

**City of Port Colborne  
Regular Meeting of Committee of the Whole 22-18  
Monday, November 26, 2018 – 6:30 p.m.  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor John Maloney
- 2. National Anthem:** Joel Longfellow
- 3. Introduction of Addendum and Delegation Items:**
- 4. Confirmation of Agenda:**
- 5. Disclosures of Interest:**
- 6. Adoption of Minutes:**
  - (a) Regular meeting of Committee of the Whole 21-18, held on November 13, 2018
- 7. Determination of Items Requiring Separate Discussion:**
- 8. Approval of Items Not Requiring Separate Discussion:**
- 9. Presentations:**
  - (a) Recognition and plaque presentation to Outgoing Members of Council
- 10. Delegations (10 Minutes Maximum):**

Nil.
- 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, December 3, 2018 Inaugural Meeting (Newly Elected Council) -  
6:30 P.M.

Monday, December 10, 2018 Committee of the Whole/Council – 6:30 P.M.

**2019 Meetings**

Monday, January 14, 2019 Committee of the Whole/Council – 6:30 P.M.

Monday, January 28, 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
JDM BB RB AD FD YD DE BK JM	1.	<p><b>Community and Economic Development Department, Parks and Recreation Division, Report 2018-151, Subject: Award of Consulting Services – Parks and Recreation Master Plan (Project 2018-10)</b></p> <hr/> <p>That Project 2018-10, Qualification of Consulting Services – Parks and Recreation Master Plan, be awarded to MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC), with a submitted price of \$69,895, plus applicable taxes.</p> <p>That Council consideration of the creation of a Parks and Recreation Locator Map, as a value-added project offered by MHBC, under the Parks and Recreation Master Plan, at an approximate cost of \$15,000, be referred to the 2019 budget process; and</p> <p>That the appropriate by-law be presented for approval.</p>	5
<b>Miscellaneous Correspondence</b>			
Nil.			
<b>Outside Resolutions – Requests for Endorsement</b>			
Nil.			
<b>Responses to City of Port Colborne Resolutions</b>			
Nil.			

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.

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**Community and Economic Development Department  
Parks and Recreation Division**

**Report Number: 2018-151**

**Date: November 26, 2018**

**SUBJECT: Award of Consulting Services - Parks and Recreation Master Plan  
(Project 2018-10)**

**1) PURPOSE**

The purpose of this report is to inform Council of the outcome of the Request for Proposal proceedings for Project 2018-10, Qualification of Consulting Services – Parks and Recreation Master Plan, and to obtain approval to award the project.

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

In 2016, Council approved an expenditure of \$70,000 for the purposes of retaining a consultant to undertake the completion of a Parks and Recreation Master Plan for the City. Operational changes delayed the completion of the project and since that time, the allocated funds have been maintained in the Capital Reserve Fund. To date, the City has not invested in the preparation of a Parks and Recreation Master Plan to guide the development and operation of parks and recreation activities in the City.

Previously this year, the City issued a Request for Proposal for the procurement of a qualified consulting firm to undertake the completion of a Parks and Recreation Master Plan (the “Master Plan”) that will allow the City to strategically manage the direction of parks and recreation services until 2028.

The Master Plan will allow the City to guide and manage the direction of parks, open spaces, recreation and leisure services, programs, events, facilities and amenities. The Master Plan will review recreation and leisure programs, facilities and related amenities in a cost effective, proactive manner, consistent with leading industry standards and best practices. The Master Plan will provide a vision and prioritization of parks and recreation operations and services over the next ten years and will establish an actionable plan in order to achieve its objectives. The Master Plan will not only serve as a strategic document but will assist in annual budget processes, future planning, preparation of development charges studies, and will serve as a tool to help implement the City’s other guiding documents, such as the City’s overall Strategic Plan. The Master Plan will ensure parks, recreation, trails, and programming services accommodate changes in growth and demand, as well as emerging trends. The Master Plan will also reflect that the City also provides leisure and recreation opportunities for many non-residents from within and outside of the Niagara Region and, to that end, will consider tourism and economic development impacts. The Parks and Recreation Master Plan will:

- Include a comprehensive review and analysis of parks and recreation operational and service needs;
- Provide for meaningful consultation with Council, residents, user groups, stakeholders, and staff (including a community engagement strategy making use of multiple communication formats including an on-line survey, social media, public information sessions, public meetings, interviews, meetings, etc.);

- Identify physical improvements to existing parks and new park amenities (including facilities, sports fields, play structures, trails, picnic shelters, splash pad, etc.);
- Provide a clear action plan and strategy to guide the development of future parks and recreation facilities, operations and services;
- Guide the development of parks and recreation for the City and the community over the next ten years.

The outcome and results of the Master Plan will supply a clear action plan to guide and direct the City in the development and sustainability of future recreation facilities and opportunities. A more detailed summary of the goals and objectives of the Parks and Recreation Master Plan is outlined in the Request for Proposals. A copy of the Request for Proposals (and the one Addendum issued) is available on the City's website.

The Preliminary Project Schedule outlined in the RFP is aggressive, as a number of items outlined in Council's Strategic Plan are related to and/or are outcomes of the completion of the Parks and Recreation Master Plan and therefore the timely completion of the project is of considerable importance. The RFP identifies project completion by the end of March 2019. It should however be noted, this schedule may be subject to change. As outlined above, the public consultation process is a key method of data collection for the completion of the project. The public consultation process will likely initiate around the holiday season (typically a poor time to seek public input). As a result, the public consultation process may be extended, if deemed necessary; in order to ensure a fulsome and meaningful public consultation process is completed. Such an extension would impact the expected project completion date, however would not have a financial impact. Should the consultation period be extended, project completion would be expected by early spring 2019. As the project proceeds, staff will work with the successful firm regarding project completion timelines and will ensure Council is fully briefed regarding progress and whether there is any impact on the anticipated timelines.

### **3) STAFF COMMENTS AND DISCUSSIONS**

During the RFP process, the City sought an innovative approach to parks and recreation planning that was demand driven and that would strategically integrate the City's mandate concerning parks, recreation, and leisure, while at the same time ensuring the priorities and implementation directions are fiscally appropriate for the City. The City sought an approach that has regard for the provision of environmentally sustainable, accessible parks and recreation facilities, programs and services that meet the dynamic needs of the City.

At the close of the tender process, three firms submitted proposals, and in accordance with the terms of the RFP, each of the three firms participated in an interview and evaluation process (there was no public opening for this project). During the interview process, each firm was provided with the opportunity to make a brief presentation, and ask, and respond to questions from the evaluation team. At the conclusion of each interview, the evaluation team used a scoring matrix to evaluate each of the firm's proposals. A copy of the Evaluation Criteria is available in Attachment "G" of the Request for Proposal on the City's website. The entire tender process adhered to the policies and practices adopted and endorsed by Council. A summary of the results is outlined below.

<b>Summary of Results</b> (listed in order of ranking)		
<b>Rank</b>	<b>Name of Firm</b>	<b>Quote</b>
First	MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)	\$69,895
Second	Monteith Brown Planning Consultants	\$68,570
Third	Sierra Planning and Management	\$69,910

As is indicated above, MHBC scored the highest amongst the firms after the conclusion of the interview and evaluation processes. MHBC's qualifications, related project experience, understanding of the project and work plan were superior and resulted in the firm receiving the highest ranking. The proposal submitted by MHBC was found to be complete in all aspects.

MHBC possesses specific experience in recreational planning, and has completed several similar projects for municipalities across Canada and within the Niagara Region (local context will be an asset during the research and data collection stages of the project). MHBC is proficient at implementing comprehensive and meaningful community and stakeholder consultation strategies, with a focus on integrating unique municipal assets, such as waterfronts, into Parks and Recreation Master Plans.

In addition to the firm's understanding of the project and considerable experience, MHBC was the only firm to directly respond to the City's request for bidders to identify other value-added services available to the City by the bidder should they be awarded the project. Staff requested firms to consider value-added services including, but not limited to, a willingness to contribute (i.e. sponsorship, in-kind donations, discounted pricing, goods and/or services, etc.) in order to support activities that serve to improve and maintain services in the community.

In response to this request, MHBC proposed as a value-added element the consideration of a Parks and Recreation Locator Map, a web-based application that would assist citizens and visitors (by utilizing graphic user interface mapping) in locating parks, recreation facilities, active transportation routes, and other recreational and community assets. The application would begin with mapping existing parks and recreation amenities and features through the Master Plan process. The City would be capable of updating and maintaining the application on a go forward basis, and staff envision the application could later include other community assets (i.e. cultural mapping, destinations, landmarks, and the like). Creation of the application would begin using data and information gathered through the creation of the Parks and Recreation Master Plan. The graphic user interface mapping application, valued at approximately \$15,000, is not included in the overall project quote, however staff recommend that consideration of this value-added project be referred to the 2019 budget process.

For the reasons outlined above, staff recommend Council award the contract for the completion of the City of Port Colborne Parks and Recreation Master Plan to MHBC. Following the award process, staff will immediately begin working with the successful firm to commence work on the completion of the Parks and Recreation Master Plan.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing**

Council may choose to receive this report for information purposes, effectively halting any further action in relation to the completion of the Parks and Recreation Master Plan. This option is not recommended, as this project is budgeted for, is identified as a strategic project of Council, and is in the initial stages of completion.

**b) Other Options**

Council may provide alternative direction regarding the Request for Proposal and contract award process, and/or regarding the completion of the Parks and Recreation Master Plan. This option is not recommended.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

The City's Strategic Plan identifies the completion of a Parks and Recreation Master Plan as a strategic priority of Council. Further, several other strategic initiatives outlined in the Strategic Plan are direct outcomes of the Parks and Recreation Master Plan.

**6) ATTACHMENTS**

None.

**7) RECOMMENDATION**

That Project 2018-10, Qualification of Consulting Services – Parks and Recreation Master Plan, be awarded to MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC), with a submitted price of \$69,895, plus applicable taxes.

That Council consideration of the creation of a Parks and Recreation Locator Map, as a value-added project offered by MHBC, under the Parks and Recreation Master Plan, at an approximate cost of \$15,000, be referred to the 2019 budget process; and

That the appropriate by-law be presented for approval.

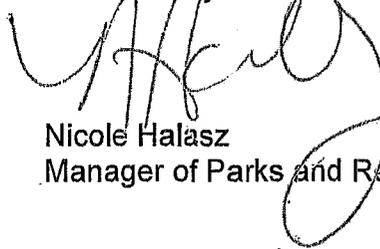
**8) SIGNATURES**

Prepared on November 16, 2018 by:



Ashley Grigg  
Director of Community and Economic  
Development

Reviewed by:



Nicole Halasz  
Manager of Parks and Recreation

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

**City of Port Colborne  
Regular Committee of the Whole Meeting 21-18  
Minutes**

**Date:** November 13, 2018

**Time:** 6:33 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)  
J. Mayne, Councillor

Absent: D. Elliott, Councillor (due to a work commitment)

**Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
N. Halasz, Manager of Parks and Recreation  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)  
P. Senese, Director of Corporate Services  
S. Shypowskyj, Acting Director of Engineering and Operations

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

Nil.

**3. Confirmation of Agenda:**

Moved by Councillor R. Bodner  
Seconded by Councillor Y. Doucet

That the agenda dated November 13, 2018 be confirmed, as circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Nil.

**5. Adoption of Minutes:**

**(a) Regular meeting of Committee of the Whole 20-18, held on October 9, 2018**

Moved by Councillor A. Desmarais

Seconded by Councillor J. Mayne

- (a) That the minutes of the regular meeting of the Committee of the Whole 20-18, held on October 9, 2018, be approved as presented.

CARRIED.

**6. Determination of Items Requiring Separate Discussion:**

The following item was identified for separate discussion:

Items 2, 4, 7, 8, and 10.

**7. Approval of Items Not Requiring Separate Discussion:**

Moved by Councillor F. Danch

Seconded by Councillor B. Kenny

That items 1 to 12 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:**

**1. Corporate Services Department, Finance Division, Report 2018-148, Subject: Port Colborne Welland LINK Proposed Bus Schedule Change**

Committee of the Whole recommends:

That the Port Colborne Welland LINK bus schedule change to accommodate the pilot project of providing two (2) additional trips, one early morning and one later evening, and the 15 minute change to the current arrival and departure times for the transit service as described in Corporate Services Department, Finance Division Report 2018-148, be approved, effective January 1, 2019.

That the pilot project be funded from the Operating Transit Reserve Fund.

**3. Corporate Services Department, Finance Division, Report 2018-147,  
Subject: Cancellation, Reduction or Refund of Realty Tax**

Committee of the Whole recommends:

That the applications pursuant to Section 357/358 of the Municipal Act, 2001, as amended, 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) be approved to cancel or reduce taxes in the total amount of \$2,796.15.

**5. Community and Economic Development Department, Parks and  
Recreation Division, Report 2018-145, Subject: Annual Lighted Santa  
Claus Parade – Road Closures and Parking Restrictions**

Committee of the Whole recommends:

1. That the road closures necessary for the Annual Lighted Santa Claus Parade event on Saturday, December 1, 2018, as outlined in Community and Economic Development, Report 2018-145, be approved;
2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging:
  - Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and
  - Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and
  - Fielden Avenue, at the western limit of Delhi Street.
3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging and to provide for a safe viewing area of the parade:
  - Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;
  - West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and
  - Charlotte Street, from the western limit of Elm Street to the eastern limit of West Street.
4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 1, 2018, to restrict through traffic onto the parade route:
  - North and west intersections of Steele Street and Elgin Street;
  - East intersection of Steele Street at Carter Street;
  - East intersection of Steele Street at Park Street;
  - East intersection of Steele Street at Tugboat Lane;
  - West and south intersections of Steel Street and Clarence Street;
  - North and south intersections of Fielden Avenue at Clarence Street;

- North and south intersections of Elm Street at Clarence Street;
- North and south intersections of Catharine Street at Clarence Street;
- North and south intersections of King Street at Clarence Street;
- North and east intersections of West Street at Clarence Street;
- South intersection of West Street at Charlotte Street;
- North and south intersections of King Street at Charlotte Street; and
- East and north intersections of Charlotte Street and Catharine Street.

5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;
6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the parade route.

**6. Planning and Development Department, By-law Enforcement Division, Report 2018-143, Subject: Accessible Parking – Charlotte Street**

Committee of the Whole recommends:

That By-law 4310/146/02, Being a by-law to regulate on and off street parking for persons with disabilities, be further amended by adding to Schedule "I" the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime

**9. Planning and Development Department, Planning Division, Report 2018-150, Subject: Recommendation Report for Zoning By-law Amendment D14-03-18, 1937 Brookfield Road**

Committee of the Whole recommends:

That the Zoning By-law Amendment, attached to Planning and Development Department, Planning Division Report 2018-150 as Appendix B, be approved rezoning the land from "Agricultural" to AR-49" and "Agricultural Purposes Only".

**11. Region of Niagara, Linking Niagara Transit Committee Session Re: Universal Support Person Pass/Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Financial Impact Analysis**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara, Linking Niagara Transit Committee Session, Re: Universal Support Person Pass, Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Impact Analysis, be received for information.

**12. Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport**

Committee of the Whole recommends:

That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport, be received for information.

CARRIED.

**8. Presentations:**

- (a) **Mario Madia, Vice President Finance, Administration & IT, YMCA of Niagara and Sharon Schilz, Centre Manager, Port Colborne YMCA will be providing an update on the operations of the Port Colborne YMCA**

Mario Madia and Sharon Schilz provided a powerpoint presentation to update Council with respect to the operations of the Port Colborne YMCA. The presentation is attached.

**9. Delegations:**

By general consensus this item of the Committee of the Whole Agenda was brought forward for consideration during the Items Requiring Separate Discussion. The minutes reflect the order of the agenda.

**10. Mayor's Report:**

A copy of the Mayor's Report is attached.

**11. Regional Councillor's Report:**

Nil.

**12. Councillors' Items:**

- (a) **Trees at Centennial Park (Bodner)**

In response to an inquiry by Councillor Bodner, the Manager of Parks and Recreation advised that the cleanup of the trees that were cut then left in Centennial Park was delayed due to high winds and will be attended to pending better weather.

**(b) All-terrain vehicles in Centennial Park (Bodner)**

In response to an inquiry by Councillor Bodner about whether ATVs had damaged Centennial Park, the Manager of Parks and Recreation advised that no damage had been reported but she will ask staff to investigate the condition of the park.

**(c) Road surfacing in Ward 4 (Bodner)**

In response to an inquiry by Councillor Bodner, the Acting Director of Engineering and Operations advised that staff will provide a report at a future meeting of Council outlining options and pricing with respect to road surfacing on stone roads in Ward 4.

**(d) Fallen trees in drains (Bodner)**

In response to a concern expressed by Councillor Bodner with respect to fallen trees and branches causing blockages in drains, the Acting Director of Engineering and Operations advised that he will have the Acting Drainage Superintendent investigate.

**(e) Railway tracks on Killaly Street (Danch)**

In response to an inquiry by Councillor Danch about a date when the tracks would be repaired, the Director of Engineering and Operations that the Region has committed to their share of the expense and staff will continue to pursue the completion of the required repair work with Trillium.

**(f) Construction in the East Village (Desmarais)**

In response to a request by Councillor Desmarais about the status of the construction in the East Village, the Acting Director of Engineering and Operations advised that the contractor is completing sump pump hook-ups with expected completion in spring 2019.

**(g) Living rough camps (Desmarais)**

In response to an inquiry by Councillor Desmarais about living rough camps in the community, the Chief Administrative Officer advised that at a meeting held between community stakeholders, discussion took place about a protocol for reporting living rough camps to the City. The Chief Administrative Officer advised the public to report active or abandoned living rough camps to the By-law Enforcement Division at 905-835-2900 or [bylawenforcement@portcolborne.ca](mailto:bylawenforcement@portcolborne.ca), which is an email address monitored by more than one staff person. The Chief Administrative Officer finally advised that providing report of living rough camps to by-law staff can ensure a more immediate response because the proper property party to be respond can be notified.

**Staff Responses to Previous Councillor Enquiries:****(a) Smoke and Carbon Monoxide Alarms – November (Cartwright)**

The Fire Chief advised the Fire Department's free give away of smoke and carbon monoxide alarms to Port Colborne homeowners of a single-family residence is extended through November. The Fire Chief also urged the public to call to receive the Fire Department's assistance to keep homes safe.

**13. Consideration of Items Requiring Separate Discussion:****2. Corporate Services Department, Finance Division, Report 2018-146, Subject: Welland Transit Renewal Agreement for Port Colborne Transit Services**

Moved by Councillor A. Desmarais  
Seconded by Councillor B. Kenny

That the renewal of the Transit Agreement with Welland Transit for Transit Services be approved for a two-year term to March 31, 2020.

That the City Clerk and the Mayor be authorized to execute the Transit Agreement.

CARRIED.

