

**City of Port Colborne
Regular Meeting of Committee of the Whole 20-18
Tuesday, October 9, 2018 – 6:30 p.m.
Council Chambers, 3rd 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 19-18, held on September 24, 2018.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**

Nil.
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, October 22, 2018	Cancelled due to Municipal Election
Tuesday, November 13, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, November 26, 2018	Committee of the Whole/Council – 6:30 P.M.
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.

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.	<u>Corporate Services Department, Finance Division, Report 2018-141, Subject: 2017 Audited Financial Statements</u> That the 2017 draft audited Financial Report for the year ended December 31, 2017 be approved.	5
JDM BB RB AD FD YD DE BK JM	2.	<u>Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries</u> 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.	79
JDM BB RB AD FD YD DE BK JM	3.	<u>Planning and Development Department, Planning Division, Report 2018-107, Subject: Railway Station Interpretive Board Funding Request</u> That staff be directed to fund up to \$1,750 towards the creation and installation of an interpretive board for the former Canadian National Railway station on King Street from the 2018 Heritage Port Colborne budget.	101
Miscellaneous Correspondence			
JDM BB RB AD FD YD DE BK JM	4.	<u>Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne Re: Request for Poppy Week, October 26th – November 11th, 2018</u> That October 26th – November 11th, 2018 be proclaimed as “Poppy Week” in the City of Port Colborne in accordance with the request received from Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne.	113

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JDM AD DE	BB FD BK	RB YD JM	5.	<p><u>Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay</u></p> <p>That the correspondence received from Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay, be received for information.</p>	115
JDM AD DE	BB FD BK	RB YD JM	6.	<p><u>Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report to Council, April 1 to June 30, 2018</u></p> <p>That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report, April 1 to June 30, 2018, be received for information.</p>	117
JDM AD DE	BB FD BK	RB YD JM	7.	<p><u>Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018), be received for information.</p>	135
JDM AD DE	BB FD BK	RB YD JM	8.	<p><u>Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018)</u></p> <p>That the correspondence received from the Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018), be received for information.</p>	145
Outside Resolutions – Requests for Endorsement					
JDM AD DE	BB FD BK	RB YD JM	9.	<p><u>City of St. Catharines Re: The Right of Passage</u></p> <p>That the resolution received from the City of St. Catharines in support of the resolution from the Town of Fort Erie Re: The Right of Passage, be received for information.</p> <p>Note: At its meeting of September 10, 2018 Council supported the above resolution.</p>	151
Responses to City of Port Colborne Resolutions					
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.



Report Number: 2018-141

Date: October 9, 2018

SUBJECT: 2017 Audited Financial Statements

1) PURPOSE

The purpose of this report is to provide the 2017 Financial Report for approval by Council.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Each year, the City's appointed audit firm, Grant Thornton, plans and completes the audit of the City of Port Colborne's financial records. City finance staff prepare all year-end working papers for the auditor, including all accounting of assets, liabilities, revenues and expenditures. When the audit is complete, Grant Thornton prepares a draft financial report for review by the Treasurer and CAO. The Draft Financial Report (Financial Statements) is presented to Council.

3) STAFF COMMENTS AND DISCUSSION

The consolidated Financial Statements are prepared in accordance with Canadian Generally Accepted Accounting Principles as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants (section 294.1, *Municipal Act*).

The draft audited Financial Statements are attached to this report and presented in draft format prior to the official signing and release of the Financial Report by the City's Auditors, Grant Thornton, pending Council approval. Once approved by Council, the Financial Statements will be put on the City's web site for public viewing. A notice will be published in the local newspaper that the 2017 financial report is available to the public (section 295(1), *Municipal Act*).

In addition to the Financial Report, staff prepare the Financial Information Return (FIR) which is a statutory report filed with the Ministry of Municipal Affairs and Housing annually. Copies of the FIR and the Financial Report are available on request, free of charge (section 295(2), *Municipal Act*). The 2017 FIR has been submitted to the Ministry and both reports will be available on the City's web site for public viewing.

The 2017 Financial Statements are in compliance with the full accrual accounting method and reports the 2016 comparative financial information. The reporting includes the budgeted amounts, as audited, in comparison to the actual results and Council's adopted budget.

The Financial Statements recognize all tangible capital assets on the Consolidated Statement of Financial Position (balance sheet) and the recognition of amortization of assets as an expense on the Consolidated Statement of Operations (income statement). Capital

expenditures are removed from the Statement of Operations and replaced by amortization expense. Specifically, depreciable tangible capital assets are to be written off over their expected useful life rather than expensing a capital asset in the year of purchase.

In addition, the Financial Statements report the results from adjustments to unfunded liabilities such as interest accruals, long term debt, Workplace Safety & Insurance Board (WSIB) and employee future benefits which are part of the Accumulated Surplus. These items are not required to be funded by current accounting regulations, but represent a future cost to the City that Financial Statement readers should be aware of and are required to be reported by PSAB regulations.

Accumulated surplus (Note 10 to the Financial Statements) is comprised of all the accumulated surpluses and deficits of the City's operating funds (including General, Water and Wastewater capital funds). It includes reserves and reserve funds, investment in tangible capital assets, operating surplus and deficits of consolidated agencies that are included in the Financial Statements (Library Board, Downtown Development Board Business Improvement Area (BIA), Main Street BIA, and Niagara Central Airport Commission) and unfunded liabilities (long term debt and employee benefit obligations).

The reserves and reserve funds are shown in Note 11 to the Financial Statements and are encumbered for specific purposes.

Accumulated surplus primarily consists of the City's investment in Tangible Capital Assets which represents the unamortized cost of the assets which will be reported as an expense in the future through amortization over their useful lives.

The Consolidated Statement of Financial Position is consolidated showing Net Financial Assets (Net Debt) and Non-Financial Assets to report the overall financial position of the City as Accumulated Surplus which is detailed in Note 10 to the Financial Statements. The Accumulated Surplus is primarily made up of the Tangible Capital Assets and reserve fund allocations and is not available for distribution to ratepayers.

The Consolidated Statement of Operations is reported on a consolidated basis with budget comparisons. As noted above, this statement does not include capital expenditures as they have been capitalized and will be amortized over their useful life with the annual amortization expensed to this statement. This statement summarizes the revenues and expenses that have occurred throughout the reporting period. It then records any revenue related to Tangible Capital Assets for the current annual surplus (deficit).

The Consolidated Statement of Cash Flows illustrates the effects operations, capital asset purchases and debt proceeds/payments have on the cash position of the municipality. The Consolidated Statement of Changes in Net Financial Assets (Net Debt) provides a reconciliation of the annual surplus to the change in Net Financial Assets (Net Debt).

2017 Financial Report

The Consolidated Statement of Financial Position (Balance Sheet) provides for accounting policies and balances as follows:

- a) Employee benefit obligations for vested sick leave, WSIB and post-employment benefits are accounted for by an actuarial valuation and shown on the balance sheet as a liability. The sick leave benefits are partially funded by a reserve, which was increased from \$36,118 to \$37,009 in 2017, and is currently under funded. The WSIB and post-retirement benefits are funded on a current year basis. This unfunded liability amounts to \$8,264,700 (2016 - \$8,042,000) (Note 8 to the Financial Statements) and reduces the Accumulated Surplus. The valuation was updated in 2015 for retirement benefits and 2016 for WSIB, as required every 3 years.
- b) Deferred Revenues are revenues collected under the Development Charges Act, recreational land (Parks) and Federal Gas Tax Revenues for development purposes and shown on the balance sheet as a liability. This amounts to \$423,919 (2016 - \$321,237) (Note 5 to the Financial Statements). These revenues are brought into income as expenditures are incurred.
- c) The City's unfunded long term debt amounts to \$24,441,445 (2016 - \$11,742,073) (Note 7 to the Financial Statements) which includes outstanding debentures and capital lease obligations under full accrual accounting. All principal debt payments are no longer expensed and are applied directly to the debt payable. Previously this amount was reported as an amount to be recovered in the future. As it is unfunded, long term debt is a reduction of the Accumulated Surplus.

In addition, the City incurred a construction loan to finance the Nickel Street Area Storm Sewers, Water Meter Replacements and Marine Mobile Lift pending the issuance of the debenture in 2018. This amounted to \$5,245,000 (2016 - \$7,437,000 for the Operations Centre) of the approved debenture of \$6,145,000 (Note 6 to the Financial Statements).

- d) The City's cash amounted to \$1,824,458 (2016 - \$1,439,226) and a bank indebtedness of \$NIL. Investments amount to \$12,232,721 (2016 - \$12,132,914) which includes GICs increased from the sale of the investment in NRBN (Note 3 to the Financial Statements). Taxes receivable amounted to \$2,511,093 (2016 - \$2,266,802) and user charges (water/wastewater) receivable amounts to \$1,857,162 (2016 - \$1,801,174). Other receivables include grants, other receivables and drains receivable amounting \$3,385,866 (2016 - \$2,893,670).

All of the above assets and liabilities are based on cash or readily available cash required to pay for liabilities which amount to a Net Financial Debt position of the municipality being \$26,694,987 (2016 - \$13,571,787). This debt position is attributed to the long term debt and employee benefit obligations which will require future cash flow. This is a measure of the resources that the City has to finance future operations. The Non-Financial Assets are primarily the Tangible Capital Assets and amount to \$139,395,207 (2016 - \$125,937,648)

which is the net book value of assets (cost less accumulated amortization) based on historical costs. The Accumulated Surplus of \$113,315,952 (2016 - \$113,315,587) represents the net financial assets of the City including the City's Tangible Capital Assets and is detailed in Note 10 to the Financial Statements as described previously in the report. This represents the net resources (both financial and physical) which are not readily available for spending as the majority of its value is non-financial capital assets that the City has to provide City services.

The accumulated surplus represents Port Colborne's net financial position and its ability to meet the current and future needs of the community.

The Consolidated Statement of Operations (Income Statement) reports the annual surplus/deficit from operations during the accounting period. It is a summary of the sources, allocation and use of financial resources throughout the reporting period.

This statement, under PSAB standards:

- does not include transfers to/from reserves and capital (as budgeted) as they are not considered as a source of revenue/expense for municipal activities.
- capital expenditures are not included as expenses but are capitalized. It is the amortization expense (not budgeted) of capital assets which are included as a non-cash expense on the statements.
- grants or cash raised for the purpose of purchasing capital assets are included in revenues and not allocated to the purchase of the asset. The expenditure is the amortization of the asset over its useful life.
- capital projects, such as drains, benefitting and assessed to landowners which were previously reported as unfunded capital until collected are shown as a receivable on the Statement of Financial Position.

The Financial Statements show an Annual Accounting Surplus in 2017 of \$365 (2016 - \$3,039,687) and is equal to the annual excess of revenues over expenses for the year and is related primarily to capital grants and revenues. The revenues raised during the year covered the cost of services provided, including the annual cost of using capital assets to provide those services and the funding of capital assets through grants. As this annual deficit or surplus takes into account amortization of assets, loss on sale of assets and does not consider the acquisition of capital assets and principal debt payments, this surplus is not indicative of the operational surplus/deficit in any given year.

In 2017, the City experienced an overall cash deficit in general operations in the amount of \$64,166. Various revenues exceeding budget and expenditures being under budget created variances within the accounts for both surpluses and/or deficits throughout the department budgets. Some significant expenses that were over budget and contributed to the deficit included legal fees of \$42,286 and insurance claims of \$94,136. Staff recommend that the 2017 general operating cash deficit be funded from the following reserves to cover 2017 operating expenses and/or not fund certain reserves as budgeted for in 2017. \$10,000 budgeted annually for traffic safety studies (\$50,000 is currently in reserve), \$8,000 from the traffic signals reserve to cover the cost of solar flash beacons, \$6,850 from the computers reserve to cover computer capital purchases in operations, \$5,316 budgeted annually for

bridge maintenance inspections (\$25,000 is currently in reserve) and \$27,500 from the marina capital reserve to cover the insurance deductible cost of the renovations.

The following funds were transferred from 2017 operations to specific reserves for future expenditures as such funds were received or budgeted for in 2017 but will not be expended until 2018 or future years:

• Human Resources	\$	20,500 – consultant budgeted 2017
• Physician Recruitment	\$	31,066 – budgeted
• Fire	\$	11,864 – Equipment per budget
• Fire	\$	103,922 – Firefighter retro pays
• Fire	\$	5,472 – Smoke Alarm Program
• Fire	\$	20,000 – Communications upgrades
• City Hall	\$	44,000 – generator
• Corporate Services	\$	40,000 – Records Mgmt Project budgeted
• Corporate Services	\$	68,246 – Finance System/Asset Mgmt
• Administration	\$	91,000 – wages per budget
• Legal	\$	38,000 – Property matters
• General capital	\$	27,555 – per budget
• Election	\$	25,000 – Election in 2018
• Engineering	\$	5,041 – Computer Software
• East Village	\$	2,500 – NRP donation
• Goderich Property	\$	85,000 – per maintenance agreement
• Goderich Elevators	\$	27,625 – revenues per budget
• Computers	\$	15,875 – per budget (net)
• Wastewater Equipment	\$	3,534 – unspent capital funds
• Wastewater	\$	59,808 – rate stabilization
• Water Meter Replacements	\$	83,196 - funding for capital project in 2016/17
• Airport Commission	\$	20,000 – contingency capital
• Drains	\$	22,911 – budgeted for City properties
• Public Works/Parks	\$	91,115 – various projects completion in 2018
• Public Works/Parks	\$	247,853 – Equipment Replacement
• Trails	\$	23,946 – PTIF grant
• Playground Equipment	\$	73,200 – Rose Shymansky Playground
• Planning	\$	6,249 – Development Charge Study
• Planning	\$	30,963 – CIP Incentives program
• Building	\$	21,000 – surplus per legislation
• Community Services	\$	46,000 – community events
• Museum	\$	2,487 – Welland Canal Exhibit
• Museum	\$	5,434 – Bequests/donations
• Cultural Block	\$	3,000 – museum/library
• Roselawn	\$	9,985 – fees collected for capital works
• Roselawn	\$	126,728 – capital funds budgeted
• Vale H&W Centre	\$	137,610 – sponsorships for debt payments
• Economic Development	\$	2,998 – remaining funds from EDO Strategy
• Economic Development	\$	8,704 – Active Transport Needs Assess

- Niagara South Coast Tourism \$ 9,000 – unspent funds in 2017
- Marina \$ 13,566 – LED lights on main run
- Marina \$ 50,000 – per budget
- Employee Benefits \$ 110,000 – Greenshield funds refunded
- Land Sales \$ 2,891 – surplus land sales
- WSIB \$ 83,012 - surplus of claims and premiums
- Skatepark Debt \$ 12,000 - sponsorships for debt payments
- Library \$ 1,477 – WSIB
- Library \$ 32,374 – Capital projects
- Library \$ 5,521 – Bequests/donations
- New Operations Centre Debt \$ 495,000 – ongoing project
- Operations Centre Construction \$ 235,369 – completion of construction
- Operations Centre Capital \$ 167,798 – future capital
- Debenture Debt \$ 44,260 – future debt

The following funds were transferred from 2017 reserves to operations/capital for 2017 expenditures budgeted in 2017 or budgeted in previous years:

- Human Resources \$ 17,102 – consultant budgeted 2017
- Tourism Centre \$ 10,176 – Main St Clock
- SCADA Water Study \$ 29,123 – ongoing program
- Wastewater Capital \$ 1,113,000 – fund Elm St Watermain project
- CSO Sewer Maintenance \$ 717,303 - fund Elm St Watermain project
- Administration \$ 94,965 – wages per budget
- Airport Commission \$ 4,571 – Environmental assessment
- Public Works/Parks \$ 29,373 – various projects completed in 2017
- City Hall \$ 9,294 – carpeting/painting
- Sidewalks \$ 16,466 – projects completed in 2017
- Corporate Services \$ 70,687 – Finance System/Asset Mgmt
- Grants \$ 30,000 – annual grant program
- Goderich Property \$ 57,146 – per agreement
- Museum \$ 2,955 – Equipment/building
- Fire \$ 28,628 – Vol FF Recruitment
- Environmental Initiatives \$ 4,000 – committee projects
- Physician Recruitment \$ 34,000 – recruitment
- Community Services \$ 49,871 – community events
- Marina \$ 27,500 – LES Grant renovations ins deductible
- Marina \$ 15,622 – various projects completed
- Marina \$ 34,460 – condition study/dredging consultant
- Library \$ 21,753 – budget stabilization (wages)
- Traffic Signals \$ 31,245 – Pedestrian Walk Main St
- Vale Centre Debt \$ 343,817 – payment of debenture
- Vale Centre \$ 28,653 – community room improvements
- New Operations Centre Debt \$ 108,378 – ongoing project
- Employee Benefits \$ 80,029 – per budget/wages benefits

A total of \$2,951,655 transferred into reserves and reserve funds and \$3,010,117 were transferred out of reserves and reserve funds for capital and/or operations projects.

Currently, there is \$5,485,976 (2016 - \$3,023,822) included in the overall operating deficit due to projects not funded in the past but are to be recovered in the future through other sources of revenue such as sale of specific property, taxation, grants, debentures and matured debentures. These Unfunded Capital Projects are attached in Schedule "C".

The Consolidated Statement of Changes in Net Financial Assets/Debt reports the City's financial activities during the year by way of the Annual Surplus (Deficit) and eliminates all non-financial activity such as amortization, write down of Tangible Capital Assets, acquisition and disposals of Tangible Capital Assets, gain/loss on sale of capital assets and prepaid expenses from the Statement of Operations. This measures the increase or decrease in net financial assets/debt which represents the City's ability to pay for its liabilities and provide the resources for the City to finance future operations. In 2017, the increase in net debt was \$13,123,200 (2016-the increase in net debt was \$7,132,642) and amounts to a net debt of \$26,694,987 (2016 - \$13,571,787) as at December 31, 2017. As stated previously, this is mainly due to future employee benefit obligations and the long term debt of debentures net of the City's financial assets.

The Consolidated Statement of Cash Flows explains how the City financed its activities and met its cash requirements resulting in a change in cash over the reporting period. It provides for changes in activities from operations, capital, financing and investing. It displays a net increase in cash of \$385,232. This results from a net change in operations of cash amounting \$8,705,299, net acquisition in capital assets of \$18,950,332, a net increase of debt of \$10,730,072 and an increase in investments of \$99,807. Cash and cash equivalents amount to \$1,824,458 (2016 - \$1,439,226) at the end of the year.

The Consolidated Schedules of Tangible Capital Assets for 2017 and 2016 year ends are on pages 29 and 30 of the Financial Report. These schedules provide information on the gross costs, additions/disposals, amortization and net book value of the City's assets. The classes of assets include: land, land improvements, buildings, vehicles, furniture/equipment, infrastructure and construction in process. The net book value of the capital assets is \$139,395,207 as compared to 2016 for \$125,937,648.

The Consolidated Schedules of Segment Disclosure (pages 31 to 34 in the Financial Report) reports revenues and expense amounts that are directly related to the segment. The segments that are reported for disclosure of services are: General, Water, Wastewater and Port Colborne Public Library Board. Segmented information as required under PSAB is described in Note 26 to the Financial Report. The City provides for a wide range of services that reflect the way in which the operations are managed. City expenses are reported by function in the Statement of Operations such as: General Government, Protection to persons/property, Environmental, Transportation, Recreation and Cultural and Planning/Development.

Auditor's Report

The City's Auditor, Grant Thornton, has concluded an audit of the records of the Corporation and has issued an unqualified audit opinion on the financial statements for 2017. This means that there were no significant internal financial control weaknesses or material errors noted during the audit and the financial statements are free of material misstatement; the financial statements present fairly the financial position of the City of Port Colborne as at December 31, 2017.

The "Report to Council - Communication of Audit Results" is provided to Council as Schedule "B", with the December 31, 2017 draft audited Financial Report. This report is addressed to Members of Council from Grant Thornton to communicate such matters as the audit results and reportable matters they believe should be brought to Council's attention.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

No financial impact.

5) COMPLIANCE WITH STRATEGIC PLANNING INITIATIVES

Not applicable.

6) ATTACHMENTS

- Schedule "A" - The 2017 Draft Financial Report.
- Schedule "B" - Report to Council - Communication of Audit Results from Grant Thornton
- Schedule "C" - Unfunded Capital Projects

7) RECOMMENDATION

That the 2017 draft audited Financial Report for the year ended December 31, 2017 be approved.

8) SIGNATURES

Prepared on September 25, 2018 by:



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Financial Report

City of Port Colborne

December 31, 2017

DRAFT

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City of Port Colborne

Consolidated Statement of Financial Position

As at December 31

2017

2016

Financial assets

Cash and cash equivalents (Note 2)	\$ 1,824,458	\$ 1,439,226
Portfolio investments (Note 3)	12,232,721	12,132,914
Taxes receivable	2,511,093	2,266,802
User charges receivable	1,857,162	1,801,174
Other receivables	<u>3,385,866</u>	<u>2,893,670</u>
	<u>21,811,300</u>	<u>20,533,786</u>

Liabilities

Payables and accruals	9,089,647	5,453,189
Other liabilities	1,041,576	1,110,074
Deferred revenue (Note 5)	423,919	321,237
Construction loan (Note 6)	5,245,000	7,437,000
Long term debt (Note 7)	24,441,445	11,742,073
Employee benefit obligations (Notes 8 and 17)	<u>8,264,700</u>	<u>8,042,000</u>
	<u>48,506,287</u>	<u>34,105,573</u>

Net debt

(26,694,987) (13,571,787)

Non-financial assets

Tangible capital assets (Note 9 and Pages 29 and 30)	139,395,207	125,937,648
Prepaid expenses	<u>615,732</u>	<u>949,726</u>
	<u>140,010,939</u>	<u>126,887,374</u>

Accumulated surplus (Note 10)

\$ 113,315,952 \$ 113,315,587

Contingencies (Note 21)

Approved by

Director of Corporate Services

Chief Administrative Officer

See accompanying notes to the consolidated financial statements.

City of Port Colborne

Consolidated Statement of Operations

For the Year Ended December 31, 2017

	Budget 2017 (Note 25)	Actual 2017	Actual 2016
Revenue			
Taxation (Note 12)	\$ 16,423,282	\$ 16,642,657	\$ 15,768,064
User charges (Note 14)	13,315,514	11,735,124	12,462,080
Government transfers (Note 15)	3,199,724	3,226,423	3,206,916
Other (Note 16)	832,371	1,145,180	979,943
	<u>33,770,891</u>	<u>32,749,384</u>	<u>32,417,003</u>
Expenses			
General government	3,753,224	4,171,476	3,711,835
Protection to persons and property	3,931,821	4,047,240	4,071,433
Transportation services	5,244,964	5,621,162	4,894,053
Environmental services	10,354,683	9,522,505	8,852,399
Health services	210,312	248,962	214,672
Social and family services	39,000	50,000	46,464
Recreation and culture services	7,828,758	8,248,298	7,994,237
Planning and development	2,156,709	1,952,906	2,065,641
	<u>33,519,471</u>	<u>33,862,549</u>	<u>31,850,734</u>
Net (expenses) revenues	<u>251,420</u>	<u>(1,113,165)</u>	<u>566,269</u>
Other			
Revenue related to tangible capital assets			
Government transfers (Note 15)	3,070,592	1,144,520	1,945,543
Other (Note 16)	10,000	229,725	449,397
(Loss) gain on disposal of tangible capital assets	-	(260,715)	78,478
	<u>3,080,592</u>	<u>1,113,530</u>	<u>2,473,418</u>
Annual surplus	3,332,012	365	3,039,687
Accumulated surplus (Note 10)			
Beginning of year	<u>113,315,587</u>	<u>113,315,587</u>	<u>110,275,900</u>
End of year	<u>\$ 116,647,599</u>	<u>\$ 113,315,952</u>	<u>\$ 113,315,587</u>

See accompanying notes to the consolidated financial statements.

City of Port Colborne
Consolidated Statement of Changes in Net Debt

For the Year Ended December 31, 2017

	Budget 2017 (Note 25)	Actual 2017	Actual 2016
Annual surplus	\$ 3,332,012	\$ 365	\$ 3,039,687
Amortization of tangible capital assets	5,230,110	5,232,058	5,012,765
Acquisition of tangible capital assets	(15,529,116)	(19,331,407)	(15,204,882)
Proceeds from sale of tangible capital assets	-	381,075	415,314
Loss (gain) on disposal of tangible capital assets	-	260,715	(78,478)
	(6,966,994)	(13,457,194)	(6,815,594)
Usage (acquisition) of prepaid expenses	-	333,994	(317,048)
Increase in net debt	(6,966,994)	(13,123,200)	(7,132,642)
Net debt			
Beginning of year	(13,571,787)	(13,571,787)	(6,439,145)
End of year	\$ (20,538,781)	\$ (26,694,987)	\$ (13,571,787)

See accompanying notes to the consolidated financial statements.

City of Port Colborne

Consolidated Statement of Cash Flows

For the Year Ended December 31

2017

2016

Increase (decrease) in cash and cash equivalents

Operating activities		
Annual surplus	\$ 365	\$ 3,039,687
Non-cash items		
Amortization of tangible capital assets	5,232,058	5,012,765
Loss (gain) on disposal of tangible capital assets	260,715	(78,478)
Increase in taxes receivable	(244,291)	(317,742)
Increase in user charges receivable	(55,988)	(390,384)
Increase in other receivables	(492,196)	(22,349)
Increase in payables and accruals	3,636,458	1,098,168
(Decrease) increase in other liabilities	(68,498)	503,284
Increase (decrease) in deferred revenue	102,682	(371,057)
Decrease (increase) in prepaid expenses	333,994	(317,048)
	<u>8,705,299</u>	<u>8,156,846</u>
Capital activities		
Proceeds from sale of tangible capital assets	381,075	415,314
Acquisition of tangible capital assets	(19,331,407)	(15,204,882)
	<u>(18,950,332)</u>	<u>(14,789,568)</u>
Financing activities		
Issue of construction loan	5,245,000	7,437,000
Repayment of construction loan	(7,437,000)	-
Issue of long term debt	14,230,000	296,000
Repayment of long term debt	(1,512,671)	(1,750,589)
Repayment of capital lease obligation	(17,957)	(17,609)
Increase in employee benefit obligations	222,700	181,321
	<u>10,730,072</u>	<u>6,146,123</u>
Investing activities		
Purchase of portfolio investments, net	(99,807)	(1,539,083)
Net increase (decrease) in cash and cash equivalents	385,232	(2,025,682)
Cash and cash equivalents (Note 2)		
Beginning of year	<u>1,439,226</u>	<u>3,464,908</u>
End of year	<u>\$ 1,824,458</u>	<u>\$ 1,439,226</u>

See accompanying notes to the consolidated financial statements.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

1. Significant accounting policies

Management responsibility

The consolidated financial statements of the City of Port Colborne ("Municipality") are the responsibility of and prepared by management in accordance with Canadian public sector accounting standards. The preparation of the consolidated financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The significant accounting policies used are as follows:

(a) Reporting entity

The consolidated financial statements reflect the financial assets, liabilities, non-financial assets, revenues, expenses and changes in accumulated surplus of the reporting entity. The reporting entity is comprised of all organizations and enterprises accountable for the administration of their affairs and resources to the Municipality and which are owned or controlled by the Municipality. In addition to general government tax-supported operations, they include the following:

Port Colborne Public Library Board
Port Colborne Downtown Development Board
Port Colborne Main Street Business Improvement Area

Interdepartmental and organizational transactions and balances are eliminated.

The following joint local board is proportionally consolidated:

Niagara Central Airport Commission (Joint Board)

Related party transactions are eliminated (Note 18).

The statements exclude trust assets that are administered for the benefit of external parties (Note 19).

(b) Basis of accounting

Sources of revenue and expenses are reported on the accrual basis of accounting. The accrual basis of accounting records revenues in the period they are earned and measurable and expenses in the period the goods and services are acquired and a liability is incurred.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

1. Significant accounting policies (continued)

(c) Cash and cash equivalents

Cash and temporary investments include cash on hand, balances with banks and guaranteed investment certificates that mature within one year.

(d) Portfolio investments

Portfolio investments are valued at the lower of cost and market value. Interest income is reported as revenue in the period earned.

(e) Deferred revenue

Receipts that are restricted by legislation of senior governments or by agreement with external parties are deferred and reported as restricted revenues. When qualifying expenses are incurred, restricted revenues are brought into revenue at equal amounts. Revenues received in advance of expenses that will be incurred in a later period are deferred until they are earned by being matched against those expenses.

(f) Employee future benefits

The present value of the cost of providing employees with future benefit programs is expensed as employees earn these entitlements through service.

(g) Contaminated sites liability

Contaminated sites are a result of contamination being introduced into air, soil, water or sediment of a chemical, organic or radioactive material or live organism that exceeds an environmental standard. The liability is recorded net of any expected recoveries. A liability for remediation of contaminated sites is recognized when a site is not in productive use and all the following criteria are met:

- an environmental standard exists;
- contamination exceeds the environmental standard;
- the Municipality:
 - is directly responsible; or
 - accepts responsibility;
- it is expected that future economic benefits will be given up; and
- a reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

1. Significant accounting policies (continued)

(h) Tangible capital assets

Tangible capital assets are recorded at cost. Cost includes all directly attributable expenses in the acquisition, construction, development and/or betterment of the asset required to install the asset at the location and in the condition necessary for its intended use. Contributed tangible capital assets are capitalized at their estimated fair value upon acquisition.

The Municipality does not capitalize interest as part of the costs of its capital assets.

Works of art for display in municipal property are not included as capital assets. The works of art are held for exhibition, educational and historical interest. Such assets are deemed worthy of preservation because of the social rather than financial benefits they provide to the community. The cost of art is not determinable or relevant to their significance. No valuation of the collection has been conducted or disclosed in the consolidated financial statements.

Leases are classified as capital or operating leases. Leases that transfer substantially all benefits incidental to ownership are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are charged to expenses as incurred.

Amortization is calculated on a straight-line basis to write-off the net cost of each asset over its estimated useful life for all classes except land. Land is considered to have an infinite life without amortization. Residual values of assets are assumed to be zero with any net gain or loss arising from the disposal of assets recognized in the consolidated statement of operations as "other revenue". Half-year amortization is charged in the year of acquisition and disposal. Assets under construction are not amortized until the asset is available for productive use.

Amortization is based on the following classifications and useful lives:

<u>Classification</u>	<u>Useful Life</u>
Land improvements	10-100 years
Buildings	20-50 years
Leasehold improvements	20-50 years
Vehicles	10-20 years
Office equipment and furniture and fixtures	5-10 years
Machinery and equipment	3-30 years
Infrastructure	10-100 years

(i) Subdivision infrastructure

Subdivision streets, lighting, sidewalks, drainage and other infrastructure are required to be provided by subdivision developers. Upon completion they are turned over to the Municipality and recorded as tangible capital assets. The Municipality is not involved in the construction.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

1. Significant accounting policies (continued)

(j) Revenue recognition

i) Taxation

Property tax billings are prepared by the Municipality based on assessment rolls issued by the Municipal Property Assessment Corporation ("MPAC"). Tax rates are established annually by Council, incorporating amounts to be raised for local services and amounts the Municipality is required to collect on behalf of the Province of Ontario in respect of education taxes. Realty taxes are billed based on the assessment rolls provided by MPAC. Taxation revenues are recorded at the time tax billings are issued.

A normal part of the assessment process is the issue of supplementary assessment rolls which provide updated information with respect to changes in property assessment.

Once a supplementary roll is received, the Municipality determines the taxes applicable and renders supplementary tax billings. Assessments of the related property taxes are subject to appeal. Any supplementary billing adjustments made necessary by the determination of such changes will be recognized in the fiscal year they are determined and the effect shared with the school boards, as appropriate.

ii) User charges

User charges are recognized when the services are performed or goods are delivered and there is reasonable assurance of collection.

iii) Government transfers

Government transfers include entitlements, transfers under shared cost agreements, and grants. Revenue is recognized for entitlements and grants in the period received. Revenue is recognized for transfers under shared cost agreements in the period the costs are incurred.

iv) Other

Other revenue is recorded when it is earned and collection is reasonably assured.

(k) Reserves for future expenses

Certain amounts, as approved by Municipal Council, are set aside in reserves and reserve funds for future operating and capital expenses.

(l) Local improvements

The Municipality records capital expenses funded by local improvement agreements as they are incurred. Revenues are recognized in the year they become payable.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

1. Significant accounting policies (continued)

(m) Region and school board transactions

The taxation, other revenues, expenses, assets and liabilities with respect to the operations of the school boards and the Region of Niagara are not reflected in the accumulated surplus of these consolidated financial statements.

(n) Use of estimates

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. Two areas in which management make estimates are with regards to an allowance for uncollectible taxes receivable and obligations for employee benefits.

2. Cash and cash equivalents	<u>2017</u>	<u>2016</u>
Cash on hand	\$ 3,950	\$ 3,950
Bank balances	<u>1,820,508</u>	<u>1,435,276</u>
	<u>\$ 1,824,458</u>	<u>\$ 1,439,226</u>

3. Portfolio investments

Guaranteed investment certificates carry an effective interest rate from 1.00% to 2.50% and maturity dates ranging from January, 2018 to December, 2020. Interest is receivable on maturity. Carrying value approximates market value.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

4. Bank indebtedness

An operating line of credit of \$ 4,000,000 has been established with the CIBC, of which \$ Nil (2016 - \$ Nil) was used at December 31, 2017. An executed borrowing by-law in form and content satisfactory to CIBC is in effect to a limit of \$ 4,000,000. Interest is calculated at prime minus 0.50%. Overdrafts outstanding under the line of credit are converted to a promissory note at the CIBC's request which has not been enacted.

5. Deferred revenue	<u>2017</u>	<u>2016</u>
Development Charges Act	\$ 221,219	\$ 215,898
Parkland	97,362	15,315
Federal gas tax	<u>105,338</u>	<u>90,024</u>
	<u>\$ 423,919</u>	<u>\$ 321,237</u>

The deferred revenue is made up of the following:

Balance, beginning of year	<u>\$ 321,237</u>	<u>\$ 692,294</u>
Contributions from		
Parkland	79,705	17,200
Interest earned	9,349	8,400
Gas tax grants received		
Federal	<u>570,065</u>	<u>560,148</u>
	<u>659,119</u>	<u>585,748</u>
Utilized for		
Tangible capital asset acquisitions	<u>(556,437)</u>	<u>(956,805)</u>
Balance, end of year	<u>\$ 423,919</u>	<u>\$ 321,237</u>

6. Construction loan

The City entered into an agreement with the Ontario Infrastructure and Lands Corporation ("OILC") to temporarily borrow money to finance capital expenditures relating to the Nickel Street area storm sewers for \$ 4,600,000, the water meter replacement project for \$ 300,000 and the marine mobile lift for \$ 345,000, to a maximum of \$ 6,145,000, pending the issue of debentures in 2018. The City is paying interest on the loan monthly at the OILC floating interest rate until the loan is replaced by debentures. Principal payments will begin once the debentures are issued.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

7. Long term debt 2017 2016

- (a) The balance of net long term debt reported on the consolidated statement of financial position is made up of the following:

The Municipality has assumed responsibility for the payment of principal and interest charges on certain long term debt issued by the Region of Niagara. At the end of the year, the outstanding principal amount of this debt is	\$ 24,425,931	\$ 11,708,601
Capital lease obligations	15,514	33,472
Net long term debt	<u>\$ 24,441,445</u>	<u>\$ 11,742,073</u>

- (b) The net long term debt:

Debenture Number	Purpose	Interest Rates	Maturity Dates	<u>2017</u>	<u>2016</u>
74-2003	Marina Pavilion/ Restaurant and Fire Dept. HQ	2.95 to 5.65%	2018	\$ 356,000	\$ 694,000
72-2007	Marina Boat Ramp and Drains	4.90 to 5.10%	2017	-	104,224
61-2008	Watermains	3.70 to 4.90%	2018	84,000	165,000
67-2009	Vehicles and Equipment	1.15 to 4.80%	2019	106,000	155,000
73-2010	City Hall, Marina, Main St. CIP and Fire Vehicle	1.60 to 4.65%	2020	1,079,368	1,262,101
46-2013	Health & Wellness Centre	2.67%	2023	1,747,891	2,039,192
47-2013	Roads and Fire Dept.	3.37%	2033	663,911	696,063
48-2013	Skatepark, Fuel Tanks and Op. Centre Design	3.70%	2043	1,724,000	1,764,119
75-2015	LED Street Lights and Water Meters	1.15 to 2.80%	2025	2,239,000	2,498,000
94-2015	Fire Tanker and Watermains	3.46%	2035	1,957,622	2,034,902
35-2016	Fire Truck	1.20 to 1.60%	2021	238,139	296,000
64-2017	East Side Employment Lands	3.22%	2037	450,000	-
65-2017	Operations Centre Leased Vehicles and Equipment	3.43%	2047	13,780,000	-
		Various	2016-18	<u>15,514</u>	<u>33,472</u>
				<u>\$ 24,441,445</u>	<u>\$ 11,742,073</u>

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

7. Long term debt (continued)

(c) Principal repayments in each of the next five years are due as follows:

2018	\$ 1,757,526
2019	1,340,202
2020	1,806,369
2021	1,147,105
2022	1,117,985

(d) The Municipality paid \$ 379,739 (2016 - \$ 445,608) interest on long term debt during the year.

