City's website, with copies available at the Engineering and Operations Centre located at 1 Killaly Street West. Notification of report completion is posted to the City's website and advertised in City Hall News.

The contents of this report to Council are, as indicated above, dictated by Schedule 22 of O. Reg. 170/03. The regulation states:

22-2(2) *The report must,*

- (a) *List the requirements of the Act, the regulations, the system's approval, drinking water works permit, municipal drinking water licence, and any orders applicable to the system that were not met at any time during the period covered by the report; and*
- (b) *for each requirement referred to in clause (a) that was not met, specify the duration of the failure and the measures that were taken to correct the failure*

22-2(3) *The report must also include the following information for the purpose of enabling the owner of the system to assess the capability of the system to meet existing and planned uses of the system:*

1. *A summary of the quantities and flow rates of the water supplied during the period covered by the report, including monthly average and maximum daily flows*
2. *A comparison of the summary referred to in paragraph 1 to the rated capacity and flow rates approved in the system's approval, drinking water works permit or municipal drinking water license, or if the system is receiving all of its water from another system under an agreement pursuant to subsection 5(4), to the flow rates specified in the written agreement.*

A list of the Acts and Regulations that apply to the Port Colborne Distribution System have been provided in Appendix A. The regulated report requirements are discussed in section 3 below.

On December 31, 2012, Section 19 of the *Safe Drinking Water Act, 2002*, also known as the Statutory Standard of Care clause, came into force. In part, Section 19(1) requires "every person who oversees the accredited operating authority and every person who exercises decision making authority over the system" to:

- (a) exercise the level of care, diligence and skill... that a reasonably prudent person would be expected to exercise in a similar situation; and*
- (b) act honestly, competently and with integrity, with a view to ensuring the protection and safety of the users of the municipal drinking water system*

It is important to note that "Failure to comply with section 19 of the SDWA is an offence and could result in the prosecution of an individual, corporation, or both." This report not only meets the regulated reporting requirements, but also ensures Council is informed and helps meet Standard of Care responsibilities.

3) STAFF COMMENTS AND DISCUSSIONS

The Annual Drinking Water Quality Report was prepared on February 4, 2019, meeting the February 28th deadline. A copy of the Report is provided in Appendix B. The Report and a notification of the report's availability will be posted to the City website after Council approves this report. Notification of the report's availability will also be published in the next edition of City Hall News.

Results from 2018 sampling, testing and monitoring activities, as detailed in the Annual Drinking Water Quality Report (*Appendix B*), indicate that there were four (4) reportable adverse water quality incidents (AWQIs) in 2018.

One of the AWQIs was due to low free chlorine levels (<0.05 mg/L) in the distribution system. For this instance, nearby hydrants were immediately flushed to restore the free chlorine levels to at least 0.20 mg/L, and this area was monitored more frequently and flushed as required to maintain adequate free chlorine levels.

The remaining three (3) AWQIs were microbiological adverse samples. Total Coliforms were detected in all three (3) adverse samples, with *E. coli* detected in one (1) sample. While it was concerning to have *E. coli* and Total Coliforms appear in a sample from the distribution system, the free chlorine level at the time the sample was collected, 1.15 mg/L, coupled with the lack of *E. coli* and/or Total Coliforms in any of the nearby samples collected that day, made it highly unlikely that the sample was representative of the quality of the water in the distribution system. Results of the resampling indicated that *E. coli* and Total Coliforms were non-detectable at the sample point and upstream and downstream of the sample point. Therefore, Ministry staff, Public Health staff and City staff were confident that the adverse result was caused by a contaminated sample bottle.

Follow up samples in all cases indicated that the water was microbiologically safe, and Staff suspect that sample contamination was responsible for the AWQIs, as the free chlorine residuals at the time the samples were collected were more than adequate to ensure bacteria was not present in the water.

In all cases, the AWQIs were reported as required to the Ministry of Environment, Conservation and Parks (MECP) and to Public Health, and all corrective actions were completed to the satisfaction of all parties.

Although there were reportable AWQIs in 2018, at no time was the safety of the drinking water in Port Colborne compromised, nor were any orders issued by MECP against the system.

The City does not measure the quantities and flow rates of water within the distribution system. This information is provided to the City by the Region in the Port Colborne Water Treatment Plant Annual Summary Report prepared by the Region's Water and Wastewater Services Division. According to the Region's Summary Report, provided in Appendix C, the WTP is operating, on average, at 24.6% of capacity, and has sufficient capacity to meet the City's long-term growth demands.

The water distribution system meets present needs, but will require upgrades and extensions to satisfy growth demands as they are identified. Council previously received the results of the Water Infrastructure Need Study in Engineering and Operations Report #2014-31, which recommended future capital improvement projects. These recommendations, together with the outcomes from the annual Infrastructure Review form the basis for future watermain builds and replacements.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Not applicable – report must be submitted to Council to meet regulatory requirements

b) Other Options

None – report is submitted to meet regulatory requirements

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not Applicable.

6) ATTACHMENTS

- Appendix A - Port Colborne Distribution System Applicable Acts and Regulations
- Appendix B - Port Colborne Distribution System Annual Drinking Water Quality Report
- Appendix C - Port Colborne Water Treatment Plant Annual Summary Report

7) RECOMMENDATION

That Council accepts report 2019-32, Port Colborne Distribution System Annual Summary Report, prepared in accordance with O. Reg. 170/03 for information.

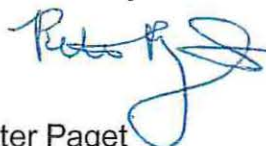
8) SIGNATURES

Prepared on March 4, 2019 by:



Darlene Suddard
Environmental Compliance Supervisor

Reviewed by:



Peter Paget
Utilities Supervisor

Reviewed by:



Richard Daniel
Manager of Operations

Reviewed by:



Steve Shypowskyj
Acting Director, Engineering & Operations

Reviewed and Respectfully Submitted:



C. Scott Luey
Chief Administrative Officer

**APPENDIX A
TO OPERATIONAL SERVICES REPORT
2019-32**

**Port Colborne Distribution System
Applicable Acts and Regulations**

Safe Drinking Water Act, 2002

- O.Reg. 128/04: Certification of Drinking Water System Operators and Water Quality Analysts
- O.Reg. 169/03: Ontario Drinking Water Quality Standards
- O.Reg. 170/03: Drinking Water Systems
- O.Reg. 171/03: Definitions of Words and Expressions Used in the Act
- O.Reg. 172/03: Definitions of “Deficiency” and “Municipal Drinking Water System”
- O.Reg. 188/07: Licensing of Municipal Drinking Water Systems
- O.Reg. 248/03: Drinking Water Testing Services
- O.Reg. 252/05: Compliance and Enforcement
- O.Reg. 453/07: Financial Plans

Port Colborne Distribution System Annual Drinking Water Quality Report

Prepared on February 4, 2019
In Accordance with O.Reg. 170/03
January 1, 2018 to December 31, 2018

Prepared by:



Rocco Arillotta
Water/Wastewater Operator

Reviewed by:



Darlene Suddard
Environmental Compliance Supervisor

Reviewed by:



Peter Paget
Utilities Supervisor

Approved by:



Richard Daniel Manager of Operations

Approved by:



Chris Lee Director of Engineering and
Operations

Drinking Water System number: 260001643
Drinking Water System category: Large Municipal Residential
Owned and operated by: The Corporation of the City of Port Colborne

Port Colborne Distribution System Annual Drinking Water Quality Report

Introduction

The City of Port Colborne is required, under O.Reg.170/03 - *Drinking Water Systems*, to prepare an annual report detailing the operation of the Port Colborne Distribution System. The regulation specifies in Section 11 what the report must contain, and sets a February 28 deadline for having the report prepared and made available to the public.

Therefore, to ensure compliance with the regulation, this report is prepared in accordance with Section 11, and is available to the public on the City's website at www.portcolborne.ca, under the Water Quality link

Water Supply and Distribution

The Corporation of the City of Port Colborne (City) is the Owner and Operating Authority of the Port Colborne Distribution System (PCDS), which serves approximately 16,000 residents. The PCDS is a stand-alone, Class 1, distribution system, with no downstream connections, and obtains water from the Regional Municipality of Niagara's (RMON) Port Colborne Drinking Water System (water treatment plant - WTP). Treated water is purchased from RMON on a volume basis and distributed through the City owned distribution system via Region owned trunk mains. The WTP draws water from the Welland Canal, treats it at the WTP, and RMON is responsible for sampling, testing and monitoring water at and leaving the WTP.

The City of Port Colborne does not perform any secondary disinfection, as the WTP sufficiently chlorinates the water to meet the minimum requirement of >0.05 mg/L free chlorine residual. The only water treatment chemical used by the City is 12% sodium hypochlorite, and this is used solely when making repairs to or performing maintenance on the distribution system to perform the required disinfection to protect the drinking water. The distribution system has an average pressure of 58 psi, with pressure maintained by the Barrick Road Water Tower together with the Fielden Avenue Reservoir, which are owned, operated and maintained by RMON.

The Regional Municipality of Niagara prepares an annual report for the Port Colborne Drinking Water System, providing information on the treatment methodology, the type of chemicals used, water quality reports and any significant maintenance, repair or upgrades to the WTP. RMON is also required to make their reports available on the internet.

Contact information is provided under the section entitled “Where to Obtain Additional Information”.

Water Quality Monitoring

The City of Port Colborne is required to supply safe drinking water that meets the requirements of the Safe Drinking Water Act and associated regulations. To ensure the City meet these requirements, the City has assigned the following individuals as responsible persons for the distribution system:

Table 1: Port Colborne Distribution System Responsible Persons

Position	Name	Phone number
Director of Engineering and Operations	Chris Lee	905-835-2901 ext. 223
Manager of Operations (Overall Responsible Operator)	Richard Daniel	905-835-2901 ext. 234
Utilities Supervisor (Primary Operator-in-Charge)	Peter Paget	905-835-2901 ext. 255
Environmental Compliance Supervisor	Darlene Suddard	905-835-2901 ext. 256

The City has identified the Engineering and Operations Department as the Operating Authority for the Port Colborne Distribution System (PCDS). The Water Department operates under the Engineering and Operations Department, and is specifically responsible for the daily operation of the distribution system. As such, the Water Department is responsible for assigning Certified Water Operators to conduct both the routine, weekly water quality sampling and testing and to conduct non-routine sampling (i.e., during and after watermain breaks). These activities ensure the water quality meets the Ontario Drinking Water Quality Standards (O.Reg. 169/03) at all times and under all conditions. The Water Department also ensures that the Operational Checks, Sampling and Testing requirements specified in the Drinking Water Systems Regulation (O.Reg. 170/03) are conducted and recorded. If it is determined that the water quality or an operational parameter does not meet the regulated requirements or exceeds the regulated limits, Certified Operators immediately implement corrective action to ensure the continued supply of safe drinking water. The operational checks, sampling and testing requirements, which the City must conduct, are outlined in Table 4.

The Region operates the Port Colborne Water Treatment Plant, the Fielden Avenue Reservoir and Barrick Road Water Tower, and as such, is required to conduct operational checks, sampling, and testing activities. Details regarding the Region’s requirements are summarized in their Annual Report; information on how to obtain a copy of their report is provided under the section entitled “Where to Obtain Additional Information”.

Water Quality Test Results

As per the sampling and testing requirements detailed in Table 4, the City conducted the following sampling in the period of January 1, 2018 to December 31, 2018:

Microbiological Analysis

In accordance with the requirements of Schedule 10, section 10-2 (1) of O.Reg.170/03, samples are collected and submitted for analysis on a weekly basis. Additionally, samples are also collected and submitted for analysis after watermain breaks, during hydrant flushing activities and in response to some water quality complaints etc.

In 2018, a total of 627 samples were collected and analyzed for the presence of *E.coli* and Total Coliforms. (618 routine samples, 19 non-routine samples) Laboratory results indicated that *E.coli* was detected on one (1) occasion and Total Coliforms were detected on three (3) occasions (*Table 5*). Details about the adverse results are discussed below.

To monitor the potential deterioration of the water quality, 301 samples were collected and analyzed for Heterotrophic Plate Count (HPC). Laboratory results indicated that, in 2018, HPC was detected at very low levels, between 0-39 colonies/mL, with one exception where HPC levels exceeded 500 colonies/mL (*Table 5*).

Operational Parameters

The City monitors the operational parameters, chlorine and turbidity, on a twice weekly basis, and on an as-required basis in response to watermain breaks, hydrant flushing, and complaints etc. In 2018, this resulted in the collection and analysis of 2,112 chlorine samples (1,266 routine and 846 non-routine) and 1,749 turbidity samples (1,253 routine and 496 non-routine). There was one (1) adverse free chlorine sample in 2018, with overall free chlorine levels ranging between 0.04 to 1.43 mg/L (*Table 5*). Details about the adverse results are discussed below.

Turbidity levels ranged from 0.05 to 4.95 NTU (*Table 5*).

Lead Testing (Schedule 15.1) Results

The City is no longer required to collect samples from plumbing systems and is only required to collect samples from the distribution system. Under O.Reg. 170/03 distribution system samples are required to be collected twice annually, with one set collected during the winter sampling cycle (December 15 to April 15) and another set during the summer sampling cycle (June 15 to October 15). The

collected samples are tested for alkalinity and pH in year one and two, with lead sampled in year three. 2018 was year three; therefore, samples were collected from four locations in the distribution system and analyzed for lead, alkalinity and pH. In total, eight samples were collected. Lead results ranged below the minimum detection limit (0.00001 mg/L) to a maximum concentration of 0.00163 mg/L. Alkalinity values ranged from 82 to 86 mg/L, while pH values ranged from 7.14 to 7.62. Lead results were well below the maximum acceptable concentration of 0.010 mg/L and alkalinity and pH were well within the recommended guidelines (*Table 5*).

The City is not required under the Regulation to collect plumbing samples to be analyzed for lead concentrations, unless requested by a homeowner; in 2018, the City received one (1) request from a homeowner to have their water tested for lead. The results from both samples collected were well under the regulatory limit of 0.010 mg/L (*Table 5*).

Organic Parameters

Up until January 1, 2017, the only organic parameter the City was required to monitor in the distribution system was trihalomethanes, or THMs. New regulatory requirements came into effect in 2017, and the City was required to begin sampling for Haloacetic Acids (HAAs).

THM results from 2018 continue to indicate that THMs are not a concern in the distribution system, as the running annual average concentration was 0.029 mg/L, much less than the 0.10 mg/L regulated limit (*Table 5*). None of the individual samples exceeded half the standard prescribed in Schedule 2 of the Ontario Drinking Water Quality Standards.

Although HAA results are not reportable until January 1, 2020, results from the 8 samples collected in 2018 indicate that HAAs are not a concern in the distribution system, as HAAs were less than the method detection limit of 5.3 µg/L (*Table 5*).

In 2018, there were four (4) reportable adverse water quality incidents. Three (3) adverse results were due to the presence of total coliforms, along with *E.coli* in one (1) occasion. The final adverse result was due to a free chlorine level less than 0.05 mg/L. Details about the adverse samples are discussed below.

Regulatory Non-Compliances

There were four (4) reportable adverse water quality incidents in 2018.

Table 2 below summarizes the date the adverse occurred, the adverse parameter, the corrective action taken by the City and the date the corrective action was taken:

Table 2: Summary of Adverse Test Results - 2018

Sample Date	Date Adverse Reported to City	Parameter	Result	Corrective Action Date	Corrective Action
Feb 20, 2018	Feb 22, 2018	<i>E. coli</i>	>200 cfu/100mL	Feb 22, 2018	Immediately flush and resample (two consecutive sets 24 and 48 hours apart). Total coliforms were absent from the resamples and free chlorine residuals >0.20 mg/L were maintained at all points in the affected part of the distribution system.
		Total Coliforms	>200 cfu/100mL		
May 22, 2018	May 24, 2018	Total Coliforms	2 cfu/100mL	May 24, 2018	
July 23, 2018	July 25, 2018	Total Coliforms	1 cfu/100mL	July 25, 2018	
Sep 5, 2018	Sep 5, 2018	Free Chlorine	0.04 mg/L	Sep 5, 2018	Immediately flush the water mains and restore secondary disinfection to ensure that a free chlorine residual of 0.05 mg/L or higher was achieved at all points in the affected parts of the distribution system.

While it was concerning to have *E.coli* and Total Coliforms appear in a sample from the distribution system, the free chlorine level at the time the sample was collected, 1.15 mg/L, coupled with the lack of *E.coli* and/or Total Coliforms in any of the nearby samples collected that day, made it highly unlikely that the sample was representative of the quality of the water in the distribution system. Results of the resampling indicated that *E.coli* and Total Coliforms were non-detectable at the sample point and upstream and downstream of the sample point. Therefore, Ministry staff, Public Health staff and City staff were confident that the adverse result was caused by a contaminated sample bottle.

It is important to note that although three (3) adverse microbiological results, and one adverse free chlorine sample, were observed in 2018, (representing less than 0.1% of the total samples collected), the immediate action by the City's certified Operators ensured that the adverse incidents were addressed in a timely manner. This timely response ensured that the safety of the drinking water was maintained, as indicated by the results of special follow up sampling and evaluation, which found the water to be safe.

Our Commitment to Providing Safe Drinking Water

To ensure that residents, businesses and visitors to our community continue to receive the safest drinking water, the City has incorporated the following practices into the routine operations of the Distribution System:

- Exceed the minimum regulatory sampling requirements, by sampling additional sites for both operational and microbiological parameters
- Comprehensive flushing program targeting “dead ends”, where water use is not very high, to ensure chlorine levels are at least 0.10 mg/L
- Prompt response to watermain breaks and customer complaints
- Increase the number of samples collected following a main break or distribution system improvements

In addition, the City has the following plans for 2019:

- Decommissioning of Elm Street Bulk water station and construction of a new bulk water station on Stonebridge Drive at an estimated cost of \$300,000.
- Installation of a fire service water meter and chamber at two facilities, to ensure water usage of fire services is metered, at an estimated total cost of \$160,000.
- Watermain replacements on Carter Avenue and Janet Street, at an approximate cost of \$1,000,000. The City received federal funding for this project.

There were no major expenditures in 2018, as the City delayed all 2018 projects to 2019.

What's New?

The City's Municipal Drinking Water Licence and Drinking Water Works Permit will expire in September 2019, with the renewal package due to be submitted to the Province by April 23, 2019; in order to submit a renewal, the City must prepare and Council must approve a new Financial Plan. It is expected the Plan will be before Council in early April 2019 to meet the deadline.

With the election of a new Mayor and Council, the City's Operational Plan must be endorsed by Council within one (1) year of the election. Council endorsed the Operational Plan at their February 25, 2019 meeting. Additionally, the City's Drinking Water Quality Management System must be accredited to the new Drinking Water Quality Management Standard, version 2.0, in 2019. The City's accreditation body, SAI Global, is anticipated to be on-site to perform the external audit in May 2019. The City's Operational Plan is available on the City's website at:

http://www.portcolborne.ca/page/drinking_water_quality_management_system

Where to Obtain Additional Information

Copies of this annual report are available, free of charge, at the Engineering and Operations Centre, 1 Killaly Street West. It can also be downloaded from the internet at [http://portcolborne.ca/page/water quality reports](http://portcolborne.ca/page/water_quality_reports). Copies may also be obtained by contacting the City numbers listed below.

Additionally, all laboratory test results are available at the Engineering and Operations Centre, 1 Killaly Street West. Copies may also be obtained by contacting the City numbers listed below.

The Regional Municipality of Niagara provides an annual report for the Port Colborne Water Treatment Plant, and it can be downloaded from the Region's website: <https://www.niagararegion.ca/living/water/water-quality-reports/default.aspx> Copies may also be obtained by contacting any of the numbers listed below:

Table 3: Contact Information for the City and Region

Organization	Department	Phone Number
City of Port Colborne	Engineering and Operations Centre	905-835-2900
Regional Municipality of Niagara	Water and Wastewater Division	905-685-1571

Table 4: Distribution System Water Quality Sampling and Testing Requirements

Parameter	Sampling and Analysis	Distribution System Standards	Comments
Microbiological	Minimum of 48 samples per month collected and tested for total coliforms and/or <i>E.coli</i> . Minimum 25% of all samples collected weekly analyzed for heterotrophic plate count	<ul style="list-style-type: none"> • <i>E.coli</i> – NONE detected • Total Coliforms – NONE detected • Heterotrophic plate count - <500 cfu/mL 	<ul style="list-style-type: none"> • 12 samples collected each week • Samples sent to an accredited laboratory for analysis • Adverse results are immediately reported by the lab to the City
Free Chlorine Residual	Minimum of 70 samples per month collected and tested for free chlorine. Collected twice weekly (at least 48 hours apart) from representative areas of the distribution system	<ul style="list-style-type: none"> • Minimum residual chlorine 0.05 mg/L • City targets 0.20 mg/L • City's acceptable low limit is 0.10 mg/L 	<ul style="list-style-type: none"> • City flushes all hydrants annually and known dead ends on a regular basis to ensure at least 0.10 mg/L is maintained at all areas of the distribution system
Turbidity	Frequency of sampling not specified, however, City collects minimum of 70 samples per month and tests for turbidity. Collected twice weekly from representative areas of the distribution system	<ul style="list-style-type: none"> • 5.0 NTU maximum aesthetic objective 	<ul style="list-style-type: none"> • Turbidity generally not an issue in the distribution system, however City flushes on a regular basis to ensure turbidity levels remain low.
Trihalomethanes (THMs)	Required to collect at least one sample quarterly, however the City collects 2 samples per month and submits for analysis	<ul style="list-style-type: none"> • 0.10 mg/L maximum acceptable concentration 	<ul style="list-style-type: none"> • Based on a four-quarter progressive annual average of test results (average of all test results each quarter) at points that are likely to have an elevated potential for the formation of THMs

Table 4: Distribution System Water Quality Sampling and Testing Requirements (continued)

Parameter	Sampling and Analysis	Distribution System Standards	Comments
Haloacetic Acids (HAAs)	Sampled quarterly. Required to collect one (1) sample per quarter. City collects 2 samples per quarter.	<ul style="list-style-type: none"> 0.08 mg/L maximum acceptable concentration (comes into effect January 1, 2020) 	<ul style="list-style-type: none"> Based on a four-quarter progressive annual average of test results (average of all test results each quarter) at points that are likely to have an elevated potential for the formation of HAAs
Lead	<p>Regulatory amendments late in 2009 and the City's historical results from 2008/09 resulted in the City qualifying for exemption from having to collect samples from plumbing.</p> <p>Required to collect 4 samples twice annually (between Dec 15 and Apr 15 and between Jun 15 and Oct 15) from 4 locations in the distribution system and analyze the samples for pH and alkalinity for two years, and then in the third year, perform the pH and alkalinity analysis and lead analysis.</p>	<ul style="list-style-type: none"> No standard for alkalinity or pH, these parameters are monitored so that, should they change, the potential for lead levels to increase is analyzed Maximum acceptable concentration for lead is 0.010 mg/L 	<ul style="list-style-type: none"> Distribution system samples are generally collected from water sampling stations and/or fire hydrants If a lead exceedance occurs in future, the City would be required to resume standard sampling.

Table 5: Distribution System Water Quality Sampling and Testing Results – January 1 to December 31, 2017

Parameter	Requirement	Number of samples		Results			Comments	
		Routine	Non-Routine	Range	Unit	# of Adverse		
Microbiological Analysis								
<i>E. coli</i>	ND	618*	19	ND- >200	cfu/100 mL	1	Presence of <i>E. coli</i> indicates presence of fecal matter	
Total Coliforms	ND	618*	19	ND- >200	cfu/100 mL	3	Presence of Total Coliforms indicates possible presence of pathogenic bacteria	
Heterotrophic Plate Count	<500	301*	2	ND- >500	colonies/mL	N/A	Presence of HPC indicates water quality deterioration	
Operational Parameters								
Free Chlorine	Minimum 0.05	1266*	846	0.04 – 1.43	mg/L	1	Level of disinfectant present	
Turbidity	5.0	1253*	496	0.05 – 4.95	NTU	N/A	Not a reportable parameter; 5.0 NTU is aesthetic guideline	
Lead Testing Results								
Alkalinity	30 - 500	8		82 – 86	mg/L	N/A	Neither are reportable parameters; guidelines are the recommended operational level. Low alkalinity and/or low pH may accelerate corrosion, which may cause lead from soldering or lead lines to be released into drinking water.	
pH	6.5 – 8.5	8		7.14 – 7.62		N/A		
Lead	Plumbing	0.010 mg/L	2		0.00023-0.00056	mg/L	0	Corrosion of lead or lead soldered plumbing/distribution systems may cause lead to be released into drinking water
	Distribution		8		<MDL - 0.00163			
Organic Parameters								
Trihalomethanes	0.10	24		(Running Annual Avg) 0.029	mg/L	0	By-product of chlorination; forms when chlorine reacts with suspended organics.	
Haloacetic Acids	0.08 (Jan 1, 2020)	8		(Running Annual Avg) <MDL	mg/L	N/A	By-product of chlorination; forms when chlorine reacts with suspended organics.	

*Note – operational checks are routine samples. Only routine microbiological samples, collected in accordance with Schedule 10, section 10-2 (1) of O.Reg. 170/03, are analyzed for Heterotrophic Plate Count (HPC) to meet the required 25%. Non-routine sampling includes sampling after watermain breaks, complaints, annual hydrant flushing and dead end flushing.

ND = non-detectable

MDL = Minimum Detection Limit

NTU = nephelometric turbidity unit



REGIONAL MUNICIPALITY OF NIAGARA
Public Works Department
Water & Wastewater Services Division

PORT COLBORNE WATER TREATMENT PLANT

ANNUAL SUMMARY REPORT

(Prepared under Ontario Regulation 170/03)

January 1 to December 31, 2018

Ministry of the Environment, Conservation and Parks

Drinking Water Works Permit # 007-201
Municipal Drinking Water License # 007-101

1. Failure to meet with the requirements of the Act, the regulation, the system's approval:

The Port Colborne Water Treatment Plant was operated in such a way that at no time did it fail to meet or exceed the requirements of the Act, the regulation, the system's approval or any order that may have been issued for this reporting period.

2. A summary of flows for the reporting period January 1, 2018 – December 31, 2018:

2018	TOTAL FLOW		AVERAGE DAY		MAX. DAY	MIN. DAY	MAX. FLOW RATE	MIN. FLOW RATE	WASTE SLUDGE
Date	Raw (ML)	Treated (ML)	Raw (ML)	Treated (ML)	Treated (ML)	Treated (ML)	Treated (ML/d)	Treated (ML/d)	(ML)
Jan	332.370	313.200	10.722	10.103	14.160	8.660	18.759	3.815	2.297
Feb	301.360	284.260	10.763	10.152	12.510	7.860	20.892	3.692	2.187
Mar	320.380	303.640	10.335	9.795	11.500	8.150	18.872	3.395	2.747
Apr	311.730	290.285	10.391	9.676	10.930	8.150	17.979	3.015	2.473
May	321.830	304.945	10.382	9.837	11.650	7.560	18.492	2.526	2.113
Jun	306.590	285.670	10.220	9.522	11.160	7.520	21.364	3.169	1.861
Jul	316.950	298.470	10.224	9.628	11.510	7.830	18.441	5.128	1.766
Aug	276.600	260.500	8.923	8.403	10.640	5.880	17.272	3.128	1.629
Sep	237.750	222.560	7.925	7.419	9.090	4.210	21.333	3.282	1.590
Oct	232.580	221.480	7.503	7.145	9.520	5.820	17.600	3.262	1.663
Nov	227.729	216.300	7.591	7.210	8.273	5.670	16.400	3.210	1.521
Dec	241.340	231.870	7.785	7.480	10.310	6.020	16.554	2.887	1.612
TOTAL	3427.209	3233.180							23.459
MIN						4.210		2.526	1.521
MAX					14.160		21.364		23.459
AVG			9.397	8.864					1.955

*The flow rates are moments in time, and can be affected by various circumstances, such as pump changes or valve position and therefore not unusual to have higher or lower than normal flow.

3. A comparison of actual flows to that of the flow rates set out in the system's approval:

Flow rates as set in:

- Drinking Water Works Permit # 007-201
- Municipal Drinking Water License # 007-101

Maximum daily flow 36.000 ML
 Maximum flow rate 36.000 ML/day

2018	AVERAGE DAY	% OF RATED CAPACITY	MAX. DAY	% OF RATED CAPACITY	MAX. FLOW RATE	% OF RATED CAPACITY
Date	Treated (ML)		Treated (ML)		Treated (ML/d)	
Jan	10.103	28.1%	14.160	39.3%	18.759	52.1%
Feb	10.152	28.2%	12.510	34.8%	20.892	58.0%
Mar	9.795	27.2%	11.500	31.9%	18.872	52.4%
Apr	9.676	26.9%	10.930	30.4%	17.979	49.9%
May	9.837	27.3%	11.650	32.4%	18.492	51.4%
Jun	9.522	26.5%	11.160	31.0%	21.364	59.3%
Jul	9.628	26.7%	11.510	32.0%	18.441	51.2%
Aug	8.403	23.3%	10.640	29.6%	17.272	48.0%
Sep	7.419	20.6%	9.090	25.3%	21.333	59.3%
Oct	7.145	19.8%	9.520	26.4%	17.600	48.9%
Nov	7.210	20.0%	8.273	23.0%	16.400	45.6%
Dec	7.480	20.8%	10.310	28.6%	16.554	46.0%

Report Number: 2019-33

Date: March 25, 2019

**SUBJECT: 2018 SHERKSTON COMMUNITY CENTRE CISTERN SYSTEM
ANNUAL DRINKING WATER QUALITY REPORT**

1) PURPOSE:

This report, prepared by Darlene Suddard, Environmental Compliance Supervisor and authorized by Chris Lee, Director of Engineering and Operations, has been prepared to ensure Council, as the Owner of the Sherkston Community Centre (SCC) Cistern System, is informed of any issues or shortcomings with the SCC Cistern System.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

In December 2010, Engineering and Operations Report #2010-54 summarized that the Sherkston Community Centre (SCC) Drinking Water System had been evaluated by Public Health, who determined that a school was being operated at the SCC and as such, the drinking water system fell under the jurisdiction of the Ministry of the Environment and Climate Change (MOECC) and was regulated by Ontario Regulation 170/03. However, the District School Board of Niagara (DSBN) discontinued use of the SCC in June 2013 and the system no longer served a designated facility. In December 2014, Council approved Community Services Report #2014-31 which recommended maintaining the Small Municipal Non-Residential System registration for the facility as this registration provides the SCC the flexibility to facilitate a variety of children/youth based leisure/recreation programs without restriction.

The *Safe Drinking Water Act, 2002* and associated O. Reg. 170/03 (Drinking Water Systems), dictates the City's legislated reporting requirements with respect to the SCC Cistern System. Section 11 of O. Reg. 170/03 details the information to be included in the annual report, as well as the deadline (February 28) for preparing the report. Additionally, this section details that the report must be given to the designated facility and to the "interested authority" for the designated facility, that the users of the water must be notified that the report is ready and available, that the report must be made available free of charge and how the report must be made available. Notification of report completion is posted to the City's website, with copies available at the Engineering and Operations Centre located at 1 Killaly Street West.

A list of the Acts and Regulations that apply to the SCC Cistern System have been provided in Appendix A. The regulated report requirements are discussed in section 3 below.

On December 31, 2012, Section 19 of the *Safe Drinking Water Act, 2002*, also known as

the Statutory Standard of Care clause, came into force. In part, Section 19(1) requires “every person who oversees the accredited operating authority and every person who exercises decision making authority over the system” to:

- (a) exercise the level of care, diligence and skill... that a reasonably prudent person would be expected to exercise in a similar situation; and*
- (b) act honestly, competently and with integrity, with a view to ensuring the protection and safety of the users of the municipal drinking water system*

It is important to note that “Failure to comply with section 19 of the SDWA is an offence and could result in the prosecution of an individual, corporation, or both.” This report not only meets the regulated reporting requirements, but also ensures Council is informed and helps meet Standard of Care responsibilities.

3) STAFF COMMENTS AND DISCUSSIONS

Since the 2014 recommendation to maintain the system registration under O. Reg. 170/03, staff have received clarification that the registration is not required for children/youth based leisure/recreation programs. Therefore, staff requested that Niagara Region Public Health perform a risk assessment of the drinking water system to determine if the system would fall under O. Reg. 319/08 instead. This risk assessment was completed in May 2018, and Public Health issued a Directive in October 2018 for the drinking water system. Staff received confirmation from the Ministry of Environment, Conservation and Parks on October 23, 2018 that the SCCCS drinking water system no longer fell under O. Reg. 170/03 – Drinking Water Systems. Therefore, this report covers the period where the O. Reg. 170/03 registration applied – January 1 to October 22, 2018. This is the final summary report for the SCCCS, as the Directive issued by Public Health does not require an annual report to be completed.

The benefit of having the system under O. Reg. 319/09 is primarily the reduced frequency of sampling and site inspections required. The drinking water is still protected through the requirements of the Directive issued to the City, but the requirements are not as stringent as those for the City’s water distribution system. Bethel Community Centre and Centennial Park both have water systems that fall under O. Reg. 319/08 and have been operated with no issues since the first Directives were issued in 2011. Therefore, staff are confident that the safety of the drinking water at Sherkston will be easily maintained.

The Annual Drinking Water Quality Report was prepared on February 19, 2019, meeting the regulated February 28th deadline. A copy of the Report is provided in Appendix B. The Report and a notification of the report’s availability will be posted to the City website after Council approves this report. Notification will also be published in the next edition of City Hall News. A copy of the report will also be sent electronically to the Chair of the Sherkston Neighbourhood Recreation Committee. There is no “interested authority” to provide the annual report to.

Results from the 2018 sampling, testing and monitoring activities, as detailed in the Annual Drinking Water Quality Report indicate that there were no instances of regulatory

non-compliance in 2018 (Appendix B).

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Not applicable – report is submitted to meet regulatory requirements

b) Other Options

None – report is submitted to meet regulatory requirements

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not Applicable

6) ATTACHMENTS

Appendix A – Sherkston Community Center Water Supply Applicable Acts and Regulations

Appendix B - Sherkston Community Centre Cistern System Annual Drinking Water Quality Report

7) RECOMMENDATION

That Council accept report 2019-33, Sherkston Community Centre Annual Drinking Water Quality Report, prepared in accordance with O. Reg. 170/03, for information.

8) **SIGNATURES**

Prepared on March 11, 2019 by:



Darlene Suddard
Environmental Compliance Supervisor

Reviewed by:



Peter Paget
Utilities Supervisor

Reviewed by:



Richard Daniel
Manager of Operations

Reviewed by:



Steve Shypowskyj
Acting Director, Engineering & Operations

Reviewed and Respectfully Submitted:



C. Scott Luey
Chief Administrative Officer

**APPENDIX A
TO OPERATIONAL SERVICES REPORT
2019-33**

**Sherkston Community Centre Cistern System
Applicable Acts and Regulations**

Safe Drinking Water Act, 2002

- O.Reg. 128/04: Certification of Drinking Water System Operators and Water Quality Analysts
- O.Reg. 169/03: Ontario Drinking Water Quality Standards
- O.Reg. 170/03: Drinking Water Systems
- O.Reg. 171/03: Definitions of Words and Expressions Used in the Act
- O.Reg. 172/03: Definitions of "Deficiency" and "Municipal Drinking Water System"
- O.Reg. 248/03: Drinking Water Testing Services
- O.Reg. 252/05: Compliance and Enforcement

Sherkston Community Centre Cistern System Annual Drinking Water Quality Report

Prepared on February 19, 2019
in accordance with O.Reg. 170/03
January 1, 2018 to October 22, 2018

Prepared by:



Rocco Arillotta
Water/Wastewater Operator

Reviewed by:



Darlene Suddard
Environmental Compliance Supervisor

Reviewed by:



Peter Paget
Utilities Supervisor

Approved by:



Richard Daniel Manager of Operations

Approved by:



Chris Lee Director of Engineering and
Operations

Drinking Water System number: 260092963
Drinking Water System category: Small Municipal Non-Residential
Owned and operated by: The Corporation of the City of Port Colborne

Sherkston Community Centre Cistern System Annual Drinking Water Quality Report

Introduction

The City of Port Colborne is required, under O.Reg.170/03 - *Drinking Water Systems*, to prepare an annual report detailing the operation of the Sherkston Community Centre Cistern System (SCCCS). The regulation specifies in Section 11 what the report must contain, and sets a February 28 deadline for having the report prepared and made available to the public.

Therefore, to ensure compliance with the regulation, this report is prepared in accordance with Section 11, and is available to the public on the City's website at www.portcolborne.ca, under the Water Quality link.

Water Supply and Distribution

The Corporation of the City of Port Colborne (City) is the Owner of the Sherkston Community Centre Cistern System, which is the drinking water system for the City-owned Sherkston Community Centre (SCC). Previously, a designated facility was serviced by this system; however, the designated facility left the building on June 30, 2013.

In May 2018, at the request of staff, Niagara Region Public Health performed a risk assessment of the Sherkston Community Centre Cistern System in accordance with O.Reg. 319/08 – Small Drinking Water Systems. In October 2018, Public Health issued a Directive for the system under O.Reg 319/08. Staff received confirmation from the Ministry of Environment, Conservation and Parks on October 23, 2018 that the drinking water system no longer fell under O.Reg. 170/03 – *Drinking Water Systems*; therefore this report only covers the period, January 1, 2018 to October 22, 2018, when the system fell under O.Reg. 170/03.

The SCCC system consists of the following:

- One (1) Wilkinson Heavy PreCast Ltd. 9.7 m³ (3,500 USG) pre-cast concrete potable water cistern with stainless steel locking access hatch complete with perimeter gasket to provide positive seal against infiltration; a sufficient quantity of risers to provide positive assurance of protection from 100 year flood elevation; 1 ¼" 100 psi CSA Poly Pipe (ANSI/NSF 61) water supply line from the cistern to the building; 1 ½" PVC electrical conduit from the electrical panel to the cistern;
- One (1) NSF certified ultraviolet (UV) disinfectant system (Trojan UVMaxPro10 with "cool touch fan" with optional solenoid valve), complete with an ANSI/NSF

certified 5-micron sediment and grit removal filter to protect the quartz sleeve from abrasion and to ensure high transmissivity of the water. System includes: continuous UV intensity monitor; fail-safe solenoid valve (emergency shut-off valve) (alarm condition); thermal protection to prevent nuisance alarms and overheated water supply and; local display indicating status with audible alarm;

- One (1) submersible pump, ¾ HP, 10 gpm, 8 stage, 230 volt complete with cradle and with pressure switch suitable for use with hydro pneumatic pressure tanks for pump operational control;
- One (1) 35 gallon capacity hydro pneumatic pressure tank
- One (1) electrical powered autodialler that monitors the water level in the cistern, the UV system status, power supply etc. and automatically dials key City contacts in the event of an alarm.

Water Quality Monitoring

The City of Port Colborne is required to supply safe drinking water that meets the requirements of the Safe Drinking Water Act and associated regulations. To ensure the City meet these requirements, the City has assigned the following individuals as responsible persons for the SCCCS:

Table 1: Sherkston Community Centre Cistern System Responsible Persons

Position	Name	Phone number
Director of Engineering and Operations	Chris Lee	905-835-2901 ext. 223
Manager of Operations (Overall Responsible Operator)	Richard Daniel	905-835-2901 ext. 234
Utilities Supervisor (Primary Operator-in-Charge)	Peter Paget	905-835-2901 ext. 255
Environmental Compliance Supervisor	Darlene Suddard	905-835-2901 ext. 256

The City has identified the Engineering and Operations Department as being responsible for the operation and maintenance of the Sherkston Community Centre Cistern System (SCCCS). The Water Department operates under the Engineering and Operations Department, and is specifically responsible for the daily operation of the SCCCS. As such, the Water Department is responsible for assigning Certified Water Operators or Trained Persons to conduct both the routine water quality sampling and testing and to conduct non-routine sampling (i.e., responding to adverse water quality incidents (AWQI)). These activities ensure the water quality meets the Ontario Drinking Water Quality Standards (O.Reg. 169/03) at all times and under all conditions. The Water Department also ensures that the Operational Checks, Sampling and Testing requirements specified in the Drinking Water Systems Regulation (O.Reg. 170/03) are

conducted and recorded. If it is determined that the water quality or an operational parameter does not meet the regulated requirements or exceeds the regulated limits, Certified Operators or Trained Persons immediately implement corrective action to ensure the continued supply of safe drinking water. The operational checks, sampling and testing requirements, which the City must conduct, are outlined in Table 3.

Water Quality Test Results

As per the sampling and testing requirements detailed in Table 3, the City conducted the following sampling in the period of January 1, 2018 to October 22, 2018:

Microbiological Analysis

In 2018, a total of 22 samples were collected and analyzed for the presence of *E.coli* and Total Coliforms. Laboratory results indicated that *E.coli* and Total Coliforms were non-detectable in any of the treated water samples, (Table 4).

Operational Checks

On a twice-weekly basis, the City performed a site visit to monitor the system and ensure there were no issues. The cistern hatch was checked to ensure it was secure, the UV system was checked and UV statistics (lamp hours etc.) was recorded, the system pressure was recorded and the pump status (idle vs. running) was noted.

Lead Testing (Schedule 15.2) Results

Prior to June 2013, all lead testing activities were conducted by the District School Board of Niagara, under O.Reg. 243/07. The City, under O.Reg. 170/03, is required to collect one sample every 36 months from the plumbing and analyze for lead. Sampling was last completed in May 2016.

Regulatory Non-Compliances

There were no instances of regulatory non-compliance in 2018.

Water System Upgrades

There were no upgrades or significant expenditures made during 2018, as the system was less than 7 years old.

Where to Obtain Additional Information

Copies of this annual report and all laboratory test results are available, free of charge, at the Engineering and Operations Centre, located at 1 Killaly Street West. The annual report can be downloaded from the internet at [http://portcolborne.ca/page/water quality reports](http://portcolborne.ca/page/water_quality_reports). Copies of the report and/or test results may also be obtained by contacting the City numbers listed in Table 2 below.

Table 2: Contact Information for the City

Organization	Department	Phone Number
City of Port Colborne	Engineering and Operations Centre	905-835-2900

Table 3: Sherkston Community Centre Cistern System- Water Quality Sampling and Testing Requirements

Parameter	Sampling and Analysis	Water Quality Standards	Comments
Microbiological	As this system is supplied by transported water, that is stored in a sealed cistern, there is no regulatory requirement to collect samples for microbiological analysis. However, the City continues to collect a minimum of 2 samples of treated water (after the UV system) each month and test for total coliforms and/or <i>E.coli</i> .	<ul style="list-style-type: none"> • <i>E.coli</i> – NONE detected • Total Coliforms – NONE detected 	<ul style="list-style-type: none"> • An average of 2 samples per month • Samples sent to an accredited laboratory for analysis • Adverse results are immediately reported by the lab to the City
Lead	Under Schedule 15.2 of O.Reg. 170/03 required to collect one sample every 36 months from the plumbing and analyze for lead	<ul style="list-style-type: none"> • 0.010 mg/L maximum acceptable concentration 	<ul style="list-style-type: none"> • Last sample collected in May 2016

Table 4: Sherkston Community Centre Cistern System - Water Quality Sampling and Testing Results January 1, 2018 – October 22, 2018.

Parameter	Requirement	Number of samples	Results			Comments
			Range	Unit	Exceedances	
Microbiological Analysis – Treated Water						
<i>E. coli</i>	ND	22	ND	cfu/100 mL	0	Presence of <i>E.coli</i> indicates presence of fecal matter
Total Coliforms	ND	22	ND	cfu/100 mL	0	Presence of Total Coliforms indicates possible presence of pathogenic bacteria

ND = non-detectable

N/A = Not applicable

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Report Number: 2019-41

Date: March 25, 2019

SUBJECT: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival

1) PURPOSE

The purpose of this report is present a project proposal and cost estimate for facilitation services for a strategic planning session respecting the Canal Days Marine Heritage Festival with Port Colborne City Council.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

At its meeting of February 7, 2019, the Canal Days Advisory Committee identified the need to undertake a strategic planning session for the Festival to identify the vision, purpose and scope of the Festival, and to ensure future initiatives are appropriately aligned with those objectives.

Further, Council identified hosting a strategic planning exercise for the Festival as a strategic priority for the City.

3) STAFF COMMENTS AND DISCUSSIONS

A facilitated working session with Council respecting the purpose and vision for the Canal Days Marine Heritage Festival (the "Festival") will assist staff in gathering input on priorities and key objectives for the Festival in terms of staff resources, scope of events and programming offered.

There are several options with regard to facilitating such a session, however, staff recommend undertaking the strategic planning session as a component of the preparation of the City's Parks and Recreation Master Plan ("PRMP"), as it is believed to be most appropriately aligned therewith. The terms of reference for the PRMP note that the preparation of the Master Plan must give consideration to, and include an examination of, the Canal Days Marine Heritage Festival. However, a standalone facilitated strategic planning session for the Festival was not contemplated therein.

As Council is aware, MHBC is the consulting firm currently working on the City's first PRMP. As a result of the direction provided by the Canal Days Advisory Committee, staff contacted MHBC for the purpose of obtaining a cost estimate for the above service (the cost of which is outlined below).

In addition to a cost estimate, MHBC provided a proposed work schedule to facilitate the session. The schedule includes a number of preparatory and follow-up activities as part of the process, as outlined below.

Preparation will include a review of Festival data (including the 2018 Attendee Profile

and the 2011 Economic Impact Study) and identification of key focusing questions for the facilitation exercise. The facilitated session itself (to include all of Council as a special Council meeting) is proposed to take place over a two-hour period, and will include a method by which to gather input and prioritize ideas based on the agreed upon scope and vision for the Festival (for example: a “dotmocracy” exercise for group prioritization and decision-making to quickly see which options are most popular or relevant).

The strategic planning process will conclude with the preparation of a summarizing document that outlines key findings and priorities, identifies recommended changes, and the overall scope of event programming for 2020 and into the future.

The cost estimate submitted by MHBC to facilitate the above noted session and undertake the work outlined above, is \$5,500, excluding taxes.

As outlined above, staff recommend proceeding with the strategic planning process as a component of the preparation of the City’s PRMP, as it this exercise would be appropriately aligned with that process. Staff recommend utilizing the services of MHBC, as the firm possesses background knowledge of the Festival and overall recreational programming within the City of Port Colborne, as well as the necessary experience to facilitate a session of this nature.

The initial findings and recommendations of the PRMP are expected to be presented to Council in late spring. As a result, in order to include the strategic planning exercise as part of that process, the session would need to be undertaken in April 2019.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do Nothing

Council may choose to receive and file this report, effectively denying the request.

b) Other Options

Council may provide alternative direction regarding a strategic planning session respecting the Canal Days Marine Heritage Festival.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

A strategic planning exercise respecting the Canal Days Marine Heritage Festival is identified as a strategic priority under the City’s Strategic Plan.

6) ATTACHMENTS

None.

7) RECOMMENDATION

That the Director of Community and Economic Development be directed to coordinate with the City Clerk to schedule a facilitated strategic planning session for City Council

(via a special Council meeting) regarding the Canal Days Marine Heritage Festival at the earliest possible date, as outlined in Community & Economic Development, Parks & Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival; and

That the Director be authorized to secure the services of MHBC for the purpose of facilitating the above noted strategic planning session, at a cost of \$5,500, excluding taxes, as part of the preparation of the City's Parks and Recreation Master Plan to be funded with surplus funds from the completed Arts and Culture Master Plan which the Director of Corporate Services has advised are available.

8) SIGNATURES

Prepared on March 18, 2019 by:

Reviewed by:



Ashley Grigg
Director of Community & Economic
Development

Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

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PORT COLBORNE

MEMORANDUM

Engineering and Operations Department

905-835-2900 Ext. 234

TO: Brenda Heidebrecht
CC: Nancy Giles
FROM: Richard Daniel
DATE: March 15, 2019
RE: Request for Mayoral Proclamation

City of Port Colborne
RECEIVED
MAR 15 2019
CORPORATE SERVICES
DEPARTMENT

Hello Brenda,

I would request that Mayor Steele publically proclaim April 2019 as Dig Safe month in the City of Port Colborne at a flag raising ceremony scheduled at the Engineering and Operations Centre on Friday, April 5, 2019.

The Ontario Regional Common Ground Alliance annually promotes many educational events across its thirteen (13) Geographic Councils which cover all of Ontario, including the Dig Safe Kick-Offs in April and "April is Dig Safe Month", to raise awareness of the importance of proper excavation practices. Annual damages to Ontario's underground infrastructure caused by excavation events number in excess of 4,500 per year. These events cause negative impacts to the Ontario public and our province's economy.

Declaring April as Dig Safe month in the city of Port Colborne is a demonstration of the corporation's commitment to safe excavation practices within the municipality.

Sincerely,

Richard Daniel
Manager of Operations



PORT COLBORNE

March 25, 2019

Moved by Councillor
Seconded by Councillor

WHEREAS Annual damages to Ontario's underground infrastructure caused by excavation events number in excess of 4,500 per year. These events cause negative impacts to the Ontario public and our province's economy;

AND WHEREAS, The Ontario Regional Common Ground Alliance (ORCGA), formed in 2003, whose purpose is to enhance public safety and utility infrastructure reliability through a unified approach to effective and efficient damage prevention, consists of some 500 members dedicated to this purpose, including Ontario1Call;

AND WHEREAS The Canadian Common Ground Alliance (CCGA) and the ORCGA have worked collaboratively to produce the "Underground Infrastructure Damage Prevention - Best Practices" handbook to assist in reducing infrastructure damage associated with excavations;

AND WHEREAS The ORCGA annually promotes many educational events across its thirteen (13) Geographic Councils which cover all of Ontario, including the Dig Safe Kick-Offs in April and "April is Dig Safe Month", to raise awareness of the importance of proper excavation practices.

NOW THEREFORE, I, Mayor, William C. Steele, proclaim April 1 - 30, 2019 as "**DIG SAFE MONTH**" in the City of Port Colborne.

William C. Steele
Mayor



Attention: Mayor, Members of City Council & CAO Vance.Badawey.P9 to: brendaheidebrecht
 03/07/2019 06:13 PM
 From: <Vance.Badawey.P9@parl.gc.ca>
 To: <brendaheidebrecht@portcolborne.ca>

City of Port Colborne
RECEIVED
MAR 07 2019
 CORPORATE SERVICES
 DEPARTMENT

Good afternoon Mayor, Members of City Council and CAO.

May I take this opportunity to update you on the *Investing In Canada Infrastructure Program*.

Rest assured, we have been focused on getting the intake open by applying maximum pressure on the province to deliver more immediate results for our collective constituents. We have reached out to FCM and to AMO, in addition to other stakeholders, to arm them with the facts and to engage them early. We are also very grateful for the work you have done to uncover more detail on your projects; these too will add to the pressure in addition to providing the requisite materials we will need to engage our department(s).