**4. Engineering and Operations Department, Engineering Division, Report 2018-149, Subject: Tendering for Project 2018-03, Water Meter & Meter Chamber Installations (Two Locations)**

Moved by Councillor R. Bodner  
Seconded by Councillor B. Kenny

That Project 2018-03, Water Meter and Meter Chamber Installations (Two Locations), be awarded to V. Gibbons Contracting Ltd. of Stevensville, Ontario for the total tendered contract price of \$210,423.50 plus applicable taxes.

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared.

That funding for Project 2018-03 be financed under the 2018 Water Capital Budget.

CARRIED.

**7. Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries**

Harry Wells provided a presentation with respect to the Site Alteration Permit for Port Colborne Quarries. A copy of the presentation is attached.

Jack Hellinga provided a presentation with respect to the Site Alteration Permit for Port Colborne Quarries. A copy of the presentation is attached.

A motion to defer was passed prior to the delegation by David Sisco, IBI Group – representing Port Colborne Quarries Inc. A copy of the presentation is attached.

Moved by Councillor R. Bodner  
Seconded by Councillor B. Butters

That a Site Alteration Permit be approved 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 consents 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.

Moved in deferral by A. Desmarais  
Seconded by J. Mayne

That consideration of a of 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 be deferred to a Committee of the Whole meeting during the first quarter of 2019 and that direction be provided to the Director of Planning and Development to provide Council with further education about the information contained in the presentations provided with respect to the quarry.

CARRIED.

**8. Planning and Development Department, Planning Division, Report 2018-142, Subject: Cannabis Dispensary and Production**

Thômas Hill, CEO, Farmedica, and Toby Petit, Farmedica, provided a presentation with respect to the *Cannabis Act* and the regulations for Licensed producers, as well as the business intentions for their company.

Moved by Councillor R. Bodner  
Seconded by Councillor B. Butters

That staff be directed to undertake a study of the City's Official Plan policy, Zoning By-law standards and regulations and implementation

procedures pertaining to retail cannabis production and report back to Council with recommendations.

That an Interim Control By-law, pursuant to Section 38 of the *Planning Act*, be approved for a period of up to one year, prohibiting retail cannabis production on all properties in the City.

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and that the Notice of Decision required by the *Planning Act*, R.S.O. 1990, as amended, be processed by staff.

Moved in amendment by Councillor B. Butters

Seconded by Councillor A. Desmarais

That the first and second paragraphs of the main motion be amended by adding thereto "medical and" prior to "retail".

The vote was then called on the main motion, as amended, as follows:

That staff be directed to undertake a study of the City's Official Plan policy, Zoning By-law standards and regulations and implementation procedures pertaining to medical and retail cannabis production and report back to Council with recommendations.

That an Interim Control By-law, pursuant to Section 38 of the *Planning Act*, be approved for a period of up to one year, prohibiting medical and retail cannabis production on all properties in the City.

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and that the Notice of Decision required by the *Planning Act*, R.S.O. 1990, as amended, be processed by staff.

**10. Memorandum from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism**

Moved by Councillor B. Butters

Seconded by Councillor B. Kenny

That the memorandum received from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism, be received for information; and

That the Chief Administrative Officer be directed to:

- Create a mandate for this group as a task force similar to the East Village

- Membership would include:
  - Minimum two city councillors
  - One representative from each BIA
  - One representative from the NRP
  - One representative from Port Cares
  - One business representative – currently Fred Davies
  - One member of the public – currently Rick Osborne

That once the group is established, it be directed to:

- Send a letter to the Police Services Board inviting them back to Port Colborne to hold a future board meeting.
- Arrange for an expression of interest for closed circuit television monitoring in the downtown area and beyond.
- Arrange for an expression of interest for private security officers.
- Establish a Community Watch Program.

Moved in amendment by Councillor A. Desmarais

Seconded by Councillor Y. Doucet

That the first bullet of the main motion be amended by adding thereto “to be called the Chief Administrative Officer’s Working Group on Community Wellness” and that the representation from the East Village Task Force be added to the membership mandate.

The vote was then called on the main motion, as amended, as follows:

That the memorandum received from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism, be received for information; and

That the Chief Administrative Officer be directed to:

- Create a mandate for this group as a task force similar to the East Village, called the Chief Administrative Officer’s Working Group on Community Wellness
  - Membership would include:
    - Minimum two city councillors
    - One representative from each BIA
    - One representative from the NRP
    - One representative from Port Cares
    - One business representative – currently Fred Davies
    - One member of the public – currently Rick Osborne
    - Membership of the East Village Task Force

That once the group is established, it be directed to:

- Send a letter to the Police Services Board inviting them back to Port Colborne to hold a future board meeting.
- Arrange for an expression of interest for closed circuit television monitoring in the downtown area and beyond.
- Arrange for an expression of interest for private security officers.
- Establish a Community Watch Program.

CARRIED.

14. **Notice of Motion:**

Nil.

15. **Adjournment:**

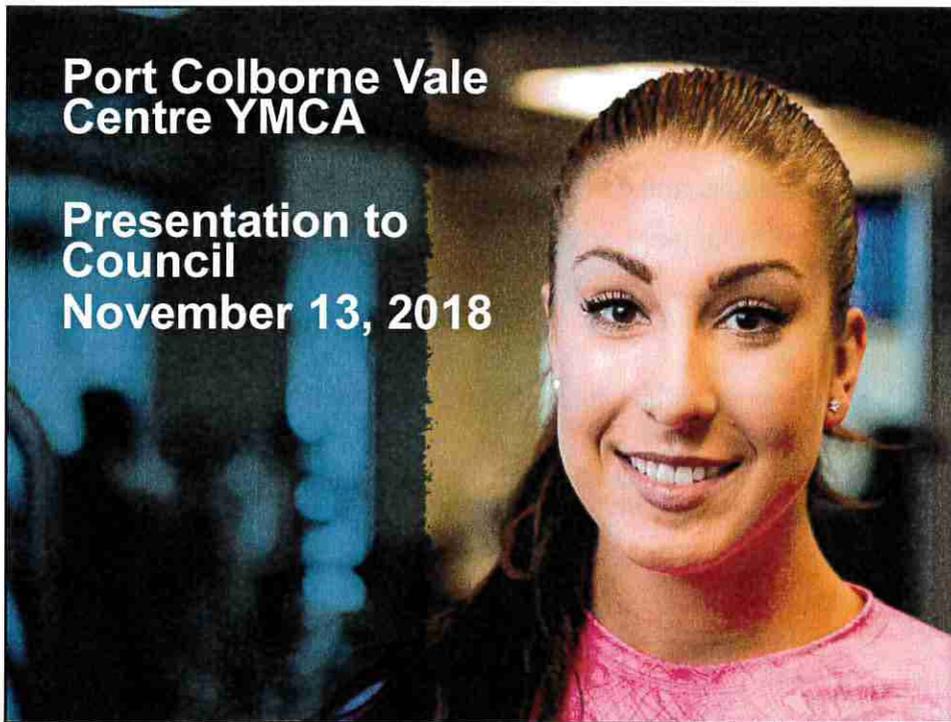
Moved by Councillor F. Danch  
Seconded by Councillor Y. Doucet

That the Committee of the Whole meeting be adjourned at approximately  
8:38 p.m.

CARRIED.

CM/

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## Topics

- Highlights from the 2017/ 2018 year Port Colborne YMCA
- Review of the 2012-2017 financial results
- Comparison of 2017/18 fiscal performance to budget
- Actions related to Bill 148 (minimum wage increase) and impact on Port Colborne YMCA



## Port Colborne YMCA Year 6 Highlights

- Leadership and development of more than 75 staff
- 1,256 volunteer hours provided by more than 50 volunteers
- Served an average of 2327 members on roll throughout the year
- Supported 400 children, individuals and families through YMCA Financial Assistance.
- Engaged 460 children and youth continuously in swim lessons strengthening their skills.
- Partnered with 22 Community Organizations.
- Engaged children and youth participants with 1640 camper days.



## Port Colborne, year six results...

The YMCA is meeting or exceeding its promise to serve the community with an average of 11,225 community accesses monthly by both YMCA members and community participants.

### Enhancing Health and Strengthening all Families

- 56.9% joined as a family
- 117,250 membership card swipes
- 4542 Family and Individual Swim Passes
- 7056 Guest Passes



## The YMCA continues to have significant and positive impact on the Port Colborne community

- Community access to YMCA programs increased consistently each year, growing to over 17,000 annually in Year 6.



## The YMCA continued to expand program offerings based on community feedback and interest

- YMCA continues to provide leadership for a number of community events.
- YMCA has been actively involved in many City of Port Colborne events including:
  - Canal Days
  - Canada Day Event
  - Community Awareness Day
  - Sports Fest
  - Vale Day
  - New Year's Eve Family Celebration
  - Family Day



*Painting Port Colborne Rocks*



## More program investments and improvements

- Launch of new adult programs Barre and expanded offerings in Yoga, Aqua Fitness and Small Group training
- Relaunch of Personal Training
- New approach to New member Orientation
- Revised and refreshed approach to marketing, communication, lead generation and new member incentives
- Implemented new national aquatics standards
- Enhanced Child Protection Standards
- Introduction of more skill based sports program for children



## Supporting Participation for All A revised approach to YMCA Financial

**The YMCA is a place of inclusiveness; open to all regardless of background or circumstance, helping to strengthen families and communities.**

- YMCA Financial Assistance is offered to individuals and families unable to afford to participate due to their financial circumstance.
- Assistance is offered in a confidential manner based on individual circumstances. In 2017/2018 more than
- 17% of Port Colborne YMCA Members ( 400 individuals) benefited from YMCA financial assistance.



### How we did in the first 5 years?

5 YEAR ACTUAL REVENUE AND EXPENSES	2016-17 Actuals	2015-16 Actuals	2014-15 Actuals	2013-14 Actuals	Feb-Aug 13 Actuals
Total Revenue	1,217,405	1,158,957	1,167,996	1,196,997	584,559
Expenses					
Total Expenses (Operating)	952,503	893,684	896,138	960,518	537,446
Operating Net	264,902	265,273	271,858	236,479	47,113
Deferred Capital Depreciation & Admin	259,548	269,499	257,232	231,409	56,245
Total Net	5,354	(4,226)	14,626	5,070	(9,132)



### How we did in the current year versus budget?

Year 6 Annual Budget vs Actuals : September 2017 - August 2018			
Members On-roll, Year-to-date Average	2,356	2,327	
Budgeted Revenue and Expenses	Annual Budget	Actuals	Variances
Total Revenue	1,221,960	1,225,726	3,766
Total Expenses	1,009,065	1,012,494	3,429
Operating Net	212,895	213,232	337
Deferred Capital Depreciation	159,900	157,644	(2,256)
Administrative Overhead (10% of total expenses)	100,907	101,249	343
Total Net	(47,912)	(45,661)	2,250



## Bill 148 Minimum Wage Increase-What have we done?

### Pre January 1, 2018:

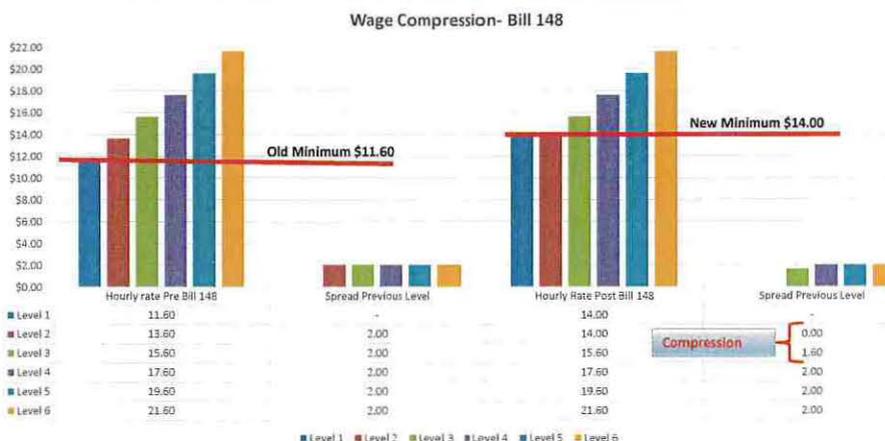
- October, 2017 HFA price increase
- Engaged external HR Consultant to review overall compensation strategy
- New shared service agreements CEO, VP HFA
- Administrative office relocated within our Welland HFA Centre

### Post January 1, 2018:

- Successfully implemented Phase One of Bill 148
- Annual HFA price increases
- Improve program quality
- Focus on program membership retention and growth
- Discussions with YMCA of Oakville and HamiltonBurlingtonBrantford on possible combination



## Bill 148 – Wage Compression



## Bill 148 – Impact on Port Colborne YMCA

IMPACT OF BILL 148 ON PORT COLBORNE YMCA					
January 1, 2018 to August 31, 2018					
	# of Jobs	Actual	Regular	% Increase	Difference
		Regular Wages Paid	Wages if No Bill 148		
At Minimum	48	\$139,365	\$115,324	20.8%	\$24,041
Other Bands Impacted	33	\$220,440	\$198,018	11.3%	\$22,422
<b>Total Wage Impact</b>					<b>\$46,463</b>
<b>OT, Stat, Vac pay &amp; Other benefits</b>					<b>\$9,293</b>
<b>TOTAL IMPACT</b>					<b>\$55,756</b>



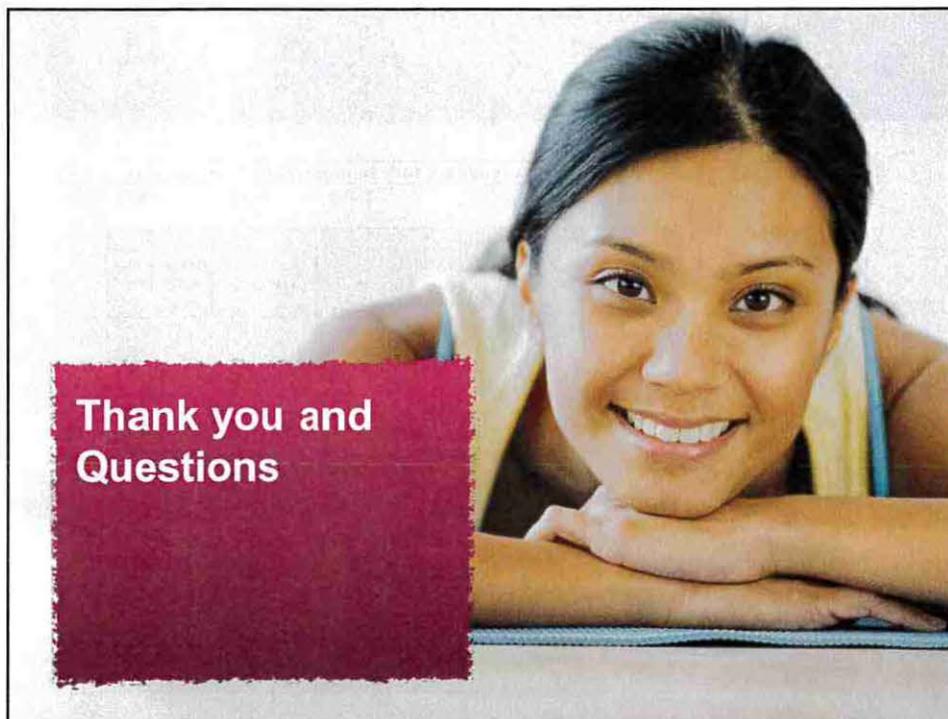
## Result in 2017/18 w/o Bill 148

Year 6 Annual Budget vs Actuals with and w/o Bill 148 : September 2017 - August 2018			
Members On-roll, Year-to-date Average	2,356	2,327	2,327
Budgeted Revenue and Expenses	Annual Budget	Actuals	Actuals w/o Bill 148
<b>Total Revenue</b>	<b>1,221,960</b>	<b>1,225,726</b>	<b>1,225,726</b>
Wages & Benefits	896,750	888,356	832,600
Supplies - Program, Cleaning and Maintenance	70,533	81,723	81,723
Other Direct Expenses (repairs, training, etc.)	41,781	42,415	42,415
<b>Total Expenses</b>	<b>1,009,065</b>	<b>1,012,494</b>	<b>956,738</b>
<b>Operating Net</b>	<b>212,895</b>	<b>213,232</b>	<b>268,988</b>
Deferred Capital Depreciation	159,900	157,644	157,644
Administrative Overhead (10% of total expenses)	100,907	101,249	95,674
<b>Total Net</b>	<b>(47,912)</b>	<b>(45,661)</b>	<b>15,670</b>



## Summary and Next Steps

- Continued focus on improving HFA programs
- Focus on membership retention and growth
- First 5 years successful in service delivery and financially
- Bill 148 resulted in dramatic cost increase for YMCA in total and Port Colborne specifically
- YMCA of Niagara is grateful for the partnership with the City of Port Colborne and the opportunity to serve its' citizens
- At the start of this past fiscal year YMCA had requested support from the City of Port Colborne in the amount of \$22,118 to help offset Bill 148 costs and now respectfully requests that these funds be provided to the YMCA



# Port Colborne Quarries Site Alteration Permit Proposal for Pit 1

Prepared by: Harry Wells  
Date : Nov 13, 2018

## PCQ's Proposal

- The **rehabilitation of Pit 1** be it required by the SPA and Condition of License #4444 or not, will be very positive for PCQ, Ward 4 and the City if it is **completed the right way**.
- Reclaiming the area of Pit 1 for **compatible development would be economically beneficial and responsible**.
- **PCQ proposes to rehabilitate Pit 1** by placing approximately 14,100,000 tonnes of **inert fill** over about 20 years to the pre-existing grades and then develop the reclaimed Pit 1 area **for mixed-use industrial that includes Heavy Industrial Uses**.