8. Employee benefit obligations

	<u>2017</u>	<u>2016</u>
Workplace Safety and Insurance Board future benefits	\$ 1,874,000	\$ 1,851,400
Vested sick leave benefits	253,500	249,300
Retirement benefits	<u>6,137,200</u>	<u>5,941,300</u>
	8,264,700	8,042,000
Less: sick leave funded by reserve	<u>(37,009)</u>	<u>(36,118)</u>
	<u>\$ 8,227,691</u>	<u>\$ 8,005,882</u>

(a) Workplace Safety and Insurance Board future benefits

The City of Port Colborne is a Workplace Safety and Insurance Board (WSIB) Schedule 2 employer.

In 2016, an actuarial estimate of future liabilities has been completed and forms the basis for the estimated liability reported in these financial statements. During the year \$ 37,477 (2016 - \$ 38,237) was paid by the City to the WSIB in relation to these benefits.

The accrued benefit obligation at December 31, 2017 of \$ 1,874,000 was determined by an actuarial valuation using a discount rate of 3.3%.

The most recent actuarial valuation was prepared at December 31, 2016.

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2017

8. Employee benefit obligations (continued)

(a) Workplace Safety and Insurance Board future benefits (continued)

The main actuarial assumptions employed above are as follows (where applicable):

(i) Interest (discount) rate

The obligations as at December 31, 2017 of the present value of future liabilities were determined using a discount rate of 3.3%.

(ii) Future benefit indexing rate

The rates used for loss of earnings benefits and pension and survivors benefits are assumed to be 2% per annum. The rate for health benefits is assumed to be 4% per annum.

	<u>2017</u>	<u>2016</u>
Accrued benefit obligation		
Balance, beginning of year	\$ 1,851,400	\$ 1,837,800
Benefit payments	(87,000)	(129,000)
Current service cost	84,400	81,400
Interest cost	53,200	61,200
Amortization of actuarial gain	<u>(28,000)</u>	<u>-</u>
Balance, end of year	<u>\$ 1,874,000</u>	<u>\$ 1,851,400</u>
Funded status		
Deficit	\$ 1,621,600	\$ 1,571,000
Unamortized actuarial gain	<u>252,400</u>	<u>280,400</u>
	<u>\$ 1,874,000</u>	<u>\$ 1,851,400</u>

The net benefit expense is as follows:

Current service cost	\$ 84,400	\$ 81,400
Interest cost	53,200	61,200
Amortization of actuarial gain	<u>(28,000)</u>	<u>-</u>
Net benefit expense	<u>\$ 109,600</u>	<u>\$ 142,600</u>

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

8. Employee benefit obligations (continued)

(b) Vested sick leave benefits

Under the sick leave benefit plan for employees of the Port Colborne Firefighters' Association, sick leave can accumulate and employees may become entitled to a cash payment upon leaving the Municipality's employment.

The accrued benefit obligation at December 31, 2017 of \$ 253,500 (2016 - \$ 249,300) was determined by an actuarial valuation using a discount rate of 3.4%.

The most recent actuarial valuation for the vested sick leave was prepared at December 31, 2015.

The main actuarial assumptions employed for the vested sick leave and retirement benefits valuations above are as follows (where applicable):

(i) Interest (discount) rate

The obligations as at December 31, 2017 of the present value of future liabilities were determined using a discount rate of 3.4%.

(ii) Salary increase rate

The rate used to increase salaries is assumed to be 3% per annum. This rate reflects management's best estimate of future salary increases.

	<u>2017</u>	<u>2016</u>
Accrued benefit obligation		
Balance, beginning of year	\$ 249,300	\$ 268,900
Benefit payments	(28,100)	(51,300)
Current service cost	25,500	24,700
Interest cost	8,400	8,600
Amortization of actuarial gain	<u>(1,600)</u>	<u>(1,600)</u>
Balance, end of year	<u>\$ 253,500</u>	<u>\$ 249,300</u>
Funded status		
Deficit	\$ 242,800	\$ 237,000
Unamortized actuarial gain	<u>10,700</u>	<u>12,300</u>
	<u>\$ 253,500</u>	<u>\$ 249,300</u>

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

8. Employee benefit obligations (continued)

(b) Vested sick leave benefits (continued)

The net benefit expense for the employee benefit plan is as follows:

	<u>2017</u>	<u>2016</u>
Current service cost	\$ 25,500	\$ 24,700
Interest cost	8,400	8,600
Amortization of actuarial gain	<u>(1,600)</u>	<u>(1,600)</u>
Net benefit expense	<u>\$ 32,300</u>	<u>\$ 31,700</u>

During the year \$ Nil (2016 - \$ 50,427) was paid to employees who left the Municipality's employment. The Municipality has set aside \$ 37,009 (2016 - \$ 36,118) in a reserve.

(c) Retirement benefits

The City of Port Colborne pays certain retirement benefits on behalf of its retired employees. The City of Port Colborne recognizes these retirement costs in the period in which the employees rendered the services. The plan is substantially unfunded and requires no contributions from employees.

The accrued benefit obligation at December 31, 2017 of \$ 6,137,200 (2016 - \$ 5,941,300) was determined by an actuarial valuation using a discount rate of 3.4%.

The City's obligation under the retirement provision of employment agreements will be funded out of current revenue. During the year benefit payments of \$ 345,400 (2016 - \$ 337,900) were paid to retirees.

Actuarial valuations for accounting purposes are performed every three years using the projected benefit method, pro-rated on service. Under this method, the projected retirement benefits are deemed to be earned on a pro-rata basis over the employee's years of service.

The most recent actuarial valuation for the retirement benefits was prepared at December 31, 2015.

The main actuarial assumptions employed for retirement benefits valuation above are as follows (where applicable):

(i) Interest (discount) rate

The obligations as at December 31, 2017 of the present value of future liabilities were determined using a discount rate of 3.4%.

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2017

8. Employee benefit obligations (continued)

(c) Retirement benefits (continued)

(ii) Medical costs

Drug costs were assumed to be 7.825% in 2017 and decrease 0.175% per year until 2036 when the rate will be 4.5% and continue thereafter.

Vision costs were assumed to be 2.25% in 2017 and decrease 0.25% per year until 2026 when the rate will be 0% and continue thereafter.

Other health costs were assumed to be 4.5% in 2017 and continue thereafter.

(iii) Dental costs

Dental costs were assumed to be 5.8125% in 2017 and decrease 0.1875% per year until 2024 when the rate will be 4.5% and continue thereafter.

	<u>2017</u>	<u>2016</u>
Accrued benefit obligation		
Balance, beginning of year	\$ 5,941,300	\$ 5,754,000
Benefit payments	(345,400)	(337,900)
Current service cost	309,100	298,900
Interest cost	211,500	205,600
Amortization of actuarial loss	<u>20,700</u>	<u>20,700</u>
Balance, end of year	<u>\$ 6,137,200</u>	<u>\$ 5,941,300</u>
Funded status		
Deficit	\$ 6,258,300	\$ 6,083,100
Unamortized actuarial loss	<u>(121,100)</u>	<u>(141,800)</u>
	<u>\$ 6,137,200</u>	<u>\$ 5,941,300</u>

The net benefit expense for the employee benefit plan is as follows:

Current service cost	\$ 309,100	\$ 298,900
Interest cost	211,500	205,600
Amortization of actuarial loss	<u>20,700</u>	<u>20,700</u>
Net benefit expense	<u>\$ 541,300</u>	<u>\$ 525,200</u>

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

9. Tangible capital assets	<u>2017</u>	<u>2016</u>
Net book value		
Land	\$ 5,639,417	\$ 6,203,049
Land improvements	10,182,399	9,351,806
Buildings	45,781,041	34,967,968
Leasehold improvements	258,232	273,214
Vehicles	2,512,357	2,739,467
Office equipment and furniture and fixtures	779,728	593,763
Machinery and equipment	2,819,649	2,370,711
Infrastructure	<u>60,181,642</u>	<u>58,722,511</u>
	128,154,465	115,222,489
Assets under construction	<u>11,240,742</u>	<u>10,715,159</u>
	<u>\$ 139,395,207</u>	<u>\$ 125,937,648</u>
10. Accumulated surplus	<u>2017</u>	<u>2016</u>
Consists of:		
Surpluses (deficits)		
Operating	\$ (5,987,379)	\$ (3,336,488)
Port Colborne Public Library Board	1,306	1,425
Port Colborne Downtown Development Board	40,709	43,334
Port Colborne Main Street Business Improvement Area	19,927	28,051
Niagara Central Airport Commission (Note 18)	<u>(25,285)</u>	<u>18,625</u>
	<u>(5,950,722)</u>	<u>(3,245,053)</u>
Investment in tangible capital assets	<u>139,395,207</u>	<u>125,937,648</u>
Unfunded		
Construction loan	(5,245,000)	(7,437,000)
Long term debt	(24,441,445)	(11,650,183)
Employee benefit obligations	<u>(8,264,700)</u>	<u>(8,042,000)</u>
	<u>(37,951,145)</u>	<u>(27,129,183)</u>
Reserves and reserve funds (Note 11)	<u>17,822,612</u>	<u>17,752,175</u>
	<u>\$ 113,315,952</u>	<u>\$ 113,315,587</u>

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2017

11. Reserves and reserve funds	<u>2017</u>	<u>2016</u>
Reserves set aside for specific purposes by Council		
Working capital	\$ 703,010	\$ 703,010
Recreation programs and facilities	428,475	339,114
Acquisition of capital assets	3,115,579	2,085,445
Library	14,322	34,598
Museum	17,793	18,259
Transit	75,100	75,100
Election expense	95,956	70,956
Administration costs	1,389,353	1,032,117
Airport	48,661	33,232
Cemetery	16,978	16,978
Wastewater operations	912,510	2,679,471
Water operations	<u>582,234</u>	<u>544,039</u>
Total reserves	<u>7,399,971</u>	<u>7,632,319</u>
Reserve funds set aside for specific purposes by Council or agreement		
Acquisition of fixed assets	7,697,830	7,365,171
Accumulated sick leave and disability	37,009	36,118
Administration costs	1,246,569	1,133,189
Grain elevator property	932,231	891,041
Community centre	236,016	465,656
Library	234,845	191,301
Transit	<u>38,141</u>	<u>37,380</u>
Total reserve funds	<u>10,422,641</u>	<u>10,119,856</u>
Total reserves and reserve funds	<u>\$ 17,822,612</u>	<u>\$ 17,752,175</u>

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2017

12. Taxation	Budget <u>2017</u>	Actual <u>2017</u>	Actual <u>2016</u>
Real property		\$ 35,163,946	\$ 34,375,878
From other governments			
Payments in lieu of taxes		<u>389,316</u>	<u>382,761</u>
		<u>35,553,262</u>	<u>34,758,639</u>
Less: taxation collected on behalf of (Note 13)			
Region of Niagara		13,583,724	13,471,321
School boards		<u>5,326,881</u>	<u>5,519,254</u>
		<u>18,910,605</u>	<u>18,990,575</u>
Net taxes available for municipal purposes		<u>\$ 16,642,657</u>	<u>\$ 15,768,064</u>
Residential, multi-residential and farm	\$ 12,748,956	\$ 12,870,451	\$ 12,172,922
Commercial and industrial	<u>3,674,326</u>	<u>3,772,206</u>	<u>3,595,142</u>
Net taxes available for municipal purposes	<u>\$ 16,423,282</u>	<u>\$ 16,642,657</u>	<u>\$ 15,768,064</u>

13. Collections for the Region of Niagara and school boards

Total taxation and development charges received or receivable on behalf of the Region of Niagara and the school boards were as follows:

	<u>2017</u>	<u>2016</u>
Region of Niagara	\$ 13,583,724	\$ 13,471,321
School boards	<u>5,326,881</u>	<u>5,519,254</u>
	<u>\$ 18,910,605</u>	<u>\$ 18,990,575</u>

The Municipality is required to levy and collect taxes on behalf of the Region of Niagara and the school boards. These taxes are recorded as revenue at the amounts levied. The taxes levied over (under) the amounts requisitioned are recorded as accounts payable (receivable).

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

14. User charges	Budget <u>2017</u>	Actual <u>2017</u>	Actual <u>2016</u>
Operating			
Fees and service charges	\$ 2,592,728	\$ 2,805,707	\$ 2,815,464
Direct water billings	4,799,134	4,277,180	4,383,898
Wastewater surcharges	5,623,982	4,350,661	4,934,473
Licences and permits	<u>299,670</u>	<u>301,576</u>	<u>328,245</u>
	<u>\$ 13,315,514</u>	<u>\$ 11,735,124</u>	<u>\$ 12,462,080</u>

15. Government transfers	Budget <u>2017</u>	Actual <u>2017</u>	Actual <u>2016</u>
Operating			
Government of Canada	\$ 47,800	\$ 58,046	\$ 41,108
Province of Ontario	3,146,924	3,164,721	3,165,395
Municipal	<u>5,000</u>	<u>3,656</u>	<u>413</u>
	<u>3,199,724</u>	<u>3,226,423</u>	<u>3,206,916</u>
Capital			
Government of Canada	617,500	556,437	748,951
Province of Ontario	1,283,092	582,945	1,196,592
Municipal	<u>1,170,000</u>	<u>5,138</u>	<u>-</u>
	<u>3,070,592</u>	<u>1,144,520</u>	<u>1,945,543</u>
	<u>\$ 6,270,316</u>	<u>\$ 4,370,943</u>	<u>\$ 5,152,459</u>

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

16. Other revenue	Budget <u>2017</u>	Actual <u>2017</u>	Actual <u>2016</u>
Operating			
Penalties and interest on taxes	\$ 390,000	\$ 406,270	\$ 409,426
Fines	22,000	15,004	18,266
Interest income	30,525	48,801	34,164
Rental income	51,357	57,391	48,594
Investment income – reserves and reserve funds	-	160,834	131,450
Contributions from developers	60,000	-	-
Transfer from trust funds	5,105	4,024	4,273
Donations	125,511	112,711	128,822
Other	<u>147,873</u>	<u>340,145</u>	<u>204,948</u>
	<u>832,371</u>	<u>1,145,180</u>	<u>979,943</u>
Capital			
Contributions from developers	-	-	204,717
Donations	10,000	156,773	186,932
Other	<u>-</u>	<u>72,952</u>	<u>57,748</u>
	<u>10,000</u>	<u>229,725</u>	<u>449,397</u>
	<u>\$ 842,371</u>	<u>\$ 1,374,905</u>	<u>\$ 1,429,340</u>

17. Pension agreements

The Municipality makes contributions to the Ontario Municipal Employees Retirement System ("OMERS"), which is a multi-employer plan, on behalf of the members of its staff. The plan is a defined benefit plan that specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. Employees and employers contribute jointly to the plan.

Since OMERS is a multi-employer pension plan, the Municipality does not recognize any share of the pension plan surplus of \$ 0.6 billion (2016 - \$ 2.3 billion deficit) based on the fair market value of the plan's assets, as this is a joint responsibility of all Ontario municipal entities and their employees. Contributions were made in the 2017 calendar year at rates ranging from 9.0% to 15.8% depending on the member's designated retirement age and level of earnings. Employer contributions for current and past service are included as an expense in the consolidated statement of operations. Employer contributions to OMERS for 2017 current and past service was \$ 790,501 (2016 - \$ 761,678) and were matched by employee contributions in a similar amount.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

18. Niagara Central Airport Commission

The Niagara Central Airport Commission operates a two runway airport offering a year round fixed base operation. The Commission is funded by the four nearby municipalities, City of Welland, City of Port Colborne, Town of Pelham and the Township of Wainfleet. The City of Port Colborne has a non-controlling interest in the airport of 20%.

The following table provides condensed supplementary financial information for the Niagara Central Airport Commission:

	<u>2017</u>	<u>2016</u>
Financial assets		
Cash and temporary investments	\$ 163,027	\$ 87,329
Receivables	<u>19,902</u>	<u>40,659</u>
	<u>182,929</u>	<u>127,988</u>
Liabilities		
Accounts payable and accrued liabilities	27,447	44,763
Deferred grant revenue	33,716	-
Loans payable	<u>250,000</u>	<u>-</u>
	<u>311,163</u>	<u>44,763</u>
Net financial assets	<u>(128,234)</u>	<u>83,225</u>
Non-financial assets		
Prepaid expenses	1,354	1,354
Fuel inventory	16,621	24,712
Tangible capital assets	<u>1,460,280</u>	<u>1,238,403</u>
	<u>1,478,255</u>	<u>1,264,469</u>
Accumulated surplus	<u>\$ 1,350,021</u>	<u>\$ 1,347,694</u>
Accumulated surplus consists of:		
Operating surplus	\$ (126,423)	\$ 93,127
Reserves	16,164	16,164
Investment in tangible capital assets	<u>1,460,280</u>	<u>1,238,403</u>
	<u>\$ 1,350,021</u>	<u>\$ 1,347,694</u>
Revenues		
Grants	\$ 121,556	\$ 84,450
Fuel, rentals and other	137,001	
152,110		
Interest	390	477
Expenses	<u>(256,620)</u>	<u>(170,627)</u>
Annual surplus	<u>\$ 2,327</u>	<u>\$ 66,410</u>

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

18. Niagara Central Airport Commission (continued)

The financial position information is as reported by the Niagara Central Airport Commission as at December 31, 2017 and the results of operations are as reported for the year ended December 31, 2017. The comparative financial position and results of operations figures are as reported by the Niagara Central Airport Commission at December 31, 2016.

The Municipality has recorded in the financial statements its 20% share of the Niagara Central Airport Commissions' assets, liabilities, accumulated surplus, revenues, expenses, and annual surplus.

The following summarizes the Municipality's related party transactions with the Niagara Central Airport Commission for the year. All transactions are in the normal course of operations, and are recorded at the exchange value based on normal commercial rates, or as agreed to by the parties.

	<u>2017</u>	<u>2016</u>
Government transfers	\$ <u>24,311</u>	\$ <u>16,890</u>
Loan, bearing interest of 3.5% per annum repayable in annual instalments of \$ 6,011, commencing June 15, 2018	\$ <u>50,000</u>	\$ <u>-</u>

19. Trust funds

Trust funds administered by the Municipality amounting to \$ 405,881 (2016 - \$ 386,188) have not been included in the consolidated statement of financial position nor have these operations been included in the consolidated statement of operations.

20. Subdividers' deposits

The Municipality holds bank letters of credit as security to ensure the provision of subdivision services and the completion of contracts.

	<u>2017</u>	<u>2016</u>
Letters of credit, beginning of year	\$ <u>1,098,723</u>	\$ 479,369
Net additions	<u>538,631</u>	<u>619,354</u>
Letters of credit, end of year	\$ <u>1,637,354</u>	\$ <u>1,098,723</u>

These letters of credit are not reflected in the accounts.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

21. Contingencies

The Municipality is involved from time to time in litigation, which arises in the normal course of business. In respect of any outstanding claims, the Municipality believes that insurance coverage is adequate and that no material exposure exists on the eventual settlement of such litigation, therefore no provision has been made in the accompanying financial statements.

22. Liabilities for contaminated sites

The Municipality reports environmental liabilities related to the management and remediation of any contaminated sites where the Municipality is obligated or likely obligated to incur such costs. Currently no such contaminated sites have been identified and therefore no liability has been recorded.

The Municipality's ongoing efforts to assess contaminated sites may result in future environmental remediation liabilities related to newly identified sites, or changes in the assessments or intended use of existing sites. Any changes to the Municipality's liabilities for contaminated sites will be accrued in the year in which they are assessed as likely and reasonably estimable.

23. Commitments

Tax increment based grants

The Municipality has commitments for tax increment based grants with various expiry dates up to 2024. There are currently two signed agreements with a term spanning five and ten years. At December 31, 2017, the total amount remaining to be paid from these agreements is \$ 172,014 with the total commitment for each of the next five years as follows:

2018	\$ 33,722
2019	33,722
2020	33,722
2021	33,722
2022	32,520

24. Comparative figures

Certain of the comparative figures have been reclassified to conform with the consolidated financial statement presentation adopted for the current year.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

25. Budget

The budget bylaw adopted by Council March 13, 2017 was not prepared on a basis consistent with that used to report actual results in accordance with Canadian public sector accounting standards. The budget was prepared on a modified accrual basis while Canadian public sector accounting standards require a full accrual basis. As a result, the budget figures presented in the consolidated statement of operations and consolidated statement of changes in net debt represent the budget adopted by Council with the following adjustments:

Budgeted annual surplus	\$	115,738
Add:		
Acquisition of tangible capital assets		15,529,116
Repayment of long term debt		1,420,778
Less:		
Transfers (to) from reserves, net		(2,943,510)
Amortization of tangible capital assets		(5,230,110)
Debenture proceeds		<u>(5,560,000)</u>
Budgeted surplus per consolidated statement of operations	\$	<u>3,332,012</u>

26. Segmented information

The Municipality is a diverse municipal government that provides a wide range of services to its citizens. Segmented information has been identified for the service lines that reflect the way in which the operations are managed and resource needs are identified and budgeted. Municipal activities are reported by function in the body of the financial statements.

Certain departments that have been separately disclosed in the segmented information, along with the services they provide, are as follows:

General

The general provision of municipal services includes general government, fire services, transportation services, storm sewer services, planning and development, facilities, parks and cemeteries.

Water

The water operations install and maintain water capital infrastructure to ensure the safe supply, metering and cost recovery for all treated water to serviced areas within all urban and settlement areas of the Municipality.

Wastewater

The wastewater operations install and maintain wastewater capital infrastructure and recover costs of providing this service within all urban and settlement areas of the Municipality.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

26. Segmented information (continued)

Port Colborne Public Library Board

The Port Colborne Public Library Board provides library services, materials and facilities. The Municipality controls the board and consolidates the financial activities.

For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis.

The accounting policies used in these segments are consistent with those followed in the preparation of the consolidated financial statements as disclosed in Note 1. The consolidated schedule of segment disclosure and the schedules of segment disclosure with budget information follow the notes.

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City of Port Colborne Consolidated Schedule of Tangible Capital Assets

For the Year Ended December 31, 2017

	<u>Land</u>	<u>Land Improvements</u>	<u>Buildings and Leaseholds</u>	<u>Vehicles</u>	<u>Furniture and Equipment</u>	<u>Infrastructure</u>	<u>Construction in Process</u>	<u>2017</u>
Cost								
Beginning of year	\$ 6,203,049	\$ 17,038,857	\$ 46,624,840	\$ 5,054,070	\$ 7,211,079	\$ 107,717,557	\$ 10,715,159	\$ 200,564,611
Additions	-	1,377,127	12,488,954	76,766	1,224,083	3,638,894	9,812,592	28,618,416
Disposals	(563,632)	(509,565)	(260,140)	(137,878)	(330,082)	(271,859)	(9,287,009)	(11,360,165)
End of year	<u>5,639,417</u>	<u>17,906,419</u>	<u>58,853,654</u>	<u>4,992,958</u>	<u>8,105,080</u>	<u>111,084,592</u>	<u>11,240,742</u>	<u>217,822,862</u>
Accumulated amortization								
Beginning of year	-	7,687,051	11,383,658	2,314,603	4,246,605	48,995,046	-	74,626,963
Amortization	-	528,944	1,669,334	303,876	589,178	2,140,726	-	5,232,058
Amortization on disposals	-	(491,975)	(238,611)	(137,878)	(330,080)	(232,822)	-	(1,431,366)
End of year	-	<u>7,724,020</u>	<u>12,814,381</u>	<u>2,480,601</u>	<u>4,505,703</u>	<u>50,902,950</u>	-	<u>78,427,655</u>
Net book value	<u>\$ 5,639,417</u>	<u>\$ 10,182,399</u>	<u>\$ 46,039,273</u>	<u>\$ 2,512,357</u>	<u>\$ 3,599,377</u>	<u>\$ 60,181,642</u>	<u>\$ 11,240,742</u>	<u>\$ 139,395,207</u>

City of Port Colborne Consolidated Schedule of Tangible Capital Assets

For the Year Ended December 31, 2016

	<u>Land</u>	<u>Land Improvements</u>	<u>Buildings and Leaseholds</u>	<u>Vehicles</u>	<u>Furniture and Equipment</u>	<u>Infrastructure</u>	<u>Construction in Process</u>	<u>2016</u>
Cost								
Beginning of year	\$ 6,411,698	\$ 16,811,714	\$ 46,414,989	\$ 5,130,428	\$ 7,006,628	\$ 102,110,260	\$ 2,777,897	\$ 186,663,614
Additions	-	289,388	353,228	195,755	479,297	5,949,952	8,701,202	15,968,822
Disposals	(208,649)	(62,245)	(143,377)	(272,113)	(274,846)	(342,655)	(763,940)	(2,067,825)
End of year	<u>6,203,049</u>	<u>17,038,857</u>	<u>46,624,840</u>	<u>5,054,070</u>	<u>7,211,079</u>	<u>107,717,557</u>	<u>10,715,159</u>	<u>200,564,611</u>
Accumulated amortization								
Beginning of year	-	7,238,662	9,915,359	2,291,826	3,954,253	47,181,147	-	70,581,247
Amortization	-	504,020	1,582,807	294,890	563,759	2,067,289	-	5,012,765
Amortization on disposals	-	(55,631)	(114,508)	(272,113)	(271,407)	(253,390)	-	(967,049)
End of year	-	<u>7,687,051</u>	<u>11,383,658</u>	<u>2,314,603</u>	<u>4,246,605</u>	<u>48,995,046</u>	-	<u>74,626,963</u>
Net book value	<u>\$ 6,203,049</u>	<u>\$ 9,351,806</u>	<u>\$ 35,241,182</u>	<u>\$ 2,739,467</u>	<u>\$ 2,964,474</u>	<u>\$ 58,722,511</u>	<u>\$ 10,715,159</u>	<u>\$ 125,937,648</u>

City of Port Colborne Consolidated Schedule of Segment Disclosure

For the Year Ended December 31, 2017

	General	Water	Wastewater	Library	Eliminations	Consolidated
Revenue						
Taxation	\$ 16,642,657	\$ -	\$ -	\$ -	\$ -	\$ 16,642,657
User charges	3,060,876	4,297,052	4,351,996	25,200	-	11,735,124
Government transfers	4,322,168	5,138	-	745,725	(702,088)	4,370,943
Other revenue	1,358,241	17,555	7,069	13,793	(21,753)	1,374,905
(Loss) gain on disposal of tangible capital assets	(264,176)	3,461	-	-	-	(260,715)
	25,119,766	4,323,206	4,359,065	784,718	(723,841)	33,862,914
Expenses						
Salaries and benefits	11,342,030	505,082	157,997	555,104	-	12,560,213
Materials	6,054,384	370,080	94,372	121,647	-	6,640,483
Contracted services	2,128,991	2,396,734	3,824,386	24,324	-	8,374,435
Rents and financial expenses	218,579	2,351	397	63	-	221,390
External transfers to others	123,972	-	-	-	-	123,972
Long term debt interest	452,046	98,369	-	-	-	550,415
Tax write-offs	159,583	-	-	-	-	159,583
Amortization	4,213,024	584,866	366,143	68,025	-	5,232,058
Inter-functional transfers	264,043	252,569	207,229	-	(723,841)	-
	24,956,652	4,210,051	4,650,524	769,163	(723,841)	33,862,549
Annual surplus (deficit)	\$ 163,114	\$ 113,155	\$ (291,459)	\$ 15,555	\$ -	\$ 365

**City of Port Colborne
Consolidated Schedule of Segment Disclosure
with Budget Information**

For the Year Ended December 31, 2017

	<u>Budget</u> (Note 25)	<u>Actual</u>
General government		
Revenue		
Taxation	\$ 16,423,282	\$ 16,642,657
User charges	2,838,898	3,060,876
Government transfers	6,231,990	4,322,168
Other	778,371	1,336,488
Gain on disposal of tangible capital assets	-	(264,176)
	<u>26,272,541</u>	<u>25,098,013</u>
Expenses		
Salaries and wages	10,967,039	11,342,030
Materials	5,846,839	6,054,384
Contracted services	1,867,754	2,128,991
Rents and financial expenses	120,929	218,579
External transfers to others	73,802	123,972
Long term debt interest	259,858	452,046
Tax write-offs	256,327	159,583
Amortization	4,211,076	4,213,024
Inter-functional transfers	242,741	242,290
	<u>23,846,365</u>	<u>24,934,899</u>
Annual surplus	<u>\$ 2,426,176</u>	<u>\$ 163,114</u>

**City of Port Colborne
Consolidated Schedule of Segment Disclosure
with Budget Information**

For the Year Ended December 31, 2017

	<u>Budget</u> (Note 25)	<u>Actual</u>
Water		
Revenue		
User charges	\$ 4,819,884	\$ 4,297,052
Government transfers	-	5,138
Other	64,000	17,555
Gain on disposal of tangible capital assets	-	3,461
	<u>4,883,884</u>	<u>4,323,206</u>
Expenses		
Salaries and wages	661,524	505,082
Materials	360,995	370,080
Contracted services	2,404,698	2,396,734
Rents and financial expenses	8,529	2,351
Long term debt interest	101,312	98,369
Amortization	584,866	584,866
Inter-functional transfers	<u>252,569</u>	<u>252,569</u>
	<u>4,374,493</u>	<u>4,210,051</u>
Annual surplus	<u>\$ 509,391</u>	<u>\$ 113,155</u>

**City of Port Colborne
Consolidated Schedule of Segment Disclosure
with Budget Information**

For the Year Ended December 31, 2017

	<u>Budget</u> (Note 25)	<u>Actual</u>
Wastewater		
Revenue		
User charges	\$ 5,628,982	\$ 4,351,996
Other	-	7,069
	<u>5,628,982</u>	<u>4,359,065</u>
Expenses		
Salaries and wages	319,559	157,997
Materials	167,440	94,372
Contracted services	4,179,736	3,824,386
Rents and financial expenses	4,106	397
Amortization	366,143	366,143
Inter-functional adjustments	207,228	207,229
	<u>5,244,212</u>	<u>4,650,524</u>
Annual (deficit) surplus	<u>\$ 384,770</u>	<u>\$ (291,459)</u>
Library		
Revenue		
User charges	\$ 27,750	\$ 25,200
Government transfers	740,416	745,725
Other	-	13,793
	<u>768,166</u>	<u>784,718</u>
Expenses		
Salaries and wages	529,398	555,104
Materials	134,068	121,647
Contracted services	25,000	24,324
Rents and financial expenses	-	63
Amortization	68,025	68,025
	<u>756,491</u>	<u>769,163</u>
Annual surplus	<u>\$ 11,675</u>	<u>\$ 15,555</u>

City of Port Colborne Trust Funds

Consolidated Statement of Financial Position As at December 31, 2017

	<u>Local Improvements</u>	<u>Julia Yager Trust</u>	<u>Fulton Trust</u>
Financial assets			
Cash and cash equivalents	\$ 22,438	\$ 1,060	\$ 1,046
Investments	-	6,252	-
Accrued interest	<u>24</u>	<u>-</u>	<u>-</u>
Net financial assets and accumulated surplus	<u>\$ 22,462</u>	<u>\$ 7,312</u>	<u>\$ 1,046</u>

Consolidated Statement of Operations For the Year Ended December 31, 2017

	<u>Local Improvements</u>	<u>Julia Yager Trust</u>	<u>Fulton Trust</u>
Revenue			
Interest earned	\$ 218	\$ 85	\$ 1
Perpetual trust contributions	-	-	-
Donations	<u>-</u>	<u>-</u>	<u>-</u>
	<u>218</u>	<u>85</u>	<u>1</u>
Expenses			
Transfer to capital fund	-	-	-
Transfer to revenue fund	<u>-</u>	<u>-</u>	<u>-</u>
	<u>-</u>	<u>-</u>	<u>-</u>
Annual surplus	218	85	1
Accumulated surplus			
Beginning of year	<u>22,244</u>	<u>7,227</u>	<u>1,045</u>
End of year	<u>\$ 22,462</u>	<u>\$ 7,312</u>	<u>\$ 1,046</u>

<u>Sherkston Trust</u>	<u>Overholt Cemetery</u>	<u>Roselawn Centre</u>	<u>Total 2017</u>	<u>Total 2016</u>
\$ 839	\$ -	\$ 38,231	\$ 63,614	\$ 57,554
10,668	325,284	-	342,204	328,599
<u>-</u>	<u>-</u>	<u>39</u>	<u>63</u>	<u>35</u>
<u>\$ 11,507</u>	<u>\$ 325,284</u>	<u>\$ 38,270</u>	<u>\$ 405,881</u>	<u>\$ 386,188</u>

<u>Sherkston Trust</u>	<u>Overholt Cemetery</u>	<u>Roselawn Centre</u>	<u>Total 2017</u>	<u>Total 2016</u>
\$ 96	\$ 4,540	\$ 334	\$ 5,274	\$ 7,286
-	13,060	-	13,060	10,650
<u>-</u>	<u>-</u>	<u>5,383</u>	<u>5,383</u>	<u>13,972</u>
<u>96</u>	<u>17,600</u>	<u>5,717</u>	<u>23,717</u>	<u>31,908</u>
-	-	-	-	-
<u>-</u>	<u>4,024</u>	<u>-</u>	<u>4,024</u>	<u>4,273</u>
<u>-</u>	<u>4,024</u>	<u>-</u>	<u>4,024</u>	<u>4,273</u>
96	13,576	5,717	19,693	27,635
<u>11,411</u>	<u>311,708</u>	<u>32,553</u>	<u>386,188</u>	<u>358,553</u>
<u>\$ 11,507</u>	<u>\$ 325,284</u>	<u>\$ 38,270</u>	<u>\$ 405,881</u>	<u>\$ 386,188</u>

See accompanying notes to the consolidated financial statements

City of Port Colborne

Trust Funds

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2017

1. Summary of significant accounting policies

Management responsibility

The financial statements are the responsibility of and prepared by management in accordance with Canadian public sector accounting standards, except that the statements of changes in net financial assets and cash flows have not been presented since changes in net financial assets and cash flows from operating, investing and financing activities are readily apparent from the other financial statements.

The significant accounting policies used are as follows:

(a) Basis of accounting

Sources of revenue and expenses are reported on the accrual basis of accounting. The accrual basis of accounting records revenues in the period they are earned and measurable and expenses in the period the goods and services are acquired and a liability is incurred.

(b) Cash and cash equivalents

Cash and cash equivalents are represented by cash on hand, cash on deposit in chartered banks and investments that mature within three months.

(c) Portfolio investments

Portfolio investments are valued at the lower of cost and market value. Interest income is reported as revenue in the period earned.

2. Portfolio investments

Portfolio investments consist of money market, bond and equity funds with annual interest rates ranging from 1.00% to 2.60% and guaranteed investment certificates with annual interest rates ranging from 0.45% to 1.30% maturing between April and December, 2018. Portfolio investments have an estimated market value of \$ 386,140.

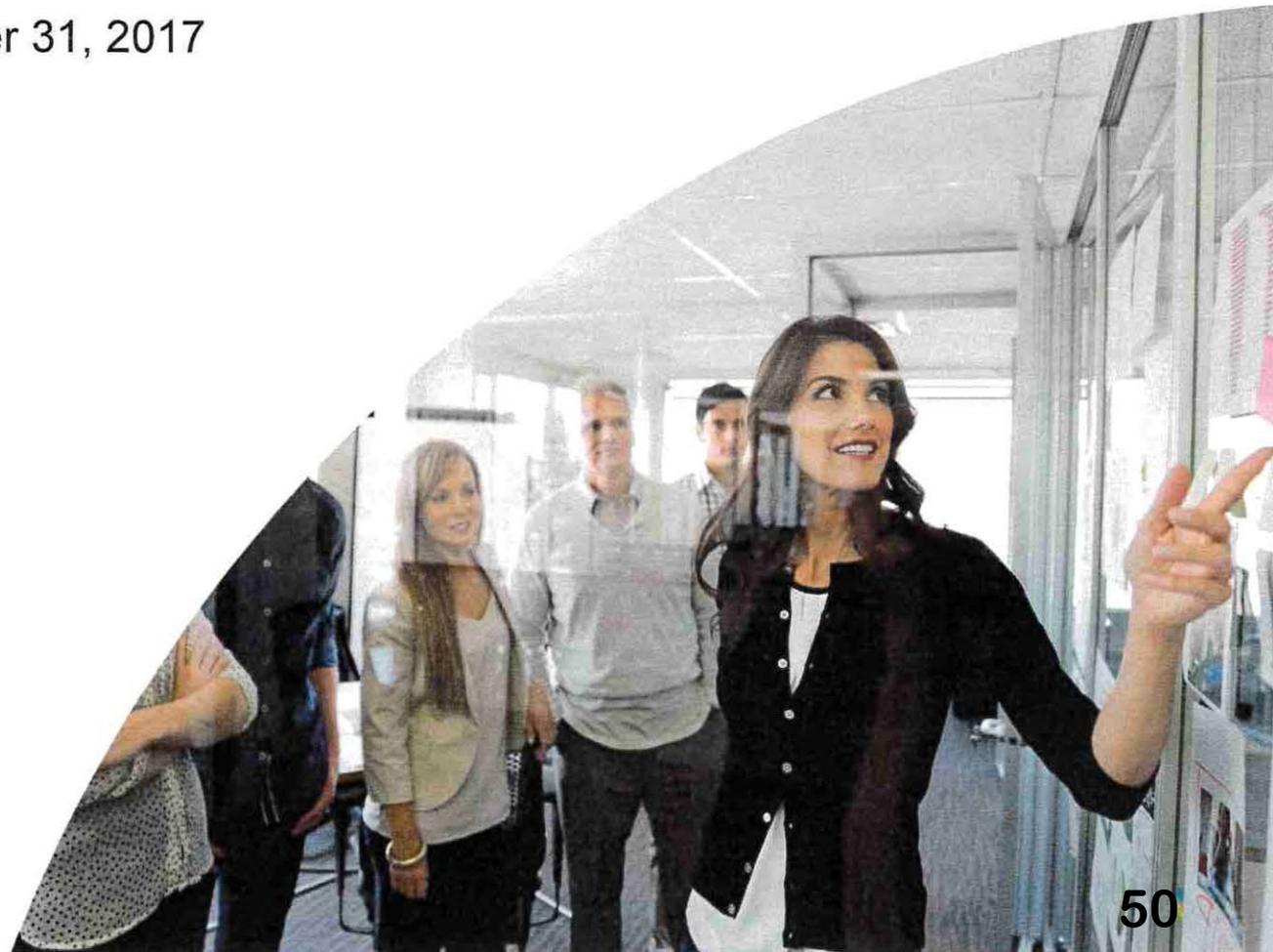
Corporation of the City of Port Colborne

For the year ended December 31, 2017

Report to the Members of Council
Audit results

October 9, 2018

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Principal
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Executive summary

Purpose of report and scope

The purpose of this report is to engage in an open dialogue with you regarding our audit of the consolidated financial statements of the Corporation of the City of Port Colborne (the "entity") for the year ended December 31, 2017. This communication will assist the Members of Council and management in understanding the results of audit procedures and includes comments on misstatements, significant accounting policies, sensitive estimates and other matters.