At this point, this note seeks to remind you of the amount of federal funding available under the Integrated Bilateral Agreement (IBA), **signed on March 18, 2018**, and the province's obligations under it, and to date, their inaction! As we are now past one year since the Canada-Ontario IBA was signed, we will continue to work with you to move projects ahead and ensure the province lives up to its obligations.

Under the *Investing in Canada Infrastructure Program*, proposed projects must first be prioritized by the province before they are submitted to Infrastructure Canada for consideration.

The full text of the Canada-Ontario bilateral agreement can be found at the link below:

<https://www.infrastructure.gc.ca/prog/agreements-ententes/2018/2018-on-eng.html>

Through the IBA signed with Ontario, \$11.9 billion is available to the province broken down as follows:

- ✓ \$8.3 billion for public transit
- ✓ \$2.8 billion for green infrastructure
- ✓ \$407 million for community, culture, and recreation infrastructure
- ✓ \$250 million for infrastructure in rural and northern communities

We have encouraged the Ontario government to open intakes for all four streams so as to maximize the number of projects we can build together for Ontarians in 2019 and the years ahead. A limited intake is not open for business. A slow intake is not putting Ontarians, their jobs and their communities first. This isn't Ontario open for business. We're hearing from unions, trade associations, and contractors worried that they won't have work for the 2019 construction season.

I therefore, thank all those throughout Niagara Centre who have brought forward to me your priority projects in your respective communities. Your expediency has been very helpful to Minister Champagne and his office in demonstrating the need for intakes to open as soon as possible and will continue to guide the Minister's conversations with his counterpart as well as my colleagues and including all partners.

The progress thus far is a direct result of all your feedback and advocacy.

Should you have any questions, please do not hesitate to contact me directly.

Kind regards,

Vance



Vance Badawey

Member of Parliament
Niagara Centre
Valour Bldg, Room 1170
Ottawa, Ontario K1A 0A6
Tel. (613) 995-0988
Fax. (613) 995-5245
vance.badawey@parl.gc.ca

From: Vance.Badawey.P9@parl.gc.ca
Date: March 12, 2019 at 12:38:19 PM EDT
To: clerk@thorold.com, clerk@welland.ca, cityclerk@portcolborne.ca,
clerks@stcatharines.ca
Cc: Vance.Badawey.A1@parl.gc.ca
Subject: Attention: Mayor, City Council & CAO

Good afternoon Mayor, Members of City Council and CAO.

May I take this opportunity to further update you on the *Investing In Canada Infrastructure Program*.

The Ontario government announced today that it has opened the first of what we will know will be two project intakes under the *Investing In Canada Infrastructure Program*. This is progress - and not dissimilar to experience in some other provinces - but it falls short.

The first stream of the intake, the Rural and Northern stream (note: there are four streams: Rural, Public Transit, Green and Community Culture and Rec), which is open to cities and Indigenous communities with populations under 100,000. Those communities, about 500 of them, will have eight weeks beginning March 18 to nominate road and bridge projects.

While we have been focused on getting the full intake open, we continue to apply maximum pressure on the province to open all intakes to therefore deliver real results for our constituents this construction season. The rural intake opened today and the other for public transit planned soon will not meet that need.

Towns and cities have had proposals left languishing that can be turned into work right now.

A limited intake is not being open for business. A slow intake is not putting Ontarians, their jobs and their communities first. This isn't Ontario open for business unless all intakes are open.

Under the Investing in Canada Infrastructure Program, proposed projects must first be prioritized by the province before they are submitted to Infrastructure Canada for consideration.

We have pressed the Ontario government to open intakes for all four streams so as to maximize the number of projects we can build together for Ontarians in 2019 and the years ahead. Today, they only opened rural with a commitment to swiftly follow that with transit.

Should you have any questions, please do not hesitate to contact me directly.

Kind regards,

Vance

Vance Badawey

Member of Parliament

Niagara Centre

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Ontario Launches \$30 Billion Infrastructure Funding Program*Investments in critical projects will create jobs, help families and businesses*

March 12, 2019 11:00 A.M.

BADEN —Ontario's Government is working for the people to make the province's roads safer, commutes easier and communities healthier. Today, the province announced new infrastructure funding that will also help create and protect good jobs across the province.

"When it comes to delivering core services that matter to people, our government is putting people first," said Monte McNaughton, Minister of Infrastructure. "Today's historic infrastructure investment marks the start of billions of dollars in funding that will improve the wellbeing of the people of Ontario. And it is part of our plan to balance the budget in a responsible, sustainable way while creating and protecting good jobs."

The first stream of the funding, the Rural and Northern stream, is open to cities and Indigenous communities with populations under 100,000. Those communities, about 500 of them, will have eight weeks beginning March 18 to nominate road and bridge projects.

"Our Government for the People is listening and has heard the infrastructure needs of our municipalities," said McNaughton. "This first stream of funding is an invitation to all those communities to get started on the crucial process of project nomination."

The funding falls under the Investing in Canada Infrastructure Program, which will unlock up to \$30 billion in combined federal, provincial, and local investments in communities across the province over the next 10 years.

"Our economy, communities, and families all depend on infrastructure. This program will bring major infrastructure investments that people rely on," said McNaughton. "And when we invest in smart infrastructure, we create jobs and grow the economy, shaping the future for hard-working families in Ontario. Our province is open for business and open for jobs."

QUOTES

" The Association of Municipalities of Ontario (AMO) welcomes this federal and provincial commitment to infrastructure funding across our province. Rural and northern communities

depend on safe and reliable roads and bridges. They are essential to local quality of life and prosperity. Importantly, the 'one-window' approach that Ontario and the federal government have put in place will offer Ontario's municipal governments an efficient means to access infrastructure funding."

- Jamie McGarvey

AMO President and Mayor of Parry Sound

QUICK FACTS

- The Investing in Canada Infrastructure Program is a \$30 billion, 10-year infrastructure program cost-shared between federal, provincial and municipal governments. Ontario's share per project will be up to 33 per cent, or \$10.2 billion spread across four streams: 1. Rural and Northern 2. Public Transit 3. Green 4. Community, Culture and Recreation.
- The first intake for the Rural and Northern stream will be open for eight weeks, and will focus on road, bridge, air or marine infrastructure in rural and northern communities with populations under 100,000 people.
- The [Grants Ontario website](#) (click on Grant Opportunities) will be a "one-window" source for applicants, handling application intake, review, nomination, reporting and transfer payment management processes – all in one place.

Sofia Sousa-Dias Communications Branch
Sofia.Sousa-Dias@ontario.ca
Brittany Allison Minister's Office
Brittany.Allison@ontario.ca

[Available Online](#)
[Disponible en Français](#)

Status of Niagara Region Incentives and Grants Programs

To: Local Area Municipality CAOs, Treasurers, CIP Coordinators and Area Planners

March 11, 2019 --- As part of its 2019 Budget decision, Niagara Regional Council on Feb. 28 voted to defer or remove some programs previously funded as grants and incentives.

The following programs will be inactive in 2019:

- Waterfront Investment Program
- Smarter Niagara Incentive Program
 - Environmental Assessment Study Grant
 - Building and Façade Improvement Grant/Loan
 - Residential Grant/Loan
 - Heritage Restoration and Improvement Grant/Loan
 - Community Improvement Plans (CIPs/Planning Studies Grant)
 - Property Rehabilitation and Redevelopment Tax Increment Grant Loan
 - Brownfield Tax Assistance Program

There will be no change to existing incentive projects for which funding is already approved.

The Public Realm Improvement, Niagara Investment in Culture, Gateway CIP and development charge reduction programs will remain unchanged in 2019.

In 2018, Niagara Region initiated a review of its grants and incentives programs.

The decision to discontinue funding of the identified programs is not a result of the Grants and Incentive Review.

The Review is ongoing in consultation with the Local Area Municipalities and will be completed this year.

Sincerely,

Doug Giles,
Director Community & Long Range Planning
Planning and Development Services
905-980-6000 Ext. 3384

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March 8, 2019

COTW 1-2019, March 7, 2019

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

**RE: Provincial Review of Regional Government
COTW 1-2019 Minute Item 6.2**

Committee of the Whole at its meeting held on Thursday, March 7, 2019, passed the following resolution:

That Correspondence Item COTW-C 02-2019, being a letter from the Local Area Municipal Mayors, dated March 6, 2019, respecting Provincial Review of Regional Government, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities for consideration by their respective Councils at their next meeting for comment back to Niagara Region by March 28, 2019.

A copy of Correspondence Item COTW-C 02-2019 is attached for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2019-072



OFFICE OF THE MAYOR
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BEAMSVILLE, ON L0R 1B1
Phone: 905-563-8205
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March 6, 2019

Niagara Region
c/o Ron Tripp
Acting CAO

Dear Region of Niagara;
Re: Provincial Review of Regional Government

Following the recent conference call among the heads of Council of the lower tier municipalities including the Regional Municipality of Niagara it was agreed that the 12 Mayors and Chair, whom have signed below, request that the Region, on behalf of the 13 Municipalities undertake the procurement of and facilitation for finances to hire a Government Relations/Communications firm to advise the 13 municipalities on government relations, public polling and communications in regard to the provincial government review of regional government.

Further, this item be included in the Committee of the Whole Agenda for Thursday, March 7, 2019 at 6:30pm at Regional Headquarters.

The CAO's will coordinate this effort. They will advise on appropriate companies to be considered. The CAO's will also act in the capacity of selecting said company and preparing sample questions in advance to be used for the public polling.

In their capacity as signing officers, the CAO's in their guidance to the Heads of Council will liaise with the successful bidder throughout the procurement process to ensure a successful conclusion.

Heads of Council will ensure that their own Councils and Regional Council members are kept apprised of the process.



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We are the Mayors and Regional Chair of the Region of Niagara and are in support of this request.

Mayor Wayne Redekop

Fort Erie

Mayor Jeff Jordan

Grimsby

Mayor Sandra Easton

Lincoln

Mayor Jim Diodati

Niagara Falls

Lord Mayor Betty Disero

Niagara-on-the-Lake

Mayor Marvin Junkin

Pelham

Mayor Bill Steele

Port Colborne

Mayor Walter Sendzik

St. Catharines

Mayor Terry Ugolini

Thorold

Mayor Kevin Gibson

Wainfleet

Mayor Frank Campion

Welland

Mayor David Bylsma

West Lincoln

Chair Jim Bradley

Niagara Region

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January 23, 2019

AREA MUNICIPAL CLERKS

SENT ELECTRONICALLY

**Re: Notice of Passing of By-law to Amend By-law 112-2013 Being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke - Triple Majority Requirement
PHD 02-2019, January 8, 2019**

Regional Council, at its meeting of January 17, 2019, approved the following recommendation of its Public Health and Social Services Committee:

1. That By-law No. 112-2013 **BE UPDATED** to harmonize with the Smoke Free Ontario Act to include vaping and cannabis, as an interim measure for consistency, with an appropriate sunset clause;
2. That staff **BE DIRECTED** to consult with the Local Area Municipalities (LAMs) and the public to build a consensus on an updated regional by-law to protect children and vulnerable persons from exposure to outdoor second-hand smoke;
3. That staff **BE DIRECTED** to report back to PHSSC in a timely manner on the learnings from this consultation with the recommended next steps.

By-law No. 2019-07 was subsequently passed; however, the by-law is not valid until triple majority status is achieved.

Pursuant to Section 115(5) of the *Municipal Act, 2001*, a by-law passed under subsection 115(1) shall not come into force unless:

- a) A majority of all votes on the Council of the upper-tier municipality are cast in its favour;
- b) A majority of the Councils of all the lower-tier municipalities forming part of the upper-tier municipality for municipal purposes have passed resolutions giving their consent to the by-law; and

- c) The total number of electors in the lower-tier municipalities that have passed resolutions under clause (b) form a majority of all the electors in the upper-tier municipality.

Section 219(5) of the *Municipal Act, 2001* defines “elector” as a person whose name appears on the voters’ list, as amended up until the close of voting on voting day, for the last regular election preceding the coming into force of the by-law.

The number of electors as defined above for each area municipality is set out below. In the event your number is incorrect, please advise me as soon as possible.

Local Area Municipality	Population	Eligible Electors
Fort Erie	30,710	23,460
Grimsby	27,314	20,398
Lincoln	23,787	16,974
Niagara Falls	88,071	60,892
Niagara-on-the-Lake	17,511	14,237
Pelham	17,110	13,910
Port Colborne	18,306	15,208
St. Catharines	133,113	92,133
Thorold	18,801	14,471
Wainfleet	6,372	5,786
Welland	52,293	37,879
West Lincoln	14,500	11,336
Total for Region	447,888	326,684

*as of the 2018 Municipal Election

We respectfully request that you place this matter before your Council at your earliest opportunity to consider a resolution consenting to the by-law and advise accordingly of the action taken by your Council.

A copy of Report PHD 02-2019 *REVISED* and By-law No.2019-07 are enclosed for your information.

Thanking you in advance for your assistance and should you require anything further, please do not hesitate to contact me.

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2019-39

Subject: Outdoor Second-hand Smoking By-law Amendment – **REVISED**

Report to: Public Health and Social Services Committee

Report date: Tuesday, January 8, 2019

Recommendations

1. ***That By-law No. 112-2013 BE UPDATED to harmonize with the Smoke Free Ontario Act to include vaping and cannabis, as an interim measure for consistency, with an appropriate sunset clause;***
2. That staff **BE DIRECTED** to consult with the Local Area Municipalities (LAMs) on revisions to ~~By-law No. 112-2013~~ ***and the public to build a consensus on an updated*** regional by-law to protect children and vulnerable persons from exposure to outdoor second-hand smoke ~~as follows;~~ and
 - a) ~~Addition of cannabis and e-cigarettes to substances prohibited from use in public outdoor spaces.~~
 - b) ~~Addition to the list of prohibited places of use including nine metres from any public building entrance and/or exit.~~
3. That staff **BE DIRECTED** to report back to PHSSC in a timely manner on the learnings from this consultation with the recommended next steps.

Key Facts

- The Province of Ontario passed the *Smoke-Free Ontario Act, 2017 (SFOA)*, which prohibits spaces where individuals can smoke or vape. Changes to this legislation expand beyond tobacco to include cannabis and all vaping products.
- Niagara's By-Law No. 112-2013 aims to protect children and vulnerable persons from exposure to outdoor second-hand tobacco smoke, which does not address the second-hand smoke exposure to cannabis or second-hand vapour exposure from ***electronic*** e-cigarettes through outdoor spaces.
- Local data suggests support in Niagara to harmonize the Regional By-law with SFOA by including vaping and cannabis, in addition to tobacco, ~~as well as support for restrictions around entrances and exits.~~ ***as an interim measure to ensure consistency and avoid confusion***
- Consultation internally, across Regional departments is important, ~~as well as consultation with the LAMs~~ ***and the public, is important to assess support to develop the next version of the Regional By-law, by consensus across all municipalities.***

Financial Considerations

The Ministry of Health and Long Term Care (MOHLTC) provides multiple funding sources to support the Smoke-Free Ontario strategy at 100% with the approved budget of \$668,600 for 2018. This funding supports five FTE Tobacco Control Officers (TCO) responsible for the promotion, education, enforcement of the SFOA and Niagara Region's By-law 112-2013.

The province has announced that it will provide \$40 million over two years to help municipalities with costs related to the legalization of cannabis.¹ In the first phase, \$15 million is to be disbursed in early January 2019, this has been allocated for each municipality. The allocation of these funds to Public Health will be determined once funding amounts have been finalized.

NRPH & ES received 281 complaints, requests and inquiries related to tobacco, cannabis and e-cigarette products in 2018. Of these calls, 82 were complaints related to use of tobacco products being used in places thought to be prohibited places. NRPH & ES has requested funding from MOHLTC to support increased staff time related to cannabis enforcement and prevention work. At the time of writing this report there has been no response to the funding request.

Analysis

SFOA, 2017 Updates

The SFOA restricts tobacco sale, supply and places of use; changes to the SFOA now include cannabis and vaping products in those restrictions.

SFOA Prohibited Place Examples

- Enclosed public places
- Enclosed work places
- Condos, apartment buildings and university/college residents
 - Application: Common areas
- Playgrounds
 - Application: Perimeter plus 20 metres
- Sports fields
 - Application: Patio plus 20 metres
- Restaurant bar patios
 - Application: Patio plus nine metres

¹ Fedeli, V. Ontario Cannabis Legalization Implementation Fund — Heads of Council Letter [Internet]. Toronto, ON: Ministry of Finance; 2018 [cited 2018 Dec 10]. Available from:

<https://www.fin.gov.on.ca/en/budget/oclif/>

-
- Hospitals, psychiatric facilities, community health facilities
 - Application: Grounds of facility
 - Child care Centre
 - Application: Grounds of facility

Niagara's By-Law No. 112-2013

Tobacco

In 2012, NRPH & ES conducted public consultations and found that 88% of the 1,907 Niagara residents surveyed supported a by-law restricting smoking in outdoor public settings.² In order to protect the public from second-hand exposure to outdoor smoke, Niagara passed By-law No. 112-2013, which prohibits smoking tobacco on the grounds of all municipal and regional properties, parks, playground, sports fields, splash pads, outdoor pools, arenas and bus shelters. The by-law has a strong focus on protecting children and youth, and this includes denormalization. Also, those who wish to quit find that fewer visual cues and denormalization of smoking is helpful.

Strengthening local by-laws to reduce second-hand exposure to tobacco in outdoor spaces, has been ranked as a highly impactful policy change to protect the public from tobacco smoke.³ *Prohibiting tobacco and cannabis smoke and vaping of any product within nine metres of public entrances and exits will be a consideration during consultations.*

Beyond tobacco, the SFOA now prohibits the use of cannabis and e-cigarettes in public spaces. The benefits of aligning the By-law No. 112-2013 with the SFOA by the inclusion of cannabis and e-cigarettes are:

1. Protecting individuals, especially children and vulnerable populations from second-hand smoke exposure
2. Preventing the normalization of tobacco, cannabis, e-cigarette use amongst youth
3. Creating supportive environments for individuals that are motivated to quit or cut back from use of tobacco, cannabis or e-cigarettes

Cannabis

² Smoke-Free Outdoor Spaces Public Consultation Report, Niagara Region Public Health [Summer 2012]

³ Smoke-Free Ontario Scientific Advisory Committee. Evidence to Guide Action: Comprehensive tobacco control in Ontario [Internet]. Toronto, ON: Public Health Ontario [cited 2018 Dec 10]. Available from: <https://www.publichealthontario.ca/en/BrowseByTopic/ChronicDiseasesAndInjuries/Pages/smoke-free-ontario.aspx>

Cannabis has been criminalized in Canada since 1923, yet prior to legalization 46.4% of adults in Niagara indicated that they have used cannabis at least once in their lifetime and 12.2% used cannabis in the past 12 months.⁴ Within Niagara's secondary schools 35% have used cannabis in the past 12 months and 23% have used cannabis in the past 4 weeks.⁵ The Canadian Cannabis Survey (2018) included 12,958 respondents and found the most common form of consumption of cannabis was through smoking (89%), followed by edibles (42%), and e-cigarettes (26%).⁶ Research has found that second-hand exposure to cannabis smoke and tobacco smoke have similar chemical composition.^{7, 8} Holitzki et. al recommend an alignment in tobacco and cannabis policy by prohibiting outdoor spaces where products can be used.⁹ *Including cannabis as a prohibited drug to smoke or vape into the amended by-law will be a consideration during consultations.*

E-cigarettes

Electronic Cigarettes are known as e-cigarettes, e-cigs or vapes, and typically include a rechargeable battery, a heating element, and an e-juice containing chemical ingredients, which forms a vapour when inhaled. E-cigarettes do not contain tobacco but generally contain nicotine, which may lead to addiction in those who vape but aren't smokers. E-cigarettes contain more than 80 compounds, such as particles, metals, nitrosamines, carbonyls, and flavourings.¹⁰ While the long-term health effects from e-cigarette use are still unknown, some research indicates that use can lead to lung damage, and short-term health effects can include increased heart rate, increased blood pressure, increased airway resistance, decreased airway conductance.¹¹ In Niagara, 25% of secondary students have used an e-cigarette in the past 12 months.¹² The Ontario Student Drug Use and Health Survey found that 61% of secondary students believe there is no risk from regular e-cigarette use.¹³ *Including e-cigarettes as*

⁴ Canadian Community Health Survey [2015-2016]

⁵ Ontario Student Drug Use and Health Survey, Centre for Addiction and Mental Health [2015]

⁶ Canadian Cannabis Survey 2018 Summary. Government of Canada. [cited 2018 Dec 10]. Available from: <https://www.canada.ca/en/services/health/publications/drugs-health-products/canadian-cannabis-survey-2018-summary.html>

⁷ Maertens RM, White PA, Williams A, et al. A global toxicogenomic analysis investigating the mechanistic differences between tobacco and marijuana smoke condensates in vitro. *Toxicology* 2013;308:60-73.

⁸ Maertens RM, White PA, Rickert W, et al. The genotoxicity of mainstream and sidestream marijuana and tobacco smoke condensates. *Chem Res Toxicol* 2009;22:1406-14.

⁹ Holitzki, H., Dowsett, L.E., Spackman, E., Noseworthy, T., Clement, T., Health effects of exposure to second- and third-hand marijuana smoke: A systematic review [Internet] *Canadian Medical Association Journal Open*, 2017: Oct-Dec, 5(4): E814-E822. [cited 2018 Dec 10]. Available from:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5741419/>

¹⁰ Tobacco and Public Health: From Theory to Practice, E-Cigarettes Module [Internet], Toronto, ON, Ontario Tobacco Research Unit [cited Dec 11]. Available from: <https://tobaccocourse.otru.org/course/>

¹¹ Tobacco and Public Health: From Theory to Practice, E-Cigarettes Module [Internet], Toronto, ON, Ontario Tobacco Research Unit [cited Dec 11]. Available from: <https://tobaccocourse.otru.org/course/>

¹² Ontario Student Drug Use and Health Survey, Centre for Addiction and Mental Health [2015]

¹³ Ontario Student Drug Use and Health Survey, Centre for Addiction and Mental Health [2015]

~~a prohibited product into the amended by-law will be a consideration during consultations.~~

In By-law No. 112-2013, tobacco use is more restricted than the public places outlined in the provincial SFOA. Outside of the established buffer zones in the SFOA, individuals could be fined for use of tobacco, but not for cannabis or e-cigarettes at those same locations. ***As an interim measure, harmonizing the By-law No. 112-2013 with the SFOA is important to ensure consistency and avoid confusion.*** By enhancing By-law No. 112-2013, NRPH & ES is aiming to align it with the provincial legislation to include cannabis and e-cigarettes.

Proposed Municipal Consultation

In preparation for cannabis legislation, NRPH & ES has been meeting with the municipal partners through their by-law, park/recreation and planning staff. Area Chief Administrative Officers have been notified of the proposed amendments, and meetings with each of the local area municipalities ***discussed next steps and support harmonizing now, with a sunset clause, with a consensus approach moving forward. An initial meeting is*** are being planned for ***late January/early*** February. During these meetings, NRPH & ES will learn whether the municipalities want to

~~1. Continue with the status quo~~

~~By-law 112-2013 includes only tobacco within the mandate with the SFOA restricting use of tobacco, cannabis and e-cigarettes, despite the confusion in the application and messaging between the pieces of legislation.~~

~~2. Amend By-law No. 112-2013 to align products with the SFOA~~

~~Include the substances of cannabis and e-cigarettes to apply to the same places that are currently covered by the by-law.~~

~~3. Amend By-law No. 112-2013 to align products with the SFOA and add in restrictions related to public entrances and exits~~

~~Include the substances of cannabis and e-cigarettes to apply to nine metres from all public entrances/exits.~~

~~4. Amend By-law No. 112-2013 to align products with the SFOA and expand the prohibited places of use~~

~~Include the substances of cannabis and e-cigarettes to tobacco, and add additional places (i.e. nine metres from all public entrances, beaches, trails).~~

Once we have this information, we propose that we return to PHSSC to provide recommended next steps. If there is support for updating the by-law we will bring the proposed amendments to Council.

Alternatives Reviewed

Consideration was given to **not harmonizing, and just embarking on the** a larger public consultation process. We recommend that we first assess whether there is agreement on harmonizing and updating the by-law as outlined, as it is likely that a large public consultation beyond municipal and regional meetings is not warranted for the two recommended changes: **for this simplification of the bylaw.**

Relationship to Council Strategic Priorities

This work supports Doing Business Differently by proposing that Niagara continue to aim for simplicity and consistency while remaining among the leaders in Ontario in its smoke-free policies.

Other Pertinent Reports

- PHD 01-2019 – Cannabis Legalization
- [PHD 13-2018 – Comprehensive Tobacco Control Report](#)
- [PHD 07-2018 – Cannabis Legalization](#)
- [PHD 01-2018 – Smoke-Free Ontario Modernization](#)
- [PHD 04-2017 - Ontario Student Drug Use and Health Survey Results](#)
- [PHD 09-2016 Revised - Cannabis Regulation and Control](#)

Prepared by:

Diana Teng
Manager, Chronic Disease and Injury
Prevention
Public Health and Emergency Services

Recommended by:

M. Mustafa Hirji, MD MPH RCPC
Acting Medical Officer of Health
Public Health and Emergency Services

Submitted by:

Ron Trip, P.Eng.
Acting, Chief Administrative Officer

This report was prepared in consultation with Renata Faber, Manager, Chronic Disease and Injury Prevention, David Lorenzo, Associate Director, Chronic Disease and Injury Prevention and reviewed by Dr. Feller, Associate Medical Office of Health.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 112-2013

A REGIONAL BY-LAW TO PROTECT CHILDREN AND VULNERABLE PERSONS
FROM EXPOSURE TO OUTDOOR SECOND-HAND SMOKE

WHEREAS subsection 115(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended provides that a municipality may prohibit or regulate the smoking of tobacco in public places;

AND WHEREAS it has been determined that smoking and second-hand tobacco smoke is a health hazard or discomfort for individuals residing in or visiting The Regional Municipality of Niagara (hereinafter, "Niagara Region");

AND WHEREAS smoke-free policy interventions are effective mechanisms to reduce exposure to tobacco smoke, prevent initiation of smoking, encourage cessation of smoking, support recent quitters, and contribute to the denormalization of tobacco use;

AND WHEREAS Niagara Region therefore wishes to prohibit tobacco smoking in outdoor public places for the health of the public generally, and particularly for the benefit of young persons, and to improve the environmental and social conditions in public places;

AND WHEREAS Section 115(5) of the said Act provides that a by-law passed under subsection 115(1) shall not come into force unless,

- (a) a majority of all votes on the Council of the upper-tier municipality are cast in its favour;
- (b) a majority of the Councils of all the lower-tier municipalities forming part of the upper-tier municipality for municipal purposes have passed resolutions giving their consent to the by-law; and
- (c) the total number of electors in the lower-tier municipalities that have passed resolutions under clause (b) form a majority of all the electors in the upper-tier municipality.

NOW THEREFORE BE IT RESOLVED THAT the Council of The Regional Municipality of Niagara enacts as follows:

DEFINITIONS AND INTERPRETATION

1. (1) The following definitions shall be used in interpreting and applying this by-law:

“authorized person” means an individual designated or authorized by Niagara Region or an area municipality whose duties include, without limitation, tobacco control or the monitoring of regional or municipal property for the purpose of addressing unauthorized activities;

“area municipality” means any one of the municipalities of the Town of Fort Erie, Town of Grimsby, Town of Lincoln, City of Niagara Falls, Town of Niagara-on-the-Lake, Town of Pelham, City of Port Colborne, City of St. Catharines, City of Thorold, Township of Wainfleet, City of Welland and the Township of West Lincoln.

“outdoor public place” means any property owned, leased or controlled by the Niagara Region or any area municipality, including without limitation parks, playgrounds, sports or playing fields, arenas, recreational centres, bus shelters, splash pads, pools and any area that is within a nine-metre radius of an entrance to or exit from a building located on any property owned, leased or controlled by the Niagara Region or any area municipality, whether or not a “No Smoking” sign is posted, but does not include the following:

- a. highways;
- b. road allowances abutting a regional or municipal property;
- c. municipal sidewalks, save and except for that portion of any municipal sidewalk that is within a nine-metre radius of any entrance to or exit from a building located on any property owned, leased or controlled by the Niagara Region or any area municipality;
- d. parking lots or any area designated for the parking of motor vehicles;
- e. beaches;
- f. walking or hiking trails;
- g. rights-of-way; and
- h. residential dwellings owned, operated or subsidized by Niagara Regional Housing or an area municipality;

“smoke” or **“smoking”** includes the holding of tobacco or other lighted smoking material or equipment while the product is alight or emitting smoke;

“tobacco” includes pipe tobacco, water-pipe tobacco, cigarettes, cigars, cigarillos or any similar product made with or containing tobacco;

PROHIBITION

- 2.(1) No person shall smoke tobacco upon or within an outdoor public place.
- 2.(2) The prohibition in section 2.(1) above applies whether or not a "No Smoking" sign of any format or content is posted.
- 2.(3) No person shall remove a sign posted under this section while the prohibition remains in force.
- 2.(4) No person shall hinder or obstruct an authorized person lawfully carrying out the enforcement of this by-law.

OFFENCE and SET FINE

- 3.(1) Any person who contravenes a provision of this by-law is guilty of an offence and, upon conviction, is liable to a set fine of \$250.00.

ENFORCEMENT

- 4.(1) The provisions of this by-law respecting smoking in an outdoor public place shall be enforced by any authorized person as designated by the Niagara Region or an area municipality.

CONFLICTS

- 5.(1) If a provision of this by-law conflicts with an Act or a regulation or another by-law, the provision that is the most restrictive of smoking shall prevail.

SEVERABILITY

- 6.(1) If any section or part of this by-law are found by any Court of competent jurisdiction to be invalid, such section or part shall be deemed to be severable and all other sections of this by-law shall remain valid and enforceable.

ENACTMENT

- 7.(1) This by-law shall come into force on the day that it is approved in accordance with section 115(5) of the *Municipal Act, 2001*, S.O. 2001, C.25.

EFFECTIVE BY-LAW DATE

8. This by-law shall come into force on the date specified by the Regional Clerk as the date when the following have been achieved:
- a) A majority of the Councils of all of the lower-tier municipalities forming part of The Regional Municipality of Niagara have passed resolutions giving consent to this by-law: and
 - b) The total number of electors in the lower-tier municipalities that have passed resolutions under clause (a) above form a majority of all the electors in The Regional Municipality of Niagara.

PASSED, a majority of the members of the Regional Council assenting hereto, this 10th day of October, 2013.

THE REGIONAL MUNICIPALITY OF NIAGARA

Original Signed By:

(Gary Burroughs, Regional Chair)

Original Signed By:

(Janet Pilon, Regional Clerk)

THE REGIONAL MUNICIPALITY OF NIAGARA

(CONSOLIDATED) BY-LAW NO. 112-2-13

A REGIONAL BY-LAW TO PROTECT CHILDREN AND VULNERABLE PERSONS
FROM EXPOSURE TO OUTDOOR SECOND-HAND SMOKE **AND VAPING**

WHEREAS subsection 115(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended provides that a municipality may prohibit or regulate the smoking of tobacco **or cannabis** in public places;

AND WHEREAS the *Smoke-Free Ontario Act, 2017*, S.O. 2017, c. 26 as amended prohibits smoking tobacco or cannabis and vaping (use electronic cigarette), but Regional By-Law No. 112-2013 only prohibits smoking tobacco;

AND WHEREAS it has been determined that smoking and second-hand tobacco **and cannabis** smoke is a health hazard or discomfort for individuals residing in or visiting The Regional Municipality of Niagara (hereinafter, "Niagara Region");

AND WHEREAS smoke-free policy interventions are effective mechanisms to reduce exposure to tobacco smoke, prevent initiation of smoking, encourage cessation of smoking, support recent quitters, and contribute to the denormalization of ~~tobacco~~-uses **smoking**;

AND WHEREAS Niagara Region therefore wishes to prohibit tobacco **and cannabis** smoking **and vaping (use electronic cigarette)** in outdoor public places for the health of the public generally, and particularly for the benefit of young persons, and to improve the environmental and social conditions in public places;

AND WHEREAS Section 115(5) of the said Act provides that a by-law passed under subsection 115(1) shall not come into force unless,

- (a) a majority of all votes on the Council of the upper-tier municipality are cast in its favour;
- (b) a majority of the Councils of all the lower-tier municipalities forming part of the upper-tier municipality for municipal purposes have passed resolutions giving their consent to the by-law; and
- (c) the total number of electors in the lower-tier municipalities that have passed resolutions under clause (b) form a majority of all the electors in the upper-tier municipality.

NOW THEREFORE BE IT RESOLVED THAT the Council of The Regional Municipality of Niagara enacts as follows:

DEFINITIONS AND INTERPRETATION

1. (1) The following definitions shall be used in interpreting and applying this by-law:

"authorized person" means an individual designated or authorized by Niagara Region or an area municipality whose duties include, without limitation, tobacco, **cannabis or electronic cigarette** control or the monitoring of regional or municipal property for the purpose of addressing unauthorized activities;

"area municipality" means any one of the municipalities of the Town of Fort Erie, Town of Grimsby, Town of Lincoln, City of Niagara Falls, Town of Niagara-on-the-Lake, Town of Pelham, City of Port Colborne, City of St. Catharines, City of Thorold, Township of Wainfleet, City of Weiland and the Township of West Lincoln.

"outdoor public place" means any property owned, leased or controlled by the Niagara Region or any area municipality, including without limitation parks, playgrounds, sports or playing fields, arenas, recreational centres, bus shelters, splash pads, pools and any area that is within a nine-metre radius of an entrance to or exit from a building located on any property owned, leased or controlled by the Niagara Region or any area municipality, whether or not a "No Smoking" or **"No Vaping"** sign is posted, but does not include the following:

- a. highways;
- b. road allowances abutting a regional or municipal property;
- c. municipal sidewalks, save and except for that portion of any municipal sidewalk that is within a nine-metre radius of any entrance to or exit from a building located on any property owned, leased or controlled by the Niagara Region or any area municipality;
- d. parking lots or any area designated for the parking of motor vehicles;
- e. beaches;
- f. walking or hiking trails;
- g. rights-of-way; and
- h. residential dwellings owned, operated or subsidized by Niagara Regional Housing or an area municipality;

"smoke" or "smoking" includes the holding of tobacco or **cannabis** or other lighted smoking material or equipment while the product is alight or emitting smoke;

"tobacco" includes pipe tobacco, water-pipe tobacco, cigarettes, cigars, cigarillos or any similar product made with or containing tobacco;

“cannabis” has the same meaning as in subsection 2 (1) of the *Cannabis Act* (Canada); (“cannabis”)

“electronic cigarette” has the same meaning as in subsection 1 (1) of the *Smoke-Free Ontario Act, 2017*

PROHIBITION

- 2.(1) No person shall smoke tobacco **or cannabis, or vape (use electronic cigarette)** upon or within an outdoor public place.
- 2.(2) The prohibition in section 2.(1) above applies whether or not a "No Smoking" or **“No Vaping”** sign of any format or content is posted.
- 2.(3) No person shall remove a sign posted under this section while the prohibition remains in force.
- 2.(4) No person shall hinder or obstruct an authorized person lawfully carrying out the enforcement of this by-law.

OFFENCE and SET FINE

- 3.(1) Any person who contravenes a provision of this by-law is guilty of an offence and, upon conviction, is liable to a set fine of \$250.00.

ENFORCEMENT

- 4.(1) The provisions of this by-law respecting smoking in an outdoor public place shall be enforced by any authorized person as designated by the Niagara Region or an area municipality.

CONFLICTS

- 5.(1) If a provision of this by-law conflicts with an Act or a regulation or another by-law, the provision that is the most restrictive of smoking shall prevail.

SEVERABILITY

- 6.(1) If any section or part of this by-law are found by any Court of competent jurisdiction to be invalid, such section or part shall be deemed to be severable and all other sections of this by-law shall remain valid and enforceable.

Bill 112
ENACTMENT

7.(1) This by-law shall come into force on the day that it is approved in accordance with section 115(5) of the *Municipal Act, 2001*, S.O. 2001, C.25 **as amended**.

EFFECTIVE BY-LAW DATE

8. This by-law shall come into force on the date specified by the Regional Clerk as the date when the following have been achieved:

- a) A majority of the Councils of all of the lower-tier municipalities forming part of The Regional Municipality of Niagara have passed resolutions giving consent to this by-law: and
- b) The total number of electors in the lower-tier municipalities that have passed resolutions under clause (a) above form a majority of all the electors in The Regional Municipality of Niagara.

THE REGIONAL MUNICIPALITY OF NIAGARA

Original Signed By:

(James Bradley, Regional Chair)

Original Signed By:

(, Regional Clerk)

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-07

A BY-LAW TO AMEND BY-LAW 112-2013 BEING A BY-LAW TO PROTECT CHILDREN AND VULNERABLE PERSONS FROM EXPOSURE TO OUTDOOR SECOND-HAND SMOKE

WHEREAS subsection 115(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (hereinafter the "Act") provides that a municipality may prohibit or regulate the smoking of tobacco or cannabis in public places;

WHEREAS subsection 11(2) of the Act provides The Regional Municipality of Niagara (hereinafter, "Niagara Region") broad authority to govern the health, safety and well-being of persons;

WHEREAS the *Smoke-Free Ontario Act, 2017*, S.O. 2017, c. 26 (hereinafter the "*Smoke-Free Ontario Act*") as amended prohibits smoking tobacco or cannabis, and vaping (the use of electronic cigarettes), but Regional By-Law No. 112-2013 only prohibits smoking tobacco;

WHEREAS pursuant to subsection 115(10) of the Act if there is a conflict between a by-law passed by a municipality and the provisions of any other statute or regulation of Ontario, the provision that is most restrictive of smoking of tobacco or cannabis prevails;

WHEREAS it has been determined that smoking, second-hand tobacco and cannabis smoke and vaping are health hazards and a discomfort for individuals residing in or visiting Niagara Region;

WHEREAS smoke-free policy interventions are effective mechanisms to reduce exposure to tobacco smoke, prevent initiation of smoking, encourage cessation of smoking, support recent quitters, and contribute to the denormalization of smoking;

WHEREAS Niagara Region therefore wishes to prohibit tobacco and cannabis smoking and vaping (use of electronic cigarettes) in outdoor public places for the health of the public generally, and particularly for the benefit of young persons, and to improve the environmental and social conditions in public places; and,

WHEREAS Section 115(5) of the said Act provides that a by-law passed under subsection 115(1) shall not come into force unless,

- (a) a majority of all votes on the Council of the upper-tier municipality are cast in its favour;

- (b) a majority of the Councils of all the lower-tier municipalities forming part of the upper-tier municipality for municipal purposes have passed resolutions giving their consent to the by-law; and
- (c) the total number of electors in the lower-tier municipalities that have passed resolutions under clause (b) form a majority of all the electors in the upper-tier municipality.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following definitions are added to subsection 1(1) of By-law 112-2013 in alphabetical order within the context of all definitions currently contained in said by-law:
 - “cannabis” has the same meaning as in subsection 1 (1) of the Smoke-Free Ontario Act, 2017”
 - “electronic cigarette” has the same meaning as in subsection 1 (1) of the Smoke-Free Ontario Act, 2017”
 - “use” with respect to electronic cigarettes includes any of the following:
 - (a) Inhaling vapour from an electronic cigarette;
 - (b) Exhaling vapour from an electronic cigarette;
 - (c) Hold an activated electronic cigarette;
 - “vape” means to use an electronic cigarette;
2. The definition of “smoke or smoking” contained in subsection 1(1) of By-law 112-2013 shall have the words “or cannabis” added following the word “tobacco” and prior to the word “or”.
3. Section 2(1) of By-law 112-2013 shall be amended by adding after the word “tobacco” and prior to the word “upon” the following words:
 - “or cannabis or vape”
4. The invalidity or unenforceability of a provision of this by-law or part of a provision of this by-law shall not negate the effectiveness or validity of the remaining provisions or parts thereof of this by-law.
5. This by-law shall come into force on the date specified by the Regional Clerk as the date when the following have been achieved:

- a) A majority of the Councils of all of the lower-tier municipalities forming part of The Regional Municipality of Niagara have passed resolutions giving consent to this by-law: and
 - b) The total number of electors in the lower-tier municipalities that have passed resolutions under clause (a) above form a majority of all the electors in The Regional Municipality of Niagara.
6. The amendments to By-law 112-2013 effected by sections one to three of this by-law shall cease to be effective one year from the date this by-law comes into force pursuant to section 5 thereof provided:
- a. On and after the date upon which sections one to three of this by-law cease to be effective, the provisions of By-law 112-2013 excepting the specific amendments described by this by-law shall remain in force as if this By-law had not been enacted;
 - b. And section 6 of this by-law shall not invalidate any proceedings regarding contraventions of section 2(1) of By-law 112-2013, as amended by this by-law, occurring during the period when the amendments remained in effect notwithstanding that the prosecution and conviction may occur after the date upon which sections one to three of this by-law cease to be effective .
7. That this by-law was passed by the Council for Niagara Region as of the 17th day of January 2019.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: <date>

March 06, 2019

CL 4-2019, February 14, 2019

BRCOTW 2-2019, January 24, 2019

CSD 7-2019, January 24, 2019

AREA MUNICIPALITIES

SENT ELECTRONICALLY

2019 Budget-Waste Management Services Operating Budget and Requisition
CSD 7-2019

Regional Council, at its meeting held on February 14, 2019, passed the following recommendation of its Budget Review Committee of the Whole:

1. That the 2019 net Waste Management Service operating budget increase of \$519,035 or 1.5% over 2018 operating budget **BE APPROVED** in accordance with Council approved guidance;
2. That the 2019 net Waste Management Service operating budget increase of an additional \$173,012 or 0.5% over 2018 operating budget **BE APPROVED** in accordance with Council approved additional guidance;
3. That the total 2019 net Waste Management operating budget increase of an additional \$33,929 or 0.1% above Council guidance for a total gross Waste Management Services operating budget of \$54,927,292 and net budget amount of \$35,328,313 as per Appendix 1 to Report CSD 7-2019, **BE APPROVED**;
4. That the net budget amount of \$35,328,313 **BE APPORTIONED** between the local municipalities in accordance with the methodology approved in PWA 55-2011 as per Appendix 2 to Report CSD 7-2019;
5. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration; and

6. That a copy of Report CSD 7-2019 **BE CIRCULATED** to the Local Area Municipalities.

A copy of CSD 7-2019 and By-law No. 2019-14 are enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:cjp

CLK-C 2019-047

cc: T. Harrison Commissioner, Enterprise Resource Management Services / Treasurer
H. Chamberlain Director, Financial Management & Planning / Deputy Treasurer
M. Murphy, Manager, Associate Director, Budget Planning & Strategy
M. Montague Executive Assistant to the Commissioner, Enterprise Resource Management Services

Subject: 2019 Budget-Waste Management Services Operating Budget and Requisition

Report to: Budget Review Committee of the Wholes

Report date: Thursday, January 24, 2019

Recommendations

1. That the 2019 net Waste Management Service operating budget increase of \$519,035 or 1.5% over 2018 operating budget **BE APPROVED** in accordance with Council approved guidance;
2. That the 2019 net Waste Management Service operating budget increase of an additional \$173,012 or 0.5% over 2018 operating budget **BE APPROVED** in accordance with Council approved additional guidance;
3. That the total 2019 net Waste Management operating budget increase of an additional \$33,929 or 0.1% above Council guidance for a total gross Waste Management Services operating budget of \$54,927,292 and net budget amount of \$35,328,313 as per Appendix 1 to Report CSD 7-2019, **BE APPROVED**;
4. That the net budget amount of \$35,328,313 **BE APPORTIONED** between the local municipalities in accordance with the methodology approved in PWA 55-2011 as per Appendix 2 to Report CSD 7-2019;
5. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration; and
6. That a copy of Report CSD 7-2019 **BE CIRCULATED** to the Local Area Municipalities.

Key Facts

- The proposed net 2019 Waste Management Services (WMS) operating budget was prepared with consideration of Council's budget guidance for 2019, however represents an increase of \$726 thousand or 2.10% over the approved 2018 net budget. The 5 year average year-over-year requisition change (including 2019) represents an average annual change of 0.0%.
- The 2016, 2017 and 2018 WMS operating budgets provided net year-over-year decreases of \$277 thousand, \$410 thousand and \$289 thousand, respectively.
- Assessment growth in aggregate for the Region is 1.65% for 2018, resulting in the net requisition changes by local area municipality as summarized in **Appendix II**

ranging from a decrease of 1.24% to an increase of 1.94% (total net requisition after growth of 0.45%).

- The proposed net 2019 budget reflects a continued investment in the sustainability of infrastructure, continuation of diversion efforts in the Corporate and Area Municipal sectors (e.g. service level review, MRF opportunity review and Public Space Recycling), and doing business differently by continued monitoring of alternative waste processing technologies and transition of Blue Box program to full producer responsibility under the Resource Recovery and Circular Economy Act.
- The net requisition amount has been allocated in accordance with the methodology approved in PWA 55-2011. The impact by local area municipality is affected by the budget increase as well as growth in households and results in an increase/decrease for each municipality, as per **Appendix III**

Financial Considerations

Year over Year Budget Change

The gross budget proposed for 2019 totals \$54.9 million with a net budget of \$35.3 million, which is \$726 thousand or a 2.10% increase over 2018 as outlined in Table 1. The proposed 2019 program maintains the current level of staff resources, with a permanent FTE complement of 32.0 and 2.2 temporary FTEs. As a result of the ongoing collection contract service challenges, an additional 2 temporary FTEs were hired in 2018 and are funded through the liquidated damages issued to the contractor for breaches of contractual performance standards.

Table 1 – 2019 Waste Management Gross & Net Budget ('000)

	2018	2019	% Change
Total Operating	47,435	48,428	2.09%
Business Support	1,664	1,547	-7.04%
Capital Transfer to Reserve & Debt Charges	4,955	4,952	-0.06%
Gross Budget	54,054	54,927	1.61%
Less: Revenues	(19,452)	(19,019)	-2.23%
Less: Reserve Transfers	-	(580)	-
Net Budget Requisition	34,602	35,328	2.10%

A schedule providing the revenues and expenditures by object of expenditure for 2018 and 2019 is included as **Appendix I**. This appendix includes the 2018 budget and the 2019 budget including program changes and the percentage change for comparison. If it is Council direction to limit the budget increase to 2% in accordance with the guidance policy or to 1.5% increase in accordance with the previous Council direction, reductions as identified in the Alternatives Reviewed section would need to be considered.

Analysis

2019 Waste Management Budget

Overview

The 2019 WMS budget represents an increase of 2.10% over the approved 2018 net budget. The proposed net budget year-over-year increase is \$34,000 above the overall guidance of 2%. Trends over the last few years, as summarized in Table 2, show that historically the WMS net operating budget increase/decrease has been at or below previously established Council approved budget guidance. The 5 year average year-over-year requisition change (including 2019) represents an average annual change of 0.0%.

Table 2 – Historical WMS Net Budget Increases / (Decreases) Summary (\$000)

<u>Year</u>	<u>Net Budget Requisition (\$)</u>	<u>\$ Change</u>	<u>% Change</u>
2015	35,579	233	0.66%
2016	35,301	(278)	-0.78%
2017	34,891	(410)	-1.16%
2018	34,602	(289)	-0.83%
2019 (Proposed)	35,328	726	2.10%

Approximately 38% of the gross budget is related to the waste collection and disposal program areas, followed by 18% for organics collection and processing, 35% for recycling collection and processing, with the remaining 9% of the budget for a range of other diversion programs, planning, and administration. As much of the program is delivered through partnerships with private service providers, 79% of the operating-related costs (before capital financing and cost allocation) are in the form of outsourced costs (alternative service delivery) and are subject to contract escalations and conditions.

Pressures

Pressures to the 2019 budget include: Collection contract escalation as a result of adjustments for the number of households, CPI, and fuel costs (\$746 thousand), and decreased Resource Productivity & Recovery Authority (RPRA) blue box funding for 2019 (\$230 thousand).

Also contributing to the budget pressure for 2019 is an overall forecasted decrease in end market recycling revenue of approximately \$641 thousand based on current market conditions. The Chinese government has adopted strict contamination standards that are difficult to meet, creating domestic market surplus and a lack of demand and therefore lower market pricing for newsprint. Niagara Region continues to generate

revenue for its newsprint, whereas according to recent Continuous Improvement Fund (CIF) pricing sheets, five Ontario Material Recycling Facility (MRFs) are reporting that they are paying to move mixed paper rather than generating revenue.

WMS has budgeted for an increase in recycling centre operation costs related to labour of \$388 thousand in order to reduce contamination and improve the quality of the end market product, including additional overtime costs and sorting labour, as well as an increase resulting from collective agreement negotiations of \$147 thousand. Niagara Region also has contracts to transport and process recyclable material from the Region of Waterloo and Haldimand County. With the current market conditions, Niagara's budgeted expenses for these purchases, including freight costs, have decreased by approximately \$502 thousand, however a projected net profit of \$274 thousand is forecasted.

Staff has forecasted an offsetting increase in other revenue for 2019 when compared to 2018 of approximately \$450 thousand. This increase is primarily as a result of increases in landfill tipping fee revenues (\$227 thousand) and garbage bag tag revenues (\$90 thousand).

Despite projected cost savings (notably in consulting services, promotion and education, and utility costs) staff are recommending a draw from the Waste Management Stabilization Reserve Fund to mitigate the budget pressures generated from a lump-sum collection contractual payment of \$350 thousand in 2019 (as per report PW 35-2016) for expenditures related to capital maintenance for the fleet, and the forecasted decrease in RPRA funding for 2019 of \$230 thousand. RPRA funding methodology relies on previous net operating expenditures from waste diversion activities to determine current year funding. For the purposes of RPRA, 2019 funding will be based on 2017 net waste diversion program expenditures. Accordingly, staff are projecting a one-time decrease in 2019 funding as a result of higher than usual end market recycled material commodity pricing in 2017. Staff are projecting that annual RPRA funding will normalize in 2020 based on current projections for 2018.

As summarized in Table 3, the operating budget includes a \$4.1 million transfer to reserve funds consistent with CSD 70-2017 - Waste Management Reserve Strategy, which proposes a strategy to fund waste management capital needs, landfill liability for closure and post-closure care and operating budget risks. It proposes that the \$4.1 million base budget be reallocated into the three separate waste management reserves as follows:

- \$1.6 million to the Waste Capital Reserve (Projected 2018 y/e balance of \$14.8 million) – to fund open landfill site and MRF capital.
- \$2.3 million to the Landfill Liability Reserve (Projected 2018 y/e balance of \$7.7 million) – to fund the landfill liability related to existing closed landfill site capital, and Humberstone and NR12 post-closure operating and capital, estimated at \$79.2 million in 2017. This will provide for base operating budgets currently used

for operation of the landfills to address disposal costs in the future when the Region no longer has open landfills for this purpose and generating tipping fee revenue.