## Council is being advised by Planning they only have 2 Considerations to make

1. Approval of PCQ's request for a Site Alteration Permit for a **20+ year** placement of fill while the Site Alteration By-law 5528/125/10 only contemplates a **6 month** period for the placement of fill.
2. Determination of the applicable fee for a **20+ year** permanent placement period as compared to **6 months of placement as contemplated in the By-law.**

## There are other Considerations that Council needs to make

1. Is the rehabilitation for **Mixed-use industrial including Heavy Industry comparable to a passive recreational lake** as agreed to in Clause 23 and 14 of the 1982 Site Plan Agreement? Pg 1 of Planning

Report # 2018-138

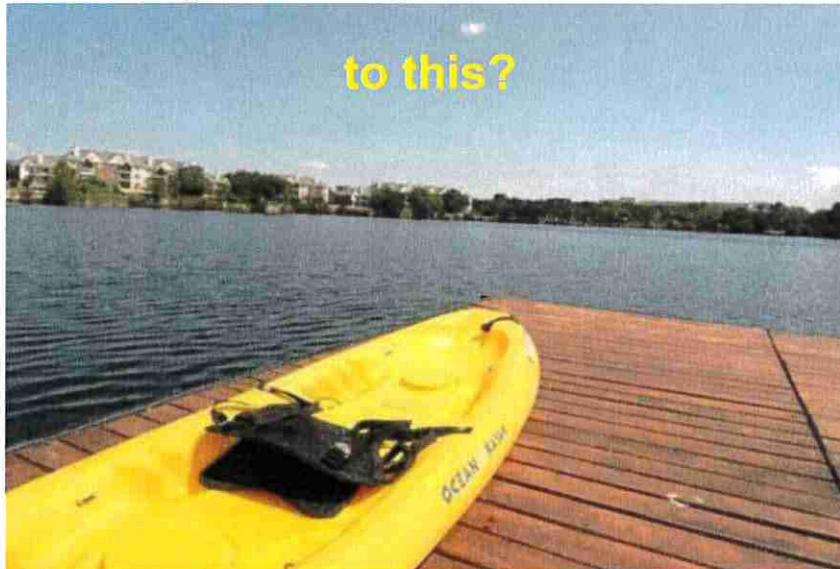
## 1st. Consideration of Comparability

Is this mixed industrial use comparable



## Comparability Consideration

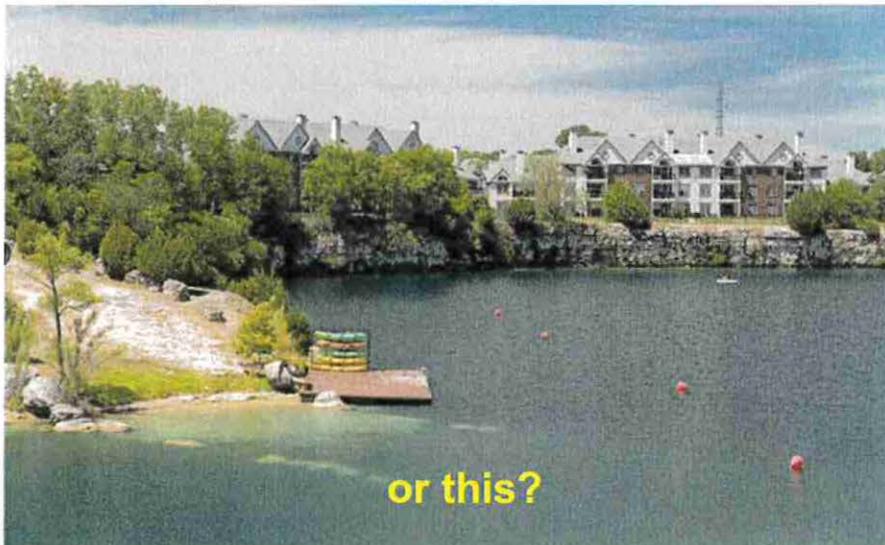
to this?



## Comparability Consideration



## Comparability Consideration



## Another Consideration that Council needs to make

2. Is the final proposed **Mixed-use industrial including Heavy Industry compatible** with the surrounding land uses as would be a **passive recreational lake** as agreed to in Clause 23 and 14 of the 1982 Site Plan Agreement? Pg 1 of Planning Report # 2018-138

### Compatible Consideration



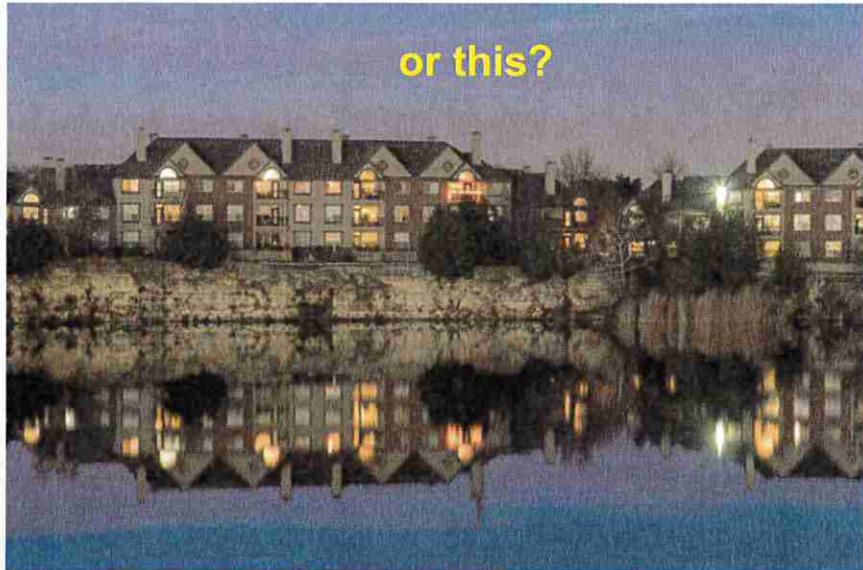
## Compatible Consideration



## Compatible Consideration



## Compatible Consideration



## Compatible Consideration



## A 3rd Consideration that Council needs to make

3. **Will *all* the material (fill) entering the facility (Pit 1) actually *be laboratory tested and certified by the source site prior to being accepted***. Shouldn't Council consider a condition of the permit that requires PCQ implement a QA/QC to ensure the levels of contamination do not exceed MOECP minimum levels.

## What PCQ tells us about the "Inert Fill"

- "The fill material will be obtained from sources locally, regionally and potentially **further afield**" pg 7. ***This means it could come from outside the country. Does Council want Pit 1 to be a dump for US waste fill?***
- "**All material** entering the facility **will be laboratory tested and certified by the source site prior to being accepted.**" pg 7. ***The source site might benefit from not sampling a contaminated area and there is nothing ensuring they won't conduct selective sampling to their benefit.***

## More about the Inert Fill

The fill material is “**excess spoil material** being removed from active construction sites that otherwise would be **directed to municipal landfills**” pg7.

*Spoil is defined as any earthen material that is surplus to requirements or unsuitable for reuse in fill and embankments (such as unsuitable rock and soil material) or material that is contaminated. Generally spoiled material going to municipal landfills is regarded as waste so essentially this is turning Pit 1 into a landfill*

## More about the Inert Fill

**All** the fill **will meet** “**MOECP Table 1 Standards** for soil, ground water and sediment under Part XV. 1 of the MOECP Environmental Protection Act.” pg 5. *The fill must be tested for over 90 contaminants and must not exceed the concentrations specified.*



Have a jelly bean or 2. Were you lucky? Want to have more.

- 10 of these jelly beans were contaminated with Benzo-a-pyrene

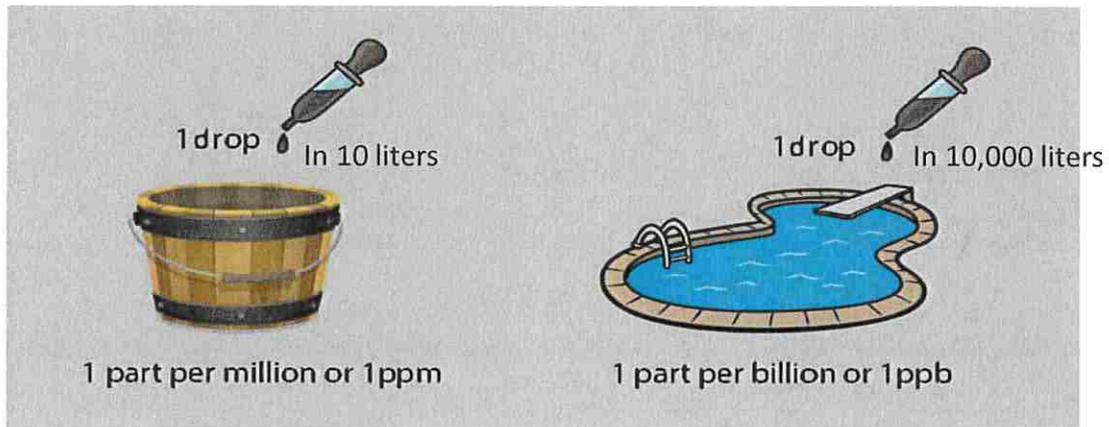
### MSDS Hazard Statements

- May cause an allergic skin reaction
- May cause genetic defects
- May cause cancer
- May damage fertility or the unborn child

### MOECP Table 1 Levels

- Agricultural 0.05 ppm
- Residential, Parkland, Commercial 0.3 ppm
- Ground Water 0.01 ppm or **0.0001 of a drop in a bucket of water**

## PPM & PPB



***0.0001 of a drop of benzo-a-pyrene in a bucket of ground water will exceed Table 1 criteria for inert fill***

## Existing Conditions

Neither the report by the Planning and Development Department nor the IBI Group mention that Pit 1 has a permit from the MOECP to take water.

***Leachate from the inert fill and filling operations during the rehabilitation process could negatively impact the vulnerable aquifer. Council needs to consider how the vulnerable aquifer is going to be protected.***

The Comprehensive Zoning By-law in section 2.3.1 Source Water Protection prohibits certain land uses within the Intake Protection Zones.

***Since the vulnerable aquifer is a source of drinking water for residents and livestock in Ward 4 Council needs consider giving that water source the same protection as IPZ-1 or IPZ-2 water sources for Port Colborne's urban area before approving PCQ's permit.***

## More Considerations that Council Needs to make

- Council needs to consider if the rehabilitation as proposed for mixed industrial use is consistent and compliant with the Provincial Policy Statement, Official Plan, the Growth Plan for the Greater Golden Horseshoe, the Niagara Regional Policy Plan and Smarter Niagara Initiative and MOECP D-6 minimum separation distances. Page 2 of Planning report states no OP or Zoning by-law applications associated to this were submitted.
- Council doesn't know if this proposal is consistent and compliant with the PPS particularly sections 1.1, 1.1.3.8, 1.1.5, 1.2.6, 2.2, 2.3, and 2.4.
- Council doesn't know if this proposal is consistent and compliant with the OP 2017 particularly sections 2.1, 2.2, 2.4.6.4, 3.10, and 4.2.

## Compatibility & the Provincial Policy Statement

### 1.2.6 Land Use Compatibility

1.2.6.1 **Major facilities and sensitive land uses should be planned to ensure** they are appropriately designed, buffered and/or separated from each other to **prevent or mitigate adverse effects** from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of the *major facilities*.

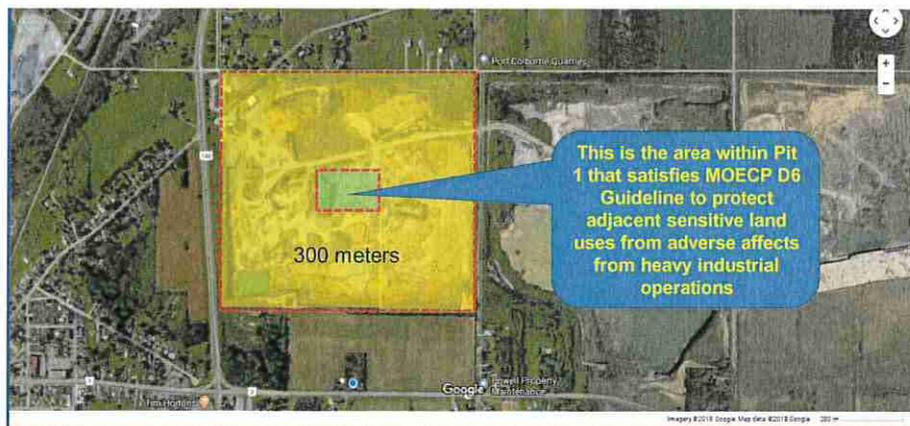
## PPS and OP Consistency & Compatibility

PCQ have not submitted applications for future land use along with this request but they are asking to change the zoning from what would have been Park if it was rehabilitated as a passive lake to Heavy Industrial. In the IBI Group Planning Report they identify the intended uses identical to those found on page 88 of the Comprehensive Zoning By-law for Heavy Industrial (HI)

*There is a significant difference between what is permitted in a Heavy Industrial zone compared to a Park zone so shouldn't the final zoning be removed or addressed before approval is given to this request unless PCQ has submitted the applications for future land use and all associated studies and the City has completed a comprehensive review as required by the Provincial Policy Statement?*

## Land Use Compatibility cont'd

MOECP D6 300m Minimum Separation Distance



## Summation

1. Rehabilitation of Pit 1 is a positive step forward, if done right.
2. The MNRF is the agency with the experience and authority with regards to the rehabilitation of pits and quarries not the City of Port Colborne. The rehabilitation of Pits 1, 2 and 3 are all intertwined as conditions of License #4444 and will no doubt be included in the conditions of future Pits like those being applied for on either side of Carl Road as an extension of License #4444. Approval from the MNRF for the rehabilitation change should come before the City approves the Site Alteration Permit.
3. There is a real potential to receive contaminated fill that could cause an adverse effect on the vulnerable aquifer and affect surrounding land use but this could be minimized if the appropriate mitigation measures are implemented. The MOECP is the agency with experience and authority for protecting the environment. Any MOECP permits or ECAs and their comments regarding the proposed rehabilitation should be received prior to or as a condition of approving PCQ's permit application. This also applies to other agencies and their areas of expertise and authority.

## Summation Continued

4. This proposal is for a permanent site alteration not a 6 month alteration to support a significant zoning change and use without studies or a comprehensive review so this application should also include what is needed for a zoning change and should follow the process for a zoning change before approval or the rehabilitation should be limited to a park or agricultural use. In the future when PCQ have completed all the requirements for a rezoning they can submit an application for suitable rezoning.
5. Additional studies are needed to identify impacts, compatibility and mitigation measures such as an Environmental Impact Study for the ANSI area, the vulnerable aquifer and surrounding sensitive land use that support PCQ's proposal before Council approves the permit as proposed.
6. There was no public notification of this even though it has the potential to significantly impact adjacent property owners and there have been concerns previously expressed. This should go through a public process to ensure public input and a more comprehensive consideration by City staff and the new council.

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## Points for Consideration for PCQ Site Alteration Permit Application

1. Is this a Site Alteration Permit Application, or a prelude to a Rezoning and OP Amendment request?
2. The Planning Department Report 2018-138 page 2 reads “As confirmed by legal counsel, Paragraph 14 references rehabilitation as a condition of licensing, not as a Site Plan Agreement condition”. The license is correctly for Pit 2 and Pit 3. However, not stated is that Clause 23 refers to Pit 1 and requires a *rehabilitation* program compatible to Pit 2 and Pit 3. According to the definition of rehabilitation, refer to the Aggregate Resources Act
3. The Site Alteration Bylaw 5528/125/10 does not reflect a project of this magnitude, but more likely was established for some minor lot filling. As referenced, it was created as a result of a filling event, which was in the magnitude of 1 metre
4. Error in Planning Department Report 2018-138, page 1, 3<sup>rd</sup> paragraph, date of application should be 2018
5. Error in Planning Department Report 2018-138, page 2, calculation of fees for 67 hectares should be  $\$100.00 + \$20.00 \times 66 = \$1420.00$
6. Site Alteration Fees according to Bylaw 5528/125/10 for 6 months should be \$1000.00 maximum, or as amended in future Bylaw updates, and be charged every 6 months
7. The permit should allow the City to amend the Site Alteration Bylaw and the fees, and require the quarry to meet all revised requirements on the next 6 month renewal date subject to satisfactory performance
8. Allowing one fee for up to 20 years is contrary to the Site Alteration Bylaw. Allowing this is a precedent for such requests in the future
9. Is this Application in any way going to recoup the missed fee for that material that was hauled into Pit 1 since this spring and continues to the day of this writing?
10. The long-term proposal is to haul in approximately 14M+ tonnes of “clean inert fill”. This over a 20 year period is in excess of 700,000 truck loads
11. The currently proposed fee amounts to approximately \$0.002 (0.2 cents) per truckload, or approximately .01 cents per tonne

12. The proponent promises to release and indemnify the City with respect to any liability that may arise in the event that fill contains contaminants. There is no bond or other financial assurance of this promise
13. The estimated time according to the IBI Report is upwards of 20 years. The range of upwards is not defined. It could even be beyond 20 years, just like the quarry extraction. Who will remember the date it will require renewal? Will it be forgotten just as the Site Plan Agreement for Pit 1 was forgotten?
14. By having a renewal requirement every 6 months the City will be able to monitor the progress and conformity to the Site Alteration plan, and recoup the cost of conducting the continuous monitoring
15. The NPCA has control over a section proposed for filling, and their input, requirements, and agreement, should be provided before any filling is allowed
16. The MNRF has identified an Area of Natural and Scientific Interest (ANSI) of the Earth Science category and should be addressed before approval for filling is granted
17. There are no geotechnical reports that identify the stability of the fill for future infrastructure construction
18. There are no hydrogeological reports that investigate the impact of the filling on the high vulnerable aquifer
19. There is no progressive rehabilitation plan provided, no interim grading/drainage plan, and no seeding proposal
20. The current requirement for **rehabilitation** compatible to Passive Water Recreation as currently stipulated in the Site Plan Agreement should be referenced, as this is registered on title for the property
21. How the filling fulfills the previously mentioned requirement, and, how it will be used to achieve this requirement, should be defined
22. The permit should be Stage specific with a right to withdraw further approvals if any Stage is not completed and rehabilitated in a timely manner to the satisfaction of the City
23. The reference to potential subsequent use or re-zoning should not be included in this, a Site Alteration Permit request, unless it is consistent with the Site Plan Agreement
24. In the last paragraph on page 2 of Planning Report 2018-138 there is a reference to discussions regarding a zoning change application for Pit 2. Pit

2 is under a license with MNRF with a stipulated progressive rehabilitation to Passive Water Recreation. This should be out of the discussion for a Site Alteration permit for Pit 1. The Region has already commented on the 2016 applications for Pit 1 and Pit 2 in their letter dated December 21, 2016 (Copy is attached)

25. This application is similar to the application under D14-05-16 and D09-01-16 which was for Pits 1 and 2, and this application is for Pit 1 only without stating the intention to get consideration for rezoning
26. The IBI report describes Surrounding Land Uses. The North describes setbacks “well enough from the 2<sup>nd</sup> Concession Road right-of-way”, which is a generalization and does **not** apply to all of the residences. The East does not include the residences along Snider Road and the Residential Development property to the southeast. The South does not include the residence surrounded by the agricultural use and Light Industrial Zoning. The West does not indicate that west of the ROW property limit of Hwy 140 is zoned Residential and Residential Development. The site is surrounded by current and proposed residential uses (see attached plan with property lines). When comments are stated as Fact, they should be Complete and Accurate
27. If all the promises are kept, this does not look like a bad idea subject to addressing all the above considerations. A commitment now to obtain an approval, with a subsequent application for a change is a misrepresentation of intent
28. There are too many unanswered questions at this time. This application should be deferred to the next Council

	<i>Subject:</i> <b>Importation of Inert Fill for the Purpose of Rehabilitation</b>	<i>Policy No.:</i> <b>A.R. 6.00.03</b>	<i>New:</i> <b>No</b>
	<i>Compiled by – Branch:</i> <b>Lands &amp; Waters</b>	<i>Section:</i> <b>Aggregate &amp; Petroleum Resources</b>	<i>Date Revised:</i> <b>April 14, 2008</b>

### Guiding Principle

*Historically, legislation has allowed the practice of importing inert material (e.g. topsoil, overburden) for the purpose of rehabilitation (i.e. to create required slopes), where there was insufficient topsoil/overburden existing on the site. This practice is allowed to continue, provided that the site plan allows its use. In situations where the site plan is silent (i.e. importation activity not specifically addressed), a minor site plan amendment is required to allow the activity to occur.*

### Policy

The management of inert fill to be brought onto a particular site is governed by Regulation 347 of the *Environmental Protection Act* (EPA), which defines inert as earth or rock fill or waste of a similar nature that contains no putrescible material or soluble or decomposable chemical substance. If the results from a bulk analysis meet the criteria in Table 1 of the Ministry of the Environment's (MOE) "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*", as amended, the material is considered as "inert fill". This material may be used for sloping and/or backfilling purposes provided that the site plan allows its use. However, alternative criteria may be acceptable on a case-by-case basis with prior approval. If the material meets the definition of inert fill, no Certificate of Approval (C of A) is required from the MOE for disposing of the material.