The information in this document is intended solely for the information and use of the Members of Council and management. It is not intended to be distributed or used by anyone other than these specified parties.

We were engaged to provide the following deliverables:

Deliverable	Timing
Discussions and communications regarding planning	June 18, 2018
Report on the December 31, 2017 consolidated financial statements	October 9, 2018
Communication of audit results	October 9, 2018

Status of our audit

We have substantially completed our audit of the consolidated financial statements of the entity and the results of that audit are included in this report.

We will finalize our report upon resolution of the following items that were outstanding as at October 9, 2018:

- Receipt of signed management representation letter (a draft has been attached in the appendices)
- Approval of the consolidated financial statements by Council
- Procedures regarding subsequent events
- Responses from legal inquiries

We have successfully executed our audit strategy in accordance with the plan presented to the Members of Council and management on February 15, 2018.

Independence

We confirm that there have been no changes to our status with respect to independence since we confirmed our independence to you on February 15, 2018.

Audit risks and results

We highlight our significant findings in respect of transactions, risks, accounting practices and other areas of focus.

Areas of focus

The following is a summary of areas of focus, and the related matters and findings we would like to communicate to the Members of Council and management.

Area of focus	Matter	Our response and findings
<p>Fraud risk from revenue recognition</p>	<p>There is a presumed risk of fraud in revenue.</p> <ul style="list-style-type: none"> The risk primarily relates to revenue recognized under water and sewer and other revenue 	<ul style="list-style-type: none"> Recalculation of the net tax revenues based on verified assessment rolls and approved tax rates Analytical assessment of revenues based on budgeted expectations Subsequent receipts testing of receivables as at December 31, 2017 (statistical sample) Assessed the adequacy of allowances for doubtful accounts by testing subsequent receipts, reviewing management estimates and examining supporting documentation <p>There were no significant findings as a result of these procedures.</p>
<p>Fraud risk from management override / segregation of duties</p>	<p>This is a presumed fraud risk.</p> <ul style="list-style-type: none"> The risk primarily relates to limited segregation of duties, administrative access to accounting system and the senior finance management's ability to post journal entries 	<ul style="list-style-type: none"> Tested the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements Reviewed accounting estimates for biases Evaluated the business rationale for significant transactions that are or appear to be outside the normal course of business <p>There were no significant findings as a result of these procedures.</p>

Area of focus	Matter	Our response and findings
Taxation revenue and receivables	The taxes receivable balances may be invalid and the allowance for uncollectible taxes understated.	<ul style="list-style-type: none"> • Recalculation of the net tax revenues based on verified assessment rolls and approved tax rates • Subsequent receipts testing of taxes receivable as at December 31, 2017 (statistical sample) • Assessed the adequacy of the allowance for doubtful accounts by testing subsequent receipts, reviewing management estimates and examining support for the value of underlying property <p>There were no significant findings as a result of these procedures.</p>
Purchases and payables	Payables may be understated or not recorded in the correct period.	<ul style="list-style-type: none"> • Analytical assessment of expenses based on budgeted expectations • Reviewed supporting documentation and management estimates with respect to the completeness and accuracy of significant year end accruals • Performed a search for unrecorded liabilities <p>There were no significant findings as a result of these procedures.</p>
Provisions for employee benefits	Provision and related expense may be understated.	<ul style="list-style-type: none"> • Reviewed actuarial reports, method and assumptions used • Tested supporting calculations relating to the various amounts and disclosures <p>There were no significant findings as a result of these procedures.</p>
Commitments and contingencies	There is uncertainty regarding contingent liabilities.	<ul style="list-style-type: none"> • Verified the accuracy and reasonableness of amounts and disclosures, with reference to correspondence with lawyers, examination of supporting documentation, and discussions with management <p>There were no significant findings as a result of these procedures.</p>

Sensitive accounting estimates and disclosures

Area of focus	Matter	Our response and findings
Sensitive accounting estimates and disclosures	The provision for vested sick leave of approximately \$ 253,500 and retirement benefits of approximately \$ 6,137,200.	<ul style="list-style-type: none"> Management engaged an actuary to calculate the liabilities for vested sick leave and for employees who have taken early retirement based on the current annual benefits and the number of years until the employees turn 65. Liabilities have been recognized in the financial statements for vested sick leave and employee retirement benefits. The objective is to recognize a liability in the reporting period in which employees have provided the services that give rise to the benefits. Management's estimate is based on the actuary's valuation report and is reasonable in the context of the consolidated financial statements taken as a whole. The actuary's valuation was performed in accordance with the standards of the Canadian Institute of Actuaries.
Sensitive accounting estimates and disclosures	The provision for the Workplace Safety and Insurance Board future benefits of approximately \$ 1,874,000.	<ul style="list-style-type: none"> The Municipality is a Workplace Safety and Insurance Board ("WSIB") Schedule II employer under the Workplace Safety & Insurance Act and follows a policy of self-insurance for all its employees. An actuarial estimate of future liabilities has been completed and forms the basis for the estimated liability reported in these financial statements. The Municipality remits payments to the WSIB as required to fund disability payments.
Sensitive accounting estimates and disclosures	The provision for uncollectible taxes of approximately \$ 223,800.	<ul style="list-style-type: none"> Management reviews previous year's rebates to determine the current years. Management also reviews accounts which are significantly in arrears and determines if it is likely that they will be collected either through the land owner or through tax sale. For tax revenue amounts billed but may not be collected as of December 31, 2017. For uncollected accounts, management estimates the collectability of these receivables based on their age and their knowledge of the specific properties. As part of our audit, we review the age of the receivables and search for any subsequent receipts or relevant communications to assess whether management's allowance for uncollectable receivables is reasonable. Management's estimate is reasonable in the context of the consolidated financial statements taken as a whole.

Area of focus	Matter	Our response and findings														
Factors affecting disclosure values	Useful life estimates of tangible capital assets	<p>The estimated useful lives assigned to tangible assets are as follows:</p> <table> <tr> <td>Land improvements</td> <td>10-100 years</td> </tr> <tr> <td>Buildings</td> <td>20-50 years</td> </tr> <tr> <td>Leasehold improvement</td> <td>20-50 years</td> </tr> <tr> <td>Vehicles</td> <td>10-20 years</td> </tr> <tr> <td>Office equipment and furniture and fixtures</td> <td>5-10 years</td> </tr> <tr> <td>Machinery and equipment</td> <td>3-30 years</td> </tr> <tr> <td>Infrastructure</td> <td>10-100 years</td> </tr> </table>	Land improvements	10-100 years	Buildings	20-50 years	Leasehold improvement	20-50 years	Vehicles	10-20 years	Office equipment and furniture and fixtures	5-10 years	Machinery and equipment	3-30 years	Infrastructure	10-100 years
Land improvements	10-100 years															
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Vehicles	10-20 years															
Office equipment and furniture and fixtures	5-10 years															
Machinery and equipment	3-30 years															
Infrastructure	10-100 years															

Adjustments and uncorrected misstatements

Adjustments

Misstatements identified and adjusted in the consolidated financial statements by the entity as a result of our audit procedures are as follows:

Description	Increase (Decrease)	Statement of Financial Position			Statement of Operations effect
		Assets	Liabilities	Accumulated surplus	Annual surplus
To adjust post-employment benefits, sick leave liability, and WSIB future benefit liability.			\$ 228,100		\$ (228,100)
To correct library additions and interest on capital lease.	\$ (4,615)				(4,615)
To accrue costs posted in the incorrect period.			746,857		(746,857)
Total adjustments	\$ (4,615)	\$ 974,957			\$ (979,572)

Uncorrected misstatements

Non-trivial misstatements noted during the course of our audit but not adjusted in the consolidated financial statements were as follows:

Increase (Decrease)	Statement of Financial Position			Statement of Operations effect
	Assets	Liabilities	Accumulated surplus	Annual surplus
Description				
To reverse the prior year accrual for statutory holidays which are not recorded as part of the year end payroll accrual.		\$ 29,409	\$ (28,890)	\$ (519)
Total adjustments		\$ 29,409	\$ (28,890)	\$ (519)

Summary of disclosure matters

Our audit did not identify any unadjusted non-trivial misstatements of disclosure matters.

Other reportable matters

Internal control

The audit is designed to express an opinion on the consolidated financial statements. We obtain an understanding of internal control over financial reporting to the extent necessary to plan the audit and to determine the nature, timing and extent of our work. Accordingly, we do not express an opinion on the effectiveness of internal control.

If we become aware of a deficiency in your internal control over financial reporting, the auditing standards require us to communicate to the Members of Council and management those deficiencies we consider significant. However, a financial statement audit is not designed to provide assurance on internal control.

Please refer to Appendix C for a detailed explanation of the internal control observations noted during our audit.

Technical updates – highlights

Accounting

Accounting standards issued by the Accounting Standards Board that may affect the entity in future years are included in Appendix D. If you have any questions about these changes we invite you to raise them during our next meeting. We will be pleased to address your concerns.

Assurance

Auditing standards issued by the Audit and Assurance Standards Board that may change the nature, timing and extent of our audit procedures on the entity and our communication with the Members of Council and management are included in Appendix E. If you have any questions about these changes we invite you to raise them during our next meeting. We will be pleased to address your concerns.

Appendix A – Draft independent auditor’s report

Independent auditor’s report

To the Members of Council, Inhabitants and Taxpayers of the
The Corporation of the City of Port Colborne

We have audited the accompanying consolidated financial statements of the Corporation of the City of Port Colborne , which comprise the consolidated statement of financial position as at December 31, 2017, and the consolidated statements of operations, changes in net financial assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management’s responsibility for the financial statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the consolidated financial position of the Corporation of the City of Port Colborne as at December 31, 2017, and the results of its operations, changes in net assets and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Port Colborne, Canada
October ____, 2018

Chartered Professional Accountants
Licensed Public Accountants

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Appendix B – Draft management representation letter

October 9, 2018

Grant Thornton LLP
Chartered Professional Accountants
PO Box 336
Port Colborne, ON
L3K 5W1

Dear Sirs:

We are providing this letter in connection with your audit of the consolidated financial statements of the Corporation of the City of Port Colborne as of December 31, 2017, and for the year then ended, for the purpose of expressing an opinion as to whether the consolidated financial statements present fairly, in all material respects, the financial position, results of operations, and cash flows of the Corporation of the City of Port Colborne in accordance with Canadian public sector accounting standards.

We acknowledge that we have fulfilled our responsibilities for the preparation of the consolidated financial statements in accordance with Canadian public sector accounting standards and for the design and implementation of internal controls to prevent and detect fraud and error. We have assessed the risk that the consolidated financial statements may be materially misstated as a result of fraud, and have determined such risk to be low. Further, we acknowledge that your examination was planned and conducted in accordance with Canadian generally accepted auditing standards (GAAS) so as to enable you to express an opinion on the consolidated financial statements. We understand that while your work includes an examination of the accounting system, internal controls and related data to the extent you considered necessary in the circumstances, it is not designed to identify, nor can it necessarily be expected to disclose, fraud, shortages, errors and other irregularities, should any exist.

Certain representations in this letter are described as being limited to matters that are material. An item is considered material, regardless of its monetary value, if it is probable that its omission from or misstatement in the consolidated financial statements would influence the decision of a reasonable person relying on the consolidated financial statements.

We confirm, to the best of our knowledge and belief, as of October 9, 2018, the following representations made to you during your audit.

Financial statements

- 1 The consolidated financial statements referred to above present fairly, in all material respects, the financial position of the entity as at December 31, 2017 and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards, as agreed to in the terms of the audit engagement.

Completeness of information

- 2 We have made available to you all financial records and related data and all minutes of the meetings of Council and committees of Council, as agreed in the terms of the audit engagement. Summaries of actions of recent meetings for which minutes have not yet been prepared have been provided to you. All significant Council and committee actions are included in the summaries.
- 3 We have provided you with unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
- 4 There are no material transactions that have not been properly recorded in the accounting records underlying the consolidated financial statements. The adjusting journal entries which have been proposed by you are approved by us and will be recorded on the books of the entity.
- 5 We are unaware of any known or probable instances of non-compliance with the requirements of regulatory or governmental authorities, including their financial reporting requirements.
- 6 We are unaware of any violations or possible violations of laws or regulations the effects of which should be considered for disclosure in the consolidated financial statements or as the basis of recording a contingent loss.
- 7 We have disclosed to you all known deficiencies in the design or operation of internal control over financial reporting of which we are aware.
- 8 We have identified to you all known related parties and related party transactions, including sales, purchases, loans, transfers of assets, liabilities and services, leasing arrangements guarantees, non-monetary transactions and transactions for no consideration.
- 9 You provided a non-attest service by assisting us with drafting the consolidated financial statements and related notes. In connection with this non-attest service, we confirm that we have made all management decisions and performed all management functions, have the knowledge to evaluate the accuracy and completeness of the consolidated financial statements, and accept responsibility for such consolidated financial statements.

Fraud and error

- 10 We have no knowledge of fraud or suspected fraud affecting the entity involving management; employees who have significant roles in internal control; or others, where the fraud could have a non-trivial effect on the consolidated financial statements.

- 11 We have no knowledge of any allegations of fraud or suspected fraud affecting the entity's financial statements communicated by employees, former employees, analysts, regulators or others.
- 12 We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.
- 13 We believe that the effects of the uncorrected financial statement misstatements summarized in the accompanying schedule are immaterial, both individually and in the aggregate, to the consolidated financial statements taken as a whole.

Recognition, measurement and disclosure

- 14 We believe that the significant assumptions used by us in making accounting estimates, including those used in arriving at the fair values of financial instruments as measured and disclosed in the consolidated financial statements, are reasonable and appropriate in the circumstances.
- 15 We have no plans or intentions that may materially affect the carrying value or classification of assets and liabilities, both financial and non-financial, reflected in the consolidated financial statements.
- 16 All related party transactions have been appropriately measured and disclosed in the consolidated financial statements.
- 17 The nature of all material measurement uncertainties has been appropriately disclosed in the consolidated financial statements, including all estimates where it is reasonably possible that the estimate will change in the near term and the effect of the change could be material to the consolidated financial statements.
- 18 All outstanding and possible claims, whether or not they have been discussed with legal counsel, have been disclosed to you and are appropriately reflected in the consolidated financial statements.
- 19 All liabilities and contingencies, including those associated with guarantees, whether written or oral, have been disclosed to you and are appropriately reflected in the consolidated financial statements.
- 20 With respect to environmental matters:
 - a) at year end, there were no liabilities or contingencies that have not already been disclosed to you;
 - b) liabilities or contingencies have been recognized, measured and disclosed, as appropriate, in the consolidated financial statements; and
 - c) commitments have been measured and disclosed, as appropriate, in the consolidated financial statements.
- 21 The entity has satisfactory title to (or lease interest in) all assets, and there are no liens or encumbrances on the entity's assets nor has any been pledged as collateral.
- 22 We have disclosed to you, and the entity has complied with, all aspects of contractual agreements that could have a material effect on the consolidated financial statements in the event of non-compliance, including all covenants, conditions or other requirements of all outstanding debt.

- 23 The Harmonized Sales Tax (HST) transactions recorded by the entity are in accordance with the federal and provincial regulations. The HST liability/receivable amounts recorded by the entity are considered complete.
- 24 Employee future benefit costs, assets, and obligations have been determined, accounted for and disclosed in accordance with the requirements of Section 3250 *Retirement Benefits* and Section 3255 *Post-Employment Benefits, Compensated Absences and Terminations Benefits* of the Canadian Institute of Chartered Accountants (CICA) Public Sector – Accounting.
- 25 There have been no events subsequent to the statement of financial position date up to the date hereof that would require recognition or disclosure in the consolidated financial statements. Further, there have been no events subsequent to the date of the comparative financial statements that would require adjustment of those financial statements and related notes.

Other

- 26 We have considered whether or not events have occurred or conditions exist which may cast significant doubt on the Municipality’s ability to continue as a going concern and have concluded that no such events or conditions are evident.

Yours very truly,

Chief Administrative Officer

Director of Corporate Services/Treasurer

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Non-trivial misstatements noted during the course of our audit but not adjusted in the consolidated financial statements were as follows:

Unadjusted misstatements	Overstatement (Understatement)			
	Assets	Liabilities	Accumulated Surplus	Annual Surplus
To accrue for statutory holidays which are not recorded as part of the year end payroll accrual and the reversal of the prior year amounts.		\$ (29,409)	\$ 28,890	\$ (519)
Total unadjusted misstatements	\$ Nil	\$ (29,409)	\$ 28,890	\$ (519)

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Appendix C – Internal control letter

October 1, 2018

City of Port Colborne

66 Charlotte Street
Port Colborne, ON
L3K 3C8

Dear Members of Management:

In connection with our audit of the City of Port Colborne financial statements as of December 31, 2017 and for the year then ended, the Canadian Auditing Standards require that we advise management and Council (hereinafter referred to as “those charged with governance”) of the following internal control matters identified during our audit.

Our responsibilities

Our responsibility, as prescribed by the Canadian Auditing Standards, is to plan and perform our audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether caused by error or fraud. An audit includes consideration of internal control over financial reporting (hereinafter referred to as “internal control”) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of identifying deficiencies in internal control or expressing an opinion on the effectiveness of the City’s internal control. Accordingly, we express no such opinion on internal control effectiveness.

Identified deficiencies in internal control

We identified the following internal control matters as of the date of this letter that are of sufficient importance to merit your attention.

Significant deficiencies

Our consideration of internal control would not necessarily identify all deficiencies in internal control that, individually or in combination, may be material weaknesses or significant deficiencies.

A deficiency in internal control (“control deficiency”) exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control over financial reporting, such that there is a reasonable possibility that a material misstatement of the City’s annual or interim financial statements will not be prevented or detected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control over financial reporting that is less severe than a material weakness, yet important enough to merit attention by those responsible for oversight of the City’s financial reporting (also referred to as those charged with governance).

We consider the following identified control deficiencies to be significant deficiencies.

Information Technology

Segregation of duties and assignment of administrator rights

The following weaknesses have been identified in the information technology system, specifically relating to the assignment of responsibilities and network administrator rights:

- The Director of Corporate Services and the Manager of Accounting and Revenue have been assigned administrator rights in the financial reporting application. This allows them unrestricted access to all modules of the system, and results in a lack of segregation of duties as they are responsible for the City’s financial reporting. Although our audit procedures did not identify any unauthorized or unusual transactions recorded in the financial application by these individuals, the potential exists for unauthorized transactions to be recorded by the administrators and go undetected.

Management response

Due to the limited staff in the financial services area the Director of Corporate Services is the primary accounting system administrator and the Manager of Accounting and Revenue has administrator rights to act in a back-up capacity. Management feels back-ups are required for vacations, illness and emergency planning. While the preferred scenario would be to have full segregation of duties, the current organizational structure and fiscal constraints do not allow for this to occur. Management believes that there are adequate compensating controls in place, such as the Director of Corporate Services reviewing significant entries made by the Manager of Accounting and the CAO and Council periodically reviewing internal financial reports, to mitigate any risk of unauthorized transactions being recorded and going undetected.

With the installation of the new financial system in 2018, the Manager of Accounting and Revenue is now the primary accounting system administrator and the Director of Corporate Services must approve all journal entries made by the Manager of Accounting and Revenue. The Financial Analyst is the backup system administrator for vacations and the Director of Corporate Services approves all journal entries in the absence of the Manager of Accounting and Revenue. The CAO and Council receive monthly internal financial reports to mitigate any further risk of unauthorized transactions being recorded and going undetected.

Review of user access rights

There is currently no formal process in place for management to regularly review and approve user access rights on the network and financial reporting applications. Given the segregation of duties issues that have been identified in the assignment of administrator rights, the regular review by department supervisors or other management of user access rights will ensure that only appropriate and currently employed staff have user ID's on the network and in the applications. As well, this review will ensure that the users have access appropriate for their roles and responsibilities within the organization.

Management response

The access rights of staff members are not currently reviewed on a regular basis by management, although they are reviewed periodically as staff members may change positions. Access rights for the accounting system are assigned to staff members by the Director of Corporate and Community Services and/or the Manager of Accounting. Access rights are assigned when the staff member is hired. They are updated when an existing staff member is changing roles in the organization that would require different access rights or staff members are no longer employed. Due to the current staff resources available and for efficiency purposes no changes are planned at this time to correct this deficiency as it is felt that the current practice is sufficient to ensure users have the appropriate access for their roles and responsibilities.

Staff access rights were reviewed and implemented with the installation of the new financial system. They are not reviewed on a regular basis by management, although they will be reviewed as staff members change positions. Access rights are assigned to the financial system by the Manager of Accounting and Revenue and are assigned when a staff person is hired. The new financial system also limits the number of staff members to be logged in at any one time. Access rights are updated when members change roles or a staff member is no longer employed.

Financial Reporting

Journal entry controls

The Director of Corporate Services and the Manager of Accounting and Revenue have the ability to post journal entries into the financial reporting application. Duties of senior financial reporting personnel should not include the ability to make journal entries as it is important to have an appropriate level of review and authorization over journal entries. Staff members who have responsibility for authorization and approval of journal entries should not have the ability to post entries into the system.

Management response

Due to the size of the municipality and the staff resources available senior financial personnel are required to make and post journal entries; however, there are compensating controls in place, such as the Director of Corporate Services reviewing significant entries made by the Manager of Accounting and Revenue and the CAO and Council periodically reviewing internal financial reports.

With the new financial system, a higher senior manager must approve all journal entries. Therefore, the Director of Corporate Services must approve any journal entries performed by the Manager of Accounting and Revenue and journal entries performed by the Director are reviewed and approved by the Manager of Accounting prior to posting of such journal entries.

Financial Activities

Segregation of duties

During the course of our planning procedures it came to our attention that segregation of duties remains an issue in the accounting cycles of your operations. When duties are not segregated in the control environment, the City is more susceptible to fraud and errors that may not be identified during our audit procedures.

When one person performs most duties in an accounting cycle, such as revenue, collusion is not required to commit fraudulent activities, since there is less likelihood that such an activity will be detected. For example, a staff member responsible for billing and accounts receivable posting should not be handling cash receipts. The potential is there for a misappropriated payment to be not posted to a receivable account and the receivable reconciliation to the general ledger to be altered so that the fraud is not exposed. If the cash receipts duty is given to another staff member, such a potential fraudulent activity could be prevented, the two employees must work together to commit the fraudulent act.

Management response

Management agrees that segregation of duties is often an issue in small organizations, such as our City. Management does believe that there are sufficient compensating controls in place to ensure that issues related to lack of segregation of duties do not result in fraud or error. Some of these compensating controls include the following:

- *Two signatures required on all cheques, which are approved prior to issuance.*
- *Bank reconciliations are prepared by the Financial Analyst who does not handle cash receipts or make cash deposits at the bank.*
- *Accounts Receivable reviewed by Manager of Accounting and regular statements are sent to outstanding customers for payment.*
- *Regular review of account transactions and preparation of internal financial reports.*

Management responses

The Management’s written responses to the internal control matters identified herein have not been subjected to our audit procedures and accordingly, we express no opinion on them.

* * *

This communication is intended solely for the information and use of management, those charged with governance, and others within the City and is not intended to be and should not be used by anyone other than these specified parties.

Yours sincerely,

Grant Thornton LLP

James D. Brennan, CPA, CA
Principal

JDB/jf
Enc

Appendix D – PSAS Accounting developments

Public Sector Accounting Standards [updated June 30, 2018]	Effective date
<p>Section PS 3400 Revenues</p> <p>The PSAB approved the final Handbook Section PS 3400 <i>Revenue</i>. The PSAB expects to release this Standard, which establishes standards on how to account for and report on revenue, in Q4 2018.</p>	<p>Fiscal years beginning on or after April 1, 2022.</p> <p>Earlier adoption is permitted.</p>
<p>Section PS 3280 Asset Retirement Obligations</p> <p>The PSAB approved the final Handbook Section PS 3280 <i>Asset Retirement Obligations</i>. The PSAB expects to release this Standard, which establishes standards on how to account for and report a liability for asset retirement obligations, in Q3 2018.</p>	<p>Fiscal years beginning on or after April 1, 2021.</p> <p>Earlier adoption is permitted.</p>

Appendix E – Auditing developments

Canadian Auditing Standards (CASs) and other Canadian Standards issued by the AASB	Effective date
<p data-bbox="341 504 1377 547">CSAE 3530 - <i>Special Considerations - Attestation Engagements to Report on Compliance</i> and CSAE 3531 - <i>Special Considerations - Direct Engagements to Report on Compliance</i></p> <p data-bbox="341 560 1377 603">These standards set out specific requirements and application material applicable when applying CSAE 3000 or CSAE 3001 (discussed above), as appropriate, to engagements to report on compliance.</p> <p data-bbox="341 616 882 636">CSAE 3530 and CSAE 3531 will replace the following sections:</p> <ul data-bbox="341 649 1377 762" style="list-style-type: none"> <li data-bbox="341 649 747 670">• Section 5800 - <i>Special Reports - Introduction</i> <li data-bbox="341 683 1152 703">• Section 5815 - <i>Auditor's Reports on Compliance with Agreements, Statutes and Regulations</i> <li data-bbox="341 716 990 737">• Section 8600 - <i>Reviews of Compliance with Agreements and Regulations</i> <li data-bbox="341 750 1377 770">• Paragraphs PS 5300.11-13 of <i>Auditing for Compliance with Legislative and Related Authorities in the Public Sector</i> <p data-bbox="341 783 1377 815">The public interest considerations behind this project are to improve consistency in how practitioners perform these types of engagements and to require more transparency and clarity in reporting.</p>	<p data-bbox="1417 560 1694 644">CSAE 3530 and CSAE 3531 are effective for compliance reports dated on or after April 1, 2019, with early adoption permitted.</p>
Canadian Exposure Drafts issued by the AASB	Effective date
<p data-bbox="341 975 1377 1018">Proposed changes to CAS 540 <i>Auditing Accounting Estimates, including Fair Value Accounting Estimates, and Related Disclosures</i></p> <p data-bbox="341 1031 1377 1177">In June 2018, the IAASB approved a revised version of ISA 540 <i>Auditing Accounting Estimates and Related Disclosures</i>. In revising the standard, the IAASB focused on improving the scalability of the ISA to very simple accounting estimates, as well as the most complex accounting estimates. The standard was also revised to clarify the relationship between ISA 540 (revised) and the other ISAs and the requirements when using the work of management's expert as audit evidence in testing how management made the accounting estimate. The AASB intends to adopt the changes to the ISA as CASs, subject to deliberating the comments received on its exposure draft. The revised CAS is expected to be approved by the end of 2018.</p>	

Canadian Exposure Drafts issued by the AASB	Effective date
<p data-bbox="341 252 1398 300">Proposed changes to Section 7170 Auditor's Consent to the Use of the Auditor's Report in Connection with a Designated Document</p> <p data-bbox="341 308 1398 504">The AASB has decided to amend the current Section 7170 to include certain materials from Section 7500. If the project is approved, a revised Section 7170 will be issued and Section 7500 will be withdrawn. The change to the structure of the Handbook makes it clear what standard the auditor must use when providing consent. The revised Section 7170 would be used when the auditor is requested to provide consent in connection with audited financial statements or a document containing audited financial statements being filed with securities regulatory authorities (unless the document is addressed by Section 7150). Such items may be included to assist officers and directors of the entity (or acquirer of a business in the case of consent in connection with a Business Acquisition Report) in conducting a reasonable investigation for purposes of a due diligence defence or similar. The comment period for the Exposure Draft has ended and the AASB is deliberating the comments it has received.</p>	<p data-bbox="1417 252 1707 320">The revised standard is expected to be applicable for consents issued on or after June 1, 2019.</p>

Non-authoritative Guides, Practice Notes, Bulletins and Risk Alerts

Non-authoritative Guidance issued during the year	Issued
None	

City of Port Colborne
Unfunded Capital Projects

Schedule C

	at Dec 31, 2016		sale of land	expenses/donations	revenue fund	debenture	reserve	Total Capital Alloc	at Dec 31, 2017	
	Balance	deposit on sale							Balance	Future funding
Island Property sale	33,263.22	- 30,000.00						-	3,263.22	sale of property
Babcox Wilcox Property	250,829.94							-	250,829.94	sale of property
861 Elm St-Oskam Steel	25,000.00						- 25,000.00	- 25,000.00	-	future taxes
CMT School	189,083.46		- 164,700.00	12,572.95				- 152,127.05	36,956.41	sale of property
40-44 Killaly st	138,986.62		- 34,783.64	2,487.75				- 32,295.89	106,690.73	sale of property
Roselawn Bld	34,526.91							-	34,526.91	sale of piano
Road Const	122,947.26			2,198.56	- 17,797.14			- 19,995.70	102,951.56	2019 Roads Const budget
Railway grade crossings	- 100,000.00			61,761.03				- 61,761.03	38,238.97	expended in 2018
Roads	- 2,198.56			2,198.56				2,198.56	-	apply to unfunded roads
East Side Employment Lands	- 63,040.82			69,775.99			- 6,735.17	63,040.82	0.00	expended in 2017
Operations Centre	155,455.01			203,470.51			- 358,925.52	- 155,455.01	-	Debenture 2017
Operations Centre	1,522,981.43			5,401,494.42	-118137.75	6,793,000.00	- 13,500.00	- 1,523,143.33	161.90	Debenture 2017
Island Land Purch-Op Centre	161.90							-	161.90	Debenture 2017
Nickel area Storm Sewer				9,584,309.23	- 400,000.00	- 4,600,000.00		4,584,309.23	4,584,309.23	Grants/Debentures 2018
Main St CIP	255,184.48			88,538.83	56,140.00		- 210,869.00	- 66,190.17	188,994.31	maturing debentures in 2014
Marina Land	110,716.33				- 31,243.00			- 31,243.00	79,473.33	currently in budget-\$30,000/year
SHM Boat Storage Equipment	28,372.96						- 28,372.96	- 28,372.96	-	matured debentures
SHM FuelPump/Tank Replace	29,783.13							-	29,783.13	matured debentures
SHM Shower Renov	4,353.00						- 4,353.00	- 4,353.00	-	matured debentures
SHM Fencing	10,998.80				- 8,287.88		-2710.92	- 10,998.80	-	2017 budget
SHM Fencing				11,600.00				11,600.00	11,600.00	2018 budget
Museum Log Cabin	26,010.07				- 1,264.02			- 1,264.02	24,746.05	fund over 3 yrs 2018 to 2020
Museum Building	17,920.00				- 6,000.00			- 6,000.00	11,920.00	fund over 4 yrs 2016 to 2019
Sherkston Comm Centre	14,583.94				- 5,000.00			- 5,000.00	9,583.94	fund over 4 yrs 2016 to 2019
SHM Weed Harvester	9,190.00				- 9,000.00		- 190.00	- 9,190.00	-	fund over 5 yrs 2013 to 2017
Finance Computer	4,183.00				- 4,183.00			- 4,183.00	-	fund over 5 yrs 2013 to 2017
	<u>2,819,292.08</u>	<u>- 30,000.00</u>	<u>- 199,483.64</u>	<u>15,436,010.71</u>	<u>- 544,772.79</u>	<u>- 11,393,000.00</u>	<u>- 650,656.57</u>	<u>2,648,097.71</u>	<u>5,437,389.79</u>	
Water meters program	200,876.08			99,123.92		300,000.00		- 200,876.08	-	Expended in 2018
Lakeshore watermain sewer	29,430.72			64,377.83	- 49,445.47			14,932.36	44,363.08	2018 capital budget
	4,223.00								4,223.00	Alloc from Sewer fund-surplus
	<u>234,529.80</u>			<u>163,501.75</u>	<u>-</u>			<u>- 185,943.72</u>	<u>48,586.08</u>	
								<u>2,462,153.99</u>		

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Report Number: 2018-138

Date: October 9, 2018

SUBJECT: Site Alteration Permit - Port Colborne Quarries

1) PURPOSE:

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

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

At an April 26, 2010 meeting, Council directed staff to prepare a Site Alteration By-law for consideration after concerns were expressed by several residents about the placement of fill onto a vacant lot on the northeast corner of Highway 58 and Barrick Road.

On July 28, 2010, Council approved a Site Alteration By-law 5528/125/10 through Planning and Development Report No. 2010-62. The by-law prohibits and regulates: "the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land within the city of Port Colborne".

On July 23, 2017, an application was submitted by PCQ for the placement of approved Ministry of the Environment, Conservation, and Parks (MOECP) Table 1 clean inert fill in Pit 1 to bring the property to original grade. Their application was accompanied by a "Planning Report-Site Alteration Permit" prepared by IBI Group (attached as Appendix A)

The placement of fill in Pit 1 is not specifically mentioned in a 1982 Site Plan Agreement as a form of rehabilitation. Clause 23 of the agreement states as follows:

"The Quarries agree to the undertaking and maintenance of a rehabilitation program compatible to the program contemplated in clause 14 of this agreement for that area west of Snider Road, being part of Lots 23 and 24, Concession 2".

Clause 14 states:

"The Quarries has as a condition of licensing pursuant to the Pits and Quarries Control Act, agreed to undertake and maintain a rehabilitation program comprising a passive recreational lake which would only be used by sail boats, canoes and row boats. The Quarries, however, reserve the right to change the type of rehabilitation program subject to concurrence by both the Ministry of Natural Resources and the City of Port Colborne and the resultant amending of this Agreement."

The 1982 agreement makes no mention of timelines by which this is supposed to be completed, nor does the agreement specify what a rehabilitation program compatible to a "passive recreational lake" is.

3) STAFF COMMENTS AND DISCUSSIONS

PCQ would like approval to be able to place clean fill in Pit 1 for a period up to 20 years using their current access at Ramey Road. The by-law only grants approval for six months and may be extended, however, a 20-year period was not intended for extensions which is why staff is requesting Council's consideration.

As confirmed by legal counsel, Paragraph 14 references rehabilitation as a condition of licensing, not as a Site Plan Agreement condition. The paragraph also permits PCQ to change the type of rehabilitation program with the consent of the Ministry and the City.

As Pit 1 was not licensed, the City has no authority to require a particular form of rehabilitation for this pit nor does the Site Plan Agreement require an amendment.

The Ministry of Natural Resources has identified an Earth Science Area (ANSI) along the quarry wall which is identified in the Official Plan. The ANSI represents a 12.1 m section of Bertie Formation dolostones. The contact between the Devonian and Silurian is exposed in the form 0.6 to 1 m relief erosional surface which occurs 2-3 m below the top of the western quarry face.

PCQ was made aware that this feature can't be backfilled. PCQ will work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of an educational/public access and is recommended as a condition of approval.

The final consideration for Council is determination of the applicable fee as there is no existing fee in the by-law that covers the application.

The following are the existing Site Alteration Fees:

1. Basic Fee for affected land area of 1 hectare for a 6 month permit	\$100.00
2. Additional fee per hectare or fraction thereof over one hectare	\$20.00/ha
3. Maximum fee for a 6 month permit	\$1,000.00
Example: 15 ha = \$100 + (\$20 x 14ha) = \$380.00	
Note: Fees include inspection of control plans and site by City staff	
4. Permit Extension Fee – fee per hectare	\$20.00/ha
Example: same 15 ha site = (\$20.00 x 15 ha) = \$300.00	

Pit 1 is approximately 67 hectares in size. Using the above chart, a \$1,320 fee (\$100 for 1 hectare + 66 hectares x \$20 = \$1,320) is recommended for a 20-year permit.

For Council's information, applications submitted by PCQ for Official Plan and Zoning By-law amendment (files D14-05-16 & D09-01-16) for Pits 1 and 2 for future land use have not yet been submitted for consideration. City and Regional planning staff have continued discussions with PCQ about a policy, land use and a secondary planning basis. Once matters have been satisfactorily addressed, a report will be submitted for Council's consideration.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

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

Other Options

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

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

Appendix A - Planning Report - Site Alteration Permit

7) RECOMMENDATION

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.

Prepared on September 28, 2018 by:



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

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

FINAL

Planning Report – Site Alteration Permit

Port Colborne Quarries Inc.