- \$247 thousand to the Waste Stabilization Reserve (Projected 2018 y/e balance of \$6.4 million) – to fund operating budget fluctuations, one-time items, contingencies, and risks such as those associated with pending regulations that may affect the recycling facility and operations.

Table 3 – WMS Forecasted Reserve Balances, Contributions and Targets

Reserve	Projected 2018 Year-End Balance	Reserve Transfers from Operating – 2019	Target Reserve Balance
Waste Capital Reserve	\$15.1 million	\$1.6 million	\$19.4 million
Landfill Liability Reserve	\$7.7 million	\$2.29 million	\$79.2 million
Waste Stabilization Reserve	\$6.4 million	\$248 thousand	\$5.5 to \$8.2 million
Total	\$28.9 million	\$4.14 million	\$104 to \$106.8 million

2019 Waste Management Requisition

The net requisition amount will be allocated in accordance with the methodology approved in PWA 55-2011. As such, base waste management costs will be apportioned based on the 2017 percentage of residential units in each municipality, while the enhanced collection services and associated disposal costs will be apportioned directly to the requesting municipalities.

The year-over-year increase in requisition amount by local area municipality before assessment growth equates to a range from an increase of 1.21% to 4.41% with an average increase of 2.10%, as outlined in **Appendix II**.

The net requisition changes by local area municipality after growth ranges from a decrease of 1.24% to an increase of 1.94%. This range is the result of the differences in household growth between local area municipalities. The WM levy is collected as a special levy with the Region establishing the tax rates for each municipality (with the exception of NOTL). Note that these are average impacts and the actual impact will vary on each individual property based on year over year assessment change relative to the average assessment change.

Appendix III provides the impacts of the WMS requisition for 2019 in comparison to 2018 on a cost per typical residential unit basis by area municipality.

Risks & Opportunities

The proposed budget, like any budget, has a number of forecast risks, as well as opportunities, which include:

- Recycling Commodity Price Risk –The market for commodities does have significant risk based on market fluctuations. Staff have projected a decrease in commodity revenues for 2019 but there is a further risk that the commodity prices could decrease more than what has been projected.
- Other Price Risks – the collection contract with the private sector contains a number of contract adjustments related to fuel prices and CPI. If these factors exceed the forecast, that could have a material impact on the budget.
- Risk associated with the uncertainty around the Waste Free Ontario Act and the transition to extended producer responsibility and the impacts on the recycling facility.
- Counterparty risk related to the waste collection contract for services that represents 39% of Waste Management's operating costs.
- Current collection contract provider issues may result in increased costs in 2019. The current waste management curbside collections contract is set to expire in March 2021. Once tendered, the new collections contract may result in an increase in annual collection contract costs.
- The Niagara Region continues to explore opportunities for procurement of recyclable material processing for other municipalities.

Alternatives Reviewed

1. To limit the 2019 net Waste Management Service operating budget increase to \$519,035 or 1.5% over 2018 operating budget in accordance with Council approved guidance the following items totalling \$211,540 or 0.6% would have to be eliminated. This alternative is **NOT RECOMMENDED** due to the service impact on the following areas:
 - a. **Extending Humberstone landfill site hours of operation (\$49,700).**
This proposal is to extend the operating hours of the site by one hour daily as per the request from the collections contract provider. Staff are recommending the program change as the service provider has indicated that this will assist in improving service to residents.
 - b. **Mattress Recycling Program (\$84,000).** Mattresses are an issue operationally and do not compact well, resulting in lost air space and capacity in the landfill. By delaying the re-introduction of this program, it may result in higher costs and the loss of a landfill capacity mitigation opportunity.
 - c. **Reduction of Construction and Demolition Wood Grinding Service for 2019 (\$51,000).**

This material does not compact well without grinding and the wood chips are used in the landfills for operations. Although there is enough material on hand at the landfills for 1 year of operations, reducing this service for 2019 will increase the waste tonnage and result in lost air space and capacity in the landfills.

d. **Reduction in Promotion and Education Resources (\$26,840).**

WMS provides a variety of promotion and education resources and campaigns for residents for the diversion of waste from landfills. Failure to fully implement these waste reduction campaigns and communication plans will impact the Niagara Region's diversion rates and associated recycling revenues and funding, and more material will end up in landfills, resulting in reduced capacity.

2. To limit the 2019 net Waste Management Service operating budget increase to \$519,035 or 1.5% plus an additional \$173,012 or 0.5% over 2018 operating budget in accordance with Council approved additional guidance the following item totalling \$33,929 or 0.1% would have to be eliminated. This alternative is **NOT RECOMMENDED** due to the service impact on the following area:

- a. **6 Month Delay in Mattress Recycling Program (\$33,929).** Mattresses are an issue operationally and do not compact well, resulting in lost air space and capacity in the landfill. By delaying this program, it may result in higher costs and the lost of a landfill capacity mitigation opportunity.

Relationship to Council Strategic Priorities

The 2019 Waste Management budget supports an environment to enable economic prosperity. The proposed budget supports Council's strategic priorities of doing business differently and organizational excellence through outsourcing of operations and increasing accessibility and service in key areas, including increasing revenues through renegotiation of third party recycling processing contracts.

Other Pertinent Reports

PWA 55-2011 – Waste Management Services Financing Study
CSD 70-2017 - Waste Management Reserve Strategy
WMPSC-C 33 -2018 Waste Management Tipping Fees

Prepared by:

Helen Chamberlain, CPA, CA
Director, Financial Management &
Planning/ Deputy Treasurer

Recommended by:

Todd Harrison, CPA, CMA
Commissioner/Treasurer
Enterprise Resource Management
Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared by Rob Fleming, Senior Tax & Revenue Analyst, in consultation with Sara Mota, Program Financial Specialist and Reviewed by Margaret Murphy, Associate Director, Budget Planning & Strategy, Catherine Habermehl, Director Waste Management Services and Ron Tripp, Commissioner, Public Works

Appendices

Appendix I	Waste Management – Schedule of Revenues and Expenditures
Appendix II	Proposed 2019 Requisition by Municipality
Appendix III	2019 WM Requisition for Typical Residential Property by Municipality

D_65000B

	2017	2018		2019						
	Actual	Q3 Forecast	Budget	Base Services	Base Variance	Base Variance %	Budget Total Program Changes	Total	Total Variance	Total Variance %
	Total	Total	Total							
A_40000AB Compensation	3,273,657	3,358,724	3,575,409	3,678,050	102,641	2.9%	8,100	3,686,150	110,741	3.1%
A_41000AB Administrative	569,145	1,442,120	1,211,155	1,037,950	(173,205)	(14.3%)	40,000	1,077,950	(133,205)	(11.0%)
A_44000AB Operational & Supply	39,082,364	37,863,405	39,759,868	40,806,872	1,047,004	2.6%	41,600	40,848,472	1,088,604	2.7%
A_50000AB Occupancy & Infrastructure	1,341,764	1,435,149	1,492,330	1,438,380	(53,950)	(3.6%)	-	1,438,380	(53,950)	(3.6%)
A_52000AB Equipment, Vehicles, Technology	986,067	1,206,181	1,087,577	1,053,036	(34,541)	(3.2%)	-	1,053,036	(34,541)	(3.2%)
A_56000AB Partnership, Rebate, Exemption	139,608	165,847	173,309	195,700	22,391	12.9%	-	195,700	22,391	12.9%
A_58000AB Financial Expenditures	41,745	(4,891)	-	-	-	-	-	-	-	-
A_75100AC Transfers To Funds	4,526,631	4,135,500	4,135,500	4,135,500	-	-	-	4,135,500	-	-
A_60000AC Allocation Between Departments	163,084	138,475	135,539	128,626	(6,913)	(5.1%)	-	128,626	(6,913)	(5.1%)
Gross Expenditure Subtotal	50,124,066	49,740,509	51,570,686	52,474,112	903,427	1.8%	89,700	52,563,812	993,127	1.9%
A_30000AB Taxation	(34,892,419)	(34,602,337)	(34,602,336)	(35,203,719)	(601,382)	1.7%	(124,594)	(35,328,312)	(725,976)	2.1%
A_32400AB By-Law Charges & Sales	(18,358,285)	(13,434,693)	(14,837,455)	(14,588,064)	249,391	(1.7%)	-	(14,588,064)	249,391	(1.7%)
A_34950AB Other Revenue	(4,676,136)	(4,913,565)	(4,614,571)	(4,430,915)	183,656	(4.0%)	-	(4,430,915)	183,656	(4.0%)
A_75000AC Transfers From Funds	(204,037)	(521,831)	-	(580,000)	(580,000)	-	-	(580,000)	(580,000)	-
Gross Revenue Subtotal	(58,130,876)	(53,472,426)	(54,054,362)	(54,802,697)	(748,335)	1.4%	(124,594)	(54,927,291)	(872,929)	1.6%
Net Expenditure (revenue) before indirect allocations	(8,006,811)	(3,731,917)	(2,483,676)	(2,328,585)	155,092	(6.2%)	(34,894)	(2,363,478)	120,198	(4.8%)
A_70000AC Indirect Allocation	1,417,334	1,466,831	1,553,752	1,457,141	(96,611)	(6.2%)	34,894	1,492,035	(61,717)	(4.0%)
A_70200AC Capital Financing Allocation	907,047	926,414	929,924	871,443	(58,481)	(6.3%)	-	871,443	(58,481)	(6.3%)
Allocation Subtotal	2,324,381	2,393,245	2,483,676	2,328,585	(155,091)	(6.2%)	34,894	2,363,478	(120,198)	(4.8%)
Net Expenditure (revenue) after indirect allocations	(5,682,430)	(1,338,672)	0	-	0	-	-	-	0	-

FTE - Reg	32.0	32.0	-	-	32.0	-
FTE - Temp	2.2	2.2	-	-	2.2	-

Appendix II - Proposed 2019 Requisition by Municipality

Municipality	2018 Charges (\$000)	2019 Requisition (\$000)	Difference		Growth Impact \$		Growth Impact %	
			Increase/ (Decrease) (\$000)	% Increase/ (Decrease)	Taxable Assessment Growth (\$000)	Net Increase/ (Decrease) (\$000)	Taxable Assessment Growth (%)	Net Increase/ (Decrease) (%)
Fort Erie	\$ 2,627	\$ 2,677	\$ 49	1.87%	\$ 60	\$ (11)	2.30%	-0.42%
Grimsby	\$ 1,811	\$ 1,850	\$ 39	2.15%	\$ 57	\$ (18)	3.14%	-0.99%
Lincoln	\$ 1,575	\$ 1,602	\$ 28	1.76%	\$ 21	\$ 7	1.33%	0.43%
Niagara Falls	\$ 6,746	\$ 6,930	\$ 185	2.74%	\$ 125	\$ 60	1.85%	0.88%
Niagara-on-the-Lake*	\$ 1,480	\$ 1,545	\$ 65	4.41%	\$ 37	\$ 29	2.48%	1.94%
Pelham	\$ 1,171	\$ 1,205	\$ 34	2.92%	\$ 25	\$ 9	2.11%	0.81%
Port Colborne	\$ 1,748	\$ 1,771	\$ 23	1.30%	\$ 13	\$ 10	0.75%	0.55%
St. Catharines	\$ 10,714	\$ 10,873	\$ 160	1.49%	\$ 36	\$ 123	0.34%	1.15%
Thorold	\$ 1,432	\$ 1,476	\$ 44	3.05%	\$ 61	\$ (18)	4.29%	-1.24%
Wainfleet	\$ 541	\$ 547	\$ 7	1.21%	\$ 8	\$ (2)	1.49%	-0.28%
Welland	\$ 3,898	\$ 3,964	\$ 66	1.68%	\$ 71	\$ (5)	1.81%	-0.13%
West Lincoln	\$ 861	\$ 888	\$ 28	3.22%	\$ 24	\$ 4	2.74%	0.48%
Total	\$ 34,602	\$ 35,328	\$ 726	2.10%	\$ 538	\$ 188	1.65%	0.45%

* NOTL assessment growth value on increase in residential units NOT CVA (as per NOTL requisition methodology).

* Total taxable assessment growth percentage of 1.65% represents Niagara growth overall.

Appendix III - 2019 WM Requisition For Typical Residential Property by Municipality

Municipality	2018 Final		2019 Draft ¹		Annual Increase/(Decrease)		Monthly
	CVA ³	WM taxes	CVA ⁴	WM taxes	\$	%	\$
Fort Erie	205,289	\$ 139.50	210,015	\$ 138.97	\$ (0.53)	-0.38%	\$ (0.04)
Grimsby	361,650	\$ 147.98	382,289	\$ 146.09	\$ (1.88)	-1.27%	\$ (0.16)
Lincoln	338,742	\$ 149.92	354,651	\$ 150.61	\$ 0.69	0.46%	\$ 0.06
Niagara Falls	237,360	\$ 124.62	246,816	\$ 125.52	\$ 0.89	0.72%	\$ 0.07
Niagara-on-the-Lake ²							
Pelham	338,763	\$ 156.01	348,986	\$ 157.03	\$ 1.02	0.66%	\$ 0.09
Port Colborne	194,197	\$ 167.24	199,310	\$ 167.73	\$ 0.49	0.29%	\$ 0.04
St. Catharines	244,559	\$ 158.94	252,106	\$ 159.90	\$ 0.96	0.60%	\$ 0.08
Thorold	225,497	\$ 135.02	231,911	\$ 133.21	\$ (1.81)	-1.34%	\$ (0.15)
Wainfleet	246,135	\$ 145.09	255,870	\$ 143.97	\$ (1.11)	-0.77%	\$ (0.09)
Welland	203,129	\$ 157.47	208,841	\$ 157.09	\$ (0.39)	-0.24%	\$ (0.03)
West Lincoln	286,806	\$ 132.80	300,968	\$ 133.22	\$ 0.42	0.32%	\$ 0.04

¹ 2019 draft WM rates based on 2018 tax policy and 2019 draft requisition amounts.

² NOTL charge to residents based on fixed household amount.

³ Average Residential CVA from 2018 tax policy study.

⁴ 2018 CVA adjusted by the 2019 average MPAC phased-in assessment increase for the municipality.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-14

A BY-LAW TO ADOPT THE 2019 WASTE MANAGEMENT
BUDGET FOR THE REGIONAL MUNICIPALITY OF
NIAGARA

WHEREAS subsection 289 (1) of the Municipal Act, S.O. 2001, c. 25, as amended, requires that an upper-tier municipality shall in each year prepare and adopt a budget; and,

WHEREAS the council of the Regional Municipality of Niagara adopted its 2019 Waste Management Budget as described herein.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the 2019 Waste Management Gross Operating Budget of \$54,927,292 and Net Operating Budget of \$35,328,313 be and hereby is adopted.
2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA


James Bradley, Regional Chair


Ann-Marie Norio, Regional Clerk

Passed: February 14, 2019

March 06, 2019

CL 4-2019, February 14, 2019

BRCOTW 2-2019, January 24, 2019

CSD 8-2019 Revised, January 24, 2019

AREA MUNICIPALITIES

SENT ELECTRONICALLY

2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition
CSD 8-2019 Revised

Regional Council, at its meeting held on February 14, 2019, passed the following recommendation of its Budget Review Committee of the Whole:

1. That the 2019 net Water & Wastewater operating budget increase of \$1,667,883 or 1.50% over 2018 operating budget **BE APPROVED** in accordance with Council approved guidance;
2. That the 2019 net Water & Wastewater operating budget be increased by an additional \$555,961 for 0.50% over 2018 operating **BE APPROVED** in accordance with Council approved additional guidance;
3. That the total 2019 net Water & Wastewater operating budget be increased by an additional \$3,502,611 or 3.15% above Council guidance, **BE APPROVED**;
4. That the 2019 gross Water Operations operating budget of \$44,652,514 and net budget in the amount of \$44,238,899 as outlined in Appendix VI to Report CSD 8-2019 for the Water Budget, Rates and Requisition **BE APPROVED**;

5. That the proposed fixed water requisition shown in Table 3 of Report CSD 8-2019, based on 25% of the Region's water net operating budget for the year and divided by 12 to determine the monthly charge, to be billed to each of the serviced Local Area Municipalities starting January 1, 2019, apportioned based on their previous 8 year's average water supply volumes, **BE APPROVED**;
6. That the Region's proposed 2019 variable water rate of \$0.580, shown in Table 4 of Report CSD 8-2019, to be effective January 1, 2019 and calculated by taking 75% of the Region's water net operating budget and dividing by the estimated supply volume, to be billed on a monthly basis to each serviced Local Area Municipality based on the previous month's metered flows, **BE APPROVED**;
7. That the 2019 gross Wastewater Operations operating budget of \$76,105,449 and net budget in the amount of \$72,679,758 as outlined in Appendix VI to Report CSD 8-2019 for the Wastewater Budget, Rates and Requisition **BE APPROVED**;
8. That the proposed 2019 fixed wastewater requisition as shown in Table 5 of Report CSD 8-2019, based on 100% of the Region's net operating budget for the year and divided by 12 to determine the monthly charge, to be billed to each of the Local Area Municipalities starting January 1, 2019, apportioned based on their previous 3 year's average wastewater supply volumes, **BE APPROVED**;
9. That the 2019 wastewater monthly bills **INCLUDE** reconciliation for the 2017 net requisition allocation based on actual wastewater flows versus the estimated flows, as shown in Table 6 of Report CSD 8-2019;
10. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration; and
11. That a copy of Report CSD 8-2019 **BE CIRCULATED** to the Local Area Municipalities.

A copy of CSD 8-2019 Revised and By-law Nos. 2019-12 and 2019-13 are enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:cjp

CLK-C 2019-048

cc: T. Harrison Commissioner, Enterprise Resource Management Services / Treasurer
H. Chamberlain Director, Financial Management & Planning / Deputy Treasurer
M. Murphy, Manager, Associate Director, Budget Planning & Strategy
M. Montague Executive Assistant to the Commissioner, Enterprise Resource Management Services

Subject: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition - **REVISED**

Report to: Budget Review Committee of the Whole

Report date: Thursday, January 24, 2019

Recommendations

1. That the 2019 net Water & Wastewater operating budget increase of \$1,667,883 or 1.50% over 2018 operating budget **BE APPROVED** in accordance with Council approved guidance;
2. That the 2019 net Water & Wastewater operating budget be increased by an additional \$555,961 for 0.50% over 2018 operating **BE APPROVED** in accordance with Council approved additional guidance;
3. That the total 2019 net Water & Wastewater operating budget be increased by an additional \$3,502,611 or 3.15% above Council guidance, **BE APPROVED**;
4. That the 2019 gross Water Operations operating budget of \$44,652,514 and net budget in the amount of \$44,238,899 as outlined in Appendix VI to report CSD 8-2019 for the Water Budget, Rates and Requisition **BE APPROVED**;
5. That the proposed fixed water requisition shown in Table 3 of report CSD 8-2019, based on 25% of the Region's water net operating budget for the year and divided by 12 to determine the monthly charge, to be billed to each of the serviced Local Area Municipalities starting January 1, 2019, apportioned based on their previous 8 year's average water supply volumes, **BE APPROVED**;
6. That the Region's proposed 2019 variable water rate of \$0.580, shown in Table 4 of report CSD 8-2019, to be effective January 1, 2019 and calculated by taking 75% of the Region's water net operating budget and dividing by the estimated supply volume, to be billed on a monthly basis to each serviced Local Area Municipality based on the previous month's metered flows, **BE APPROVED**;
7. That the 2019 gross Wastewater Operations operating budget of 76,105,449 and net budget in the amount of \$72,679,758 as outlined in Appendix VI to report CSD 8-2019 for the Wastewater Budget, Rates and Requisition **BE APPROVED**;
8. That the proposed 2019 fixed wastewater requisition as shown in Table 5 of report CSD 8-2019, based on 100% of the Region's net operating budget for the year and divided by 12 to determine the monthly charge, to be billed to each of the Local Area

Municipalities starting January 1, 2019, apportioned based on their previous 3 year's average wastewater supply volumes, **BE APPROVED**;

9. That the 2019 wastewater monthly bills **INCLUDE** reconciliation for the 2017 net requisition allocation based on actual wastewater flows versus the estimated flows, as shown in Table 6 of report CSD 8-2019;
10. That the necessary by-laws **BE PREPARED** and **PRESENTED** to Council for consideration; and
11. That a copy of Report CSD 8-2019 **BE CIRCULATED** to the Local Area Municipalities.

Key Facts

- Council provided base guidance of 1.5%, which is not enough to support infrastructure requirements. The proposed 2019 budget cannot accommodate an enhanced investment in sustainability of infrastructure as determined through the Safe Drinking Water Act (SDWA) requirements within additional guidance of 2.0%.
- The combined Water and Wastewater net based budget represents a \$5.73 million increase or 5.15% over 2018, as shown in **Table 1**.
- The Asset Management Plan (AMP) identified a current backlog of \$360 million and current annual funding deficit of \$77 million per year. Recommendation 3 will provide an additional \$3.65 million which will assist in reducing annual funding deficit.
- The proposed net Water budget represents a \$1.19 million increase, or 2.77% over 2018; the proposed net Wastewater budget represents a \$4.53 million increase, or 6.65% over 2018.
- The requisition methodology conforms to Council approved cost recovery methodology from 2011, which was reaffirmed through report CSD 61-2015, on July 2, 2015. The methodology apportioned to the local area municipalities water at 75% variable rate and 25% as a fixed component and wastewater 100% fixed.
- The proposed variable water rate is increased by 2.5% to \$0.580 (2018 = \$0.566) attributed to the budget increase offset in part by an increase in projected water flows of 250 ML.
- The SDWA specifies that in order to be compliant the Region must have in place a sustainable Financial Plan (O.Reg 453/07).

Financial Considerations

The Water and Wastewater Division's proposed 2019 net budget amount of \$116.92 million represents a \$5.73 million net increase or 5.15% from the 2018 budget, as shown in Table 1. \$72.68 million of this total net cost is related to the Wastewater program, representing a net increase of \$4.53 million, or 6.65% from 2018. The

remaining \$44.24 million relates to the Water program, which has increased by \$1.19 million, or 2.77% from 2018. The proposed gross budget and comparison to the 2018 net budget are outlined in Table 1.

Table 1 – Summary of Proposed Water and Wastewater Base Budgets

2019 Proposed Budget - Gross & Net			
	Water	Wastewater	Total
Total Operating	22,066,520	46,759,369	68,825,889
Business Support	1,644,378	2,630,469	4,274,847
Reserve Transfer & Debt Charges	20,941,616	26,715,611	47,657,227
Gross 2019 Budget Total	44,652,514	76,105,449	120,757,963
Less: Revenues	(413,615)	(3,425,691)	(3,839,306)
Less: Reserve Funding	-	-	-
Net 2019 Budget Requisition	44,238,899	72,679,758	116,918,657
Net 2018 Budget Requisition	43,046,531	68,145,671	111,192,202
% Change in Net Budget Requisition	2.77%	6.65%	5.15%

Analysis

The 2019 Water and Wastewater budgets were developed giving consideration to historical results (2017 actuals, 2018 forecast), operational concerns, legislative compliance, standard operating procedures, collaborations with LAMs, and cross-divisional and corporate business support costs. Information from the SDWA has also been incorporated in the 2019 budgets.

The total program cost includes both operating expenditures (representing 57% of total program costs), as well as transfers to reserve and debt charges in support of the capital program (representing 39% of the total program costs) with the remaining as business support (4%).

Budget Pressures

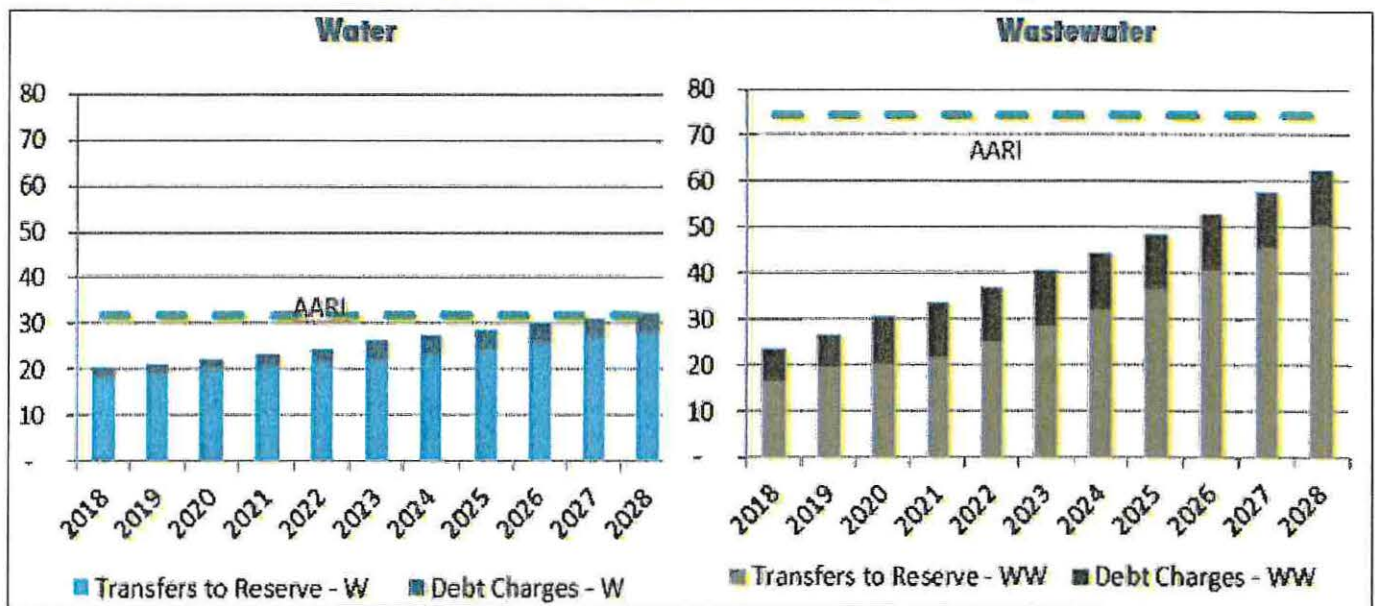
Capital/Infrastructure

In 2017 the Region completed, and Council approved, a comprehensive Asset Management Plan (AMP). The detailed information available in this AMP was utilized in the 2019 capital budget preparation. This annual investment would address the average 10 year requirement and backlog as of December 2016. The consultant reviewed the 10 year budget and established that even if the entire available capital dollars were applied against the replacement and rehabilitation of exiting assets the Region's annual funding gap would be \$77M (10 year AARI).

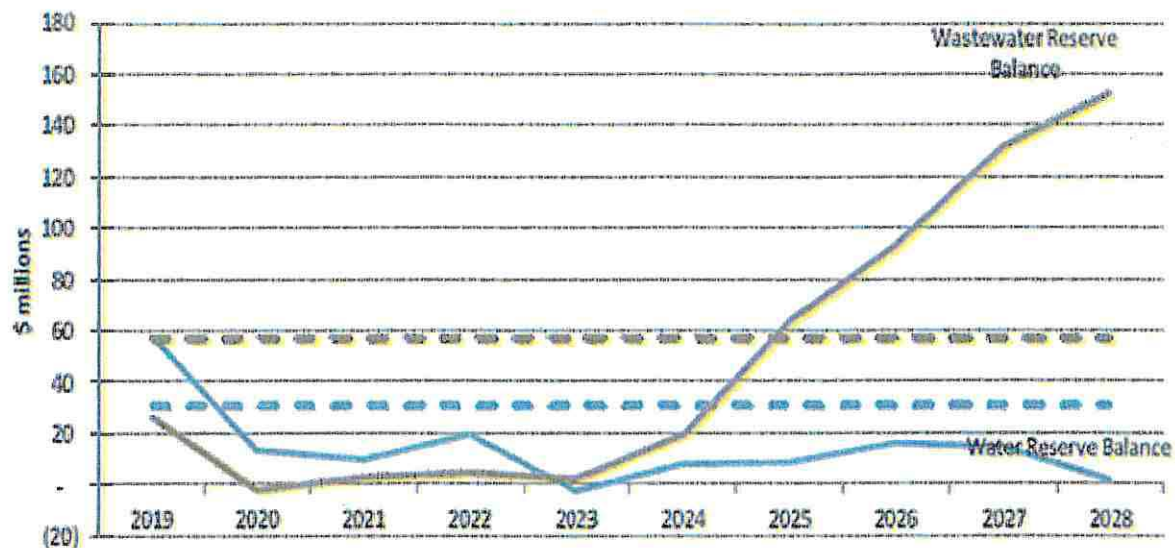
The total capital financing (transfer to capital reserve plus debt charges) included in the proposed budget to fund Regional infrastructure has increased to \$47.7 million from \$45.9 million in 2018. The chart below shows the approved 2018 and forecasted 2019 to 2028 trend of operating dollars used to fund infrastructure.

The recently completed SDWA Financial Plan identified increasing capital financing as an urgent need in order to address the current infrastructure gap. As a result, a proposed increase is recommended in the combined water and wastewater transfer from operating to capital of \$3M annually.

Chart 1 – Operating Budget Supporting Infrastructure (\$ 000,000)



While an increase in funding towards the capital program is proposed, significant challenges are still expected as a result of declining forecasts in reserves as follows. The following chart is inclusive of the additional \$3M in capital funding (as per recommendation 3). Debt will need to be utilized in the interim as the reserve balances decline. As presented within report PW 4-2019 Financial Plan for O.Reg. 453/07, staff proposed as a guiding principle that a minimum reserve balances of 2% of current asset value be maintained. The dotted lines on the below chart illustrate the 2% target compared against the forecasted reserve balance for each year. The wastewater reserve starts below the target balance but by 2025 starts to exceed the target balance as a result of a built in contingency to mitigate uncertainty around future upper level government grants provided for specific future projects.



Other Budget Pressures:

The Water and Wastewater division is currently experiencing maintenance challenges with its existing infrastructure. Many assets are being operated past their planned lifecycles and being run to failure. Most maintenance performed is reactive in nature due to the increasing burden and workload on existing maintenance staff. Equipment failures also increases the risk of non-compliance with provincial and federal legislation. There is currently one such non-compliance order due to equipment failure at the Niagara Falls Wastewater Treatment Plant. A proposed increase of 6 FTEs for maintenance staff at a total cost of \$440K is included for consideration within Council approved guidance. These additional resources will help with the increasing reactive and emergency type of repairs that are happening, while also increasing much needed preventative maintenance to keep infrastructure operating properly. To compliment the additional staff an increase for Equipment Repair & Maintenance costs of \$601K is also included in the base budget.

Included in the base budget is a program change to increase the water and wastewater operations staff by 5 FTEs, with a total cost of \$382K. The purpose of this program change is to implement the 3-man shift schedule throughout all of water and wastewater. The schedule is currently being piloted in area 1 wastewater and has seen to have decreased overtime, increased the cross training of existing staff and has standardized the operational tasks each operator is responsible for. This ultimately leads to lower operational risk.

Included in the base budget is a program change to convert a temporary Quality Management System (QMS) Analyst to a permanent Water Wastewater QMS Specialist at a cost of \$15K. This is required to support the continued maintenance of the Region's Drinking Water Quality Management System. This will also allow for further

development, implementation, and application of the QMS system. Use of a QMS system is a legislated requirement under the Safe Drinking Water Act.

Included in the base budget is a program change to add an additional 2 Environmental Enforcement Officers (EEOs). EEOs are responsible for enforcing the sewer use by-law, providing spill response, administering the hauled sewage programs, and inspecting restaurant grease traps. The current complement of 2 EEO's cannot perform all of the testing, sampling, and inspections that are required. It is anticipated that the 2 additional positions would generate revenue in excess of their salary costs and provide a net savings in 2019 of \$139K.

Included in the base budget is a program change for a full time Energy Project Manager. Currently water wastewater has an embedded ERMS Energy Consultant; however, that resource is not being provided to water wastewater by ERMS after the end of 2018. The annual water wastewater utility budget is in excess of \$10M. There are currently several funding programs for energy efficiency and savings that could be taken advantage of. It is anticipated that after rebates and cost avoidance from efficiencies that this position will provide a net savings in 2019 of \$38K.

Other pressures included in the budget include an addition \$359K for sludge haulage and cake disposal. A portion of this is from contractual price escalations based on inflation and diesel fuel costs, however a large portion also relates to increase truck costs due to the equipment failures at the Niagara Falls Wastewater Treatment Plant.

Included in the base budget is increased debt servicing costs for a combined Water and Wastewater annual impact of \$1.86 million over 2018 in the base budget (included in the 1.5%) to support capital financing requirements of upcoming capital projects.

Water Requisition

Fixed Water Requisition

As per Council's approved methodology, \$11,059,725 (25%) of the net Water budget will be recovered from fixed monthly requisitions to the local municipalities based on historical flows. The historical water flows and percentages utilized are included in **Appendix I and II**. This annual amount based on the historical flows is then divided by 12 to determine the monthly charge to be billed to each of the services Local Area Municipalities starting January 1, 2019. Also included as part of **Appendix I** is the annual impact on the fixed water requisition amount between 2018 and 2019 for each LAM. Table 3 summarizes the fixed amounts to be billed to each LAM based on the above methodology.

Table 3 – Fixed Water Requisition for 2019 Net Budget

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.05%	\$890,784	\$74,232
Grimsby	5.59%	\$618,466	\$51,539
Lincoln	4.00%	\$442,040	\$36,837
Niagara Falls	26.50%	\$2,930,350	\$244,196
Niagara-on-the-Lake	5.42%	\$598,960	\$49,913
Pelham	2.18%	\$240,636	\$20,053
Port Colborne	5.31%	\$587,731	\$48,978
St. Catharines	26.39%	\$2,918,570	\$243,214
Thorold	3.58%	\$395,686	\$32,974
Welland	11.50%	\$1,271,541	\$105,962
West Lincoln	1.49%	\$164,962	\$13,747
Total	100.00%	\$11,059,725	\$921,644

Table 3 – Fixed Water Requisition for 2019 Net Budget - REVISED

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.06%	\$891,561	\$74,297
Grimsby	5.60%	\$619,814	\$51,651
Lincoln	3.98%	\$440,441	\$36,703
Niagara Falls	26.53%	\$2,934,620	\$244,552
Niagara-on-the-Lake	5.41%	\$598,784	\$49,899
Pelham	2.18%	\$240,909	\$20,076
Port Colborne	5.32%	\$588,466	\$49,039
St. Catharines	26.41%	\$2,920,423	\$243,369
Thorold	3.57%	\$395,051	\$32,921
Welland	11.44%	\$1,265,722	\$105,477
West Lincoln	1.48%	\$163,933	\$13,661
Total	100.00%	\$11,059,725	\$921,644

Variable Water Rate

The remaining \$33,179,174 (75%) will be charged through the variable water rates. Staff is recommending that the variable rate be set at \$0.580 per cubic metre as outlined in Table 4 using a water forecast based on the average flow volumes that have been realized over the past three years. This marginally increases the flow volumes that was used for the purpose of 2019 variable water rate setting, minimizing the risk of unpredictable and weather related flows. An overview of the water trends and relate risk is outlined in more detail in **Appendix II**. Rate increase of 2.5% as a result of increased budget (2.8%) offset by increased water flow of 250 ML (0.4%).

Table 4 – Variable Water Rate for 2019 Net Budget

2019 Variable Water Rate	
Variable Allocation (75% x \$44,238,900)	\$ 33,179,174
2019 Water Flow Forecast (m ³)	57,250,000
Variable Rate (\$/m ³)	\$ 0.580

Wastewater Requisition

100% of the net wastewater requisition will be recovered from fixed monthly requisitions to the local municipalities. The historical wastewater flows and percentages utilized are included in **Appendix III**. This annual amount based on the historical flows is then divided by 12 to determine the monthly charge to be billed to each of the services Local Area Municipalities starting January 1, 2019. Also included as part of **Appendix III** is the annual impact of the fixed wastewater requisition amount between 2018 and 2019 for each LAM. Table 5 summarizes the fixed amounts to be billed to each LAM based on the above methodology.

Table 5 – Fixed wastewater Requisition for 2019 Net Budget

Fixed Wastewater Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	10.52%	\$7,644,115	\$637,010
Grimsby	4.72%	\$3,430,731	\$285,894
Lincoln	3.88%	\$2,822,606	\$235,217
Niagara Falls	20.08%	\$14,593,536	\$1,216,128
Niagara-on-the-Lake	4.04%	\$2,933,683	\$244,474
Pelham	1.84%	\$1,340,527	\$111,711
Port Colborne	5.66%	\$4,112,836	\$342,736
St. Catharines	28.47%	\$20,694,560	\$1,724,547
Thorold	4.89%	\$3,555,726	\$296,311
Welland	14.29%	\$10,383,458	\$865,288
West Lincoln	1.61%	\$1,167,978	\$97,332
Total	100.00%	\$72,679,758	\$6,056,647

Table 5 – Fixed wastewater Requisition for 2019 Net Budget - REVISED

Fixed Wastewater Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
<i>Fort Erie</i>	10.45%	\$7,596,338	\$633,028
<i>Grimsby</i>	4.57%	\$3,324,124	\$277,010
<i>Lincoln</i>	3.90%	\$2,837,406	\$236,450
<i>Niagara Falls</i>	20.26%	\$14,727,578	\$1,227,298
<i>Niagara-on-the-Lake</i>	4.07%	\$2,960,936	\$246,745
<i>Pelham</i>	1.86%	\$1,353,523	\$112,794
<i>Port Colborne</i>	5.61%	\$4,076,742	\$339,729
<i>St. Catharines</i>	28.54%	\$20,740,949	\$1,728,412
<i>Thorold</i>	4.86%	\$3,535,506	\$294,626
<i>Welland</i>	14.26%	\$10,363,446	\$863,621
<i>West Lincoln</i>	1.60%	\$1,163,210	\$96,934
Total	100.00%	\$72,679,758	\$6,056,647

As per Council's approved cost recovery methodology, the 2019 monthly Wastewater charges will include reconciliation of the 2017 Wastewater requisition payments. Municipalities 2017 rebated or charged will be based on their respective share of actual flows versus the estimated share used to initially allocate the 2017 charges. This reconciliation results in a total of \$2,076,584 in payments to, and \$2,076,584 in rebates from, the local municipalities. Tables outlining the calculation of the reconciliation have been included as **Appendix IV**, and the total charge including the 2019 requisition and 2017 reconciliation by local municipality has been included as **Appendix V**.

Table 6 – Wastewater Reconciliation for 2017 included in 2019 Requisition

Wastewater Reconciliation (2017)			
Municipality	Reconciliation (\$)	Monthly Rebate (\$)	Monthly Payment (\$)
Fort Erie	327,701		27,308
Grimsby	165,037		13,753
Lincoln	230,524		19,210
Niagara Falls	804,814		67,068
Niagara-on-the-Lake	337,962		28,163
Pelham	(64,988)	(5,416)	
Port Colborne	(180,933)	(15,078)	
St. Catharines	(1,426,851)	(118,904)	
Thorold	179,016		14,918
Welland	(403,812)	(33,651)	
West Lincoln	31,529		2,627
Total	0	(173,049)	173,049

Risks

- Water revenue is weather dependant and therefore subject to fluctuation that are outside the Region's control.
- Wastewater costs can also be weather dependent and therefore subject to fluctuation that are outside the Region's control.
- Unanticipated equipment failure which may impact operating expenditures.
- Unanticipated new provincial standards that may create operational pressures.
- Limited operational financial flexibility until the budget fully addresses the asset management plan/SDWA and may create further pressure on the already forecasted decline in reserves.

Alternatives Reviewed

1. *That the 2019 net Water & Wastewater operating budget increase be limited to \$1,667,883 or 1.5% over 2018 operating budget in accordance with Council approved guidance.* This alternative is **NOT RECOMMENDED**. This alternative, if adopted, would require removal of the following from the 2019 Water & Wastewater operating budget:
 - a. **Eliminate proposed Capital Reserve transfers increase (\$3,070,366).** The recently completed Safe Drinking Water Act Financial Plan identified increasing capital financing as an urgent need in order to address the current infrastructure gap. The infrastructure gap was identified as part of the Region's most recent Asset Management Plan (AMP) as being over \$360M.
 - b. **Eliminate the Asset Management Program Change Increase (\$406,554).** Enterprise Resource Management Services (ERMS) has included a program change in the Levy budget for resources related to increasing Asset Management. ERMS fully recovers all costs through allocations from other Regional divisions. This represents the amount allocated to water and wastewater.
 - c. **Reduction of the current Combined Sewer Overflow (CSO) Program (\$1,200,000).** The region currently provides \$4M in grant funding to local area municipalities (LAMs) as part of the Region's CSO program. The program is funded 50% through the wastewater operating budget, and 50% through development charges. A reduction of \$1.2M would limit the amount available for the LAMs to \$2.8M and provide a net \$600,000 reduction to the wastewater budget. This will however put further pressure on the LAMs to fund local projects designed to reduce inflow and infiltration (I&I) of storm water into the sanitary sewer system. Reducing I&I is a key step in limiting the amount of untreated sewage that escapes into the environment and also helps to limit basement flooding events. In the event the above ERMS program change for Asset Management does not proceed, those funds could be used to re-increase the CSO budget by \$823,362 with a net impact to the

operating budget of \$411,682 after applying the development charges portion of 50%.

Under Alternative 1, the revised Water and Wastewater Requisition amounts are as follows. Under this alternative Tables 7, 8 & 9 identified below would replace Tables 3, 4 & 5 contained within the Analysis section of this report. Recommendations 4, 6 & 7 would also be updated accordingly.

Table 7 – Fixed Water Requisition for 2019 Net Budget – Alternative 1

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.05%	\$872,182	\$72,682
Grimsby	5.59%	\$605,551	\$50,463
Lincoln	4.00%	\$432,809	\$36,067
Niagara Falls	26.50%	\$2,869,156	\$239,096
Niagara-on-the-Lake	5.42%	\$586,452	\$48,871
Pelham	2.18%	\$235,610	\$19,634
Port Colborne	5.31%	\$575,457	\$47,955
St. Catharines	26.39%	\$2,857,622	\$238,135
Thorold	3.58%	\$387,422	\$32,285
Welland	11.50%	\$1,244,987	\$103,749
West Lincoln	1.49%	\$161,517	\$13,460
Total	100.00%	\$10,828,766	\$902,397

Table 7 – Fixed Water Requisition for 2019 Net Budget – Alternative 1 – REVISED

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
<i>Fort Erie</i>	<i>8.06%</i>	<i>\$872,943</i>	<i>\$72,745</i>
<i>Grimsby</i>	<i>5.60%</i>	<i>\$606,871</i>	<i>\$50,573</i>
<i>Lincoln</i>	<i>3.98%</i>	<i>\$431,244</i>	<i>\$35,937</i>
<i>Niagara Falls</i>	<i>26.53%</i>	<i>\$2,873,337</i>	<i>\$239,445</i>
<i>Niagara-on-the-Lake</i>	<i>5.41%</i>	<i>\$586,279</i>	<i>\$48,857</i>
<i>Pelham</i>	<i>2.18%</i>	<i>\$235,878</i>	<i>\$19,657</i>
<i>Port Colborne</i>	<i>5.32%</i>	<i>\$576,177</i>	<i>\$48,015</i>
<i>St. Catharines</i>	<i>26.41%</i>	<i>\$2,859,436</i>	<i>\$238,286</i>
<i>Thorold</i>	<i>3.57%</i>	<i>\$386,802</i>	<i>\$32,233</i>
<i>Welland</i>	<i>11.44%</i>	<i>\$1,239,290</i>	<i>\$103,274</i>
<i>West Lincoln</i>	<i>1.48%</i>	<i>\$160,509</i>	<i>\$13,376</i>
Total	100.00%	\$10,828,766	\$902,397

Table 8 – Variable Water Rate for 2019 Net Budget – Alternative 1

2019 Variable Water Rate	
Variable Allocation (75% x \$44,238,900)	\$ 32,486,297

2019 Water Flow Forecast (m ³)	57,250,000
Variable Rate (\$/m ³)	\$ 0.567

Table 9 – Fixed wastewater Requisition for 2019 Net Budget – Alternative 1

Fixed Wastewater Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	10.52%	\$7,312,489	\$609,374
Grimsby	4.72%	\$3,281,895	\$273,491
Lincoln	3.88%	\$2,700,152	\$225,013
Niagara Falls	20.08%	\$13,960,421	\$1,163,368
Niagara-on-the-Lake	4.04%	\$2,806,410	\$233,868
Pelham	1.84%	\$1,282,371	\$106,864
Port Colborne	5.66%	\$3,934,408	\$327,867
St. Catharines	28.47%	\$19,796,763	\$1,649,730
Thorold	4.89%	\$3,401,467	\$283,456
Welland	14.29%	\$9,932,990	\$827,749
West Lincoln	1.61%	\$1,117,308	\$93,109
Total	100.00%	\$69,526,674	\$5,793,890

Table 9 – Fixed wastewater Requisition for 2019 Net Budget – Alternative 1 - REVISED

Fixed Wastewater Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
<i>Fort Erie</i>	<i>10.45%</i>	<i>\$7,266,784</i>	<i>\$605,565</i>
<i>Grimsby</i>	<i>4.57%</i>	<i>\$3,179,912</i>	<i>\$264,993</i>
<i>Lincoln</i>	<i>3.90%</i>	<i>\$2,714,310</i>	<i>\$226,192</i>
<i>Niagara Falls</i>	<i>20.26%</i>	<i>\$14,088,647</i>	<i>\$1,174,054</i>
<i>Niagara-on-the-Lake</i>	<i>4.07%</i>	<i>\$2,832,481</i>	<i>\$236,040</i>
<i>Pelham</i>	<i>1.86%</i>	<i>\$1,294,803</i>	<i>\$107,900</i>
<i>Port Colborne</i>	<i>5.61%</i>	<i>\$3,899,880</i>	<i>\$324,990</i>
<i>St. Catharines</i>	<i>28.54%</i>	<i>\$19,841,140</i>	<i>\$1,653,428</i>
<i>Thorold</i>	<i>4.86%</i>	<i>\$3,382,124</i>	<i>\$281,844</i>
<i>Welland</i>	<i>14.26%</i>	<i>\$9,913,847</i>	<i>\$826,154</i>
<i>West Lincoln</i>	<i>1.60%</i>	<i>\$1,112,746</i>	<i>\$92,729</i>
Total	100.00%	\$69,526,674	\$5,793,890

2. That the 2019 net Water & Wastewater operating budget increase be limited to \$1,667,883 or 1.5% plus an additional \$555,961 or 0.5% over 2018 operating budget in accordance with Council approved additional guidance. This alternative is **NOT RECOMMENDED**. This alternative, if adopted, would require removal of the following from the 2019 Water & Wastewater operating budget:
- Eliminate proposed Capital Reserve transfers increase (\$3,070,366).**
The recently completed Safe Drinking Water Act Financial Plan identified

increasing capital financing as an urgent need in order to address the current infrastructure gap. The infrastructure gap was identified as part of the Region's most recent Asset Management Plan (AMP) as being over \$360M.

- b. **Reduction of the current Combined Sewer Overflow (CSO) Program (\$911,440).** The region currently provides \$4M in grant funding to local area municipalities (LAMs) as part of the Region's CSO program. The program is funded 50% through the wastewater operating budget, and 50% through development charges. A reduction of \$911,440 would limit the amount available for the LAMs to \$3,088,560 and provide a net \$455,720 reduction to the wastewater budget. This will however put further pressure on the LAMs to fund local projects designed to reduce inflow and infiltration (I&I) of storm water into the sanitary sewer system. Reducing I&I is a key step in limiting the amount of untreated sewage that escapes into the environment and also helps to limit basement flooding events

Under Alternative 2, the revised Water and Wastewater Requisition amounts are as follows. Under this alternative Tables 10, 11 & 12 identified below would replace Tables 3, 4 & 5 contained within the Analysis section of this report. Recommendations 4, 6 & 7 would also be updated accordingly.

Table 10 – Fixed Water Requisition for 2019 Net Budget – Alternative 2

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.05%	\$875,116	\$72,926
Grimsby	5.59%	\$607,588	\$50,632
Lincoln	4.00%	\$434,265	\$36,189
Niagara Falls	26.50%	\$2,878,808	\$239,901
Niagara-on-the-Lake	5.42%	\$588,425	\$49,035
Pelham	2.18%	\$236,403	\$19,700
Port Colborne	5.31%	\$577,393	\$48,116
St. Catharines	26.39%	\$2,867,235	\$238,936
Thorold	3.58%	\$388,726	\$32,394
Welland	11.50%	\$1,249,175	\$104,098
West Lincoln	1.49%	\$162,060	\$13,505
Total	100.00%	\$10,865,194	\$905,433

Table 10 – Fixed Water Requisition for 2019 Net Budget – Alternative 2 - REVISED

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.06%	\$875,879	\$72,990
Grimsby	5.60%	\$608,912	\$50,743
Lincoln	3.98%	\$432,694	\$36,058
Niagara Falls	26.53%	\$2,883,002	\$240,250
Niagara-on-the-Lake	5.41%	\$588,252	\$49,021
Pelham	2.18%	\$236,672	\$19,723
Port Colborne	5.32%	\$578,115	\$48,176
St. Catharines	26.41%	\$2,869,055	\$239,088
Thorold	3.57%	\$388,103	\$32,342
Welland	11.44%	\$1,243,459	\$103,622
West Lincoln	1.48%	\$161,049	\$13,421
Total	100.00%	\$10,865,194	\$905,433

Table 11 – Variable Water Rate for 2019 Net Budget – Alternative 2

2019 Variable Water Rate	
Variable Allocation (75% x \$44,238,900)	\$ 32,595,581
2019 Water Flow Forecast (m ³)	57,250,000
Variable Rate (\$/m ³)	\$ 0.569

Table 12 – Fixed wastewater Requisition for 2019 Net Budget – Alternative 2

Fixed Wastewater Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	10.52%	\$7,355,098	\$612,925
Grimsby	4.72%	\$3,301,018	\$275,085
Lincoln	3.88%	\$2,715,886	\$226,324
Niagara Falls	20.08%	\$14,041,767	\$1,170,147
Niagara-on-the-Lake	4.04%	\$2,822,763	\$235,230
Pelham	1.84%	\$1,280,843	\$107,487
Port Colborne	5.66%	\$3,957,333	\$329,778
St. Catharines	28.47%	\$19,912,116	\$1,659,343
Thorold	4.89%	\$3,421,287	\$285,107
Welland	14.29%	\$9,990,868	\$832,572
West Lincoln	1.61%	\$1,123,818	\$93,652
Total	100.00%	\$69,931,797	\$5,827,650

Table 12 – Fixed wastewater Requisition for 2019 Net Budget – Alternative 2 - REVISED

Fixed Wastewater Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
<i>Fort Erie</i>	<i>10.45%</i>	<i>\$7,309,127</i>	<i>\$609,094</i>
<i>Grimsby</i>	<i>4.57%</i>	<i>\$3,198,441</i>	<i>\$266,537</i>
<i>Lincoln</i>	<i>3.90%</i>	<i>\$2,730,126</i>	<i>\$227,510</i>
<i>Niagara Falls</i>	<i>20.26%</i>	<i>\$14,170,740</i>	<i>\$1,180,895</i>
<i>Niagara-on-the-Lake</i>	<i>4.07%</i>	<i>\$2,848,986</i>	<i>\$237,415</i>
<i>Pelham</i>	<i>1.86%</i>	<i>\$1,302,347</i>	<i>\$108,529</i>
<i>Port Colborne</i>	<i>5.61%</i>	<i>\$3,922,604</i>	<i>\$326,884</i>
<i>St. Catharines</i>	<i>28.54%</i>	<i>\$19,956,751</i>	<i>\$1,663,063</i>
<i>Thorold</i>	<i>4.86%</i>	<i>\$3,401,832</i>	<i>\$283,486</i>
<i>Welland</i>	<i>14.26%</i>	<i>\$9,971,613</i>	<i>\$830,968</i>
<i>West Lincoln</i>	<i>1.60%</i>	<i>\$1,119,230</i>	<i>\$93,269</i>
Total	100.00%	\$69,931,797	\$5,827,650

Relationship to Council Strategic Priorities

The 2019 Water and Wastewater proposed budgets support Council's strategic priorities of organizational excellence, by meeting or exceeding legislative requirements and having 39% of the total program costs related to infrastructure renewal and replacement.