For the purposes of pit/quarry rehabilitation, the soil quality standards for sodium adsorption ratio (SAR) and electrical conductivity (EC) specified in Tables 1, 2, and 3 under Part XV.1 of the EPA are intended to ensure good plant growth. Since plant growth is affected primarily by surface soil, the soil standards document does not include SAR and EC standards for subsurface soil (i.e. Tables 4 and 5 in the soil quality standards). Subsurface soil means soil that is more than 1.5 metres beneath the soil surface. Consequently, there is no need to apply the SAR and EC standards in Table 1, or any other table, for soil that is being deposited as a subsurface soil. The subsurface would be defined based on the final grade after rehabilitation.

**Note:** In situations where there is an existing condition on a site plan requiring the licensee/permittee to meet Table 1 criteria for imported fill being used for rehabilitation purposes, the licensee/permittee may request that the condition be modified to reflect the above discussion regarding SAR and EC criteria. The condition is to be modified through a minor site plan amendment to add Condition 2 in the Sample Wording for Site Plan Conditions (see below).

In 1990, the regulations under the ARA allowed the importation of material without requiring a site plan amendment where material was insufficient on the site. No further consent from the Ministry of Natural Resources was required. Consequently, many site plans remained silent on the importation of material. In 1997, the regulations were changed; this provision was removed and replaced by site plan standards within the Aggregate Resources of Ontario Provincial

Standards. Specifically, site plans for new applications must provide details regarding rehabilitation including whether inert material will be used to facilitate rehabilitation. For new applications, the operational plan must ensure, where possible, that sufficient materials are available on-site for rehabilitation and address how slopes and final elevations are to be achieved upon completion of extraction activities.

If the site plan does not address the importation of material and the licensee/permittee wishes to bring material on-site, provided that there is insufficient topsoil and/or overburden to create the necessary slopes as defined on the site plan, a minor amendment should be approved to allow this activity. The onus is on the licensee/permittee to demonstrate to MNR that material is lacking on the site to facilitate rehabilitation.

If the site plan has been approved to backfill the entire site or a portion of the site to the original grade, the licensee/permittee has the authority, provided that the material meets Table 1 (with the exceptions for SAR and EC criteria as described above) and proper monitoring or sampling of truck loads or the source occurs. However, alternative criteria may be acceptable on a case-by-case basis with prior approval.

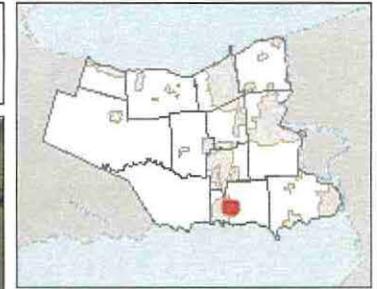
If a licensee/permittee has no prior approval and wishes to backfill the entire site or a portion of the site to the original grade, this change in rehabilitation should be processed as a major site plan amendment (see A.R. 2.03.00 and A.R. 4.04.00). The importation of material to facilitate rehabilitation must be described on the site plan.

#### **Sample Wording for Site Plan Conditions**

1. Clean inert fill (e.g. topsoil, overburden) may be imported to facilitate pit/quarry rehabilitation. Only sufficient material to create a 3:1 / 2:1 (horizontal: vertical) grade may be imported. At the request of MNR, the licensee/permittee will conduct random sampling of the imported material to ensure that it meets the Ministry of the Environment's (MOE) criteria under Table 1 of MOE's "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*". Sampling results will be provided to MNR upon request.
2. Notwithstanding Condition 1, where the imported material is not being placed within 1.5 metres of the surface, the criteria under Table 1 for sodium adsorption ratio and electrical conductivity do not have to be met.

#### **OR**

3. Clean inert fill may be imported to facilitate the establishment of 3:1 / 2:1 (horizontal: vertical) slopes on the pit/quarry faces. The licensee/permittee must ensure that the material is tested at the source, before it is deposited on-site, to ensure that the material meets the Ministry of the Environment's (MOE) criteria under Table 1 of MOE's Soils, Ground Water and Sediment Standards for use under Part XV.1 of the *Environmental Protection Act*. Sampling results will be provided to MNR upon request.
4. Notwithstanding Condition 1, where the imported material is not being placed within 1.5 metres of the surface, the criteria under Table 1 for sodium adsorption ratio and electrical conductivity do not have to be met.



Legend

- Assessment Parcels

0.5 0 0.25 0.5 Kilometers

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Notes

December 21, 2016

Sent Via Email Only

Files: D.10.07.OPA-16-019  
D.18.07.ZA-16-103

Mr. Dan Aquilina  
Director, Planning and Development  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Dear Mr. Aquilina:

**RE: Provincial and Regional Comments  
Applications for Official Plan and Zoning By-law Amendment  
Address: 1937 Ramey Road, Port Colborne  
Applicant: Port Colborne Quarries  
Your Files: D14-05-16 and D09-01-16**

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Further to our meeting and discussion held on November 22, 2016, Regional Development Services staff has reviewed the information circulated with the proposed Official Plan Amendment and Zoning By-law Amendment applications located at 1937 Ramey Road in the City of Port Colborne. The subject lands consist of two (2) contiguous lots located within the existing Port Colborne Quarries operation, referred to as Pits 1 and 2, and comprise a total area of ±138.8 hectares (±343 acres). The site is designated a Mineral Aggregate Operation according to the City's Official Plan, and is zoned EI (Extractive Industrial) and EI-373 (H) (Concrete Product Manufacturing – Holding). The Official Plan Amendment proposes to add a site-specific policy to the Mineral Aggregate Operation designation to allow for an expanded range of industrial uses, and the Zoning By-law Amendment proposes to revise the EI (Extractive Industrial) and EI-373 (H) (Concrete Product Manufacturing - Holding) zones to allow LI (Light Industrial) and HI (Heavy Industrial) uses as outlined in Section 22 and 23 of the Zoning By-law.

A pre-consultation meeting was held on May 12, 2016, at Port Colborne City Hall with City, NPCA and Regional staff, as well as the applicant and their agent. Due to the scope of the proposal and the lack of information provided prior to the meeting, staff had discussed holding a second pre-consultation meeting to better outline the requirements of the proposed development. A second meeting, however, was neither arranged nor held prior to the submission of the applications. Regional staff offers the following comments regarding Provincial and Regional policy to assist the City in their consideration of the proposal.

### **Aggregate Resources Act**

Pits and quarries are licensed and regulated by the Ministry of Natural Resources and Forestry (MNRF) under the Aggregate Resources Act (ARA). The MNRF is responsible for overseeing the rules governing aggregate management, including issuing licences, permits and changes to

existing approvals, inspecting aggregate operations, responding to complaints, and ensuring rehabilitation is carried out on licensed aggregate sites. The policies, regulations, and provision of licences and site plans under the ARA apply regardless of any applicable municipal by-law, official plan or development agreement.

The parcel on the eastern portion of the subject lands, referred to as Pit 2, is a licensed aggregate operation under the ARA and requires the eventual rehabilitation of the property to a passive recreational use. The MNR has indicated in discussions with Regional staff that a Major Site Plan Amendment pursuant to Section 16 of the ARA will be required for the proposed changes in land use, which should be addressed concurrent to the proposed land use applications. Regional staff understands that, to date, the MNR has not been contacted by the applicant regarding the proposed land use changes and a Major Site Plan Amendment has not yet been initiated for Pit 2.

The parcel on the western portion of the subject lands, referred to as Pit 1, is not licensed under the ARA and is grandfathered from the rehabilitation requirements of the current ARA legislation. This parcel, however, is subject to a Site Plan Agreement, dated October 14, 1981, between Port Colborne Quarries Inc. and the City, which requires the owners to undertake and maintain a rehabilitation program for Pit 1 that is compatible to the passive recreational rehabilitation program for Pit 2. It is Regional staff's understanding that no amendments or changes have been made to the Site Plan since its creation.

### **Provincial and Regional Planning Policy**

The subject lands are located within a Settlement Area under the 2014 Provincial Policy Statement (PPS) and are a Designated Greenfield Area according to the 2006 Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS and Growth Plan directs growth to Settlement Areas, and encourages the efficient use of land, resources, infrastructure, and public service facilities that are planned or available. According to the Regional Official Plan (ROP), the subject lands are identified within the Urban Area Boundary for the City of Port Colborne, and more specifically, are located within a designated Greenfield Area of the Niagara Economic Gateway Centre. The ROP designates the subject lands as a Licensed Pit and Quarry.

The site currently operates as a mineral aggregate operation as defined by the PPS, which provides that such operations shall be protected from development and activities that would preclude or hinder their expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental impact. The PPS also requires the progressive and final rehabilitation of mineral aggregate operations to accommodate subsequent land uses, promote land use compatibility, recognize the interim nature of extraction, and mitigate negative impacts to the greatest extent possible. Further, the ROP acknowledges that all properties designated a Licensed Pit and Quarry may continue the operation of these uses within the limits of the land areas presently licensed, subject to continuing satisfactory operating and rehabilitation procedures. In considering changes to existing Licensed Pits and Quarries, the ROP states that full consultation among the MNR, the Region, the area municipalities and pit and quarry applicants is required before the licenses are issued or changed.

The proposed Official Plan and Zoning By-law Amendments have been requested in order to permit a broad range of industrial land uses within the existing Port Colborne Quarries mineral aggregate operation. Given the nature of the conversion and the significant range of land uses to be supported on-site, a **Regional Official Plan Amendment (ROPA)** will be required for the redesignation of the subject lands to allow for employment uses.

Evaluation for a ROPA will require a comprehensive analysis to determine existing and future employment needs based on supply and demand (consumption) within the City and the greater Niagara area, as well as to address potential land use conflicts with the surrounding residential land uses and the continued use of the subject lands and adjacent properties for mineral extraction. There have been no studies or other supporting documents submitted with the proposed applications demonstrating this comprehensive analysis. Though a "Report for an Official Plan Amendment and a Zoning By-law Amendment for Port Colborne Quarries", prepared by Dennis Savriga (stamped received September 20, 2016) was circulated with the applications, the letter does not discuss Provincial or Regional policies nor does it provide sufficient evaluation and planning rationale to justify the proposal. Further, the Region has not received a copy of a draft Official Plan Amendment, which is part of the information and material to be provided with a complete application as outlined in O. Reg. 543/06.

Regional staff notes that, in keeping with the PPS and the anticipated policies of the 2016 Provincial Growth Plan for the Greater Golden Horseshoe, the Region is currently in the process of completing a Municipal Comprehensive Review (MCR), which includes the preparation of an Employment Lands Strategy, for the purposes of preparing a new Regional Official Plan. Given the above requirement for a Regional Official Plan Amendment, as well as the outstanding concerns regarding the conversion of the subject lands to employment uses, Regional staff considers the proposed Official Plan and Zoning By-law Amendment applications to be premature until the completion of the Region's MCR and Employment Lands Strategy. Should the City wish to have these lands converted to employment uses as part of the MCR, data supporting the need for conversion should be forwarded to the Region.

### **Land Use Compatibility and Public Health and Safety**

The policies of the PPS provide that development on or abutting mineral aggregate operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed. As noted above, there has been no information provided with the proposed applications regarding the rehabilitation of the lands to support a change in land use. It is Regional staff's understanding that it is the applicant's intention to move forward with the conversion of the lands from aggregate use to employment use without rehabilitation of the site. This is not permitted under Regional and Provincial planning policy, nor is it permitted for the licensed portions of the subject lands under the ARA.

Further, the PPS calls for a coordinated, integrated and comprehensive approach to land use planning matters, and states that long-term economic prosperity should be supported by planning so that major facilities, including industries and resource extraction activities, and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health. To implement this policy, the Ministry of Environment and Climate Change (MOECC) Land Use Planning Policy guidelines are to be applied in the land use planning process to prevent or minimize future land use problems related to compatibility. Specifically, Guideline D-1 "Land Use Compatibility Guidelines" and Guideline D-6 "Compatibility Between Industrial Facilities and Sensitive Land Uses" are to be considered in the review of applications. Regional staff notes that there is insufficient information available at this time on the exact scale and nature of the potential industrial uses to determine their classifications under these guidelines, and therefore, staff is unable to evaluate the proposal from a land use compatibility perspective without further studies and/or details regarding the specific industrial uses to be developed on-site.

## Conclusion

In order to proceed with the proposed development, a Regional Official Plan Amendment application is required to lift the Licensed Pit and Quarry designation on the subject lands to permit employment land uses. However, given the scale of development, outstanding information regarding rehabilitation of the former aggregate lands, land use compatibility, and employment conversion, Regional staff considers the proposal to be premature until the completion of the Region's Municipal Comprehensive Review and related Employment Lands Strategy.

City staff is encouraged to arrange a meeting between City and Regional staff, as well as the applicant and their representatives, to discuss the contents of this letter. Please contact Alexandria Tikky at extension 3590, or Marilyn Radman, Associate Director, at extension 3485.

Thank you,



Alexandria Tikky  
Development Planner

- c. Mr. D. Giles, Director, Planning and Development Services, Niagara Region
- Ms. M. Radman, Associate Director, Planning and Development Services, Niagara Region
- Mr. P. Busnello, Manager, Planning and Development Services, Niagara Region
- Ms. S. Larocque, Planner, Planning and Development Services, City of Port Colborne
- Ms. C. Lampman, Planning Analyst, Niagara Peninsula Conservation Authority
- Mr. D. Savriga, Applicant Representative

Nov. 13<sup>th</sup>, 2018

Port Colborne Committee of the Whole

Good evening Mayor and members of Council. My name is David Sisco and I'm a Registered Professional Planner with the IBI Group and I practice out of our Waterloo offices, and am here tonight representing Port Colborne Quarries and their request for a Site Alteration Permit for their Pit 1 lands.

A day or two after the last Committee of the Whole Meeting where this matter was deferred, Dan Aquilina provided our office with a copy of comments prepared by Mr. Wells and Hellinga, and in a moment I'll provide Council with PCQ's response to each of those individual comments. However first I'd like to make an observation that most of these comments can be characterized as falling into one of two categories;

- a) Concerns related to the 'how and what' of the fill to be imported and
- b) Concerns related to a final industrial land use for these lands.

So, with regard to the importation of fill to the site, and notwithstanding that they are all great questions that any concerned neighbour should have, but as a general comment, these questions are one of the key reasons why the Ministry of the Environment exists. Now in the world of ever-changing Ministry names, MOE is now referred to as the Ministry of Environment Conservation and Parks or MECP.....and this is what MECP does. This is their mandate, this is what they are staffed to enforce and this is what they are equipped to deal with every day. And to reinforce that, about 1 ½ years

ago they published new guidelines to support exactly what Port Colborne Quarries is proposing to do at Pit 1 in a document referred to the Management of Excess Soil – A Guideline for Best Management Practices. So although the City may not have specific expertise to deal with imported fill, MECP certainly does.

Second, when we initially talked to City staff about submitting a Site Alteration Permit, they asked Port Colborne Quarries to respond to a very specific question, which essentially was, “once the site is backfilled, and if someday the lands were to be used for ‘some form of industrial use’, would that use be compatible with the proposed ‘passive-lake rehabilitation design’ that is envisioned for Pits 2 and 3 .....and our Planning Report addressed that precise scenario. However, there was no request by City staff nor is there any meaningful purpose from a planning perspective .....at this stage, to look at land use impacts for a future industrial land use that isn’t anticipated for another 20 years.

So with those umbrella remarks, what I’d like to do is provide a response to the individual comments raised by Mr. Wells and Hellinga.

#### Response to Harry Wells’ Comments

1. Does further afield include sources outside Canada?
  - **No**
  
2. Does “all” mean every tonne?
  - **PCQ will follow the Ministry of Environment (Management of Fill protocol) MECP 153/04.**

- protocol for incoming excess soil specifying:
  - that each incoming load have documentation signed by the Source Site QP that includes appropriate and representative soil analyses confirming the soil quality is acceptable for the Receiving Site;
  - that visual and olfactory inspections will be conducted of all incoming loads to screen for odour, visible staining or debris; and
  - contingency measures for load rejections
  - every 300 tonnes a sample will be taken by a QP

3. Who will ensure all the material will be tested?

- **Each incoming load must have documentation signed by the Source Site 'Qualified Person' (QP).**
- **A QP as defined by the MECP as someone that holds:**
  - *a licence, limited licence, or temporary licence under the Professional Engineers Act or*
  - *a certificate of registration under the Professional Geoscientists Act, 2000 and be a practicing member, temporary member or limited member of the Association of Professional Geoscientists of Ontario*

*NB: A qualified person, must not have any direct or indirect interest in any property they are assessing, reporting on or certifying. They also need professional insurance.*
- **It will be the responsibility of PCQ to ensure no untested material is accepted.**

4. What are the testing requirements?

- a. **Confirmation of the material meeting Table 1 thresholds and fill that meets Table 3 thresholds for EC (Electrical Conductivity) and SAR (Sodium Adsorption Ratio) parameters.**
- b. **Table 1 sets out the "Full Depth Background Site Condition Standards". The soil standards in Table 1 are background values derived from the Ontario Typical Range values for the land uses indicated and are considered representative of upper limits of typical province-wide background concentrations in soils that are not contaminated by point sources.**

5. Will the operations of filling Pit 1 follow the practices as would be imposed by the MOECC for a landfill?
- a. **No, this operation involves ONLY the importation of clean inert fill that meets Table 1 thresholds including fill that meets Table 3 thresholds for EC (Electrical Conductivity) and SAR (Sodium Adsorption Ratio) parameters.**
6. Will PCQ implement a QA/QC program to confirm all the material conforms to these standards upon arrival at Pit 1?
- **Once again, PCQ will follow the MECP - Management of Fill protocol - 153/04.**
    - protocol for incoming excess soil specifying:
      - that each incoming load have documentation signed by the Source Site QP that includes appropriate and representative soil analyses confirming the soil quality is acceptable for the Receiving Site;
      - that visual and olfactory inspections will be conducted of all incoming loads to screen for odour, visible staining or debris; and
      - contingency measures for load rejections
      - every 300 tonnes a sample will be taken
7. How will the material be staged to ensure nonconforming material does not get deposited and loss in the Pit?
- n/a Only pre-certified material will be permitted to enter the site so no staging area within the pit will be necessary.**
8. What will be done if the material does not conform?
- n/a Only pre-certified material will be permitted to enter the site so no staging area will be necessary. Non-conforming material will be re-routed.**
9. If (Heavy Industrial – HI) is the intended zoning, then will all of the HI requirements be met?
- a. **As specified in the IBI Planning Report, the listing of uses highlighted on page 11 reflect those for Light Industrial, Heavy Industrial, Gateway Industrial and Industrial Development. As noted numerous times throughout the report; it remains the intent of PCQ to eventually seek a mixture of industrial uses.**
- b. **This current process is not requesting a zone change, only a Site Alteration Permit.**

10. There is a significant difference between what is permitted in a Heavy Industrial zone compared to a Park zone so shouldn't the final zoning be addressed before approval is given to this request?