1937 2nd Concession Road, Port Colborne, ON



Prepared for Port Colborne Quarries Inc.
by IBI Group
July 24, 2018

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1 Introduction

The following Report has been prepared to support an application for a Site Alteration Permit for lands owned by Port Colborne Quarries Inc. (PCQ) to implement a staged clean fill program requiring the importation of clean inert fill. The following approval is required:

- Site Alteration Permit from the City of Port Colborne, pursuant to By-Law No. 5528/125/10 being a By-Law to *prohibit or regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land within the City of Port Colborne.*

The subject lands are part of a series of quarries owned by PCQ, known as Pit 1, Pit 2 and Pit 3. The properties are located in the central portion of the municipality, just outside and to the northeast of the existing built-up area, near the intersection of Highway 140 and Highway 3. The subject site, referred to by PCQ as Pit 1, is approximately 67 hectares (166 acres) in size and is currently used as an aggregate processing facility to support the quarrying activity taking place in Pit 2 and 3. The subject lands are a former, unlicensed extraction site and represent an open pit landscape whereas Pits 2 and 3 are regulated under the Aggregate Resources Act (ARA) - Licence 4444. Backfilling has occurred in Pit 1 for side-slope stabilization using imported material.

The legal description of the subject site is Part Lots 23 and 24, Concession 2 (Former Township of Humberstone), City of Port Colborne, Regional Municipality of Niagara.

The purpose of this application is to permit the importation of clean inert fill that meets Ministry of Environment (MOE) *Table 1 Standards for soil, ground water and sediment under Part XV.1 of the Environmental Protection Act*, so that the site may be returned to original grade and ultimately re-zoned for mixed-use industrial development.

1.1 History

According to PCQ staff, quarrying initially began on the subject lands sometime between 1954 and 1955 under the ownership of the Grey Nuns. Shortly thereafter, the lands were purchased by Canada Steamship Lines and under their ownership, the level of quarrying activity escalated. It is believed that during the peak production years, the quarry had as many as 60 employees with an annual production in the range of 2 million tonnes. By 1971 when the provincial Pits and Quarries Control Act (P&QCA) came into effect, the site was completely exhausted of its' aggregate reserves and consequently, the site did not get licensed under the aforementioned Act. As such, the Pit 1 reserves were fully extracted in a span 16 years.

Because the subject lands were never licensed under either the P&QCA or the ARA, Pit 1 does not have any stipulated progressive and/or final rehabilitation requirements.

1.2 Purpose of Planning Report

It is the intent of PCQ to import a sufficient amount of backfill material to Pit 1 in order to bring the lands back to their pre-extraction grade, with a vision they be repurposed in the long-term as a mixed-use industrial development. Based on this, the purpose of this report is to provide the City of Port Colborne with the necessary information to evaluate and approve the issuance of a Site Alteration Permit.

1.3 Regulatory Context

A Site Plan Agreement, dated February 4, 1982 was signed between the City of Port Colborne (City) and PCQ to regulate quarrying activity associated with Pits 2 and 3 and that Agreement was registered on title as Instrument No. RO385360. Subsequently, PCQ prepared formal Site Plans that addressed all the issues contained in the Agreement as well as the prescribed requirements of the Aggregate Resources Act (ARA 1991). Those plans were ultimately approved by the Ministry of Natural Resources (MNR) as Licence 4444 on January 15, 2007.

Most recently, PCQ has received a legal opinion which concluded that, through the legislative authority held by MNR, the Minister retains sole authority to licence and enforce all lands designated in the Province as it relates to aggregate extraction, and therefore, the aforementioned Agreement was probably never enforceable and currently is inoperative based on Section 66.1 of the Aggregate Resources Act.

2 Existing Conditions

2.1 Location

The subject site is bound by 2nd Concession Road to the north, Snider Road to the east, Highway 3 to the south and Highway 140 to the west. The northwest corner of the property is traversed by the Chippawa Road right-of-way resulting in a triangular shaped parcel that is independent of the subject application and not owned by Port Colborne Quarries Inc. The site is accessed from Ramey Road which is off of 2nd Concession Road. Refer to Figure 1 – Site Location Map.

2.2 Existing Uses

As mentioned, the site is a depleted quarry which currently hosts an aggregate processing facility to support the adjacent PCQ operation located just east of Snider Road. Associated with the processing equipment are a series of wash ponds located along the site's southern boundary, as well as stockpiles of processed material (crushed, screened, blended) which are dispersed throughout the central portion of the site. Accessory uses include an office, a scale house, shed and warehouse, being located at the site's entrance near Ramey Road. An easement in favour of Ontario Hydro traverses the property in a north/south direction including two large towers/pylons. In the southwest corner of the site is a 5.27 hectare parcel of land that represents a jog in the property boundary. These lands are outside the limits of the former quarry but form part of the overall PCQ land holdings. These lands are undisturbed and are occupied by a grove of trees. Refer to Figure 2, Existing Conditions Map.

2.3 Surrounding Uses

Surrounding uses include:

North: Single-use rural residential dwellings are located to the north of the site between 2nd Concession Road and Chippawa Road. However they are set back well enough from the 2nd Concession Road right-of-way. Further north are agricultural lands.

East: The east of the property is occupied by the active PCQ operation (ARA Licence 4444). This operation flanks both sides of Babion Road and comprises the west quarry (Pit 2) and the east quarry (Pit 3). Pit 2 has been depleted and is currently being rehabilitated.

Pit 3 is currently engaged in active extraction. An internal haul route connects all three properties.

West: The west property line abuts the Highway 140 right-of-way. Beyond the right-of-way are agricultural lands, environmental lands and the existing built-up areas of Port Colborne.

South: Agricultural uses predominate the lands abutting the south property line and further to the south is Highway 3.

Refer to Figure 3, Zoning Provisions Map for the zoning relating to the subject lands as well as those surrounding the site. The following is a description of those zoning categories:

Subject Site

- MAO Mineral Aggregate Operations
- MAO-38-H Mineral Aggregate Operations permitting concrete manufacturing plant subject to a (H) provision requiring a Site Plan Agreement
- L1-35 Light Industrial permitting a Hotel
- Environmental Protection (pertaining to an identified ANSI - geological formation)

Abutting Lands Owned by PQC

- MAO Mineral Aggregate Operations

Other Surrounding Lands

- A Agriculture
- AR Agricultural Residential
- LI Light Industrial
- R1 First Density Residential
- RD Residential Development

3 Proposed Clean Fill Program

3.1 Vision

The purpose of requesting a Site Alteration Permit is to initiate a clean fill program that will allow Pit 1 to be backfilled back to its' pre-extraction grades in order to accommodate the development of a mixed-use industrial development. Planning for the proposed industrial development is intended to occur subsequent to the clean fill program and as such, a future zone change application will be required to permit the final land use.

The subject site is well-suited as a mixed-use industrial development as it is within the Region's delineated urban area as identified on Schedule A of the Regional Official Plan and shown as "Industrial" on the City of Port Colborne Official Plan- Schedule A.

The site occupies a prominent location at the intersection of Highway 140 and Highway 3, which are key transportation corridors within Port Colborne and the southern Ontario region at large. It is in close proximity to the Welland Canal allowing for additional access and connectivity. Thus in terms of location, the site enjoys direct access to major transportation corridors, while being buffered from existing sensitive uses; making it well-suited for future industrial/employment.

3.2 Source Material

The fill program will entail the importation of inert fill that meets the applicable MOECP guidelines in effect at the time of importation and all the material is to meet the *Table 1 Standards for soil, ground water and sediment under Part XV.1 of the Environmental Protection Act*. Should the standards change over the course of time, the new in-effect standard will be



applied. All material entering the facility will be laboratory tested and certified by the *source site* prior to being accepted. All documents will be maintained on-site and be made available to the City, Region, and MOECP upon request.

The fill material will be obtained from sources locally regionally and potentially further afield if available, and typically would be excess spoil material being removed from active construction sites that otherwise would be directed to municipal landfills, and thereby reducing the lifespan of those facilities.

In addition, and further to clause 6 of the City's Site Alteration By-Law No. 5528/125/10, Port Colborne Quarries will agree to release and indemnify that City with respect to any liability that may arise in the event that fill contains contaminants within the meaning of the *Environmental Protection Act*.

3.3 Volume, Staging and Estimated Duration

The proposed fill program will proceed in five (5) stages starting from the north east corner of the site moving southward and around the existing processing equipment. During the latter stages as the site fills, the existing aggregate processing equipment will be dismantled and decommissioned. Refer to Figure 4, Fill Staging Program Map.

As the backfill material is imported to the site, it will be sufficiently compacted to meet the necessary specifications for engineered fill that is suitable for industrial development uses. Refer to Figure 5, Final Pit 1 Elevations.

Based on topographical information provided by Russel Technical Surveys, a cut/fill analysis was completed to fully backfill the Pit 1 lands. It has been calculated that the approximate volume of fill required is 6.15 million cubic metres. Using a conversion factor of 2.0 T/cubic metres plus an additional 15% to account for compaction, the estimated quantity of material required is +/-14.1 MT.

The estimated life of the fill program is upwards of twenty (20) years.

3.4 Truck Movements

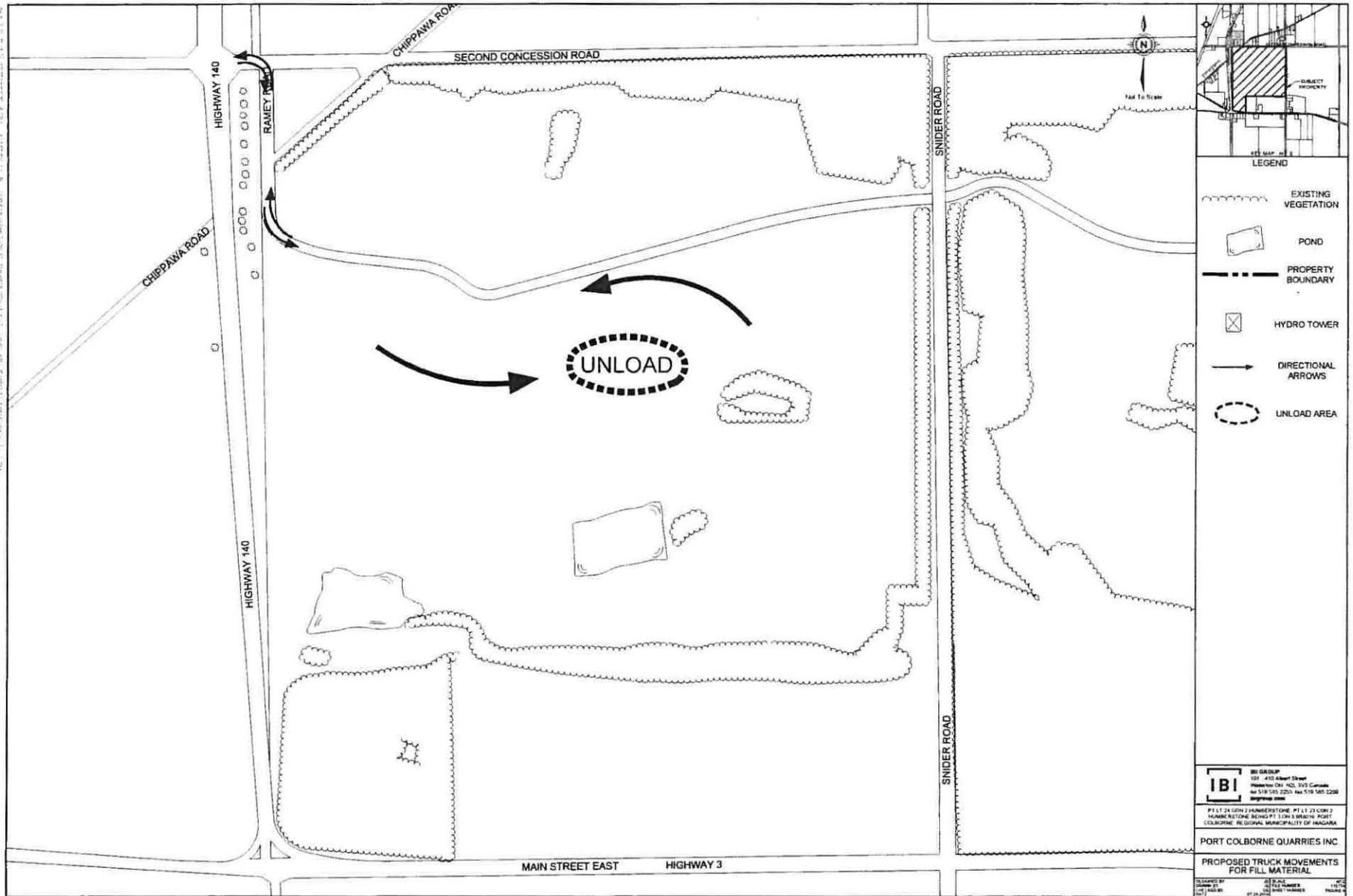
Currently trucks entering and exiting the site use the access at Ramey Road which connects the site to 2nd Concession Road. This access is proposed will be retained and no additional accesses are proposed. Refer to Figure 6, Proposed Truck Movements for Fill Material.

4 Land Use Compatibility

The City (D. Aquilina) requested PCQ to have regard for two specific clauses within the 1982 Site Plan Agreement:

Clause 14:

[PCQ] has as a condition of licensing pursuant to the P&QCA, agreed to undertake and maintain a rehabilitation program comprising a passive recreational lake which would only be used by sail boats, canoes and row boats. [PCQ], however, reserve the right to change the type of rehabilitation program subject to concurrence by both the Ministry of Natural Resources and the City of Port Colborne and the resultant amending of this Agreement.



Clause 23:

[PCQ] agrees to the undertaking and maintenance of a rehabilitation program compatible to the program contemplated in Clause 14 of this Agreement for that area west of Snider Road, being Part of Lots 23 and 24 Concession 2.

Notwithstanding the PCQ position relating to the Site Plan Agreement as described above, we provide the following professional planning opinion of these clauses:

Clause 23 is requesting that the final land use of Pit 1 be compatible to the final land use of Pits 2 and 3, and the final land use of Pit 2 and 3, (as being described in Clause 14), is proposed to be a passive recreational lake. Of note:

- It is acknowledged that the final land use of Pit 2 and 3 is for a passive recreational lake, (as proposed by the existing ARA approved Site Plans).
- Clause 23 requests that the final land use of Pit 1 should be compatible to the final land use of Pits 2 and 3.

It is our position that compatible is not defined as meaning the same or identical, but rather development that can co-exist in harmony with the surrounding area or co-exist without causing undue adverse impacts on the surrounding properties. As noted above, the intent of PCQ is that Pit 1 be returned to its' original pre-extraction grade and ultimately be re-zoned for a mixed-use industrial development.

The question therefore is whether a mixed-use industrial development is a compatible use with a passive recreational lake?

As a starting point, the types of industrial uses which might be proposed by such a development should be clarified. The following list represents the City of Port Colborne permitted uses for the following zoning categories: Light Industrial, Heavy Industrial, Gateway Industrial and Industrial Development:

- Adult Oriented Entertainment Establishment;
- Car wash;
- Contractor's Yard;
- Crematorium;
- Education Facility;
- Industry, Light;
- Medical Marihuana Production Facility;
- Motor Vehicle Repair Garage;
- Public Use;
- Research Facility;
- Transportation Depot;
- Food Vehicle;
- Office;
- Retail Store;
- Restaurant, Fast-Food;
- Restaurant, Full-Service;
- Restaurant, Take-Out
- Heavy Equipment Sales and Service;
- Industry, Heavy;
- Multi-modal Storage Facility;

- Agricultural Farm Related Commercial or Industrial; and
- Warehouse.

Based on these uses, it is our opinion that typical land compatibility issues which could potentially arise between the two uses would include the following:

- Noise Impacts: Within the above list of possible land uses, some have the potential to be a generator or source of industrial type noise and therefore could potentially be deemed to be in conflict with a "passive recreational lake" that is perceived as a pastoral or quiet setting.

We note the following:

- Any industrial development being proposed would be required to meet all applicable MOECP Guidelines for noise including a recognition of all off-site sensitive land uses. Along portions of both the Pit 1 and 2 lands, perimeter berms were constructed as part of the extraction operation which parallel Snider Road. The berms are generally 2.0 – 3.0 metres in height and will provide a break in the landscape for noise attenuation. However, if the proposed industrial noise source is determined to exceed MOECP noise limits, there remains sufficient buffer land available within the Pit 1 lands to accommodate additional attenuation measures (i.e., higher berms), if necessary.
- The separation distance between any proposed industrial uses and the proposed lake include:
 - Future rear yard development setbacks associated with individual industrial uses which currently vary from 8.0 metres to 30.0 metres,
 - The width of the untraveled but open Snider Road is 20.0 metres,
 - The setback between Snider Road and the proposed water's edge is 45.0 metres.

The result is a minimum separation distance ranging from 73 metres to 95 metres. When one considers that the minimum separation distance prescribed by the ARA for buffers between active extraction and existing residential uses is 30.0 metres, we can therefore conclude that the proposed industrial use buffer, being 2½ to 3 times wider, can be deemed as a significant separation buffer.

- The proposed lake will be +/-11.0 metres lower than the surrounding lands (i.e., creating a bathtub like landscape) and with the buffer lands being significantly vegetated, the lake site will be substantially secluded from the Pit 1 lands, all helping to attenuate noise levels.
- Visual Impact: Based on the proposed industrial uses which might be permitted, some would permit buildings up to 11.0 metres in height, and the presence of such tall buildings in close proximity to a passive recreational lake might be deemed as out of character.

We note the following:

- As noted above, given the separation distance (75 metres to 93 metres), the existing and mature vegetation within the intervening lands, the existing perimeter berms, and the elevation difference with the proposed lake being significantly below grade; we have concluded that potentially only the uppermost portion of an 11.0 metre building would be visible from the lake. Based on this, it would be our position if such a building was constructed in proximity to Snider Road, it would not be imposing upon the lake users.

- **Traffic Impacts:** Although traffic concerns are typically identified as a land use conflict issue with new development, no such issues are expected with this site.

We note the following:

- The existing Snider Road which divides the two sites is an open road but posted with caution signs signifying it as a clay road, whereby it is only usable for safe travel by regular road vehicles during short dry periods of the year. As such, this road is rarely used and without any upgrades, will remain as such.
 - It is anticipated that the mix-use industrial development lands will utilize the access points currently used by the quarry operation, thereby egressing onto Highway 140 with no traffic interacting with the lake lands.
- **Dust Impacts**
The specifics of the mixed use industrial will not be refined for many years, but it is anticipated that the development will be developed with full urban cross-section (paved roads, curbs/gutters, municipal servicing) with each lot required to meet the City's Site Plan standards for landscaping and setback requirements. Based on this, it is not anticipated that there will be any greater chance for the production of fugitive dust than from any other existing urban land use within the City of Port Colborne.
 - **Odour**

Given the uses being suggested, we do not believe that any of them could be considered as a source of noxious odours.

5 Review of Existing Land Use Policy

The final land use envisioned by PCQ is for a mixed-use industrial development will conform to current local and Regional Official Plan designations as an industrial/ employment and gateway economic centre as detailed below. Detailed plans, drawings and reports pertaining to the proposed mixed-use industrial development will be provided as part of a comprehensive rezoning application and Site Plan application in the future.

5.1 Niagara Region Official Plan 2014

The subject lands are within the Urban Area Boundary of the Regional Official Plan and are identified as the "Designated Greenfield Area" per Schedule A-Regional Structure. They are also shown as being within the Gateway Economic Centre per Schedule G1.

An amendment to the Regional Official Plan is therefore not required to implement the fill program.

5.2 City of Port Colborne Official Plan 2017

The lands are currently designated 'Mineral Aggregate Operations' and 'Industrial/Employment Area' per Schedule A of the Port Colborne Official Plan.

An amendment to the City's Official Plan is therefore not required to implement the fill program.

5.3 City of Port Colborne Zoning By-Law No. 6575/30/18

The lands are zoned MAO (Mineral Aggregate Operations) and MAO-38-H. The southwest corner of the property which is not disturbed and outside of the former quarry area is zoned LI-

35 (Light Industrial). Uses permitted in the MAO zone are limited to extraction and processing of mineral and aggregate materials; accessory buildings and agricultural uses. Special provision 38-H allows for concrete product manufacturing.

A segment of the property along Highway 140 is zoned Environmental Protection and is identified as an Area of Natural and Scientific Interest (ANSI) of the Earth Science category. The significance of this ANSI lies in the fact that it is a representative sequence of the Bertie Formation with a major disconformity. The *Earth Science Inventory Checklist* associated with this ANSI dated July 1980, does not indicate the limits/size of the ANSI. It is being recommended that PCQ work with the applicable government agencies to determine appropriate limits and preservation techniques so to conserve the ANSI and if possible, to provide appropriate interpretive and educational uses whilst maintaining normal site activities. This might take the form of an area left exposed and ultimately accessed by the public via a short trail / staircase to a viewing platform with interpretive signing.

An amendment to the Zoning By-Law is not required to implement the Site Alteration Permit Program.

5.4 City of Port Colborne Site Alteration By-Law

Approval for a clean fill program is subject to the City's Site Alteration By-Law 5528/125/10 which requires the issuance of a Permit to alter grades and/or place fill. This report and accompanying Control Plans have been prepared to support the application for a Site Alteration Permit.

5.5 Niagara Peninsula Conservation Authority

The subject property is also under the jurisdiction of the Niagara Peninsula Conservation Authority. (NPCA). Portions of the property along the southern boundary are identified within the Regulation Limit. Based on the staging program being proposed herein, no portion of the NPCA Regulation Area will be impacted for a minimum of 7-8 years. At such time when the lands may be impacted, PCQ will initiate the applicable NPCA approvals as may be required.

5.6 MOECC- Management of Excess Soil

The Government of Ontario encourages the "beneficial reuse of excess soil in a manner promoting sustainability and the protection of the environment." To that effect, in 2017 the Ministry of Environment and Climate Change, released a document entitled "Management of Excess Soil - A Guide for Best Management Practices". The document highlights procedures and protocols for the operation of fill sites while safeguarding against environmental impacts. The document notes that it is appropriate for excess soils to be reused to facilitate the transition and rehabilitation of a pit/quarry, through to a future land use. Given this context, the proposed fill program furthers the overall directives of the MOECC (now MOECP) and meets the growing needs of the construction industry.

6 Approvals Required

Based on the above, a Site Alteration Permit is required from the City of Port Colborne.

Port Colborne Quarries Inc. requests a Permit for Site Alteration to implement a Clean Fill Program at their site located on 1937 2nd Concession Road. The program entails staged backfilling and compaction of imported inert clean fill that meets the applicable MOECC soil, ground water and sediment standards. We understand that the current requirement would be to

Prepared for Port Colborne Quarries Inc.

meet *ON Regulation 153/04* Table 1 standards. The volume of fill required to be bought onto the site is approximately 14.1 million tonnes, and the estimated life span of the Program is +/-20 years. The ultimate use for the subject property is intended to be mixed-use industrial which will be in keeping with the policy direction provided by both the Region of Niagara Official Plan and the City of Port Colborne Official Plan.

7 Conclusion

In conclusion, it is recommended that this Planning Report fulfills the requirements of the City's Site Alteration By-Law 5528/125/10 and that this be the basis for issuing a Site Alteration Permit.

Yours truly

IBI GROUP

David R. Sisco, BA, MCIP, RPP
Associate, Senior Planner

DRS/baw
Encl.



I hereby certify that the Planning Report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planner's Institute Act, 1984.

July 24th 2018
Date

David R. Sisco, BA, MCIP, RPP
David R. Sisco, BA, MCIP, RPP

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Planning and Development Department
Planning Division

Report Number: 2018-107

Date: October 9, 2018

SUBJECT: Railway Station Interpretive Board Funding Request

1) PURPOSE

The purpose of the report is to seek direction from Council on contributing funding towards the installation of an interpretive board for the former Canadian National Railway station on King Street.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The City of Port Colborne's Heritage Advisory Committee, Heritage Port Colborne, had been working with the Niagara Division of the Canadian Railroad Historical Association regarding installation a plaque for the former CNR station on King Street. The plaque was to focus on both the heritage of the building and the importance of the Niagara, St. Catharines and Toronto Railway to the historic development of Port Colborne and Niagara. The understanding was that Heritage Port Colborne would contribute 50% of the value of the creation and installation of the plaque, using its annual budget amount.

Since December 2017, Heritage Port Colborne has been in abeyance since the membership dropped below the legal threshold for a municipal heritage advisory committee established by the Ontario Heritage Act. (At least five members are required for a committee to exist.)

Staff received the formal request for funding towards the plaque in July 2018 (Appendix A). Since Heritage Port Colborne is in abeyance, Staff is seeking direction from Council on spending money that has been set aside for a committee of council.

3) STAFF COMMENTS AND DISCUSSIONS

The request from Paul Chapman of the Niagara Division of the Canadian Railroad Historical Association, identifies the total cost of creation and installation of the plaque at no more than \$3,500. The 50% contribution that is being requested is for \$1,750, inclusive of HST. Mr. Chapman and his organization will be responsible for having the interpretive board created and installed.

Heritage Port Colborne's annual budget is \$4,234. Since the committee is inactive, none of the 2018 budget has been spent. Therefore, staff recommends Council supporting this request.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

a) Do nothing

Council could choose to take no action. The interpretive board for the former train station would not be installed. Staff does not recommend this option.

b) Other Options

Council could choose to deny the request, refer the report back to staff for more information or refer the request to Heritage Port Colborne, should it be revived in the future. Staff does not recommend these options.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

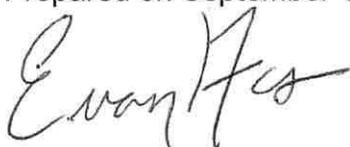
Appendix A: Request for Funding for Interpretive Board including Proposed Text of Interpretive Board

7) RECOMMENDATION

That staff be directed to fund up to \$1,750 towards the creation and installation of an interpretive board for the former Canadian National Railway station on King Street from the 2018 Heritage Port Colborne budget.

8) SIGNATURES

Prepared on September 12, 2018 by:



Evan Acs, MA, MSc
Planner

Reviewed by:



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

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

2018-107 APPENDIX A**1/9**

Site Plan Comments
Read Receipts
By-law Orders
Interpretative Board
Paul Chapman

to:

planner@portcolborne.ca

07/11/2018 06:37 PM

Hide Details

From: "Paul Chapman" <chapman6467@yahoo.ca>

To: "planner@portcolborne.ca" <planner@portcolborne.ca>

History: This message has been replied to.

1 Attachment

portcolbornedraft1.docx

Hello Evan

Thank you for seeing me today without an appointment. As we discussed, we would like to proceed with an interpretative board in Port Colborne this year. I am attaching a draft copy of the board for your information. The interpretative board would be installed on the east side of King St. near the former CNR station either north or south of the Port Colborne Harbour Belt line. The sign would be approximately 0.6 m from the sidewalk. The estimated cost would be a maximum of \$3,500 of which we asking for a maximum donation of 50% of the actual costs to \$1,750 including H.S.T.

If you could please convey this request to City Council as soon as possible, that would be great. I can attend the Council meeting if you believe that it would be advisable.

If Council approves the funding, we would proceed immediately and finalize the text and order the sign. Installation would likely be in October. As part of the official unveiling, we would work with the City to invite dignitaries and the press to the event..

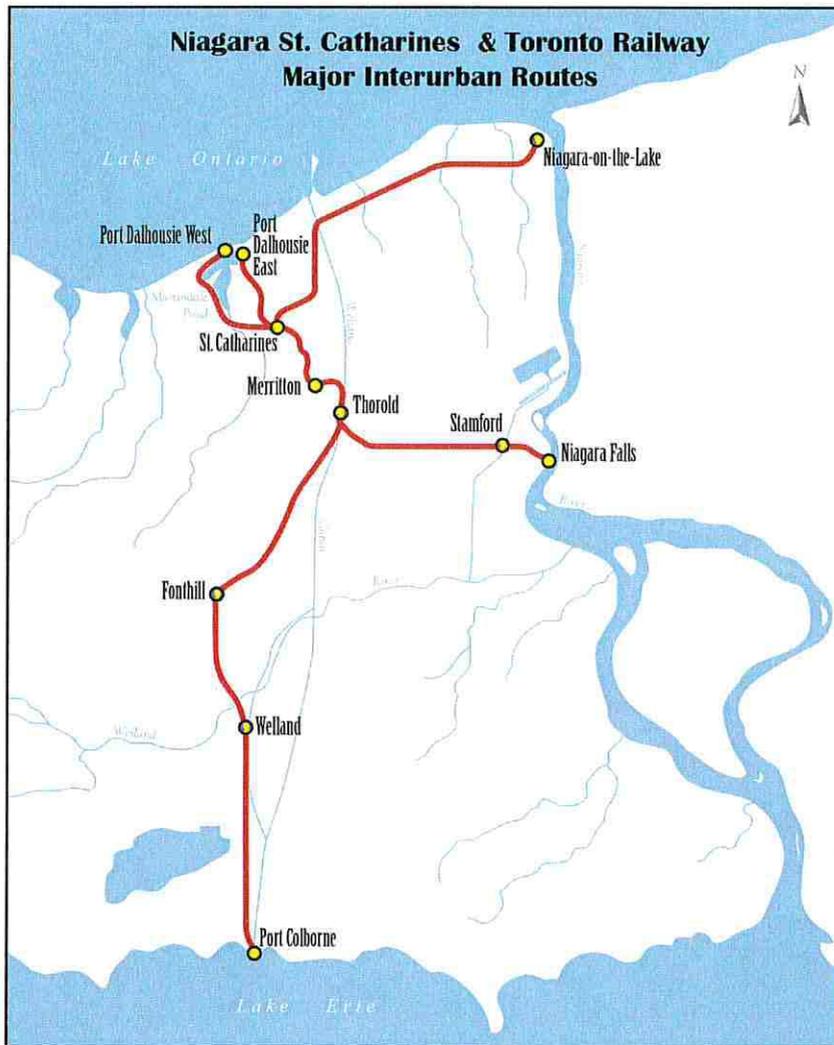
If you have any additional questions, please email at this address or call 905-937-7170

Thank you for your assistance.

Paul Chapman
Niagara Division of the Canadian Railroad Historical Association

PORT COLBORNE AND THE NS&T

In 1899, the NS&T was created. It was an electric freight and passenger interurban railway which would eventually serve communities along the Welland Canal corridor plus Niagara Falls and Niagara on the Lake.



In 1906, the NS&T began construction of an extension running from Thorold to Port Colborne. The line was completed to Port Colborne in 1911. The NS&T provided passenger, freight, mail and express parcel service to Port Colborne.

The NS&T originally ran on Elm Street across the CNR tracks to the corner of Kent St. and Charlotte St. then ran east to West St. Shown in the photograph is an interurban car leaving the end of the line. The waiting room was in the bank building on the right of the photograph. The building is still there today.



Photo Credit: Port Colborne Museum

In 1927, Canadian National opened a new station on the west side of canal located

near this sign. The NS&T was rerouted from Elm Street along the north side of the Canadian National tracks to the new station. The new station served both CNR passenger trains and the NS&T interurbans. All steam passenger trains to St. Catharines which originally ran on the former Welland Railway from the east side of the Welland Canal were replaced by the NS&T interurbans on the west side of the canal.

The photo below taken around 5pm sometime in early 1959, at the Port Colborne CNR station, CNR's mixed train #219 (right) bound from Fort Erie to Stratford, waits as an NS&T interurban car leaves for Thorold. The two methods of transportation, met here only when slightly late or early on their schedules, up until

they were both cancelled in the early spring of 1959.



Photo Credit: Bob Chambers

The interurban service was particularly important at that time because most people

did not have automobiles and relied on the railways to travel. Even in 1938, the NS&T operated up to 18 trains daily in each direction providing convenient connections to other communities in Niagara.

The NS&T service between Thorold and Port Colborne continued until March 29, 1959. This line was the last interurban passenger service in Canada. A special dinner was held in Port Colborne with the municipal leaders from all communities along the line and company officials as part to the official last train ceremony.

The NS&T line between Port Colborne and Welland was abandoned in 1962.

This display honours the almost 50 years of service by the NS&T to the community of Port Colborne and the last interurban passenger train service in Canada.

THIS PLAQUE HAS BEEN ERECTED BY
THE NIAGARA DIVISION OF THE
CANADIAN RAILROAD HISTORICAL
ASSOCIATION WITH FINANCIAL
ASSISTANCE FROM THE CITY OF PORT
COLBORNE HERITAGE ADVISORY
COMMITTEE



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City of Port Colborne
RECEIVED
SEP 26 2018
CORPORATE SERVICES
DEPARTMENT

The Royal Canadian Legion
Branch 56
Mailing Address: PO Box 31,
Port Colborne, ON L3K 5N7
Street Address: 67 Clarence St.
Port Colborne, ON L3K 3G1
Phone: 905-834-9512
Fax: 289-836-8368
rclportbranch56@hotmail.ca

24 September 2018

November 11th, Remembrance Day is fast approaching. This is an opportunity for everyone to remember those who gave of themselves for our freedom.

At this time we are requesting Council's approval to hold our annual Poppy Campaign commencing Friday, October 26th through to November 11th with Remembrance Day Services at H.H. Knoll Park Cenotaph on ^{Sun} ~~Wed~~ day, November 11th at 10:45 A.M.

Any assistance, financial or otherwise would be greatly appreciated.

Yours in Comradeship,

Carol Madden, Poppy Chairman

R.C.L. Branch 56, Port Colborne

LEST WE FORGET

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City of Port Colborne
RECEIVED
OCT 01 2018
CORPORATE SERVICES
DEPARTMENT

Jim Fisher, Director of Conservation Policy
Delta Waterfowl | The Duck Hunters Organization™
200-1555 St. James Street | Winnipeg, MB R3H 1B5
(o) 204-956-7766 (c) 204-791-2818 | jfisher@deltawaterfowl.org

October 1, 2018

Sherry Hanson, Supervisor, By-Law Enforcement Division
City of Colbourne
66 Charlotte Street
Port Colbourne, ON L3K 3C8
Via email

Delta Waterfowl staff were pleased to have participated in the September 26th open house regarding hunting in Gravelly Bay. As a follow up to the discussion we are providing our thoughts below for the record. Despite the fact that this issue technically falls outside the city's jurisdiction, we felt it prudent to send a letter to your attention and ask that you share this letter with your council members.

Along with the fantastic food and time spent outdoors with family and friends, waterfowl hunting provides economic, ecological and recreational benefits to the residents of Ontario. Unfortunately, the number of Ontario residents that hunt waterfowl (and elsewhere in Canada) is declining and access issues such as this are at least partially to blame. Waterfowl hunting along the Lake Erie shoreline has a particularly long history and is a traditional and sustainable use of a renewable wildlife resource. As a duck hunting organization, we realize the importance of such places for local residents to enjoy time outdoors and to carry on these longstanding pursuits. These areas are important to keep open for all uses, including duck hunting.

Hunters are following safe hunting practices and hunting beyond 500 feet from shore, as required, and within legal shooting hours (a half hour prior to sunrise to a half hour after sunset). This maintains a safe distance for shotgun pellets and minimizes sound disturbances. As discussed at the meeting, anyone not abiding by these regulations should be reported to an Ontario Ministry of Natural Resources officer. There are many other areas on the Great Lakes (e.g., Long Point) where there is a long-standing tradition of hunting being conducted safely and in similar association with human habitation.

Delta is working to maintain hunting opportunities on the Great Lakes due to all the aforementioned economic, ecological and recreational benefits and because it is proven to be a safe way for families to enjoy the outdoors during fall.

We hope to continue to be a part of a respectful dialogue between all parties as we want to ensure that hunting opportunity continues in Gravelly Bay.

Respectfully,

Jim Fisher

Cc Delta Waterfowl Board of Directors and staff
Cc Ontario Federation of Anglers and Hunters Board of Directors and staff
Cc Colbourne Town Council
Cc MPP Jeff Burch
Cc MP Vance Badawey
Cc 'Niagra This Week' & 'Welland Tribune'

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CITY of West Colborne
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SEP 26 2018

CORPORATE SERVICES
DEPARTMENT



Q2 (April 1 to June 30, 2018) to Board of Directors

Recommendation:

That Niagara Regional Housing Quarterly Report April 1 to June 30, 2018 be APPROVED and FORWARDED to the Public Health and Social Services Committee and subsequently to Regional and Municipal Councils for information.

Submitted by:


Donna Woiceshyn
Chief Executive Officer

Approved by:


Henry D'Angela
Chair

Directors:

Henry D'Angela, Chair
Regional Councillor
Thorold

Betty Ann Baker - Secretary
Community Director
St. Catharines

Tim Rigby
Regional Councillor
St. Catharines

James Hyatt, Vice-Chair
Community Director
St. Catharines

Betty Lou Souter
Community Director
St. Catharines

Walter Sendzik
Regional Councillor
St. Catharines

Karen Blackley, Treasurer
Community Director
Thorold

Paul Grenier
Regional Councillor
Welland

Selina Volpatti
Regional Councillor
Niagara Falls

HIGHLIGHTS:

Application Activity

827 received & processed



Capital Program

15 jobs/projects ongoing

4 public tenders closed

44 contract orders issued



Community Resources & Partnerships

offered supports to

313

new referrals



45

partners

Rent Supplement / Housing Allowance

1,324 units



Welcome Home Niagara

9 homeowners received assistance



Appeals

= 9 5 upheld
4 overturned



Work Orders

2,768 issued



Rent Arrears

= \$35,055.56

or

3.08% of the monthly rent charges



Non-Profit Housing Programs

66% deemed HEALTHY



Niagara Renovates

- inspections for 2018-2019 funding are still underway



Housing First Project

14 Individuals / families housed



New Development

- Carlton Street, St. Catharines
- approx. 60% complete



VISION

That the Niagara community will provide affordable, accessible and quality housing for all residents

MISSION

To expand opportunities that make affordable housing an integral part of building healthy and sustainable communities in Niagara

As the administrator of social housing for Niagara Region, Niagara Regional Housing (NRH) works to fulfill our vision and mission through six main areas of responsibility:

1. [Public Housing \(NRH Owned Units\)](#)
2. [Non-Profit Housing Programs](#)
3. [Rent Supplement Program](#)
4. [Affordable Housing Program](#)
5. [Service Manager Responsibilities](#)
6. [Housing Access Centre and Centralized Waiting List](#)



Definitions can be found in the attached Reference Sheet.