Other Pertinent Reports

CSD 21-2017	Asset Management Plan
CSD 63-2017	Regional Development Charges and Proposed By-law
PDS 37-2016	Niagara 2041 Growth Strategy – Local Municipal Growth Allocations
PW 22-2017	2016 Water & Wastewater Master Servicing Plan Update
PW 5-2019	Safe Drinking Water Act Financial Plan

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Appendices

Appendix I	Water Flows and Fixed Water Requisition by Local Area Municipality - REVISED
Appendix II	Water Volume Analysis
Appendix III	Wastewater Flows and Fixed Wastewater Requisition by Local Area Municipality - REVISED
Appendix IV	2017 By-law Wastewater Reconciliation
Appendix V	Fixed Wastewater Requisition including Reconciliation by Local Area Municipality - REVISED
Appendix VI	Water and Wastewater Schedule of Revenues and Expenditures by Object of Expenditure

**Appendix I – Water Flows and Fixed Water Requisition by Local Area
Municipality**

Table 1 – Water Flows by Municipality

Municipality	3 Year Avg. per 2018 By-law		3 Year Avg. per 2019 By-law	
	Megalitres	%	Megalitres	%
Fort Erie	4,704	8.18%	4,681	8.05%
Grimsby	3,476	6.04%	3,250	5.59%
Lincoln	2,284	3.97%	2,323	4.00%
Niagara Falls	15,480	26.91%	15,398	26.50%
Niagara-on-the-Lake	3,109	5.40%	3,147	5.42%
Pelham	1,314	2.28%	1,264	2.18%
Port Colborne	3,048	5.30%	3,088	5.31%
St. Catharines	14,892	25.89%	15,336	26.39%
Thorold	1,983	3.45%	2,079	3.58%
Welland	6,385	11.10%	6,682	11.50%
West Lincoln	854	1.48%	867	1.49%
Total	57,525	100%	58,116	100%

Table 2 – Fixed Water Requisition by Municipality

Municipality	Fixed Requisition			
	2018 (\$000)	2019 (\$000)	Difference	
			\$000s	%
Fort Erie	880	891	10	1.18%
Grimsby	650	618	(32)	-4.91%
Lincoln	427	442	15	3.52%
Niagara Falls	2,896	2,930	34	1.19%
Niagara-on-the-Lake	582	599	17	2.91%
Pelham	246	241	(5)	-2.18%
Port Colborne	570	588	18	3.11%
St. Catharines	2,786	2,919	133	4.76%
Thorold	371	396	25	6.65%
Welland	1,194	1,272	78	6.49%
West Lincoln	159	165	6	3.75%
Total	40,762	41,060	298	2.77%

Appendix I - Water Flows and Fixed Water Requisition by Local Area
Municipality

Table 1 - Water Flows by Municipality

Municipality	3-Year Avg. per 2018 By-law		3-Year Avg. per 2019 By-law	
	Megalitres	%	Megalitres	%
Fort Erie	4,704	8.18%	4,686	8.06%
Grimsby	3,476	6.04%	3,258	5.60%
Lincoln	2,284	3.97%	2,315	3.98%
Niagara Falls	15,480	26.91%	15,424	26.53%
Niagara-on-the-Lake	3,109	5.40%	3,147	5.41%
Pelham	1,314	2.28%	1,266	2.18%
Port Colborne	3,048	5.30%	3,093	5.32%
St. Catharines	14,892	25.89%	15,350	26.41%
Thorold	1,983	3.45%	2,076	3.57%
Welland	6,385	11.10%	6,653	11.44%
West Lincoln	851	1.48%	862	1.48%
Total	57,525	100%	58,130	100%

Table 2 - Fixed Water Requisition by Municipality

Municipality	Fixed Requisition			
	2018 (\$000)	2019 (\$000)	Difference	
			\$000s	%
Fort Erie	880	892	11	1.27%
Grimsby	650	620	(31)	-4.70%
Lincoln	427	440	13	3.15%
Niagara Falls	2,896	2,935	39	1.33%
Niagara-on-the-Lake	582	599	17	2.88%
Pelham	246	241	(5)	-2.07%
Port Colborne	570	588	18	3.24%
St. Catharines	2,786	2,920	134	4.82%
Thorold	371	395	24	6.48%
Welland	1,194	1,266	72	6.01%
West Lincoln	159	164	5	3.10%
Total	10,762	11,060	298	2.77%

Appendix II - Water Volume Analysis



The 2018 actual flows are estimate to finish the year approximately 2.67% higher than project flows.

The water volume forecast for 2019 has been prepared giving consideration to historical trends and input receveived from some local area municipalities. the forecasted water usage in 2018 totalled approximately 58,520 ML.

The volume forecast for 2019 is below the 3-year average of 57,810 ML and 5-year average of 57,505 ML. This includes 2014 which was cool and wet compared to normal and 2015 which was a more typical summer weather year. 2016 experienced drought conditions during the summer and 2017 has experienced a very wet summer. The 2019 estimate reflects a slight increase over previous year's projections as a result of current growth trends within Niagara.

**Appendix III – Wastewater Flows and Fixed Requisition By Local Area
Municipality**

Table 1 – Wastewater Flows by Municipality

Municipality	3 Year Avg. per 2018 By law		3 Year Avg. per 2019 By law	
	Megalitres	%	Megalitres	%
Fort Erie	7,159	10.44%	7,515	10.52%
Grimsby	3,143	4.58%	3,373	4.72%
Lincoln	2,575	3.76%	2,775	3.88%
Niagara Falls	14,018	20.44%	14,348	20.08%
Niagara-on-the-Lake	2,655	3.87%	2,884	4.04%
Pelham	1,299	1.89%	1,318	1.84%
Port Colborne	3,934	5.74%	4,044	5.66%
St. Catharines	19,583	28.56%	20,346	28.47%
Thorold	3,183	4.64%	3,496	4.89%
Welland	9,951	14.51%	10,209	14.29%
West Lincoln	1,072	1.56%	1,148	1.61%
Total	68,574	100%	71,455	100%

Tables 2 – Fixed Wastewater Requisition by Municipality

Municipality	Fixed Requisition			
	2018 (\$000)	2019 (\$000)	Difference	
			\$000s	%
Fort Erie	7,114	7,644	531	7.46%
Grimsby	3,123	3,431	308	9.87%
Lincoln	2,559	2,823	264	10.30%
Niagara Falls	13,930	14,594	664	4.76%
Niagara-on-the-Lake	2,639	2,934	295	11.17%
Pelham	1,294	1,341	50	3.84%
Port Colborne	3,910	4,113	203	5.19%
St. Catharines	19,462	20,695	1,233	6.33%
Thorold	3,163	3,556	393	12.42%
Welland	9,890	10,383	493	4.99%
West Lincoln	1,066	1,168	102	9.57%
Total	68,146	72,680	4,534	6.65%

**Appendix III - Wastewater Flows and Fixed Requisition By Local Area
Municipality**

Table 1 - Wastewater Flows by Municipality

Municipality	3-Year Avg. per 2018 By-law		3-Year Avg. per 2019 By-law	
	Megalitres	%	Megalitres	%
Fort Erie	7,159	10.44%	7,348	10.45%
Grimsby	3,143	4.58%	3,216	4.57%
Lincoln	2,575	3.76%	2,745	3.90%
Niagara Falls	14,018	20.44%	14,247	20.26%
Niagara-on-the-Lake	2,655	3.87%	2,864	4.07%
Pelham	1,299	1.89%	1,309	1.86%
Port Colborne	3,934	5.74%	3,944	5.61%
St. Catharines	19,583	28.56%	20,064	28.54%
Thorold	3,183	4.64%	3,420	4.86%
Welland	9,951	14.51%	10,025	14.26%
West Lincoln	1,072	1.56%	1,125	1.60%
Total	68,571	100%	70,306	100%

Tables 2 - Fixed Wastewater Requisition by Municipality

Municipality	Fixed Requisition			
	2018 (\$000)	2019 (\$000)	Difference	
			\$000s	%
Fort Erie	7,114	7,596	483	6.79%
Grimsby	3,123	3,324	202	6.45%
Lincoln	2,559	2,837	278	10.88%
Niagara Falls	13,930	14,728	798	5.73%
Niagara-on-the-Lake	2,639	2,961	322	12.20%
Pelham	1,291	1,354	63	4.84%
Port Colborne	3,910	4,077	167	4.26%
St. Catharines	19,462	20,741	1,279	6.57%
Thorold	3,163	3,536	373	11.78%
Welland	9,890	10,363	473	4.79%
West Lincoln	1,066	1,163	97	9.12%
Total	68,146	72,680	4,534	6.65%

Appendix IV - 2017 By-law Wastewater Reconciliation

Wastewater Flows (Mega Litres)		
Municipality	Pior 3-Yr Avg	2017 By-Law Period Actual Flows ¹
Fort Erie	7,171	8,225
Grimsby	3,316	3,818
Lincoln	2,524	3,027
Niagara Falls	13,715	15,933
Niagara-on-the-Lake	2,602	3,235
Pelham	1,330	1,381
Port Colborne	4,200	4,389
St. Catharines	20,509	20,809
Thorold	3,174	3,679
Welland	10,478	11,004
West Lincoln	1,077	1,214
Total	70,095	76,715

Wastewater Fixed Allocation Percentages			
Municipality	Pior 3-Yr Avg	2017 By-Law Period Actual Flows ¹	Difference
Fort Erie	10.2%	10.7%	0.5%
Grimsby	4.7%	5.0%	0.2%
Lincoln	3.6%	3.9%	0.3%
Niagara Falls	19.6%	20.8%	1.2%
Niagara-on-the-Lake	3.7%	4.2%	0.5%
Pelham	1.9%	1.8%	-0.1%
Port Colborne	6.0%	5.7%	-0.3%
St. Catharines	29.3%	27.1%	-2.1%
Thorold	4.5%	4.8%	0.3%
Welland	14.9%	14.3%	-0.6%
West Lincoln	1.5%	1.6%	0.0%
Total	100.0%	100.0%	0.0%

Wastewater Fixed Allocation charge (\$000)			
Municipality	2017 By-Law Charges ^{1,2}	Charges Based on Actual Flows ¹	Underpayment/ (Overpayment) ³
Fort Erie	\$ 6,839	\$ 7,167	\$ 328
Grimsby	3,162	3,327	165
Lincoln	2,407	2,638	231
Niagara Falls	13,079	13,884	805
Niagara-on-the-Lake	2,481	2,819	338
Pelham	1,268	1,203	(65)
Port Colborne	4,005	3,824	(181)
St. Catharines	19,559	18,132	(1,427)
Thorold	3,027	3,206	179
Welland	9,992	9,589	(404)
West Lincoln	1,027	1,058	32
Total	\$ 66,847	\$ 66,847	\$ 0

Sum of Overpayment:	(2,077)
Percentage of Requisition	3.11%

Notes:

1. 2017 By-Law period consists of the 12 month period from January 2017 to December 2017
2. Charges paid excluded payments made/rebates received for 2014 reconciliation.
3. Underpayments/(Overpayments) based on comparing 2 difference allocation methodologies (3-yr average vs. actual flows during By-law period).

Appendix V – Fixed Wastewater Requisition Including Reconciliation by Municipality Comparison

Municipality	Requisition		Reconciliation Payment / (Refund)		Total Charge (Requisition + Reconciliation)			
	2018 By Law	2019 By Law	2018 (2016 Rec.)	2019 (2017 Rec.)	2018 By Law	2019 By Law	Difference	
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	%
Fort Erie	7,114	7,644	698	328	7,812	7,972	160	2.04%
Grimsby	3,123	3,431	(294)	165	2,830	3,596	766	27.07%
Lincoln	2,559	2,823	204	231	2,762	3,053	291	10.53%
Niagara Falls	13,930	14,594	342	805	14,273	15,398	1,125	7.89%
Niagara on the Lake	2,639	2,934	76	338	2,715	3,272	557	20.52%
Pelham	1,294	1,341	85	(65)	1,375	1,276	(100)	-7.24%
Port Colborne	3,919	4,113	(544)	(181)	3,366	3,932	566	16.82%
St. Catharines	19,462	20,695	(117)	(1,427)	19,344	19,268	(77)	-0.40%
Thorold	3,163	3,556	142	179	3,305	3,735	430	13.02%
Welland	9,890	10,383	(666)	(404)	9,224	9,980	756	8.19%
West Lincoln	1,066	1,168	74	32	1,140	1,200	60	5.20%
Total	68,146	72,680	-	-	68,146	72,680	4,534	6.65%

Appendix V - Fixed Wastewater Requisition Including Reconciliation by Municipality Comparison

Municipality	Requisition		Reconciliation Payment / (Refund)		Total Charge (Requisition + Reconciliation)			
	2018 By-Law	2019 By-Law	2018 (2016 Rec.)	2019 (2017 Rec.)	2018 By-Law	2019 By-Law	Difference	
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	%
Fort Erie	7,114	7,596	698	328	7,812	7,924	112	1.43%
Grimsby	3,123	3,324	(294)	165	2,830	3,489	659	23.30%
Lincoln	2,559	2,837	204	231	2,762	3,068	306	11.07%
Niagara Falls	13,930	14,728	342	805	14,273	15,532	1,260	8.82%
Niagara-on-the-Lake	2,639	2,961	76	338	2,715	3,299	584	21.53%
Pelham	1,291	1,354	85	(65)	1,375	1,289	(87)	-6.29%
Port Colborne	3,910	4,077	(544)	(181)	3,366	3,896	530	15.74%
St. Catharines	19,462	20,741	(117)	(1,427)	19,344	19,314	(30)	-0.16%
Thorold	3,163	3,536	142	179	3,305	3,715	410	12.41%
Welland	9,890	10,363	(666)	(404)	9,224	9,960	736	7.98%
West Lincoln	1,066	1,163	74	32	1,140	1,195	55	4.78%
Total	68,146	72,680	-	-	68,146	72,680	4,534	6.65%

D_67000B

	2017 Actual	2018		2019						
		Q3 Forecast	Budget	Base Services	Base Variance	Base Variance %	Budget Total Program Changes	Total	Total Variance	Total Variance %
	Total	Total	Total							
A_40000AB Compensation	21,104,726	21,915,914	21,843,369	23,724,200	1,880,831	8.6%	-	23,724,200	1,880,831	8.6%
A_41000AB Administrative	2,330,687	1,933,599	2,969,753	2,317,200	(652,553)	(22.0%)	-	2,317,200	(652,553)	(22.0%)
A_44000AB Operational & Supply	12,284,087	12,806,984	12,440,500	12,709,326	268,825	2.2%	-	12,709,326	268,825	2.2%
A_50000AB Occupancy & Infrastructure	15,538,164	15,802,419	17,816,986	17,650,464	(166,522)	(0.9%)	-	17,650,464	(166,522)	(0.9%)
A_52000AB Equipment, Vehicles, Technology	6,332,384	6,387,262	5,450,875	6,142,880	692,005	12.7%	-	6,142,880	692,005	12.7%
A_54000AB Community Assistance	-	153	-	-	-	-	-	-	-	-
A_56000AB Partnership, Rebate, Exemption	1,523,364	16,665,352	4,015,000	4,015,000	-	-	-	4,015,000	-	-
A_58000AB Financial Expenditures	571	430	-	-	-	-	-	-	-	-
A_75100AC Transfers To Funds	49,919,051	38,017,710	37,137,710	33,967,191	(3,170,519)	(8.5%)	3,070,365	37,037,556	(100,154)	(0.3%)
A_60000AC Allocation Between Departments	1,738,573	1,789,253	1,811,823	1,823,753	11,930	0.7%	-	1,823,753	11,930	0.7%
A_60260AC Allocation Within Departments	406	(1)	-	0	0	-	-	0	0	-
Gross Expenditure Subtotal	110,772,013	115,319,076	103,486,015	102,350,013	(1,136,002)	(1.1%)	3,070,365	105,420,379	1,934,363	1.9%
A_30000AB Taxation	(108,965,230)	(112,021,023)	(111,192,202)	(113,436,612)	(2,244,410)	2.0%	(3,482,046)	(116,918,658)	(5,726,456)	5.2%
A_32400AB By-Law Charges & Sales	(1,264,501)	(1,196,923)	(1,088,600)	(1,358,200)	(269,600)	24.8%	-	(1,358,200)	(269,600)	24.8%
A_34950AB Other Revenue	(1,277,490)	(5,957,132)	(2,420,382)	(2,481,106)	(60,724)	2.5%	-	(2,481,106)	(60,724)	2.5%
A_75000AC Transfers From Funds	(13,283,675)	(11,520,980)	(2,025,000)	-	2,025,000	(100.0%)	-	-	2,025,000	(100.0%)
Gross Revenue Subtotal	(124,790,896)	(130,696,057)	(116,726,184)	(117,275,918)	(549,734)	0.5%	(3,482,046)	(120,757,964)	(4,031,780)	3.5%
Net Expenditure (revenue) before indirect allocations	(14,018,883)	(15,376,981)	(13,240,168)	(14,925,904)	(1,685,736)	12.7%	(411,681)	(15,337,585)	(2,097,417)	15.8%
A_70000AC Indirect Allocation	6,494,746	3,473,196	3,807,798	3,970,155	162,357	4.3%	411,681	4,381,836	574,038	15.1%
A_70200AC Capital Financing Allocation	7,434,439	9,411,650	9,432,370	10,955,749	1,523,379	16.2%	-	10,955,749	1,523,379	16.2%
Allocation Subtotal	13,929,185	12,884,846	13,240,168	14,925,904	1,685,736	12.7%	411,681	15,337,585	2,097,417	15.8%
Net Expenditure (revenue) after indirect allocations	(89,698)	(2,492,135)	-	0	0	-	-	0	0	-

FTE - Reg	246.6	261.6	15.0	-	261.6	15.0
FTE - Temp	6.6	4.5	(2.1)	-	4.5	(2.1)

D_67000C

	2017 Actual	2018		2019						
		Q3 Forecast	Budget	Base Services	Base Variance	Base Variance %	Budget Total Program Changes	Total	Total Variance	Total Variance %
	Total	Total	Total							
A_40000AB Compensation	6,893,686	7,068,107	7,037,532	7,882,004	844,472	12.0%	-	7,882,004	844,472	12.0%
A_41000AB Administrative	901,253	713,785	921,708	791,210	(130,498)	(14.2%)	-	791,210	(130,498)	(14.2%)
A_44000AB Operational & Supply	1,688,949	1,941,430	1,877,750	1,845,026	(32,724)	(1.7%)	-	1,845,026	(32,724)	(1.7%)
A_50000AB Occupancy & Infrastructure	5,331,271	5,467,504	5,928,138	6,011,924	83,786	1.4%	-	6,011,924	83,786	1.4%
A_52000AB Equipment, Vehicles, Technology	723,867	1,089,177	1,011,315	1,014,880	3,565	0.4%	-	1,014,880	3,565	0.4%
A_56000AB Partnership, Rebate, Exemption	20,091	15,000	15,000	15,000	-	-	-	15,000	-	-
A_58000AB Financial Expenditures	653	163	-	-	-	-	-	-	-	-
A_75100AC Transfers To Funds	19,668,620	18,414,458	18,414,458	17,646,954	(767,504)	(4.2%)	778,125	18,425,078	10,620	0.1%
A_60000AC Allocation Between Departments	572,901	603,183	598,791	605,396	6,606	1.1%	-	605,396	6,606	1.1%
A_60260AC Allocation Within Departments	3,975,392	3,809,323	4,127,410	3,899,825	(227,585)	(5.5%)	1,255	3,901,080	(226,330)	(5.5%)
Gross Expenditure Subtotal	39,776,683	39,122,131	39,932,102	39,712,219	(219,883)	(0.6%)	779,380	40,491,598	559,497	1.4%
A_30000AB Taxation	(42,118,483)	(43,875,352)	(43,046,530)	(43,312,997)	(266,467)	0.6%	(925,902)	(44,238,899)	(1,192,369)	2.8%
A_32400AB By-Law Charges & Sales	(30,642)	(12,048)	(5,000)	(5,000)	-	-	-	(5,000)	-	-
A_34950AB Other Revenue	(793,723)	(664,935)	(385,391)	(408,615)	(23,224)	6.0%	-	(408,615)	(23,224)	6.0%
A_75000AC Transfers From Funds	(806,404)	(29,108)	(25,000)	-	25,000	(100.0%)	-	-	25,000	(100.0%)
Gross Revenue Subtotal	(43,749,252)	(44,581,442)	(43,461,921)	(43,726,612)	(264,691)	0.6%	(925,902)	(44,652,514)	(1,190,593)	2.7%
Net Expenditure (revenue) before indirect allocations	(3,972,570)	(5,459,312)	(3,529,820)	(4,014,394)	(484,574)	13.7%	(146,522)	(4,160,916)	(631,097)	17.9%
A_70000AC Indirect Allocation	1,327,862	1,265,546	1,472,148	1,379,900	(92,248)	(6.3%)	146,522	1,526,422	54,274	3.7%
A_70200AC Capital Financing Allocation	1,199,301	2,067,368	2,057,672	2,634,494	576,822	28.0%	-	2,634,494	576,822	28.0%
Allocation Subtotal	2,527,163	3,332,913	3,529,820	4,014,394	484,574	13.7%	146,522	4,160,916	631,097	17.9%
Net Expenditure (revenue) after indirect allocations	(1,445,407)	(2,126,398)	-	0	0	-	-	0	0	-

FTE - Reg	75.0	83.0	8.0	-	83.0	8.0
FTE - Temp	4.0	2.0	(2.0)	-	2.0	(2.0)

D_68000C

	2017 Actual	2018		2019						
		Q3 Forecast	Budget	Base Services	Base Variance	Base Variance %	Budget Total Program Changes	Total	Total Variance	Total Variance %
	Total	Total	Total							
A_40000AB Compensation	8,824,765	9,507,209	9,396,541	10,317,875	921,334	9.8%	-	10,317,875	921,334	9.8%
A_41000AB Administrative	966,012	739,487	1,083,885	956,490	(127,395)	(11.8%)	-	956,490	(127,395)	(11.8%)
A_44000AB Operational & Supply	10,060,850	10,534,869	10,141,250	10,496,800	355,550	3.5%	-	10,496,800	355,550	3.5%
A_50000AB Occupancy & Infrastructure	9,702,889	9,841,945	11,161,848	11,283,540	121,692	1.1%	-	11,283,540	121,692	1.1%
A_52000AB Equipment, Vehicles, Technology	3,346,081	3,205,701	2,471,060	3,088,500	617,440	25.0%	-	3,088,500	617,440	25.0%
A_54000AB Community Assistance	-	153	-	-	-	-	-	-	-	-
A_56000AB Partnership, Rebate, Exemption	1,503,274	16,650,352	4,000,000	4,000,000	-	-	-	4,000,000	-	-
A_58000AB Financial Expenditures	(281)	285	-	-	-	-	-	-	-	-
A_75100AC Transfers To Funds	30,250,431	19,603,252	18,723,252	16,320,237	(2,403,015)	(12.8%)	2,292,241	18,612,478	(110,774)	(0.6%)
A_60000AC Allocation Between Departments	850,588	866,075	867,360	893,415	26,054	3.0%	-	893,415	26,054	3.0%
A_60260AC Allocation Within Departments	5,802,306	5,598,218	6,093,096	5,720,763	(372,333)	(6.1%)	1,987	5,722,749	(370,347)	(6.1%)
Gross Expenditure Subtotal	71,306,914	76,547,547	63,938,293	63,077,620	(860,673)	(1.3%)	2,294,227	65,371,847	1,433,555	2.2%
A_30000AB Taxation	(66,846,747)	(68,145,671)	(68,145,671)	(70,123,614)	(1,977,943)	2.9%	(2,556,144)	(72,679,759)	(4,534,087)	6.7%
A_32400AB By-Law Charges & Sales	(1,232,538)	(1,182,619)	(1,083,600)	(1,353,200)	(269,600)	24.9%	-	(1,353,200)	(269,600)	24.9%
A_34950AB Other Revenue	(445,507)	(5,290,971)	(2,034,991)	(2,072,491)	(37,500)	1.8%	-	(2,072,491)	(37,500)	1.8%
A_75000AC Transfers From Funds	(12,477,271)	(11,491,872)	(2,000,000)	-	2,000,000	(100.0%)	-	-	2,000,000	(100.0%)
Gross Revenue Subtotal	(81,002,063)	(86,111,132)	(73,264,262)	(73,549,305)	(285,043)	0.4%	(2,556,144)	(76,105,450)	(2,841,187)	3.9%
Net Expenditure (revenue) before indirect allocations	(9,695,150)	(9,563,585)	(9,325,970)	(10,471,685)	(1,145,715)	12.3%	(261,917)	(10,733,602)	(1,407,633)	15.1%
A_70000AC Indirect Allocation	4,836,675	1,900,180	1,997,786	2,187,747	189,961	9.5%	261,917	2,449,665	451,879	22.6%
A_70200AC Capital Financing Allocation	6,214,183	7,297,668	7,328,183	8,283,938	955,754	13.0%	-	8,283,938	955,754	13.0%
Allocation Subtotal	11,050,859	9,197,848	9,325,970	10,471,685	1,145,715	12.3%	261,917	10,733,602	1,407,633	15.1%
Net Expenditure (revenue) after indirect allocations	1,355,709	(365,737)	-	-	-	-	-	-	-	-

FTE - Reg	105.6	115.6	10.0	-	115.6	10.0
FTE - Temp	1.6	0.5	(1.1)	-	0.5	(1.1)

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-12

A BY-LAW TO SET THE REQUISITION TO BE CHARGED
FOR WATER SUPPLIED TO LOWER-TIER
MUNICIPALITIES FOR THE PERIOD JANUARY 1, 2019 TO
DECEMBER 31, 2019

WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipality may pass by-laws respecting services and things that the municipality is authorized to provide; and

WHEREAS section 390 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that the definition of a person includes a municipality; and

WHEREAS section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality is authorized to impose fees or charges on person for costs payable by it for services or activities provided or done by or on behalf of any other municipality; and

WHEREAS water supplied to the lower-tier municipalities is a service provided by The Regional Municipality of Niagara on behalf of the lower-tier municipalities within the Niagara Region.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the 2019 Water Gross Operating Budget of \$44,652,514 and Net Operating Budget of \$44,238,899 be and hereby is adopted.
2. That 75% of the Net Operating Budget, \$33,179,174 be recovered from the lower-tier municipalities based on actual metered water flows multiplied by the Region's annually set uniform water rate.
3. That the rate payable by the lower-tier municipalities for treated water supplied by the Regional Waterworks system shall be established at \$0.580 for every cubic meter supplied to each lower-tier municipality for the period January 1, 2019 to December 31, 2019.
4. That 25% of the Net Operating Budget, \$11,059,725 be apportioned to the lower-tier municipalities based on their proportionate share of the Region's total three year average historical flows.

5. That the lower-tier municipalities be requisitioned during the period January 1, 2019 to December 31, 2018 as follows:

Fixed Water Requisition for 2019 Net Budget			
Municipality	3-Year Avg. (%)	Allocation (\$)	Monthly (\$)
Fort Erie	8.06%	\$891,561	\$74,297
Grimsby	5.60%	\$619,814	\$51,651
Lincoln	3.98%	\$440,441	\$36,703
Niagara Falls	26.53%	\$2,934,620	\$244,552
Niagara-on-the-Lake	5.41%	\$598,784	\$49,899
Pelham	2.18%	\$240,909	\$20,076
Port Colborne	5.32%	\$588,466	\$49,039
St. Catharines	26.41%	\$2,920,423	\$243,369
Thorold	3.57%	\$395,051	\$32,921
Welland	11.44%	\$1,265,722	\$105,477
West Lincoln	1.48%	\$163,933	\$13,661
Total	100.00%	\$11,059,725	\$921,644

6. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing February 15, 2019 for the monthly requisition. Such monthly invoices shall continue thereafter until the December monthly requisition has been invoiced. Each lower-tier municipality shall remit the amount of each such invoice to the Treasurer of the Regional Corporation on or before the last business day of the month in which such invoice is submitted.
7. That in the event of default of payment of any monies payable under this by-law by a lower-tier municipality, interest at the rate of 15 percent per annum shall be added to the amount in arrears from the date of default until the date of payment thereof.
8. That this by-law shall come into force and effect on January 1, 2019.

THE REGIONAL MUNICIPALITY OF NIAGARA


James Bradley, Regional Chair


Ann-Marie Norio, Regional Clerk

Passed: February 14, 2019

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-13

A BY-LAW TO SET THE REQUISITIONS TO BE CHARGED
FOR WASTEWATER RECEIVED FROM LOWER-TIER
MUNICIPALITIES FOR THE PERIOD JANUARY 1, 2019 TO
DECEMBER 31, 2019

WHEREAS section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, provides that a municipality may pass by-laws respecting services and things that the municipality is authorized to provide; and

WHEREAS section 390 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that the definition of a person includes a municipality; and

WHEREAS section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipality is authorized to impose fees or charges on person for costs payable by it for services or activities provided or done by or on behalf of any other municipality; and

WHEREAS wastewater received from the lower-tier municipalities is a service provided by The Regional Municipality of Niagara on behalf of the lower-tier municipalities within the Niagara Region; and

WHEREAS the Council of the Regional Municipality of Niagara passed By-law No. 119-2011 which indicated that, consistent with the wastewater reconciliation methodology described in PWA 87-2011, a reconciliation adjustment will commence with the 2013 Budget.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the 2019 Wastewater Gross Operating Budget of \$76,105,449 and Net Operating Budget of \$72,679,758 be and hereby is adopted.
2. That the 2019 budgeted net wastewater operating budget be apportioned to the lower-tier municipalities based on their proportionate share of the Region's total three year average historical wastewater flows.
3. That the 2019 wastewater monthly bills also include reconciliation of the 2017 net requisition allocated based on actual wastewater flows versus the estimate flows.

4. That the lower-tier municipalities be requisitioned during the period January 1, 2019 to December 31, 2019 as follows:

Wastewater Requisition (2019 Net Budget + 2017 Reconciliation)				
Municipality	2019 Total Requisition			Monthly Payment
	2019 Net Budget Allocation	2017 Reconciliation	Total	
Fort Erie	\$7,596,338	\$327,701	\$7,924,039	\$660,336.60
Grimsby	3,324,124	165,037	3,489,160	290,763.37
Lincoln	2,837,406	230,524	3,067,930	255,660.83
Niagara Falls	14,727,578	804,814	15,532,392	1,294,365.99
Niagara-on-the-Lake	2,960,936	337,962	3,298,898	274,908.17
Pelham	1,353,523	(64,988)	1,288,535	107,377.88
Port Colborne	4,076,742	(180,933)	3,895,809	324,650.73
St. Catharines	20,740,949	(1,426,851)	19,314,099	1,609,508.23
Thorold	3,535,506	179,016	3,714,522	309,543.51
Welland	10,363,446	(403,812)	9,959,635	829,969.58
West Lincoln	1,163,210	31,529	1,194,739	99,561.62
Total	\$72,679,758	\$0	\$72,679,758	\$6,056,646.50

5. That the Treasurer of the Regional Corporation shall submit similar invoices on or before the 15th day of each month commencing February 15, 2019 for the monthly requisition. Such monthly invoices shall continue thereafter until December monthly requisition has been invoiced. Each lower-tier municipality shall remit the amount on each such invoice to the Treasurer of the Regional Corporation on or before the last business day of the month in which such invoice is submitted.
6. That in the event of default of payment of any monies payable under this by-law by a lower-tier municipality, interest at the rate of 15 percent per annum shall be added to the amount in arrears from the date of default until the date of payment thereof.
7. That this by-law shall come into force and effect on January 1, 2019.

THE REGIONAL MUNICIPALITY OF NIAGARA


James Bradley, Regional Chair


Ann-Marie Norio, Regional Clerk

Passed: February 14, 2019

March 4, 2019

CL 6-2019, February 28, 2019
PEDC 2-2019, February 20, 2019
PDS 2-2019, February 20, 2019

LOCAL AREA MUNICIPALITIES

NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)

NIAGARA HOME BUILDERS ASSOCIATION

SENT ELECTRONICALLY

Environmental Planning Function Overview

PDS 2-2019

Regional Council, at its meeting held on February 28, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 2-2019, dated February 20, 2019, respecting Environmental Planning Function Overview, **BE RECEIVED**; and
2. That a copy of Report PDS 2-2019 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Home Builders Association.

A copy of PDS 2-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

:jg

CLK-C 2019-057

cc: J. Whittard Manager, Environmental Planning, Planning and Development Services
N. Oakes Executive Assistant to the Commissioner, Planning and Development Services
R. Mostacci Commissioner, Planning and Development Services

Subject: Environmental Planning Function Overview

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 20, 2019

Recommendations

1. That Report PDS 2-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 2-2019 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Home Builders Association.

Key Facts

- The purpose of this report is to outline the roles and responsibilities of the Region for the delivery of environmental planning services versus those of the NPCA.
- The Region is responsible for review of planning applications, secondary plans, and studies to ensure compliance with Regional Official Plan and Provincial policies related to the natural environment.
- As per the Protocol for Planning Services between the Regional Municipality of Niagara (the Region) and the Niagara Peninsula Conservation Authority (NPCA) (first approved in 2008 and updated in 2011, 2014 and 2018), the NPCA assumed responsibility for environmental planning reviews on the Region's behalf until 2018, after which the NPCA returned the responsibility to the Region.
- The NPCA continues to be responsible for review of planning applications in NPCA-regulated areas in accordance with the Conservation Authorities Act and Ontario Regulation 155/06, as well as interpretation and enforcement of the Niagara Region Tree and Forest Conservation Bylaw.

Financial Considerations

Financial costs resulting from the Region resuming responsibility for review of natural environmental matters can be accommodated through the proposed 2019 Operating Budget. The proposed budget includes a Regional fee for environmental review of planning applications taking effect in April 2019.

Analysis

Background

In 2007, the Niagara Region, Local Area Municipalities, and NPCA signed a Memorandum of Understanding (MOU) which transferred to the NPCA the responsibility for review of all planning applications (e.g., Draft Plans of Subdivision or Condominium, Official Plan or Zoning Bylaw Amendments, Consents/Boundary Adjustments, etc.) with respect to natural heritage interests and stormwater management. As outlined in the MOU and subsequent *Protocol for Planning Services between the Region and the NPCA* (2008), the NPCA agreed to ensure applications were compliant with all Regional Official Plan and relevant Provincial policies related to the natural environment. This transfer of review responsibility from the Region to the NPCA was premised on a consolidated 'one window' approach since the NPCA is also involved in planning application reviews pursuant to the *Conservation Authorities Act* and Ontario Regulation 155/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Funding was provided to the NPCA to support this increased role.

In September 2017, the NPCA informed Niagara Region that it would no longer take on the responsibility for planning application and stormwater management reviews from a Regional and Provincial natural heritage perspective. The *Protocol for Planning Services between the Region and the NPCA* was updated to reflect this change in consultation with the Local Area Municipalities Working Group (Area Planners) and the Niagara Home Builders Association. The Updated Protocol was approved by Council in January 2018 (Appendix 1) and a transition plan was implemented, including the use of consulting services until operationalization of the Regional Environmental Planning team in mid- 2018.

Key Policy Considerations

The 2014 Provincial Policy Statement (PPS) contains overall policy direction for the protection and management of natural heritage and water resources, as well as other Provincial interests. The Growth Plan for the Greater Golden Horseshoe (2017), together with the Greenbelt Plan (2017) and the Niagara Escarpment Plan (2017), builds on the PPS to identify where future growth should occur and what must be protected. Through Official Plans, Zoning Bylaws and other tools, Niagara Region and its Local Area Municipalities are responsible for ensuring local planning decisions are consistent with all Provincial and Regional policies.

According to Provincial and Regional policies, development or site alteration is not permitted within features referred to in the Regional Official Plan as Environmental Protection Areas (EPA). Subject to the findings of an Environmental Impact Study (EIS), development or site alteration is permitted on lands adjacent to EPAs and within or

adjacent to features referred to in the Regional Official Plan as Environmental Conservation Areas (ECA).

The Core Natural Heritage System (NHS) in Niagara Region consists of EPA and ECA features, plus the Water Resources System and potential natural heritage corridors connecting these features. The Core NHS is generally shown on Regional Official Plan Schedule C and internal Geographic Information Systems (GIS) mapping. However, the boundaries may be defined more precisely, or additional areas identified, through an EIS or other studies required through the planning process.

EIS Guidelines

The Region's EIS Guidelines (PDS 8-2018) outline the EIS process, requirements, and criteria by which the EIS requirements may be waived for small scale developments. Administrative updates are planned to reflect changing Provincial legislation, and provide clarifications and additional checklists. It is anticipated that the updated guidelines will be circulated to the Planning and Economic Development Committee for information purposes in mid-2019.

Niagara Region Roles and Responsibilities

As per the Protocol (Appendix 1), the Region is responsible for review of planning applications and technical clearance services related to the above-listed EPA and ECA natural heritage features. In addition, the Region is also responsible for water resources, including the protection of both groundwater and surface water features, sensitive areas, and stormwater management. Generally, the Region's Environmental Planning team involvement in planning applications includes:

- Participation in pre-consultation meetings as required, including identification of EIS triggers or alternatives to reduce EIS or other study requirements;
- Site visit(s), EIS scoping and Terms of Reference approval;
- Review and comment on EIS/EIS Addendums; and
- Clearance of conditions.

Regional Official Plan policies currently state that within Settlement Areas (urban boundaries), the local municipality must be satisfied with the EIS, in consultation with the Region and NPCA. Outside Settlement Areas, the Region must be satisfied with the EIS, in consultation with the local municipality and NPCA.

With respect to Species at Risk (SAR) (i.e., endangered or threatened species), Regional staff currently require sign-off on the development application from the Ministry of Natural Resources and Forestry (MNRF) when the EIS identifies the potential for impacts to SAR habitat.

Stormwater management responsibilities (Appendix 1) are currently conducted through Infrastructure Planning and Development Engineering within the Planning and Development Services Department.

NPCA Roles and Responsibilities

As per the 2001 MOU between Conservation Ontario, the Ministry of Natural Resources and Forestry (formerly the Ministry of Natural Resources), and the Ministry of Municipal Affairs and Housing, the NPCA continues to be responsible for Provincial policy interests related to natural hazards as outlined in Section 3.1 of the PPS. In addition, the NPCA is also responsible for planning application, policy and technical clearance reviews related to regulated watercourses and wetlands in accordance with the *Conservation Authorities Act* and Ontario Regulation 155/06.

The NPCA Policy Document (November 2018) provides the policies for administration of NPCA's mandate under Ontario Regulation 155/06 and its delegated roles and responsibilities within the planning and approvals process.

NPCA planning application review responsibilities overlap with those of the Region when development or site alteration is proposed within or adjacent to wetlands, or when a natural heritage feature is also regulated by the NPCA (e.g., significant valleylands that provide wildlife habitat and linkage functions are also susceptible to erosion and flooding, a regulated watercourse provides fish habitat, etc.). Where there may be policy conflicts between the Regional Official Plan and the NPCA Regulation and/or Board adopted policies, currently the NPCA Regulation takes precedence.

Niagara Region Tree and Forest Conservation Bylaw

The NPCA has administered and enforced the Niagara Region Tree and Forest Conservation Bylaw on the Region's behalf since August 1, 2008. The Bylaw currently requires that a Good Forestry Practices permit be obtained prior to any commercial tree harvesting or non-commercial removals in EPAs or designated Natural Areas under the Niagara Escarpment Plan. Its overarching purpose is to prohibit the clearing of woodland, with the following key exceptions:

- To remove dead or hazard trees;
- To remove diseased trees as per a Forest Management Plan;
- For municipal purposes, by a municipality;
- For agricultural purposes, with conditions;
- In accordance with a Tree Saving Plan approved as part of a development project; or
- Where a building permit has been issued by a local municipality.

The Bylaw was last updated in 2008. As such, updates are planned to reflect changing Provincial legislation, better align the Bylaw with current Niagara Region Official Plan policies, and provide enhanced processes for administration and enforcement. It is anticipated that the Bylaw will be updated through a public consultation process, inclusive of Local Area Municipality representatives and agency stakeholders. It is anticipated that an information report regarding the proposed Bylaw update program will be presented to Planning and Economic Development Committee by mid-2019.

Alternatives Reviewed

Delivery of environmental planning services is obligatory pursuant to the *Ontario Planning Act* (1990), Provincial Policy Statement (2014) and other legislation. No alternatives were reviewed as this is report is for information purposes only.

Relationship to Council Strategic Priorities

Doing Business Differently was a strategic priority of Regional Council. Updates to the Protocol will improve the delivery of planning services across the region and provide more certainty and clarity for current and future property owners and investors.

Other Pertinent Reports

- PDS 8-2018 – Environmental Impact Study Guidelines – Administrative Update (March 7, 2018)
- PDS 2-2018 – Protocol for Planning Services Between the Regional Municipality of Niagara (The Region) and the Niagara Peninsula Conservation Authority (January 10, 2018)
- PDS 49-2017 – MOU Planning Services in Niagara (November 8, 2017)

Prepared by:

Jennifer Whittard, B.E.S., PMP
Manager, Environmental Planning
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng
Acting Chief Administrative Officer

This report was reviewed by Diana Morreale, MCIP, RPP, Director, Development Approvals, Adèle Labbé, B.Sc., MPlan, Senior Environmental Planner, and Sean Norman, PMP, MCIP, RPP, Senior Planner.

Appendices

Appendix 1 Protocol for Planning Services Between the Regional Municipality of Niagara (The Region) and the Niagara Peninsula Conservation Authority (January 2018)

Protocol

For Planning Services

Between

the Regional Municipality of Niagara (The Region)

And

the Niagara Peninsula Conservation Authority (NPCA)

January 2018

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Appendix A - Excerpt from the 2001 Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility

Appendix B - Excerpt from the Provincial Policy Statement 2014 – Conservation Responsibility for Natural Hazards

Appendix C - Excerpt from the Ontario Regulation 155/06 Niagara Peninsula Conservation Authority: Regulation of Development, Interface with Wetlands and Alterations to Shorelines and Watercourses

1.0 Basis

In 2007, the Niagara Region, local area municipalities and NPCA signed a Memorandum of Understanding (“MOU”) for improving the planning function in Niagara with the ultimate goal of having “*an integrated and seamless planning system that is embraced and easily understood by Councils, the public, applicants and staff that encourages participation in policy development and application processing.*”

Part 3 of the MOU - *Consolidation of the Review of Planning Applications as they Relate to the Natural Environment* - assigned to the NPCA certain responsibilities as part of its review of development applications¹ and proposed policy, and providing technical clearance services with respect to compliance with the Regional Official Plan and Provincial Policies and Plans. Specifics of this assignment of function were detailed in the *Protocol for Plan Review and Technical Clearance* (“Protocol”) between the Region and NPCA, which was approved in 2008.

The MOU was reviewed and revised in 2011 and again in 2014. The Protocol has not been updated since its inception in 2008.

The MOU and Protocol have succeeded in managing relationships, reducing duplication and effecting continuous improvements. Since that time changes have occurred in Niagara in terms of legislation, relationships, resources, and growth that have impacted the established roles and responsibilities, particularly with respect to the review of environmental matters.

Through this revised Protocol, the NPCA and the Region will establish a new framework within which the NPCA will provide specified updated services to the Region.

This 2018 Protocol is intended to replace in its entirety the 2008 Protocol. Subsequent to the approval of the 2018 Protocol, the MOU will be updated to incorporate the approved revised functions and other aspects of the planning program in Niagara Region.

This Protocol has been prepared for the Niagara Region and NPCA by an Area Planners MOU Working Group consisting of senior representatives from Niagara Region, NPCA and local municipalities.

2.0 Purpose

The purpose of this Protocol is to:

- Redefine, clarify and set out a new Protocol within which the NPCA will provide specified planning application, policy and technical review services to the Region;
- Identify the respective roles and responsibilities of the NPCA and the Region in Ontario’s Land Use Planning System with respect to environmental matters;
- Provide direction for consistent and streamlined circulation and review procedures for all applications under the *Planning Act*, *Environmental Assessment Act*, and *Niagara Escarpment Planning and Development Act*;
- Reinforce the positive relationship between the NPCA and the Region;
- Allow the NPCA and Region to focus on provincially mandated responsibilities, and
- Provide increased decision making autonomy.

¹ Including Planning Act, Niagara Escarpment and Development Act applications, and Environmental Assessments

3.0 Definitions

3.1 Planning Application Review means:

- The review of planning applications (including formal preconsultation) under the *Planning Act, the Niagara Escarpment Planning, and Development Act and the Environmental Assessment Act*;
- The identification of the need for and review of related technical reports (including scoping); and
- The identification of conditions of approval.

3.2 Policy Review means:

- The review of existing or new policy documents, including but not limited to stormwater management guidelines, watershed studies, secondary plans and background studies; and
- The identification of the need for and review of related technical reports.

3.3 Technical Clearance Review means:

- The assessment of technical reports submitted by a proponent of development to determine if the reports satisfy the specified requirements; and
- The clearing of conditions.

3.4 Lead Agency means:

- The organization responsible for the principal review of an environmental feature located within or in proximity to land subject to a planning application to ensure compliance and conformity with all applicable legislation and regulations; and
- The organization responsible for the principal review of proposed policies, studies, guidelines or Environmental Assessments as they relate to environmental features to ensure compliance and conformity with all applicable legislation and regulations.

3.5 Environment Feature means:

- All of the environmental features identified in the first column of Table 1 of this Protocol.

3.6 Natural Hazards means:

- Those environmental features identified in Table 1 of this Protocol as natural hazards and/or identified in the 2014 Provincial Policy Statement Section 3.1.

4.0 Principles

This Protocol is based upon the following principles:

1. Adoption of improvements to the planning application processes which results in streamlining and consistency.
2. Direction that interpreting policy is the responsibility of the organization writing and approving that policy unless delegated by the approving authority.
3. Continuing cooperation between the NPCA and the Region.
4. Effective communication and collaboration.
5. Effective, proactive planning².
6. Effective leveraging of resources to deliver planning application, policy and technical clearance reviews.
7. Eliminate overlap in planning application review processes to the extent possible.

5.0 Jurisdiction

This Protocol applies to those lands within the Regional Municipality of Niagara.

² Proactive planning refers to preparing new or updating existing comprehensive studies and guidelines that assist in the early identification of issues and the need for additional study, and include, but are not limited to, watershed and sub-watershed planning, stormwater guidelines, master servicing plans, updates to Schedule C of the Regional Official Plan, etc.

6.0 Roles and Responsibilities

6.1 NPCA

- 6.1.1 The NPCA, through the *Memorandum of Understanding between Conservation Ontario, the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources and Forestry*, is responsible for providing the Provincial interest comments on policy documents and development applications related to natural hazards (Section 3.1 of the Provincial Policy Statement except Section 3.1.8). See Appendices A and B. Specifically, the NPCA will provide planning application, policy and technical clearance reviews to ensure consistency with the Provincial Policy Statement related to flooding hazards, erosion hazards, dynamic beach hazards, unstable soils and unstable bedrock. This function is not impacted by this Protocol.
- 6.1.2 The NPCA has legislated responsibilities under the *Conservation Authorities Act* (see Appendix C) and will continue to provide planning application and technical clearance reviews pursuant to the NPCA Regulation, as administered through Board approved policies. This function is not impacted by this Protocol.
- 6.1.3 The NPCA will provide the services as identified in Table 1, Table 2 and Table 3.
- 6.1.4 The NPCA will review Region-initiated studies and projects, pursuant to the NPCA Regulation, as administered through Board approved policies, and to the Memorandum of Understanding between the Province and the Conservation Authorities, as a commenting agency without fee to the Region.
- 6.1.5 The NPCA will provide comments on Environmental Assessments pursuant to the NPCA Regulation, as administered through Board approved policies, and pursuant to the Memorandum of Understanding between the Province and the Conservation Authorities.
- 6.1.6 The NPCA will actively participate in formal pre-consultation meetings with developers and landowners when environmental features identified in Table 1 (when the NPCA is the Lead Agency) have potential to be impacted. To help ensure a consistent planning application review and a coordinated message, the NPCA and Region, together with the local municipality, will participate in pre-consultation meetings at the same time with the proponents. The NPCA will work to scope the complete application requirements related to environmental matters prior to the preconsultation meeting. Should the NPCA determine that no environmental features (where the NPCA is identified as the Lead Agency as shown in Table 1) will be impacted, the NPCA will notify the approving authority and may not attend the pre-consultation meeting.
- 6.1.7 The NPCA will scope Environment Impact Studies (EIS) and review the Terms of Reference (ToR) for EIS and similar reports to ensure *natural hazards* and NPCA Regulation/Policy are addressed.
- 6.1.8 Where the NPCA is identified as the Lead Agency on Table 1, the NPCA will provide Technical Clearance on the EIS with respect to those environmental features only.
- 6.1.9 The NPCA will copy the Region on all responses to requests for comment on development planning, technical clearance and policy matters.
- 6.1.10 Nothing in this Protocol shall limit the NPCA from independently appealing a decision or lack of a decision to the Ontario Municipal Board (OMB) or other tribunal. The NPCA will provide notice of an appeal to the Region and local municipality at the time of appeal.
- 6.1.11 The NPCA will provide the Region with its Regulatory Screening Map and provide regular updates.