**First, as specified by the February 4<sup>th</sup> 1982 Site Plan Agreement, the lands were never required nor specified to become parkland, the only requirement was that they be a compatible land use with the proposed 'passive lake' for Pits 2 and 3.**

**Whether the lands are to be light industrial or heavy industrial, they require being backfilled, which is what the current application is seeking approval for. Any future rezoning will involve a public process.**

11. Is it not important to protect the vulnerable aquifer that impacts Pit 1 from potential leachate from the fill and operations during the rehabilitation process?

**Protecting the aquifer is accomplished by only permitting the importation of clean inert material.**

12. Since the vulnerable aquifer is a source of drinking water for residents in Ward 4 shouldn't that water source be given the same consideration as IPZ-1 or IPZ-2 until Pit 1 has been rehabilitated and developed?

**The subject lands are not within an Intake Protection Zone.**

13. The question isn't the separation distance from the right away, shouldn't it be how far are the dwellings from Pit 1's northern property line?

**As noted under the heading of '2.3 Surrounding Uses', the comment was a simple statement that those homes have generous setbacks from the road and it was not a statement related to land use compatibility as highlighted in Section 4.0.**

14. The IBI Group Report states the only land use to the east is Pit 2. pg2 What about the residents on Snider Road?

**Yes, the focus of this report was to address how filling the site for potential industrial uses would be compatible with Pits 2 and 3.... and the land use 'directly' east of Pit 1 is Pit 2. This report was not intended to be a justification report for industrial zoning, and furthermore, in no way does the approval of the Site Alteration Permit infer or fetter a future**

Council that the subject lands would be somehow pre-zoned for industrial.... that will be a future public process.

15. The IBI Group Report identifies the land use to the west as agricultural and residential. pg 5 What about the planned residential development on the west side of HWY 140?

**Yes, the focus of this report was to address how filling the site for potential industrial uses would be compatible with Pits 2 and 3.... and the land use 'directly' east of Pit 1 is Pit 2. Any review of land use impacts to the west would also be addressed as part of any future rezoning process.**

16. The IBI Group Report states the only land use to the south is agricultural. pg 5. I guess my residence doesn't exist.

**The IBI report was making a general comment regarding the immediate abutting lands uses, but yes, Port Colborne Quarries fully acknowledge the presence of Mr. Well's home.**

17. Separation distance between different land uses is critical for zoning consideration and impact assessment so shouldn't they be provided and taken into consideration in granting the permit?

**Once again... this report was not intended to be a justification report for industrial zoning, .... that will be a future process with a public process.**

18. Port Colborne's Comprehensive Zoning By-law for some of the industries PCQ proposes requires a 150 meter separation distance from Residential land use.

- a. The focus of the IBI report was to examine land use compatibility issues between Pit 1 and Pit 2 / 3. As indicated in the report, the industries listed reflect what is permitted under the current Industrial zoning and are not "proposed uses". The purpose of listing these is to provide the reviewer and the public with the confidence that any such uses could be accommodated on the site, given its size, while ensuring land use compatibility with Pits 2 and 3.**
- b. Second, Pit 2 and 3 lands are not currently used for residential purposes nor are they proposed to be used for residential purposes.**

19. The MECP has identified, through case studies and past experience Heavy Industry is not compatible with recreational and sensitive land uses and adverse effects may be experienced. The MOECP has established GUIDELINE D-6 COMPATIBILITY BETWEEN INDUSTRIAL FACILITIES AND SENSITIVE LAND USES which recommends minimum separation distances between industrial activities and sensitive land uses for mitigation of adverse effects even if additional measures are taken such as buffers. For Heavy Industrial Class III they recommend a 300 metres minimum separation distance.

**This report was not intended to be a justification report for industrial zoning, but only to confirm that an industrial use could be compatible with a private passive lake (Pit 2 and 3). Secondly, as part of any future rezoning application, site specific buffers and setbacks would be examined.**

- Additional studies are needed to identify impacts such as an Environmental Impact Study to identify any impacts on the ANSI area and mitigation measures.  
**The ANSI is not 'environmental', but rather a geological feature.**

#### Response to Jack Hellinga

Do you have a response to the issue of an insurance bond. Right now the Site Alteration Permit (Clause 6) only requires you to "agree to release and indemnify the City"?

**Port Colborne Quarries Inc., along with its' parent company Rankin Construction anticipates and expects that they be treated in a manner equal to that of any other land owner in the City of Port Colborne, that being a threshold to "agree to release and indemnify the City".**

So at this time Port Colborne Quarries supports the recommendations being made by staff in their Staff Report 2018-138 for the approval of the Site Alteration Permit. Thank you.

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## PORT COLBORNE

Mayor's Report to the  
November 13, 2018 Council Meeting

### **Municipal Elections**

I would like to take this opportunity to thank the citizens of Port Colborne for PORTicipating in this year's municipal elections.

I would also like to extend my appreciation to all of the candidates for putting forward their names for election.

I do encourage all citizens to keep involved and seek representation on a municipal committee.

The notice listing committee positions available is on our website.

Applications will be received up to November 20<sup>th</sup>.

### **Remembrance Day and Bells of Peace ceremonies**

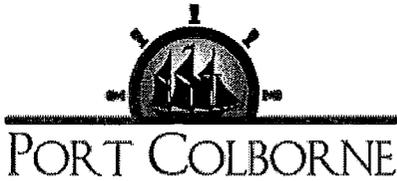
My appreciation is also extended to the members of the Royal Canadian Legion for the Remembrance Day and Bells of Peace ceremonies held on Sunday.

Special thanks to the 79 Lynton Davies Air Cadet Squadron members for the vigil held over Saturday night at the cenotaph and also to the Navy League members for their presence during the ceremonies.

And of course to the Ladies Auxiliary who kept everyone fed.

Both ceremonies were well attended by the public.

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**City of Port Colborne  
Regular Meeting of Council 28-18  
Monday, November 26, 2018  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor John Maloney
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **Adoption of Minutes:**
  - (a) Special meeting of Council 26-18, held on November 13, 2018.
  - (b) Regular meeting of Council 27-18, held on November 13, 2018.

6. **Determination of Items Requiring Separate Discussion:**

7. **Approval of Items Not Requiring Separate Discussion:**

8. **Consideration of Items Requiring Separate Discussion:**

9. **Proclamations:**  
Nil.

10. **Minutes of Boards, Commissions & Committees:**  
Nil.

11. **Consideration of By-laws:**

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):

- (a) Minutes of the closed session portion of the following Council meetings:  
November 13, 2018.
- (b) Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives Division memo re: update concerning the Nyon Energy Lands and the Nyon Tank Farm property, pursuant to *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting 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
JDM BB RB AD FD YD DE BK JM	1.	<p><b>Community and Economic Development Department, Parks and Recreation Division, Report 2018-151, Subject: Award of Consulting Services – Parks and Recreation Master Plan (Project 2018-10)</b></p> <p>That Project 2018-10, Qualification of Consulting Services – Parks and Recreation Master Plan, be awarded to MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC), with a submitted price of \$69,895, plus applicable taxes.</p> <p>That Council consideration of the creation of a Parks and Recreation Locator Map, as a value-added project offered by MHBC, under the Parks and Recreation Master Plan, at an approximate cost of \$15,000, be referred to the 2019 budget process; and</p> <p>That the appropriate by-law be presented for approval.</p>
<p><b>Miscellaneous Correspondence</b></p>		
<p>Nil.</p>		
<p><b>Outside Resolutions – Requests for Endorsement</b></p>		
<p>Nil.</p>		
<p><b>Responses to City of Port Colborne Resolutions</b></p>		
<p>Nil.</p>		

**Consideration of By-laws  
(Council Agenda Item 11)**

<b>By-law No.</b>	<b>Title</b>
6629/84/18	Being a by-law to adopt an Interim Control By-law for all lands within the City of Port Colborne
6630/85/18	Being a by-law to authorize entering into an agreement with MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) for the completion of a Parks and Recreation Master Plan (Project 2018-10)
6631/86/18	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 November 26, 2018

The Corporation of the City of Port Colborne

By-law no. 6629/84/18

Being a by-law to adopt an Interim Control by-law for all lands within the City of Port Colborne

Whereas Section 38 of the *Planning Act, R.S.O. 1990*, c. P.13, as amended, authorizes Council to adopt an Interim Control By-law, provided Council has by resolution directed that a review or study be undertaken of land use planning policies; and

Whereas the Council of The Corporation of the City of Port Colborne passed a resolution on November 13, 2018 directing that a review be undertaken in respect of the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.

Whereas the Council of The Corporation of the City of Port Colborne considers it necessary to enact an Interim Control By-law with respect to the lands described in Section 1 of this by-law, and only as it applies to the use of land, premises, or partial use of premises, for either of the uses described in Section 2 a) of this by-law, to allow it time to consider its land use planning policies as directed.

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

1. This Interim Control By-law applies to all lands zoned in Zoning By-law 6575/30/18 of The Corporation of the City of Port Colborne to prohibit the use of land, premises, or partial use of premises within such lands, for the use as described in Section 2 a) of this by-law.
2. The following use is prohibited under this by-law:
  - a) a facility or land for the growing of cannabis.
3. In this by-law, the following definitions apply:
  - a) "Cannabis": means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marihuana shall have the same definition;
  - b) "Cannabis Production Facility": means the use of land, buildings or structures for the cultivation, processing, packaging and shipping of cannabis.
4. This by-law shall be in effect for a period of one year from the date of passage hereof.

Enacted and passed this 26th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk

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The Corporation of the City of Port Colborne

By-law No. 6630/85/18

Being a by-law to authorize entering into an agreement with MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC) for the completion of a Parks and Recreation Master Plan (Project 2018-10)

Whereas the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-151, Subject: Award of Consulting Services - Parks and Recreation Master Plan (Project 2018-10); and

Whereas Council is desirous of entering into an agreement with MacNaughton Hermesen Britton Clarkson Planning Limited respecting the completion of a Parks and Recreation Master Plan;

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 MacNaughton Hermesen Britton Clarkson Planning Limited, which agreement is attached to this by-law as Schedule "A".
2. That the Mayor and Clerk be and hereby authorized and directed to sign the said agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto.
3. That this by-law come into force and effect on the day of passing.

Enacted and passed this 26th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk

The Corporation of the Town of Mississippi Mills

**REQUEST FOR PROPOSAL**

**Consulting Services for the Development of a  
Parks and Recreation Master Plan**

Please submit complete proposal using the attached forms,  
quoting the above proposal and closing date; and forward before  
4:00 p.m. local time, **Tuesday September 18th, 2012** to:

**Diane Smithson – Chief Administrative Officer  
The Corporation of the Town of Mississippi Mills  
Municipal Office  
3131 Old Perth Road  
RR2, P.O Box 400  
Almonte, Ontario  
K0A 1A0**

Submissions must be received in accordance with the attached RFP forms, Specifications, Instructions to Vendors, and Standard Terms and Conditions.

**Contact:**

Mr. Calvin Murphy  
Recreation Coordinator  
Almonte Old Town Hall  
14 Bridge Street  
Almonte, Ontario, K0A 1A0  
613-256-1077 ext. 24  
[cmurphy@mississippimills.ca](mailto:cmurphy@mississippimills.ca)



Mississippi  
Mills

[mississippimills.ca](http://mississippimills.ca)



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## **A. THE PROJECT AND PROPOSALS**

### **1.0 INTRODUCTION**

The Corporation of the Town of Mississippi Mills, herein referred to as "the Town", invites proposals from professional firms interested in the provision of consulting services for the development of a Parks and Recreation Master Plan. The Proposal must meet all the requirements outlined in this document and specifically Appendix A, the Terms of Reference for the Parks & Recreation Master Plan. Should none of the Proposals be accepted, a re-issuance of the Requests for Proposal (RFP) may be possible.

### **2.0 TERM OF THE PROJECT**

The completion date for the work is set for **September 17, 2013** as per the attached terms of reference for the master plan. The Town of Mississippi Mills reserves the right to cancel the contract at its sole discretion based on sixty (60) days notice.

### **3.0 RFP SCHEDULE**

The RFP process will be governed according to the following schedule. Although every attempt will be made to meet all dates, the Town of Mississippi Mills reserves the right to modify any or all dates at its sole discretion

<b>Release of RFP:</b>	<b>July 26, 2012</b>
<b>Deadline for Submitting Questions:</b>	<b>August 31, 2012</b>
<b>Deadline for Responding to Questions:</b>	<b>September 11, 2012</b>
<b>RFP Closes:</b>	<b>4:00 pm - September 18, 2012</b>
<b>Final Selection and Notification:</b>	<b>October 3, 2012</b>

### **4.0 PROJECT AUTHORITY AND INVOLVEMENT**

This RFP is administered by the Recreation Coordinator reporting to the Chief Administrative Officer (CAO). All inquiries regarding this RFP must be directed as specified in Section A – 6.0 herein.

### **5.0 PROJECT STAKEHOLDERS**

The decision making authority rests with the Corporation of the Town of Mississippi Mills.

The following parties are stakeholders in this Request for Proposal:

- Town of Mississippi Mills Mayor and Council
- Town of Mississippi Mills Chief Administrative Officer
- Recreation and Culture Department staff
- Director of Public Works
- Town Planner

### **6.0 INQUIRIES**

Any clarification of this document or request for additional information must be received by 4:00 p.m. Monday **Friday August 31 2012** in writing, by fax or email to:

Mr. Calvin Murphy  
Recreation Coordinator

Town of Mississippi Mills  
Recreation and Culture Department  
Almonte Old Town Hall  
14 Bridge Street  
Almonte, Ontario K0A 1A0  
613-256-1077 ext. 24  
613-256-1077 (fax)  
[cmurphy@mississippimills.ca](mailto:cmurphy@mississippimills.ca)  
[www.mississippimills.ca](http://www.mississippimills.ca)

If necessary, a written addendum will be sent to all proponents. Should any proponent find discrepancies in, or omissions from the specifications, or should a proponent be in doubt as to their meaning, they must notify the staff contact indicated in this section in order to obtain clarification.

No notation calculated or intended to change or alter the above context in respect of specification(s), delivery, terms, conditions, etc., shall be made to the herein form by any proponent. All points as may be intended to reflect changes as herein referred shall be clearly set out in a separate letter, which shall be appended hereto.

## 7.0 PROPOSAL CONTENT

Each Proposal submitted must include a demonstrated understanding of the objectives, scope and particulars of the services required as well as a clear statement as to the actual total price, including the following:

- Submissions shall include the legal name and form of the firm(s), a company profile(s), specify the parent company if applicable, including years in business, an overview of the experience of the firm(s) in providing similar services or goods to the public sector, and any other relevant information about the responding firm(s).
- Evidence of insurance on an appropriate form/certificate. The successful vendor must provide proof of insurance coverage throughout the life of the contract to the Town of Mississippi Mills by fax 613-256-4887 to the attention of Diane Smithson (Chief Administrative Officer) or scanned document e-mail to [dsmithson@mississippimills.ca](mailto:dsmithson@mississippimills.ca).
- A current WSIB Clearance certificate. The successful vendor must provide proof of insurance coverage throughout the life of the contract. Current clearance certificates shall be faxed to 613-256-4887 to the attention of Diane Smithson (Chief Administrative Officer) or scanned document e-mail to [dsmithson@mississippimills.ca](mailto:dsmithson@mississippimills.ca).
- A copy of your health and safety policy.
- Section E –Contact Information and Reference Chart. A minimum of three professional/client references.
- An outline of the personnel that will be managing and assigned to the project work with a brief description of their background and experience.

## 8.0 EVALUATION OF PROPOSALS

Submission evaluation will be conducted. The bid submission review committee has been established to evaluate bid submissions. The bid submission review committee will consist of: 4 Members of Council, CAO, Recreation Coordinator, Director of Public Works and Town Planner.

Project submissions to be evaluated based on the criteria as set out in Table 1 below.

**Table 1 – Evaluation of Submissions**

Evaluation Criteria	Weighting
Innovative approach to project – 10% Methodology and process and collaborative nature – 10%	<b>20%</b>
Understanding of project goals and objectives as demonstrated by: <ul style="list-style-type: none"> <li>• Knowledge of Town/Community &amp; Corporation – 20%</li> <li>• Ontario with Disabilities Act adherence – 5%</li> </ul>	<b>25%</b>
Expertise and demonstrated results from similar projects - 10% Demonstrated knowledge of relevant policies and legislation - 10%	<b>20%</b>
Clarity & completeness of submission	<b>5%</b>
Price submission for project	<b>30%</b>
<b>Total:</b>	<b>100%</b>

**9.0 SUBMISSION OF PROPOSALS**

Submissions in sealed envelopes, clearly marked "Parks and Recreation Master Plan" will be received no later than **4:00 p.m. Local Time, Tuesday, September 18, 2012** and shall be addressed to the Chief Administrative Officer (Diane Smithson), 3131 Old Perth Road, Almonte Ont., K0A 1A0. Submissions will be received by the staff person designated by the Town at the Town Office counter no later than the time and date stated in this section.

To receive consideration, proposal documents must be received prior to the specified time of closing. Proponents are solely responsible for the method and timing of delivery of the proposal documents. Failure to comply with proposal submission requirements may result in the rejection of the proposal. No proposal documents may be withdrawn after closing. Prior to closing, RFPs may be withdrawn only upon written request signed by an authorized officer of the company.