1. Public Housing (NRH Owned Units)

DAY-TO-DAY MAINTENANCE:

In Q2, **2,768 work orders** were issued, representing \$1,071,870.54. \$54,528.70 of this amount was charged back to tenants who were held responsible for damages.

	2017-Q2	2017-Q3	2017-Q4	2018-Q1	2018-Q2
# of work orders issued	1,951	3,263	2,993	2,566	2,768

CAPITAL PROGRAM:

The Capital Program is responsible for maintaining the Public Housing (NRH Owned Units) asset and planning for future sustainability.

In Q2, 44 contract orders were issued, four public tenders closed and purchase orders issued \$1,200,761.00.

The Capital Program was responsible for 12 capital jobs valued at \$1,700,000 and three SHAIIP capital projects valued at \$750,000 including:

- Parking lot replacement-two projects
- Roof replacements-two projects
- Foundation repairs-one project
- Design and preparation of tender for bathroom replacements-one project
- Balcony repair and railing replacement-one project
- Design and preparation of tender for foundation repair and damp proofing-ten projects
- Installation of a heat control system-two projects
- Domestic Hot Water replacement-one project

As of June 30, 2018, \$2,500,000 of the \$7,000,000 budgeted (excluding emergency) has been committed and/or actually spent (35%).

The Capital Works team continues to be a part of the working group with the Region on the project management workshops and the Asset management team.

Reallocating SHAIIP year two and three projects to be completed in year one funding.

TENANT MOVE OUTS:

Move Outs By Reason

Health	4
Long Term Care Facility	13
Deceased	15
Private Rental	6
Voluntarily Left Under Notice	3
Eviction – Tribunal	10

NRH Transfer	15
Moved to Coop or Non-Profit	0
Bought a House	2
Left Without Notice	1
Other/None Given	14
Cease to Qualify	0
TOTAL	83

In Q2, there were **83 move outs**. Ten involved eviction orders granted under the Ontario Landlord Tenant Board (LTB) – arrears (seven), illegal occupant (one), impaired safety (one), harassment (one). Seven of the evictions were enforced by the Sheriff.

	2017-Q2	2017-Q3	2017-Q4	2018-Q1	2018-Q2
# of move outs	76	75	81	67	83

ARREARS:

NRH Housing Operations actively works to reduce rent arrears and saw a decrease in Q2.

	Jun 30, 2017	Sept 30, 2017	Dec 31, 2017	Mar 31, 2018	Jun 30, 2018
Rent charges for the month	\$1,109,091.38	\$1,122,027.00	\$1,150,372.27	\$1,167,751.69	\$1,136,607.00
Accumulated rent arrears	\$43,629.27	\$44,326.67	\$49,045.27	\$48,660.91	\$35,055.56
Arrears %	3.93%	3.95%	4.26%	4.17%	3.08%

INSURANCE:

In Q2, there was one property damage claim expected to exceed the \$25,000 deductible and one statement of claims served.

COMMUNITY RESOURCES AND PARTNERSHIPS:

In Q2, we had partnerships with **45 community agencies** across Niagara. As a result of these partnerships, more than 200 support and enrichment activities were offered to tenants at NRH sites. Each partnership contributes to tenant lives and, in turn, the success of the Public Housing community as a whole:

- In Q2, the Community Resource Unit partnered with both Niagara College and Brock University to bring student placements into Public Housing communities. Each school year, Niagara College’s Social Service Work students work with Community Programs Coordinators (CPCs) to assist with low-risk tenants and community development. Many of these placements have been so successful that the students have gone on to employment with NRH.

NRH was also able to join Community Services to host a fourth year Brock University Politics student, who wrote recommendations for community improvement in Manchester and assisted with the Housing and Homeless Action Plan (HHAP). In addition to the benefits to NRH, students were able to get the work experience they need for a well-rounded education and future resumes.

Also during Q2, NRH Community Programs Coordinators (CPCs) offered support to **313 new referrals of tenants in need of assistance**. Of those new referrals, **57% were considered medium-high need**. In particular, there was an increase in the number of tenants needing help with hoarding as well as supports for mental health and cognitive issues.

2. Non-Profit Housing Programs

As administrator of social housing for Niagara Region, NRH provides legislative oversight for 62 Non-Profit Housing Programs (non-profit and co-operative). Operational Reviews are conducted to determine the overall health of each.

	2017-Q2	2017-Q3	2017-Q4	2018-Q1	2018-Q2
Healthy	43	42	43	41	41
Routine Monitoring	18	18	18	18	18
Intensive Monitoring	2	2	1	1	1
Pre-PID (Project in Difficulty)	1	1	1	1	1
PID (Project in Difficulty)	1	1	1	1	1
TOTAL	65	64	64	62	62

NRH Housing Programs staff continue to work with Federal Housing Providers as they move toward End of Operating Agreements (EOA).

3. Rent Supplement Program

In Q2, there were **1,324 Rent Supplement/Housing Allowance units** across Niagara. In the Rent Supplement program, tenants pay 30% of their gross monthly income directly to the private landlord and NRH subsidizes the difference up to the market rent for the unit. The Housing Allowance program is a short term program that provides a set allowance to help applicants on the wait list.

	2017-Q2	2017-Q3	2017-Q4	2018-Q1	2018-Q2
Fort Erie	24	26	26	27	28
Grimsby	24	25	26	26	26
Lincoln (Beamsville)	2	2	2	13	12
Niagara Falls	183	200	219	228	229
Niagara-on-the-Lake	--	--	-	-	-
Pelham	26	24	24	23	23
Port Colborne	40	44	47	51	53
St. Catharines	525	567	600	657	700
Thorold	21	24	29	32	37
Welland	181	189	199	202	201
West Lincoln	15	15	14	14	15
TOTAL	1,041	1,116	1,186	1,273	1,324

Variances in the number of Rent Supplement/Housing Allowance units reflects the general management of the program and required take-up/deletion of units due to End of Operating

Agreements (EOA), move out of tenants, and/or new units/landlords. Totals will be increasing in the future as some Non-Profit Housing Programs transition into a Rent Supplement agreement upon expiry of their operating agreement. It is unknown which areas will be affected.

4. Affordable Housing Program

NIAGARA RENOVATES PROGRAM:

The Niagara Renovates program provides assistance to low-to-moderate income homeowners for home repairs, accessibility modifications and the creation of secondary suites in single family homes.

Niagara Renovates inspections for 2018-2019 funding are now underway. Inspections include all areas inside and outside of the home to ensure compliance with program guidelines. Issues are identified and a detailed Inspection Report is completed for review before a decision is communicated to the homeowner.

NRH received \$500,000 through the Investment in Affordable Housing - Extension (IAH-E) program for homeowner and secondary suite repairs and \$626,300 for multi-unit repairs, totaling \$1,126,300 for the 2018/2019 period.

HOMEOWNERSHIP PROGRAM – “WELCOME HOME NIAGARA”:

The Homeownership program assists low-to-moderate income rental households to purchase their first home by providing a down payment loan.

In Q2, **nine homeowners** received assistance through Welcome Home Niagara. **One of these was an NRH tenant.**

HOUSING FIRST PROGRAM:

The Housing First program helps people move quickly from homelessness to their own home by providing supports to help difficult to house individuals find and keep housing.

In Q2, **14 individuals/families** were housed through the Housing First program.

	2017- Q2	2017- Q3	2017- Q4	2018- Q1	2018- Q2
# individuals/families housed	15	10	22	17	14
# of Housing First units (at quarter end)	136	131	148	165	170

Since 2012, Housing First has helped 335 individuals/families.

RENTAL HOUSING (NEW DEVELOPMENT):

NRH New Development

Carlton Street, St. Catharines	Amount	Units
Investment in Affordable Housing-Extension (IAH-E), Year 3	\$5,806,000	45
Investment in Affordable Housing-Extension (IAH-E), Year 4	\$2,888,000	23
Social Infrastructure Fund (SIF), Year 1	\$2,387,817	17
Roach Avenue, Welland		
Social Infrastructure Fund (SIF), Year 3	\$1,200,000	8
TOTAL	\$12,281,817	93

At the end of Q2:

Carlton Street

- Interior – 1st floor, mechanical and electrical rough-in in progress
- Interior – 2nd floor, painting is 90% complete, flooring installation in progress, approximately 40% complete
- Interior – 3rd floor, drywall boarding 10% complete, mechanical and electrical rough in is in process
- Interior 4th floor – units have been drywall boarded
- Interior 5th floor – units have 50% drywall boarded
- Penthouse – mechanical rough in started, electrical rough in in progress
- Exterior – brick work 50% complete
- Overall progress – approximately 60% complete

Roach Avenue

- Received tenders and tender evaluations have been completed
- Demolition Permit has been applied for, forecast start of demolition in September

Additional New Development

Investment in Affordable Housing-Extension (IAH-E), Year 2 funding has been allocated to three non-profit organizations and will result in the creation of 40 units for seniors and mental health consumers in Niagara:

	Amount	Units
Gateway Residences of Niagara, Huron Street, Niagara Falls	\$720,000	9
Thorold Municipal Non-Profit, Ormond Street, Thorold	\$1,228,912	14
Stamford Kiwanis, Barker Street, Niagara Falls	\$1,089,088	17
TOTAL	\$3,038,000	40

At the end of Q2:

- Gateway Residence of Niagara – complete and operational

- Thorold Municipal Non-Profit – complete and operational
- Stamford Kiwanis – approximately 60% complete. Construction to resume in the fall of 2018

5. Service Manager Responsibilities

APPEALS:

In Q2, **9 appeals** were heard (six fewer than in 2017-Q2).

- Five related to ongoing RGI eligibility
 - Two for failure to provide information – one upheld, one overturned
 - One overhoused household with illegal occupant was given the option of paying market rent or transferring to a 1-bedroom – upheld, tenant transferred
 - Two related to review of overhoused status
 - Appeal decision for NRH tenant was deferred from January. Appellant was given more time to supply information and heard again June 2018 – upheld.
 - Rent-Supplement tenant was given time to submit outstanding information. Decision overturned. Household not overhoused. Subsidy reinstated.
- Four for decisions made by Housing Access (e.g. requests for urgent status, an additional bedroom, and remaining in modified unit) – two upheld, two overturned

	2017-Q2	2017-Q3	2017-Q4	2018-Q1	2018-Q2
# of appeals	15	15	9	19	9

INVESTMENTS:

See Appendix A – Investment Report

6. Housing Access Centre & Centralized Waiting List

APPLICATION ACTIVITY:

# of Applications Received & Processed	827	# of Eligible Applications	795
# of Special Provincial Priority Status Applications	98	# of Ineligible Applications	32
# of Urgent Status Applications	150	# of Cancelled Applications	278
# of Homeless Status Applications	165	# of Applicants Housed	128

In Q2, **278 households were removed** from the Centralized Waiting List because they were no longer eligible, they found alternate housing or we were unable to make contact.

CENTRALIZED WAITING LIST:

		2017- Q2	2017- Q3	2017- Q4	2018- Q1	2018- Q2
		# of households				
A	Rent-Geared-to-Income (RGI) waiting list:					
	Niagara resident RGI waiting list	4,226	4,282	4,344	4,287	4,562
	Applicants from outside of Niagara	603	641	657	639	692
	TOTAL RGI waiting list:	4,829	4,923	5,001	4,926	5,254
	Housing Allowance: a set allowance to help applicants on the waiting list with affordability in the private market until housed in an RGI unit	344	428	505	569	605
A1	RGI waiting list demographics:					
	Seniors	1,973	2,038	2,061	2,064	2,173
	Adults no dependents	1,614	1,652	1,703	1,630	1,727
	Adults with dependents	1,242	1,233	1,237	1,232	1,354
A2	RGI list further segmented (#'s included in A & A1):					
	SPP – Special Provincial Priority (Ministry Priority): helps victims of violence separate permanently from their abuser	115	114	101	122	129
	URG – Urgent (Local Priority): for applicants with mobility barriers and/or extreme hardship where their current accommodation puts them at extreme risk and/or causes hardship	98	105	99	104	120
	HML – Homeless (Local Priority): provides increased opportunity for placement to homeless households	748	821	832	842	894
	SUP – Supportive/Transitional: provides targeted, provisional services to assist individuals to transition beyond basic needs to more permanent housing	29	26	19	17	17
B	In addition, NRH manages:					
	Overhoused: households who are living in subsidized accommodation with more bedrooms than they are eligible for	133	111	143	152	167
	Transfer: households who are currently living in subsidized accommodation and have requested a transfer to another provider	437	499	513	518	525
	TOTAL RGI households on waiting list managed by NRH:	5,399	5,533	5,657	5,596	5,946
C	NRH maintains a waiting list for market rent units (62 Non-Profit Housing Programs):					
	Market: applicants who have applied for a market rent unit in the Non-Profit Housing Programs portfolio	569	592	591	578	597
	TOTAL households on waiting list managed by NRH:	5,968	6,125	6,248	6,174	6,543
	TOTAL individuals on waiting list managed by NRH:	10,031	10,217	10,449	10,380	11,052

Note: the above chart includes only those who apply to the Centralized Waiting List and does not capture the full number of those in need of affordable housing in Niagara.

ESTIMATED WAIT TIMES:

CITY	SENIORS Age 55 and older		SINGLES Age 16-54		HOUSEHOLDS WITH DEPENDENTS			
	Bachelor	1 Bed	Bachelor	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed
	YEARS							
Fort Erie	-	9	2	8.5	2	1	5	-
Grimsby	-	4	-	-	-	-	-	-
Lincoln	-	4.5	-	12	9	8	-	-
Niagara Falls	4	6	-	16	5	3	7	14
Niagara-on-the-Lake	-	6.5	-	-	-	-	-	-
Pelham	-	3.5	-	-	-	-	-	-
Port Colborne	-	4.5	-	13	3	3	3	-
St. Catharines	-	6.5	9	13	3.5	3	9	12
Thorold	-	6.5	-	10	6	8	-	-
Welland	-	5	6	15	5	2.5	7	2
West Lincoln	-	4	-	-	5.5	7	-	-

- no units of this size available in this community

January 2018

Please note:

- wait time information can fluctuate and is an approximation only
- wait times may not reflect the actual time one may wait for affordable housing

	This Quarter Balance	Last Quarter Balance	Variance \$	Variance %	Comments
ANK ACCOUNTS					
Current Bank Account: Operational Bank account used for day-to-day operations for the owned units. Also to cash flow various short term programs funded by Prov and Fed gov't such as development, homeownership and capital repair programs.	\$9,692,265.71	13,487,684.91	(3,795,419.20)	-28.14%	Since the February 2016 transition to PeopleSoft, day-to-day accounts payable transactions are paid by the Region through PeopleSoft. Balance changes reflect the transfer of funds to the Niagara Region.
Investment Bank Account: Used to hold funds "In Trust" for designated Housing Providers for capital work.					Interest earned at a rate of RBC Prime minus 1.70% on balances in bank and investment accounts.
CMHA: Reserves held for CMHA Units.	4,592.36	4,592.36	-	0.00%	
Ganawageh Capital Fund:	97,971.49	97,971.49	-	0.00%	
Due (From) Current Account	273,939.50	272,283.64	1,655.86	0.61%	
Total Investment Bank Accounts	376,503.35	374,847.49	1,655.86	0.44%	

	This Quarter Balance	Last Quarter Balance	Variance \$	Variance %	Comments
INVESTMENT VEHICLES - FUND ACCOUNTING					
Various investment vehicles are used to protect and optimize the cash that is held for specified purposes. Investments are both short-term and long-term in nature. These funds are intended to ensure continued growth without capital erosion by inflation.					
Current Instruments:			2 Year GIC, \$521,565; due date is 05/16/2019; interest rate of 1.26% to 1.63%		
RBC Investment Savings = \$4,405,379.12			2 Year GIC, \$802,567; due date is 08/17/2018; interest rate of 1.45% to 1.65%		
			1 Year GIC, \$497,000; due date is 08/15/2017; interest rate of 1.65% to 1.71%. These were renewed on 08/15/2017 at an interest rate of 1.45% to 2.25%; due date is 08/15/2019		
PASS THROUGH FEDERAL/PROVINCIAL PROGRAM FUNDING					
AHP - New Development	65,375.90	65,375.90	-	0.00%	
ADMINISTRATION FUNDING					
Affordable Housing Prog & Housing Allowance Prog	-	-	-	0.00%	
IAH - Admin Fee	(32,048.08)	21,135.86	(53,183.94)	-251.63%	
RECONCILIATION					
Due (From) Current Account	6,232,416.58	6,158,777.14	73,639.44	1.20%	Due to current account
Total	6,265,744.40	6,245,288.90	20,455.50	0.33%	

Description	Balances at December 31, 2017	Quarter 1		Balances at June 30, 2018	Net Transfers Forecast from (to) Operating*	Capital Commitments *	Forecasted Balance at December 31, 2018
		Net Transfers from (to) Operating	Quarter 1 Capital Transfers				
NRH Owned Units Public/Local Housing Corp:	\$ 4,327,035	\$ 194,892	\$ (609,279)	\$ 3,912,648	\$ 194,892	\$ -	\$ 4,107,540
Niagara Regional Housing:							
Emergency Capital Funding for Housing Providers	1,924,871			1,924,871			1,924,871
Title Normalization for NRH Owned Units	712,381			712,381			712,381
New Initiatives, other social housing purposes and any new deposits are added to this category	4,513,047	-	(1,110,000)	3,403,047	-	-	3,403,047
Total NRH Capital Reserves	\$ 11,477,334	\$ 194,892	\$ (1,719,279)	\$ 9,952,947	\$ 194,892	\$ -	\$ 10,147,839
NRH Rent Supplement:	\$ 302,301	\$ (12,000)		290,301	(12,000)		278,301
Total NRH Stabilization Reserves	\$ 302,301	\$ (12,000)	\$ -	\$ 290,301	\$ (12,000)	\$ -	\$ 278,301
NRH Employee Future Benefits:	\$ 792,733	\$ -	\$ -	792,733	-	-	792,733
Total Future Liability Reserves	\$ 792,733	\$ -	\$ -	\$ 792,733	\$ -	\$ -	\$ 792,733
Total	\$ 12,572,368	\$ 182,892	\$ (1,719,279)	\$ 11,035,981	\$ 182,892	\$ -	\$ 11,218,873

* 2018 Budget amounts

Interest no longer applied by approval of Regional Council (CSD 02-2013).

NRH Owned Units Public/Local Housing Corp:

This reserve was set-up by the Board of Directors as a Reserve Fund in September 2004 for capital expenses related to the NRH owned units.

NRH Rent Supplement:

This fund was set-up by the Board of Directors in December 2008 (year end) for a new Rent Supplement program. This Rent Supplement program is budgeted annually and withdrawal from the Reserve matches that year's expenditures.

NRH Employee Future Benefits:

This fund was set-up by the Board of Directors in 2011 to fund Employee Future Benefits. (retiree benefits, sick leave, vacation. etc.).

A	<p>AFFORDABLE HOUSING RENTS: Rents are established at 80% market of Canada Mortgage and Housing Corporation (CMHC) Average Market Rent, with no ongoing rental subsidy.</p>
	<p>APPEALS: Social Housing tenants/members can request reviews of decisions related to applicant eligibility, priority status, transfer requests, overhoused status, ongoing Rent-Geared-to-Income (RGI) eligibility and rent calculation issues. The NRH Appeal Committee makes decisions on appeals from applicants and tenants in Public Housing, Social Housing (where they have not established an Appeal Committee) and Rent Supplement units. All appeal decisions are final, per legislation.</p>
	<p>ARREARS: To assist with arrears collection, tenants/members are provided the option of entering into a repayment agreement but are still expected to pay full rent on time.</p>
B	
C	<p>CAPITAL PROGRAM: Is responsible for maintaining the Public Housing (NRH-owned) asset and planning for future sustainability, as well as issuing tenders for service contracts.</p>
	<p>CENTRALIZED WAITING LIST: Is comprised of almost 200 subsidiary lists of Public Housing, Social Housing and private units through the Rent Supplement program. It is maintained on a modified chronological basis (i.e. in order to ensure that applicants are treated fairly, units are offered based on the date of application). The needs of particularly at-risk populations are addressed through Priority Status groups that are offered units before other applicants on the Centralized Waiting List:</p> <ul style="list-style-type: none"> • Special Provincial Priority (SPP) Status • Urgent Status • Homeless Status <p>The <i>Housing Services Act, 2011</i> (HSA) requires that the Centralized Waiting List is reviewed on a regular basis. Applicants are asked to confirm their continued interest and to update information annually (# of household members, total household income) so that NRH can verify ongoing eligibility for housing subsidy. If a household is no longer interested or is deemed ineligible the application is cancelled and removed from the list.</p> <p>The Centralized Waiting List includes various types of households (i.e. families, seniors and singles/adults without dependents) from both within and outside Niagara, the priority groups mentioned above, RGI and Market applicants and existing tenants who are overhoused (have more bedrooms than they need).</p>
	<p>COMMUNITY PROGRAMS: NRH's community partners offer events, presentations, activities and programs to help mitigate the effects of poverty by building community pride, offering life skills training and enhancing the lives of the tenants. While NRH does not deliver these services directly to tenants, NRH's Community Resource Unit facilitates partnerships by identifying evolving community and tenant needs, connecting with appropriate programs and supporting their ongoing success.</p>
D	

Quarterly Report Reference Sheet

E	END OF OPERATING AGREEMENTS (EAO): EOA refers to the expiry of federally signed operating agreements. NRH is working with these providers to find innovative solutions to maintain the existing number of social housing units in Niagara and protect existing tenants/members from losing subsidy.
	END OF MORTGAGE (EOM): Federal/provincial and provincial housing providers (non-profits and co-ops) legislated under the Housing Services Act (HSA) do not have operating agreements that expire when the mortgage matures. The relationship between service manager and housing provider continues with the housing provider still obliged to follow the HSA. The obligation of service manager to pay a mortgage subsidy ends.
	EVICTION PREVENTION/SUPPORT: Supports to help NRH tenants stay in their homes through identification of tenant needs and connection with supports and services (ex. Mental health issues, cognitive decline, addiction, family breakdown etc).
F	
G	
I	HOMEOWNERSHIP PROGRAM – “WELCOME HOME NIAGARA”: The Homeownership program assists low-to-moderate income rental households to purchase their first home by providing a down payment loan. The loan is forgivable after 20 years if the household remains in the home.
	HOUSING AND HOMELESSNESS ACTION PLAN (HHAP): Niagara’s 10-year Community Action Plan to help everyone in Niagara have a home.
	HOUSING ACCESS CENTRE: Housing Access is the gateway to affordable housing in Niagara. All applications for housing are processed through the Housing Access Centre including initial and ongoing eligibility assessment as well as management of the Centralized Waiting List. Options include accommodation with Non-profit and Co-operative housing providers (Social Housing), NRH owned units (Public Housing and two mixed income communities), or for-profit/private landlord owned buildings (Rent Supplement/Housing Allowance).
	HOUSING ALLOWANCE PROGRAM: A variation of the Rent Supplement program that provides a set allowance of up to \$300 per month to private landlords to assist applicants who are on the Centralized Waiting List.
	HOUSING FIRST: Helps people move quickly from homelessness to their own home by providing supports to help difficult to house individuals find and keep housing. NRH partners with Niagara Region Community Services and community agencies to provide rent supplement to landlords while agency staff provide a range of personalized supports to encourage successful tenancies and, if the tenant chooses, address personal challenges.
I	INVESTMENT IN AFFORDABLE HOUSING PROGRAM – EXTENSION (IAH-E): Provincial and federally funded program designed to improve access to affordable housing that is safe and suitable, while assisting local economies through job creation generated by new development and home repairs/modifications, including: <ul style="list-style-type: none"> • Niagara Renovates • Homeownership (Welcome Home Niagara) • Rent Supplement/Housing Allowance • Rental Housing (New Development)

Quarterly Report Reference Sheet

J	
K	
L	LOCAL HOUSING CORPORATION (LHC): Also called "Public Housing", LHC refers to the communities that Niagara Regional Housing owns and manages.
M	
N	NIAGARA RENOVATES PROGRAM: Provides assistance to low-to-moderate income homeowners for home repairs, accessibility modifications and the creation of secondary suites in single family homes. Assistance is provided in the form of a forgivable loan, written off over a 10-year period, as long as the homeowner continues to live in the home.
	NON PROFIT HOUSING PROGRAMS (FORMERLY "SOCIAL HOUSING"): Includes Non-Profit and Cooperative Housing Providers, who own and manage their own housing communities and have their own independent Boards. NRH provides legislative oversight to ensure they are in compliance with the <i>Housing Services Act (HSA)</i> . Generally, 25% of these units are designated as market rent units. The remaining 75% of units are offered to households on the Centralized Waiting List that pay RGI.
O	OPERATIONAL REVIEWS: In order to ensure that non-profit housing providers are in compliance with legislation and local policies, NRH investigates overall health by analyzing many factors including finances, vacancy losses, governance issues, condition of buildings etc. NRH then works with them to bring them into compliance and provide recommendations on best business practices.
P	PORTABLE HOUSING ALLOWANCE: Direct financial assistance given to the household (tenant) on the Centralized Waiting List; not tied to a housing unit.
	PRIORITY STATUS GROUPS: Priority Status groups are offered units before other applicants on the Centralized Waiting List: <ul style="list-style-type: none"> • Special Provincial Priority (SPP) Status is the only legislated priority and is intended to help victims of violence separate permanently from their abuser • Urgent Status is intended for applicants with (1) Mobility Barriers (i.e. physical limitations that require barrier-free units) and/or (2) Extreme Hardship (i.e. where the applicants' current accommodations puts them at extreme risk and/or causes hardship and relocation would reduce the risks and/or alleviate the hardship • Homeless Status provides an increased opportunity (1 in 10 households housed from Centralized Waiting List) for placement to households that are homeless
	PUBLIC HOUSING (ALSO CALLED "LOCAL HOUSING CORPORATION"): NRH owns and manages 2,660 units of Public Housing stock in 9 of the 12 Niagara municipalities. Tenants pay 30% of their income for rent. <i>*Note: NRH owns and manages an additional 91 units that have affordable (80% market) and market rents.</i>
Q	
R	RENT SUPPLEMENT PROGRAM: Tenants pay 30% of their gross monthly income directly to the private landlord and NRH subsidizes the difference up to the agreed

Quarterly Report Reference Sheet

	market rent for the unit. <i>*See also Housing Allowance Program and Housing First Project.</i>
S	SERVICE MANAGER: As administrator for affordable housing on behalf of Niagara Region, NRH's main responsibilities include: administering Rent Supplement Programs, oversight of Non-Profit and Cooperative Housing Providers, determining RGI eligibility, maintaining Centralized Waiting List, establishing Local Policies etc.
	SOCIAL HOUSING (FORMERLY "AFFORDABLE HOUSING"): All NRH programs and services, including Public Housing (NRH-owned), Non-Profit Housing Programs, the Rent Supplement Program and the Affordable Housing Program
T	
U	
V	
W	WELCOME HOME NIAGARA: Assists low-to-moderate income rental households to purchase their first home by providing a down payment loan. The loan is forgivable after 20 years if the household remains in the home.
X	
Y	
Z	

September 24, 2018

Council Session, September 13, 2018

Planning and Economic Development Committee Session, September 5, 2018

PDS 33-2018, September 5, 2018

LOCAL AREA MUNICIPALITIES

MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS

SENT ELECTRONICALLY

2017 Reserve Water and Wastewater Treatment Capacities

PDS 33-2018

Regional Council, at its meeting held on September 13, 2018, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 33-2018, dated September 5, 2018, respecting 2017 Reserve Water and Wastewater Treatment Capacities, **BE RECEIVED**; and,
2. That Report PDS 33-2018 **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks and Niagara Area Municipalities for their information and future reference.

A copy of PDS 33-2018 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

:JG

CLK-C 2018-112

cc: I. Stetic W/WW Development Planning Project Manager, Planning and Development Services
N. Oakes Executive Assistant to the Commissioner, Planning and Development Services
R. Mostacci Commissioner, Planning and Development Services

Subject: 2017 Reserve Water and Wastewater Treatment Capacities

Report to: Planning and Economic Development Committee

Report date: Wednesday, September 5, 2018

Recommendations

1. That Report PDS 33-2018 **BE RECEIVED**; and,
2. That Report PDS 33-2018 **BE CIRCULATED** to the Ministry of the Environment, Conservation and Parks and Niagara Area Municipalities for their information and future reference.

Key Facts

- The purpose of this report is to inform Council of the reserve treatment capacities at Niagara's Water and Wastewater Treatment facilities. This reporting is required by the Ministry of Environment, Conservation and Parks (MOECP).
- The data contained in this report assists in commenting on new development proposals and related servicing as well as planning for future treatment capacity.
- All of Niagara Water Treatment Plants (WTPs) and Wastewater Treatment Plants (WWTPs) are positioned to accept growth beyond the minimum 10 year horizon.

Financial Considerations

This report provides Council with historical and projected treatment capacity and flow data. There are no direct financial implications in receiving this report.

The reserve treatment capacities at the water and wastewater (W&WW) facilities are considered in commenting on new development proposals and related servicing and, as a result, could result in a financial impact related to specific future applications.

Analysis

The Infrastructure Planning and Development Engineering section of Planning and Development Services Department annually reports on an assessment of the average daily W&WW flows based on the previous five years, as recorded at our various facilities compared to MOECP rated capacities for the facilities. Included in the analysis are the 10-year growth projections in accordance with Niagara 2041 (*How we Grow, Flow and Go*).

A key objective of this report is to highlight potential capacity constraints and allow sufficient lead time to plan for future capacity increases through the W&WW capital programs so that development may continue unencumbered. This is a 'desktop' exercise, which compares five-year (annual) average flows to the respective MOECP Environmental Compliance Approval(s), formerly known as Certificate of Approval(s) for each facility, then incorporates 10-year growth forecasts into the calculation. Ongoing phasing and staging strategy works with our local municipal partners will further refine this assessment for understanding development capacity.

This assessment does not reflect specific compliance, quality, sustainability, risk, or operational deficiencies at the treatment plants or trunk conveyance/transmission systems, which may affect the Region's ability to approve new development or permit servicing extensions.

For municipal wastewater treatment, weather is the key factor that results in peak wet weather flows, which impacts the collection and trunk sewers in both local and regional systems through "Rainfall Derived Inflow and Infiltration" (RDI&I). In wet weather years, the annual average daily flows to the WWTPs are higher due to the additional flows entering the systems. Wet weather flows can have substantial impact on available WWTP capacities and a direct impact on the limitations of available servicing capacity for future growth.

Newly designed Niagara-On-The-Lake WWTP is in the commissioning stage and it is expected to receive sewage before the end of 2018.

Appendix 1 and 2 provide the annual average daily flows and five year average from 2013 to 2017 for the W&WW treatment plants, respectively. Appendices 3 and 4 provide a summary of Niagara's six water treatment facilities and eleven wastewater treatment facilities presenting their respective reserve capacities.

All of Niagara's WTPs and WWTPs are positioned to accept growth beyond the minimum 10-year period (Appendix 3 and Appendix 4).

Wet Weather Management

In order to accommodate the anticipated growth from Niagara 2041, the 2016 W&WW Master Servicing Plan (MSP) investigated capacity upgrades (upgrades to trunk sewers, pumping station capacities, etc.), upstream management (storage, peak shaving, diversion), and peak flow management (flow reduction, Inflow & infiltration (I&I) reduction projects) for every wastewater system. Based on this review, there are wet weather projects listed with identified areas for targeted I&I removal to offset the requirement to upgrade and expand more expensive infrastructure all the way to the WWTPs. It is crucial to achieve the I&I reductions in order to offset the capacity needs from growth, to protect the environment, and mitigate potential basement flooding.

The Region and Area Municipalities are continuing to work collaboratively to facilitate ongoing development throughout the region and provide the requisite servicing and capacity allocation in a responsible way to service the communities. In addition, the

Region has been supporting Area Municipalities by funding the Wet Weather Management Program to support various I&I related projects and programs on the municipal side. This program has been reducing the impacts of I&I and has been a benefit to both the Region and the Area Municipalities.

Concurrently with this program, the Wet Weather Management team is investigating a change in development agreements to reflect appropriate and much needed acceptance levels for allowable leakage in sanitary sewers from new developments. This will be defined in more details through a collaborative effort with the local municipal partners during 2018 and 2019.

Alternatives Reviewed

No alternatives were studied.

Relationship to Council Strategic Priorities

The report highlights all Regional Water and Wastewater Systems reserve capacities to support Growth Management Strategy providing surplus population that could be serviced over a 10-year forecasted period.

The report also provides MOECP and local municipal partners operational summary and reserve capacity projections for Region's Water and Wastewater Treatment facilities.

Other Pertinent Reports

- PDS 39-2017, September 27, 2017, 2016 Reserve Water and Wastewater Treatment Capacities
- PW 22-2017, May 30, 2017, 2016 Water and Wastewater Master Servicing Plan Update

Prepared by:

Ilija Stetic
WWW Development Planning Project
Manager
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Carmelo D'Angelo, BSc, MPA Chief
Administrative Officer

This report was prepared in consultation with Phill Lambert, AD Planning and Development Services, and reviewed by Michael Leckey, Program Financial Specialist, Joe Tonellato, Director Water and Wastewater Services, Mike Janas, AD Water Operations and Staff Development, and Ron Tripp, Commissioner Public Works.

Appendices

Appendix 1	Annual Average Daily Flow 2013 to 2017 WTP
Appendix 2	Annual Average Daily Flow 2013 to 2017 WWTP
Appendix 3	Water Reserve Capacity Calculations for 2017
Appendix 4	Wastewater Reserve Capacity Calculations for 2017

APPENDIX 1

**ANNUAL AVERAGE DAILY FLOW 2013 TO 2017
WATER TREATMENT PLANTS**

Water Treatment Facility Location	Rated Capacity (m ³ /day)	Average Daily Flow (m ³)	5 Year Average Daily Flow (m ³)				
		2013	2014	2015	2016	2017	2013 to 2017
Decew Falls WTP	227,300	54,505	52,358	52,723	54,951	54,321	53,772
Grimsby WTP	44,000	14,116	15,079	16,652	15,767	14,020	15,127
Niagara Falls WTP	145,584	46,734	43,741	45,186	47,388	45,192	45,648
Port Colborne WTP	36,000	7,945	8,570	8,908	7,724	8,735	8,376
Rosehill WTP	50,026	11,893	12,831	13,182	13,122	12,388	12,683
Welland WTP	102,300	20,692	20,714	20,164	21,821	21,590	20,996

**ANNUAL AVERAGE DAILY FLOW 2013 TO 2017
WASTEWATER TREATMENT PLANTS**

Wastewater Treatment Facility Location	Rated Capacity (m ³ /day)	Average Daily Flow (m ³)	5 year Average Daily Flow (m ³)				
		2013	2014	2015	2016	2017	2013 to 2017
Anger Avenue WWTP	24,500	12,511	14,306	12,755	12,661	15,000	13,447
Baker Road WWTP	31,280	21,271	20,482	17,549	16,999	20,897	19,440
Crystal Beach WWTP	9,100	5,772	5,755	5,005	4,676	5,915	5,425
Niagara Falls WWTP	68,300	43,897	36,657	40,782	35,880	44,684	40,380
NOTL WWTP	8,000	4,880	5,046	3,911	4,021	4,561	4,484
Port Dalhousie WWTP	61,350	37,706	34,785	30,091	29,616	34,823	33,404
Port Weller WWTP	56,180	37,315	35,148	30,856	29,650	32,090	33,012
Queenston WWTP	500	284	230	234	278	234	252
Seaway WWTP	19,600	12,719	12,000	11,064	9,103	12,082	11,394
Stevensville/Douglstown Lagoon	2,289	1,284	1,234	1,192	1,314	1,635	1,332
Welland WWTP	54,550	40,598	35,886	32,164	29,728	35,407	34,757

Regional Water Treatment Facilities Reserve Capacity Calculation for 2017

Treatment Facility	Permit To Take Water (1) (ML/D)	Rated Treatment Capacity (ML/D)	Peaking Factor (2)	Theoretical Average Day Capacity (ML/D)	90% of Average Day Capacity (3) (ML/D)	5-Year Average Day Flow (ML/D)	% of Total Capacity Used	Reserve Treatment Capacity (Based on 90%) (ML/D)	Average Consumption Rate (300 l/c/d)	Reserve Serviceable Population (Equivalents)	10-Year Forecast For Population (Residential & Employment)	Surplus Population Over 10-Year Projection
DeCew Falls WTP	227.0	227.3	1.500	151.5	136.4	53.8	35%	82.6	300	275,333	30,398	244,935
Grimsby WTP	44.0	44.0	1.641	26.8	24.1	15.1	56%	9.0	300	30,000	14,771	15,229
Niagara Falls WTP	145.5	145.5	1.533	94.9	85.4	45.6	48%	39.8	300	132,667	23,782	108,885
Port Colborne WTP	45.5	36.0	1.588	22.7	20.4	8.4	37%	12.1	300	40,333	1,552	38,781
Rosehill WTP	78.0	50.0	1.456	34.3	30.9	12.7	37%	18.2	300	60,667	6,375	54,292
Welland WTP	110.0	102.3	1.484	68.9	62.0	21.0	30%	41.0	300	136,667	12,292	124,375

(1) MOE approved quantity of raw water permitted (Permit To Take Water).