6.2 Niagara Region

- 6.2.1 The Region will provide planning application review and technical clearance services as identified in Tables 1, 2 and 3, to ensure consistency with the Regional Official Plan, Provincial Policies, Provincial Plans, the Provincial Policy Statement (except Section 3.1 Natural Hazards policies 3.1.1 to 3.1.7), and matters of Provincial Interest.
- 6.2.2 The Region shall circulate to the NPCA for planning application review and/or technical clearance, all Regionally led planning applications, studies or Environmental Assessments that are located in or adjacent to a NPCA property or within a regulated feature/area.
- 6.2.3 The Region in its review of *Planning Act* and *Escarpment Planning and Development Act* applications and *Environmental Assessments* will comment on stormwater management, as identified in Table 3, in accordance with MOECC Stormwater Management Guidelines as well as the NPCA Stormwater Management Guidelines until such time as new stormwater management guidelines are approved by the Region.
- 6.2.4 The Region will review NPCA-initiated studies and projects without fee to the NPCA.
- 6.2.5 The Region will actively participate in formal preconsultation meetings with developers and landowners. To help ensure a consistent planning application review and a coordinated message, the NPCA and Region, together with the local municipality, will participate in preconsultation at the same time with the proponents.
- 6.2.6 Prior to a formal pre-consultation meeting, the Region will work to scope the complete application requirements related to environmental features by identifying environmental features that will be need to be addressed in an Environment Impact Study³ (EIS). Where the NPCA, Region and/or local municipality have identified interests, the Lead Agency (see Table 2) will consult with those parties on the review of the EIS Terms of Reference.
- 6.2.7 Where the Region is identified as the Lead Agency on Table 1, the Region will provide Technical Clearance on EIS with respect to those environmental features.
- 6.2.8 Nothing in this Protocol shall limit the Niagara Region from independently appealing a decision or lack of a decision to the Ontario Municipal Board (OMB) or other tribunal.
- 6.2.9 The Region will be responsible for preparation and maintenance of a comprehensive natural environment screening map, incorporating the NPCA Regulatory screening map as provided and updated by the NPCA.

7.0 Coordination of Environmental Comments on Development Applications

The MOU, as may be revised, gives overall directions for the coordination of development applications, policy and Environmental Assessments review. For the purposes of clarity with respect to environmental features, the NPCA will review the following list of applications in accordance with the Conservation Ontario MOU with the Province and ensure that they are consistent with the NPCA Regulation, NPCA Board adopted Policies and Section 3.1. Natural Hazards of the Provincial Policy Statement (except Section 3.1.8). This may include providing comments directly to MMAH as part of the provincial one window process. The NPCA will copy the Region and local municipality on all correspondence.

- Regional Official Plan and Amendments
- Local Official Plans and Amendments

³ Includes characterisation reports, natural heritage systems reports and other environmental reports.

- Zoning By-laws and Amendments
- Subdivisions/Condominiums
- Environmental Assessments
- Other Development Applications including: Site Plan, Consents, Minor Variances and NEC Development Permits

8.0 Protocol Terms and Implementation

The Region and NPCA agree to the following:

8.1 Monitoring and Cancellation

This Protocol will be reviewed and amended concurrent with the Memorandum of Understanding between the local municipalities, NPCA and Region to:

- Reflect any changing policies or programs at the provincial, watershed, or regional level, and
- Assess its effectiveness, relevance and appropriateness with respect to the affected parties.

8.2 Transition of Responsibilities

When a complete⁴ development application, Notice of Commencement for an Environmental Assessment (EA) or major study (such as a Secondary Plan) has been received by the NPCA from a local area municipality or the Region prior to the effective date of this Protocol, the NPCA will continue to review the application consistent with the NPCA's roles and responsibilities identified in the 2008 Protocol in accordance with a matrix of open files to be prepared by the Region and NPCA, after which the files will transition to the 2018 Protocol provisions and the Region will assume responsibility.

In an effort to continue the timely reviews of development applications, EAs and major studies during the transition period, the NPCA may support the Region by providing expertise as needed on a fee for service basis; alternatively the Region may hire consultants as necessary.

8.3 Overlapping Mandate

There will be occasions when the responsibilities of the NPCA and the Region overlap. On those occasions, both parties shall work together to provide consistent and sound comments. This will be accomplished by maintaining open dialogue and a good working relationship.

8.4 Conflict

- a) Where this Protocol is in conflict with the 2014 MOU, this Protocol will take precedence.
- b) Where there is conflict between new (changing) legislation and this Protocol, new legislation will take precedence.
- c) Subject to paragraph (d) below, where there is a conflict between the Region's Official Plan, the NPCA Regulation and/or Board adopted policies, the Regulation shall take precedence.

⁴ As determined by the approving authority generally as identified through pre-consultation and shown on the Pre-consultation Form/Letter.

- d) Where there are policy conflicts only, Regional, NPCA and local municipal staffs will work together to resolve the issue. If all efforts fail to resolve a policy conflict, a decision will be made by the approval authority, as per Table 2.

8.5 Streamlining

Further streamlining of the planning review process, as it relates to Provincial, NPCA and regional/local interests, is encouraged.

8.6 Information Sharing / Open Data

Any information or data sources generated by the Province, NPCA or Region, or generated through municipal or watershed studies will be shared, where possible.

8.7 Fees

- a) The Region will collect the NPCA Fee for applications to amend the Region’s Official Plan and remit any fees collected upon circulation of the application to the NPCA; fees for planning review and technical clearance services will be set by the NPCA;
- b) The NPCA will be responsible for collecting any further processing, approvals and/or Final Clearance Fees, if required; and,
- c) The NPCA will provide the Region and the local municipalities with an approved schedule of fees and updates.

8.8 Effective Date

This Protocol will take effect on the last date signed by the parties to this Protocol.

Date of Regional Council approval _____.

Date of NPCA Board approval _____.

Table 1: Responsibilities for Planning Application Review with Respect to Environmental Features

Environmental Features	Lead Agency	Mandate Authority	Planning Application and Policy Review Agency
Natural Hazards ⁵			
Flooding Hazards, Floodways and Floodplains	NPCA	PPS Section 3.1, MOU with Province, O. Reg. 155/06	NPCA
Dynamic Beach and Erosion Hazards	NPCA	PPS Section 3.1, MOU with Province, O. Reg. 155/06	NPCA
Hazardous Lands and Hazardous Sites	NPCA	PPS Section 3.1, MOU with Province, O. Reg. 155/06	NPCA
Riverine Hazards	NPCA	PPS Section 3.1, MOU with Province, O. Reg. 155/06	NPCA
Regulated Watercourses	NPCA	PPS Section 3.1, MOU with Province, O. Reg. 155/06	NPCA
Wildland Fires	Region	PPS Section 3.1.8	Region
Natural Heritage			
Wetlands	NPCA/Region	O. Reg. 155/06 PPS Section 2.1, ROP	NPCA/Region
Habitat of Endangered and Threatened Species	MNRF	Endangered Species Act (Federal and Provincial), ROP	Region
Significant Woodlands	Region	PPS Section 2.1, ROP	Region
Significant Wildlife Habitat	Region	PPS Section 2.1, ROP	Region

⁵ For the purposes of this document reference to PPS Section 3.1 includes Policies 3.1.1 to 3.1.7 only.

Environmental Features	Lead Agency	Mandate Authority	Planning Application and Policy Review Agency
Significant Valleylands	Region	PPS Section 2.1, ROP	Region
Significant ANSIs (life and earth)	Region	PPS Section 2.1, ROP	Region
Fish Habitat	DFO	Fisheries Act, PPS Section 2.1, ROP	Region
Water Resource			
Vulnerable Groundwater Areas	Region	PPS Section 2.2, ROP	Region
Groundwater Features	Region	PPS Section 2.2, ROP	Region
Stormwater Management	Region	PPS Section 2.2, ROP	Region / Local
Key Hydrologic Features	Region	Provincial Plans, ROP	Region
Sensitive Water Features	Region	PPS Section 2.2, ROP	Region
Significant Groundwater Recharge Areas	Region	Provincial Plans, ROP	Region
Significant Surface Water Contribution Areas	Region	Provincial Plans, ROP	Region
Intake Protection Zones/Vulnerable Surface Water Features	Local	Clean Water Act 2006 PPS Section 2.2, ROP	Region /Local

Acronyms from Table 1

DFO – Depart of Fisheries and Oceans

NEC – Niagara Escarpment Commission

O. Reg. 155/06 - Provincial Legislation with respect to the Niagara Peninsula Conservation Authority: Regulation of Development with wetlands and Alteration to Shorelines and Watercourses.

PPS - Provincial Policy Statement 2014

ROP – Regional Official Plan

Table 2: Implementation Responsibilities

Processes / Reports / Submissions	Lead Agency	Responsibility for Final Approval
Application Processes		
Regional Official Plan/Amendments	Region	Region
Local Official Plan/Amendments	Local	Local / Region ⁶
Zoning By-Law/Amendments	Local	Local
Draft Plans of Subdivision	Local	Local
Site Plan	Local	Local
Draft Plan of Condominium	Local	Local
Minor Variance/Permissions	Local	Local
Consent/Boundary Adjustments	Local	Local
NEC Applications	NEC	NEC
Building Permits	Local	Local
Aggregate Licence	Local / Region / MNRF	MNRF
Environmental Assessments	Local / Region / Province	Local / Region / Province
Reports / Studies		
EIS in a NPCA Regulated Area	NPCA	NPCA
EIS outside Settlement Area ⁷	Region	Region
EIS inside Settlement Area ⁸	Local	Local
Watershed Studies	Region	Region
Subwatershed Studies	Local	Local
Technical Reports for Natural Hazard Identification	NPCA	NPCA
Regional Master Servicing Plans	Region	Region
Regional Stormwater Guidelines	Region	Region

Notes for Table 2:

- (i) The responsibility for the Review of Environmental Features is as noted in Table 1
- (ii) The responsibility for Technical Clearance of Environmental Features is as noted in Table 1

⁶ Regional Official Plan Policies 14.E.7 and 14.E.8 identify criteria under which approval of Local Official Plan Amendment amendments may be delegated to the local Council for approval.

⁷ Notwithstanding the EIS is outside the Settlement Area, if the EIS includes a NPCA Regulated Area, the NPCA shall be the Lead and responsible for Final Approval of the EIS for the regulated features.

⁸ Notwithstanding the EIS is within the Settlement Area, if the EIS includes a NPCA Regulated Area, the NPCA shall be the Lead and responsible for Final Approval of the EIS for the regulated features.

Table 3: Responsibilities for Stormwater Management Review with Respect to Area of Interest

Area of Interest	NPCA	Region	MOECC	Local
Determination of need for Stormwater Report – Quality and Quantity		✓		✓
Review of Stormwater Report		✓	✓	✓
Location of Facility with Respect to Vision of Area				✓
Location of Facility with Respect to Natural Hazards	✓			
Location of Facility with Respect to Functionality		*		✓
Confirmation of Drainage Areas		*		✓
Sizing of Facility with Respect to Quality, Erosion and Quantity Controls, including Release Rates and Settling Calculations		✓		✓
Other Potential Impacts on Receiving Watercourse (e.g. thermal, water balance, etc)		✓		
Outlet Structure and Spillway Design		✓	✓	✓
Outlet to Watercourse (if necessary)	✓		✓	
Safety – Side Slopes, Grating, Grading, Emergency Access		✓		✓
Landscaping/Re-vegetation				✓
Long Term Maintenance			✓	✓
Major and Minor Flow Conveyance (internal to subdivision)				✓
Hydraulic Gradeline Analysis of Storm Sewer and Outlet				✓

*The Region will be involved in instances where the drainage of a Regional Road may be impacted.

Appendix A - Excerpt from the Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility

Conservation Ontario, Ministry of Natural Resources & Ministry of Municipal Affairs and Housing

Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility

2001

Purpose of the MOU

The MOU defines the roles and relationships between Conservation Authorities (CAs), the Ministry of Natural Resources (MNR), and the Ministry of Municipal Affairs and housing (MMAH) in planning for implementation of CA delegated responsibilities under the Provincial One Window Planning System...

Roles and Responsibilities

Conservation Authorities (CAs)

- a) The CAs will review policy documents and development proposals processed under the Planning Act to ensure that the application has appropriate regard to Section 3.1 of the PPS. [see Appendix C]
- b) Upon request from MMAH, CAs will provide comments directly to MMAH on planning matters related to Section 3.1 of the PPS as part of the provincial one window review process.
- c) Where there may be a potential conflict regarding a Conservation Authority's comments on a planning application with respect to Section 3.1 of the PPS and comments from provincial ministries regarding other Sections of the PPS, the Ministry of Municipal Affairs and Housing will facilitate discussions amongst the affected ministries and the Conservation Authority so that a single integrated position can be reached.
- d) CAs will apprise MMAH of planning matters where there is an issue as to whether there has been "regard to" Section 3.1 of the PPS to determine whether or not direct involvement by the province is required.
- e) Where appropriate, CAs will initiate an appeal to the OMB to address planning matters where there is an issue as to whether there has been "regard to" Section 3.1 of the PPS is at issue. CAs may request MMAH to support the appeal.
- f) CAs will participate in provincial review of applications for Special Policy Area approval.
- g) CAs will work with MMAH, to develop screening and streamlining procedures that eliminate unnecessary delays and duplication of effort.

Appendix B - Excerpt from the Provincial Policy Statement 2014 – Conservation Responsibility for Natural Hazards

3.1 Natural Hazards

3.1.1 Development shall generally be directed to areas outside of:

- a. hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
- b. hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
- c. hazardous sites.

3.1.2 *Development and site alteration* shall not be permitted within:

- a. the dynamic beach hazard;
- b. defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c. areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
- d. a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, *development and site alteration* may be permitted in certain areas associated with the *flooding hazard along river, stream and small inland lake systems*:

- a. in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or
- b. where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a. an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b. an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c. uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a. development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c. new hazards are not created and existing hazards are not aggravated; and
- d. no adverse environmental impacts will result.⁹

3.1.8 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.¹⁰

⁹ Policy 3.1.7 of the PPS was added to the PPS in 2014, and was not part of the Memorandum of Understanding on Procedure to Address Conservation Authority Delegated Responsibility in 2001 between Conservation Ontario, Ministry of Natural Resources & Ministry of Municipal Affairs and Housing. However, Policy 3.1.7 provides clarity to Policies 3.1.2 and 3.1.5 and therefore could be considered part of the NPCA mandate.

¹⁰ Policy 3.1.8 of the PPS was added to the PPS in 2014, and was not part of the Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility in 2001 between Conservation Ontario, Ministry of Natural Resources & Ministry of Municipal Affairs and Housing. As wildland fire is a new hazard, it should not be considered part of the NPCA mandate unless the Province gives further direction on this matter.

Appendix C - Excerpt from the Ontario Regulation 155/06 Niagara Peninsula Conservation Authority: Regulation of Development, Interface with Wetlands and Alterations to Shorelines and Watercourses

Development prohibited

2. (1) Subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the most recent document entitled "Lake Ontario Shoreline Management Plan" available at the head office of the Authority,

(ii) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the most recent document entitled "Lake Erie Shoreline Management Plan" available at the head office of the Authority,

(iii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iv) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in the most recent document entitled "Lake Ontario Shoreline Management Plan" available at the head office of the Authority, and

(v) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in the most recent document entitled "Lake Erie Shoreline Management Plan" available at the head office of the Authority;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable

slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, to a similar point on the opposite side, and

(B) the distance of a predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood standard, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas up to 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size. O. Reg. 155/06, s. 2 (1); O. Reg. 71/13, s. 1 (1-3).

(2) All areas within the jurisdiction of the Authority that are described in subsection (1) are delineated as the "Regulation Limit" shown on a series of maps filed at the head office of the Authority under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses". O. Reg. 71/13, s. 1 (4).

(3) If there is a conflict between the description of areas in subsection (1) and the areas as shown on the series of maps referred to in subsection (2), the description of areas in subsection (1) prevails. O. Reg. 71/13, s. 1 (4).

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March 4, 2019

CL 6-2019, February 28, 2019
PEDC 2-2019, February 20, 2019
PDS 3-2019, February 20, 2019

DISTRIBUTION LIST

SENT ELECTRONICALLY

Development Applications Monitoring Report – 2018 Year End
PDS 3-2019

Regional Council, at its meeting held on February 28, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 3-2019, dated February 20, 2019, respecting Development Applications Monitoring Report - 2018 Year End, **BE RECEIVED**; and
2. That a copy of Report PDS 3-2019 **BE CIRCULATED** to Local Area Municipalities, the Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

A copy of PDS 3-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-059

Distribution List

L. Earl	Senior Development Planner, Planning and Development Services
N. Oakes	Executive Assistant to the Commissioner, Planning and Development Services
R. Mostacci	Commissioner, Planning and Development Services
	Local Area Municipalities
	Niagara Peninsula Conservation Authority
	Niagara Home Builders Association
	Niagara Industrial Association
	Local Chambers of Commerce
	Local School Boards

Subject: Development Applications Monitoring Report - 2018 Year End

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 20, 2019

Recommendations

1. That Report PDS 3-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 3-2019 **BE CIRCULATED** to Local Area Municipalities, the Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

Key Facts

- The purpose of this report is to inform Regional Council of 2018 development application activity in Niagara Region.
- Regional Development Planning and Engineering staff reviewed 718 development applications in 2018.
- Regional Development Planning and Engineering staff attended 548 Pre-Consultation Meetings in 2018.
- The Region received \$1,089,932 in review fees for development applications in 2018 (31% increase over 2017 fees).

Financial Considerations

There are no direct financial implications associated with this report.

Analysis

Development Applications

Regional Development Services staff reviewed 718 development applications in 2018 representing a minimal 1.6% decrease over the 2017 application total (730). Figure 1 illustrates the number of applications considered by Development Planning and Engineering staff from 2013 to 2018 indicating high development activity levels and a general upward trend plateauing over the past few years. These development applications are circulated to the Region based on Provincial legislation requirements and the existing Memorandum of Understanding between the Region and local area municipalities for planning in Niagara.

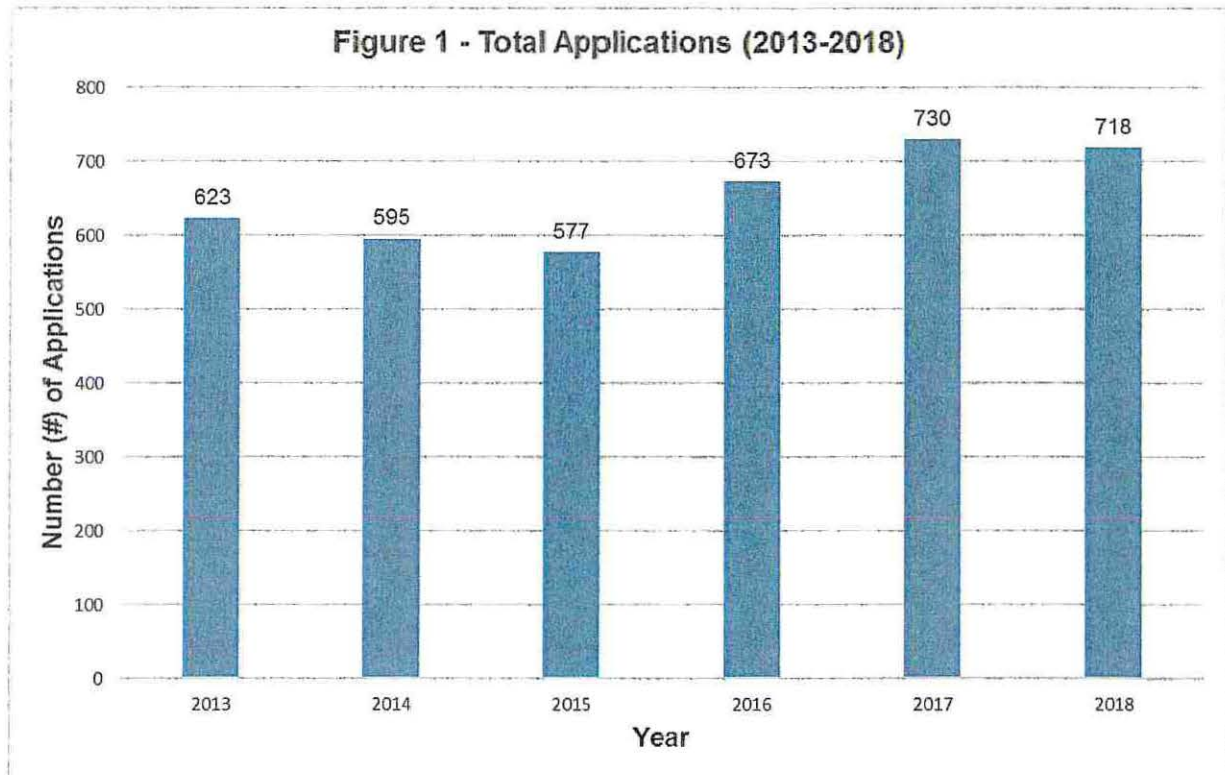


Figure 2 provides the breakdown of the development application types reviewed by Regional staff in 2018. The more complex development proposals often require multiple planning approvals. As an example, subdivision and condominium applications may also need amendments to the municipal Official Plan and Zoning By-law to facilitate the development. The categories with the most applications considered by Regional staff were Zoning By-law amendments (137), followed by Site Plan (112), Consent/ Severance (91), and Minor Variance (76).

The distribution of applications circulated to the Region by local area municipalities during 2018 is shown on Figure 3. This information indicates relatively high levels of development activity in several communities. The municipalities with the most applications in the year were Niagara Falls (119), St. Catharines (99), Niagara-on-the-Lake (90), Fort Erie (77), and Lincoln (75).

Figure 2 - Total Applications by Type (2018)

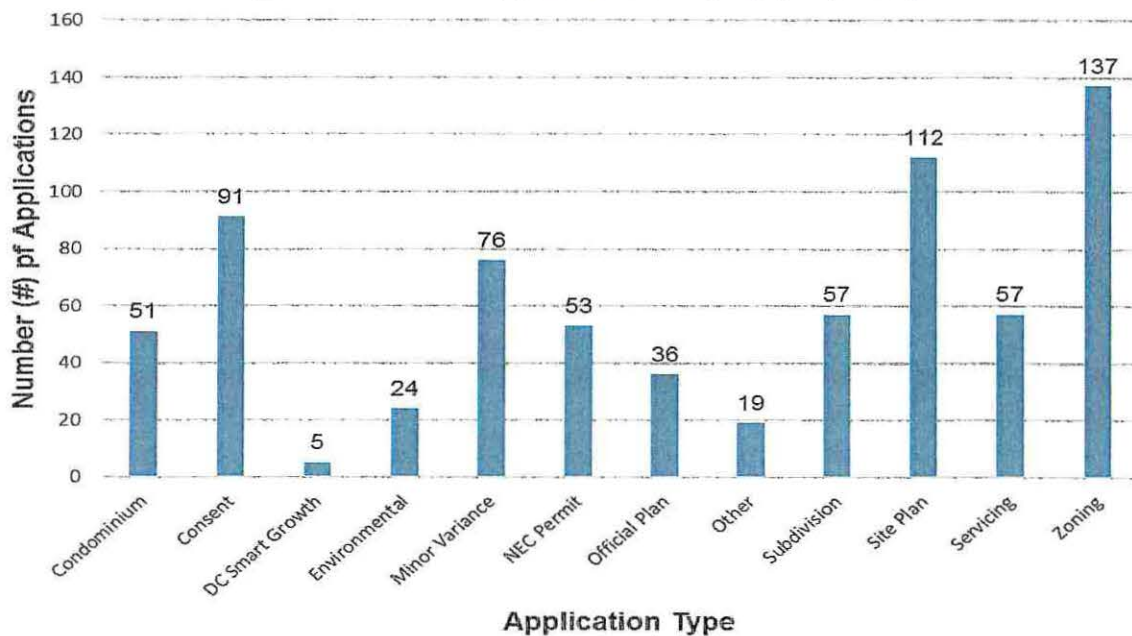
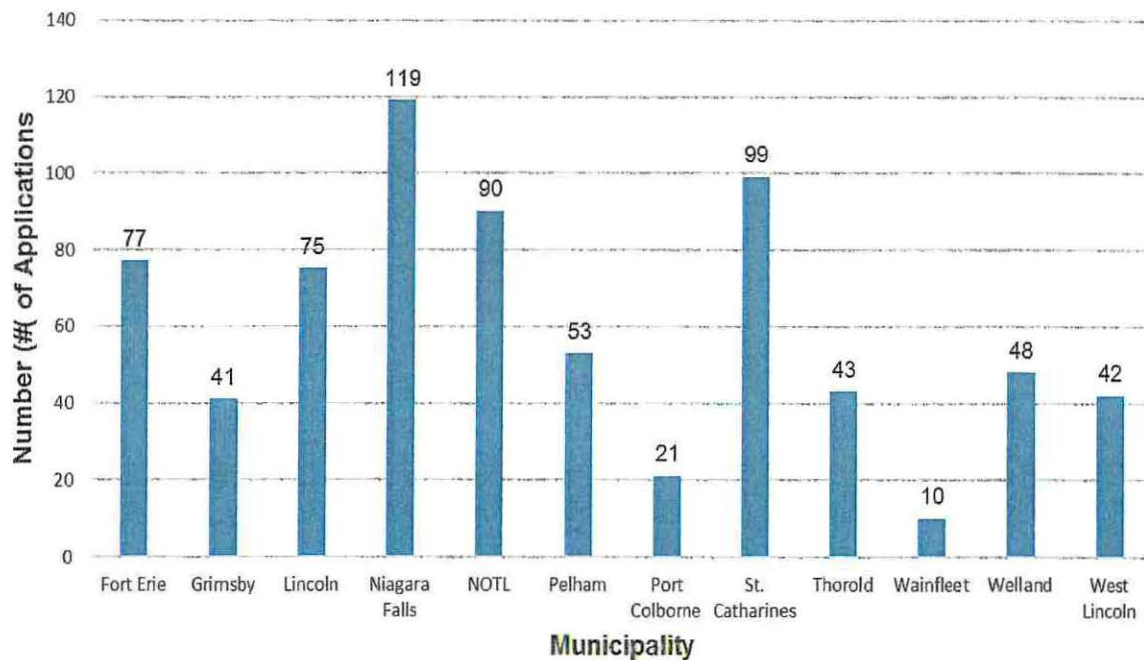


Figure 3 - Total Applications by Municipality (2018)



Preconsultation Meetings

Development Services staff are scheduled to attend regular preconsultation meeting sessions two days each month in each local municipal office. These meetings with developers, property owners, local staff and agencies determine complete application submission requirements and assist in the processing of applications. In 2018, Regional staff attended 548 preconsultation meetings which is a 12% decrease compared to the 2017 total (see Figure 4). It is not uncommon for municipalities to experience these reduced numbers (in applications and preconsultation meetings) during a municipal election year. As the number of preconsultation meetings is an indicator of future development applications, Regional staff are expecting that development applications and preconsultation meeting numbers will resume an upward trend for 2019.

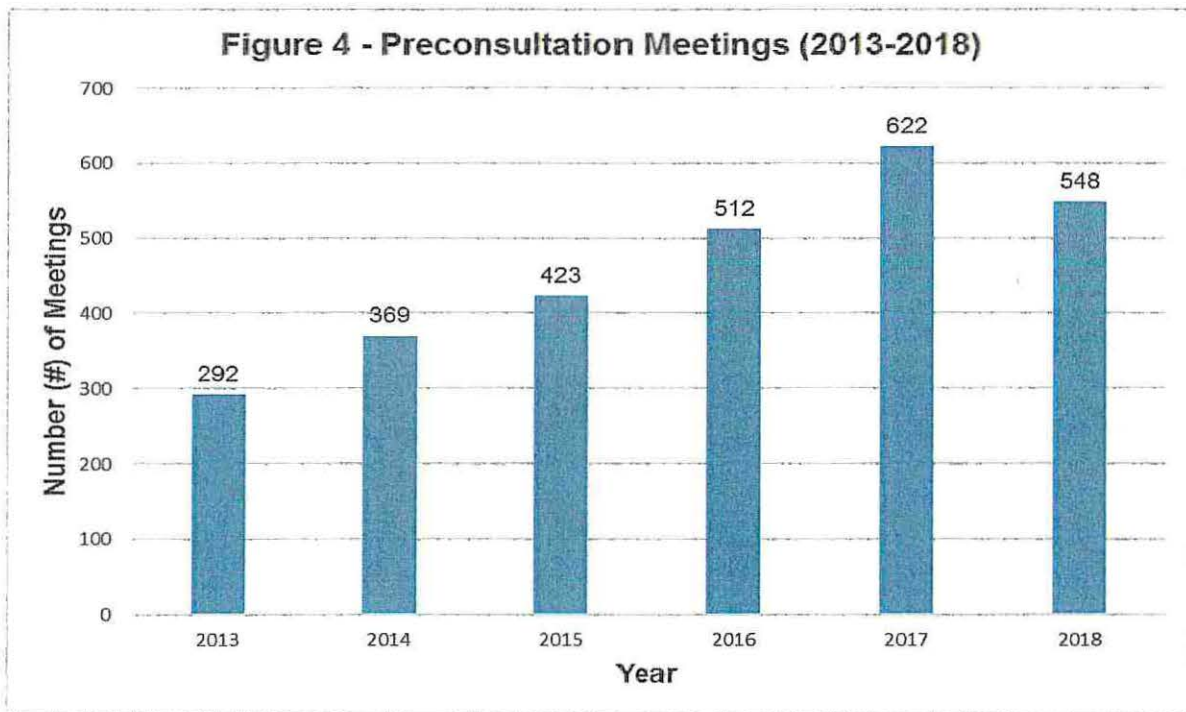
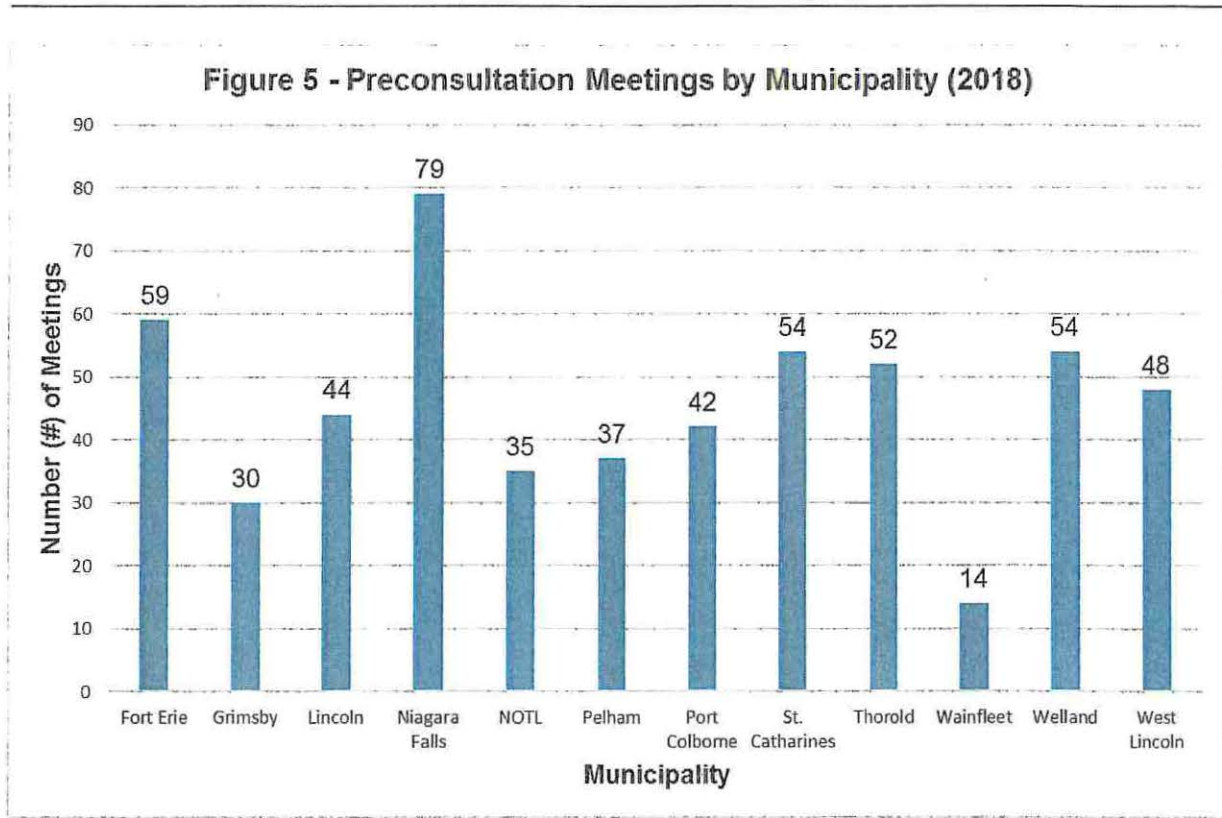
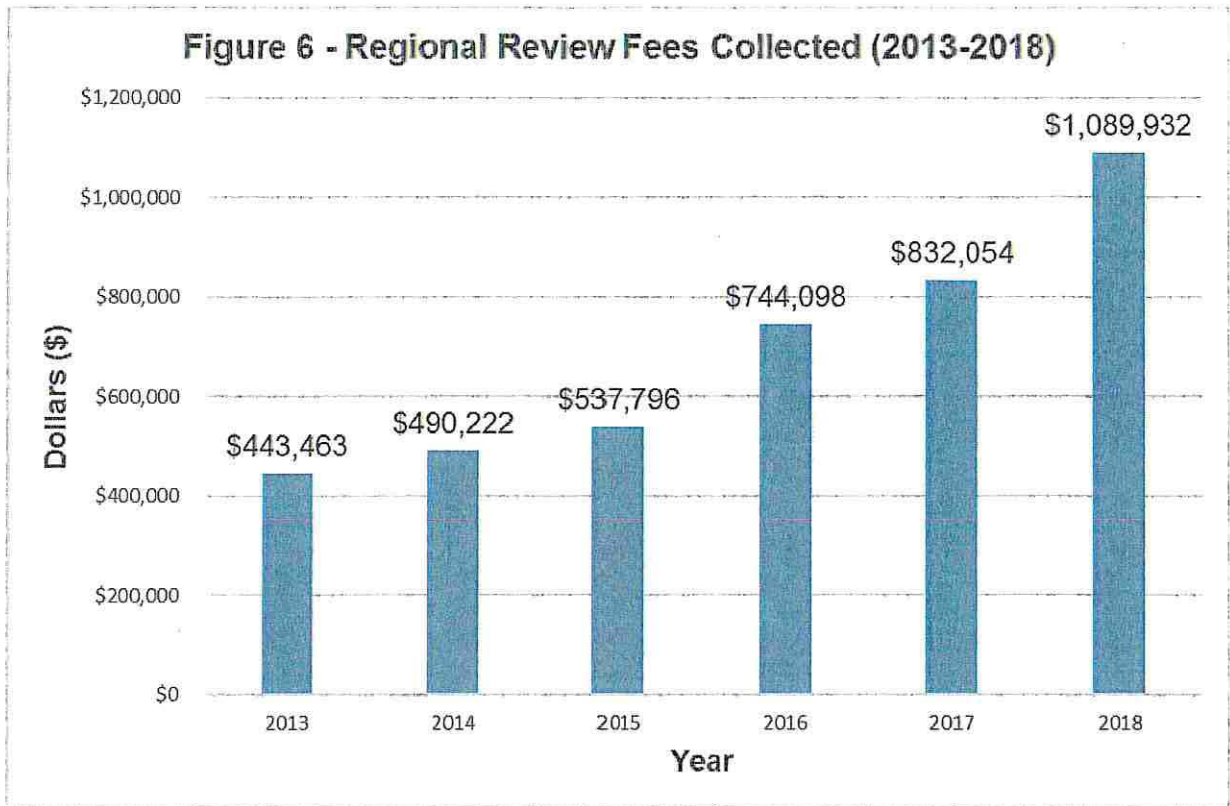


Figure 5 illustrates the number of Preconsultation Meetings by municipality in 2018 that involved Regional staff. The municipalities with the highest levels of preconsultation activity were Niagara Falls (79), followed by Fort Erie (59), St. Catharines and Welland (54 each) and Thorold (52).



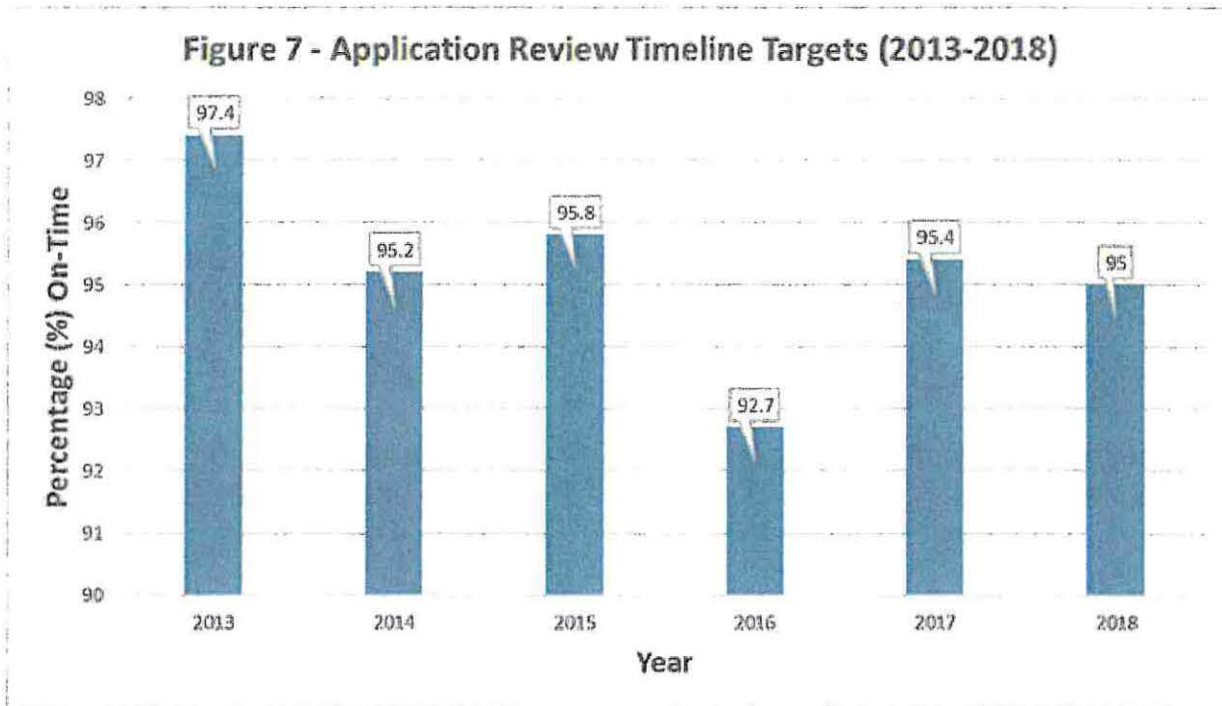
Regional Review Fees

Regional review fees are intended to offset Regional costs for the development review service. Figure 6 summarizes the fees collected between 2013 and 2018 for the Regional review of development applications. The 2018 total of \$1,089,932 represents an increase of 31% over 2017. The 31% increase is due to a number of large development applications (i.e. Prudhommes Landing Subdivision); the increase in our review fee schedule; and the addition of Urban Design and Stormwater Management Reviews.



Application Review Timelines

Timeline response targets for municipal and agency files vary according to application type (complexity) and are established by Planning Act regulations and the current Memorandum of Understanding between the Region and the local area municipalities. The Region consults with municipal staff to establish local priorities and in several cases, extensions were granted to initial comment periods. This arrangement allowed for the resolution of issues, submission of additional information where required and addressed workload demands. Based on this consultation and cooperation with local municipal staff, Regional staff provided review comments satisfying timeline targets for 95% of all Development Planning and Engineering applications with due dates in 2018 as outlined in Figure 7.



Commissioner Comments

In 2018, Regional Development Services assumed the responsibility for review of the Natural Heritage policies in the Region's Official Plan in accordance with the revised Environmental Protocol with the Niagara Peninsula Conservation Authority.

In order to review service delivery and ensure Regional Planning continues to add value to the application review and approval process for local municipalities and developers/investors, an update to the Memorandum of Understanding is nearing completion.

The increased level of development in recent years represents a "new normal" for the Region. Regional Development Planning has adjusted its approach and practices to be solution oriented and proactive. By providing ongoing support to our local Municipalities, the Region strives to realize complete community planning outcomes that encourage the best possible development throughout the Region.

It is important to keep in mind that the development approval process is not intended to be a substitute for community planning. While some municipalities have relied on the development approval process in past to achieve their land use objectives, this is not a best practice and cannot be sustained on a go forward basis – municipalities will have to invest and increase their capacity for proactive planning such as Secondary Plans and Neighbourhood Plans in order to achieve desirable result and meet expectations.

Alternatives Reviewed

None.

Relationship to Council Strategic Priorities

This report provides information on development application activity that contributes to strong economic prosperity throughout the communities within the Niagara Region.

Other Pertinent Reports

- PDS 25-2018: Niagara Region Mid-Year 2018 Growth Monitoring Report
- PDS 23-2018: 2017 Year End Development Planning Applications Monitoring Report

Prepared by:

Lindsay Earl, MCIP, RPP
Senior Development Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P. Eng
Acting Chief Administrative Officer

This report was reviewed by Pat Busnello, MCIP, RPP, Manager Development Planning and Diana Morreale, MCIP, RPP, Director, Development Approvals.

March 4, 2019

CL 6-2019, February 28, 2019
PEDC 2-2019, February 20, 2019
PDS 10-2019, February 20, 2019

LOCAL AREA MUNICIPALITIES

NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)

SENT ELECTRONICALLY

Update on Natural Environment Work Program – New Regional Official Plan

PDS 10-2019

Regional Council, at its meeting held on February 28, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 10-2019, dated February 20, 2019, respecting Update on Natural Environment Work Program – New Regional Official Plan, **BE RECEIVED**; and
2. That Report PDS 10-2019 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

A copy of PDS 10-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-058

cc: S. Norman Senior Planner, Planning and Development Services
N. Oakes Executive Assistant to the Commissioner, Planning and Development Services
R. Mostacci Commissioner, Planning and Development Services

Subject: Update on Natural Environment Work Program – New Regional Official Plan

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 20, 2019

Recommendations

1. That Report PDS 10-2019 **BE RECEIVED** for information; and,
2. That Report PDS 10-2019 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- This purpose of this report is to provide an update on the natural environment work program for the new Regional Official Plan including background, work completed to date, and next steps.
- Natural environment planning is a complex and evolving science. There is a wide range of changing Provincial requirements, guidance, and direction; scientific and technical requirements; industry best practices; and local context that must be taken into consideration.
- Natural environment planning is highly-integrated with agricultural system planning. Both natural environment and agricultural systems are foundations of the new Regional Official Plan.
- PDS 6-2018 was the Project Initiation Report for the natural environment work program. The report was presented to Planning and Economic Development Committee on January 31, 2018 and sought direction to begin the consultation program and to prepare a more detailed project framework.
- PDS 18-2018 was the detailed project framework for the natural environment work program, and was endorsed by Planning and Economic Development Committee on April 25, 2018.

Financial Considerations

The costs associated with the natural environment work program can be accommodated within the Council approved Regional Official Plan project budget.

Analysis

Background

Since approval in 1973, first as the Regional Policy Plan, the Regional Official Plan has not been comprehensively updated. The historical structure of the Regional Official Plan never contemplated the comprehensive long range planning guidance required by the current contemporary Provincial planning requirements. A new Regional Official Plan that reflects Provincial Policy and up-to-date current planning practice is required.

By approval of Report PDS 40-2016, Council endorsed the approach of the preparation of a new Regional Official Plan from start to finish rather than a series of site specific topic amendments.

Subsequently, PDS 41-2017 outlined eight background studies that needed to be initiated as a first priority towards the development of the new Regional Official Plan. Four of these are generally classified as they relate to growth: land needs assessment, employment lands strategy, urban structure, and a regional housing strategy. The remaining four are generally classified as resource and environment related: aggregates, climate change, agriculture, and natural environment.

PDS 6-2018 was the project initiation report for the natural environment work program and sought direction to consult with Area Planners and local municipal planning staff. During that consultation process the scope, methodology, and key issues to be incorporated in the work program were confirmed. PDS 18-2018 provided a summary of the early consultation process; framework for the work program moving forward; an outline of the proposed consultation and engagement process; and a schedule for reporting to Committee and Council. That reporting scheduled identified that a status report on the project would be made in Q1 2019.

Scope

Through early consultation with the Area Planners group and other stakeholders the scope of the natural environment work program was refined and confirmed. The natural environment work program will include evaluation and consideration of:

- Natural Heritage Features:
 - All features as identified in the PPS (Provincial Policy Statement) and Provincial Plans including woodlands, wetlands, wildlife habitat, habitat of endangered and threatened species, fish habitat, significant valleylands, etc.

- Hydrologic Features:
 - All features as identified in the PPS and Provincial Plans including streams, seepage areas, wetlands, etc.
 - Significant work to date on the Region's watercourse identification and mapping project (known as the "contemporary mapping of watercourses")
- Water Resource Systems:
 - Groundwater systems
 - Surface water systems
- Natural Hazards:
 - All features as identified in the PPS and Provincial Plans including flooding hazards, erosion hazards, and dynamic beach hazards, etc.
 - Wildland Fires as per Section 3.1.8 of the PPS.
- Provincial Natural Heritage Systems:
 - Greenbelt Natural Heritage System and Urban River Valley designation
 - Growth Plan Natural Heritage System
- Niagara Escarpment Plan as it relates to the municipal planning process
- Watershed Planning & Stormwater Management

Although there will be a connection with some of the 'in scope' items, this project will not result in the development of Official Plan policies related to:

- Aggregates & Petroleum Resources
- Source Water Protection

Framework for Natural Environment Work Program

As outlined previously in further detail in PDS 18-2018, the natural environment work program will be undertaken as follows. A consulting team has now been retained to undertake Phases 2-6 and to support Region staff with Phase 7 and 8. Phase 9, which is the development of other implementation tools is outside of this work program and will be considered once the Regional Official Plan policies have been developed and endorsed.

- Phase 1 - Project Initiation and Procurement
- Phase 2 - Background Study and Discussion Papers for Mapping and Watershed Planning Priority Areas
- Phase 3 - 1st Point of Engagement: Inform on Background Study
- Phase 4 - Develop Options for the Natural System(s)

- Phase 5 - 2nd Point of Engagement: Consultation on Options for the Natural System(s)
- Phase 6 - Develop Regional Natural System(s)
- Phase 7 - Develop Official Plan Policies & Finalize Mapping
- Phase 8 - 3rd Point of Engagement: Draft OP Policies and Schedules
- Phase 9 – Other Implementation Tools

Work Completed to Date

Since the endorsement of PDS 18-2018, Region staff have completed Phase 1 of the work program which included: preparing a request for proposal (RFP) document, undertaking a procurement process, and retaining a consulting team. A Technical Advisory Group (TAG) comprising of local, NPCA, and provincial planning staff has also been formed.

Phase 2 of the work program is well underway and has included a meeting of the TAG as well as several meetings with a mapping working group which was formed to support the development of the high-priority mapping discussion paper.

Next Steps

The next steps in the work program are the completion of mapping and watershed planning discussion papers, followed by the comprehensive background study. These studies will provide the necessary background information for the system and policy development and are the foundation of the work program moving forward.

Following this is the 1st major point of engagement with the full range of stakeholders. The purpose of this point of engagement is to educate and share the findings of the background studies. Public open houses and presentations to local councils will also be completed during the 1st point of engagement.

Alternatives Reviewed

N/A

Relationship to Council Strategic Priorities

The natural environment work program is part of the new Regional Official Plan which will assist in implementing Council's Strategic Priority of Innovation, Investment, & Entrepreneurship.

Other Pertinent Reports

- PDS 40-2016 – Regional Official Plan Update
- PDS 41-2017 – New Official Plan Structure and Framework
- PDS 3-2018 – New Official Plan Update
- PDS 6-2018 – Natural Environment Project Initiation Report
- PDS 18-2018 – Natural Environment – Project Framework

Prepared by:

Sean Norman, PMP, MCIP, RPP
Senior Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P. Eng
Acting Chief Administrative Officer

This report was prepared in consultation with Karen Costantini, Planning Analyst – Regional Official Plan, and reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, Dave Heyworth, MCIP, RPP, Official Plan-Policy Consultant, and Doug Giles, Director, Community and Long Range Planning.



Q4 (October 1 to December 31, 2018) to Board of Directors

Recommendation:

That Niagara Regional Housing Quarterly Report October 1 to December 31, 2018 be APPROVED and FORWARDED to the Public Health and Social Services Committee and subsequently to Regional and Municipal Councils for information.

Submitted by:

Approved by:

Donna Woiceshyn
Chief Executive Officer

Walter Sendzik
Chair

Directors:

Henry D'Angela, Chair
Regional Councillor
Thorold

Betty Ann Baker - Secretary
Community Director
St. Catharines

Tim Rigby
Regional Councillor
St. Catharines

James Hyatt, Vice-Chair
Community Director
St. Catharines

Betty Lou Souter
Community Director
St. Catharines

Walter Sendzik
Regional Councillor
St. Catharines

Karen Blackley, Treasurer
Community Director
Thorold

Paul Grenier
Regional Councillor
Welland

Selina Volpatti
Regional Councillor
Niagara Falls

HIGHLIGHTS:

<p>Application Activity</p> <p>567 received & processed</p> 	<p>Work Orders</p> <p>3,203 issued</p> 
<p>Capital Program</p> <p>48 jobs/projects ongoing 15 public tenders closed 35 contract orders issued</p> 	<p>Rent Arrears</p> <p>= \$24,135.76</p> <p>or 2.03% of the monthly rent charges</p> 
<p>Community Resources & Partnerships</p> <p>offered supports to</p> <p>254 new referrals</p> <p>46 partners</p> 	<p>Non-Profit Housing Programs</p> <p>66% deemed HEALTHY</p> 
<p>Rent Supplement / Housing Allowance</p> <p>1,370 units</p> 	<p>Niagara Renovates</p> <p>Inspections are complete. 46 homeowners will receive 2018/2019 funding.</p> 
<p>Welcome Home Niagara</p> <p>19 homeowners received assistance</p> 	<p>Housing First Project</p> <p>27 Individuals / families housed</p> 
<p>Appeals</p> <p>= 12 6 upheld 5 overturned 1 no decision required</p> 	<p>New Development</p> <p>Carlton - to be complete March 2019 Roach - construction began</p> 

VISION

That the Niagara community will provide affordable, accessible and quality housing for all residents

MISSION

To expand opportunities that make affordable housing an integral part of building healthy and sustainable communities in Niagara

As the administrator of social housing for Niagara Region, Niagara Regional Housing (NRH) works to fulfill our vision and mission through six main areas of responsibility:

1. [Public Housing \(NRH Owned Units\)](#)
2. [Non-Profit Housing Programs](#)
3. [Rent Supplement Program](#)
4. [Affordable Housing Program](#)
5. [Service Manager Responsibilities](#)
6. [Housing Access Centre and Centralized Waiting List](#)



Definitions can be found in the attached Reference Sheet.