**10.0 MUNICIPAL RIGHTS AND OPTIONS**

The municipality, in its sole discretion, reserves the following rights:

- Supplement, add to, delete from or change this solicitation document;
- Determine which respondent, if any, should be selected for negotiations;
- Reject any or all proposals or information received pursuant to this RFP;
- Cancel this RFP with or without the substitution of another RFP;
- Request additional data or information after the submittal date, if such data or information is considered pertinent to aid the review and selection process;
- Conduct investigations with respect to the qualifications and experience of each respondent;
- Take any action affecting the RFP or the services or facilities subject to this RFP that would be in the best interests of the municipality;

- Require one or more respondents to supplement, clarify or provide additional information in order for the municipality to evaluate the proposals submitted;
- Waive any informalities or irregularities in the submittals or to re-advertise.
- That the lowest, or any bid, will not necessarily be accepted

## **B. PROJECT REQUIREMENTS**

The Town of Mississippi Mills is seeking proposals from qualified and professional consulting firms to work with the Town in the development of a Parks & Recreation Master Plan that will allow the Town to strategically manage the direction of parks and recreation services until 2023. See attached Appendix A to this document which contains the Terms of Reference for the Parks & Recreation Master Plan.

### **1.0 INTRODUCTION**

The Corporation of the Town of Mississippi Mills invites proposals from professional consultant firms and consortiums interested in fulfilling the terms of reference for the Recreation Master Plan attached as Appendix A.

The Proposal must meet all the requirements outlined in this document and appendices. Should none of the Proposals be accepted, a re-issuance of the Requests for Proposal (RFP) may be possible.

### **2.0 BACKGROUND OF THE PROJECT**

This RFP for the development of Parks & Recreation Master Plan will be administered by the Recreation Coordinator. The Town is looking for an innovative approach to parks and recreation planning that will be demand driven and will strategically integrate the Town's mandates concerning parks, recreation, and leisure while at the same time ensuring the priorities and implementation directions are fiscally appropriate for the Town of Mississippi Mills. The Master Plan will allow the Town to guide and manage the direction of parks, open spaces, recreation and leisure services, programs, events, facilities and amenities. The plan will provide a strategy and direction which maps the Recreation and Culture Department's goals and objectives. The Town will look for an approach that has regard for the provision of environmentally sustainable, accessible parks and recreation facilities, programs and services that will meet the dynamic needs of the Town.

### **3.0 PROJECT COSTS**

The total cost of the Project will be one (1) of the criteria in the consultant team selection process and is the upset limit for the Project. It is anticipated that the total cost of the Recreation Master Plan shall be **Fifty thousand Dollars (\$50,000.00)**. Proposals with fees in excess of the anticipated costs require a clear explanation outlining the rationale for increasing the cost.

The contract between the Town of Mississippi Mills and the consultant team shall specify the Project cost for the Parks and Recreation Master Plan. The cost shall be considered an upset figure which should not be exceeded. Further in this regard, please note the following:

- 3.1 The cost of advertising, room rentals and refreshments required for meetings open to the public in the context of the public consultation process and the Town of Mississippi Mills consultation process will be paid by the Town of Mississippi Mills. The Town of Mississippi Mills will be responsible for the preparation and placing of all advertising and notices and renting appropriate facilities.
- 3.2 The cost of any presentation support materials, exhibits and Project products will be the responsibility of the consultant team.
- 3.3 The Proposal must outline all costs associated with supplying the identified services. The total price must fall within the budgeted finances and be stated clearly at the outset. Final selection will be subject to successful contract negotiations with the preferred consultant team.

No guarantee or warranty is given or implied by the Town as to the total amount that may or may not be purchased from any resulting contracts. Any quantities stated are for proponent's information only and will be used for tabulation and presentation of proposal, and the Town reserves the right to increase or decrease quantities as required.

In the event of any discrepancy between any unit price and an extension, the unit price shall govern.

#### **4.0 PROJECT ADMINISTRATION / PROJECT SUPERVISOR**

Project Lead and Main Contact: Calvin Murphy, Recreation Coordinator

#### **5.0 OVERALL OBJECTIVES**

The overall objectives of the master planning process are to:

- Create a 'vision' for the delivery of parks and recreation services, which is aligned with Council's priorities and reflects the uniqueness of the Mississippi Mills community.
- From the "vision", create a "mission statement" that will provide guidance to the Recreation and Culture Department to allow staff and the Department to reach or create their vision.
- From the "mission statement" create a set of "values" to be utilized by staff and facility/park /program clientele in the delivery of services and use of Town facilities and parks.
- Infuse the principles of sustainability, accessibility and integration into the development and delivery of the vision, mission statement, values and delivery of parks and recreation services and programs.
- Update the inventory of parks and recreation services, programs and facilities for the Town compatible with the Town's GIS system.
- Assess the strengths, weaknesses, opportunities and threats facing the Town's parks and recreation system.
- Identify and assess the diverse needs and wishes of the general public, business and community partner organizations, visitors and emerging societal trends.
- Enhance community cooperation and partnerships in the planning and delivery of services and programs.
- Promote active living/healthy environments and increased physical activity among all age groups and segments of the community.
- Create a trails management plan that establishes strategies, objectives and recommendations on preserving, maintaining and maximizing municipally owned trails.
- Enhance volunteer opportunities and participation broadly.
- Enable a higher level of community branding and marketing due to a stronger sense of community.
- Enhance the overall community quality of life and place.
- Identify specific ways in which the Mississippi Mills recreational plan can link with tourism and economic development.
- Identify potential partnerships/collaboration projects with neighboring municipalities.
- Review current and potential multi model linkages (sidewalks, pathways, and cycling facilities) in urban areas between parks, open spaces and recreation facilities.
- Review implications for Parks and Recreation elements in relation to Development Charges By-Law.

#### **5.1 PROGRAMMING OBJECTIVES**

Specific programming objectives for the master planning process are to:

- Assess community and neighborhood strengths, weaknesses, opportunities and threats to the delivery of parks, recreation and leisure services.
- Determine if the current mix of services, programs and facilities that are currently available to residents of Mississippi Mills are balanced, accessible and appropriately address the current and future needs of the residents of this community and our many visitors.
- Determine if and where the Town should develop, expand or curtail services, programming and facilities in areas such as, but not limited to the following: children, youth, seniors, families and people at risk, community engagement, special needs, direct programming, facility allocation and partnerships.

- Develop and assess delivery and programming options, recommending preferred options and rationale for same.
- Develop goals and objectives for the provision of facilities, programs and services for the short, medium and long term.
- Assess and make recommendations regarding the current organizational structure, staffing capacity and resource allocation and sources of funding to achieve the desired goals and objectives of the plan.
- Determine the need for open water recreational opportunities within the Town of Mississippi Mills.
- Determine if and when the Town should develop, expand or dispose of parkland.

## 5.2 RECREATION FACILITIES OBJECTIVES

Objectives for recreation facilities are to:

- Provide direction on existing municipal facilities including outdoor sport facilities, future development and redevelopment options.
- Evaluate facility location and design in relation to demographic/cultural requirements over the life of the plan.
- Assess the merits of partnership opportunities with community groups and organizations (i.e. school boards, institutions, and community and neighborhood groups) and how partnerships can be improved.
- Develop standards for outdoor recreational facility development.

## 5.3 PARKLAND OBJECTIVES

The objectives of the planning process for parkland and open space are to:

- Evaluate the existing inventory of parks, open spaces and recreational facilities based on a shift toward multi-use, multi-purpose experiences.
- Determine the need for parks, open space and facilities including waterfront property based on current demographics and population growth.
- Review leading practices for parkland and open space acquisition, disposal and consolidation in comparable sized municipalities and recommend the methodology that best fits Mississippi Mills based on its future needs, trends demographics and operational abilities.
- Review the current Community Official Plan as it relates to parkland development.
- Review the Town's active transportation needs and recommend short, medium and long term strategies to improve active transportation in the community.
- Examine and predict the impact of trends in parkland development based on the existing parks inventory.
- Review current standards and methodologies for land assembly for trail development and recommend a preferred strategy including the use of unopened road allowance based on future needs and operational abilities.
- Set priorities for the provision of open space and trails, and recommend where lands should be acquired using available mechanisms including the parkland conveyance requirements under the Planning Act.
- Determine a viable parkland hierarchy and rationalize the suitability of uses by park hierarchy (i.e. what is suitable in a parkette, a neighborhood park or a community park).
- Recommend when/where to include natural heritage features into the parks hierarchy.
- Provide a rationale and criteria for the inclusion of storm water ponds as part of the municipal open space system and when, if at all, the lands may be considered as part of a parkland conveyance and recommend a policy for same.
- Make specific recommendations regarding the taking of land or cash in lieu of parkland as permitted under the Planning Act.
- Provide a general parks By-Law template or outline based on leading municipal practices that would be appropriate for Mississippi Mills.
- Determine if and where the Town should develop, expand or dispose of parkland.

## 5.4 STUDY CONSIDERATIONS

The Parks & Recreation Master Planning process will review, research and make policy recommendations with respect to the following areas of interest:

- Access the array of programs and services currently provided in relation to community needs and desires over the life of the plan.
- The Town's role in providing parks and recreation opportunities in the Town of Mississippi Mills in the greater community wide perspective.
- The appropriate application of leading municipal practices for the Town of Mississippi Mills.
- Current and needed service standards and guidelines for the delivery of traditional and non-traditional recreational and sports activities, facilities, services and programs, amenities and venues.
- The relationship between Town services and those provided by other agencies, organizations and the private sector.
- The role of partnerships, principles and objectives to guide the development of community partnership arrangements in the future.
- A contemporary and future look at the role that volunteers play in the provision of parks and recreation service provision.
- Facility, indoor and outdoor leisure and recreational needs over the short, medium and long-term life of the plan.
- Location options for future opportunities to provide additional facilities and amenities, including but not limited to performance and exhibition space, single purpose and multi-purpose facilities, trails, parks, beaches, natural areas and woodlots, splash pads, active and passive spaces for spontaneous use.
- Evaluate the existing inventory of parks and recreational facilities based on a shift towards multi-use, multi-purpose experiences in facilities.
- Changes required or needed to current policies, processes and activities to move the status quo from its current state to its desired state.
- The Parks and Recreation Master Plan is to address the need for leash free parks as well as specific off leash times within parks and open spaces.
- Options for the optimal organizational structure, staffing levels and professional competencies to ensure the success of the Master Plan recommendations.
- Complete a review of Parks and Recreation capital asset needs pertaining to Recreation Facilities and Equipment.

## 6.0 ASSUMPTIONS

The following is a list of general assumptions related to the Proposal submission and the undertaking of this Project following contract award:

- Harmonized Sales Tax (HST) and other applicable taxes shall be included in the submitted price.
- Submissions shall be irrevocable for one hundred-twenty (120) days.
- The consultant team shall and must provide all services specified in Section B of this RFP.
- The Town of Mississippi Mills can rely on the consultant team's knowledge of provincial safety regulations and labour laws.
- The consultant team shall provide such additional insurance coverage as set out in Section C of this RFP.
- In addition to the Commercial General Liability and Automobile coverage's specified in Section C, Part 18, proof of Error and Omissions coverage is also required.

## 7.0 RESOURCE REQUIREMENTS

### Consultant Resources

Proponents must detail any resources they will provide and require as part of the Proposal. This includes all resources; third party consultants or sub-contractors including Town of Mississippi Mills resource requirements that are assumed to be outside those requirements defined in the document.

### Available Town Resources

1. Make available within a reasonable time and with reasonable notice, staff required for interviews to collect information.

2. Make available for viewing and possible copying all appropriate information, mapping, and documentation relevant to the Project. The Town will have the sole discretion in determining which information is appropriate to be copied and given to the consultant team. The said consultant team is responsible for verifying the accuracy of all information provided by the Town.
3. The cost of any advertising, room rental and refreshments required for meetings open to the public. The Town will be responsible for the preparation and placing of all advertising and notices and renting appropriate facilities.

There are some pertinent documents, reports, as well as other resource materials that may be relevant to the creation of the Parks and Recreation Master Plan. **For a complete catalogue of this information, please refer to Appendix 'A' to this RFP.**

**Digital Sources of Information**

Mapping is recognized as an important element in the Project. The Town of Mississippi Mills does have access to internal GIS capabilities for its mapping needs.

**8.0 MILESTONES AND RESULTS**

The Department proposes that the Master Plan project be comprised of 3 phases. The approach described below is open for discussion and may be modified if the consultant feels other approaches would better meet the desired outcome. The proposed elements are included within the phases listed below.

**Phase 1** – Project start-up, information gathering and consultation process. Includes engagement planning, planning workshop(s), interviews with staff, internal, external & community stakeholders. Includes review of background information, demographics, current & future trends, community inventory, services, programs and facility needs. Concludes with an assessment of current and future demands for Parks and Recreation Services. Update to Council – Interim report #1.

**Phase 2** - Includes recommended service delivery options and discussion ensuring alignment with developed vision, mission statement and value system. Services provision methods, processes, strategies including budget requirements and financing options, partnerships, community and stakeholder consultation. Update to Council – Interim report # 2.

**Phase 3** -Concludes with directions & priorities, draft report, public review/open house(s), final report – master plan.

The proposed timeline for the phases is indicated in the Proposed Timeline Chart below, and is subject to further input from consultants. The x's are indicative of an update to Council through an interim report and discussion paper. During Phase 3, a draft and final report will be provided. Actual dates to be determined in consultation with staff.

**Proposed Timeline Chart**

Phases	Fall/Winter 2012	Winter/Spring 2012/13	Spring/ Summer2013
1	x		
2		x	
3			x

The deadline for delivery of the Master Plan project is **September 17, 2013.**

**9.0 ROLES & RESPONSIBILITIES**

**1. Consultant**

The Consultant's role will be to develop a Master Plan process and deliver a Master Plan for Parks and Recreation collaboratively with the Recreation and Culture Department that incorporates the required elements of both the process and deliverables. The Consultant will also be open to incorporate any further items that may be identified throughout the proposed process, as may be received by a consultant as part of what they propose is necessary to properly deliver the product needed.

Consultant firm's responsibilities are to:

- Assign a team of individuals with the required skills and expertise to deliver on the project goals and objectives;
- Conduct and complete the work elements as identified within this document;
- Work with assigned Town staff in a collaborative and supportive fashion to support skill development opportunities for staff assigned to the project;
- Complete the work elements as outlined in the Key Objectives of the Terms of Reference;
- Design and conduct public input sessions with support of Department staff as needed or required;
- Develop and deliver a project process and document that meets project goals, objectives and deliverables;
- Provide monthly updates to the project lead;
- Provide comprehensive, innovative and collaborative opportunities throughout the process;
- Ensure public, stakeholder, Department and Corporate management, and Council involvement in the Master Plan process and development of recommendations;
- Provide draft and final versions of the Master Plan document in accordance with Section B 8;
- Provide progress reports, discussion papers, draft and final versions of the Master Plan document in accordance with the Terms of Reference;
- Draft appropriate advertising and communications as needed for the project;
- Meet project timelines;
- Provide itemized project invoices in a timely fashion not less than bimonthly; and
- Not to exceed cost for project.

## **2. Recreation and Culture Department**

The Department's role is to direct and participate in the Master Plan process and deliver a Master Plan for Parks and Recreation that meets the project goals and objectives.

The Department's responsibilities are to:

- Identify Project Lead;
- Assign staff as required to help meet project goals and objectives;
- Provide background materials and data as needed and available;
- Provide rooms and facilities for meetings, consultations, open houses, focus groups, etc;
- Provide current contact information for stakeholder groups, including Town Committees and Boards;
- Provide a webpage for ongoing communication vehicles as needed for the project;
- Provide advertising and communication vehicles as needed for the project;
- Meet timelines necessary to achieve project goals and objectives;
- Consult with the Recreation and Culture Committee to receive ongoing input and comment as the plan develops; and

## **10.0 INTERIM AND FINAL REPORTING**

The successful consultant team shall provide, on a monthly basis, a written status report and an accompanying detailed invoice to the project lead. The update must include an outline of the work completed to date, work completed since the last update, and a discussion of how the project is proceeding including any unexpected difficulties. A 'face-to-face' status meeting between the project lead and the said consultant team will occur as required. The Town of Mississippi Mills reserves the right to determine interim and final reporting requirements during the term of the contract as the process unfolds to address specific ongoing needs.

## 11.0 PRODUCT DELIVERY

1. Delivery date for the Parks & Recreation Master Plan is **September 17, 2013**.
2. All documents, maps, plans and documentation developed during the Master Plan project become the property of the Town of Mississippi Mills.
3. All documents, maps, plans and submissions to the Town of Mississippi Mills will be provided in digital format suitable for reproduction purposes, and will be owned by the Town of Mississippi Mills.

All reports, discussion papers and other submissions as required are to be provided to the Town of Mississippi Mills in the following way; requisite number of bound copies and 1 unbound version and 1 electronic version on CD –ROM.

- Final report - (15 hard copies, one unbound, and 3 copies CD–ROM).
- Executive Summary Document (15 copies, one unbound, and CD Rom).
- Final presentation of report, through PowerPoint Presentation, to Town Council.

## 12.0 FORMAL CONTRACT

If a preferred consultant team is ultimately selected for service delivery, the said consultant team shall be prepared to enter into a contract satisfactory to the Town of Mississippi Mills that will allow the Town the use of concepts, products, processes produced or resulting from the services rendered by the consultant team in connection with the Project or which are otherwise developed or first reduced to practice by the consultant team in the performance of the services for this Project. This Proposal shall constitute part of the terms and conditions of the contract award.

## C. GENERAL TERMS AND CONDITIONS

**The following terms and conditions are deemed accepted by all submitters of proposals in response to this RFP and are deemed incorporated into every contract resulting from this RFP:**

### 1. Improper Delivery.

Electronic, telegraphic, telephone, or facsimile submissions in response to this RFP will not be accepted. Late submissions in response will also not be accepted.

### 2. Signing Requirements.

Submissions that are not signed will be rejected. Signing of submissions shall be in the form set out in Irrevocable Offer D which shall be attached to the proposal. If the submitter of a proposal is an incorporated company, the proposal must be executed by the signing officer(s) of the company with the company seal placed beside the signature(s). If the submitter of a proposal is not an incorporated company, the submitter of a proposal should sign his or her own name in the presence of a witness who should sign beside the submitter's name.

### 3. Applicable Law.

This RFP, each submission and the Project itself are each subject to the provisions of all applicable law, including:

- the *Municipal Freedom of Information and Privacy Act*, RSO 1990, c. M54,
- *Occupational Health and Safety Act*, R.S.O. 1990, c.O.1, each proponent warrants that they have the experience training and equipment to ensure all work performed under the contract is done safely and in accordance with all applicable health and safety legislation and that they have control over the workplace and is fully responsible for the health and safety of all employees and others present on the site. Each proponent also acknowledges that the Town is relying on this warranty in its decision to award the contract to the proponent,
- *Ontarians with Disabilities Act, 2001*, S.O. 2001, c.32, section 13 of which statute states:  
*In deciding to purchase goods or services through the procurement process for the use of itself, its employees or the public, the council of every municipality shall have regard to the accessibility for persons with disabilities to the goods or services.*

This RFP, each submission and the Project itself are also each subject to the provisions of the Procurement Policies and Procedures By-law 09-42 of the Corporation of the Town of Mississippi Mills, as amended.