(2) The peaking factors used are based on an average of actual flow rates of maximum day versus average day flows over the past three years at each facility.

(3) Region's W&WW MSP (GM BluePlan, 2017) requires planning process for expansion when plant capacity exceeds 80%, and expansion should be completed when capacity exceeds 90%.

Regional Wastewater Treatment Facilities Reserve Capacity Calculation for 2017

Treatment Facility	MOE Plant Rated Capacity (m ³ /day)	90 % of Plant Capacity (1) (m ³ /day)	5-Year Average Daily Flow (m ³ /day)	% of Total Capacity Used	Reserve Treatment Capacity (Based on 90%) (m ³ /day)	Average Flow Rate (340 L/c/d)	Reserve Serviceable Population (Equivalents)	10-Year Forecast For Population (Residential & Employment)	Surplus Population Over 10-Year Projection
Anger Avenue (Fort Erie) WWTP	24,500	22,050	13,447	55%	8,603	340	25,303	4,277	21,026
Baker Road (Grimsby) WWTP	31,280	28,152	19,440	62%	8,712	340	25,624	16,791	8,833
Crystal Beach (Fort Erie) WWTP	9,100	8,190	5,425	60%	2,765	340	8,132	1,443	6,689
Niagara Falls WWTP (2)	68,300	61,470	40,380	59%	21,090	340	62,029	19,980	42,049
NOTL WWTP (3)	5,710	5,139	4,484	79%	655	340	1,926	2,644	-718
Port Dalhousie (St. Catharines) WWTP	61,350	55,215	33,404	54%	21,811	340	64,150	15,005	49,145
Port Weller (St. Catharines) WWTP	56,180	50,562	33,012	59%	17,550	340	51,618	10,052	41,566
Queenston (NOTL) WWTP (4)	500	450	252	50%	198	340	582	99	483
Seaway (Port Colborne) WWTP	19,600	17,640	11,394	58%	6,246	340	18,371	1,622	16,749
Stevensville/Douglstown Lagoon	2,289	2,060	1,332	58%	728	340	2,141	795	1,346
Welland WWTP	54,550	49,095	34,757	64%	14,338	340	42,171	12,912	29,259

(1) Region's W&WW MSP (GM BluePlan, 2017) requires planning process for expansion when plant capacity exceeds 80%, and expansion should be completed when capacity exceeds 90%.

(2) The Niagara Falls WWTP assessment includes the sewage flows from the St. David's area of Niagara-on-the-Lake.

(3) NOTL WWTP capacity increased this year to 8,000 m³/d from previous 5,710 m³/d with anticipated commissioning late summer 2018. This additional 2,290 m³/d of increased capacity will create a surplus population over 10-year projection to 5,344 people and percent of total capacity used will decrease to 59%.

(4) The Queenston WWTP in Niagara-on-the-Lake has a unique capacity commitment of 226 m³/d for the following properties: Niagara Parks Commission (75 m³/d), Niagara Falls Bridge Commission (63 m³/d), Shalamar Campground (38 m³/d) and Ontario Power Generation (50 m³/d). Due to these commitments and limited UAB, limited residential growth is expected within the next 10 year period within the tributary area.

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September 24, 2018

Council Session, September 13, 2018

Planning and Economic Development Committee Session, September 5, 2018

PDS 31-2018, September 5, 2018

**LOCAL AREA MUNICIPALITIES
SMARTER NIAGARA STEERING COMMITTEE**

SENT ELECTRONICALLY

Regional Incentive Delivery and Eligibility in 2019
PDS 31-2018

Regional Council, at its meeting held on September 13, 2018, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 31-2018, dated September 5, 2018, respecting Regional Incentive Delivery and Eligibility in 2019, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to continue delivery of all existing Regional incentive programs presently under review through 2019 as currently administered;
2. That a copy of Report PDS 31-2018 **BE CIRCULATED** to all Local Municipalities and the Smarter Niagara Steering Committee; and,
3. That the Niagara Investment in Culture program **BE INCLUDED** in the 2019 budget deliberations.

A copy of PDS 31-2018 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

:JG

CLK-C 2018-111

cc: M. Bannerman Program Manager, Grants and Incentives, Planning and Development Services
N. Oakes Executive Assistant to the Commissioner, Planning and Development Services
R. Mostacci Commissioner, Planning and Development Services

Subject: Regional Incentive Delivery and Eligibility in 2019

Report to: Regional Council

Report date: Wednesday, September 5, 2018

Recommendations

1. That staff **BE DIRECTED** to continue delivery of all existing Regional incentive programs presently under review through 2019 as currently administered, excepting Niagara Investment in Culture program;
2. That direction regarding continuation and funding of the Niagara Investment in Culture program, which ends in 2018, **BE REFERRED** to the next term of Council; and,
3. That a copy of Report PDS 31-2018 **BE CIRCULATED** to all Local Municipalities.

Key Facts

- The purpose of this report is to seek Council approval (1) to continue the delivery of existing incentive programs through 2019 subject to budgetary approval, excepting the Niagara Investment in Culture (NIC) program, and (2) to refer direction regarding continuation of the NIC program, which ends in 2018 per Council direction in CSD 05-2015, to the 2019 Council.
- Nineteen Regional incentive programs (Appendix 1) administered by the Planning and Development Services, Finance and Economic Development departments are currently under review. Objectives of this review are to ensure that Regional incentive programs align with Regional Council priorities and are clear, current, accountable and effective.
- In PDS 42-2017, Council approved delivery of the incentive programs under review through 2018. This report seeks to continue delivery of these programs through 2019, within approved base budget, with the exception of the NIC program which ends in 2018 per CSD 05-2015.
- These recommendations would not change existing budgets or allocate new funding. Funding for Regional incentives in 2019 will be determined through the budget process.

Financial Considerations

There is no additional funding request associated with this report. The 2018 budget includes approximately \$6.5M in funding related to the incentive programs currently under review (Appendix 1). This report is seeking approval to maintain delivery of these programs within Council approved budgets, excepting the NIC program (2018 budget of \$250,000), until the incentive review is complete. Continuation of and funding for the NIC program, which ends in 2018, will be referred to the 2019 Council.

Analysis

Recognizing the importance of Regional incentive programs to Local Municipalities and grant recipients, it is recommended that Regional incentive programs including those under review continue to be delivered in 2019 as outlined in this report, within approved base budget. Continuing to deliver these programs as currently administered will provide consistency and clarity for partners and applicants, and greater efficiency in program administration for Regional staff and funding partners until comprehensive recommendations are made at the conclusion of the incentive review.

An exception to this delivery is the Niagara Investment in Culture (NIC) program. The NIC program, approved by Council in 2014, ends in 2018 as outlined in the 2015 Operating Budget (CSD 05-2015). Continuation of this program, including funding, is recommended to be referred to the 2019 Regional Council. There will be no effect on continued delivery of the 2018 NIC program.

No additional funding is associated with approving this proposal. Should Council approve this recommendation, annual requests for incentive program funding will form part of the 2019 budget process.

Alternatives Reviewed

Council could suspend delivery of existing Regional incentive programs for 2019. This may disrupt long-standing programs and partnerships and have implications for investment stability and growth, Local Municipal budgeting, and stakeholder positions regarding incentives and the incentive review.

Relationship to Council Strategic Priorities

This report helps to realize Council's Strategic Priorities of Fostering Innovation, Investment, and Entrepreneurship; Positioning Niagara Globally; Doing Business Differently; and Advancing Organizational Excellence as continuation of key Regional economic incentive programs during their review will enable Niagara to improve and implement programs critical to success, investment and strategic growth.

Other Pertinent Reports

PDS 42-2017	Overview of 2018 Incentive Review
By Law 2017-68	A By-Law to Establish Development Charges for The Regional Municipality of Niagara and Repeal By-Law 62-2012
CSD 05-2015	2015 Levy Operating Budget

Prepared by:

Marian Bannerman
Program Manager, Grants and
Incentives
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was reviewed by Doug Giles, Director, Community and Long Range Planning in consultation with Helen Chamberlain, Director Financial Management and Planning/Deputy Treasurer.

Appendices

Appendix 1 List of Regional Incentive Programs Under Review

Appendix 1 – List of Regional Incentive Programs Under Review

1. Smarter Niagara Incentive Program (SNIP)

- Environmental Assessment Study Grant
- Building and Façade Improvement Grant/Loan
- Residential Grant/Loan
- Heritage Restoration and Improvement Grant/Loan
- Agricultural Buildings and Facilities Revitalization Grant/Loan
- Agricultural Feasibility Study Grant
- Community Improvement Plans (CIPs)/Planning Studies Grant
- Affordable Housing Grant/ Loan Program
- Property Rehabilitation and Redevelopment Tax Increment Grant/Loan
- Brownfield Tax Assistance Program
- Development Charge Reduction Grant

2. Public Realm Investment Program

3. Waterfront Investment Program

4. Niagara Investment in Culture Program

NOTE: *This program ends in 2018; continued delivery of the program and its funding will be subject to direction from the 2019 Regional Council.*

5. Gateway Economic Zone and Centre

- Gateway CIP Tax Increment Based Grant
- Gateway CIP Regional DC Reduction Grant

6. Industrial Development Charge Grant

7. Non-Profit Regional Development Charge Grant

8. Heritage Tax Rebate Program

October 1, 2018

The Honourable Doug Ford, Premier of Ontario
Room 281, Legislative Building, Queen's Park
Premier's Office
Toronto, ON M7A 1A1

Sent via email:
premier@ontario.ca

Honourable and Dear Sir:

**Re: The Right of Passage
Our File No. 35.11.2**

The following resolution, approved by the Municipal Council of the Town of Fort Erie at its meeting on August 27, 2018, was endorsed by the Council of the City of St. Catharines at its meeting held September 24, 2018:

Whereas the people of Ontario are blessed with the Great Lakes and miles of diverse waterfront, and

Whereas the waters of the Great Lakes constitute the largest reservoir of fresh water in the world, and

Whereas the value of these waters as a life-sustaining resource can best be understood and appreciated by the public if it has access to the waterfront along the shoreline of the Great Lakes, and

Whereas MPP's for Niagara Falls-Fort Erie-Niagara-on-the-Lake have presented Private Member's Bills (The Right of Passage Bills) to ensure public walking rights along Ontario's Great Lakes shoreline, and

Whereas none of these Private Member's Bills have been passed by the Ontario Legislature, and

Whereas now, more than ever, the right of the public to walk along the Great Lakes shoreline should be confirmed by statute;

Now therefore be it resolved,

That: Council of the Town of Fort Erie calls upon the Premier, Doug Ford, to present and enact government legislation, The Right of Passage Act, to:

- a) Ensure that the public has the right to walk along all Great Lake shorelines between the water's edge and the high water mark,

- b) Require removal by property owners of all fences running vertical to the shoreline distance of no less than 10 feet from the water's edge and any other obstructions to the public's right to walk the shore,
- c) Permit public access to the Great Lakes shoreline only via public lands, such as parks, road allowances or easements, and
- d) Prohibit the public from any activity on privately owned waterfront, other than a right to walk along the shoreline, and further

That: A copy of this resolution be delivered to the Premier, The Honourable Doug Ford, for action and to the MPP's and MP's in Niagara, the Clerk of the Niagara Region and of the area municipalities for information and support

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em

cc: Chris Bittle, MP-St. Catharines, Sent via email: chris.bittle@parl.gc.ca
Vance Badawey, MP-Niagara Centre, Sent via email: vance.badawey@parl.gc.ca
Rob Nicholson, MP-Niagara Falls, Parliament of Canada, Sent via email: rob.nicholson@parl.gc.ca
Jennifer Stevens, MPP-St. Catharines, Sent via email: JStevens-CO@ndp.on.ca
Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario, Sent via email: wgates-co@ndp.on.ca
Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario, Sent via email: sam.oosterhoff@pc.ola.org
Jeff Burch, MPP-Niagara Centre, Sent via email: JBurch-QP@ndp.on.ca
Ann-Marie Norio, Regional Clerk, Niagara Region, Sent via email: Ann-Marie.Norio@niagararegion.ca
Niagara Local Area Municipalities Sent via email

**City of Port Colborne
Regular Committee of the Whole Meeting 19-18
Minutes**

Date: September 24, 2018

Time: 6:47 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
D. Elliott, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (due to a leave of absence)

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
A. Grigg, Director of Community and Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
P. Senese, Director of Corporate Services

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 A. Desmarais

That the agenda dated September 24, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Councillor Bodner declared pecuniary interest with regard to item 2, Fire and Emergency Services Department, Report 2018-124, Subject: Regulating the Sale and Discharge of Fireworks, as his brother owns a business that sells fireworks and as he owns a business in Sherkston Shores that could potentially sell fireworks. Councillor Bodner refrained from discussing or voting on this item.

5. Adoption of Minutes:**(a) Regular meeting of Committee of the Whole 18-18, held on September 10, 2018**

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

- (a) That the minutes of the regular meeting of the Committee of the Whole 18-18, held on September 10, 2018, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following item was identified for separate discussion:

Items 1, 2, 7 and 9.

7. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor F. Danch
Seconded by Councillor B. Kenny

That items 1 to 13 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Items:**3. Planning and Development Department, By-law Enforcement Division, Report 2018-113, Subject: Parking and Traffic – Davis Street**

Committee of the Whole recommends:

That an amendment to By-law 89-2000 being a by-law regulating traffic and parking on City roads, be amended as follows:

1. That Schedule "B" Standing Prohibitions, to By-law 89-2000 as amended, be amended by deleting therefrom the following:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>		<u>Column 4</u>
Highway	Side	From	To	Times/Days
Davis Street	West	52m north of the north limit of Fraser Street	6m north therefrom	Anytime

4. Planning and Development Department, By-law Enforcement Division, Report 2018-129, Subject: Parking and Traffic – Elm Street

Committee of the Whole recommends:

That the amendment to By-law 89-2000, being a by-law regulating traffic and parking on City roads, be approved as follows:

1. That Schedule "C" Parking Prohibition, to By-law 89-2000, be amended by adding thereto the following:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>		<u>Column 4</u>
Highway	Side	From	To	Times/Days
Elm Street	West	42m north of Delhi Street	80m north therefrom	Anytime

5. Planning and Development Department, By-law Enforcement Division, Report 2018-135, Subject: Parking for Persons with Disabilities – 184 Mitchell Street at Decew 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:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>		<u>Column 4</u>
Highway	Side	From	To	Times/Days
Decew Street	South	20m west of Mitchell Street	7m south therefrom	Anytime

6. Planning and Development Department, By-law Enforcement Division, Report 2018-128, Subject: Fence Variance 29-33 Charlotte Street

Committee of the Whole recommends:

That the fence variance request for 29-33 Charlotte Street, on the corner of Charlotte and King Streets, be approved.

8. Planning and Development Department, Planning Division, Report 2018-137, Subject: Recommendation Report on Removing 94 West Street from the Municipal Registry of Heritage Properties

Committee of the Whole recommends:

That Council of the City of Port Colborne removes the lands legally known as Plan Merr Survey Lot 6, Pt Lot 7 NP 987, 988, 989, RP 59R-8922 Pt Part 2, City of Port Colborne, Regional Municipality of Niagara; municipally known as 94 West Street from the City of Port Colborne's Municipal Registry of Heritage Properties.

10. Planning and Development Department, Planning Division, Report 2018-136, Subject: Recommendation Report – Amendment to Development Charge By-law 6131/97/14, 1-year Waiving of Charges for Residential and Non- Residential Development

Committee of the Whole recommends:

That no further public meeting is required under Section 12(3) of the Development Charges Act prior to adoption of the by-law to amend by-law 3131/97/14, being a by-law to impose Development Charges for the City of Port Colborne; and

That the amendment to the Development Charges By-law, waiving development charges for all residential and non-residential development until a new Development Charges By-law hereby approved; and
That staff be directed to prepare the Notice of Passing as per the Development Charges Act.

11. Engineering and Operations Department, Engineering Division, Report 2018-127, Subject: Private Easement Across City Right of Way – 2207 Second Concession to 2453 Second Concession, on White Road

Committee of the Whole recommends:

That an easement be approved across the City's Right of Way between 2207 Second Concession and 2453 Second Concession, on White Road, in accordance with the following conditions:

- The City be named as additional insured on the property owner's insurance policy and a copy of the renewal be issued to the Clerk's department for filing each year.
- Any costs associated with the private connection, now or in future, are borne by the property owner. Any works being completed within the City's Right of Way shall be subject to any applicable permits and policies in place by the City.

- That signage be installed indicating the presence of a buried irrigation line and any maintenance associated with the signage will be the responsibility of the property owner.
- Should the properties be sold the City shall be informed of the change in ownership within 30 days of the closing and it will be at the City's discretion to determine if the Easement Agreement would be extended to any future potential property owners.
- All connections must be made on private property, any piping within the road allowance must not have any joints.
- Ministry of Environment and Climate Change Environmental Compliance Approval must be adhered to at all times and all setbacks maintained.

12. David Hazell, Chair, Teachers of English as a Second Language Association of Ontario Re: Request for Proclamation of English as a Second Language Week, October 28th to November 3rd, 2018

Committee of the Whole recommends:

That the week of October 28th to November 3rd be proclaimed as "English as a Second Language Week" in the City of Port Colborne in accordance with the request received from David Hazell, Chair, Teachers of English as a Second Language Association of Ontario.

13. Memorandum from Amber LaPointe, Manager of Legislative Services/ Clerk Re: Notice of Appointment to Niagara Compliance Audit Committee

Committee of the Whole recommends:

That the memorandum from Amber LaPointe, Manager of Legislative Services/Clerk Re: Notice of Appointment to Niagara Compliance Audit Committee, be received for information.

CARRIED.

8. Presentations:

a) Presentation by Mayor Maloney to Jessica Cizmar – Recipient of the Isadore Sponder Memorial Trophy

Mayor Maloney provided a presentation with respect to Isadore Sponder. Mayor Maloney, Fred Horvath, Mr. Sponder's nephew, and Jen Laur, Piranhas Swim coach, presented Jessica Cizmar with the Isadore Sponder Memorial Trophy. A copy of the presentation is attached.

b) Grant Presentations to Community Organizations

Councillor Kenny advised that Council set aside \$30,000 in 2018 for grants to be distributed to not-for-profit organizations who serve the residents of Port

Colborne. Councillor Kenny presented cheques to: Community Living Port Colborne-Wainfleet, YMCA of Niagara and Friends of Port Colborne Lighthouses. A copy of the presentation is attached.

9. Delegations:

Nil.

10. Mayor's Report:

A copy of the Mayor's Report is attached.

11. Regional Councillor's Report:

Nil.

12. Councillors' Items:

a) Scholfield Avenue boulevard (Elliott)

In response to an inquiry by Councillor Elliott with respect to whether the City plans to install sidewalks and perform landscaping, the Director of Planning and Development advised that there was no discussion with the developer in this regard and the Director of Engineering and Operations advised that the boulevards will continue to be maintained to current standards and anything above and beyond would have to be considered in the Operations budget.

b) Cross walk at the intersection of Clarence and Catharine Streets (Elliott)

In response to a request by Councillor Elliott for an update with respect to the progress of the installation of the cross walk at the intersection of Catharine and Clarence Streets, the Director of Engineering and Operations advised that contractors are meeting with staff about logistics and are trying to complete the project prior to the end of October.

c) Heavy trucks on 3rd Concession Road (Bodner)

Councillor Bodner advised that he has received concerns from residents with respect to heavy trucks travelling on 3rd Concession Road between Brookfield Road and Wilhelm Road. The Director of Engineering and Operations advised that the road is not designated as a no truck route and that 3rd Concession Road is not built to the same standards as 2nd Concession Road. The Director also advised that he would direct staff to review the traffic log and discuss the route with business owners in the area and truck drivers.

d) Line painting – Centennial Park (Bodner)

In response to an inquiry by Councillor Bodner, the Director of Engineering and Operations advised that staff are working on painting school guard crossings, then crossings for trails and the park is next on the painting schedule.

e) Centennial Park usage (Bodner)

Councillor Bodner requested staff to provide a report at a future meeting to update Council with respect to Centennial Park usage including reports from neighbours about attendance and determination of improvements.

f) Parking at Pleasant Beach Road (Butters)

Councillor Butters requested staff to provide a report in the new term of Council with options, including an option for no parking, on Pleasant Beach Road.

g) Pleasant Beach Signage (Butters)

In response to a request by Councillor Butters for clarification about way-finding signage to Nickel Beach and Centennial Beach, the Chief Administrative Officer advised that the City would like to be strategic about where signs are placed and ensure a consistent application of way-finding signs so as not to contribute to sign overload, therefore the Parks and Recreation Master Plan can appropriately guide this type of signage.

h) Clarence Street construction (Kenny)

Councillor Kenny expressed a concern about a sign indicating a bump in the road that is too low to be visible near the Clarence Street construction of the Wendy's Restaurant. The Director of Engineering and Operations advised that staff will review the location of the sign and that the area should be reinstated by the contractor shortly.

i) Railway tracks on Killaly Street (Kenny)

In response to an inquiry by Councillor Kenny about a date when the tracks would be repaired, the Director of Engineering and Operations advised that staff is continuing discussions with Trillium Railway and the Region and that the Region has committed to their share of the expense but Trillium must agree to do the work.

k) Break in at Minor Soccer building at the Tom Lannan Sports Complex (Desmarais)

In response to an inquiry by Councillor Desmarais about the break in to and vandalism of the Minor Soccer building at the Tom Lannan Sports Complex, the Chief Administrative Officer advised that he is not aware of a formal process for

reporting incidents at all City buildings, aside from the City's major facilities, and that staff will put appropriate protocol in place.

l) Niagara Regional Police response to alarms protocol (Desmarais)

Councillor Desmarais expressed concern by a pharmacy owner with respect to a new protocol introduced by the NRPS in which they do not respond to alarms and the business owner must respond and then report if there is a problem. Councillor Desmarais inquired whether the protocol could be reconsidered for certain cases. The Chief Administrative Officer advised that the NRPS protocol approved by the NRPS Board was implemented as a result of the number of false alarms received and further advised that there are certain types of building uses that would likely merit a police inspection and exclusion of the new protocol, about which he would speak to the Police Chief.

m) Closed Circuit TV (Desmarais)

In response to an inquiry by Councillor Desmarais, the Chief Administrative Officer advised that some City facilities already have CCTV, particularly the newer facilities. The Chief Administrative Officer explained that at the September 10, 2018 public meeting, direction was not provided by Council, therefore the next steps staff are taking is holding a meeting with concerned parties including Port Cares, NRPS, Ward Councillors, Mr. Davies and the Chair of the BIA to discuss ideas to address the vandalism and crime issues in the downtown area and any ideas such as CCTV would be presented to Council as a budget request.

Staff Responses to Previous Councillor Enquiries:

a) Fire Prevention Week Open House – October 13 (Cartwright)

The Fire Chief advised that Fire Prevention Week is from October 7-13, with an Open House being held on Saturday, October 13 from 10 a.m.-2 p.m. at the Fire Station at 3 Killaly Street West.

b) Vulnerable Occupancy Buildings (Cartwright)

The Fire Chief advised that at the September 10, 2018 meeting of Council, one of the presenters expressed a concern with respect to the supportive living facilities/vulnerable occupancy buildings that operate in Port Colborne as unregulated boarding homes that provide unsafe housing. The Fire Chief also advised that the Fire Department is aware of the facilities and continually surveils those properties and has had numerous contact with the property owner including the laying of charges. The Fire Chief further advised that significant bills are being charged to both vulnerable occupancy properties for false alarms, which can be added to the property taxes if unpaid. Finally, the Fire Chief advised that upon inspection of both properties, they complied with the Building Code and Fire Code.

c) Fire Safety Campaign (Cartwright)

The Fire Chief advised the door-to-door fire safety campaign is continuing and compliance is at approximately 39%. The Fire Chief reported that the Fire Department continues to receive phone calls to carry out safety checks in homes.

d) Cannabis dispensary and sales (Aquilina)

The Director of Planning and Development advised that an open house will be held on October 30, 2018 and public meeting will be held on November 13, 2018 with respect to the commercial growth and sale of cannabis.

e) Request for Proposal re: Parks and Recreation Master Plan (Grigg)

The Director of Community and Economic Development advised that an RFP for the completion to solicit interest in the completion of a Parks and Recreation Master Plan will be issued on September 25, 2018 with an expected completion date at the end of February, 2019.

13. Consideration of Items Requiring Separate Discussion:**1. Corporate Services Department, Finance Division, Report 2018-133, Subject: Municipal Officers' Expense Allowance**

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

That Corporate Services Department, Finance Division Report 2018-133
Subject: Municipal Officers' Expense Allowance, be received for
information.

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

That consideration of the Municipal Officers' Expense Allowance, as
outlined in Corporate Services Department, Finance Division, Report
2018-133, be deferred to the next term of Council.

CARRIED.

2. Fire and Emergency Services Department, Report 2018-124, Subject: Regulating the Sale and Discharge of Fireworks

Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That the proposed by-law for prohibiting and regulating the sale and
discharge of fireworks attached to Fire and Emergency Services

Department Report 2018-124 be approved, effective January 1, 2019;
and

That staff be directed to make the necessary changes to the applicable
fee schedule.

CARRIED.

7. Planning and Development Department, Planning Division, Report 2018-132, Subject: Recommendation Report on Removing 60 Adelaide Street from the Municipal Registry of Heritage Properties

Moved by Councillor D. Elliott
Seconded by Councillor B. Kenny

That the lands legally known as Plan Merr Survey Pt Lot 5 Pt Lot 6 NP 987, 988, 989, City of Port Colborne, Regional Municipality of Niagara; municipally known as 60 Adelaide Street be removed from the City of Port Colborne's Municipal Registry of Heritage Properties.

CARRIED.

9. Planning and Development Department, Planning Division, Report 2018-125, Subject: Municipal Land Sale Policy

Moved by Councillor D. Elliott
Seconded by Councillor R. Bodner

That the Land Sale Policy attached to Planning and Development Department, Planning Division Report 2018-125 be approved; and

That By-law No. 4770/152/05 be repealed; and

That the City Clerk be directed to bring forward the necessary by-law for approval; and

That the City Clerk be authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after its passage.

Moved in amendment by Councillor A. Desmarais
Seconded by Councillor F. Danch

That the main motion be amended by adding as the first paragraph:

"That the Land Sale Policy, Part 7 – Limited Marketability Land – Payment of Deposit, be amended by removing therefrom the forfeiture of the \$300 deposit as defined in Section 7.2 (i) and (ii), and adding thereto as follows "(i) not recommended by staff and Council denies the request, then the deposit shall be refunded without interest or deduction. (ii)

recommended by staff and Council denies the request, then the deposit shall be refunded without interest or deduction”;

That the main motion be further amended by adding “as amended” after “That the Land Sale Policy attached to Planning and That the Land Sale Policy attached to Planning and Development Department, Planning Division Report 2018-125 be approved.”

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

That the Land Sale Policy, Part 7 – Limited Marketability Land – Payment of Deposit, be amended by removing therefrom the forfeiture of the \$300 deposit as defined in Section 7.2 (i) and (ii), and adding thereto as follows “(i) not recommended by staff and Council denies the request, then the deposit shall be refunded without interest or deduction. (ii) recommended by staff and Council denies the request, then the deposit shall be refunded without interest or deduction”; and

That the Land Sale Policy attached to Planning and Development Department, Planning Division Report 2018-125 be approved, as amended; and

That By-law No. 4770/152/05 be repealed; and

That the City Clerk be directed to bring forward the necessary by-law for approval; and

That the City Clerk be authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after its passage.

CARRIED.

14. **Notice of Motion:**

Nil.

15. **Adjournment:**

Moved by Councillor B. Kenny
Seconded by Councillor F. Danch

That the Committee of the Whole meeting be adjourned at approximately 8:11 p.m.

CARRIED.

SPEAKING NOTES
ISADORE SPONDER MEMORIAL TROPHY

- Growing up in Port Colborne, Isadore Sponder began swimming at the age of 15 in either Lake Erie or the Welland Canal or both, as most children of his age did.
- Between 1927 – 1933, Isadore competed against such noted swimming greats as Marvin Nelson and Gianni Gambi.
- During the era when the Canadian National Exhibit Marathon Swim was one of the Premier World Marathons, Isadore finished in the top 3, four times.
- Good friend Ernie Marsh stated, “he was quite a swimmer - he tried his best and brought considerable recognition to Port Colborne”.
- He passed away in December of 1986 at the age of 74.
- In 1993, the Centennial Pool Lift for handicapped swimmers was dedicated to the citizens of Port Colborne by the Sponder Family. With the decommissioning of Centennial Pool and building of Vale Health & Wellness Centre the city, alongside Isadore’s Family, wanted to ensure his memory lived on in Port Colborne.
- In addition to his name on the Donor Wall at the Vale Health & Wellness Centre, the City has created the “Isadore Sponder Memorial Trophy to be presented annually to a member of the Port Colborne Piranhas Swim Team.

- The recipient is to mirror the traits Isadore possessed in the water – a competitive spirit, dedicated to the sport, and always giving 110%, win or lose.
- We are fortunate tonight to have two members of Isadore's family here with us, and I would like to invite his nephew and former Port Colborne resident, Fred Horvath and his other nephew, John Shaw to say a few words.
- *Fred speaks.*
- I would also like to call up Jen Laur, the coach of the Piranhas Swim Team for the presentation.
- *Jen Laur comes up.*
- We are pleased to announce that the recipient of the inaugural Isadore Sponder Memorial Trophy is Jessica Cizmar.
- Jessica, can you please come up.
- Jessica is 11 years old and has been participating on the Piranhas Swim team and taking the Swim Stroke Improvement classes for 2 years.
- Jessica has loved the water since she was a baby, and is looking forward to one day being a lifeguard.
- We have this trophy which will remain on display at the Vale Health & Wellness Centre engraved with your name and we have a plaque for you to take home.

SPEAKING NOTES
GRANT PRESENTATIONS
SEPTEMBER 24, 2018

Good evening ladies and gentlemen.

We are here this evening to present several community grants to non-profit organizations who serve the residents of Port Colborne.

The committee is comprised of three members of council and two members of the public on this committee – myself, Councillor Angie Desmarais, Mayor John Maloney, with Gary Bruno and Brenda Haymes from the public.

For 2018, council has set aside a maximum of \$30,000 to be distributed.

The first round of applications were received by January 31st and we presented 6 grants totalling \$12,720.

The second round of applications were received by June 30th and we are here tonight to present 3 grants totalling \$8,250.

Community Living Port Colborne Wainfleet used their grant of \$4,500 to offer 6 week summer employment training program for high school students with intellectual disabilities by hiring 3 job support workers.

I'd like to call up Dan Tonello and Rita Smith to receive their cheque.

Ask them to say a few words.

YMCA of Niagara used their grant of \$2,000 to support their Youth Action program at Dewitt Carter Public School in Port Colborne. These funds would provide our school program with staffing as well as having access to office supplies, program supplies, gym equipment and a site phone for the 2018-2019 school year.

I'd like to call up Lori Brady to receive their cheque.

Ask Steve to say a few words.

Friends of Port Colborne Lighthouses used their grant of \$1750 to assist with the cost of insurance to provide tours to the lighthouses during Canal Days.

I'd like to call up Peter Meyer to receive their cheque.

Ask Peter to say a few words.



PORT COLBORNE

Mayor's Report to the September 24, 2018 Council Meeting

Retirement – Mike Bendia – Deputy Fire Chief

Mike, I wish to express the gratitude of Port Colborne City Council and our residents for your commitment over the past 37 plus years as a fire fighter for our municipality.

You climbed the ranks of both the volunteer department and the full-time department, eventually reaching the rank of Deputy Fire Chief which you have held for the past five years.

Serving our citizens is something you did every day, at any hour, in any weather condition, and we are grateful to you.

You have given your heart and soul to our community in so many ways, most recently as Chairman of the Board of Directors of Port Cares.

Mike, you have made the lives of the residents of Port Colborne safer and more secure because you care.

Mike, enjoy your retirement. You have earned it. You deserve it.

Present plaque.

Vale – 100th anniversary

Another milestone was reached this past week in the city as Vale, formerly Inco, celebrated their 100th anniversary of operations in Port Colborne.

They opened their refinery to the public giving tours of the cobalt and nickel plants.

It was a great opportunity for the community to see first-hand the operation that has employed generations of residents.

It was also an opportunity for retirees to return to Port Colborne and catch a glimpse of how the plant has changed and updated over the years.

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**City of Port Colborne
Regular Meeting of Council 25-18
Tuesday, October 9, 2018
following Committee of the Whole Meeting
Council Chambers, 3rd 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 22-18, held on September 24, 2018.
 - (b) Special meeting of Council 23-18, held on September 24, 2018.
 - (c) Regular meeting of Council 24-18, held on September 24, 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:**
 - (a) Poppy Week – October 26th to November 11th, 2018
- 10. Minutes of Boards, Commissions & Committees:**
 - (a) Minutes of the Environmental Advisory Committee Meeting of May 9, 2018
 - (b) Minutes of the Port Colborne Public Library Board Meeting of July 10, 2018
 - (c) Minutes of the Social Determinants of Health Advisory Committee – Everyone Matters Meeting of February 1, 2018 and May 3, 2018
- 11. Consideration of By-laws:**
- 12. Adjournment:**

Council Items:

Notes	Item	Description / Recommendation
JDM BB RB AD FD YD DE BK JM	1.	<p>Corporate Services Department, Finance Division, Report 2018-141, Subject: 2017 Audited Financial Statements</p> <hr/> <p>That the 2017 draft audited Financial Report for the year ended December 31, 2017 be approved.</p>
JDM BB RB AD FD YD DE BK JM	2.	<p>Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries</p> <hr/> <p>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:</p> <ul style="list-style-type: none"> 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.
JDM BB RB AD FD YD DE BK JM	3.	<p>Planning and Development Department, Planning Division, Report 2018-107, Subject: Railway Station Interpretive Board Funding Request</p> <hr/> <p>That staff be directed to fund up to \$1,750 towards the creation and installation of an interpretive board for the former Canadian National Railway station on King Street from the 2018 Heritage Port Colborne budget.</p>
Miscellaneous Correspondence		
JDM BB RB AD FD YD DE BK JM	4.	<p>Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne Re: Request for Poppy Week, October 26th – November 11th, 2018</p> <hr/> <p>That October 26th – November 11th, 2018 be proclaimed as “Poppy Week” in the City of Port Colborne in accordance with the request received from Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne.</p>

JDM AD DE	BB FD BK	RB YD JM	5.	<p><u>Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay</u></p> <p>That the correspondence received from Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	6.	<p><u>Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report to Council, April 1 to June 30, 2018</u></p> <p>That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report, April 1 to June 30, 2018, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	7.	<p><u>Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	8.	<p><u>Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018)</u></p> <p>That the correspondence received from the Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018), be received for information.</p>
Outside Resolutions – Requests for Endorsement				
JDM AD DE	BB FD BK	RB YD JM	9.	<p><u>City of St. Catharines Re: The Right of Passage</u></p> <p>That the resolution received from the City of St. Catharines in support of the resolution from the Town of Fort Erie Re: The Right of Passage, be received for information.</p> <p>Note: At its meeting of September 10, 2018 Council supported the above resolution.</p>
Responses to City of Port Colborne Resolutions				
Nil.				

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

By-law No.	Title
6620/75/18	Being a by-law to adopt a Policy and Procedure for disposal of Surplus property in Port Colborne
6621/76/18	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 October 9, 2018

The Corporation of the City of Port Colborne

By-law no. 6620/75/18

Being a by-law to adopt a Policy and Procedure for disposal
of Surplus property in Port Colborne

Whereas the Council of the Corporation of the City of Port Colborne
deems it necessary to amend the policy and procedure for the disposal of surplus
property in the City of Port Colborne; and

Whereas at its meeting of September 24, 2018, the Council of The
Corporation of the City of Port Colborne ("Council") approved the
recommendation of Planning and Development Department, Planning Division,
Report 2018-125, Subject: Municipal Land Sale Policy, as amended.

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

1. That the policy and procedure respecting the disposal of surplus property in
the City of Port Colborne appended hereto as Schedule "A" and made part of
this By-law be approved.
2. That By-law No. 4770/152/05 passed on December 12, 2005 be hereby
repealed.