1. Public Housing (NRH Owned Units)

DAY-TO-DAY MAINTENANCE:

In Q4, **3,203 work orders** were issued, representing \$1,036,642.12. \$69,018.54 of this amount was charged back to tenants who were held responsible for damages.

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
# of work orders issued	2,993	2,566	2,768	3,216	3,203

CAPITAL PROGRAM:

The Capital Program is responsible for maintaining the Public Housing (NRH Owned Units) asset and planning for future sustainability.

In Q4, 35 contract orders were issued, 15 public tenders closed and purchase orders issued \$2,919,719.64.

The Capital Program was responsible for 39 capital projects valued at \$2,500,000 and nine SHAIIP funded Capital projects valued at \$1,168,000 including:

- Parking lot replacement – one project
- Installation of Heat Control System – eight projects
- Roof replacement – one project
- Designated Substance Survey – one project
- Bathroom renovations – one project
- Foundation repairs – one project
- Investigation of basements – nine projects
- Balcony door replacement - one project
- Design and tender for Domestic Hot Water replacements - three projects

As of December 31, 2018, \$6,400,000 of the \$7,000,000 budgeted (excluding emergency) has been committed and/or actually spent (91%).

As of December 31, 2018, \$1,922,182 of the available \$2,537,580 Social Housing Apartment Improvement Program (SHAIIP) funding was committed and/or actually spent (76%).

TENANT MOVE OUTS:

Move Outs By Reason

Health	4
Long Term Care Facility	8
Deceased	10
Private Rental	10
Voluntarily Left Under Notice	3
Eviction – Tribunal	3

NRH Transfer	13
Moved to Coop or Non-Profit	1
Bought a House	1
Left Without Notice	3
Other/None Given	9
Cease to Qualify	0
TOTAL	65

In Q4, there were **65 move outs**. Three involved eviction orders granted under the Ontario Landlord Tenant Board (LTB) – Arrears (two), Disruptive Behavior (one). One of the evictions was enforced by the Sherriff.

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
# of move outs	81	67	83	89	65

ARREARS:

	Dec 31, 2017	Mar 31, 2018	Jun 30, 2018	Sept 30, 2018	Dec 31, 2018
Rent charges for the month	\$1,150,372.27	\$1,167,751.69	\$1,136,607.00	\$1,165,765.00	\$1,187,770.00
Accumulated rent arrears	\$49,045.27	\$48,660.91	\$35,055.56	\$23,378.86	\$24,135.76
Arrears %	4.26%	4.17%	3.08%	2.01%	2.03%

INSURANCE:

In Q4, there was one claim settled and one property damage claim expected to exceed the \$25,000 deductible.

COMMUNITY RESOURCES AND PARTNERSHIPS:

In Q4, we had partnerships with **46 community agencies** across Niagara. As a result of these partnerships, more than 200 support and enrichment activities were offered to tenants at NRH sites. Each partnership contributes to tenant lives and, in turn, the success of the Public Housing community as a whole:

- In October of 2018, NRH began a year-long partnership with McMaster University in seven NRH senior communities. The Cardiovascular Health Awareness Program (CHAP) provides on-site blood pressure and diabetes risk assessments to participating seniors. Based on these assessments, volunteers provide health presentations, educational resources and referrals. The study is designed to determine if CHAP services help to improve the health of older adults and lead to fewer emergency and hospital visits.

Also during Q4, NRH Community Programs Coordinators (CPCs) offered support to **254 new referrals of tenants in need of assistance**. Of those new referrals, **56% were considered medium-high need**. In particular, there were more requests for help with arrears. There was also a continued increase in the number of tenants needing help with clutter and bed bugs.

2. Non-Profit Housing Programs

As administrator of social housing for Niagara Region, NRH provides legislative oversight for 61 Non-Profit Housing Programs (non-profit and co-operative). Operational Reviews are conducted to determine the overall health of each.

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
Healthy	43	41	41	41	40
Routine Monitoring	18	18	18	18	17
Intensive Monitoring	1	1	1	1	2
Pre-PID (Project in Difficulty)	1	1	1	1	1
PID (Project in Difficulty)	1	1	1	1	1
TOTAL	64	62	62	62	61

NRH Housing Programs staff continue to work with Federal Housing Providers as they move toward End of Operating Agreements (EOA). On December 31, 2018, the Operating Agreement with Fairview Seniors in St. Catharines expired; a Rent Supplement agreement was successfully negotiated to preserve 14 Rent-Geared-to-Income units.

3. Rent Supplement Program

In Q4, there were **1,370 Rent Supplement/Housing Allowance units** across Niagara. In the Rent Supplement program, tenants pay 30% of their gross monthly income directly to the private landlord and NRH subsidizes the difference up to the market rent for the unit. The Housing Allowance program is a short term program that provides a set allowance to help applicants on the wait list.

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
Fort Erie	26	27	28	28	28
Grimsby	26	26	26	26	26
Lincoln (Beamsville)	2	13	12	12	11
Niagara Falls	219	228	229	230	230
Niagara-on-the-Lake	-	-	-	-	-
Pelham	24	23	23	22	21
Port Colborne	47	51	53	51	53
St. Catharines	600	657	700	719	732
Thorold	29	32	37	54	53
Welland	199	202	201	197	201
West Lincoln	14	14	15	15	15
TOTAL	1,186	1,273	1,324	1,354	1,370

Variances in the number of Rent Supplement/Housing Allowance units reflects the general management of the program and required take-up/deletion of units due to End of Operating Agreements (EOA), move out of tenants, and/or new units/landlords. Totals will be increasing in the future as some Non-Profit Housing Programs transition into a Rent Supplement agreement upon expiry of their operating agreement. It is unknown which areas will be affected.

4. Affordable Housing Program

NIAGARA RENOVATES PROGRAM:

The Niagara Renovates program provides assistance to low-to-moderate income homeowners for home repairs, accessibility modifications and the creation of secondary suites in single family homes.

NRH received \$500,000 through the Investment in Affordable Housing - Extension (IAH-E) program for homeowner and secondary suite repairs and \$626,300 for multi-unit repairs, totaling \$1,006,300 for the 2018/2019 period.

Niagara Renovates inspections for 2018-2019 funding are complete. Inspections included all areas inside and outside of the home to ensure compliance with program guidelines. Issues were identified and a detailed Inspection Report was provided to the homeowner. **46 homeowners will receive funding** during this period.

HOMEOWNERSHIP PROGRAM – “WELCOME HOME NIAGARA”:

The Homeownership program assists low-to-moderate income rental households to purchase their first home by providing a down payment loan.

In Q4, **19 homeowners** received assistance through Welcome Home Niagara. **Two of these were NRH tenants.**

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
# of homeowners assisted	13	5	9	14	19

HOUSING FIRST PROGRAM:

The Housing First program helps people move quickly from homelessness to their own home by providing supports to help difficult to house individuals find and keep housing.

In Q4, **27 individuals/families** were housed through the Housing First program. Since 2012, Housing First has helped 371 individuals/families.

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
# of individuals/families housed	22	17	14	9	27
# of Housing First units (at quarter end)	148	165	170	178	184

RENTAL HOUSING (NEW DEVELOPMENT):

NRH New Development

Carlton Street, St. Catharines	Amount	Units
Investment in Affordable Housing-Extension (IAH-E), Year 3	\$5,806,000	45
Investment in Affordable Housing-Extension (IAH-E), Year 4	\$2,888,000	23
Social Infrastructure Fund (SIF), Year 1	\$2,387,817	17
Roach Avenue, Welland		
Social Infrastructure Fund (SIF), Year 3	\$1,200,000	8
TOTAL	\$12,281,817	93

At the end of Q4:

Carlton Street

- Envelope work – EIFS (Exterior Insulation and Finish Systems) is complete with some minor deficiencies. Caulking is 98% complete. Flashing of roof parapet is incomplete.
- Civil work – sidewalks poured, asphalt base coat complete
- Landscaping – postponed until spring 2019, topsoil installation 80% complete
- 1st floor – boarding in progress - 60% complete, framing, boarding, taping and sanding to continue
- 2nd floor – apartments - painting of rooms 95% complete, millwork progressing in a stop start fashion due to manufacturing delays at the plant, flooring 90% complete, wall tiles installation on going, electrical devices - 80% complete, plumbing fixture installation ongoing
- 3rd floor – apartments - painting, flooring 95% complete, plumbing fixtures installation on going. Not ready for deficiency inspection.
- 4th floor – apartments - painting 95% complete, flooring complete, handicap washroom floor tiles complete, wall tile installation 90% complete, millwork 90% complete, no further progress in the hallways. Finishing trades 90% complete. Not ready for deficiency inspection.
- 5th floor – apartments - painting generally complete, millwork 95% complete, door installation complete, plumbing and electrical fixtures complete, first coat of paint applied in hallways, T bar ceiling 90% complete, hallway floors incomplete
- Drywall crew – a critical trade that needs continued monitoring. Sufficient human resources is the key to achieving schedule goals.
- Elevator installation progressing, 80% complete
- Commissioning of mechanical system started, cleaning and flushing of lines has started
- Project expected to be complete in March 2019

Roach Avenue

- Revised final permit drawings issued December 14, 2018
- Foundation work – basement walls poured, footings on north side being excavated

- 1st floor – core slab delivered and installed December 14, 2018
- Water proofing of basement walls commencing in December
- Project approximately one month behind schedule

Additional New Development

Investment in Affordable Housing-Extension (IAH-E), Year 2 funding has been allocated to three non-profit organizations and will result in the creation of 40 units for seniors and mental health consumers in Niagara:

	Amount	Units
Gateway Residences of Niagara, Huron Street, Niagara Falls	\$720,000	9
Thorold Municipal Non-Profit, Ormond Street, Thorold	\$1,228,912	14
Stamford Kiwanis, Barker Street, Niagara Falls	\$1,089,088	17
TOTAL	\$3,038,000	40

At the end of Q4:

- Gateway Residence of Niagara and Thorold Municipal Non-Profit – complete and operational
- Stamford Kiwanis – approximately 60% complete. Financing has been approved. Construction to resume in 2019. Occupancy and substantial completion expected summer 2019.

5. Service Manager Responsibilities

APPEALS:

In Q4, **12 appeals** were heard (three more than in 2017-Q4).

- Eight related to ongoing RGI eligibility
 - Six for failure to provide information
 - One where Committee allowed extra time to remove commercial vehicles, and prove they are not getting income from child's business and that child is living at different address. OVERTURNED.
 - One where Committee allowed extra time to provide completed self-employment verification forms for most current three months and proof of having applied for income from Ontario Works. OVERTURNED.
 - Four related to undeclared change-illegal occupant(s). Two UPHELD; two OVERTURNED.
 - One where tenant owed former arrears. Committee allowed extra time to enter into repayment agreements and provide current income information. OVERTURNED.
 - One related to review of Rent-Geared-to-Income eligibility and confirmation that rent was calculated correctly. NO DECISION REQUIRED.

- Four for decisions made by Housing Access (one for Special Priority status and three for Urgent status). All UPHELD.

	2017-Q4	2018-Q1	2018-Q2	2018-Q3	2018-Q4
# of appeals	9	19	9	15	12

INVESTMENTS:

See Appendix A – Investment Report

6. Housing Access Centre & Centralized Waiting List

APPLICATION ACTIVITY:

# of Applications Received & Processed	567	# of Eligible Applications	538
# of Special Provincial Priority Status Applications	86	# of Ineligible Applications	29
# of Urgent Status Applications	104	# of Cancelled Applications	436
# of Homeless Status Applications	163	# of Applicants Housed	120

In Q4, **436 households were removed** from the Centralized Waiting List because they were no longer eligible, they found alternate housing or we were unable to make contact.

CENTRALIZED WAITING LIST:

		2017- Q4	2018- Q1	2018- Q2	2018- Q3	2018- Q4
		# of households				
A	Rent-Geared-to-Income (RGI) waiting list:					
	Niagara resident RGI waiting list	4,344	4,287	4,562	4,642	4,616
	Applicants from outside of Niagara	657	639	692	758	761
	TOTAL RGI waiting list:	5,001	4,926	5,254	5,400	5,377
	Housing Allowance: a set allowance to help applicants on the waiting list with affordability in the private market until housed in an RGI unit	505	569	605	618	639
A1	RGI waiting list demographics:					
	Seniors	2,061	2,064	2,173	2,236	2,218
	Adults no dependents	1,703	1,630	1,727	1,764	1,761
	Adults with dependents	1,237	1,232	1,354	1,400	1,398
A2	RGI list further segmented (#'s included in A & A1):					
	SPP – Special Provincial Priority (Ministry Priority): helps victims of violence separate permanently from their abuser	101	122	129	129	131
	URG – Urgent (Local Priority): for applicants with mobility barriers and/or extreme hardship where their current accommodation puts them at extreme risk and/or causes hardship	99	104	120	123	116
	HML – Homeless (Local Priority): provides increased opportunity for placement to homeless households	832	842	894	947	954
	SUP – Supportive/Transitional: provides targeted, provisional services to assist individuals to transition beyond basic needs to more permanent housing	19	17	17	13	13
B	In addition, NRH manages:					
	Overhoused: households who are living in subsidized accommodation with more bedrooms than they are eligible for	143	152	167	171	168
	Transfer: households who are currently living in subsidized accommodation and have requested a transfer to another provider	513	518	525	547	535
	TOTAL RGI households on waiting list managed by NRH:	5,657	5,596	5,946	6,118	6,080
C	NRH maintains a waiting list for market rent units (62 Non-Profit Housing Programs):					
	Market: applicants who have applied for a market rent unit in the Non-Profit Housing Programs portfolio	591	578	597	629	647
	TOTAL households on waiting list managed by NRH:	6,248	6,174	6,543	6,747	6,727
	TOTAL individuals on waiting list managed by NRH:	10,449	10,380	11,052	11,496	11,488

Note: the above chart includes only those who apply to the Centralized Waiting List and does not capture the full number of those in need of affordable housing in Niagara.

ESTIMATED WAIT TIMES:

CITY	SENIORS Age 55 and older		SINGLES Age 16-54		HOUSEHOLDS WITH DEPENDENTS			
	Bachelor	1 Bed	Bachelor	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed
YEARS								
Fort Erie	-	9	2	8.5	2	1	5	-
Grimsby	-	4	-	-	-	-	-	-
Lincoln	-	4.5	-	12	9	8	-	-
Niagara Falls	4	6	-	16	5	3	7	14
Niagara-on-the-Lake	-	6.5	-	-	-	-	-	-
Pelham	-	3.5	-	-	-	-	-	-
Port Colborne	-	4.5	-	13	3	3	3	-
St. Catharines	-	6.5	9	13	3.5	3	9	12
Thorold	-	6.5	-	10	6	8	-	-
Welland	-	5	6	15	5	2.5	7	2
West Lincoln	-	4	-	-	5.5	7	-	-

- no units of this size available in this community

January 2018

Please note:

- wait time information can fluctuate and is an approximation only
- wait times may not reflect the actual time one may wait for affordable housing

Quarterly Report on Cash / Investments / Reserves for Period Ending December 31, 2018

NRH 4-2019
19-178-4.3.
App A

	This Quarter Balance	Last Quarter Balance	Variance \$	Variance %	Comments
BANK ACCOUNTS					
Current Bank Account: Royal Bank account used for day-to-day operations for the owned units. Also to cash flow various short terms programs funded by Prov and Fed gov't usch as development, homeownership and capital repair programs.	\$6,693,118.16	14,961,182.38	(8,268,064.22)	-55.26%	Since the February 2016 transition to PeopleSoft, day-to-day accounts payable transactions are paid by the Region through PeopleSoft. Reconciliation of the due to the Region account will be performed on a regular basis to transfer amounts due to the Region.
Investment Bank Account:					
Used to hold funds "In Trust" for designated Housing Providers for capital work.					Interest earned at a rate of RBC Prime minus 1.70% on balances in bank and investment accounts.
A CMHA: Reserves held for CMHA Units.	4,592.36	4,592.36	-	0.00%	
B Ganawageh Capital Fund:	97,971.49	97,971.49	-	0.00%	Withdrawals are made in accordance with approved procedures. Current quarter interest.
C Due (From) Current Account	277,719.84	275,734.45	1,985.39	0.72%	
Total Investment Bank Accounts	380,283.69	378,298.30	1,985.39	0.52%	

Quarterly Report on Cash / Investments / Reserves for Period Ending December 31, 2018

	This Quarter Balance	Last Quarter Balance	Variance \$	Variance %	Comments
INVESTMENT VEHICLES - FUND ACCOUNTING					
Various investment vehicles are used to protect and optimize the cash that is held for specified purposes. Investments are both short-term and long-term in nature. These funds are intended to ensure continued growth without capital erosion by inflation.					
Current Instruments:			2 Year GIC, \$521,565; due date is 05/16/2019; interest rate of 1.26% to 1.63%		
RBC Investment Savings = \$4,437,374.76			2 Year GIC, \$497,000; due date is 08/15/2019; interest rate of 1.45% to 2.25%.		
			2 Year GIC, \$188,000; due date is 08/17/2020; interest rate of 2.65% to 2.74%		
			2 Year GIC, \$376,000; due date is 08/20/2020; interest rate of 2.60% to 2.65%		
			2 Year GIC, \$264,280; due date is 08/21/2020; interest rate of 2.53%		
1 PASS THROUGH FEDERAL/PROVINCIAL PROGRAM FUNDING					
A AHP - New Development	65,375.90	65,375.90	-	0.00%	
2 ADMINISTRATION FUNDING					
B Affordable Housing Prog & Housing Allowance Prog	-	-	-	0.00%	
C IAH - Admin Fee	1,090,167.09	199,517.61	890,649.48	446.40%	
3 RECONCILIATION					
D Due (From) Current Account	5,160,310.63	6,024,337.39	(864,026.76)	-14.34%	Due to current account
Total	6,315,853.62	6,289,230.90	26,622.72	0.42%	

Q4 Report on Reserves as at December December 31, 2018

Description	Balances at December 31, 2017	Year-to-date Net Transfers from (to) Operating	Year-to-date Capital Transfers	Balance at December 31, 2018
NRH Owned Units Public/Local Housing Corp:	\$ 4,327,035	\$ 389,782	\$ (596,001)	\$ 4,120,816
Niagara Regional Housing:				
Emergency Capital Funding for Housing Providers	1,924,871			1,924,871
Title Normalization for NRH Owned Units	712,381			712,381
New Initiatives, other social housing purposes and any new deposits are added to this category	4,513,047	-	(1,110,000)	3,403,047
Niagara Regional Housing TOTAL:	7,150,299	-	(1,110,000)	6,040,299
Total NRH Capital Reserves	\$ 11,477,334	\$ 389,782	\$ (1,706,001)	\$ 10,161,115
NRH Rent Supplement:	\$ 302,301	\$ (24,000)		278,301
Total NRH Stabilization Reserves	\$ 302,301	\$ (24,000)	\$ -	\$ 278,301
NRH Employee Future Benefits:	\$ 792,733	\$ -	\$ -	792,733
Total Future Liability Reserves	\$ 792,733	\$ -	\$ -	\$ 792,733
Total	\$ 12,572,368	\$ 365,782	\$ (1,706,001)	\$ 11,232,149

* 2018 Budget amounts

Interest no longer applied by approval of Regional Council (CSD 02-2013).

503 NRH Owned Units Public/Local Housing Corp: This reserve was set-up by the Board of Directors as a Reserve Fund in September 2004 for capital expenses related to the NRH owned units.

502 Niagara Regional Housing
This reserve includes three major elements: (1) Emergency Capital Funding for Housing Providers -*intent to support capital repair program for housing providers; surplus from housing programs should be directed to this component of the reserve* (2) Title Normalization for NRH Owned Units (3) New Initiatives / New Development -*\$2.29M is restricted to future development/intensification in Niagara Falls (see 2017 Year-End Transfer) - expected to cover \$810k - 100% costs related to 2019 NF capital project; remainder unrestricted; Potential acquisition / intensification effort identified by NRH SMT utilizing Provincial SIF funds currently utilizes \$275k of unrestricted balance*

NRH Rent Supplement: This fund was set-up by the Board of Directors in December 2008 (year end) for a new Rent Supplement program. This Rent Supplement program is budgeted annually and withdrawal from the Reserve matches that year's expenditures.

NRH Employee Future Benefits: This fund was set-up by the Board of Directors in 2011 to fund Employee Future Benefits. (retiree benefits, sick leave, vacation, etc.).

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March 12, 2019

Carla Y. Neil
Vice President, Municipal and Stakeholder
Relations
Municipal Property Assessment Corporation
1340 Pickering Parkway, Suite 101
Pickering ON
L1V 0C4

Jamie McGarvey, President
Association of Municipalities of Ontario
200 University Ave., Suite 801
Toronto ON
M5H 3C6

RE: Maintaining the Voters' List for Municipal Elections

Please be advised that Guelph City Council at its meeting of February 25, 2019, approved the following motion which reads as follows:

1. That the Council of the City of Guelph supports the re-establishment of the multi-stakeholder working group between the Ministry of Municipal Affairs, Ministry of Finance, AMCTO, MPAC, Elections Canada and Elections Ontario in exploring and identifying ways to create and maintain the Voters' List for Municipal Elections.
2. That Council requests an update to be provided from this Voters' List Working Group on the transformational solutions being discussed.
3. That representatives from MPAC be invited to a future Council meeting to hear the City of Guelph's concerns and advise the City of what steps MPAC will be taking in the future.
4. That a copy of this motion, respecting the Voter's List for Municipal Elections be circulated to all municipalities and the Association of Municipalities of Ontario (AMO).

On behalf of Guelph City Council, we thank you for your consideration respecting this important matter and look forward to your response.

Sincerely,



Dylan McMahon
Manager, Legislative Services / Deputy City Clerk
Corporate Services, City of Guelph

CC
All Ontario Municipalities

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**City of Port Colborne
Special Committee of the Whole Meeting 02-19
Minutes**

Date: January 21, 2019
Time: 5:30 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W.C. Steele, Mayor (presiding officer)
H. Wells, Councillor

Absent: R. Bodner, Councillor (due to a prior commitment)

Staff Present: T. Cartwright, Fire Chief
S. Corr, Manager of Revenue & Taxation
A. Grigg, Director of Community & Economic Development
N. Halasz, Manager of Parks & Recreation
S. Hanson, Manager of By-Law Services
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
L. Nelson, Recording Clerk
T. Rogers, Chief Building Official
P. Senese, Director of Corporate Services
S. Therrien, Director of Library Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That the agenda dated January 21, 2019 be confirmed, as circulated.
CARRIED.

4. Disclosures of Interest:

Nil.

5. Delegations:

- (a) **Peter Van Caulart, Co-Chair 2019 ARC Terminus Committee Re: 2019 Air Race Classic Terminus Event on June 19-21 at the Niagara Central Dorothy Rungeling Airport, regarding request for funding**

Peter Van Caulart was in attendance to request funding for the 2019 Air Race Classic Terminus event at the Niagara Central Dorothy Rungeling Airport. The funding request is for \$2000. Mr. Van Caulart provided a presentation as attached. Council referred them to the Granting Committee to apply for funding this event.

- (b) **Mario Madia, Vice President of Finance, Cathyann White, Vice President of Health, Fitness and Aquatics, on behalf of the YMCA of Niagara, Port Colborne YMCA regarding a request for funding**

Mario Madia and Cathyann White were in attendance to request funding for the Port Colborne YMCA. Their presentation as attached.

The funding request is due to a budgeted deficit of approximately \$55,756 with the main contributing factor being Bill 148 in 2018. The YMCA requested the City help offset the deficit with funding of \$24,692 which represents 50% of the projected deficit for 2018/19.

6. Items for Consideration:

1. **Memorandum from Peter Senese, Director of Corporate Services, Re: Storm Sewer Management Fees Considerations in 2019 Draft Budget**

The Director of Corporate Services stated that a Storm Sewer Management System and funding strategy was introduced in 2014 with an Infrastructure Needs Study within the Storm Sewer Drainage Area Boundary. The Director noted that recommendations for funding the storm sewer systems were developed and introduced to Council during a Strategic Planning Session in February 2015 and noted that this is

separate and distinct from the City's ditching program and Rural Drains Maintenance Program in rural areas.

The Director stated that staff are recommending that a separate Storm Sewer budget be implemented in 2019 by removing the operating maintenance budget (\$185,425) from the tax levy and that a new revenue source be implemented through a Storm Sewer flat fee for the Storm Sewer Drainage Area Boundary. This fee would generate annual revenue in the amount of \$740,000 and will sustain funding for the operations, current debenture of \$300,000 for the Nickel Area Storm Sewer project and future capital Storm Sewer projects. The Director noted that the annual residential fee is \$100, with multi-residential and commercial fees from \$175 to \$275 and industrial properties from \$375 to \$475 as a tiered fee structure. The Director added that the difference between raising the funding through a tax levy of \$740,000 and the flat fee proposal is \$16 to the average residential property.

The Director concluded that many municipalities are now funding their Storm Sewer budgets for both operating and capital with this method of funding as it provides a dedicated and stable source of funding for long-range planning, preventative maintenance and capital improvements and is a fair and equitable way to distribute the cost.

Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

The memorandum from Peter Senese, Director of Corporate Services regarding Storm Sewer Management Fee Considerations be received for information.

CARRIED.

2. Presentation:

Peter Senese, Director of Corporate Services, providing an overview of the 2019 draft budget.

The following additional materials were provided to Council: Budget presentation, supplemental and revised schedules as attached, ARC presentation and YMCA presentation.

The Director of Corporate Services provided a PowerPoint presentation (a copy of the presentation is attached) regarding the draft 2019 operating and capital budget. A copy of the draft 2019 budget is available on the City's website.

The Director provided a summary of the memorandum dated January 8, 2019 titled “2019 Budget” (the covering page of the 2019 budget package) and advised that it was anticipated that an overall budget increase of 4% to 5% would be projected for operations, capital levy and Operations Centre debt increases. Departments were requested to bring forth a base level of service budget with inflationary increase at approximately 2.5% for base operations.

The Director stated that the 2019 budget is presented with a 2.59% operating levy increase for the base level of service, which excludes any Storm Sewer operating budget (\$185,425) and is net of salary and wage increases as per the collective agreements of 2% and a cost of living of 2.5% for operating expenditures and a net increase in revenues. Therefore, the budget proposes a 2.59% overall operating levy increase amounting to \$443,607, plus a capital levy increase of \$257,000 or 1.50%, and the final increase of three years increase for the Operations Centre debenture amounting \$114,094 or 0.67% for a total tax levy increase of 4.76% including operations, capital and debenture increases.

The Director is recommending that a Storm Sewer Utility Budget be implemented in 2019 with the removal of the storm sewer operating budget from the tax levy. In addition, it was recommended that the Operations Centre final debt amount of \$114,094 be removed from the tax levy to be funded from the Fire Hall matured debt. This would reduce the tax levy increase from 4.76% to 4.09% and the effect to the average residential property tax increase from 4.03% or \$63 to 3.37% or \$53.

The Director noted that this does not necessarily translate into a tax increase to the ratepayer. The overall tax is dependent on a properties assessment and the Region/Education tax rates, which the City has no control over such agencies tax policies. Without knowing the Region and Education tax rates, staff cannot calculate the blended property tax increase of all three agencies being the City, Region and Education.

The Director informed that the only potential change may be a proposed change in Regional Tax Policy regarding tax ratios which provides for tax distribution among the tax classes.

The Director noted that the Provincial funding from the Ontario Municipal Partnership Fund has not been announced by the Provincial Government and any reductions in funding may affect the 2019 budget and be revisited.

The CAO provided a presentation regarding the 2017 Organizational Review and Wages and Benefits Analysis.

The Director recommended to review the budget in detail at the next budget meeting of January 23, 2019.

Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

That the Director of Corporate Services' 2019 Draft Budget presentation be received for information.

CARRIED.

7. **Adjournment:**

Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That the Council meeting be adjourned at approximately 9:15 p.m.

CARRIED.

PS/me



PORT COLBORNE

AGENDA

General Operating Budget

1/ Base Budget review (pages 9 to 35)

2/ Levy Summary review (page 2)

3/ **Council approval**-establish Storm Sewer Utility Budget and remove storm operations from general tax levy-\$185,425

4/ **Council approval**-capital levy increase-\$257,000

5/ Estimated Ave residential property tax (page 6)

6/ **Council approval**-fund OPS Centre debt from Fire Hall matured debt-\$114,094-reducing tax levy (page 6A)

7/ **Council approval**-funding allocations of OMPF and OCIF (OMPF funds subject to Provincial allocation to the City) (pages 7 & 8)

8/ Grant Programs/Groups/Services review (page 36)

9/ Unfinanced Staff requests – **Council Decisions** (pages 3 & 4)

10/ Review of Operating tax levy increase and average residential property tax

Council Approval of Operating Budget (subject to OMPF funding and any tax room created from the Region and Education tax rates)

Capital Budget

1/ Capital Budget requests – **Council Decisions** (pages 37 to 39)

2/ Fire Dept Equipment replacement-**Council approval** (page 39A)

3/ Review of Reserves transfers-**Council approval** (page 41)

4/ Repurpose Main St CIP matured debt to fund the Vale Health & Wellness Centre debt in 2020 to 2023 – **Council approval** (subject to extension agreement with Vale)

Council Approval of Capital Budget

Storm Sewer Budget

1/ Review of Storm Sewer Fees-**Council approval** (page 49)

2/ Review Storm Sewer Capital funding-**Council approval** (page 50)
(subject to annual approval of Storm Sewer budget)

Business Improvement Areas Budgets

1/ Main St. BIA (page 303)

2/ Downtown BIA (page 303A)

Council Approval of BIA Budgets

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**City of Port Colborne
Special Committee of the Whole Meeting 03-19
Minutes**

Date: January 23, 2019
Time: 5:30 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Absent: R. Bodner, Councillor

Staff Present: M. Audit, Parks Supervisor
D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
S. Corr, Manager of Revenue & Taxation
R. Daniel, Manager of Operations
J. Douglas-Kameka, Economic Development Officer
A. Grigg, Director of Community and Economic Development
N. Halasz, Manager of Parks & Recreation
S. Hanson, Manager of By-law Services
J. Huppunen, Manager of Engineering
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering & Operations
M. Minor, Marina Supervisor
L. Nelson, Recording Clerk
S. Powell Baswick, Director/Curator, Port Colborne Historical and Marine Museum
T. Rogers, Chief Building Official
P. Senese, Director of Corporate Services
S. Shypowskyj, Manager of Project and Design
S. Therrien, Director of Library Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. **Call to Order:**

Mayor Steele called the meeting to order.

2. **Introduction of Addendum Items:**

Nil.

3. **Confirmation of Agenda:**

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That the agenda dated January 23, 2019 be confirmed, as circulated.
CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Presentation:**

(a) **Continuation of 2019 Draft Budget Deliberations
Peter Senese, Director of Corporate Services**

The Director of Corporate Services reviewed an Agenda to be followed for budget deliberations, as attached.

The Director of Corporate Services provided a summary of the meeting of January 21, 2019 with a proposed tax levy increase of 4.76%, which includes a 1.50% capital levy budget increase and a 0.67% increase for the Operations Centre Debt. The Director provided a brief summary of the changes from the 2018 budget, with no further inquiries or changes to the base budget.

The Director reviewed the 2019 Operating Levy Summary with a 3.68% administration budget levy increase and with the storm sewer budget reduction applied; the base levy is 2.59%. The presented base tax levy with a 1.50% capital levy budget increase and a 0.67% increase for the Operations Centre Debt amounts to a 4.76% levy increase.

The Director proceeded to address the following items:

Storm Sewer Utility Budget

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That a Storm Sewer Utility Budget be established and the amount of \$185,425 for storm operations be removed from the levy to be funded through the Storm Sewer Utility budget.

CARRIED.

Review of Capital Levy Increase

In consensus, Council agree to review the following motion at the February 4th, 2019 Budget Meeting:

That the Capital Levy increase be \$257,000 or 1.50%.

Review of Operations Centre Debt

The Director reviewed the estimated tax impact on an average residential property and its comparison with a reduction in tax levy by funding the Operations Centre debt from the matured Fire Hall debt in 2019

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That the Operations Centre debt be funded by the Fire Hall matured debt for \$114,094 and reducing the tax levy.

CARRIED.

Review of Ontario Municipal Partnership Fund (OMPF) and Ontario Community Infrastructure Fund (OCIF)

The Director reviewed the OMPF and OCIF funding (funds are subject to Provincial allocation to the City) and their allocation within the budget and projects.

Review of 2019 Groups, Programs and Services:

Upon review of the budgeted allocations for Groups, Programs and Services. The following direction was provided:

That the Community Grant be funded from the tax levy and \$10,000 be phased in to be added to the tax levy in 2019 to top up the \$19,000 interest on the Grant Investment until the investment matures in December 2020.

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That funding for Community Grants of \$30,000 be funded out of the levy, with \$10,000 in 2019, \$10,000 in 2020 and \$10,000 in 2021 with the top up in each year from the investment interest earned from the previous year.

CARRIED.

Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That the Feral Cat Program \$5,000 be removed from the levy and the group be referred to the Grant Committee with an extension to apply.
CARRIED.

Review of 2019 Unfinanced Staff Requests:

Council agreed to move on to the 2019 Budget Worksheet Summary to review any additional staff requests, which may affect the levy. Council reviewed and considered the following items:

Chief Administrative Officer (CAO) – Community Safety

In consensus, Council agree to review the following motion at the February 4th, 2019 Budget Meeting:

That the CAO request for \$85,000 for Community Safety be deferred to the next budget meeting.

Corporate Services – Clerks Division – Records Management Annual Licence Fee

In consensus, Council agreed to the following funding:

That the Corporate Services, Clerks Division request for costs of \$10,000 be applied to the levy.

Corporate Services – Clerks Division – Summer Student

In consensus, Council agreed to the following funding:

That the Corporate Services, Clerks Division request for a summer student for \$9,500 be applied to the levy.

Corporate Services – Clerks Division - Customer Service Part Time Staffing

In consensus, Council agreed to the following funding:

That the Corporate Services, Clerks Division request for Customer Service part time staffing for \$34,000 be applied to the levy.

Operations – Stone Repairs on Roads and Shoulders

In consensus, Council agreed to the following funding:

That the Operations Division request for \$5,000 for shoulder and stone road repairs in rural areas be applied to the levy.

Parks and Recreation – Canal Days Volunteer Incentive Program

In consensus, Council agreed to the following funding:

That the Community and Economic Development request for \$3,500 for the Canal Days Volunteer incentive program be applied to the levy.

Parks and Recreation – Canal Days High Level Entertainment

In consensus, Council agreed to the following funding:

That the Community and Economic Development request for \$50,000 for Canal Days be deferred to the next budget meeting.

Staff Direction:

That the Director of Community and Economic Development be directed to report back more details regarding Canal Days high level entertainment costs.

Parks and Recreation – New Fishing Tournaments

In consensus, Council agreed to the following funding:

That the Community and Economic Development request for \$25,000 for new fishing tournaments be applied to the levy.

Economic Development – Niagara Development Corridor Partnership

In consensus, Council agreed to the following funding:

That the request for \$2,500 for an increase in membership fees be applied to the levy.

Economic Development –BESS Office at Roselawn

In consensus, Council agreed to the following funding:

That the request for \$15,500 for a BESS Office at Roselawn for business development consultants be applied to the levy.

Museum – Receptionist Increased 180 Hours

In consensus, Council agreed to the following funding:

That the request for \$3,101 for 180 additional hours be applied to the levy.

Museum – Administrative Assistant – 95 Hours

In consensus, Council agreed to the following funding:

That the request for \$1,636 for 95 additional hours be applied to the levy.

Library – Additional 100 Part Time Hours

In consensus, Council agreed to the following funding:

That the request for \$2,172 for 100 additional hours be applied to the levy.

Building/By-law Division – Administrative Intake Clerk

In consensus, Council agreed to the following funding:

That the Building/By-law Division request for \$27,084 for an Administrative Intake Clerk be applied to the levy.

Building/By-law Division – Inspections Officer

In consensus, Council agreed to the following funding:

That the Building/By-law Division request for \$38,998 for an Inspections Officer be applied to the levy.

Physician Recruitment – Future Recruitment

In consensus, Council agreed to the following funding:

That the Physician Recruitment request for \$16,175 be applied to the levy.

Councillor Conferences – Increase Allowance

Moved by Councillor G. Bruno

Seconded by Councillor A. Desmarais

That the conferences budget for Councillors be increased to \$25,000 and that \$16,107 be applied to the levy.

CARRIED.

Council discussed the new Federal tax ruling and the 1/3 tax exemption affecting Council remuneration. Consensus of Councillors was for remuneration to provide the same net wages.

The Director informed Council that the levy increase with the above additions is 5.42% with a City tax increase of 4.69% or \$73 to the average residential property.

6. Adjournment:

Moved by Councillor F. Danch

Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 8:45 p.m.

CARRIED.

PS/me



PORT COLBORNE

AGENDA

General Operating Budget

1/ Base Budget review (pages 9 to 35)

2/ Levy Summary review (page 2)

3/ **Council approval**-establish Storm Sewer Utility Budget and remove storm operations from general tax levy-\$185,425

4/ **Council approval**-capital levy increase-\$257,000

5/ Estimated Ave residential property tax (page 6)

6/ **Council approval**-fund OPS Centre debt from Fire Hall matured debt-\$114,094-reducing tax levy (page 6A)

7/ **Council approval**-funding allocations of OMPF and OCIF (OMPF funds subject to Provincial allocation to the City) (pages 7 & 8)

8/ Grant Programs/Groups/Services review (page 36)

9/ Unfinanced Staff requests – **Council Decisions** (pages 3 & 4)

10/ Review of Operating tax levy increase and average residential property tax

Council Approval of Operating Budget (subject to OMPF funding and any tax room created from the Region and Education tax rates)

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1/ Capital Budget requests – **Council Decisions** (pages 37 to 39)

2/ Fire Dept Equipment replacement-**Council approval** (page 39A)

3/ Review of Reserves transfers-**Council approval** (page 41)

4/ Repurpose Main St CIP matured debt to fund the Vale Health & Wellness Centre debt in 2020 to 2023 – **Council approval** (subject to extension agreement with Vale)

Council Approval of Capital Budget

Storm Sewer Budget

1/ Review of Storm Sewer Fees-**Council approval** (page 49)

2/ Review Storm Sewer Capital funding-**Council approval** (page 50)
(subject to annual approval of Storm Sewer budget)

Business Improvement Areas Budgets

1/ Main St. BIA (page 303)

2/ Downtown BIA (page 303A)

Council Approval of BIA Budgets

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**City of Port Colborne
Special Committee of the Whole Meeting 05-19
Minutes**

Date: February 4, 2019
Time: 5:30 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
W. Steele, Mayor (presiding officer)

D, Kalailieff, Councillor (absent)
H. Wells, Councillor (absent)

Staff Present: R. Daniel, Manager of Operations
J. Douglas-Kameka, Economic Development Officer
A. Grigg, Director of Community and Economic Development
N. Halasz, Manager of Parks & Recreation
S. Hanson, Manager of By-law Services
J. Huppunen, Manager of Engineering
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering & Operations
M. Minor, Marina Supervisor
L. Nelson, Recording Clerk
S. Powell Baswick, Director/Curator, Port Colborne Historical and Marine Museum
T. Rogers, Chief Building Official
P. Senese, Director of Corporate Services
S. Shypowskyj, Manager of Project and Design
S. Therrien, Director of Library Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

2. **Introduction of Addendum Items:**

Nil.

3. **Confirmation of Agenda:**

Moved by Councillor R. Bodner
Seconded by Councillor E. Beaugard

That the agenda dated February 4, 2019 be confirmed, as circulated.
CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Presentation:**

(a) **Continuation of 2019 Draft Budget Deliberations
Peter Senese, Director of Corporate Services**

The Director of Corporate Services provided a summary of the meeting of January 23, 2019 with a proposed tax levy increase of 5.42% with a City tax increase of 4.69% or \$73 to the average residential property. The Director informed Council that the Regional Municipality of Niagara and Education tax rates are still pending. It was recommended to wait until the next budget meeting to finalize the operating budget.

The Director proceeded to address the following items:

Capital Budget Levy and Projects

Council reviewed the capital projects funded from the capital budget levy, including the addition of \$257,000 to the capital levy.

Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

That Council approve the capital projects and capital levy.
CARRIED.

Fire Department Equipment Replacement

Moved by Councillor M. Bagu
Seconded by Councillor A. Desmarais

That Council approve the repurposing of the remaining matured Fire Hall debt for \$192,336 for 2019 and 2020 and the matured Marina debt for \$73,268 for 2019 recommended to fund replacement of the Fire Department Self Contained Breathing Apparatus (S.C.B.A) equipment valued at \$450,000 for the 2020 fiscal year; and

That Council approve the replacement of Fire Engine No.2 in 2021/2022 to be funded through a new debenture with the debenture payments financed by City Hall and Fire Vehicle matured debt in 2021 and 2022, respectively.
CARRIED.

Review of Reserves Transfers

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That Council approve the reserves transfers; and

That the \$60,000 in lease revenue from P&H (formerly Goderich) be transferred to the Goderich capital reserve over the next 4 years and added to the levy.

CARRIED.

Repurpose Main St CIP Matured Debt to Fund the Vale Health & Wellness Centre Debt in 2020 to 2030

Moved by Councillor G. Bruno
Seconded by Councillor E. Beauregard

That Council approve the repurposing of the Main St. CIP matured debt to fund the remaining Vale Health & Wellness Centre debt in 2020 to 2023
CARRIED.

Review of Storm Sewer Fees

Moved by Councillor F. Danch
Seconded by Councillor M. Bagu

That Council approve the Storm Sewer fees for the urban area; and Council requested staff to investigate roadside ditching and estimates of costs to each resident on a fee basis for 2020.

CARRIED.

Review of Storm Sewer Capital Funding

Moved by Councillor F. Danch
Seconded by Councillor M. Bagu

That Council approve the Storm Sewer budget and capital funding
CARRIED.

Main Street BIA and Downtown BIA

Moved by Councillor R. Bodner
Seconded by Councillor M. Bagu

That Council approve the Main St. and downtown BIA's 2019 budgets
CARRIED.

The Director informed Council that the Niagara Central Airport Commission budget was received and the amount required has increased by \$9,282. As the City receives interest revenue from loans to the Airport in the amount of \$3,013, the net amount of \$6,269 is added to the tax levy.

The CAO provided an update on the proposed funding of \$85,000 for the Community Safety Initiative in response to vandalism in the Community. Council agreed that any funds should be one time and not part of the tax levy. Any initiatives from the committee are to be reported to Council for approval and funding would be provided through reserves and later replenished.

Council was provided a memo from the Director of Community and Economic Development regarding the Canal Days increased funding of \$50,000. This memo is attached. Council discussed the Canal Days initiatives and deferred this issue to the next budget meeting.

The Director of Corporate Services provided an update with the Airport Commission increase added to the tax levy to be 5.45% with a City tax increase of 4.70% or \$74 to the average residential property.

6. Adjournment:

Moved by Councillor F. Danch
Seconded by Councillor G. Bruno

That the Council meeting be adjourned at approximately 8:53 p.m.
CARRIED.

PS/me



Community & Economic Development Department

905-835-2900

TO: Peter Senese, Director of Corporate Services

CC: Nicole Halasz, Manager of Parks and Recreation

FROM: Ashley Grigg, Director of Community and Economic Development

DATE: January 31, 2019

RE: Budget Deliberations - Canal Days Marine Heritage Festival

Purpose:

The purpose of this memorandum is to provide further information regarding the request to allocate an additional \$50,000 to the Canal Days Marine Heritage Festival budget. The initial intention of the request was to increase the talent procurement budget by \$50,000 in order to secure high-level entertainment for the 2019 Canal Days Festival. Staff brought this request forward after several Councillors indicated they would support a request for additional funding in light of the record number of attendees reached during last year's concert series (as outlined below).

Background - 2018 Canal Days Marine Heritage Festival:

In 2018, Council allocated an additional \$40,000 towards the Festival (as it was the celebration of the fortieth annual Canal Days Festival). The allocation of additional funds allowed the City to secure Blue Rodeo as the headlining concert entertainer. Attendance records for the 2018 Festival indicate H.H. Knoll Lakeview Parks was very close to reaching maximum capacity (9,768 people were confirmed to be in attendance) during the Blue Rodeo performance on the Saturday evening (the Park is licenced to host a maximum of 10,000 people). The following chart provides a brief summary of concert attendance records and bar revenue sales in the park for 2018.

Summary of 2018 Attendance and Revenue (H.H. Knoll Lakeview Park)		
Day	Attendance	Revenue
Friday	7,352	\$61,894.09
Saturday	9,768	\$81,109.35
Monday	1,525	\$11,528.28

A variety of factors can influence attendance numbers (i.e. favourable weather conditions, new concert venue, fortieth annual celebration, etc.); however, a portion of the increased attendance levels may also be attributed to the popularity and appeal of the headlining entertainment.

Deliberations of the Canal Days Advisory Committee:

As noted at the January 23, 2019 Budget Meeting, the Canal Days Advisory Committee, the next meeting of which will be held on February 7, 2019, has identified the need to review the Festival's revenues and expenses. As event planning for 2019 is currently underway, the Committee will undertake this process at a future meeting.

In addition to the above, the Committee has expressed a desire to explore the potential introduction of new elements to the Festival designed to enlarge the variety and type of vendors and events available and boost the Festival overall. The Committee has not yet deliberated on the details of these initiatives, however will do so at a future meeting.

Conclusion:

At present, there are no funds allocated within the existing budget to support new Festival initiatives. In light of the above, Council may determine to allocate the funding requested above towards supporting the development and implementation of new Festival initiatives. In this case, the additional funds would be earmarked for new and/or enhanced festival initiatives only (such as the introduction of new and/or expanded event programming, enhancements to the existing vendors market, procurement of an additional tall ship, enhanced entertainment, etc.).

Sincerely,

Ashley Grigg
Director of Community and
Economic Development

**City of Port Colborne
Special Committee of the Whole Meeting 08-19
Minutes**

Date: March 4, 2019

Time: 5:30 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
R. Bodner, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Staff Present: M. Evely, Recording Clerk
A. Grigg, Director of Community & Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
T. Rogers, Chief Building Inspector
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

That the agenda dated March 4, 2019 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Nil.

5. Delegations:

Nil.

6. Item(s) for Consideration:

**1. Corporate Services Department, Finance Division, Report 2019-29,
Subject: Proposed 2019 Water and Wastewater Rates**

Moved by Councillor H. Wells

Seconded by Councillor E. Beauregard

That the 2019 Water and Wastewater Rates be approved as follows:

Water Usage Rate	\$ 1.311	per m ³
Water Service Fixed Charge	\$384.65	annual fixed rate
Wastewater Usage Rate	\$1.336	per m ³
Wastewater Service Fixed Charge	\$504.86	annual fixed rate

That the 2019 Water and Wastewater budgets as presented in Corporate Services Department, Finance Division Report 2019-29, be approved; and

That the Water and Wastewater Rates by-laws be approved.

The Director of Corporate Services presented the water and wastewater budget to Council, as attached. The Director informed Council that the proposed budget has been reduced to reflect a vacancy of a Water Operator and reduces the water usage rate to \$1.291 and the wastewater usage rate to \$1.327.

Moved by Councillor G. Bruno

Seconded by Councillor E. Beauregard

That the motion be amended to include the following:

That the Director of Engineering and Operations initiate a lateral water service leak detection testing program on all water laterals both on the public and private side of the curb stop within the calendar year 2019; and

That the Director of Engineering and Operations establish a financing strategy for capital replacements of water laterals.

CARRIED

Moved by Councillor A. Desmarais
 Seconded by Councillor M. Bagu

Council resolved to waive the procedure by-law to allow Ron Barta, 5474 Firelane 22, to speak regarding the water distribution system in Port Colborne.

CARRIED.

Moved by Councillor H. Wells
 Seconded by Councillor E. Beauregard

That the 2019 Water and Wastewater Rates be approved as follows:

Water Usage Rate	\$ 1.291	per m ³
Water Service Fixed Charge	\$384.65	annual fixed rate
Wastewater Usage Rate	\$1.327	per m ³
Wastewater Service Fixed Charge	\$504.86	annual fixed rate

That the 2019 Water and Wastewater budgets as presented in Corporate Services Department, Finance Division Report 2019-29, be approved; and That the Water and Wastewater Rates by-laws be approved.

That the Director of Engineering and Operations initiate a lateral water service leak detection testing program on all water laterals both on the public and private side of the curb stop within the calendar year 2019; and

That the Director of Engineering and Operations establish a financing strategy for capital replacements of water laterals.

CARRIED.

2. Memorandum from Chris Lee, Director of Engineering and Operations and Darlene Suddard, Environmental Compliance Supervisor Re: Summary of 2018 Distribution System Unbilled Water

Moved by Councillor E. Beauregard
 Seconded by Councillor H. Wells

That the memorandum from Chris Lee, Director of Engineering and Operations and Darlene Suddard, Environmental Compliance Supervisor Re: Summary of 2018 Distribution System Unbilled Water, be received for information.

CARRIED.

3. Engineering and Operations Department, Engineering Division, Report 2019-30 Subject: Memo on the Proposed Roadside Ditching Program and Associated Funding Methods

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That a pilot project be initiated in 2019 to establish the validity of our estimated costs; and

That the necessary equipment be rented as required; and

That the funds to cover the Roadside Ditching program costs by Municipal Staff, (rental equipment, materials and Staffing costs) be covered by the existing budgeted funds for 2019, they being:

0-500-73430 -- Roadside Ditching - \$236,000.00

0-500-73320 -- Culvert Repairs - \$ 34,810

Total 2019 budget request - \$270,810.

CARRIED.

7. Presentation

**(a) Continuation of 2019 Draft Budget Deliberations
Peter Senese, Director of Corporate Services**

The Director reviewed details of the 2019 operating budget with Council. An overview Agenda was provided to Council, as attached. It was noted that with the proposed Regional tax rate and no change to the Education tax rate (unavailable), that the blended tax increase to an average residential property is approximately 3.67%.

Council continued deliberation of a few outstanding items as follows:

P&H (Goderich) Lease Revenue

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That Council approve the lease revenue of \$63,000 be transferred to the Goderich Reserve and added to the levy.

CARRIED

Marina Surplus

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That Council approve the marina surplus of \$10,000 be transferred to the Marina Capital Reserve and added to the levy.

CARRIED

Canal Days New Initiatives

That Council has consensus that \$45,000 be added to the levy and transferred to the Canal Days Reserve and that spending of such funds would require Council approval; and

That \$5,000 from the OMPF funds be allocated to the Canal Days Reserve

The Director provided an update on the tax levy increase at 6.14% with a blended tax increase (no change to the Education tax rate) of 4.02% or \$124 to the average residential property.

After much discussion, Council reconfirmed the Storm Sewer Fees as originally proposed.

Moved by Councillor E. Beauregard
Seconded by Councillor F. Danch

That Council remove \$30,000 for Firefighters Memorial from the 2019 capital levy budget.

CARRIED.

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That Council remove \$73,000 from the 2019 capital levy budget.