**4. Town Not Liable for RFP Costs.**

The Corporation of the Town of Mississippi Mills shall not be liable for any costs incurred by the submitter of a proposal in responding to this "Request for Proposal".

**5. Required Warranties.**

Each submitter of a proposal is deemed to expressly declare and warrant in the proposal that;

- i. The prices in this Proposal have been arrived at independently from those of any other submitter of a proposal.
- ii. The prices in this Proposal have not been knowingly disclosed by the submitter of a proposal, and will not knowingly be disclosed by the submitter of a proposal prior to award, directly or indirectly, to any other submitter of a proposal or competitor.
- iii. No attempt has been made, nor will be made, to induce any other person to submit or not to submit a proposal for the purpose of restricting competition.
- iv. This proposal is in all respects fair and without collusion or fraud.
- v. There has been no violation of copyrights or patent rights in manufacturing, producing or selling the materials and/or services shipped or ordered as a result of this proposal, and the seller agrees to hold the purchaser harmless from any and all liability, loss, expense, action or suit occasioned by any such violation.
- vi. All materials and/or services proposed to be supplied to the Corporation of the Town of Mississippi Mills shall conform in all respects to the standards set forth by Federal and Provincial agencies.
- vii. The submitter of the proposal is:
  - a. Competent to perform the work described in this RFP ["the work"];
  - b. Has the necessary qualifications, including knowledge, skill and experience to perform the work, together with the ability to use those qualifications effectively for that purpose;
  - c. Shall supply everything necessary for the performance of the work;
  - d. Shall carry out the work in a diligent and efficient manner;
  - e. Ensure the work is of proper quality, material and workmanship; is in full conformity with the specifications; and meets all other requirements of this RFP and any subsequent contract.
- viii. The submitter waives all rights of lien which might arise in relation to any contract from this RFP under section 3(1) of the *Repair and Storage Liens Act*, R.S.O. 1990, c. R.25.
- ix. The submitter has and follows a health and safety plan for employees and representatives who will be present on the property of the Corporation of the Town of Mississippi Mills as part of any contract arising from this RFP.
- x. The submitter confirms that the price proposed is an upset limit above which the Town is not required to pay and that where there is uncertainty as to the price proposed, the unit price shall govern.

**6. No Obligation to Contract.**

Submissions made in response to this Request for Proposals do not constitute the acceptance of a contract with the Town of Mississippi Mills. Submissions constitute offers which the Town may or may not accept on its sole discretion. The Corporation of the Town of Mississippi Mills further reserves the right to accept or reject any or all proposals or parts of proposals, to order additional units at the price submitted, or to accept any proposal considered in its best interest, and to request re-proposals on the required materials and/or services. The Corporation of the Town of Mississippi Mills also reserves the right to waive irregularities and technicalities and to do so in its sole discretion. The Corporation of the Town of Mississippi Mills further reserves the right to award the contract on a split-order basis, lump-sum or individual-item basis, or such combination as shall best serve the interests of the Town in the opinion of the Town. The Town of Mississippi Mills reserves the right to include consideration of any outstanding claims against or by the Town, any record of poor performance with the Town and the appropriateness of any key personnel in evaluation of any proposal and to reject any proposal based on record of past poor quality of service, claims and disputes or difficulties related to proceedings in completed past projects for the Town.

Each submission of a signed proposal is deemed an irrevocable offer which may be accepted, at the sole option of the Corporation of the Town of Mississippi Mills and after negotiation, only by entering into a formal contract upon such acceptance the terms, responsibilities, and specifications as required by the Corporation of the Town of Mississippi Mills including but not limited to those set out herein. The Town reserves the right to reject an offer to supply goods and services presented in response to the Town's procurement processes where the Town determines that the person making the offer is

in any way indebted to the Town and in its sole discretion is of the opinion that it is in the Town's best interests that the offer be rejected.

Notwithstanding anything contained in the Agreement to the contrary, the Town may, at any time prior to the completion of the services, terminate this Agreement by giving thirty (30) days written notice to the Contractor. Upon a termination notice being given, the Contractor shall immediately cease services in accordance with and to the extent specified in the notice. In the event of a termination notice being given in accordance with this Agreement, the Contractor shall be entitled to be paid, to the extent that costs have been reasonably and properly incurred for purposes of performing the services and for which the Contractor has not already been so paid or reimbursed by the Town.

**7. Contract Payments.**

Unless otherwise specified, should the Corporation of the Town of Mississippi Mills enter into a contract relating to the Project, it will make payment of accounts within thirty (30) days of either the date on which the materials and/or services have been accepted to the satisfaction of the Corporation of the Town of Mississippi Mills, or the date on which the invoice is received, whichever is later.

**8. Limitation of Liability.**

Unless otherwise agreed, should the Corporation of the Town of Mississippi Mills enter into a contract relating to the Project, the other contracting party shall agree to hold the Corporation of the Town of Mississippi Mills harmless from any and all liability, claims, (including damages, fines, insurance adjuster's fees and legal costs on a full recovery basis), losses, expenses, actions or suits arising from the Project. Independent of any steps taken by the Town, it shall be the Contractor's responsibility to investigate and handle any and all third party claims arising from the project in a professional manner, within 30 days of receipt, and to provide a copy of the response to the Town.

**9. Dispute.**

In cases of dispute as to whether or not deliverables meet the requirements of the Corporation of the Town of Mississippi Mills, the decision of such agent as the Corporation of the Town of Mississippi Mills may appoint will be final and binding.

**10. No Assignment.**

Unless otherwise agreed, should the Corporation of the Town of Mississippi Mills enter into a contract relating to the Project, the other contracting party shall not, without the written consent of the Corporation of the Town of Mississippi Mills, assign or subcontract any aspect of the Project or the deliverables.

**11. Fit for Use.**

All things supplied under the Project shall be fit for the use specified in the governing documents whether or not detailed specifications on the various components are not set out in the documents.

**12. No Implied Waiver.**

The failure of either party at any time to require performance by the other party of any provision hereof shall in no way affect his right thereafter to otherwise enforce such provision or to seek damages for the breach thereof.

**13. Governing Law.**

All submitter of proposals, including those outside the Province of Ontario, agree that the rights of all parties shall be governed by the laws of the Province of Ontario and that the venue for dispute shall be within the Province of Ontario. Proponents must be able to demonstrate their ability to perform the work under the law of the Province of Ontario and provide such security as might be required and enforceable under the law of the Province of Ontario.

**14. Force Majeur.**

Neither party shall be held responsible for any remedy arising from delay or failure to perform obligations under this RFP or the Project when such delay or failure is due to fires, strikes, floods; acts of God or the Queen's enemies, lawful acts of public authorities, or delays or defaults caused by common carriers, which cannot reasonably be foreseen or provided against.

**15. Deemed Satisfaction as to Submission.**

The submission of a proposal shall be deemed conclusive proof that the submitter of a proposal has satisfied itself as to all the requirements set out in the RFP, all the conditions which may be encountered, what materials and/or services he/she will be

required to supply, or any other matter which may enter into the carrying out of the Project. No claims will be entertained by the Corporation of the Town of Mississippi Mills based on the assertion by the submitter of a proposal that it was uninformed as to any of the requirements of the proposal.

**16. Default Under Project.**

In case of a default of performance of the Project, the Corporation of the Town of Mississippi Mills reserves the right to transfer the Project to another source. All additional expenses arising from such transfer will be charged to the original submitter of a proposal or contractor and are due forthwith.

**17. Title and IP Right to the Work.**

Title and intellectual property interest ["IP"] to the work described in this RFP ["the work"] and any part thereof vests in the Town upon delivery and acceptance thereof by or on behalf of the Town. The risk of loss or damage to the work or part thereof so vested shall remain with the successful proponent Contractor until its delivery of the work in full. Any vesting of title or IP shall not constitute acceptance by the Town of the work and shall not relieve the successful proponent of its obligation to perform the work. The successful proponent shall indemnify and save harmless the Town and its employees and agents against any claim, action, suit or other proceeding for any payment or enforcement of any right or remedy that results from or is alleged to result from the creation of or provision of the work or the use or disposal of anything furnished in relation to the work.

**18. Insurance.**

Any selected proponent shall be required to provide Commercial General Liability Insurance, structured on a "per occurrence" basis, and motor vehicle liability, in the amount of no less than two million dollars (\$2,000,000.00). WSIB coverage shall be provided as required by, or available under law. Additional insurance may also be required depending on the nature of bids submitted. Policies shall be in a form satisfactory to the Town and shall be kept in full force during the complete period. The Town shall be named as an additional Insured on the Commercial General Liability policy, and any successful proponent shall provide evidence of all insurance coverage's required, and proof of WSIB coverage, before the Town shall enter into of a contract in relation to this Request for Proposal.

**19. Enforcement.**

Any successful proponent will have to enter into a legally binding agreement with the Corporation of the Town of Mississippi Mills. Where any breach of the terms of that agreement should occur, the Town shall review all legal remedies available to it and use any appropriate remedies to protect the interests of the Corporation of the Town of Mississippi Mills including law suit or application before the appropriate court or tribunal. All submitters of proposals in response to this RFP hereby acknowledge and attorn to the jurisdiction of the choice of the Town of Mississippi Mills in any such legal process.

**20. Privacy and Freedom of Information.**

All submissions and attached materials received in response to this RFP are deemed to be the property of the Town of Mississippi Mills as of the date of their submission except to the extent they are protected as third party material under applicable privacy law. The Municipal Freedom of Information and Protection of Privacy Act (MFIPPA or the Act) applies to all tenders, quotations and proposals submitted to the Corporation of the Town of Mississippi Mills. Tenders, quotations and proposals will be received in confidence and are subject to the disclosure requirements of the Act. Pursuant to orders made by the Information and Privacy Commissioner/Ontario, the Town shall not withhold the following information from tenders, quotations or proposals, if requested through the MFIPPA process by any person or business:

The cover letter to the tender, quotation, or proposal;

The table of contents; lists of figures, tables, and appendices; and any information regarding the form and structure of a tender, quotation or a proposal (i.e. information which may disclose the manner in which the document is constructed).

Bidders/proponents should identify any portions of their tender/quotation/proposal which contain a trade secret, scientific, technical, financial, commercial or labour relations information supplied in confidence and which will cause harm if disclosed.

The Town of Mississippi Mills cannot ensure that any given portion of any materials received in response will not be ordered released under MFIPPA.

**D. FORM OF IRREVOCABLE OFFER**

I hereby offer to provide the requirements under Request for Proposal

**PARKS AND RECREATION MASTER PLAN**

to the Corporation of the Town of Mississippi Mills according to the terms set out in this Proposal as well as in the RFP including the requirement for and acceptance of a formal contract acceptable to the Corporation of the Town of Mississippi Mills. I also agree that this irrevocable offer shall be open to acceptance by the Corporation of the Town of Mississippi Mills for a period of one hundred-twenty (120) days from the closing date for the receipt of Proposals.

WITNESS \_\_\_\_\_ SIGNED \_\_\_\_\_

OR NAME \_\_\_\_\_

(Affix Company Seal if applicable) TITLE \_\_\_\_\_

COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/PROV. \_\_\_\_\_

POSTAL CODE \_\_\_\_\_

TELEPHONE \_\_\_\_\_

FAX NO. \_\_\_\_\_

EMAIL \_\_\_\_\_

**E. CONTACT INFORMATION & REFERENCES**

Company contact information

CONTACT PERSON	
E-MAIL ADDRESS	
REGULAR PHONE NUMBER	
EMERGENCY PHONE NUMBER	

References provided by the proponent will be used to determine whether past performance on similar contracts has been satisfactory.

COMPANY	
NAME	
TITLE	
EMAIL	
PHONE NUMBER	

COMPANY	
NAME	
TITLE	
EMAIL	
PHONE NUMBER	

COMPANY	
NAME	
TITLE	
EMAIL	
PHONE NUMBER	



**APPENDIX A**  
**TERMS OF REFERENCE**  
**PARKS & RECREATION MASTER PLAN**  
**July 2012**

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**INTRODUCTION**

The Town of Mississippi Mills is seeking professional expertise to assist it and the community at large in developing a Parks & Recreation Master Plan that will strategically position the Town to manage its parks and recreation services until 2023.

**PURPOSE**

The Town is looking for an innovative, demand driven approach to integrated parks and recreation planning. The Master Plan will provide the Town with the necessary public policy framework to manage its parks, open spaces, recreation and leisure services, programs, events, facilities and amenities in a cost effective manner consistent with leading industry practices. The Town is looking for an approach that has regard for the provision of sustainable and accessible parks and recreation services that will meet the unique needs of the Town. The plan will provide guidance as to where parks, facilities and services should be located or offered, what services and programs will be provided, when the services will be needed or required and how they should be implemented and funded. The plan should take into consideration the pending growth of the community.

**OVERALL OBJECTIVES**

The overall objectives of the master planning process are to:

- Create a 'vision' for the delivery of parks and recreation services, which is aligned with Council's priorities and reflects the uniqueness of the Mississippi Mills community.
- From the "vision", create a "mission statement" that will provide guidance to the Recreation and Culture Department to allow staff and the Department to reach or create their vision.
- From the "mission statement" create a set of "values" to be utilized by staff and facility/park /program clientele in the delivery of services and use of Town facilities and parks.
- Infuse the principles of sustainability, accessibility and integration into the development and delivery of the vision, mission statement, values and delivery of parks and recreation services and programs.
- Update the inventory of parks and recreation services, programs and facilities for the Town compatible with the Town's GIS system.
- Assess the strengths, weaknesses, opportunities and threats facing the Town's parks and recreation system.
- Identify and assess the diverse needs and wishes of the general public, business and community partner organizations, visitors and emerging societal trends.
- Enhance community cooperation and partnerships in the planning and delivery of services and programs.
- Promote active living/healthy environments and increased physical activity among all age groups and segments of the community.
- Create a trails management plan that establishes strategies, objectives and recommendations on preserving, maintaining and maximizing municipally owned trails.
- Enhance volunteer opportunities and participation broadly.
- Enable a higher level of community branding and marketing due to a stronger sense of community.
- Enhance the overall community quality of life and place.
- Identify specific ways in which the Mississippi Mills recreational plan can link with tourism and economic development.
- Identify potential partnerships/collaboration projects with neighboring municipalities.
- Review current and potential multi model linkages (sidewalks, pathways, and cycling facilities) in urban areas between parks, open spaces and recreation facilities.
- Review implications for Parks and Recreation elements in relation to Development Charges By-Law.

## **PROGRAMMING OBJECTIVES**

Specific programming objectives for the master planning process are to:

- Assess community and neighborhood strengths, weaknesses, opportunities and threats to the delivery of parks, recreation and leisure services.
- Determine if the current mix of services, programs and facilities that are currently available to residents of Mississippi Mills are balanced, accessible and appropriately address the current and future needs of the residents of this community and our many visitors.
- Determine if and where the Town should develop, expand or curtail services, programming and facilities in areas such as, but not limited to the following: children, youth, seniors, families and people at risk, community engagement, special needs, direct programming, facility allocation and partnerships.
- Develop and assess delivery and programming options, recommending preferred options and rationale for same.
- Develop goals and objectives for the provision of facilities, programs and services for the short, medium and long term.
- Assess and make recommendations regarding the current organizational structure, staffing capacity and resource allocation and sources of funding to achieve the desired goals and objectives of the plan.
- Determine the need for open water recreational opportunities within the Town of Mississippi Mills.
- Determine if and when the Town should develop, expand or dispose of parkland.

## **RECREATION FACILITIES OBJECTIVES**

Objectives for recreation facilities are to:

- Provide direction on existing municipal facilities including outdoor sport facilities, future development and redevelopment options.
- Evaluate facility location and design in relation to demographic/cultural requirements over the life of the plan.
- Assess the merits of partnership opportunities with community groups and organizations (i.e. school boards, institutions, and community and neighborhood groups) and how partnerships can be improved.
- Develop standards for outdoor recreational facility development.

## **PARKLAND OBJECTIVES**

The objectives of the planning process for parkland and open space are to:

- Evaluate the existing inventory of parks, open spaces and recreational facilities based on a shift toward multi-use, multi-purpose experiences.
- Determine the need for parks, open space and facilities including waterfront property based on current demographics and population growth.
- Review leading practices for parkland and open space acquisition, disposal and consolidation in comparable sized municipalities and recommend the methodology that best fits Mississippi Mills based on its future needs, trends demographics and operational abilities.
- Review the current Community Official Plan as it relates to parkland development.
- Review the Town's active transportation needs and recommend short, medium and long term strategies to improve active transportation in the community.
- Examine and predict the impact of trends in parkland development based on the existing parks inventory.
- Review current standards and methodologies for land assembly for trail development and recommend a preferred strategy including the use of unopened road allowance based on future needs and operational abilities.
- Set priorities for the provision of open space and trails, and recommend where lands should be acquired using available mechanisms including the parkland conveyance requirements under the Planning Act.
- Determine a viable parkland hierarchy and rationalize the suitability of uses by park hierarchy (i.e. what is suitable in a parkette, a neighborhood park or a community park).
- Recommend when/where to include natural heritage features into the parks hierarchy.
- Provide a rationale and criteria for the inclusion of storm water ponds as part of the municipal open space system and when, if at all, the lands may be considered as part of a parkland conveyance and recommend a policy for same.
- Make specific recommendations regarding the taking of land or cash in lieu of parkland as permitted under the Planning Act.
- Provide a general parks By-Law template or outline based on leading municipal practices that would be appropriate for Mississippi Mills.

- Determine if and where the Town should develop, expand or dispose of parkland.

## **STUDY CONSIDERATIONS**

The Parks & Recreation Master Planning process will review, research and make policy recommendations with respect to the following areas of interest:

- Access the array of programs and services currently provided in relation to community needs and desires over the life of the plan.
- The Town's role in providing parks and recreation opportunities in the Town of Mississippi Mills in the greater community wide perspective.
- The appropriate application of leading municipal practices for the Town of Mississippi Mills.
- Current and needed service standards and guidelines for the delivery of traditional and non-traditional recreational and sports activities, facilities, services and programs, amenities and venues.
- The relationship between Town services and those provided by other agencies, organizations and the private sector.
- The role of partnerships, principles and objectives to guide the development of community partnership arrangements in the future.
- A contemporary and future look at the role that volunteers play in the provision of parks and recreation service provision.
- Facility, indoor and outdoor leisure and recreational needs over the short, medium and long-term life of the plan.
- Location options for future opportunities to provide additional facilities and amenities, including but not limited to performance and exhibition space, single purpose and multi-purpose facilities, trails, parks, beaches, natural areas and woodlots, splash pads, active and passive spaces for spontaneous use.
- Evaluate the existing inventory of parks and recreational facilities based on a shift towards multi-use, multi-purpose experiences in facilities.
- Changes required or needed to current policies, processes and activities to move the status quo from its current state to its desired state.
- The Parks and Recreation Master Plan is to address the need for leash free parks as well as specific off leash times within parks and open spaces.
- Options for the optimal organizational structure, staffing levels and professional competencies to ensure the success of the Master Plan recommendations.
- Complete a review of Parks and Recreation capital asset needs pertaining to Recreation Facilities and Equipment.