Enacted and passed this 9th day of October, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

SALE OF LAND POLICY

PART 1 – Definitions

1.1. In this by-law:

- (a) **"Abutting"** shall mean a parcel of land adjoining another parcel of land having one (1) or more lot lines in common;
- (b) **"Applicant"** means a person who has enquired or requested to purchase City land;
- (c) **"Appraisal"** means a fair market valuation of land prepared by an accredited Appraiser or the market value obtained by a licensed real estate brokerage firm or a licensed independent real estate agent;
- (d) **"Appraiser"** means a member in good standing of the Appraisal Institute of Canada, holding an Accredited Appraiser Canadian Institute or Canadian Residential Appraiser designation as appropriate;
- (e) **"as is"** means without regard for state of repair, location of any and all structures, walls, retaining walls or fences (freestanding or otherwise) or encroachment by buildings or fences or otherwise, on the land or adjoining properties or streets, and without warranty or representation as to use, environmental contamination, hazards or risks;
- (f) **"Full Marketability Land"** means land which would in the opinion of the Director, Planning & Development Services, or designate, be of interest to potential purchasers in the open market due to size, shape, location, topography, environmental condition, permitted land uses, or any other factor which the Director of Planning & Development, or designate, considers relevant;
- (g) **"highway"** means:
 - i. all highways that existed on December 31, 2002,
 - ii. all highways established by by-law on or after January 1, 2003,
 - iii. all highways transferred to the municipality under the *Public Transportation and Highway Improvement Act*,
 - iv. all road allowances made by the Crown surveyors located in the municipality,
 - v. all road allowances, highways, streets and lanes shown on a registered plan of subdivision;
- (h) **"land(s)"** shall mean real property and any improvements thereon owned by the Town, including highways which have been or may be stopped up and closed, but does not include:
 - (i) any land which Council has otherwise determined by resolution or by-law is not available for sale;

- (i) **“Limited Marketability Land”** means land which would, in the opinion of the Director, Planning & Development Services, or designate, be of limited interest to potential purchasers due to size, shape, location, topography, environmental condition, land use restrictions, or any other factor which the Director, Planning & Development Services, or designate, considers relevant;
- (j) **“Official Plan”** means the Official Plan of the City of Port Colborne, as amended or replaced from time to time;
- (k) **“Real Estate Broker”** means a Real Estate Broker registered under the *Real Estate and Business Brokers Act, 2002*, as amended and Regulations thereto;
- (l) **“sale”** and **“sell”** shall not include:
 - (i) a lease of land by the City;
 - (ii) transfers of easement or rights-of-way by the City;
 - (iii) releases of restrictive covenants by the City; and
 - (iv) releases of rights of first refusal by the City.
- (m) **“City Solicitor”** means and includes the City’s Solicitor or external legal counsel from time to time, and in his/her absence, the Chief Administrative Officer or his/her designate.

PART 2 - General

- 2.1 A by-law containing a legal description of the land and the identity of the purchaser shall be passed to approve the sale of land.
- 2.2. Land required for any municipal purpose, including but not limited to present or future municipal facilities, infrastructure and parks, is not available for sale to the public.
- 2.3 Any survey and/or reference plan required shall be obtained at the expense of the purchaser(s) unless Council by resolution otherwise determines.
- 2.4 Council may impose conditions of sale if deemed appropriate.
- 2.5 All land, with or without improvements, shall be sold on an “as is” basis unless Council determines otherwise.
- 2.6 The City is under no obligation by virtue of the sale of land to grant any approvals, including approvals for changes to the Official Plan or zoning by-law or with respect to site plan control, minor variances, and building permits, or to support approvals required by any other approval authority, which may be necessary for any contemplated use of the land by the purchaser.

- 2.7 Any provisions for public notice provided for in this policy shall prevail over any other existing or future public notice by-law passed by Council.
- 2.8 The purchaser(s) shall be responsible for the City's legal fees unless Council by resolution otherwise determines.

PART 3 - Appraisals

- 3.1 One (1) Appraisal of the fair market value of land to be sold shall be obtained and prepared by an Appraiser in accordance with the requirements of the Appraisal Institute of Canada or by a real estate brokerage firm or an independent real estate agent.
- 3.2 Notwithstanding Section 3.1, the Director of Planning & Development, or designate, may:
- (a) dispense with the requirement of an Appraisal for the following classes of land:
 - (i) Land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*;
 - (ii) Land for which the City has obtained an Appraisal within the preceding one (1) year, in the discretion of the Director, Planning & Development Services, or designate.
 - (b) dispense with the requirement of an Appraisal for the disposition of land to:
 - (i) A municipality;
 - (ii) A corporation incorporated by a municipality;
 - (iii) A municipal service board of a municipality;
 - (iv) A local board, including a school board and a conservation authority;
 - (v) The Crown in right of Ontario or Canada and their agencies.

PART 4 – Land Deemed to be Not Marketable

- 4.1 In addition to any other provisions herein, or any resolution or by-law passed by Council, the following lands are deemed to be not marketable:
- (a) land situated in the Open Space or Environmental Protection designations of the Official Plan, as amended from time to time, in order to protect and promote the public enjoyment of natural features;
 - (b) Any land which Council has by resolution or by-law declared shall not be sold.
- 4.2 City lands deemed to be not marketable are not available for sale to the public.

SALE OF LIMITED MARKETABILITY LAND

PART 5 – Limited Marketability Land – Policy Statements

- 5.1 The following policy statements shall be applied to all Limited Marketability Land:
- 5.1.1 Limited Marketability Land shall only be sold to an abutting owner(s) whose property if combined with the City's land creates a configuration which is acceptable to the **178**

Director, Planning & Development Services, or designate, in accordance with good planning principles.

- 5.1.2 The land shall be required to legally merge in title with the abutting owner's property. Where necessary, Council shall pass a by-law deeming the City land and/or the abutting owner(s) land not to be part of a registered plan of subdivision in order to effect the merger, and the by-law shall be registered on title by the Town prior to the registration of the Transfer/Deed to the purchaser. No fee shall be charged to the abutting owner for the preparation and registration of the Deeming By-law.
- 5.1.3 In addition, the following restrictions shall apply to land in the Agricultural, Rural, or Rural Residential Designations of the Official Plan or outside the Urban Area:
- a) if the total area of the combined City land and the abutting owner's property is less than 0.4 hectares (1 acre) in size, the City land will be recommended for sale to the abutting owner, only if there is an existing dwelling or non-residential building on the abutting land; or
 - b) if the total area of the combined City land and the abutting owner's property is greater than 0.4 hectares (1 acre) in size, but less than 1 hectare (2.2 acres) in size, the City land may be sold to the abutting owner notwithstanding that there is no existing dwelling.

PART 6 – Process for Sale of Limited Marketability Land

- 6.1 The initial enquiry by a prospective purchaser (Applicant) shall be made to the Planning & Development Department.
- 6.2 The request process for the sale of Limited Marketability Land shall be divided into phases, as follows:

6.2.1 PHASE 1 – Preliminary Review

Part 4 of this policy shall be reviewed to determine its applicability, and the Applicant shall be advised accordingly.

6.2.2 PHASE II - Circulation

Staff shall conduct a formal circulation to internal departments and any outside agencies as appropriate, to determine any objections to the sale or conditions which may be required. The Applicant shall be advised of the results of this circulation. In addition, a site visit shall be conducted by City staff to determine any municipal requirements which may need to be addressed upon a sale.

6.2.3 PHASE III – Collection of Deposit and Appraisal

- (a) Should the Applicant wish to proceed with the request to purchase the land, the deposit provided for in Part 7 shall be required.

- (b) Following receipt of the deposit, an Appraisal of the land shall be obtained in accordance with Part 3 of this Policy.

6.2.4 PHASE IV – Notice to Abutting Owners and Disclosure of Appraisal

- (a) The Applicant shall be advised of the appraised value and be required to submit his/her written offer to purchase the land at the appraised value within three (3) weeks, failing which, he/she shall be deemed to have declined to purchase the land.
- (b) All abutting property owners shall also be sent notice via regular mail of the following:
 - (i) a request to purchase City land has been received;
 - (ii) the identity of the Applicant; and
 - (iii) the appraised value;

and shall be required to submit any comments or objections to the sale of the lands in writing, or, submit the deposit as provided in Part 7 together with their offer in writing to purchase the lands at the appraised value, within three (3) weeks from the date of such notice, failing which, they shall be deemed to have no objection nor any interest in purchasing the land. Comments and objections will become part of the public record and included in any subsequent Report to Council.

- (c) In the event that:
 - (i) an abutting owner submits their written offer to purchase the land at the appraised value, and
 - (ii) provided dividing the land equally between the Applicant and the abutting owner would create a configuration acceptable to the Director, Planning & Development, or designate, in accordance with good planning principles,

then, the Applicant and the abutting owner may agree to divide the land equally between them with the purchase price and all survey/reference plan costs shared proportionately. If the Applicant and the abutting owner do not agree to divide the land, the land will be offered to each through a tender process to the highest bidder (the appraised value being the Reserve Bid), subject to the final approval by Council.

6.2.5 PHASE V– Report to Council

Following receipt of the Applicant's and/or another abutting owner's written offer to purchase the land at the appraised value and payment of the deposit required in Part 7, a report shall be submitted to Council for approval, with staff's recommendations.

- 6.3 The Agreement of Purchase and Sale shall be prepared by the City in a form satisfactory to the City Solicitor, who shall have authority to determine and extend the time for closing real estate transactions.

- 6.4 The Transfer/Deed of Land and Land Transfer Tax Affidavit, or electronic version thereof, shall be prepared in registrable form at the expense of the purchaser.
- 6.5 In the event that sale of the land is not completed within one (1) year from the date on which Council passes the by-law authorizing the sale, subsequent requests shall be subject to the provisions of this Policy in all respects.

PART 7 –Limited Marketability Land – Payment of Deposit

7.1 A deposit in the amount of \$300.00 shall be required as follows:

- (a) If the sale of land is prohibited in this policy, and the Applicant wishes to proceed, then the deposit is payable before proceeding to Phase II;
- (b) If the sale of the land to the Applicant will be recommended, payment of the deposit shall be required prior to ordering an Appraisal and submitting a Report to Council;
- (c) Following notice, if another abutting owner provides his written offer to purchase the land at the appraised value, such owner shall be required to submit payment of the deposit with his written offer to purchase the land.

7.2 The deposit shall be applied to the purchase price or forfeited, at the times and in the circumstances set out below:

In the event that:

- (i) the Applicant abandons the request before a Report is submitted to Council, the deposit shall be forfeited without interest or deduction;

OR

the sale of land is:

- (ii) not recommended by staff, and Council denies the request, the deposit shall be refunded without interest or deduction;
- (ii) recommended by staff and Council denies the request, then the deposit shall be refunded without interest or deduction;
- (iii) approved by Council and the Applicant does not complete the transaction for any reason other than one which may be contemplated in the Agreement of Purchase of Sale, the deposit shall be forfeited without interest or deduction.

7.3 Should a tendering process occur:

- (i) the deposit paid by the successful bidder shall be applied towards the purchase price if the sale is approved and the transaction is completed;
- (ii) the deposit paid by the unsuccessful bidder shall be refunded without interest or deduction;
- (iii) and the successful bidder does not complete the transaction for any reason other than one which may be contemplated in the Agreement of Purchase of Sale, the deposit shall be forfeited without interest or deduction.

SALE OF FULL MARKETABILITY LAND

PART 8 – Sale of Full Marketability Land

- 8.1 Full Marketability Land shall be marketed to the public through listing with a Real Estate Broker or agent in such other manner which Council approves, having regard to the nature of the property. Alternative marketing strategies may include invitation to tender, and request for proposal.
- 8.2 When Full Marketability Lands are being sold, all of the abutting property owners shall be notified by letter of the proposed disposition, such notice being provided at the same time as the lands being marketed either through a Real Estate Broker or agent or such other method approved by Council.
- 8.3 Any offer to purchase shall be submitted by a Real Estate Broker or agent to the Director of Planning & Development, who shall review the same with Council. Acceptance or refusal of an offer to purchase shall be in Council's sole discretion.
- 8.4 The Agreement of Purchase and Sale shall be in a form satisfactory to the City Solicitor.

PART 9 – Non-Application of Policy

- 9.1 This by-law does not apply to any sale of land by the City pursuant to the provisions of Part X1 of the Municipal Act, 2001, as amended (Sale of Land for Tax Arrears) and any Regulations thereto from time to time, which shall be effected in conformity with the said Act and Regulations.
- 9.2 This by-law does not apply to sale of land pursuant to other applicable legislation, including, but not limited to:
Sections 107, 108, 110 and 203 of the Municipal Act, 2001, S.O. 2001, c.25, as amended;
and
Sections 28 and 60 of the Planning Act, R.S.O. 1990, c. P 13, as amended; and
any approvals granted under the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended; and
- 9.3 Sections 11 and 42 of the Expropriations Act, R.S.O. 1990, c. E. 26, as amended; and any regulations thereunder.
- 9.4 The procedures for the closure of highways shall be in accordance with the Municipal Act, 2001, as amended, and other relevant statutes.

PART 10 - Application and Administration of Policy

- 10.1 This policy shall be read and applied fairly with such variations as circumstances or the nature of the subject matter require provided the general purpose, intent, meaning and spirit of the policy are maintained.
- 10.2 The Director, Planning & Development Services shall be responsible for developing and implementing forms and procedures for the administration of this policy by Town staff. The Town Solicitor shall be responsible for the closing of sale transactions.

The Corporation of the City of Port Colborne

By-Law No. 6621/76/18

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 October 9, 2018.

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council;

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:

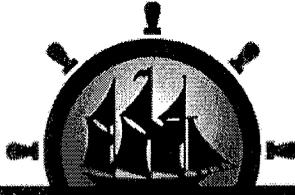
1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of October 9, 2018 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect 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 9th day of October, 2018.

John Maloney
Mayor

Amber LaPointe
City Clerk

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PORT COLBORNE

October 9, 2018

Moved by Councillor
Seconded by Councillor

That I, Mayor John Maloney do hereby proclaim October 26th, 2018 to November 11th, 2018 as "Poppy Week" in the City of Port Colborne in honour of the men and women from Port Colborne who gave their lives during the two world wars, the Korean War and the Afghanistan War.

Further, that the citizens of the City of Port Colborne are encouraged to participate in Remembrance Day services to be held at H.H. Knoll-Lakeview Park on Sunday, November 11, 2018 at 10:45 a.m.

John Maloney
Mayor

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**City of Port Colborne
Special Council Meeting 22-18
Minutes**

Date: September 24, 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
D. Elliott, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (due to a leave of absence)

Staff Present: T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)

Guests: S. Premi, Solicitor, Sullivan Mahoney LLP

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 135 Moved by Councillor B. Butters
Seconded by Councillor B. Kenny

That the agenda dated September 24, 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. 136 Moved by Councillor B. Butters
Seconded by Councillor R. Bodner

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

- (a) Chief Administrative Officer Report 2018-140 regarding potential litigation concerning Seaway lands, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED.

Motion to Rise With Report – 6:22:

No. 137 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That Council do now rise from closed session with report at approximately 6:22 p.m.

CARRIED.

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

Nil.

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

- (a) Chief Administrative Officer Report 2018-140 regarding potential litigation concerning Seaway lands, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The City Clerk reported that Council received the report for information purposes in accordance with the *Municipal Act, 2001*.

8. **Adjournment:**

No. 138 Moved by Councillor
Seconded by Councillor

That the Council meeting be adjourned at approximately
6:23 p.m.
CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

AL/cm

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**City of Port Colborne
Special Council Meeting 23-18
Minutes**

Date: September 24, 2018
Time: 6:30 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
D. Elliott, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (due to a leave of absence)

Staff Present: E. Acs, Planner
D. Aquilina, Director of Planning and Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
P. Senese, Director of Corporate Services

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. National Anthem:

Joel Longfellow sang O Canada.

3. Confirmation of Agenda:

No. 139 Moved by Councillor R. Bodner
Seconded by Councillor A. Desmarais

That the agenda dated September 24, 2018 be confirmed,
as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Nil.

5. Public Hearing Under the Planning Act:

Application for Zoning By-law Amendment

Planning and Development Department, Planning Division, Report 2018-131,
Subject: Public Meeting Report for Zoning By-law Amendment D14-03-18, 1937
Brookfield Road.

(i) Purpose of Meeting:

Mr. Acs advised that the purpose of the meeting, pursuant to 34 of the *Planning Act*, is to consider an application submitted by agent Brian Lambie on behalf of owner Andy Veenstra Farms Ltd for the lands legally known as Part of Lot 10, Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1937 Brookfield Road.

The application for Zoning By-law Amendment proposes to change the zoning from Agricultural to Agricultural Purposes Only and Agricultural Residential. The Zoning By-law Amendment is being sought to satisfy anticipated conditions for a farm-consolidation severance.

(ii) Method of Notice:

Notice of the Public Meeting was administered in accordance with Section 34 of the *Planning Act*, as amended, and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property on August 31, 2018. A sign was posted on the property by September 4, 2018. Notice was also posted on the City's Website.

The Planning and Development Department hosted a public open house for this application on September 17, 2018. Notice of the public open house was included on the notice of public meeting.

As of the date of this meeting, staff have not received any written comments from members of the public.

The following agency provided comment:

Regional Municipality of Niagara:

Regional Planning and Development staff have no objection to the proposed Zoning By-law Amendment from a Provincial or Regional Perspective. Regional staff recommend that the amending Zoning By-law should not be passed until the completion of the future consent application.

(iii) Explanation of Procedure to be Followed:

The procedure to be followed this evening will be to present Planning and Development Department, Planning Division Report 2018-131, Subject: Public Meeting Report for Zoning By-law Amendment D14-03-18, 137 Brookfield Road hear any comments from the applicant, receive questions of clarification from Council to the applicant or Planning Staff, open the meeting to the public for comments and questions, announce the requirements under the Planning Act for written notice of passage of the proposed zoning by-law amendment, and a brief explanation of future meetings regarding the application.

(iv) Presentation of Application for Zoning By-law Amendment:

Mr. Acs provided a powerpoint presentation with respect to Planning and Development Department, Planning Division Report 2018-131, Subject: Public Meeting Report for Zoning By-law Amendment D14-03-18, 137 Brookfield Road. A copy of the presentation is attached.

Location and Context

The property is located at 1937 Brookfield Road, at the corner of Brookfield Road and Second Concession. The property currently has a single detached dwelling with several farm buildings. Most of the land is under cultivation. To the north is agricultural land. To the east is agricultural land with a residence. To the south is agricultural land with some residential dwellings. To the west is agricultural land with some residential dwellings.

City of Port Colborne Official Plan

The City of Port Colborne Official Plan designates the property as Agricultural. Lands designated Agriculture are Prime Agricultural Areas as defined by the Provincial Policy Statement and as identified on the Agricultural Land Base Map of the Regional Policy Plan and are used primarily for agricultural purposes.

City of Port Colborne Zoning By-law 6575/30/18

The City of Port Colborne Zoning By-law 6575/30/18, zones the property Agricultural which permits the following uses: accessory agricultural activities; agriculture use; agri-tourism and value added uses;

conservation uses; dwelling, detached existing at the date of the passing of this by-law as a principal use on a new lot; dwelling, detached as a principal use on an existing lot of record; kennel; medical marihuana production facility; and uses, structures and buildings accessory thereto.

The application for Zoning By-law Amendment proposes to change the zoning to Agricultural Purposes Only and Agricultural Residential. Agricultural Purposes Only permits agricultural uses, conservation uses, and uses, structures and buildings accessory thereto including greenhouses. Agricultural Residential permits dwelling, detached and uses, structures and buildings accessory thereto.

(v) Comments of Applicant:

Brian Lambie provided a presentation on behalf of owner Andy Veenstra Farms Ltd for the lands legally known as Part of Lot 10, Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1937 Brookfield Road.

Mr. Lambie advised that the residence at 1937 Brookfield Road is surplus to his client's needs and that his client has applied for a severance, a condition of which will be re-zoning of the property. Mr. Lambie advised that the re-zoning of the vacant land to Agricultural Purposes Only would prevent a dwelling from being built on that parcel and re-zoning the residence to Agricultural Residential would allow only a residence to be built on that parcel.

(vi) Questions of Clarification to Applicant/Planning Staff:

Mr. Acs read the following statement:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Zoning By-law Amendment is passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submission to the City of Port Colborne before a decision on the proposed Zoning By-law Amendments is passed by Council, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so."

Mr. Acs advised interested members of the public to sign-in on the sheet provided to request future notice about the application.

In response to a question by Councillor Bodner, Mr. Lambie advised that the proposed re-zoning is allowed under the City's Official Plan.

In response to a question from Councillor Kenny, Mr. Acs advised that there were no attendees other than Mr. Lambie at the public open house held on September 17, 2018.

(vii) Oral Presentations and/or Questions from the Public:

Nil.

(viii) Announcement Respecting Written Notice of Passage of Zoning By-law Amendment:

Mr. Acs read the following statement:

"If you wish to be notified of the approval of the zoning by-law amendment you must make a written request to the clerk. Only those persons and public bodies that give the clerk a written request for the notice of the adoption and passing of a zoning by-law amendment will be given notice."

(ix) Explanation of Future Meetings:

Mr. Acs advised that the proposed Zoning By-law Amendment would be placed on Council's agenda at a future meeting.

6. Adjournment:

No. 140 Moved by Councillor B. Kenny
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately
6:46 p.m.

CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

Minutes prepared by the Department of Planning and Development.

AL/ea

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**City of Port Colborne
Regular Council Meeting 24-18
Minutes**

Date: September 24, 2018

Time: 8:11 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
D. Elliott, Councillor
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)

Absent: Y. Doucet, Councillor (due to vacation)
J. Mayne, Councillor (due to a leave of absence)

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
A. Grigg, Director of Community and Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
P. Senese, Director of Corporate Services

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:**

No. 141 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That the agenda dated September 24, 2018 be confirmed, as
circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Councillor Bodner declared pecuniary interest with regard to item 2, Fire and Emergency Services Department, Report 2018-124, Subject: Regulating the Sale and Discharge of Fireworks, as his brother owns a business that sells fireworks and as he owns a business in Sherkston Shores that could potentially sell fireworks. Councillor Bodner refrained from discussing or voting on this item.

5. Adoption of Minutes:

No. 142 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

(a) That the minutes of the special meeting of Council 20-18, September 10, 2018, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

Item 2.

7. Approval of Items Not Requiring Separate Discussion:

No. 143 Moved by Councillor R. Bodner
Seconded by Councillor F. Danch

That items 1 to 13 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

2. Fire and Emergency Services Department, Report 2018-124, Subject: Regulating the Sale and Discharge of Fireworks

No. 144 Moved by Councillor D. Elliott
Seconded by Councillor F. Danch

That the proposed by-law for prohibiting and regulating the sale and discharge of fireworks attached to Fire and Emergency Services Department Report 2018-124 be approved, effective January 1, 2019; and

That staff be directed to make the necessary changes to the applicable fee schedule.

CARRIED.

9. **Proclamations:**

No. 145 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

Whereas the Province of Ontario has welcomed many people from around the world who have chosen this province as the place to start a new life in Canada, now as much as any other time in its history; and

Whereas many of these immigrants undertake to learn English in order to communicate with their fellow Ontarians, allowing them to start the process of building productive and rewarding lives in their new country; and

Whereas this diverse and multifaceted group of learners of English as a Second Language can be found throughout all levels of society in Ontario. They are students, teachers, researchers, caregivers, volunteers and workers, business owners and employees, professionals and labourers, all benefit from instruction in English as a Second Language and use that new knowledge to contribute to this province on an ongoing basis; and

Whereas the professional organization Teachers of English as a Second Language Ontario, hosts a conference in Toronto each year to maintain and expand the skills and abilities of its members to aid new comers to our province in their efforts to acquire English Language skills.

Now therefore, I, Mayor, John Maloney, proclaim October 28th to November 3rd, 2018 as "English as a Second Language Week" in the City of Port Colborne.

CARRIED.

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

- a) **Minutes of the Canal Days Advisory Committee meeting of May 1, 2018**
- b) **Minutes of the Port Colborne Active Transportation Advisory Committee meeting of June 12, 2018**

No.146 Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

- a) That the minutes of the Canal Days Advisory Committee meeting of May 1, 2018, be received.
- b) That the minutes of the Port Colborne Active Transportation Advisory Committee meeting of June 12, 2018, be received.

CARRIED.

11. Consideration of By-laws:

No. 147 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That the following by-laws be enacted and passed:

- 6613/68/18 Being a by-law for prohibiting and regulating the sale of fireworks and the setting off of fireworks in the City of Port Colborne and to repeal By-law No. 2708/25/92
- 6614/69/18 Being a by-law to amend By-law No. 89-2000, being a by-law regulating traffic and parking on City roads (Davis Street)
- 6615/70/18 Being a by-law to amend By-law No. 89-2000, being a by-law regulating traffic and parking on City roads (Elm Street)
- 6616/71/18 Being a by-law to amend By-law No. 4310/46/02 a by-law Prescribing on and off street parking for persons with disabilities within the City of Port Colborne
- 6617/72/18 Being a by-law to adopt a Policy and Procedure for disposal of Surplus property in the City of Port Colborne
- 6618/73/18 Being a by-law to Appoint a Deputy Fire Chief
- 6619/74/18 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 September 24, 2018

CARRIED.

12. Council in Closed Session:

Motion to go into closed session – 8:18 p.m.

No. 148 Moved by Councillor B. Butters
Seconded by Councillor R. Bodner

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: August 27, 2018.
- (b) Planning and Development Department, By-law Enforcement Division Report 2018-130, concerning an update with respect to ongoing property investigations,

pursuant to *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.

- (c) Planning and Development Department, Planning Division Report 2018-134, concerning an appeal under the *Planning Act* to the Local Planning Appeal Tribunal of Committee of Adjustment Decision B04-17-PC related to 2229 Highway 3 East, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- (d) Verbal report from Tammy Morden, Human Resources Coordinator, concerning the performance appraisal of the Chief Administrative Officer, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED.

Motion to rise with report – 9:39 p.m.

13. Disclosures of Interest Arising From Closed Session:

Councillor Danch declared a pecuniary interest related to closed session item (c), Planning and Development, Planning Division, Report 2018-134 concerning an appeal under the *Planning Act* to the Local Planning Appeal Tribunal of Committee of Adjustment Decision B04-17-PC related to 2229 Highway 3 East. Councillor Danch left the room during consideration of this item and refrained from discussing or voting on this matter.

14. Report/Motions Arising From Closed Session:

- b) Planning and Development Department, By-law Enforcement Division Report 2018-130, concerning an update with respect to ongoing property investigations, pursuant to *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 City Clerk reported that direction was provided to staff during closed session in accordance with the *Municipal Act, 2001*.

- c) **Planning and Development Department, Planning Division Report 2018-134, concerning an appeal under the Planning Act to the Local Planning Appeal Tribunal of Committee of Adjustment Decision B04-17-PC related to 2229 Highway 3 East, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.**

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

- d) **Verbal report from Tammy Morden, Human Resources Coordinator, concerning the performance appraisal of the Chief Administrative Officer, pursuant to the Municipal Act, 2001, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.**

The City Clerk reported that Council received the presentation and related material provided from the Human Resources Coordinator for information in accordance with the *Municipal Act, 2001*.

15. Adjournment:

No. 149 Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 9:40 p.m.
CARRIED.

John Maloney
Mayor

Amber LaPointe
City Clerk

AL/cm



**Meeting
Environmental Advisory Committee
May 9, 2018, 6:00 p.m.**

The following were in attendance:

Council: Angie Desmarais

Staff: Derek Hemauer
Janice Peyton

Public Members: Patti Stirling
Beth Palma
Jack Hellinga
Paul Ruzycki
Clayton Nadeau
Ryan Waines
Tim Hoyle

Guest: Jayme Campbell

1. Call to Order

Chair Beth Palma called the meeting to order at 6:00 p.m.

2. Adoption of the Agenda

Moved by Patti Stirling
Seconded by Paul Ruzycki

That the agenda dated May 9, 2018 be accepted as circulated.
CARRIED.

3. Disclosures of Interest

Nil.

4. Approval / Review of Previous Meeting Minutes

Moved by Jack Hellinga
Seconded by Paul Ruzycki

That the minutes of March 21, 2018 be accepted as amended.

CARRIED.

5. Jayme Campbell, NPCA Re: Source Protection Program

Jayme Campbell, Coordinator of the Source Protection Program in Niagara was in attendance to provide a presentation on updating the Drinking Water Source Protection Plan. Mr. Campbell responded to comments and questions of the committee. A copy of the presentation is attached.

6. Items Arising from Previous Minutes

a) Recycle Bins

Derek advised that the recycle bins are on track. The Library gazebo project is now complete. A concrete pad may have to be poured at the corner of Elgin Street at the Library park. A bin will also be located at the corner of West Street and Clarence Street.

b) “No Littering” signs on trails

This item is pending as the last Active Transportation meeting was cancelled. Paul commented that the trail cutting between Silver Bay Road and Michael Road has resulted in a mess and that many of the trees that were taken down have been left in the ditches. Angie and Derek will ask the Parks and Engineering departments about this.

c) Boulevard Trees

There was no new information reported from committee members on this item.

d) Earth Day Green Art Show

Patti advised that the Green Art Show will take place in June. Patti will send invites out to the committee and will send Janice the details for the award. The award will be divided into the number of categories to be judged.

e) Air Quality

The committee briefly discussed the screenshot of air quality results provided by George. George will provide a written description of the results at the next meeting. East Port Colborne did well. Jack commented that the results are very dependent of the weather conditions at the time and also pointed out that the day of the week affects the results as well because there is less traffic on a weekend than on a week day. Jack advised that the monitors have been returned and that another set of testing will take place in a few months and during the shipping season.

f) Patty Moss Roadside Mowing Delay Initiative

Council has approved the recommendations of Patty Moss regarding the roadside mowing delay initiatives.

g) Drain Improvements

Derek suggested inviting Alana Vander Veen to one of the committee meetings to give an overview on drain maintenance. Angie commented that this committee may want to undertake bringing recommendations to Council for the Planning Act for future drain maintenance and may want to adopt the outcomes of the Niagara Coastal Community Collaborative group.

h) Niagara Coastal Community Collaborative Partner Support

The Niagara Coastal Community Collaborative group will meet tomorrow evening (May 10th). Drains are a main item on the agenda for this group.

7. New/Other Business

a) Thundering Waters

Paul raised concern of the Niagara Falls Council decision to move forward with Thundering Waters. Paul suggested contacting other Environmental Advisory Committees to show support by way of a letter of opposition. Angie will obtain more information, email the committee with further details and possibly draft a letter.

b) Response from Planning Regarding the Wetland Protection and Biodiversity Offsetting Paper

The committee would like a copy of the comments of Dan Aquilina, Director of Planning and Development, regarding the Wetland Protection and Biodiversity Offsetting Paper. Janice will ask for a copy of the comments and check to see if the distribution was sent.

c) Rain Barrel Sale at Bethel Community Church

Angie advised that Bethel Community Church is selling rain barrels as a fundraiser. Committee members can support this by sharing on social media. For more information see rainbarrel.ca/bethel.

8. Next Meeting/Adjourn

The next meeting will be on July 11, 2018 at 6:00 pm.

With no further business to discuss, the meeting adjourned at 8:00 p.m.

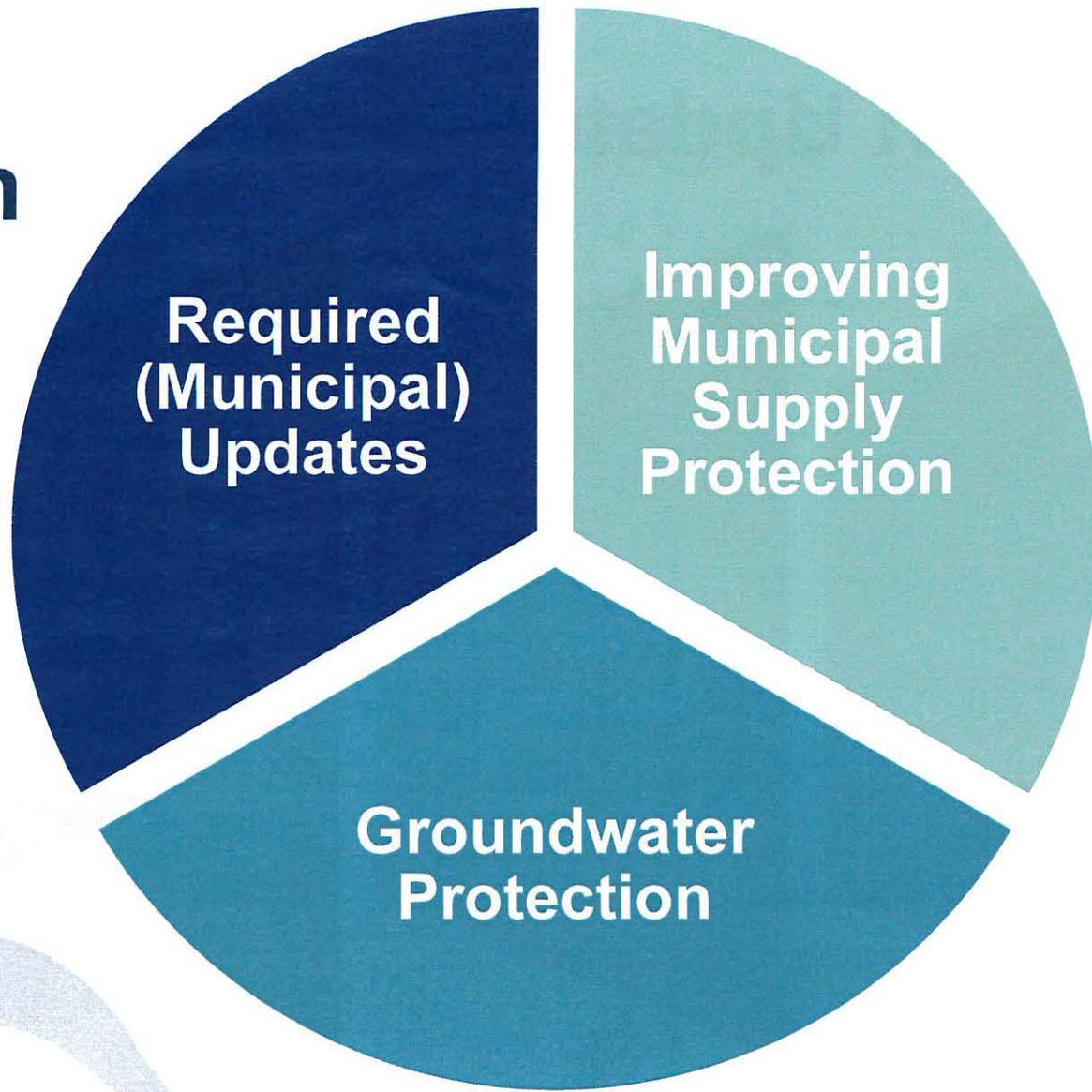
Updating the Source Protection Plan

Port Colborne Environmental Advisory Committee
May 9th, 2018

Workplan development included:

- Consultation with the:
 - Source Protection Committee (SPC);
 - Municipalities within the Source Protection Area;
 - the Ministry of the Environment & Climate Change; and
 - Other interested stakeholders, e.g. SLSMC
- Consultation included:
 - June 21st, 2017 workshops;
 - Individual stakeholder meetings and outreach; and
 - August 30th submission of Draft Report to stakeholders
 - Deadline for comments October 3rd, 2017