LOST.

Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That Council reconsider the following motion:

That Council remove \$30,000 for Firefighters memorial from 2019 capital budget.

CARRIED.

Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That Council add \$30,000 into the 2019 capital budget to fund the Firefighters Memorial.

CARRIED.

Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

That Council approved a 4.02% blended tax increase to the average residential property.

CARRIED.

6. Adjournment:

Moved by Councillor F. Danch
Seconded by Councillor H. Wells

That the Committee of the Whole meeting be adjourned at approximately 9:11p.m.
CARRIED.

AL/me



PORT COLBORNE

AGENDA

General Operating Budget Recap

1/ Proposed Roadside Ditching Program

2/ **Council approved** - the Storm Sewer Utility Budget and removal of the storm operations - \$185,425 - reducing tax levy

3/ **Council approved** - to fund OPS Centre debt from Fire Hall matured debt - \$114,094 - reducing tax levy

4/ **Council approved** - the funding allocations of OMPF and OCIF (OMPF funds subject to Provincial allocation to the City) (pages 7 & 8)

5/ **Council approved** - Grant Programs/Groups/Services review (pg 36)

- Increased Community Grants by \$10,000
- Reduced Feral Cat grant by \$5,000

6/ **Council concensus** - for a capital levy increase-\$257,000

7/ **Council concensus** - Unfinanced Staff requests (pages 3 & 4)

8/ Review of Operating tax levy increase and average residential property tax increase (with Region tax rates-subject to any changes in tax policy and/or tax ratios)

9/ Outstanding Decisions

- P&H (Goderich) lease – net revenue \$63,000 to reserve
- Canal Days funding - \$50,000 to reserve for new initiatives
- Marina surplus - \$10,000 to Marina capital reserve

Council Approval of Operating Budget (subject to OMPF funding and any tax room created from the Education tax rates) – Report to Council

Capital Budget

1/ **Council approved** - Capital Budget (pages 37 to 39)
(subject to the capital levy increase of \$257,000)

2/ **Council approved** - Fire Dept Equipment replacement (page 39A)

3/ **Council approved** - Reserves transfers (page 41)

4/ **Council approved** - Repurpose Main St CIP matured debt to fund the Vale Health & Wellness Centre debt in 2020 to 2023
(subject to extension agreement with Vale)

Storm Sewer Budget

1/ **Council approved** - Storm Sewer Fees (page 49)

2/ **Council approved** - Storm Sewer Capital funding (page 50)
(subject to annual approval of Storm Sewer budget)

Business Improvement Areas Budgets

1/ Main St. BIA (page 303)

2/ Downtown BIA (page 303A)

Council Approved both BIA Budgets

The City of Port Colborne

2019

PROPOSED WATER AND WASTEWATER
BUDGET AND RATES

3/20/2019

1

Fixed vs Usage Charge

- Water and Wastewater operations incur both fixed and usage (variable) costs. The only true usage cost is related to the purchase of water that flows through a customer's meter and the treatment of wastewater which is billed to the customer.
- City Operating Cost - 29% allocated to usage rate although are fixed costs
- City Capital/Debt Cost - 24% allocated to the fixed charge
- Region Water Purchases - 47% - 52% are a fixed cost and unbilled water - 48% is actually a true usage cost

2

Water Budget Costs

• City Operating	\$1,504,796	29%
• City Capital/Debt	\$1,217,630	24%
• Region fixed/unbilled	\$1,231,740	24%
• <u>Region Usage(billed)</u>	<u>\$1,143,600</u>	<u>23%</u>
➤ Total Fixed Costs	\$2,449,370	48%
➤ <u>Total Variable Costs</u>	<u>\$2,648,396</u>	<u>52%</u>
Average Resident Usage of .75 m3 per day		
❖ Annual fixed charge	\$384.65	52%
❖ Annual usage charge	<u>\$358.89</u>	48%
	\$743.54	

3

Issues Affecting 2019 Budget

- 2018 water deficit funded – \$281,000 budgeted capital not allocated to capital reserves
- 2018 wastewater deficit funded – \$435,000 budgeted capital not allocated to capital reserves (\$160,000 Wastewater Reconciliation)
- Increasing annual capital allocation of funds by 2% to 5% - no increase in 2019
- Region's budget increase – water 2.77% and wastewater 6.65%
- Increased costs – Region increase for water purchases 2.47% and wastewater treatment 4.01% - City water operator for 9 months phased in from 2018 plus 2.5% cost of living

4

Issues Affecting 2019 Budget

- Actual annual water revenue not meeting projected annual revenue - \$275,000 - water rates too low (water sales declined)
- Wastewater Rate Stabilization Reserve - \$200,000 allocated to 2019 budget
- Wastewater flows are very unpredictable – extraneous flows are mainly due to weather and are lost revenue
- Wastewater revenues currently not meeting projected revenue - \$673,000 – rates are too low
- Wastewater meter sales have declined from 1.8m3 to 1.2m3

5

Issues Affecting 2019 Budget

- Industrial facilities reducing/eliminating wastewater flows – from 50% to 6%
- Impacts rates to generate revenues which offset extraneous flows cost
- Major industrial customer came off the wastewater system in 2017 - \$600,000 – 2018 effect is \$900,000
- More extensive Storm Sewer Systems may reduce sources of extraneous flows
- New 10 year Water Financial Plan required in 2019

6

Mitigation of Changes

- Staff ongoing monitoring of flows and planning infrastructure replacements, meter installations, private service leakage and Region trunk mains review
- Phasing in actual unbilled water and extraneous flows in wastewater
- Phasing in known sales revenue shortfalls
- No increase to capital contributions
- Phased in the addition of one Certified Water/Wastewater Operator to operating budget – 2018 (3 months) and 2019 (9 months)
- Applying Wastewater rate stabilization reserve to capital for \$200,000
- Cost of living increase at 2.5% for City portion of operations

7

Operating Budget Water and Wastewater

- ❖ Total annual increase to an average residential user
is \$69.42 or \$5.78 a month – 4.49%
- Water fixed and usage increase – 3.54%
Annual increase is \$25.42 or \$2.12 a month
- Wastewater fixed and usage increase – 5.33%
Annual increase is \$44.00 or \$3.66 a month

3/20/2019

8

Water Operations

Usage Rates

- Usage rate increase \$1.274 to \$1.311 – 2.89%
- Water Financial Plan rate for 2019 – \$1.348
- Ave annual increase - \$10.09 or \$0.84 a month

Fixed Service Charge

- Capital rate increase \$369.33 to \$384.65 – 4.15%
- Ave annual increase - \$15.33 or \$1.28 a month

Blended Change

- Water fixed and usage increase – 3.54%
Annual increase is \$25.42 or \$2.12 a month

3/20/2019

9

Water Operations

- Regional water purchase increase - \$58,583 to \$2,375,340 (47% of budget)
- City operating increase - \$108,170 (new operator) at \$1,455,196 (29% of budget)
- City capital decrease - \$100 to \$1,217,630 (24% of budget)
- Total Net Increase in Operating/Capital Costs is 3.41% (\$166,653)
- Non billable water loss between 27% & 40% - budgeted 36%
- 3 year average water volume purchase 3,080,817m³
- Budgeted fixed costs at 48%
- Budgeted Regional costs fixed at 52%

3/20/2019

10

Water Rates Comparison for 2019

	Water Financial Plan	Proposed Rates
Usage Cost per m3	1.348	1.311
Annual Usage Cost - 0.75 m3 per day	369.02	358.89
Annual Fixed Charge	<u>345.01</u>	<u>384.65</u>
Total Annual Cost	714.03	743.54

3/20/2019

11

Water Rate Calculation

	Total Costs	Consumption Costs	Fixed Costs
Amortization/Capital	497,320		497,320
Rate Stabilization/Capital	285,930		285,930
Contract Services	153,729	153,729	
Salaries and benefits	785,775	785,775	
Regional Water Purchases	2,375,340	1,143,600	1,231,740
Interdepartmental			
Administration	264,060	180,942	83,118
Fleet Charges	61,701	61,701	
Long term debt	70,000		70,000
New Long term debt	364,380	68,791	295,589
General Admin	43,459	43,459	
Materials and supplies			
Utilities and telephone	8,721	8,721	
Repairs and Maintenance	109,738	109,738	
Materials, parts and supplies	49,513	49,513	
Other	10,000	10,000	
Small Tools/Equipment	18,100	18,100	
	5,097,766	2,634,069	2,463,697
Other Revenues	- 49,600	- 49,600	-
	<u>5,048,166</u>	<u>2,584,469</u>	<u>2,463,697</u>
Estimated Annual Water Sold - m3		1,971,723	
Total Customers			6,405
Water Usage Rate		1.311	
Annual Water Service Fixed Charge			384.65

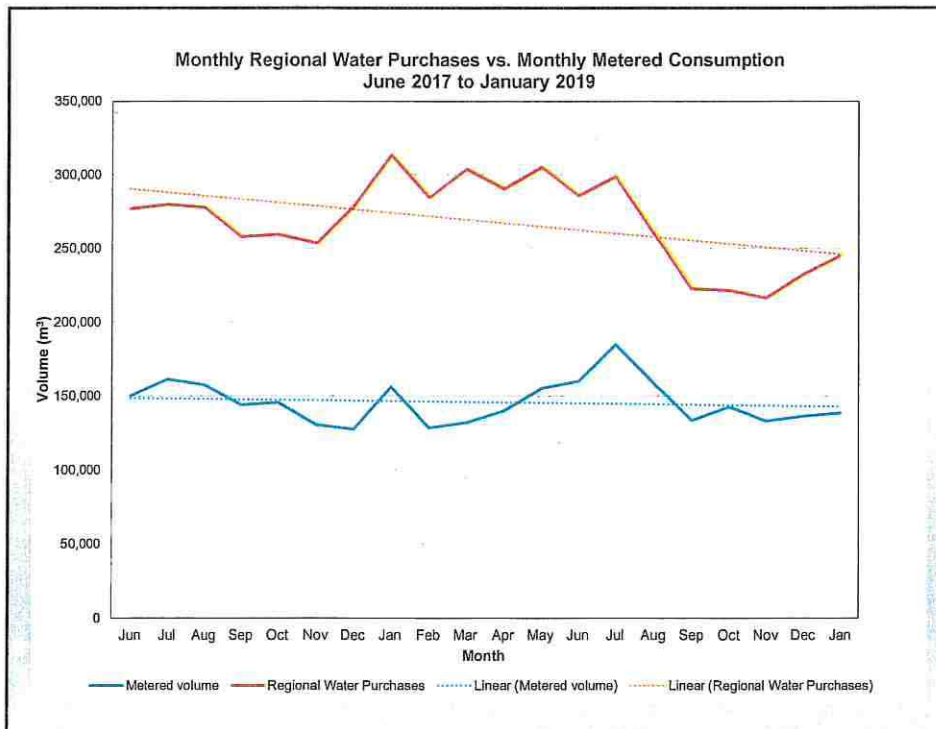
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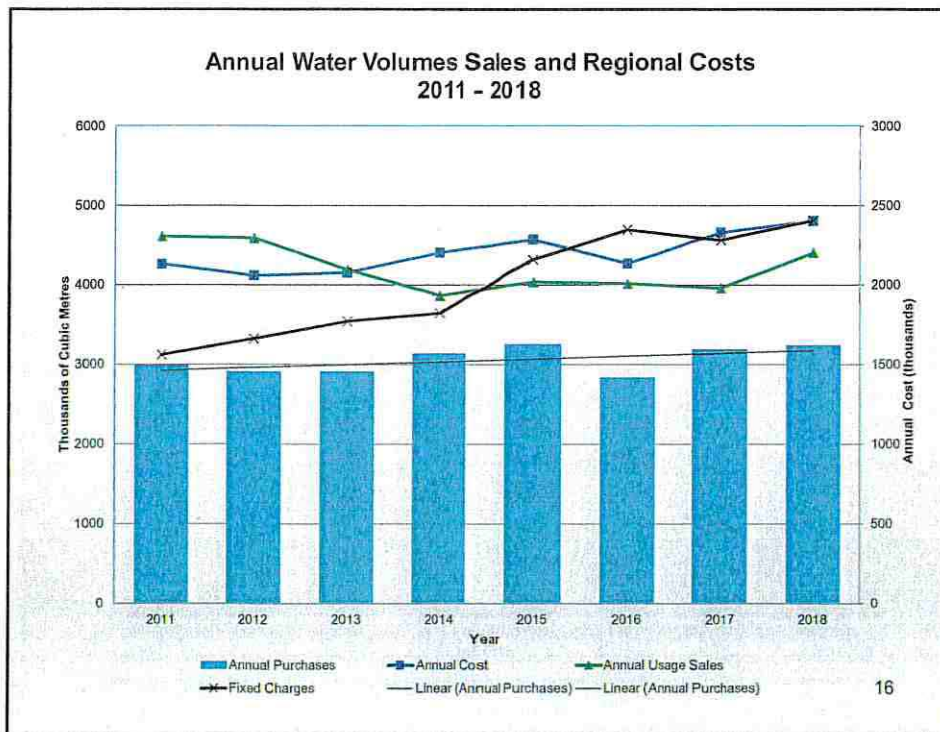
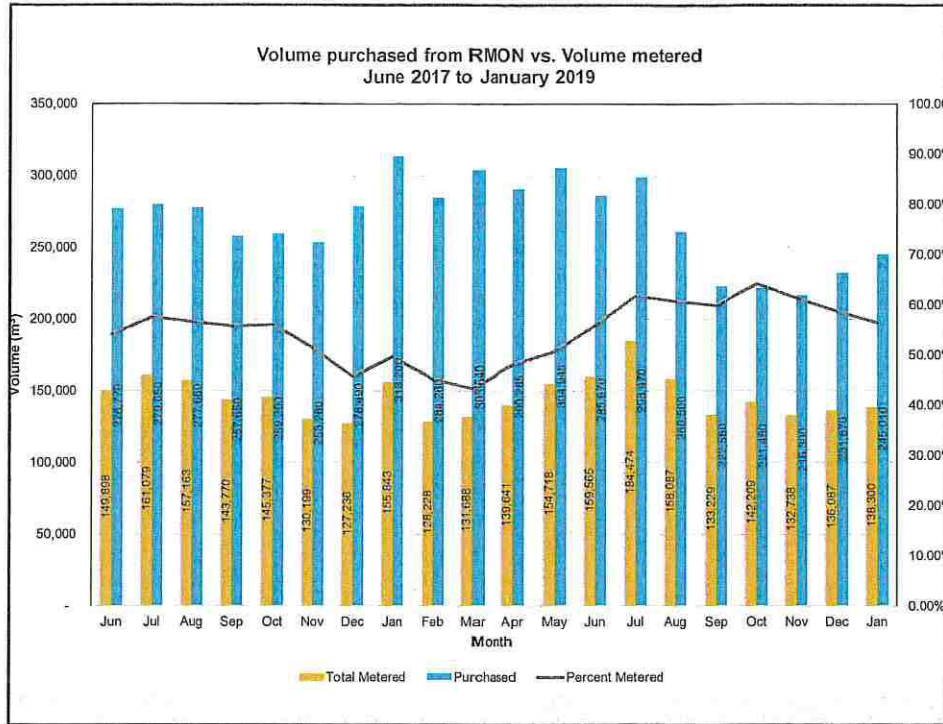
Water Capital Program

- Current contributions - \$1,217,630
 - Rate Stabilization - \$285,930
 - Capital Projects - \$356,851
 - Debt - \$434,380
 - Equipment - \$53,101
 - Water Meters - \$87,368
- Proposed annual increase of \$ NIL
- Annual requirement based on replacement cost is \$2.3 million
- Annual Amortization of capital assets is \$600,000

3/20/2019

13





Wastewater Operations

Usage Rates

- Usage rate increase \$1.295 to \$1.336 – 3.14%
- Ave annual increase - \$11.13 or \$0.93 a month

Fixed Service Charge

- Capital rate increase \$471.98 to \$504.86
- Ave annual increase - \$32.88 or \$2.74 a month

Blended Change

- Wastewater fixed and usage increase – 5.33%
Annual increase is \$44.01 or \$3.67 a month

3/20/2019

17

Wastewater Operations

- Regional fixed cost increase - \$167,079
to \$4,076,742 (72% of budget)
- City operating increase - \$17,789
to \$863,584 (15% of budget)
- City capital increase - \$0
to \$751,930 (13% of budget)
- Total Net Increase in Operating/Capital Costs is 3.36% (\$184,868)
- Regional 3 year rolling average of flows 3,944,000 m³
- Non billable flows estimated between 45% and 68%
- budgeted 56%
- Budgeted City costs at 28%
- Budgeted Regional costs fixed at 72%

3/20/2019

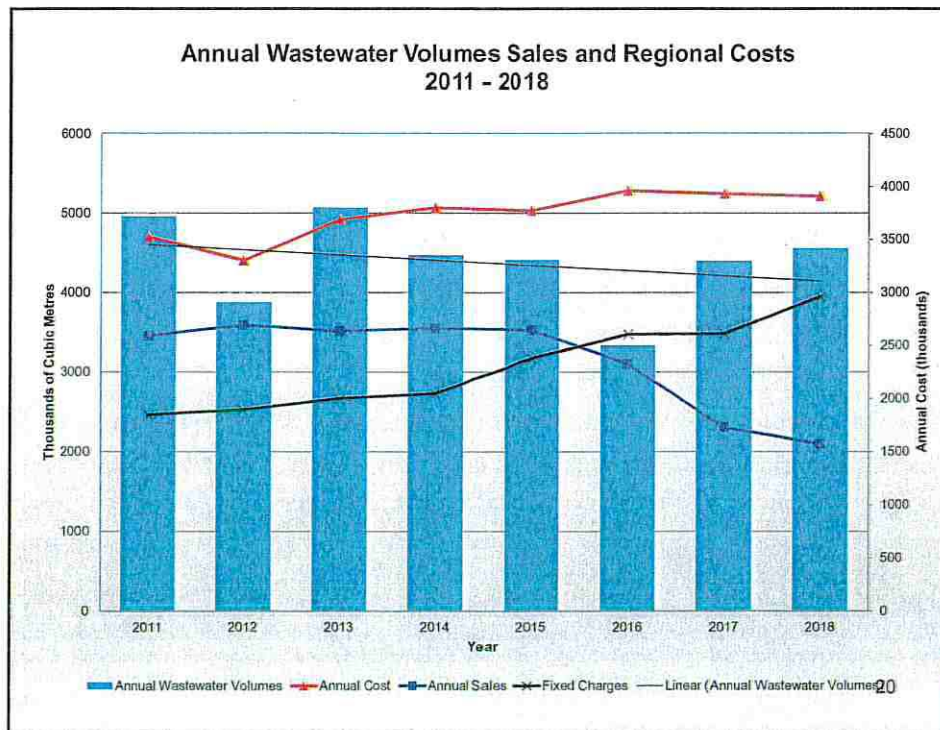
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Wastewater Capital Program

- Current contributions - \$751,930
- Rate Stabilization - \$206,357
- Capital Projects - \$508,853
- Equipment - \$36,720
- Proposed annual increase of \$ NIL
- Annual requirement based on replacement cost is \$1.2 million
- Annual Amortization for capital assets is \$400,000

3/20/2019

19



CITY OF PORT COLBORNE
RESERVES AND RESERVE FUNDS
December 31, 2018

WATER	
Development charges	-
SCADA Water Study	39,935
Water Rate Stabilization	4,248
Water Equipment Replacement	70,109
Drainage Water Quality	80,420
Bulk Water Station Replacement	269,692
Water Meter Replacements	67,515
Meter Pits	174,361
Water Capital Projects	<u>214,442</u>
	<u>920,722</u>
WASTEWATER	
Development charges	6,581
Sewer Rate Stabilization	72,554
Sewer Operations-TV Inspections	160,290
Sewer Equipment Replacement	49,743
CSO Sewer Program	344,997
Sewer Capital Projects	<u>284,210</u>
	<u>918,375</u>

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Proposed Annual 2019 Rates

2018 annual cost	2018 rate	Item	2019 rate	2019 annual cost	Annual Increase	Increase
\$	\$		\$	\$	\$	%
1544.55				1613.97	69.42	4.49
348.74	1.274/m ³	Water usage rate	1.311/m ³	358.82	10.09	2.89
369.33	369.33	Water fixed charge	384.65	384.65	15.33	4.15
354.50	1.295/m ³	Sewer usage rate	1.336/m ³	365.64	11.13	3.14
471.98	471.98	Sewer fixed charge	504.86	504.86	32.88	6.97

3/20/2019 22

Proposed Quarterly 2019 Rates

2018 cost per quarter	2018 rate	Item	2019 rate	2019 cost per quarter	Quarterly Increase	Increase
\$	\$		\$	\$	\$	%
386.14				403.49	17.35	4.49
87.18	1.274/m ³	Water usage rate	1.311/m ³	89.71	2.53	2.89
92.33	369.33	Water fixed charge	384.65	96.16	3.83	4.15
88.63	1.295/m ³	Sewer usage rate	1.336/m ³	91.41	2.78	3.14
118.00	471.98	Sewer fixed charge	504.86	126.21	8.21	6.97

3/20/2019

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Proposed Monthly 2019 Rates

2018 cost per month	2018 rate	Item	2019 rate	2019 cost per month	Monthly Increase	Increase
\$	\$		\$	\$	\$	%
128.71				134.50	5.79	4.49
29.06	1.274/m ³	Water usage rate	1.311/m ³	29.90	0.84	2.89
30.78	369.33	Water fixed charge	384.65	32.05	1.28	4.15
29.54	1.295/m ³	Sewer usage rate	1.336/m ³	30.47	0.93	3.14
39.33	471.98	Sewer fixed charge	504.86	42.07	2.74	6.97

3/20/2019

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Average User	.75 Cubic Meter Per Day	Original Proposed Budget		Proposed Budget			
		Add Operator Cost for 9 mths		Reduced Operator Cost for Vacancy			
Annual Change		\$ 69.42	4.49%	\$ 61.54	3.98%		
Water Usage Rate		\$ 10.09	2.89%	\$ 4.68	1.34%		
Water Service Fixed Charge		\$ 15.33	4.15%	\$ 15.33	4.15%		
Sewer Usage Rate		\$ 11.13	3.14%	\$ 8.65	2.44%		
Sewer Service Fixed Charge		\$ 32.88	6.97%	\$ 32.88	6.97%		
2018							
Annual Cost Rate							
Annual Cost		\$1,613.97		\$1,606.09	\$1,544.55		
Water Usage Rate		\$1.311	\$358.82	\$1.291	\$353.42	\$348.74	\$1.274
Water Service Fixed Charge		\$384.65	\$384.65	\$384.65	\$384.65	\$369.33	\$369.33
Sewer Usage Rate		\$1.336	\$365.64	\$1.327	\$363.16	\$354.50	\$1.295
Sewer Service Fixed Charge		\$504.86	\$504.86	\$504.86	\$504.86	\$471.98	\$471.98

Proposed Quarterly 2019 Rates

2018 cost per quarter	2018 rate	Item	2019 rate	2019 cost per quarter	Quarterly Increase	Increase
\$	\$		\$	\$	\$	%
386.14				401.52	15.38	3.98
87.18	1.274/m ³	Water usage rate	1.291/m ³	88.35	1.17	1.34
92.33	369.33	Water fixed charge	384.65	96.16	3.83	4.15
88.63	1.295/m ³	Sewer usage rate	1.327/m ³	90.79	2.16	2.44
118.00	471.98	Sewer fixed charge	504.86	126.22	8.22	6.97

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**City of Port Colborne
Regular Committee of the Whole Meeting 09-19
Minutes**

Date: March 11, 2019

Time: 6:30 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor
B. Butters, Regional Councillor

Absent: F. Danch, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
M. Evely, Recording Clerk
A. Grigg, Acting Chief Administrative Officer
C. Lee, Director of Engineering and Operations
P. Senese, Director of Corporate Services/Deputy Clerk

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

2. National Anthem:

Those in attendance stood for O Canada.

3. Introduction of Addendum Items:

Nil.

4. Confirmation of Agenda:

Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That the agenda dated March 11, 2019 be confirmed, as circulated or as amended.

CARRIED.

5. Disclosures of Interest:

Councillor Wells declared a pecuniary interest regarding Item 6 as it could affect the value of his property. Councillor Wells refrained from discussing or voting on this item.

6. Adoption of Minutes:**(a) Regular meeting of Committee of the Whole 07-19, held on February 25, 2019.**

Moved by Councillor H. Wells
Seconded by Councillor E. Beauregard

(a) That the minutes of the regular meeting of Committee of the Whole 07-19, held on February 25, 2019, be approved as presented.

CARRIED.

7. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 2, 3, 4, 5, 6, 7, 9, 10

8. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That Items 1 to 13 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Items:

8. Ministry of Transportation Re: Public Transit Infrastructure Fund regarding an Amending Agreement to the Public Transit Infrastructure Fund Transfer Payment Agreement Between Ontario and the City of Port Colborne

Committee of the Whole Recommends:

That the correspondence received from the office of Vinay Sharda, Executive Director, Ministry of Transportation, Policy and Planning Division, Transit Policy and Programs Group regarding and Amending Agreement to the Public Transit Infrastructure Fund Transfer Payment Agreement between Ontario and the City of Port Colborne, be received for information; and

That the Mayor and City Clerk be authorized to execute the amending agreement.

11. Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments

Committee of the Whole Recommends:

That the correspondence received from the Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments, be received for information.

12. Town of Fort Erie Re: Participation of Local Municipalities in the Financial Administration and Governance of Conservation Authorities and Endorsement and Support

Committee of the Whole Recommends:

That the resolution received from the Town of Fort Erie Re: Participation of Local Municipalities in the Financial Administration and Governance of Conservation Authorities and Endorsement and Support, be received for information.

13. City of Welland, Town of Pelham, Town of Lincoln Re: Region of Niagara 2020 Waste Collection Contract – Proposed Changes

Committee of the Whole Recommends:

That the resolutions received from the City of Welland, town of Pelham and the Town of Lincoln Re; Region of Niagara 2020 Waste Collection Contract, be received for information.

CARRIED.

9. Presentations:

Fire Chief Tom Cartwright presented a Retirement Award to David Daisley Volunteer Fire Fighter, Port Colborne Fire and Emergency Services. The Chief thanked Mr. Daisley for his years of service with the City.

Delegations:**(a) Wayne Lukacs, 32 Carter Street, regarding that the Fence located at the back of his property which extends on to City property, be granted**

Wayne Lukacs appeared before Council to request a grant his encroachment on Municipal property in order to allow a fence at the back of his property. Council agreed in consensus for staff to provide a verbal update to Council on March 25, 2019 regarding the fence on Mr. Lukacs' property.

(b) Joe Nicholls, 57 Oak Street, regarding a by-law exemption to install a second driveway on his property

Joe Nicholls requested Council exempt his property from By-law 1117/64/81 to allow for a second curb cut for a driveway on his property. Mr. Nicholls informed Council that due to numerous tenants living at the property there is insufficient parking availability. Council requested that Mr. Nicholls obtain input from his neighbours, discuss with City staff, and return to Council with an update as soon as possible.

(c) Gay Douglas, Literacy Link Niagara, regarding information about myths and facts about adult literacy in Niagara

Gay Douglas did not attend the Council meeting.

10. Mayor's Report:

Mayor Steele informed Council that yellow ribbons will be hung on the lamp-posts in front of City Hall in memory of Tyler Crooks, who lost his life in Afghanistan, and to recognize the sacrifice of all past veterans and current personnel. Mayor Steele informed Council that he met with Canadian Niagara Power to discuss recent power-outages and potential solutions. He provided information regarding March Break activities available to the public. Mayor Steele also added that the Welland Canal will open on March 17, and the Fair Trade pancake breakfast and Annual Top Hat Ceremony will be held on March 22.

11. Regional Councillor's Report:

Councillor Butters informed Council that the Regional Municipality of Niagara is considering a tax levy increase of 3.83%, a decrease from 5.8% when budget discussions began.

12. Councillors' Items:

Nil.

13. Consideration of Items Requiring Separate Discussion:

1. Motion by Councillor Eric Beauregard Re: The Implementation of a Community Planning Permit System and the use of Inclusionary Zoning within the City of Port Colborne

Moved by Councillor E. Beauregard
Seconded by Councillor H. Wells

That the Director of Planning and Development investigate the implementation of a community planning permit system and the use of inclusionary zoning within the City of Port Colborne; and

That the Director of Planning and Development report back to Council with recommendations through the official plan review.

CARRIED.

2. Engineering and Operations Department, Engineering Division, Report 2019-22, Subject: Project No. 2013-09, Annual Asphalt Patching Contract, Extension

Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

That the current Asphalt Patching Contract # 2013-09 with Circle P Paving be extended for another 2 years, 2019 and 2020, all at the agreed pricing as established previously for 2016; and

That staff be directed to utilize the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for each year of 2019 and 2020, all as approved in the annual budget by Council, for each of those years; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for the asphalt patching extension, be financed under the GL Account numbers for the various utility cuts and road repairs as required.
CARRIED.

3. Engineering and Operations Department, Engineering Division, Report 2019-23, Subject: Project No. 2015-10, Annual Concrete Sidewalk Construction Contract, Extension

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That the current Annual Sidewalk Construction Contract # 2015-10 with CTC Contracting be extended for another year, being 2019, at a 3% increase over 2016's previously established unit rates; and

And that staff be directed to utilize the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for 2019, all as approved in the annual budget by Council; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for Project # 2015-10 Extension, be financed under the following GL Account numbers for Concrete Sidewalk Construction, G/L #3-550-33155-3328, 0-500-73651-3328, 7-590-76220-3328, 0-510-74800-3328, 0-550-74385-3328, 6-595-76315-3328 and 6-595-76330-3328.

CARRIED.

4. Engineering and Operations Department, Engineering Division, Report 2019-24, Subject: Project 2015-11, Annual Asphalt Resurfacing, Extension

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That the current Asphalt Resurfacing Contract # 2015-11 with Rankin Construction be extended for another 2 years, 2019 and 2020, at a 2% annual increase being 2% applied to the 2018 unit rates for 2019, and a 2% increase applied to the 2019 unit rates for 2020; and

That staff be directed to utilize the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for each year of 2019 and 2020, all as approved in the annual budget by Council, for each of those years; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for Project # 2015-11, Extension, be financed under the following GL Account number for Annual Road Resurfacing, G/L # 3-550-33129-3328.

CARRIED.

5. Engineering and Operations Department, Engineering Division, Report 2019-28, Subject: Project No. 2015-04, City Wide Grass Mowing Contract, Extension

Moved by Councillor E. Beauregard
Seconded by Councillor H. Wells

That the current City Wide Roadside Grass Mowing Contract # 2015-04 with The Greenfield Group be extended for another year, at a 1.8% increase over the 2018 unit rates; and

That staff be directed to utilize the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for each year, all as approved in the annual budget by Council, for each of those years; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for Project # 2015-04, Extension, be financed under the following GL Account number for annual roadside grass mowing, G/L # 0-500-73410-3328.

CARRIED.

6. Planning and Development Department, Planning Division, Report No. 2019-14, Subject: Site Alteration Permit – Port Colborne Quarries

David Sisco, IBI Group, and Steve Desrocher, Golder Associates Ltd., representing the Port Colborne Quarries Inc., presented to Council viable options for fill in the Port Colborne Quarry.

Dave Henderson presented information regarding filling materials to Council. He opposed the possible hazardous filling options in the Quarry. His presentation is attached to the minutes.

Jack Hellinga presented information regarding filling materials to Council. He discussed his concerns with filling the quarry with hazardous materials.

Shawn Tylee, Rankin Construction, informed Council that only those approved by Rankin Construction can contribute to the fill in the Port Colborne Quarry.

Moved by Councillor G. Bruno
Seconded by Councillor E. Beauregard

That Council approve a Site Alteration Permit for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:

- i) That the Ministry of Natural Resources' consent to change the type of rehabilitation program.
- ii) That Port Colborne Quarries follow Golder Associates' Soil Management Plan.
- iii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.
- iv) That a Site Alteration Permit fee of \$1,420 be submitted to the Department of Planning and Development.

Moved in deferral by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That consideration of Report No. 2019-14, Subject: Site Alteration Permit – Port Colborne Quarries be deferred to the March 25, 2019 regular meeting of Committee of the Whole.

CARRIED.

7. Planning and Development Department, Planning Division, Report 2019-20, Subject: Sale of a Part of Kinneer Park

Moved by Councillor D. Kalailieff
Seconded by Councillor E. Beauregard

That Council declares Part 1 on Plan 59R-16309 as surplus to the City's needs; and

That the City enters into an Agreement of Purchase and Sale with Bruce & Leslie Biederman, for the purchase price of \$4,500 (plus HST); and

That the Mayor, Clerk and City Solicitor be authorized to sign and execute any and all documents respecting the sale of these lands.

CARRIED.

9. Vance Badawey, Member of Parliament, Niagara Centre Re: Interim Report on Establishing a Canadian Transportation and Logistics Strategy

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Interim Report on Establishing a Canadian Transportation and Logistics Strategy, be received for information.

Moved in amendment by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Interim Report on Establishing a Canadian Transportation and Logistics Strategy, be supported; and

That under the Interim Report on Establishing a Canadian Transportation and Logistics Strategy, Port Colborne will identify capital requirements and consider making an application under the National Trade Corridor Fund (NTCF), for appropriate city projects which support the recommendations contained within the report; and

That the City of Port Colborne will work with our local and southwestern Ontario partners (users, stakeholders, and municipalities) to strengthen the Niagara-Hamilton Economic Cluster.

The vote was then called on the main motion, as amended, as follows:

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Interim Report on Establishing a Canadian Transportation and Logistics Strategy, be supported; and

That under the Interim Report on Establishing a Canadian Transportation and Logistics Strategy, Port Colborne will identify capital requirements and consider making an application under the National Trade Corridor Fund (NTCF), for appropriate city projects which support the recommendations contained within the report; and

That the City of Port Colborne will work with our local and southwestern Ontario partners (users, stakeholders, and municipalities) to strengthen the Niagara-Hamilton Economic Cluster.

CARRIED.

10. Vance Badawey, Member of Parliament, Niagara Centre Re: Canada-Ontario Bilateral Agreement

Moved by Councillor G. Bruno
Seconded by Councillor E. Beauregard

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada-Ontario Bilateral Agreement, be received for information.

Moved in amendment by Councillor G. Bruno
Seconded by Councillor R. Bodner

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada-Ontario Bilateral Agreement, be received for information; and

Whereas, the Ontario Government must recognize the importance of job creation in contributing to local capital needs that are vital to communities across Niagara and the province; and

Therefore, the Corporation of the City of Port Colborne requests that the provincial government commit to a 3-year infrastructure plan and open the intake for funding streams that will allow us to receive needed capital funding for projects within the City of Port Colborne and the Niagara Region.

The vote was then called on the main motion, as amended, as follows:

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada-Ontario Bilateral Agreement, be received for information; and

Whereas, the Ontario Government must recognize the importance of job creation in contributing to local capital needs that are vital to communities across Niagara and the province; and

Therefore, the Corporation of the City of Port Colborne requests that the provincial government commit to a 3-year infrastructure plan and open the intake for funding streams that will allow us to receive needed capital funding for projects within the City of Port Colborne and the Niagara Region.

CARRIED.

7. **Notice of Motion:**

Nil.

8. **Adjournment:**

Moved by Councillor E. Beauregard
Seconded by Councillor H. Wells

That the Committee of the Whole meeting be adjourned at approximately
9:14 p.m.

CARRIED.

PS/me



MAYOR'S REPORT – MARCH 11, 2019

REMEMBRANCE OF OUR SERVICE PERSONNEL

Tomorrow we will be hanging yellow ribbons on the lampposts in front of City Hall, as we have done every year since 2009, when Corporal Tyler Crooks lost his life in Afghanistan.

These yellow ribbons symbolize our remembrance not only of Tyler and his ultimate sacrifice while serving his country, but of all past veterans and current personnel serving our country.

I would ask everyone to stand for a moment of silence as we remember.

Stand for one minute.

Thank you.

WIND STORM

Last week I had the opportunity to meet with officials from Canadian Niagara Power Inc. and members of staff to have a post wind storm discussion about the storm that hit our city over the weekend of February 23 and 24 as well as an update on the hydro situation in Port Colborne.

Canadian Niagara Power are scheduled to come to our April 8th meeting to provide council and members of the public with an update on past and future plans for Port Colborne.

I can tell you that during the two recent wind storms, CNPI and our staff worked extremely hard to get power back on in areas of the city that experienced outages.

But, as well as we worked together, especially through Sunday night in February, we realized we could do better.

We have now established a wind protocol that will result in a pre-preparation meeting between our staff and CNPI staff well in advance of any storm.

CNPI also committed to improved communications which was evident in their broadcasts during yesterday's power outage.

VISIT FROM FEDERAL TRANSPORTATION MINISTER MARC GARNEAU

On Wednesday, the Federal Minister of Transportation, The Honourable Marc Garneau will be coming to Port Colborne to meet with trade corridor stakeholders, including representatives of industry, elected officials, and educational institutions.

I will have the opportunity to have a one-on-one with him to speak about Port Colborne's opportunities within the St. Lawrence Seaway and the Niagara Gateway Region and discussing the need for a Port of Niagara, which also relates to our rail and highway infrastructure.

MARCH BREAK ACTIVITIES

March break activities are currently underway at the Public Library on King Street and the Vale Health & Wellness Centre.

Check out our website for lots of great family fun activities to keep the little ones busy.

OPENING OF THE WELLAND CANAL

On Sunday, March 17th, in addition to being St. Patrick's Day, St. James and St. Brendan Anglican Church will be holding their annual Mariner's Service to give thanks and blessings to those mariners who will be heading out onto the Great Lakes and beyond later that week

The service will start at 7:00 p.m. in the sanctuary and will continue at the Guild Hall with fellowship and music.

Friday, March 22 is the official opening of the Welland Canal and in Port Colborne that means Fair Trade Pancake Breakfast and Top Hat Ceremony.

Join us at Lock 8 Park at 8:00 a.m. on Friday, March 22 as our Fair Trade Committee ruffles up a free pancake breakfast with plenty of hot fair trade coffee, tea and hot chocolate.

Entertainment provided by the students of McKay Public School.

At 8:30 we will begin the Top Hat Ceremony welcoming the Captain of the first downbound ship into the Welland Canal.

It's a great annual tradition and we hope you will join us.

Hydro One

Main Line coming in from Crowland Station, Welland

Power out at 4:15

This line feeds Port Colborne to Davis Street Sub-station

Insulator failure on main line

CNP had alternate feed for part of the City due to capacity of line.

**“THE SOLUTION TO
POLLUTION IS
DILLUTION”**

**15% OF ALL CLEAN FILL
IS CONTAINATED**

Questions?

1. Is Port Colborne aware “Survey of Municipal Soil By-laws”
2. Has Port Colborne heard or been in contact with the Ontario Soil Regulation Task Force?
3. Management of Excess Soil - “A Guide for Best Management Practices by MOECC”
4. Does Port Colborne Fill By-law?
5. Is Port Colborne’s by law adequate does it meet the recommendations of OSRTF
6. Is Port Colborne aware of the problems faced by other municipalities with CLEAN FILL DUMP SITES?
7. Do we have any vulnerable aquifers in Port Colborne?

Definition in Uxbridge and Scugog Site-Alteration By-laws

“commercial fill operation” -means the placing or dumping of fill involving remuneration paid, or any other form of consideration provided, to the owner or occupier of the land, whether or not the remuneration or consideration provided to the owner is the sole reason for the placing or dumping of the fill;

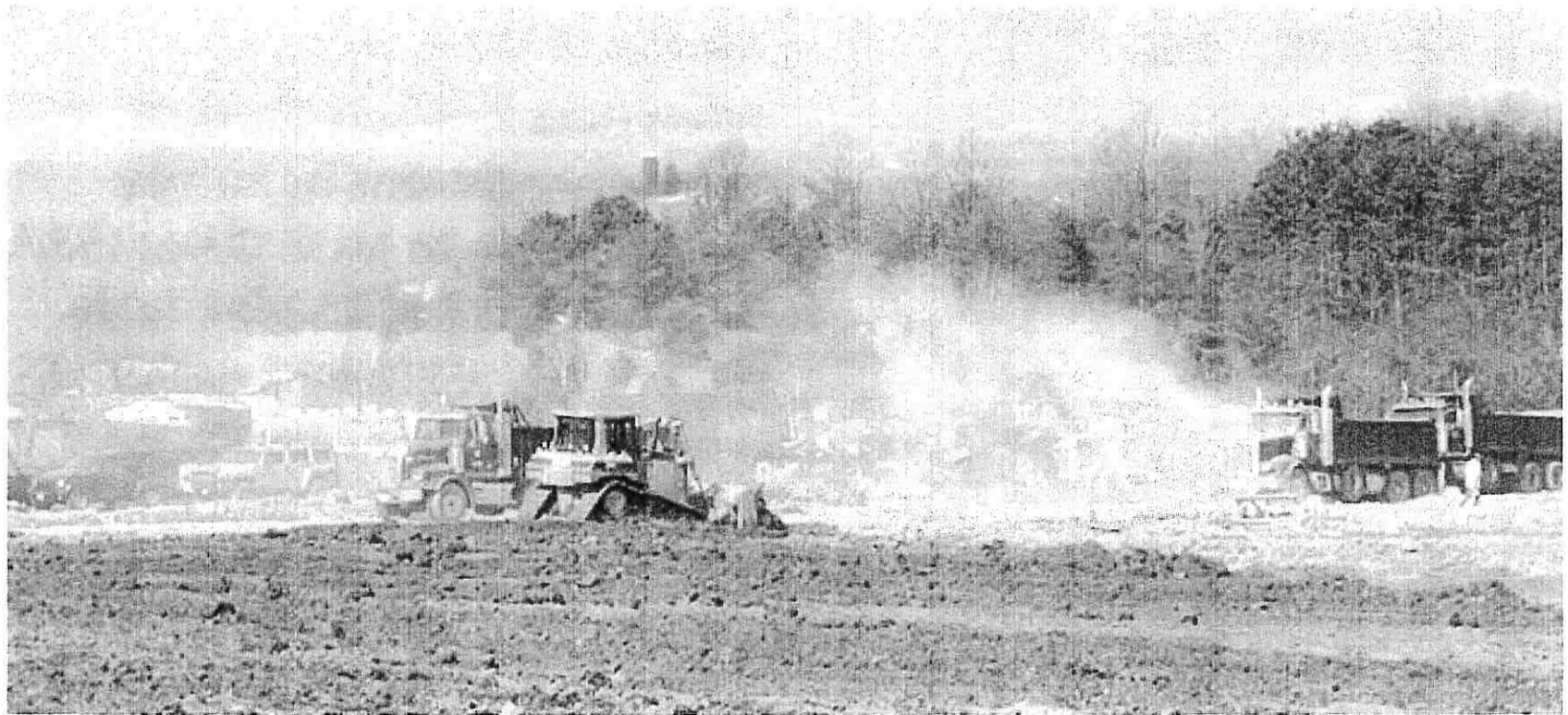
WHY

- The GTA generates 25 million cubic meters of fill every year

“16 Rogers Centre's”

- At \$150/truck dumping fee and 300 trucks per day/240 working days per year
 $=150 \times 300 \times 240 = \$10,800,000/\text{year}$
- Port Colborne gets \$1465 permit fee and the opportunity to dump ditch cleaning material.
- Municipalities close to the GTA are tightening up there Bylaws because of problems.
- Does this mean we could get soil from the water front development of Toronto

Clean Fill Landfill North East of GTA



"Survey of Municipal Soil By-laws" March 2013

Table 1: Summary of Soil Quality Definition

By-Law Does Not Define Soil Quality	By-Law Defines Soil Quality without Referencing MOE, EPA, O.Reg 153/04, or O.Reg 153/04 Table	By-Law Defines Soil Quality by Referencing MOE	By-Law Defines Soil Quality by Referencing EPA	By-Law Defines Soil Quality by Referencing O.Reg 153/04 or Applicable O.Reg 153/04 Table
Township of Amaranth	Township of Puslinch ¹	Town of Oakville ¹	Melancthon Township	The City of Waterloo ¹
Township of East Garafrua	Township of North Dumfries	Town of Richmond Hill	Town of Erin	Bradford West Gwillimbury
Town of Mono	Township of Hamilton	Town of Whittby ¹	City of Quinte West	Town of Georgetown ¹
Municipality of Meaford	Clearview Township		Brant County	Brook Township ¹
City of Cambridge	Town of Collingwood		Township of Cavan Monaghan	Township of Seagrave ¹
Municipality of Marmora and Lake	City of Welland		Town of Cobourg ¹	Township of Uxbridge ¹
Township of South Perth	Town of Fort Erie		Township of Alnwick/Haldimand	Town of Charington ¹
Township of Essa	City of Brampton		City of Hamilton	Municipality of Port Hope ¹
Township of Oro-Medonte	Town of Milton		City of Kawartha Lakes	Town of Whitby ¹
Town of Penetanguishene	City of Vaughan		City of Niagara Falls	Stouffville
Town of Ajax	Town of Markham		City of Port Colborne	Grand Valley Township ¹
City of Barrie	Town of Pickering ¹		Town of Lincoln	
Wellington Centre Township	Springwater Township		Niagara-on-the-Lake	
	Town of New Tecumseth		Town of Caledon	
	Township of Tay		City of Burlington	
			Town of Halton Hills	
			Town of East Gwillimbury	
			City of Oshawa	
			City of Richmond Hill	
			Adolphustown Township	
			Rama Township	
			Town of Innisfil ¹	
			Township of Severn	
			Township of King	
			Wainfleet	

Port Colborne Bylaw written 2010 – only references EPA falls short of recommendations by survey. No reference to MOE O.Reg153/04 or Applicable O.Reg 153/04 Table.

- Township of Alnwick/Haldimand
- City of Hamilton
- City of Kawartha Lakes
- City of Niagara Falls
- City of Port Colborne
- Town of Lincoln
- Niagara-on-the-Lake
- Town of Caledon

EXEMPTS QUARRIES AND PITS FROM COMPLIANCE WITH THE BYLAW

The conclusion of “Survey of Municipal Soil By-laws” stated:

“From our ongoing research it appears that the municipalities located nearest to the Toronto area have developed site alteration by-laws governing the placement of soil. However, most site alteration by-laws do not specifically reference MOE O.Reg 153/04 criteria tables to define soil quality criteria. Municipalities further away from the immediate GTA appear to be slower to adopt a fill by-law as fill disposal has not posed a significant issue thus far.”

Partial list of sites experiencing problems

Below is a list of those sites as well as the compliance issues or main concerns regarding each site.

- Earthworx Site, Township of Scugog** – Concern – Contaminated Soil
- Otonabee South – Monaghan Fill Site** – Concern -Contaminated Soil
- Morgans Road Site, Municipality of Clarington** – Concern – Contaminated Soil
- Sideline 14 Site, City of Pickering** – Concern – Contaminated Soil
- Taylor’s Road Site, City of Kawartha Lakes** – Concern -Contaminated Soil
- Tottenham Airfield, Town of New Tecumseth** – Concern – No permit
- 5511 Bloomington Rd., Town of Whitchurch Stouffville** – Compliance Issue – Overfilling
- Mount Albert Pit Site, East Gwillimbury** – Compliance Issue – Overfilling
- Pitway Fill site, Town of Whitchurch Stouffville** – Compliance Issue – Overfilling
- 13282 Ninth Line, Town of Whitchurch Stouffville** – Compliance Issue – No permit – Owner alleges to be building an airstrip
- Burlington Airport, City of Burlington** – Concern – Airport claiming Federal Immunity to City by-laws
- Brock Aggregates Site, Town of Whitby** – Concern – Overfilling
- Greenbank Airways Site, Township of Scugog** – Concern -Quality of imported soil and various non-compliance issues

February 19/2019

Port Perry Star | Thursday, Feb 14



Port Perry Star file photo

Scugog has decided to retain \$160,000 in security deposit funds from Earthworx after recently learning that unknown tests carried out in 2016 at the former fill site showed exceedances.

SCUGOG HOLDS ONTO SECURITY FUNDS AFTER UNKNOWN 2016 TESTS SHOW MORE DIRTY DIRT AT EARTHWORX TOWNSHIP JUST LEARNED OF SURPRISING RESULTS IN JANUARY

CHRIS HALL
 chall@durhamregion.com

SCUGOG - Scugog has decided to hold onto a security deposit valued at

residential," said Marshall.

A former gravel pit, the Earthworx site began receiving fill in May 2010 but Scugog issued a stop-work

"I agree with the idea of taking some more time to investigate further now that we have additional information that we didn't have before." said Cole-

Port Perry Star Feb 14/2019

Sections from Uxbridge Site-Alteration By-Law

- 2.10 Notwithstanding anything else contained in this By-law except for Section 3.1, no person shall operate a *commercial fill operation* within the Township.
- 2.8 Notwithstanding anything else contained in this By-law except for Section 3.1, no person shall cause, permit or perform a *site alteration* on any lands which were previously licensed or permitted and used as a pit or quarry under the Aggregate Resources Act, R.S.O. 1990, c. A.8, as amended, (or any predecessor legislation thereof), or otherwise, whether such lands have been rehabilitated or not.

(Please see additional notes on Municipal Site -Alteration By-Laws at end of report.)

Mono

Municipalities within trucking distance of the GTA have revised and tighten their Fill by laws.