## **MUNICIPAL DRIVERS FOR THE PLAN**

The last Recreation and Culture Operational review was completed in 2000. There has been significant growth in Mississippi Mills since then and a Master Plan of the department is required.

- The need to assess, manage and address aging infrastructure and compliance with accessibility standards and trends (i.e. recreation facilities, sport fields, parks, etc.)
- The new fiscal realities in municipal government including a trend towards operational cost recovery
- There is a need for clearly defined prioritized strategies and standards for services, programs and facilities provision based on community need and community desires that will accommodate current needs and growth potential over the life of the plan.
- Adherence to design principles and requirements for parks, open spaces, recreational and community facilities based on the principles of crime prevention through environmental design & safety.
- The Plan should incorporate recommendations coming out of the Cultural Master Plan and The Town's Community Official Plan.

## **COMMUNITY DRIVERS FOR THE PLAN**

### **Themes**

- Sustainable parks, open spaces and development of facilities

- Environmental responsibility and protection of natural heritage
- Accessibility – programs, events and spaces for all community participants
- Get Active – linking health and activity, promotion of healthy living principles
- Four season recreational opportunities
- Destination parks and event areas
- Connecting networks of pathways, trails, sidewalks that link parks, schools, commercial areas, residential settlement areas and events/ centres including the consideration of unopened road allowances and abandoned railway lines.

### **Specific Pressure Points**

Through interactions with the community over the past few years the following issues have been identified as being particular points of interest requiring policy development:

- Open space and trails, and related public spaces
- Community gardens
- Beach development
- Dog parks
- Events coordination
- Extreme sports including rafting and whitewater kayaking
- Heritage parks
- Integrated network of bike trails and paths
- Maintenance of parks and facilities
- Night sky lighting
- Indoor pools
- Operational staff numbers/hectares of parkland
- Rural parks
- Splash pads
- Shade in parks and event areas
- Soccer fields
- Sport tourism
- Multi- generational recreational needs
- Urban forestry
- Vandalism
- Youth at Risk
- Sports fields
- Skate parks

### **Public Expectation for Process:**

- Consider informal process of community consultation as opposed to a formal advisory committee.
- Use a diverse and broad spectrum of channels to get messages and information out to the community.
- Be aware of the vocal majority/minorities.
- Scheduled timelines will determine participants in the process.

## **SNAPSHOT OF THE COMMUNITY**

Being the largest community in Lanark County, Mississippi Mills boasts a quality of life that is second to none, with excellent recreational facilities, modern infrastructure and a growing residential sector. The Town is rich in culture and heritage, abounds with scenic nature, and is steeped with a deep sense of community pride. You will find a wide selection of serviced residential and commercial land available for building homes and establishing business ventures. The public utilities are state of the art and well maintained. Clean water, excellent roads, reliable power and motivated/educated employees are the norm in Mississippi Mills.

### Key Statistical Information

Population – 12,382  
County Population – 65,667  
Business Park - \$50,000/acre  
Development Charges – Yes  
Average House Sale Price - \$400,000

### Top 2 Employers

Upper Canada District School Board  
Almonte General Hospital / Fairview Manor

### Demographics

Town of Mississippi Mills demographic information can be accessed through Statistics Canada at:  
<http://www12.statcan.gc.ca/census-recensement/2011/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CSD&Code1=3509030&Geo2=CD&Code2=3509&Data=Count&SearchText=Mississippi%20Mills&SearchType=Begins&SearchPR=01&B1=All&Custom=&TABID=1>

## PARKS AND RECREATION INVENTORY

The following represents an overview of current municipal parks and facilities assets. Mississippi Mills residents actively engage in an extensive range of recreation and leisure pursuits that encompass active and passive activities, sports and recreation, community festivals and events. The Town of Mississippi Mills provides a variety of recreation and leisure facilities and parks that support the participation in leisure, recreation and sport activities including:

3 community parks	4 outdoor rinks (winter)
10 neighborhood parks	2 single ice pad arena(s)
7 playgrounds	2 community centres
5 ball diamonds	1 Skateboard Park
9 soccer fields	1 Curling Rink
1 Lawn Bowling Club	1 Historical School House
3 tennis courts	2 beaches
4 basketball courts	1 outdoor running track

### Other Non-Municipal Facilities

Residents of the Town of Mississippi Mills currently enjoy the use of the Carleton Place Pool where Mississippi Mills residents qualify for resident rates. The pool offers: Standard First Aid/CPR "C" certifications, lifeguard training & children swimming lessons, aquafit classes & masters swim program. There are also school board properties in Town that provide recreational opportunities. The Almonte & District High School, R. Tait MacKenzie Public School, Pakenham Public School & Naismith Public School allow the Recreation and Culture Department the use of the school facilities to conduct programs throughout the school year.

### DRAFT LIST – RELATED STUDIES

The following list is an indication of the available studies and plans which may be chosen for inclusion in the Parks and Recreation Master Plan Study:

1. 2000 Town of Mississippi Mills Operational Review.
2. 2012 Municipal Cultural Plan – Phase I – Cultural Mapping Project 2012
3. Town's Community Official Plan
4. Community Conversations I (2010) and II (2011)



# PORT COLBORNE

CITY OF PORT COLBORNE

## PROJECT NO. 2018-10 REQUEST FOR PROPOSAL

Qualification of Consulting Services  
Parks and Recreation Master Plan

### ADDENDUM 1

Date Issued: October 9, 2018

**1. DIRECTIVE:**

This addendum shall form an integral part of the Request for Proposal for the above project and shall be read in conjunction therewith. This addendum shall, however, take precedence over all requirements of the previously issued Request for Proposal if there proves to be any variance, unless otherwise clarified by the City Representative.

**2. REVISION:**

The City of Port Colborne is amending Attachment "A" (Schedule) of the Request for Proposal for the above project. The effect of the amendment is to extend the 50% and 100% project submission timelines. The Successful Proponent will have until March 29, 2019 to submit the completed project to City staff.

### ATTACHMENT "A" SCHEDULE

The following key dates listed are targeted as ones that will move this project forward.

**The 100% Submission to City Staff must be completed by March 29, 2019.\***

Action	Date (Approximate)
RFP Closing Date	October 23, 2018
Staff Report to Council RFP Award	November 12, 2018

Project Start-Up	November 26, 2018
50% Completion-submission to City Staff	February 15, 2019
<b>100% Submission to City Staff</b>	<b>March 29, 2019</b>

**\*Note:** any and all other references to project timelines in the Request for Proposal document are deemed to have been replaced with the above noted schedule.

**3. ACKNOWLEDGEMENT:**

This addendum must be signed by the Proponent in the appropriate space (below) and must be attached to the back of the Proposal and placed in the **ENVELOPE 1** for submission. **Proposals not including this addendum signed as requested shall be rejected as informal.**

Name of Proponent: \_\_\_\_\_

Proponent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The Corporation of the City of Port Colborne

By-Law no. 6631/86/18

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 November 26, 2018

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 Regular Meeting of November 26, 2018 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 except where the approval of the Ontario Municipal Board is required, in which case the effective date shall be the day after the approval of the Ontario Municipal Board is obtained or such other day as the Ontario Municipal Board may order; 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 26th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk



**City of Port Colborne  
Special Council Meeting 26-18  
Minutes**

**Date:** November 13, 2018  
**Time:** 5:30 p.m.  
**Place:** Committee Room 3, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)  
J. Mayne, Councillor

Absent: D. Elliott, Councillor (due to a work commitment)

**Staff Present:** D. Aquilina, Director of Planning and Development  
S. Hanson, Manager of By-law Services  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

Nil.

**3. Confirmation of Agenda:**

**No. 158** Moved by Councillor B. Butters  
Seconded by Councillor R. Bodner

That the agenda dated November 13, 2018 be confirmed, as  
circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Nil.

**5. Council in Closed Session:****Motion to go into Closed Session – 5:30 p.m.:**

**No. 159** Moved by Councillor Y. Doucet  
Seconded by Councillor A. Desmarais

That Council do now proceed into closed session in order to address the following matter(s):

- a) Minutes of the closed portion of the following Council meeting: September 24, 2018
- b) Planning and Development Department, By-law Enforcement Division Report 2018-144, concerning an update with respect to ongoing property investigations, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED.

**Motion to Rise With Report – 6:16:**

**No. 160** Moved by Councillor Y. Doucet  
Seconded by Councillor A. Desmarais

That Council do now rise from closed session with report at approximately 6:16 p.m.

CARRIED.

**6. Disclosures of Interest Arising From Closed Session:**

Nil.

**7. Report/Motions Arising From Closed Session:**

- (a) Planning and Development Department, By-law Enforcement Division Report 2018-144, concerning an update with respect to ongoing property investigations, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

The Deputy Clerk reported that direction was provided to staff during closed session in accordance with the *Municipal Act, 2001*.

**8. Adjournment:**

**No. 161** Moved by Councillor A. Desmarais  
Seconded by Councillor Y. Doucet

That the Council meeting be adjourned at approximately  
6:17 p.m.  
CARRIED.

---

John Maloney  
Mayor

---

Carrie McIntosh  
Deputy Clerk

CM/

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**City of Port Colborne  
Regular Council Meeting 27-18  
Minutes**

**Date:** November 13, 2018

**Time:** 8:38 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)  
J. Mayne, Councillor

Absent: D. Elliott, Councillor (due to a work commitment)

**Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
N. Halasz, Manager of Parks and Recreation  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)  
P. Senese, Director of Corporate Services  
S. Shypowskyj, Acting Director of Engineering and Operations

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

**Withdrawn:**

By-law No. 6627/82/18, being a by-law to adopt an Interim Control By-law for all lands within the City of Port Colborne was withdrawn due to the amendment of the recommendation during the Committee of the Whole meeting. The remaining by-laws were renumbered to suit.

**3. Confirmation of Agenda:**

**No. 162** Moved by Councillor B. Butters  
Seconded by Councillor B. Kenny

That the agenda dated November 13, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Adoption of Minutes:**

**No. 163** Moved by Councillor R. Bodner  
Seconded by Councillor F. Danch

- (a) That the minutes of the regular meeting of Council 25-18, October 9, 2018, be approved as presented.

CARRIED.

6. **Determination of Items Requiring Separate Discussion:**

Nil.

7. **Approval of Items Not Requiring Separate Discussion:**

**No. 164** Moved by Councillor F. Danch  
Seconded by Councillor B. Kenny

- That items 1 to 12 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.

CARRIED.

**Items:**

1. **Corporate Services Department, Finance Division, Report 2018-148,  
Subject: Port Colborne Welland LINK Proposed Bus Schedule Change**

Council resolved:

That the Port Colborne Welland LINK bus schedule change to accommodate the pilot project of providing two (2) additional trips, one early morning and one later evening, and the 15 minute change to the current arrival and departure times for the transit service as described in Corporate Services Department, Finance Division Report 2018-148, be approved, effective January 1, 2019.

That the pilot project be funded from the Operating Transit Reserve Fund.

2. **Corporate Services Department, Finance Division, Report 2018-146,  
Subject: Welland Transit Renewal Agreement for Port Colborne Transit Services**

Council resolved:

That the renewal of the Transit Agreement with Welland Transit for Transit Services be approved for a two-year term to March 31, 2020.

That the City Clerk and the Mayor be authorized to execute the Transit Agreement.

**3. Corporate Services Department, Finance Division, Report 2018-147, Subject: Cancellation, Reduction or Refund of Realty Tax**

Council resolved:

That the applications pursuant to Section 357/358 of the Municipal Act, 2001, as amended, 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) be approved to cancel or reduce taxes in the total amount of \$2,796.15.

**4. Engineering and Operations Department, Engineering Division, Report 2018-149, Subject: Tendering for Project 2018-03, Water Meter & Meter Chamber Installations (Two Locations)**

Council resolved:

That Project 2018-03, Water Meter and Meter Chamber Installations (Two Locations), be awarded to V. Gibbons Contracting Ltd. of Stevensville, Ontario for the total tendered contract price of \$210,423.50 plus applicable taxes.

That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared.

That funding for Project 2018-03 be financed under the 2018 Water Capital Budget.

**5. Community and Economic Development Department, Parks and Recreation Division, Report 2018-145, Subject: Annual Lighted Santa Claus Parade – Road Closures and Parking Restrictions**

Council resolved:

1. That the road closures necessary for the Annual Lighted Santa Claus Parade event on Saturday, December 1, 2018, as outlined in Community and Economic Development, Report 2018-145, be approved;
2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging:
  - Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and
  - Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and

- Fielden Avenue, at the western limit of Delhi Street.
3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging and to provide for a safe viewing area of the parade:
    - Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;
    - West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and
    - Charlotte Street, from the western limit of Elm Street to the eastern limit of West Street.
  
  4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 1, 2018, to restrict through traffic onto the parade route:
    - North and west intersections of Steele Street and Elgin Street;
    - East intersection of Steele Street at Carter Street;
    - East intersection of Steele Street at Park Street;
    - East intersection of Steele Street at Tugboat Lane;
    - West and south intersections of Steel Street and Clarence Street;
    - North and south intersections of Fielden Avenue at Clarence Street;
    - North and south intersections of Elm Street at Clarence Street;
    - North and south intersections of Catharine Street at Clarence Street;
    - North and south intersections of King Street at Clarence Street;
    - North and east intersections of West Street at Clarence Street;
    - South intersection of West Street at Charlotte Street;
    - North and south intersections of King Street at Charlotte Street; and
    - East and north intersections of Charlotte Street and Catharine Street.
  
  5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;
  
  6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the parade route.

**6. Planning and Development Department, By-law Enforcement Division, Report 2018-143, Subject: Accessible Parking – Charlotte Street**

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Council resolved:

That By-law 4310/146/02, Being a by-law to regulate on and off street parking for persons with disabilities, be further amended by adding to Schedule "I" the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime

**7. Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries**

Council resolved:

That consideration of a of 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 be deferred to a Committee of the Whole meeting during the first quarter of 2019 and that direction be provided to the Director of Planning and Development to provide Council with further education about the information contained in the presentations provided with respect to the quarry.

**8. Planning and Development Department, Planning Division, Report 2018-142, Subject: Cannabis Dispensary and Production**

Council resolved:

That staff be directed to undertake a study of the City's Official Plan policy, Zoning By-law standards and regulations and implementation procedures pertaining to medical and retail cannabis production and report back to Council with recommendations.

That an Interim Control By-law, pursuant to Section 38 of the *Planning Act*, be approved for a period of up to one year, prohibiting medical and retail cannabis production on all properties in the City.

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and that the Notice of Decision required by the *Planning Act*, R.S.O. 1990, as amended, be processed by staff.

**9. Planning and Development Department, Planning Division, Report 2018-150, Subject: Recommendation Report for Zoning By-law Amendment D14-03-18, 1937 Brookfield Road**

Council resolved:

That the Zoning By-law Amendment, attached to Planning and Development Department, Planning Division Report 2018-150 as Appendix B, be approved rezoning the land from "Agricultural" to AR-49" and "Agricultural Purposes Only".

**10. Memorandum from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism**

Council resolved:

That the memorandum received from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism, be received for information; and

That the Chief Administrative Officer be directed to:

- Create a mandate for this group as a task force similar to the East Village, called the Chief Administrative Officer's Working Group on Community Wellness
  - Membership would include:
    - Minimum two city councillors
    - One representative from each BIA
    - One representative from the NRP
    - One representative from Port Cares
    - One business representative – currently Fred Davies
    - One member of the public – currently Rick Osborne
    - Membership of the East Village Task Force

That once the group is established, it be directed to:

- Send a letter to the Police Services Board inviting them back to Port Colborne to hold a future board meeting.
- Arrange for an expression of interest for closed circuit television monitoring in the downtown area and beyond.
- Arrange for an expression of interest for private security officers.
- Establish a Community Watch Program.

**11. Region of Niagara, Linking Niagara Transit Committee Session Re: Universal Support Person Pass/Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Financial Impact Analysis**

Council resolved:

That the correspondence received from the Region of Niagara, Linking Niagara Transit Committee Session, Re: Universal Support Person Pass, Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Impact Analysis, be received for information.

**12. Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport**

Council resolved:

That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport, be received for information.

CARRIED.

**8. Consideration of Items Requiring Separate Discussion:**

Nil.

**9. Proclamations:**

Nil.

**10. Minutes of Boards, Commissions & Committees:**

**No.165** Moved by Councillor Y. Doucet  
Seconded by Councillor J. Mayne

- (a) That the minutes of the Port Colborne Transit Advisory Committee meetings of May 23, 2018 and September 26, be received.
- (b) That the minutes of Port Colborne Public Library Board meeting of September 11, 2018, be received.
- (c) That the minutes of the Canal Days Advisory Committee meetings of July 18, 2018 and September 19, 2018, be received.
- (d) That the minutes of the Port Colborne Active Transportation Committee meeting of September 17, 2018, be received.

CARRIED.

**11. Consideration of By-laws:**

**No. 166** Moved by Councillor B. Kenny  
Seconded by Councillor F. Desmarais

That the following by-laws be enacted and passed:

- 6622/77/18 Being a by-law to authorize entering into a franchise agreement between the Corporation of the City of Port Colborne and Enbridge Gas Distribution Inc.
- 6623/78/18 Being a by-law to authorize entering into a transit agreement (renewal) with the Corporation of the City of Welland – Transit Division, for the Local Community Bus and the Link to Welland
- 6624/79/18 Being a by-law to authorize entering into a contract agreement with V. Gibbons Contracting Ltd. Re tender 2018-03, Water Meter and Meter Chamber Installations
- 6625/80/18 Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the Annual Lighted Santa Claus Parade
- 6626/81/18 Being a by-law to amend By-law no. 4310/46/02, Being a by-law prescribing on and off street parking for persons with disabilities within the City of Port Colborne
- 6627/82/18 Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as part lot 10, concession 2, municipally known as 1937 Brookfield Road
- 6628/83/18 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 November 13, 2018

CARRIED.

**12. Adjournment:**

**No. 167** Moved by Councillor F. Danch  
Seconded by Councillor B. Butters

That the Council meeting be adjourned at approximately 8:43 p.m.

CARRIED.

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John Maloney  
Mayor

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Carrie McIntosh  
Deputy Clerk

CM/