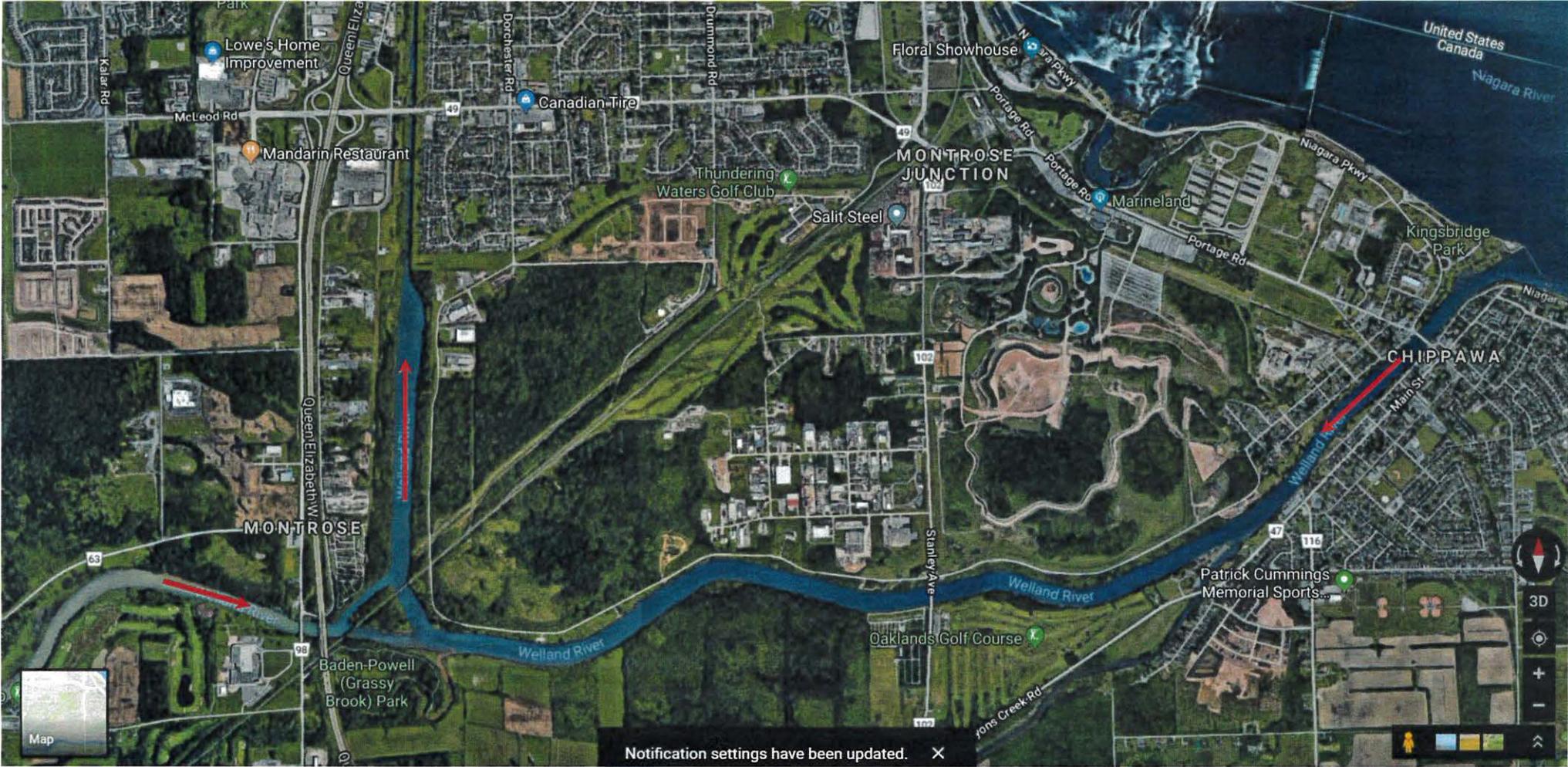
Source Protection Plan Update Goals



Plan Update – Key Components

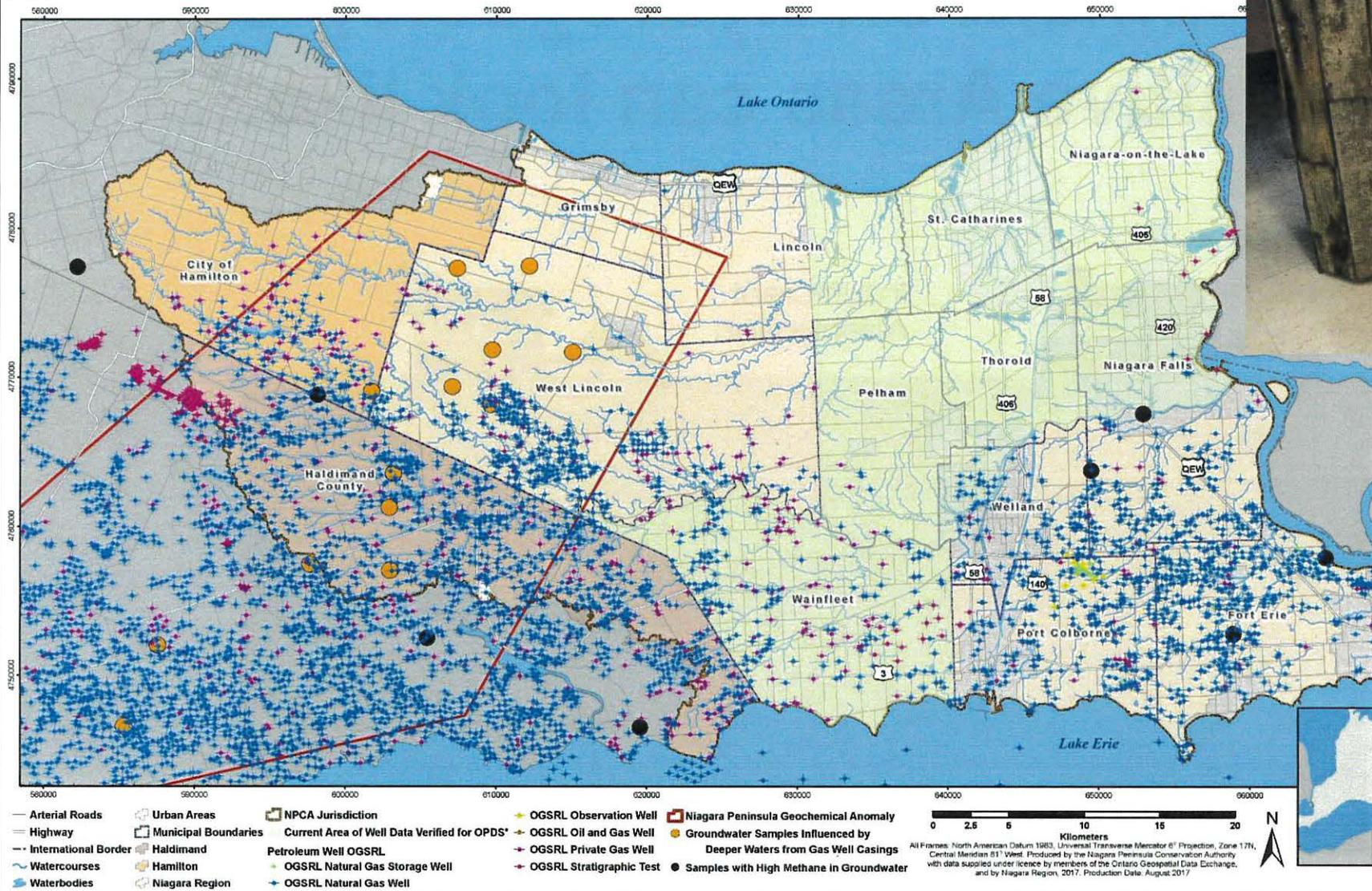
- A. Technical studies / summaries:
 - i. Municipal – Niagara Region and NPCA with assistance from Ministry of the Environment and Climate Change
 - ii. Groundwater– NPCA with assistance from Niagara Region, City of Hamilton, province and academia
- B. Assessment Report Updates – NPCA, Source Protection Committee (SPC) and MOECC
- C. Source Protection Plan Updates - SPC, MOECC & NPCA
- D. Stakeholder and Public Consultation – including municipalities and provincial agencies

Welland River and OPG Canal #1

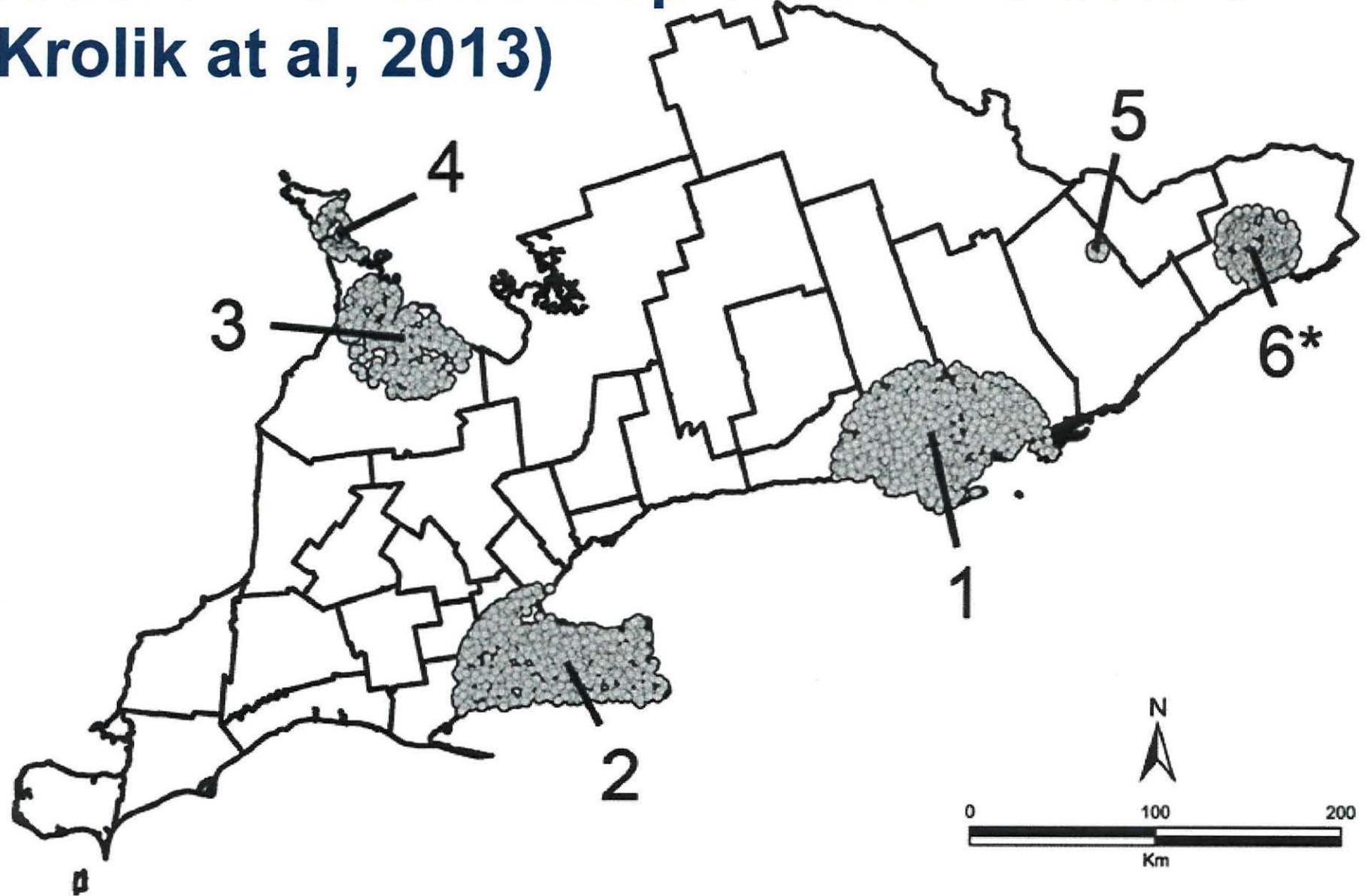


→ Current Conditions

Figure 9: Gas Wells and Identified Impact Areas



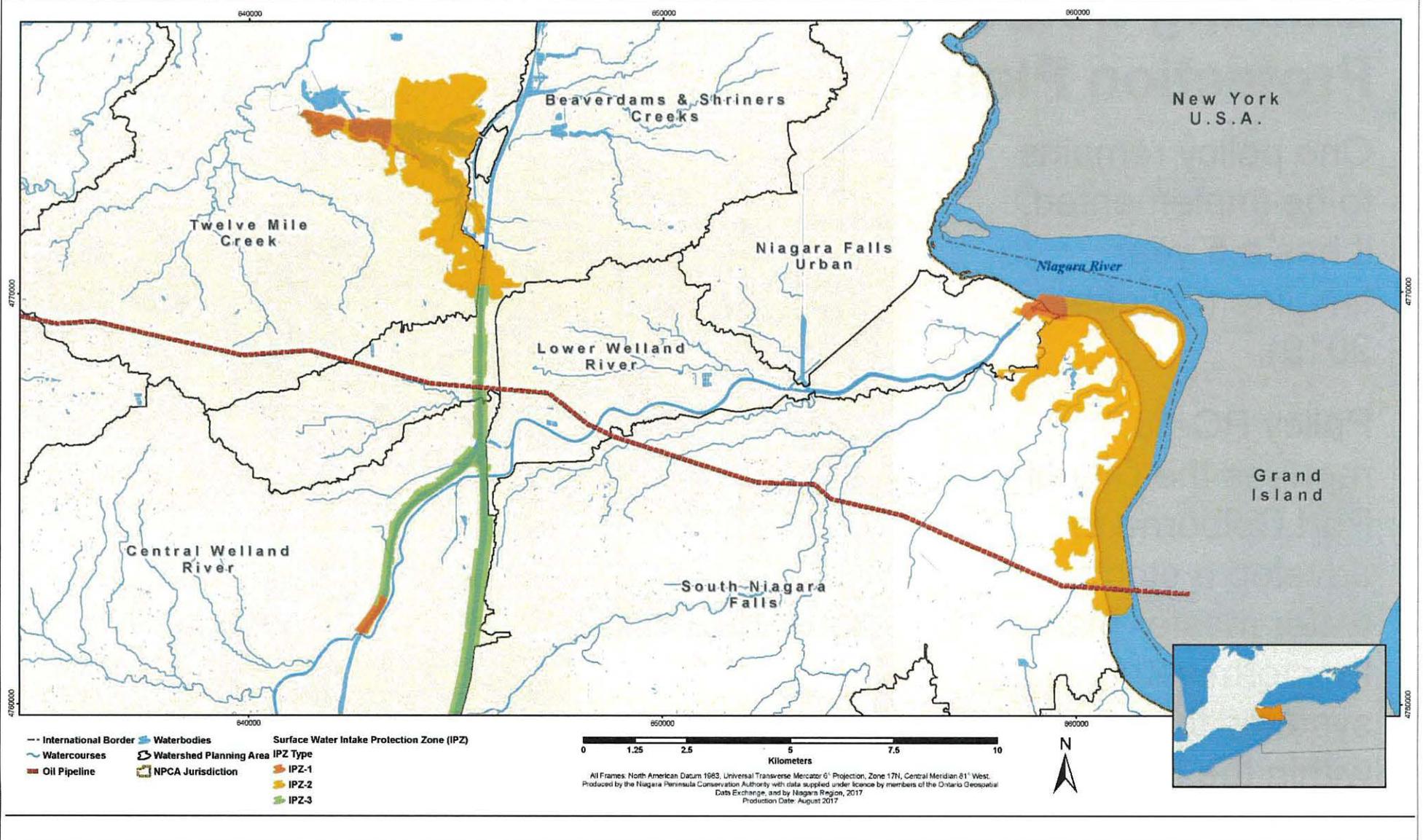
Southern Ontario map of *E.coli* clusters (Krolik at al, 2013)



Groundwater Protection

1. Hydrogeologically Sensitive Areas
 - “*karstic areas, areas of fractured bedrock exposed at surface, areas of thin soils cover*”
2. Naturally occurring groundwater concerns
 - E.g. boron, uranium, fluoride, sodium
3. Gas wells
 - Corroded and leaking ‘legacy’ casings or boreholes

Figure 7: Intake Protection Zones and Oil Pipeline



Port Colborne Intake Protection Zones

Are higher vulnerability scores appropriate?

What additional water quality threats would be addressed?

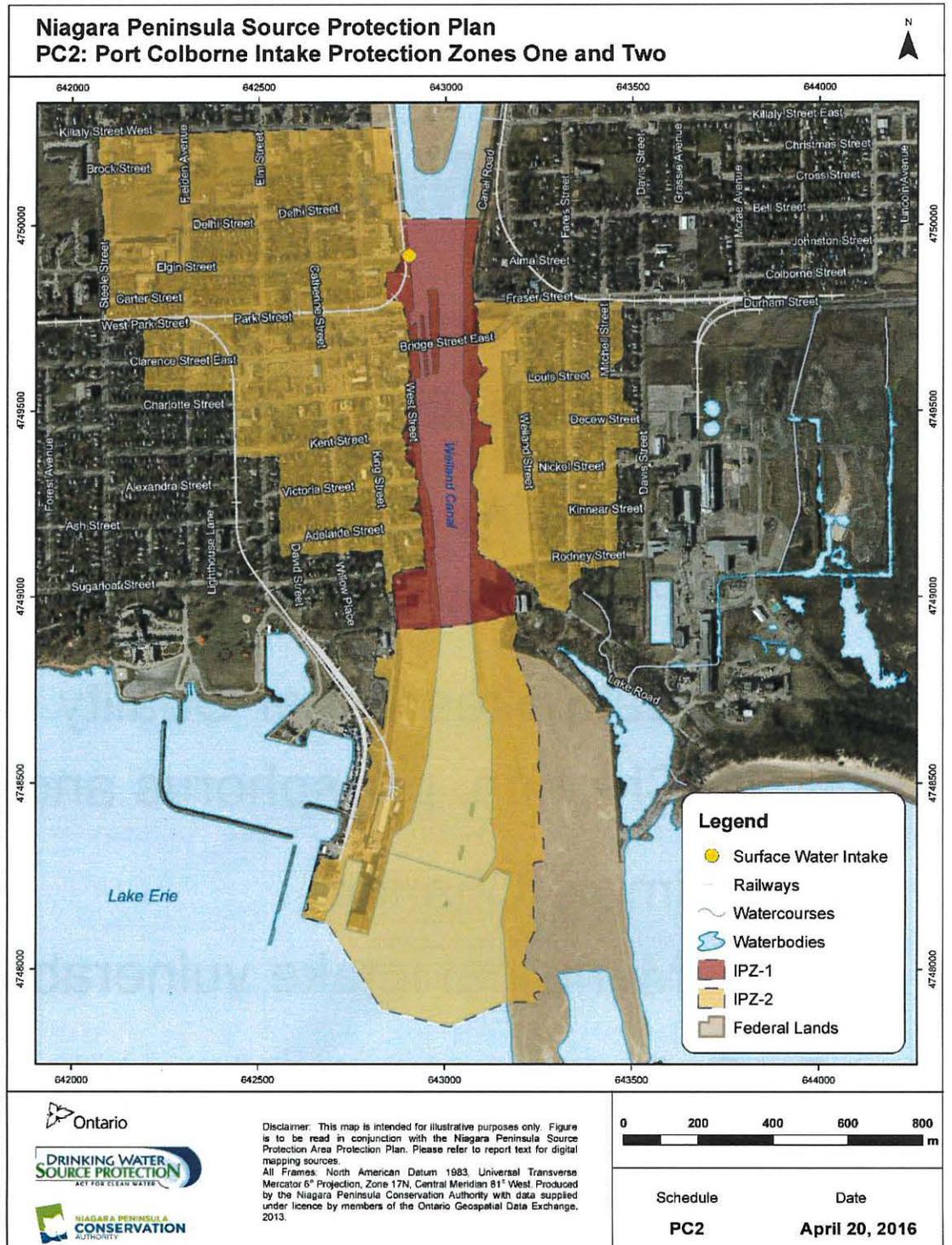


Figure 5: Rosehill IPZ-1/ IPZ-2

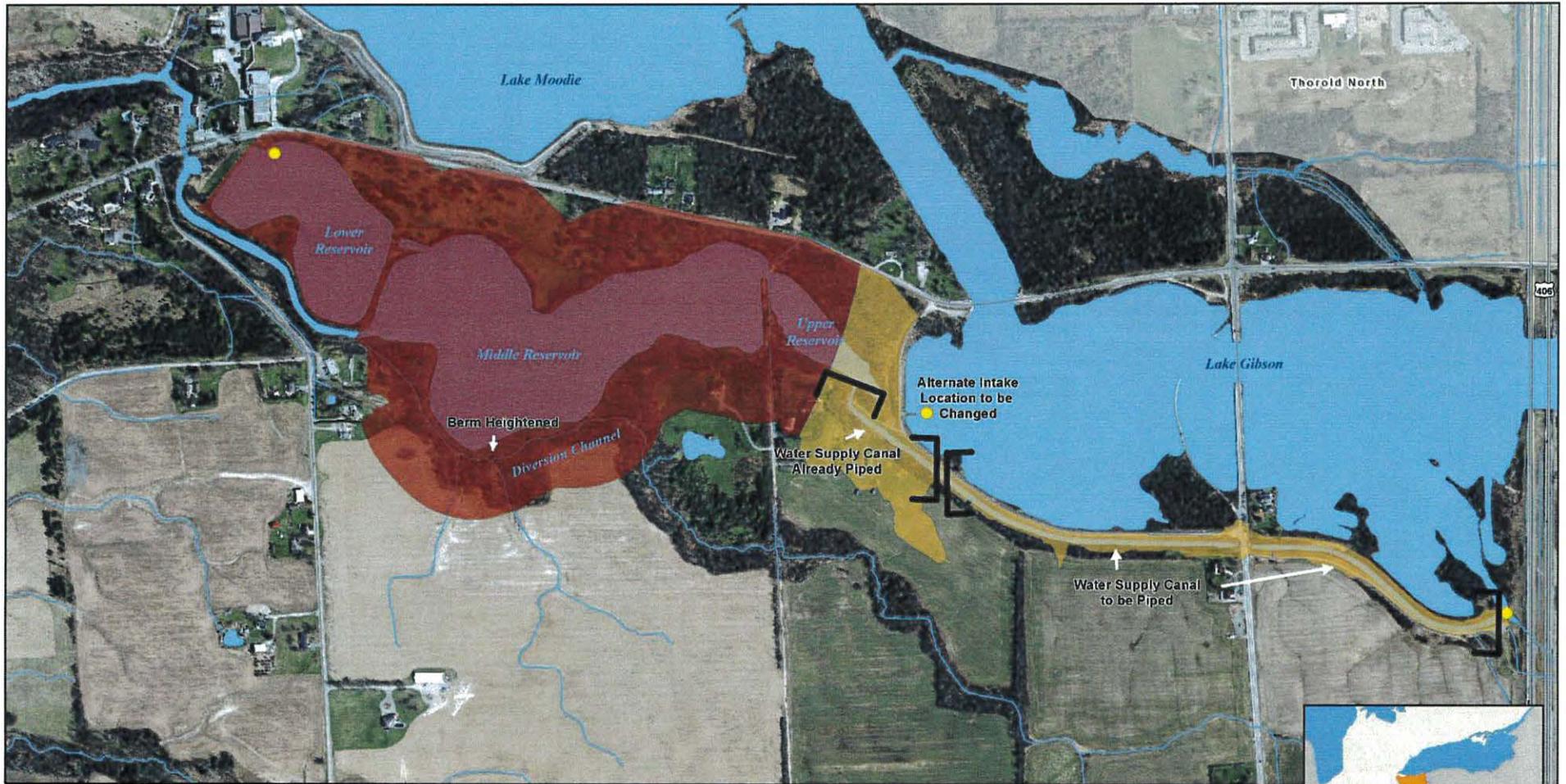


- Surface Water Intake
- Rosehill WTP
- Arterial Roads
- Highway
- International Border
- ~ Watercourses
- Waterbodies
- Vulnerable Zones
- IPZ-1
- IPZ-2
- Urban Areas
- NPCA Jurisdiction

0 1 2 4 6 8 Kilometers

All Frames: North American Datum 1983, Universal Transverse Mercator 6° Projection, Zone 17N, Central Meridian 81° West.
Produced by the Niagara Peninsula Conservation Authority with data supplied under licence by members of the Ontario Geospatial Data Exchange, and by Niagara Region, 2017.
Production Date: August 2017

Figure 3: DeCew Falls Main Intake Protection Zones



- Surface Water Intake
- Arterial Roads
- Highway
- ~ Watercourses
- Waterbodies
- Vulnerable Zones
- IPZ-1
- IPZ-2
- Urban Areas
- NPCA Jurisdiction

0 125 250 500 750 1,000
Meters

All Frames: North American Datum 1983, Universal Transverse Mercator 6° Projection, Zone 17N, Central Meridian 81° West.
Produced by the Niagara Peninsula Conservation Authority with data supplied under licence by members of the Ontario Geospatial Data Exchange, and by Niagara Region, 2017.
Production Date: August 2017.



Summary

We have three key goals in updating the Assessment Report and Source Protection Plan by 2020:

1. Required municipal updates
2. Improving municipal supply protection
3. Groundwater protection

Key next steps include: (a) stakeholder consultation, (b) background/literature reviews, (c) technical assessments and (c) policy recommendations for the Source Protection Committee.



MINUTES of the 6th Regular Board Meeting of 2018

Held Tuesday, July 10, 2018, 6:00 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

Present: Michael Cooper (Chair), Valerie Catton (Vice Chair), Harmony Cooper, Jeanette Frenette, Bryan Ingram, Ann Kennerly, Cheryl MacMillan
Staff: Susan Therrien (Director of Library Services), Rachel Tkachuk (Librarian)
Regrets: Scott Luey (CEO), Councilor John Mayne

1. Michael Cooper, Chair, called the meeting to order.

2. The invocation was read.

3. Mr. Cooper welcomed the Board members.

4. Approval of the Agenda

Moved by J. Frenette

Seconded by C. MacMillan

18:039 That the agenda be adopted as circulated.

CARRIED.

5. Declaration of Conflict of Interest: None

6. Delegations: None

7. Minutes of the Previous Meeting of Tuesday, June 5, 2018

Moved by H. Cooper

Seconded by J. Frenette

18:040 That the minutes of the June 5, 2018 meeting be adopted as circulated.

CARRIED.

8. Business Arising from the Minutes: None

9. Agenda Items

i. Library Board and Succession Planning

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The Board received the resignation of William Higgins.

ii. PC Lions Gazebo

The Director reviewed the project. The sign and exterior lighting are outstanding items left to finish the project.

iii. Letter of Appreciation to Council

The Board reviewed and approved a letter of appreciation to be sent to Council regarding Council's resolution in support of funding for local public libraries.

iv. Capital Projects

a. Cultural Block Security Cameras

The Director contacted Belinda Daniel, Information Technology Manager, to arrange for a quote for exterior security cameras for the Cultural Block.

b. Shelving, Furniture, and Flooring

The Director presented final quotes for the shelving, furniture and flooring projects which were approved by the Board.

c. Accessible Public Washroom

The design for an accessible public washroom on the main floor was presented to the Board.

d. Concrete Repair

Sidewalk repair has been scheduled for July 2018.

Moved by A. Kennerly

Seconded by H. Cooper

18:042

That the revised quote for furniture and installation from Schoolhouse be accepted; and, that funds be used from the capital Bequest Reserve to meet the total cost.

CARRIED

Committee Reports

i. Accessibility Committee: None



- ii. Cultural Block Joint Subcommittee: Report by Valerie Catton

10. ADMINISTRATIVE BUSINESS

Correspondence: The Board reviewed a letter of complaint received by the Board Chair.

Moved by A. Kennerly
Seconded by H. Cooper

- 18:042** **That the correspondence be received for information purposes.**
CARRIED

Public Relations Report

Librarian Rachel Tkachuk reported on the following:

- i. Pop-Up Library outreach and services to local schools, Northland Pointe, Evergreen Academy, Sherkston Shores, and the Farmers' Market;
- ii. Summer programming updates;
- iii. Film screening of the documentary film *Josiah*;
- iv. Country-Western music concert with entertainer Brad Boland.

Moved by A. Kennerly
Seconded by B. Ingram

- 18:043** **That the Public Relations report be received for information purposes.**
CARRIED

Chief Executive Officer's Report: None

Treasurer's Report: None

Director's Report

- i. Activities Report: Deferred to the next meeting.
- ii. Health and Safety

The Director reported on the following:

- i. *Fire Safety Training*, June 6, 2018, with Scott Lawson, Fire Prevention Officer
- ii. *Tactical Training*, June 27-29, 2018, with A.C.T. Tactical Inc



iii. *Citizen Incidents*

Moved by C. MacMillan
Seconded by J. Frenette

- 18:044 **That the Director of Library Services' report be received for information purposes.**
CARRIED

Circulation Report: The 2nd Quarterly Report was presented

Moved by V. Catton
Seconded by A. Kennerly

- 18:045 **That the Director of Library Services' report be received for information purposes.**
CARRIED

11) Board Members' Items: None

12) Notices of Motion: None

13) **Date of the Next Meeting**

Tuesday, August 28, 2018, 6:00 p.m.
Port Colborne Public Library, Auditorium
310 King St., Port Colborne, ON

14) **Adjournment**

MOVED by B. Ingram
Seconded by C. MacMillan

- 18:046 **That the meeting be adjourned.**
CARRIED.

Michael Cooper, Library Board Chair
September 11, 2018

Susan Therrien, Secretary
September 11, 2018

MINUTES

Social Determinants of Health Advisory Committee – Everyone Matters

Thursday, February 1, 2018

1:00 p.m.

Committee Room 3, City Hall

66 Charlotte Street Port Colborne

Attendees:

Co-Chair Lori Kleinsmith, Bridges CHC
Co-Chair Angie Desmarais, Councillor
John Maloney, Mayor
Sherry Hanson, Supervisor, By-law
Enforcement Division
Chris Healey, Staff Sergeant, NRP
Scott Lawson, Fire Prevention Officer
Christine Clark-Lafleur, Port Cares
Neal Schoen, Chair – East Village
Neighbourhood Improvement Task Force
Judy Cassan, Bridges CHC
Scott Luey, CAO

Regrets:

Jeffrey Sinclair – Niagara Region

Guests:

Adrienne Jugley, Commissioner of
Community Services – Niagara Region

Minutes:

Nancy Giles, EA to Mayor and CAO

1. Call to order

Co-Chair Lori Kleinsmith called the meeting to order at 1:05 p.m.

2. Approval of the Agenda

Moved by Neal Schoen
Seconded by John Maloney

That the agenda for the February 1, 2018 meeting of the Social Determinants of Health Advisory Committee be approved.
CARRIED.

3. Approval of the November 1, 2017 minutes

Moved by Angie Desmarais
Seconded by John Maloney

That the minutes for the November 1, 2017 meeting of the Social Determinants of Health Advisory Committee be approved.
CARRIED.

4. Business Arising

Introductions were made around the table. CAO Luey explained that Nancy would be there to take minutes but not necessarily do all the work of the committee.

Report to Council – Change in Terms of Reference

St. Catharines Housing Plan – item went to council, council approved letter to be sent to City of St. Catharines

5. Affordable Housing

Adrienne Jugley – Commissioner of Community Services – Niagara Region

Lori mentioned that the committee is trying to lay some groundwork in Port Colborne for affordable housing initiatives. We are looking for updates from the Niagara Region.

Adrienne Jugley introduced herself and spoke about the Niagara Region's involvement in affordable housing.

Affordable housing is everyone's responsibility. There is a National Housing Strategy – communication about this strategy remains at a high level but we hope to hear more specifics later this year. Affordable housing is a significant contributor to improving social determinants of health and reducing poverty. Niagara Region has been appointed by the province as the service manager for housing and homelessness services – the administration of these responsibilities are divided between Niagara Regional Housing (NRH) and Community Services. Niagara Region and local area municipalities are also examining opportunities to support the development of affordable housing through the provision of incentives.

There is also some work underway on land policy (e.g. inclusionary zoning, secondary suites, intensification, limiting condo conversions). The Planning Department at the Region is also mandated to consider affordable housing within the development of its Master Plan.

Niagara Region is currently updating the Housing and Homelessness Action Plan (HHAP) and hopes to have this completed by the end of 2018 for Council approval.

Adrienne is hoping the Region can bring the HHAP and Planning Department strategy together, so Niagara Region will be able to quickly leverage funding opportunities once the funding details associated with the National Housing Strategy are announced.

National Housing Strategy – they are still working out details with the Federal Government and the Provincial Government and what the matching contributions will be – there is some concern that the funds available will still be far less than is required (originally committing \$11 Billion over 10 years for all of Canada).

National Housing Strategy includes loans to not-for-profit housing providers. In some cases, land can be used for matching contributions.

Christine from Port Cares noted that Port Cares closed a deal to buy 53 Nickel Street to build self-sustainable family and single units. This was supported through local donations. Port Cares is hoping to bring other opportunities to the community.

Adrienne said that it is anticipated that the non-for-profits will lead the charge to build affordable housing – provision of ‘affordable’ new rentals are difficult for for-profit developers as it is challenging to make a profit and keep rents low while offsetting the capital costs of new development. Vacancy rate is 1.5% across Niagara – landlords can now charge, at turnover, higher rents and find tenants willing to pay. There is some increased pressure on the shelter system, as clients are staying longer, finding it more difficult to find affordable places to live.

Lori struggles with, what some describe as affordable rental units being built because they are not really affordable for our low income residents. Lack of stock drives up the price.

Adrienne advised that there is a Development Charges Rebate Program currently promoted by the province, open to application to specific municipalities in Ontario (8 LAMs have been identified as eligible to apply in Niagara) – The City can apply and chose to make the Region our administrator.

The Region has entered into an agreement, with the province through the “Home for Good” program to increase the amount of supportive housing available in Niagara. There is currently a plan to build 8 new units for supportive housing in Port Colborne for those struggling with chronic homelessness.

Adrienne talked to NRH – there are no capital projects for new social housing development planned for Port Colborne in its current capital plan.

NRH has a Home Ownership Program to help low income families with a down payment for a house. This is a program that could be helpful to Port Colborne residents.

Niagara Renovates Program – 9 people participated last year from Port Colborne. Councillor Desmarais mentioned that she had heard it is difficult to navigate the program. Difficulty getting quotes and if work wasn’t done properly, there is no one to police it. Adrienne mentioned that the program is designed to make the property safe, not just to renovate. Adrienne suggested someone from NRH could be asked to come to a future meeting to address these concerns. If we get a specific concern, let her know.

Sherry asked if it would be beneficial if there was a property standards order against them. Adrienne stated that the program has limited funds so fixing up a whole house is not feasible. If the resident finds the application process challenging, it might be helpful for the individual to have an agency or advocate to work with them.

Some municipalities have considered providing municipal lands to support affordable housing development. If the municipality had land available, it could enter into an agreement with a developer to keep rents low.

Parking requirement adjustments/reductions are sometimes made by municipalities to support affordable housing development.

There is work happening in social assistance – recommendation at the province to increase the income amounts in the Ontario Works and Ontario Disability Support Programs as the current amounts are entirely inadequate to allow residents to afford current rental rates in any community in Ontario.

Some are identifying an increase in families in shelters – families are stating that they simply can't find affordable housing. In Port Colborne, committee members noted that there is an issue with seniors in need of housing.

Representative on the NRH Board – there is currently a 'community member at large' vacancy – Currently 5 Regional Councillors and 4 members of the public. We could look at the vacancy and see if someone from Port Colborne would apply to be on the board.

Neal Schoen left the meeting at 2:05

Lori asked about rooming/lodging houses and the work that has been happening locally to look at ways to improve the living conditions and safety of residents in these unregulated facilities.

Adrienne – working group is still active – meeting next Monday to review different regulatory options. Once the working group has completed its review, it will go back to the CAO group with a recommendation – a local by-law and licensing component may be the best option. Lori asked if the province is still considering provincial regulations. While a bill has been proposed by MPP Forster related to this sector, it is unclear if it will achieve final reading before the end of this term of government. If not, it would have to be reintroduced in the next government and it is unclear if this will be a priority for Queen's Park.

Lori thanked Adrienne for attending the meeting.

City Policies

A copy of all city policies related to affordable housing was distributed. Dan or Evan will be asked to come to the next meeting.

6. New Business

Vulnerable Seniors – need to have a conversation especially during extreme cold weather

Lori asked about the warming centre. Angie advised that it wasn't very well attended. It is not a policy. The city will be looking into whether this will be continued. We could ask the Fire Chief to come to the next meeting.

7. Action Items

None.

8. Next Meeting

Thursday, May 3, 2018 1:00 p.m.

9. Adjournment

The meeting adjourned at approximately 2:36 p.m.

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City of Port Colborne
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OCT 01 2018

CORPORATE SERVICES
DEPARTMENT

MINUTES

Social Determinants of Health Advisory Committee – Everyone Matters

Thursday, May 3, 2018

1:00 p.m.

Committee Room 3, City Hall

66 Charlotte Street Port Colborne

Attendees:

Co-Chair Lori Kleinsmith, Bridges CHC
Co-Chair Angie Desmarais, Councillor
John Maloney, Mayor
Sherry Hanson, Supervisor, By-law Enforcement Division
Rob LaPlante, Staff Sergeant, NRP
Scott Lawson, Fire Prevention Officer
Christine Clark-Lafleur, Port Cares
Neal Schoen, Chair – East Village Neighbourhood Improvement Task Force
Judy Cassan, Bridges CHC
Scott Luey, CAO

Deborah Rollo, Health Services Coordinator
Jeffrey Sinclair – Niagara Region
Casey Forgeron – member of the public

Regrets:

Guests:

Dan Aquilina

Minutes:

Nancy Giles, EA to Mayor and CAO

1. Call to order

Co-Chair Angie Desmarais called the meeting to order at 1:05 p.m.

Introductions were made around the table.

2. Approval of the Agenda

Moved by C. Forgeron
Seconded by L. Kleinsmith

That the agenda for the May 3, 2018 meeting of the Social Determinants of Health Advisory Committee be approved.

CARRIED.

3. Approval of the February 1, 2018 minutes

Moved by L. Kleinsmith
Seconded by J. Cassan

That the minutes for the February 1, 2018 meeting of the Social Determinants of Health Advisory Committee be approved.

CARRIED.

4. Business Arising

None.

5. Affordable Housing

St. Catharines Housing Plan – a letter was sent by council however no response has been received yet.

Dan Aquilina reviewed the City of Port Colborne policies with respect to Affordable Housing. He also indicated that the new Zoning By-law, once passed, will allow for tiny houses.

Zoning By-law – back in 2006 we had in the by-law to allow for accessory residences on the property. New by-law allows accessory apartment and included a secondary home on the property provided you meet by-law setbacks. Cannot be in your front yard or rear side yard. Previous by-law require minimum 807 sq ft – new by-law does not have a minimum setback. Someone is building house on an existing lot of record – if property is vacant and legally created it can continue to be developed on. Are there minimum requirements under the Ontario Building Code – Dan doesn't believe so – he will check.

Other policy – incentive to build – development charge waiver on all residential homes – council has the opportunity to extend this – there is a Region development charge – there was rebate development charges for houses that had a development charges

National Housing Strategy announcement yesterday – 14 billion 10 year fund. Many different funds – Region has provincial and federal reps on their committee – direct them to Jeff Sinclair. Christine Clark-Lafleur asked to join the committee. Further information will be distributed by Jeff Sinclair to Nancy to disseminate.

6. New Business

Report on Health Equity in Port Colborne

Christine Clark-Lafleur presented the key information received from Public Health. Public Health had funding to do something with their data and they choose 3 agencies to work with – one was Port Cares. Other two agencies were completely unknown to Christine but they were completely diverse – no obligation for them to share data.

PowerPoint presentation attached and a full copy of the report will be sent to committee members.

Christine reviewed the PowerPoint. Going forward – share report; identify gaps (seniors at risk); identify and apply for new programs and services that address health equity issues; continue to update.

Niagara Region Public Health is presenting a report entitled "A Village of 100" which should be available shortly.

Did Public Health gather info about age and living alone? They looked at the data but time was tight for preparing the report.

Hopefully agencies in the city can use this information.

Casey heard about new housing on East Side – are you getting cooperation from upper levels of government? There are new funds coming available and we need to see how Port Colborne can get their share. There is a focus on family but the development needs to carry itself. Key is to have land and shovel ready projects for affordable housing funding announcements.

Recently met with Economic Development Officer, CAO and Health Services Coordinator and talk about Port Colborne and how they can work together.

7. Action Items

Would like to hear at our next meeting to come forward with ideas of how to use the information.

Need to prepare a report to council on activities over the past two years. Angie and Lori to work on this.

8. Next Meeting

Thursday, September 6, 2018 1:00 p.m.

9. Adjournment

The meeting adjourned at approximately 2:05 p.m.

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