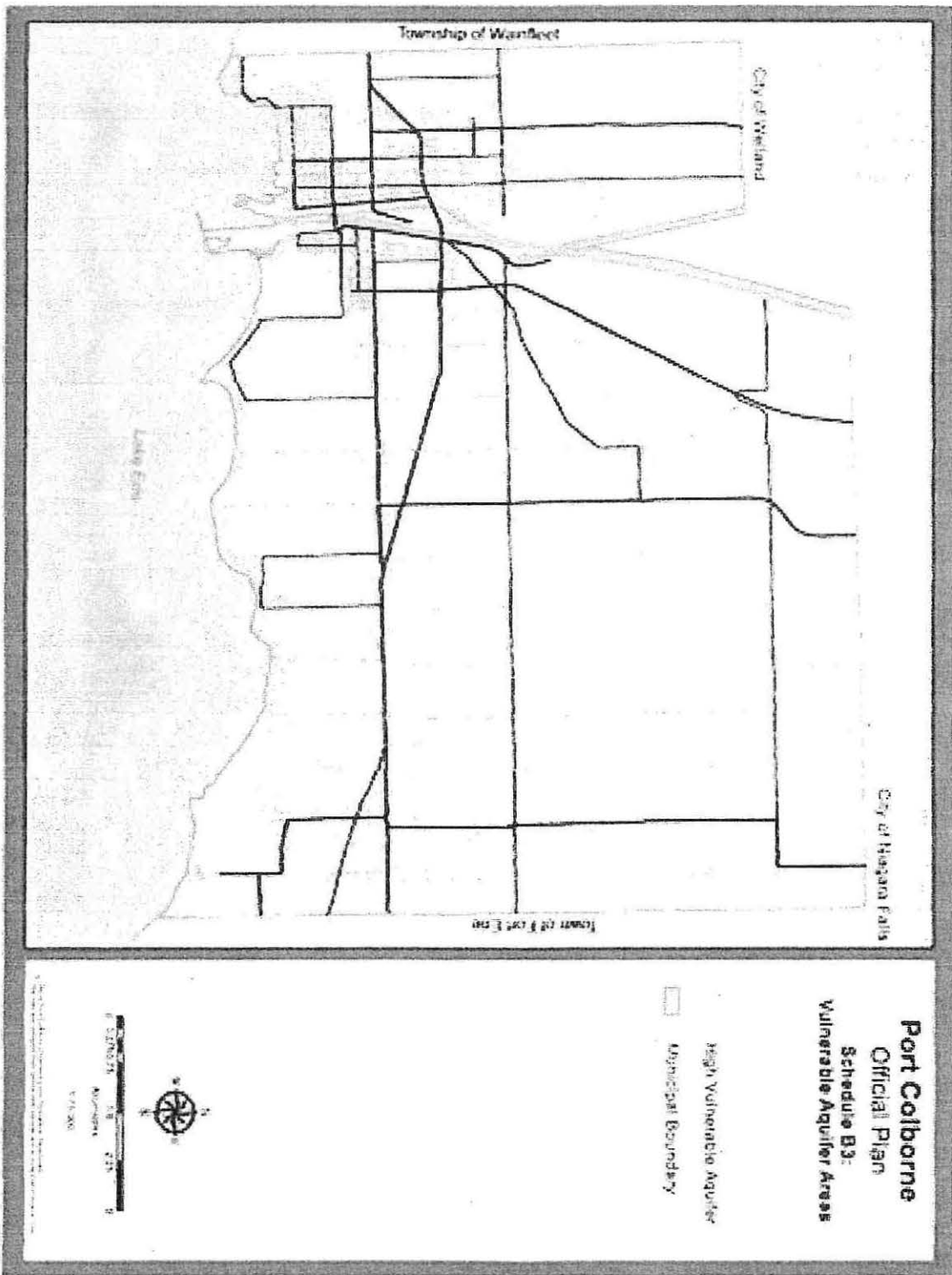
Mono council amended and update its fill bylaw.

It removed the old 250 cubic metre limit.

Introduced a \$2,000 application fee.

\$20,000 security deposit to cover the cost of hiring expert reviewers.

Another \$20,000 performance bond is required once a permit is issued.



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**City of Port Colborne
Regular Meeting of Council 08-19
Monday, March 25, 2019
following Committee of the Whole Meeting
Council Chambers, 3rd Floor, 66 Charlotte Street**

Agenda

- 1. Call to Order:** Mayor William C. Steele
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
 - (a) Special meeting of Council 05-19, held on March 4, 2019.
 - (b) Regular meeting of Council 06-19, held on March 25, 2019.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**
 - (a) Safe Dig Month April 1-30, 2019
- 10. Minutes of Boards, Commissions & Committees:**
 - (a) Minutes of the Environmental Advisory Committee Meeting of September 19, 2019
 - (b) Minutes of the Port Colborne Public Library Board Meeting of February 5, 2019
 - (c) Minutes of the Port Colborne Active Transportation Advisory Committee Meeting of September 17, 2018
- 11. Consideration of By-laws:**

Note: *Items that have been listed for consideration under the Special Council Meeting Agenda and have not been discussed due to time constraints, will also be listed under the Regular Council Meeting Agenda under No. 12 for consideration.*

- 12. Council in Closed Session:**
 - (i) Motion to go into Closed Session

That Council do now proceed into closed session in order to address the following matter(s):

- (c) Planning and Development Department, Planning Division Report 2019-34, concerning the potential disposition of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.
- (ii) Disclosures of Interest (closed session agenda):
- (iii) Consideration of Closed Session Items:
- (iv) Motion to Rise With Report:

13. Disclosures of Interest Arising From Closed Session:

14. Report/Motions Arising From Closed Session:

15. Adjournment:

Council Items:

Notes			Item	Description / Recommendation
WCS	MB	EB	1.	<p>Planning and Development Department, Planning Division, Report 2019-38, Subject: Site Alteration Permit Additional Review – Port Colborne Quarries</p> <hr/> <p>That Council approve a Site Alteration Permit for Port Colborne Quarries for the placement of approved MECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:</p> <ul style="list-style-type: none"> i) That the Ministry of Natural Resources' consent to change the type of rehabilitation program. ii) That Port Colborne Quarries follow Golder's Soil Management Plan. iii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes. iv) That a Site Alteration Permit fee of \$1,420 be submitted to the Department of Planning and Development. v) That a \$2500 retainer be submitted by PCQ to cover any costs related to complaints received. vi) That any future MECP guideline be in compliance prior to the placement of fill.
RB	GB	FD		
AD	DK	HW		
WCS	MB	EB	2.	<p>Planning and Development Department, Planning Division, Report 2019-35, Subject: Downtown CBD CIP Expansion</p> <hr/> <p>That staff be directed to process an application to consider the inclusion of 176 Elm Street in the Central Business District Community Improvement Plan.</p>
RB	GB	FD		
AD	DK	HW		
WCS	MB	EB	3.	<p>Planning and Development Department, By-law Enforcement Division, Report 2019-40, Subject: 2019-02 By-law Enforcement Services – Refuse/ Debris Removal & Property Grass Mowing – 4 year contract</p> <hr/> <p>That Council award Tender 2019-02 By-law Services - Refuse and Debris Removal & Property Grass Mowing – 4 year contract to Greenside Landscaping & Lawn Service Inc. of Port Colborne, Ontario, for the total tendered price of \$7,185.00 plus applicable taxes.</p> <p>That this report be approved as presented and the Clerk be authorized to execute the contract Agreement.</p>
RB	GB	FD		
AD	DK	HW		

<p>WCS MB EB</p>	<p>4.</p>	<p>Corporate Services Department, Finance Division, Report 2019-37, Subject: 2019 Operating/Capital Budget</p> <hr/>
<p>RB GB FD</p>		
<p>AD DK HW</p>		<p>That the Corporate Services Department, Finance Division Report 2019-37 be approved; and</p>
		<p>That Council confirm and approve, that in compliance with Ontario regulation 284/09, the 2019 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,124,154 and the amount of post-employment benefits expense which amounts to approximately \$247,000.</p>
		<p>That the 2019 Budget be approved as presented with the City's net overall levy for 2019 at \$18,167,975 (Operating levy of \$15,970,715 and Capital levy of \$2,197,260).</p>
		<p>That the operating expenditures of \$25,025,858 operating revenues/fees/reserves/OMPF funds of \$9,055,143 and capital expenditures of \$5,654,095 with capital revenues from reserves/grants of \$3,456,835 be approved.</p>
		<p>That the Storm Sewer budget be approved to be funded through an established flat fee schedule to include an operating/capital budget raising approximately \$740,800 annually to fund operations, the current storm sewer debt and establish a storm sewer capital reserve for future infrastructure.</p>
		<p>That the Mayor and City Clerk be authorized to execute the appropriate By-law for the budget estimates for all sums required for the operations for the year 2019.</p>
<p>WCS MB EB</p>	<p>5.</p>	<p>Memorandum from Peter Senese, Director of Corporate Services Re: 2019 Ontario Municipal Partnership Fund (OMPF) Budget Allocation</p> <hr/>
<p>RB GB FD</p>		
<p>AD DK HW</p>		<p>That Council approve the reduction of the OMPF funding amounting \$47,900 reduce the budgeted allocation to the Downtown CIP from \$100,000 to \$52,100. Any required funding for the difference to the Downtown CIP project to be funded from the Capital Infrastructure Reserve Fund.</p>

WCS RB AD	MB GB DK	EB FD HW	6.	<p><u>Corporate Services Department, Finance Division, Report 2019-36, Subject: Statement of Remuneration and Expenses 2018</u></p> <p>That the Report on Remuneration and Expenses for 2018 be received for information purposes as per Sections 283 and 284 of the Municipal Act, 2001, as amended.</p>
WCS RB AD	MB GB DK	EB FD HW	7.	<p><u>Engineering and Operations Department, Engineering Division, Report 2019-39, Subject: Application for Bulk Water Haulage Agreement – Village Enterprises Water Haulage</u></p> <p>That the Council of the City of Port Colborne authorize entering into a Bulk Water Sales Agreement with:</p> <p>Village Enterprises Water Haulage 3645 Carver Street Stevensville, ON L0S 1S0</p> <p>And that the Mayor and Clerk be authorized to sign the agreement.</p>
WCS RB AD	MB GB DK	EB FD HW	8.	<p><u>Engineering and Operations Department, Operations Division, Report 2019-32, Subject: Port Colborne Distribution System Annual Summary Report</u></p> <p>That Council accepts report 2019-32, Port Colborne Distribution System Annual Summary Report, prepared in accordance with O.Reg. 170/03 for information.</p>
WCS RB AD	MB GB DK	EB FD HW	9.	<p><u>Engineering and Operations Department, Operations Division, Report 2019-33, Subject: 2018 Sherkston Community Centre Cistern System Annual Drinking Water Quality Report</u></p> <p>That Council accept report 2019-33, Sherkston Community Centre Annual Drinking Water Quality Report, prepared in accordance with O.Reg. 170/03, for information.</p>

WCS	MB	EB	10.	<p>Community and Economic Development Department, Parks and Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival</p> <hr/> <p>That the Director of Community and Economic Development be directed to coordinate with the City Clerk to schedule a facilitated strategic planning session for City Council (via a special Council meeting) regarding the Canal Days Marine Heritage Festival at the earliest possible date, as outlined in Community & Economic Development, Parks & Recreation Division, Report 2019-41, Subject: Facilitated Strategic Planning Session Respecting the Canal Days Marine Heritage Festival; and</p> <p>That the Director be authorized to secure the services of MHBC for the purpose of facilitating the above noted strategic planning session, at a cost of \$5,500, excluding taxes, as part of the preparation of the City's Parks and Recreation Master Plan to be funded with surplus funds from the completed Arts and Culture Master Plan which the Director of Corporate Services has advised are available.</p>
RB	GB	FD		
AD	DK	HW		
Miscellaneous Correspondence				
WCS	MB	EB	11.	<p>Memorandum from Richard Daniel, Manager of Operations Re: Request for Proclamation of April 2019 as Dig Safe Month</p> <hr/> <p>That the month of April 2019 be proclaimed as "Dig Safe Month" in the City of Port Colborne in accordance with the request received from Richard Daniel, Manager of Operations, City of Port Colborne.</p>
RB	GB	FD		
AD	DK	HW		
WCS	MB	EB	12.	<p>Vance Badawey, Member of Parliament, Niagara Centre Re: Update on the Investing in Canada Infrastructure Program</p> <hr/> <p>That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Update on the Investing in Canada Infrastructure program be received for information.</p> <p>The full text of the Canada-Ontario bilateral agreement can be found at the link below:</p> <p>https://bit.ly/2Oj9N2M</p>
RB	GB	FD		
AD	DK	HW		

WCS RB AD	MB GB DK	EB FD HW	13.	<p><u>Region of Niagara Re: Status of Niagara Region Incentives and Grants Programs</u></p> <p>That the correspondence received from Doug Giles, Director of Community & Long Range Planning, Region of Niagara Re: Status of Niagara Region Incentives and Grants Programs, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	14.	<p><u>Region of Niagara Re: Provincial Review of Regional Government</u></p> <p>That the letter received from the Region of Niagara regarding a letter from the Local Area Municipal Mayors, dated March 6, 2019 respecting Provincial Review of Regional Government, for consideration by respective Councils, be supported.</p>
WCS RB AD	MB GB DK	EB FD HW	15.	<p><u>Region of Niagara Re: Notice of Passing of By-law to Amend By-law 112-2013 Being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke – Triple Majority Requirement – PHD Report 02-2019 – January 8, 2019</u></p> <p>That Council consent to the update of Regional By-law No. 112-2013 to harmonize with the Smoke Free Ontario Act to include vaping and cannabis, as an interim measure for consistency, with an appropriate sunset clause.</p>
WCS RB AD	MB GB DK	EB FD HW	16.	<p><u>Region of Niagara Re: 2019 Budget-Waste Management Services Operating Budget and Requisition (CSD Report 7-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2019 Budget-Waste Management Services Operating Budget and Requisition, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	17.	<p><u>Region of Niagara Re: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD Report 8-2019 Revised)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2019 Budget-Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD Report 8-2019), be received for information.</p>

WCS RB AD	MB GB DK	EB FD HW	18.	<p><u>Region of Niagara Re: Environmental Planning Function Overview (PDS Report 2-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: Environmental Planning Function Overview (PDS Report 2-2019), be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	19.	<p><u>Region of Niagara Re: Development Applications Monitoring Report - 2018 Year End (PDS Report 3-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: Development Applications Monitoring Report – 2018 Year End, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	20.	<p><u>Region of Niagara Re: Update on Natural Environment Work Program – New Regional Official Plan (PDS Report 10-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: Update on Natural Environment Work Program – New Regional Official Plan, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	21.	<p><u>Niagara Regional Housing Re: Quarterly Report – October 1 to December 31, 2018</u></p> <p>That the correspondence received from Niagara Regional Housing Re: Quarterly Report – October 1 to December 31, 2018, be received for information.</p>
Outside Resolutions – Requests for Endorsement				
WCS RB AD	MB GB DK	EB FD HW	22.	<p><u>City of Guelph Re: Maintaining the Voters’ List for Municipal Elections</u></p> <p>That the resolution received from the City of Guelph Re: Maintaining the Voters’ List for Municipal Elections, be received for information.</p>
Responses to City of Port Colborne Resolutions				
Nil.				

**Consideration of By-laws
(Council Agenda Item 11)**

By-law No.	Title
6659/23/19	Being a By-law to Authorize Entering Into an Agreement with Greenside Landscaping and Lawn Service Respecting By-law Services – Refuse/Debris Removal and Property Grass Mowing
6660/24/19	Being a By-law to Adopt the Estimates for the City of Port Colborne for its Own Operations for the Year 2019
6661/25/19	Being a By-law to Authorize Entering Into a Bulk Water Sales Agreement with Village Enterprises Water Haulage
6662/26/19	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special and Regular Meeting of March 25, 2019

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The Corporation of the City of Port Colborne

By-law No. 6659/23/19

Being a By-law to Authorize Entering Into an Agreement with Greenside Landscaping and Lawn Service Respecting By-law Services – Refuse/Debris Removal and Property Grass Mowing

Whereas at its meeting of March 25, 2019, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Planning and Development, By-law Enforcement Division, Report No. 2019-40 Subject: By-law Services – Refuse/Debris Removal and Property Grass Mowing Agreement; and

Whereas Council is desirous of entering into an agreement with Greenside Landscaping and Lawn Service respecting by-law services refuse and debris removal and property grass mowing services;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That The Corporation of the City of Port Colborne enter into an agreement with Greenside Landscaping and Lawn Service to a contract of four years, which agreement is attached to hereto as Schedule "A".
2. That the Mayor and the Clerk be and each of them is hereby authorized and directed to sign said agreement, together with any documents necessary to complete the conditions of said agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.
3. That this by-law shall come into force and take effect on the date of passing.

Enacted and passed this 25th day of March, 2019.

William C. Steele
MAYOR

Amber LaPointe
CITY CLERK

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The Corporation of the City of Port Colborne

By-law No. 6660/24/19

Being a By-law to Adopt the Estimates for the City of Port Colborne for its Own Operations for the Year 2019

Whereas Section 290(1) of the *Municipal Act, 2001*, as amended, provides that a Council shall in each year prepare and adopt a budget including estimates of all sums required during the year for the purposes of the municipality; and

Whereas it is necessary for the Council of The Corporation of the City of Port Colborne (Council) to raise for the year 2019 certain sums; and

Whereas Council deems it necessary to comply with *Ontario Regulation 284/09*, regarding budgeting using the cash basis and excluding accrued amortization and post-employment benefits expenses; and

Whereas Council, during its budget deliberations, considered and accepted the budget estimates and requirements of the municipality for the year 2019; and

Whereas Council is desirous to establish a Storm Sewer Utility budget and fees structure; and

Whereas at its meeting of March 25, 2019, Council approved the recommendation of Corporate Services, Finance Division Report No. 2019-37, Subject: 2019 Operating/Capital Budget.

Now therefore the Council of The Corporation of the City of Port Colborne Enacts as follows:

1. (a) (i) That the 2019 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,124,154 and a portion of post-employment benefits expense which amounts to approximately \$247,000.
 - (ii) That the budget estimates set out in Department of Corporate Services, Finance Division Report No. 2019-37, attached hereto and forming part of this By-law, be and are hereby adopted.
 - (iii) That the summary of 2019 budget estimates as set out in Schedule "A", attached hereto, be and are hereby adopted.
 - (iv) That the Storm Sewer Fees as set out in Schedule "B", attached hereto, be and are hereby adopted.
 - (b) That the budget estimates to be raised by tax levy as set out in Schedule "A", attached hereto, be and are hereby adopted.
 - (c) That the budget estimates for the Storm Sewer operating and capital funding to be raised by the Storm Sewer Fees as set out in Schedule "B", attached hereto, be and are hereby adopted.
2. That this by-law shall come into force and take effect on the date of passing.

Enacted and passed this 25th day of March, 2019.

William C. Steele
MAYOR

Amber LaPointe
CITY CLERK

SCHEDULE "A" to By-law No. 6660/24/19

2019 BUDGET

	<u>REVENUE</u>	<u>EXPENDITURES</u>
General Operations	9,055,143	25,025,858
Capital (Levy Funded)	3,456,835	5,654,095
	<hr/>	<hr/>
	12,511,978	30,679,953

Tax Levy

General Operation	15,970,715
Capital	2,197,260
Business Improvement Area-Downtown	34,333
Business Improvement Area-Main Street	10,000

SCHEDULE "B" to By-law No. 6660/24/19

2019 BUDGET

Storm Sewer Fees Schedule

<u>Property Description</u>	<u>\$ Flat Fee per Year</u>
Single Family Properties	100
Multi-Residential 2 to 5 Units	175
Multi-Residential 6 to 9 Units	225
Institutional/Multi Res > 10 Units	275
Small Commercial	175
Medium Commercial	225
Large Commercial	275
Light Industrial	375
Heavy Industrial	475
City Owned	225
CNPI Owned	225
Hydro One Owned	225
Niagara Peninsula Housing	275
Niagara Region	225
Niagara Regional Housing	275
Transport Canada Owned	225
MTO Owned	225

Storm Sewer Operating/Capital Budget

Operating Costs	\$185,425
City Portion of Fees	\$ 29,925
Debenture	\$299,819
Capital Reserve	<u>\$225,631</u>
Total Budget	<u>\$740,800</u>

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The Corporation of the City of Port Colborne

By-law No. 6661/25/19

Being a By-law to Authorize Entering Into a Bulk Water Sales Agreement
with Village Enterprises Water Haulage

Whereas at its meeting of March 25, 2019, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Engineering and Operations, Engineering Division, Report No. 2019-39, Subject: Application for Bulk Water Haulage Agreement – Village Enterprises Water Haulage; and

Whereas Council is desirous of entering into a Bulk Water Sales Agreement with Village Enterprises Water Haulage for the supply of bulk water.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That The Corporation of the City of Port Colborne enter into a Bulk Water Sales Agreement with Village Enterprises Water Haulage, which agreement is attached hereto as Schedule "A".
2. That the Mayor and Clerk be and they are hereby authorized and directed to sign said Agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto.
3. That this by-law shall come into force and take effect on the date of passing.

Enacted and passed this 25th day of March, 2019.

William C. Steele
MAYOR

Amber LaPointe
CITY CLERK

THIS AGREEMENT made this 25th day of March, 2019.

B E T W E E N:

THE CORPORATION OF THE CITY OF PORT COLBORNE

Hereinafter called "THE CITY"
of the First Part

-AND-

OWNER:

of the City of Port Colborne, in the Regional Municipality of Niagara,
carrying on business under the firm name and style of:

COMPANY NAME:

Village Enterprises Water Haulage

Hereinafter called "THE OPERATOR"
of the Second Part

WHEREAS the City operates the water supply system for the Corporation of the City of Port Colborne;
AND WHEREAS the City is agreeable to supplying water to the Operator on the following conditions;
THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein
and subject to the terms and conditions set out in this agreement, the parties hereto agree and
covenant as follows:

WATER RATES

1. The City agrees to sell bulk water and the Operator agrees to purchase bulk water and pay any applicable fees at the rate established from time to time, for all bulk water consumers within the City. The current rates are set out in Schedule "A" attached hereto. These rates are subject to change at the sole discretion of the City and the Schedule "A" shall be amended as required.

STATEMENT OF ACCOUNTS

2. All accounts submitted hereunder are due and payable when rendered. Billing period shall be as established by the City.

DISCONTINUANCE OF SERVICE IN DEFAULT OF PAYMENT

3. It is understood and agreed that the City shall have the right to discontinue water supply if

payment in full of any water invoices are not made by the Operator within two weeks from the date of invoice and there shall be no liability on the part of the City for so doing.

INDEMNIFICATION

4. The Operator shall indemnify and save harmless the City from and against any and all claims, actions, losses, expenses, costs, damages or demands whether for injuries to persons, or loss of life or damage to property arising out of the acts or omissions of the Operator in the operation of the bulk water hauling service.

INSURANCE

5. At the time of signing of this agreement, the Operator agrees to furnish to the City a certified copy of a third party liability and property damage insurance in the amount of Two Million Dollars (\$2,000,000.00) showing the City as an additional insured and in a form satisfactory to the City. On or before the 1st day of January in each year the Operator agrees to provide written confirmation of renewal of the subject policies from the insurer for a further term of twelve months.

NON-ASSIGNMENT

6. No rights of the Operator given under this agreement shall be assigned without the written consent of the Engineer or the City of Port Colborne, or his duly authorized representative. Any attempts to assign any of the rights, duties or obligations of this agreement without written consent are void.

TERMINATION

7. Save as is referred to in Clause 3 hereof, either party to this agreement at any time has the right to terminate this agreement, thirty days after giving written notice to the other party.

DISCLAIMER

8. The parties hereto acknowledge and agree that no term of this agreement shall be deemed to imply a guarantee of a supply of water by the City to the Operator or the general public at any given time and the City shall not be held liable or responsible in any manner should water supply be unavailable for any reason whatsoever.

TERM

9. This agreement and any amendments thereto shall continue until terminated in accordance with clause 3 or 6 hereof.

AMENDMENTS

10. If at any time during the continuance of this agreement the parties shall deem it necessary or expedient to make any alterations or additions to this agreement they may do so by means of a written agreement between them which shall be supplemental and form part of this agreement.

NOTICES

11. Any notice under this agreement shall be sufficiently given by personal delivery or by registered mail, postage prepaid and mailed in a Canadian Post Office, addressed in the case of the City to:

The Corporation of the City of Port Colborne
66 Charlotte Street
Port Colborne, Ontario. L3K 3C8

and in the case of notice to the Operator to:

Village Enterprises Water Haulage
3645 Carver Street
Stevensville, ON L0S 1S0

or to any other address as may be designated in writing by the parties and the date of receipt of any notice by mailing shall be deemed conclusively to be 5 days after the mailing.

ENTIRETY

12. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement except as expressed in it.

HEADINGS

13. Descriptive headings are inserted solely for a convenience of reference, do not form part of this agreement and are not to be used as an aid in the interpretation of the agreement.

INVALIDITY OF PARTICULAR PROVISION

14. The invalidity of any particular provision of this agreement shall not affect any other provision of it, but the agreement shall be construed as if the invalid provision had been omitted.

ACKNOWLEDGEMENT OF RECEIPT OF COPY

15. The Operator acknowledges receipt of a true copy of this agreement.

PRIOR AGREEMENTS

16. This agreement shall replace any previous agreement between the parties prior to this date

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hand and seal and Corporate seal duly attested to by the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED	)	THE CORPORATION OF THE CITY OF
In the Presence of)	PORT COLBORNE
)	
)	PER: _____
)	Mayor
)	
)	PER: _____
)	Clerk
)	
)	THE OPERATOR
)	
)	PER: _____
)	Owner
)	
)	PER: _____
)	Owner

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The Corporation of the City of Port Colborne

By-Law no. 6662/26/19

Being a by-law to adopt, ratify and confirm
the proceedings of the Council of The
Corporation of the City of Port Colborne at
its Special and Regular Meetings of March 25, 2019

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council; and

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Special and Regular Meetings of March 25, 2019 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 25th day of March, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

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PORT COLBORNE

March 25, 2019

Moved by Councillor
Seconded by Councillor

WHEREAS Annual damages to Ontario's underground infrastructure caused by excavation events number in excess of 4,500 per year. These events cause negative impacts to the Ontario public and our province's economy;

AND WHEREAS, The Ontario Regional Common Ground Alliance (ORCGA), formed in 2003, whose purpose is to enhance public safety and utility infrastructure reliability through a unified approach to effective and efficient damage prevention, consists of some 500 members dedicated to this purpose, including Ontario1Call;

AND WHEREAS The Canadian Common Ground Alliance (CCGA) and the ORCGA have worked collaboratively to produce the "Underground Infrastructure Damage Prevention - Best Practices" handbook to assist in reducing infrastructure damage associated with excavations;

AND WHEREAS The ORCGA annually promotes many educational events across its thirteen (13) Geographic Councils which cover all of Ontario, including the Dig Safe Kick-Offs in April and "April is Dig Safe Month", to raise awareness of the importance of proper excavation practices.

NOW THEREFORE, I, Mayor, William C. Steele, proclaim April 1 - 30, 2019 as "DIG SAFE MONTH" in the City of Port Colborne.

William C. Steele
Mayor

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**City of Port Colborne
Special Council Meeting 05-19
Minutes**

Date: March 4, 2019

Time: 9:11 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
R. Bodner, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Staff Present: M. Evely, Recording Clerk
A. Grigg, Director of Community & Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
T. Rogers, Chief Building Inspector
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 33 Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

That the agenda dated March 4, 2019 be confirmed, as circulated or as amended.

CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Items for Consideration:**

No. 34 Moved by Councillor F. Danch
Seconded by Councillor R. Bodner

**1. Corporate Services Department, Finance Division, Report
2019-29, Subject: Proposed 2019 Water and Wastewater Rates**

That the 2019 Water and Wastewater Rates be approved as follows:

Water Usage Rate	\$ 1.291	per m ³
Water Service Fixed Charge	\$384.65	annual fixed rate
Wastewater Usage Rate	\$1.327	per m ³
Wastewater Service Fixed Charge	\$504.86	annual fixed rate

That the 2019 Water and Wastewater budgets as presented in Corporate Services Department, Finance Division Report 2019-29, be approved; and

That the Water and Wastewater Rates by-laws be approved.

That the Director of Engineering and Operations initiate a lateral water service leak detection testing program on all water laterals both on the public and private side of the curb stop within the calendar year 2019; and

That the Director of Engineering and Operations establish a financing strategy for capital replacements of water laterals.

2. Memorandum from Chris Lee, Director of Engineering and Operations and Darlene Suddard, Environmental Compliance Supervisor Re: Summary of 2018 Distribution System Unbilled Water

That the memorandum from Chris Lee, Director of Engineering and Operations and Darlene Suddard,

Environmental Compliance Supervisor Re: Summary of 2018 Distribution System Unbilled Water, be received for information.

3. Engineering and Operations Department, Engineering Division, Report 3. 2019-30 Subject: Memo on the Proposed Roadside Ditching Program and Associated Funding Methods

That a pilot project be initiated in 2019 to establish the validity of our estimated costs; and

That the necessary equipment be rented as required; and

That the funds to cover the Roadside Ditching program costs by Municipal Staff, (rental equipment, materials and Staffing costs) be covered by the existing budgeted funds for 2019, they being:

0-500-73430 -- Roadside Ditching - \$236,000.00

0-500-73320 -- Culvert Repairs - \$ 34,810

Total 2019 budget request - \$270,810.

CARRIED.

6. Consideration of By-laws:

No. 35 Moved by Councillor A. Desmarais
 Seconded by Councillor G. Bruno

That the following by-laws be enacted and passed:

6648/12/19 Being a By-law to Amend By-law No. 3151/22/95, As Amended, A By-law to Regulate the Supply of Water and to Provide for the Maintenance and Management of the Water Works and for the Imposition and Collection of Water Rates

6649/13/19 Being a By-law to Amend By-law No. 3424/6/97, As Amended, Being a By-law for the Imposition and Collection of Sewage Service Rates and Sewer Rates

6650/14/19 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special Meeting of March 4, 2019

CARRIED.

8. **Adjournment:**

No. 36 Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That the Council meeting be adjourned at approximately
9:13 p.m.

CARRIED.

William C. Steele
Mayor

Amber LaPointe
City Clerk

AL/me

**City of Port Colborne
Regular Council Meeting 06-19
Minutes**

Date: March 11, 2019

Time: 9:14 p.m.

Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor
B. Butters, Regional Councillor

Absent: F. Danch, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
M. Evely, Recording Clerk
A. Grigg, Acting Chief Administrative Officer
C. Lee, Director of Engineering and Operations
P. Senese, Director of Corporate Services/Deputy Clerk

Also in attendance were interested citizens, members of the news media and WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 37 Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That the agenda dated March 11, 2019 be confirmed, as
circulated or as amended
CARRIED.

4. Disclosures of Interest:

Councillor Wells declared a pecuniary interest regarding Item 6 as it could affect the value of his property. Councillor Wells refrained from discussing or voting on this item.

5. Adoption of Minutes:

No. 38 Moved by Councillor M. Bagu
Seconded by Councillor H. Wells

That the minutes of the regular meeting of Council 04-19, held on February 25, 2019, be approved as presented.
CARRIED.

6. Determination of Items Requiring Separate Discussion:

Item 6.

7. Approval of Items Not Requiring Separate Discussion:

No. 39 Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That Items 1 to 13 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Item:

1. Motion by Councillor Eric Beauregard Re: The Implementation of a Community Planning Permit System and the use of Inclusionary Zoning within the City of Port Colborne

Council Resolved:

That the Director of Planning and Development investigate the implementation of a community planning permit system and the use of inclusionary zoning within the City of Port Colborne; and

That the Director of Planning and Development report back to Council with recommendations through the official plan review.

2. Engineering and Operations Department, Engineering Division, Report 2019-22, Subject: Project No. 2013-09, Annual Asphalt Patching Contract, Extension

Council Resolved:

That the current Asphalt Patching Contract # 2013-09 with Circle P Paving be extended for another 2 years, 2019 and 2020, all at the agreed pricing as established previously for 2016; and

That staff be directed to utilise the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for each year of 2019 and 2020, all as approved in the annual budget by Council, for each of those years; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for the asphalt patching extension, be financed under the GL Account numbers for the various utility cuts and road repairs as required.

3. Engineering and Operations Department, Engineering Division, Report 2019-23, Subject: Project No. 2015-10, Annual Concrete Sidewalk Construction Contract, Extension

Council Resolved:

That the current Annual Sidewalk Construction Contract # 2015-10 with CTC Contracting be extended for another year, being 2019, at a 3% increase over 2016's previously established unit rates; and

And that staff be directed to utilise the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for 2019, all as approved in the annual budget by Council; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for Project # 2015-10 Extension, be financed under the following GL Account numbers for Concrete Sidewalk Construction, G/L #3-550-33155-3328, 0-500-73651-3328, 7-590-76220-3328, 0-510-74800-3328, 0-550-74385-3328, 6-595-76315-3328 and 6-595-76330-3328.

4. Engineering and Operations Department, Engineering Division, Report 2019-24, Subject: Project 2015-11, Annual Asphalt Resurfacing, Extension

Council Resolved:

That the current Asphalt Resurfacing Contract # 2015-11 with Rankin Construction be extended for another 2 years, 2019 and 2020, at a 2% annual increase being 2% applied to the 2018 unit rates for 2019, and a 2% increase applied to the 2019 unit rates for 2020; and

That staff be directed to utilise the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for each year of 2019 and 2020, all as approved in the annual budget by Council, for each of those years; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for Project # 2015-11, Extension, be financed under the following GL Account number for Annual Road Resurfacing, G/L # 3-550-33129-3328.

5. Engineering and Operations Department, Engineering Division, Report 2019-28, Subject: Project No. 2015-04, City Wide Grass Mowing Contract, Extension

Council Resolved:

That the current City Wide Roadside Grass Mowing Contract # 2015-04 with The Greenfield Group be extended for another year, at a 1.8% increase over the 2018 unit rates; and

That staff be directed to utilise the bid items as listed within the existing Tender Document in such a manner as to complete all works as may be required for each year, all as approved in the annual budget by Council, for each of those years; and

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared to extend the contract as stated; and

That funding for Project # 2015-04, Extension, be financed under the following GL Account number for annual roadside grass mowing, G/L # 0-500-73410-3328.

7. Planning and Development Department, Planning Division, Report 2019-20, Subject: Sale of a Part of Kinnear Park

Council Resolved:

That Council declares Part 1 on Plan 59R-16309 as surplus to the City's needs; and

That the City enters into an Agreement of Purchase and Sale with Bruce & Leslie Biederman, for the purchase price of \$4,500 (plus HST); and

That the Mayor, Clerk and City Solicitor be authorized to sign and execute any and all documents respecting the sale of these lands.

8. Ministry of Transportation Re: Public Transit Infrastructure Fund regarding an Amending Agreement to the Public Transit Infrastructure Fund Transfer Payment Agreement Between Ontario and the City of Port Colborne

Council Resolved:

That the correspondence received from the office of Vinay Sharda, Executive Director, Ministry of Transportation, Policy and Planning Division, Transit Policy and Programs Group regarding and Amending Agreement to the Public Transit Infrastructure Fund Transfer Payment Agreement between Ontario and the City of Port Colborne, be received for information; and

That the Mayor and City Clerk be authorized to execute the amending agreement.

9. Vance Badawey, Member of Parliament, Niagara Centre Re: Interim Report on Establishing a Canadian Transportation and Logistics Strategy

Council Resolved:

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Interim Report on Establishing a Canadian Transportation and Logistics Strategy, be supported; and

That under the Interim Report on Establishing a Canadian Transportation and Logistics Strategy, Port Colborne will identify capital requirements and consider making an application under the National Trade Corridor Fund (NTCF), for appropriate city projects which support the recommendations contained within the report; and

That the City of Port Colborne will work with our local and southwestern Ontario partners (users, stakeholders, and municipalities) to strengthen the Niagara-Hamilton Economic Cluster.

10. Vance Badawey, Member of Parliament, Niagara Centre Re: Canada-Ontario Bilateral Agreement

Council Resolved:

That the correspondence received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada-Ontario Bilateral Agreement, be received for information; and

Whereas, the Ontario Government must recognize the importance of job creation in contributing to local capital needs that are vital to communities across Niagara and the province;

Therefore, the Corporation of the City of Port Colborne requests that the provincial government commit to a 3-year infrastructure plan and open the intake for funding streams that will allow us to receive need capital funding for projects within the City of Port Colborne and the Niagara Region.

11. Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments

Council Resolved:

That the correspondence received from the Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments, be received for information.

12. Town of Fort Erie Re: Participation of Local Municipalities in the Financial Administration and Governance of Conservation Authorities and Endorsement and Support

Council Resolved:

That the resolution received from the Town of Fort Erie Re: Participation of Local Municipalities in the Financial Administration and Governance of Conservation Authorities and Endorsement and Support, be received for information.

13. City of Welland, Town of Pelham, Town of Lincoln Re: Region of Niagara 2020 Waste Collection Contract – Proposed Changes

Council Resolved:

That the resolutions received from the City of Welland, town of Pelham and the Town of Lincoln Re; Region of Niagara 2020 Waste Collection Contract, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

6. Planning and Development Department, Planning Division, Report No. 2019-14, Subject: Site Alteration Permit – Port Colborne Quarries

Council Resolved:

No. 41 Moved in deferral by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That consideration of Report No. 2019-14, Subject: Site Alteration Permit – Port Colborne Quarries be deferred to the March 25, 2019 regular meeting of Committee of the Whole.
CARRIED.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

No. 42 Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

(a) That the minutes of the Port Colborne Historical and Marine Museum Board of Management Meeting January 15, 2019, be received.
CARRIED.

11. Consideration of By-laws:

No. 43 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:

- | | |
|------------|--|
| 6651/15/19 | Being a By-law to Authorize the Execution of an Amending Agreement No. 1 to the Public Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Minister of Transportation for the Province of Ontario |
| 6652/16/19 | Being a By-law to Amend By-law 6530/97/17, Being a By-law to Establish a Committee Known as the Port Colborne Social Determinants of Health Advisory Committee – Everyone Matters |

- 6653/17/19 Being a By-law to Authorize Entering into a Contract Agreement with Circle P. Paving Re Tender 2013-09, Annual Asphalt Patching Contract Extension
- 6654/18/19 Being a By-law to Authorize Entering into a Contract Agreement with CTC Contracting Re Tender 2015-10, Annual Concrete Sidewalk Construction Contract Extension
- 6655/19/19 Being a By-law to Authorize Entering into a Contract Agreement with Rankin Construction Re Tender 2015-11, Annual Asphalt Resurfacing Contract Extension
- 6656/20/19 Being a By-law to Authorize Entering Into a Contract Agreement with The Greenfield Group Re Tender 2015-04, City Wide Grass Mowing Contract Extension
- 6657/21/19 Being a By-law to Authorize Entering Into an Agreement of Purchase and Sale with Bruce and Leslie Biederman Respecting Part of Block O, Plan 775 Being part 1 on Plan 59R-16309
- 6658/22/19 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of March 11, 2019

CARRIED.

15. **Adjournment:**

No. 44 Moved by Councillor E. Beauregard
Seconded by Councillor G. Bruno

That the Council meeting be adjourned at approximately 9:21 p.m.

CARRIED.

William C. Steele
Mayor

Peter M. Senese
Deputy Clerk

PS/me

Meeting
Environmental Advisory Committee
September 19, 2018, 6:00 p.m.

The following were in attendance:

Staff: Derek Hemauer
 Janice Peyton

Public Patti Stirling
Members: Beth Palma
 Jack Hellinga
 George McKibbon
 Clayton Nadeau
 Ryan Waines
 Tim Hoyle

1. **Call to Order**

Chair Beth Palma called the meeting to order at 6:00 p.m.

2. **Adoption of the Agenda**

Moved by Patti Stirling
Seconded by Tim Hoyle

That the agenda dated September 19, 2018 be accepted as circulated.
CARRIED.

3. **Disclosures of Interest**

Nil.

4. **Approval / Review of Previous Meeting Minutes**

Moved by Ryan Waines
Seconded by Patti Stirling

That the minutes of May 9, 2018 be accepted as written.
CARRIED.

5. Items Arising from Previous Minutes

a) **Recycle Bins**

Derek and Chris are working together on this. Dealing with the overflow and improper use of the bins has been discussed; padlock keys will be in City hands to remedy. The City and Emterra will collect. The concrete pad for the Library bins will be completed internally by staff.

Sharp containers were discussed. Suggested locations are the Pilot House, City Hall and H.H. Knoll Park. Derek will investigate and bring information back to the next meeting.

b) **Illegal Dumping/No Littering Signs on Trails**

No discussion took place on this item, however, prior to the conclusion of the meeting Derek advised that through grant funding, the Community Services Department will be sending a student to take inventory of all signage

c) **Boulevard Trees**

George advised that he has met with Chris to discuss moving forward. This committee should make a request of Council to reconsider the existing policy and should appear as a delegation at the meeting when this item is on the agenda for consideration. The committee thought that the proper timing for this item is after the new Council is in place.

George asked if the i-Tree software was available to staff as it will be useful data, should Council reconsider the by-law regarding boulevard trees. Derek agreed that i-Tree would be helpful and thought that it could be made available to the necessary staff.

Jack asked what the policy was for the removal of trees on commercial private property, because the trees at the lot at the corner of Highway #3 and Highway #140 have been cleared. The trees were over 100 years old. Jack will look into this further and report back to the committee at the next meeting.

d) **Air Quality**

George gave an update on the air quality monitoring. The data loggers have been returned. George has attended the Air Quality Summit in Hamilton. George suggested inserting some carcinogenic loggers around the City; they are small units that can be set up in back yards for time release recording at one location. Jack commented that Chippawa Road and Highway #140 and the North end of Ramey Road would be a prime area to set up carcinogenic

loggers as the trucks turn up a lot of dust in these areas. George will send out the website link to review air quality results online.

e) Drain Improvements

Derek advised that Alana VanderVeen, Acting Drainage Superintendent, agreed to attend an EAC meeting to discuss drainage. Jack advised that the Niagara Coastal Community Collaborative group is also looking into the intent of the Drainage Act. Alana will be invited to the next EAC meeting to discuss what the City is doing for water quality under the Drainage Act. *Note: This has been deferred until the formation of the new EAC committee with new Council members.*

f) Thundering Waters

This item was deferred to the next meeting.

g) Response from Planning Regarding Wetland Protection & Biodiversity Offsetting Paper

The committee received Planning and Development Report 2018-81, regarding Biodiversity Offsetting, for information. A copy of the report is attached to the minutes.

h) Tree Rebate Funds

Moved by George McKibbon
Seconded by Clayton Nadeau

That the Toilet Rebate and the Tree Rebate funds be combined, for budget purposes.
CARRIED.

Moved by George McKibbon
Seconded by Jack Hellinga

That the rebate programs be promoted through the Planning/Building Department by including EAC rebate information with the Building Permit application forms.
CARRIED.

Note: Further discussion required, Derek will speak to this at the next meeting.

Beth suggested information regarding the rebate programs be placed in the City Newsletter.

6. New/Other Business

a) Hazardous Waste- Smoke Detectors

The disposal of expired smoke detectors was discussed. Jack raised this issue when he was told to throw his expired smoke detector in the garbage during a recent trip to the hazardous waste/electronics recycling depot at Humberstone Landfill Site. Jack did some research and found that the MOECC does not consider expired smoke detectors to be a significant health hazard as the amount of radiation is very low. Jack feels the detectors should be recycled or collected and returned to the manufacturer. Ryan will find out if Raw Materials will accept expired smoke detectors.

b) Storm Drain Trash

Discussion took place regarding “garbage nets” that catch litter, cans etc. that are thrown into storm water and cleans the water before it gets to the water treatment plant. They are highly effective and not very expensive. These nets could be placed into maintenance structures, before the inlet or at the ends of culverts. Suitable locations would be Centennial Park and behind Northland Pointe. Derek advised that the Director of Engineering and Operations and the Drainage Superintendent have discussed using these nets.

c) Anonymous email received for discussion

An anonymous email regarding the delay of roadside mowing program was received for information.

d) Active Transportation proposed Trail Locations

George advised that the Active Transportation Committee has discussed having a trail that would run along the Canal from Princess Street to the Killaly Street West railway tracks. Derek was asked to check the force mains in the area. Jack asked if having a trail on top of a force main would pose a problem. Derek did not think it would.

e) Committee Membership Terms

Beth gave notice to those committee members whose membership term is up as of December 31st. Members are welcome to submit an application for the next term. The Clerk’s office will be sending information through the mail.

7. Next Meeting/Adjourn

The next meeting will be on November 14, 2018 at 6:00 pm.

Moved by Tim Hoyle
Seconded by George McKibbon

That with no further business to discuss, the meeting be adjourned at 8:00 p.m.

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MINUTES of the 2nd Regular Board Meeting of 2019

Tuesday, February 5, 2019, 6:00 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

Present: Michael Cooper (Chair), Councilor Mark Bagu, Brian Beck, Harmony Cooper, Jeanette Frenette, Ann Kennerly
Staff: Scott Luey (CEO), Susan Therrien (Director of Library Services/Board Secretary), Rachel Tkachuk (Librarian)
Regrets: Valerie Catton, Bryan Ingram (Vice-Chair), Cheryl MacMillan, Peter Senese (Treasurer)

1. Call to Order:

M. Cooper called the meeting to order at 6:07 p.m.

2. Chair's Remarks:

Mr. Cooper welcomed the Board.

3. Declaration of Conflict of Interest:

Nil.

4. Adoption of the Agenda:

Moved by H. Cooper
Seconded by A. Kennerly
19:009 That the agenda be adopted as circulated.
CARRIED.

5. Approval of the Minutes of the Previous Meeting of January 22, 2018:

Moved by J. Frenette
Seconded by H. Cooper
19:010 That the minutes of the January 22, 2019 meeting be adopted.
CARRIED.



6. **Business Arising from the Minutes:**

Nil.

7. **Delegations and Presentations:**

S. Therrien presented the second session of the Board Orientation and distributed the City of Port Colborne *Volunteer Health and Safety Package* to each Board member.

8. **Consent Items:**

Moved by H. Cooper

Seconded J. Frenette

19:011 That consent items 8.1 to 8.6 be received for information purposes.

CARRIED.

8.1. Correspondence

8.2. Library Publications and Items from the Media

8.3. Librarian's Report

8.4. Director's Report

8.5. Strategic Plan Implementation Report

8.6. Capital Projects Report

9. **Discussion Items:**

9.1. **Video Surveillance Cameras**

The Director reported on steps taken to be in accordance with the Video Surveillance Policy.

9.2. **Board Evaluation**

The Director distributed a Board Evaluation checklist. A Board Evaluation policy will be



reviewed at the next meeting.

9.3. Board Member Recognition

The Board discussed recognition of Board members to commemorate service and retirement. The Board also discussed protocol in the event of illness or death of a Board member.

10. Decision Items:

10.1. Policy Review: Term of Office for Vice-Chair

Moved by A. Kennerly

Seconded by H. Cooper

19:012 That Section 3.1.8 be removed from the terms of reference.

CARRIED.

10.2. Policy Review: Meeting Time

Moved by H. Cooper

Seconded by J. Frenette

19:013 That the monthly Library Board meeting time be changed to 6:15 p.m.

10.3. Policy Review: Procurement

To be reviewed again at the next meeting.

10.4. Policy Review: Mission, Vision, and Values Statements

Moved by B. Beck

Seconded by A. Kennerly

19:014 That the Mission, Vision, and Values Statements policies be revised as presented.

CARRIED.

10.5. Policy Review: Hiring of Employees Policies

Moved by H. Cooper

Seconded by J. Frenette



19:015 That the City of Port Colborne "Hiring of Employees Human Resources and Health and Safety" policies be adopted as presented.

CARRIED.

10.6. Policy Review: Board Orientation

Moved by H. Cooper

Seconded by A. Kennerly

19:016 To adopt the Library Board Orientation Policy as presented.

CARRIED.

11. Board Members' Items:

Nil.

12. Notices of Motion:

Nil.

13. Date of the Next Meeting:

Tuesday, March 5, 2019 at 6:15 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

The Board will meet at 6:00 p.m. for a group photograph.

14. Adjournment:

Moved by H. Cooper

Seconded by A. Kennerly

19:017 That the meeting be adjourned at 7:13 p.m.

CARRIED.

Michael Cooper, Chair

March 5, 2019

September 17, 2018
MEETING OF THE PORT COLBORNE ACTIVE TRANSPORTATION
ADVISORY COMMITTEE

Minutes of the eleventh regular meeting of the Committee Members of the Port Colborne Active Transportation Advisory Committee, held in the Library, Third Floor Library, City Hall, 66 Charlotte Street, Port Colborne September 17, 2018, 5:00 p.m.

The following Committee Members were in attendance:

Committee Members: Ann Kennerly, George McKibbon, Michael Scott, Wade Smith
Council: Councillor Angie Desmarais
Staff: Stefanie DeCicco, Nicole Halasz, Karen Walsh
Regrets: none

1. CALLED TO ORDER: 5:12 p.m.

2. CONFIRMATION OF PREVIOUS MINUTES:

Moved by: Wade Smith
Seconded by: Angie Desmarais

THAT the minutes from the July 16, 2018 be accepted as presented.
CARRIED

3. BUSINESS ARISING FROM THE MINUTES:

Library Bike Repair Station – people were using them to take apart – different items such as grocery cart for scrap metal.

4. BUSINESS

- Workplan top 10 -
- Report to Council – for end of year

Report to Council to use the money not used for the workplan.

Motion: Angie Desmarais
Second by: Ann Kennerly

THAT report to council to ask to use the money not needed for the workplan to be used for more bike stations and to have a yearly amount from the Levy go towards Active Transportation.
CARRIED

Areas to improve Active Transportation:

- West Street path, on the west side for when the bridge is up.
- Main Street to Omer – use parking lot besides Auto Knows for a trail to get to the Robin Hood trail.
- Expend amenities along the Welland Canal - Bus Shelters (graffiti free) when waiting for the bridge. Clarence Street East Bridge, Skatepark, Work with Transportation committee – Active Transportation and various transportation programs – federal gas tax and province (recreational purposes). – Stephanie
- Establishing new routes, to connect neighbourhoods.

Other business:

- Ask Sherry – if the crossing guards could do a count of cyclist and pedestrians.
- Complete street policy from the Region do the municipalities adapt them or do they do their own. Planning is aware of the policy.
- Check with Evan –complete streets is followed from the Region. Does the city use it has a guide. Is it in the Official Plan
- Official Plan sent out to the committee members – Karen will forward to the committee.
- Active Transportation Masterplan, Parks and Recreation (will be released shortly).
- An overriding document with the strategic and masterplans.
- City to have a resource officer – safe routes fill the complaints and share the information. - Suggest staff position.
- Positive reinforcement for wearing helmets etc.
- Include the police in our activity.
- Understand the current by-law. – sent by-laws on trails to committee members
- Memo for bike use was sent to Sherry and Amber.
- Social Media – shame people who stole the mobile accessibility.
- Enforcement & Awareness. – inform the police and keep them aware. – Should a meeting with by-law and police.
- Signs on the trail – we are currently working on them. Communication through email

5. New Business

Budget - currently working on, any asks and put forward in any request. Also, looking for grant funding.

\$10,000 not a one-time expense put on a levy.

Pamphlet - \$2,500 (promotional items – nametags, banner, table clothes, tent, display) t-shirts

Honorary for ombudsmen for liaison person. Co-op student.

Bike racks – school, bike shelters at bridges, bike corral. Opening ceremony for bike shelters.

Ticks sign for lyme disease, ministry have made available for free, notification they are in the area and to check for ticks. – for parks, trail. Dog park. – staff level

Yardstick – bench marking session in St. Catharines (how they collect data, service and strategy) Kiawans Aquatic Centre – staff level, cost to the bench marking

Pedestrian crossover – Clarence Street should be starting soon – in front of the Legion, not Market Café and Shoppers Drug Mart. Social Media will be posted.

Meeting with Chris Lee about Boulevard Trees for walking. Follow up at next meeting.

6. INFORMATION/CORRESPONDENCE

none

7. ADJOURNMENT:

Moved by: Wade Smith
Seconded by: George McKibbon

Resolved that we do now adjourn.
CARRIED

Time of adjournment 6:18 p.m.

Next Meeting: Monday, October 15, 2018 at 5:00 p.m.

