



**City of Port Colborne
Special Meeting of Council 18-19
Monday, July 8, 2019
Council in Closed Session – 5:30 p.m.
Committee Room 3, 3rd Floor, 66 Charlotte Street**

Agenda

1. **Call to Order:** Mayor William C. Steele

2. **Introduction of Addendum Items:**

3. **Confirmation of Agenda:**

4. **Disclosures of Interest:**

5. **Council in Closed Session:**

(i) Motion to go into Closed Session

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

(a) Chief Administrative Officer Report 2019-111 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.

Note: Sara Premi, Solicitor, Sullivan Mahoney LLP, will be in attendance and Albert Engel, Solicitor, Fogler Rubinoff LLP, will communicate via teleconference to provide legal advice regarding the above item.

(ii) Disclosures of Interest (closed session agenda)

(iii) Consideration of Closed Session Items

(iv) Motion to Rise With Report

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

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

8. **Adjournment:**

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City of Port Colborne
Regular Meeting of Committee of the Whole 19-19
Monday, July 8, 2019 – 6:30 p.m.
Council Chambers, 3rd Floor, 66 Charlotte Street

Agenda

1. **Call to Order:** Mayor William C. Steele
2. **National Anthem:**
3. **Introduction of Addendum and Delegation Items:**
4. **Confirmation of Agenda:**
5. **Disclosures of Interest:**
6. **Adoption of Minutes:**
 - (a) Regular meeting of Committee of the Whole 18-19, held on June 24, 2019.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**

Nil.
10. **Delegations (10 Minutes Maximum):**

None at the time of printing.
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, August 12, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, August 26, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, September 9, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, September 23, 2019	Committee of the Whole/Council – 6:30 P.M.
Tuesday, October 15, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, October 28, 2019	Committee of the Whole/Council – 6:30 P.M.

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

Committee Items:

Notes	Item	Description / Recommendation	Page
WCS MB EB RB GB FD AD DK HW	1.	<p><u>Port Colborne Transit Advisory Committee Requires Councillor Appointment</u></p> <p>That Councillor _____ be appointed as the Councillor representative on the Port Colborne Transit Advisory Committee for a term ending November 30, 2022.</p> <p>(Note: Due to the resignation of Councillor Eric Beauregard).</p>	----
WCS MB EB RB GB FD AD DK HW	2.	<p><u>Planning and Development Department By-law Enforcement Division, Report 2019-05, Subject: Hunting in Gravelly Bay Complaints</u></p> <p>That By-law Enforcement Services staff be directed to add an additional 150 feet to the 600 feet no hunting zone from the shoreline in Gravelly Bay, pending approval from the St. Lawrence Seaway Management Corporation.</p>	11
WCS MB EB RB GB FD AD DK HW	3.	<p><u>Community and Economic Development Department, Parks and Recreation Division, Report 2019-109, Subject: 41st Annual Canal Days Marine Heritage Festival – Additional Request for Road Closures</u></p> <p>1. That the closure to street parking and through traffic be approved and authorized for following roads beginning at 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019 for the purpose of hosting the Canal Days concerts:</p> <ul style="list-style-type: none"> • Steele Street, from the southern limit of Steele Street at Sugarloaf Street; • Steele Street, from the eastern limit at Steele Street at Sugarloaf Street; • Isabel Street, from the southern limit of Isabel Street at Sugarloaf Street; • Fielden Avenue, from the northern limit of Fielden Avenue at Sugarloaf Street; • Fielden Avenue, from the southern limit at Sugarloaf Street; • Lighthouse Lane, from the southern limit at Sugarloaf Street; 	35

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		<ul style="list-style-type: none"> • Elm Street, from the southern limit of Elm Street at Sugarloaf; • Elm Street, from the western limit of Elm Street at Sugarloaf Street; • H.H. Knoll Lakeview Park parking lot, south of Dawg's Burgers and Fries to Fielden Avenue. 		
WCS RB AD	MB GB DK	EB FD HW	<p>4. Community and Economic Development Department, Parks and Recreation Division, Report 2019-110, Subject: <u>Thirty Ninth Annual Terry Fox Run</u></p> <p>That the request to host the thirty ninth annual Terry Fox Run on September 15, 2019 at 1:00 p.m., and the thirteenth annual head shave at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell, be approved; and</p> <p>That the permit fee for the use of the H.H. Knoll Lakeview Park bandshell and hydro be waived; and</p> <p>That the advertising fee be waived for information being posted on the West Side Road sign, the Library sign, and the Vale Health & Wellness Centre Pylon Sign from September 4 to September 15, 2019, be waived; and</p> <p>That the request for the Terry Fox Run flag to be raised over City Hall the week of August 26, 2019, be approved and referred to the Mayor's office for response; and</p> <p>That the request for a 10' x'10' stall at the Port Colborne Farmers' Market on August 23 and 30, 2019 and September 6 and 13, 2019 to sell licensed Terry Fox t-shirts and distribute pledge forms, be approved and referred to the Market Clerk for response; and</p> <p>That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the event.</p>	39

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WCS RB AD	MB GB DK	EB FD HW	5.	<p><u>Engineering and Operations Department, Engineering Division, Report 2019-84, Subject: Project 2019-03, Annual Sewer Flushing and CCTV Inspection – City Wide – 2 Year Duration</u></p> <p>That Project 2019-03 Annual Sewer Flushing and CCTV Inspection, for a two (2) Year Duration, be awarded to Wessuc Inc. of Brantford, Ontario, for the total tendered price of \$121,186.00 plus applicable taxes. Staff is directed to utilize the bid items as listed within the awarded Tender Documents, in such a manner as to complete all required works, all the while keeping within the annual budget allocations of Council; and</p> <p>That funding for Project 2019-03 Annual Sewer Flushing and CCTV Inspection be financed under Account: 7-590-76250-3328 Extraneous Flows; and</p> <p>That a by-law, in which the City enters into a Contract Agreement with the Contractor be prepared, upon final budget approval.</p>	45
WCS RB AD	MB GB DK	EB FD HW	6.	<p><u>Planning and Development Department, Planning Division, Report 2019-108, Subject: Request for Extension of Draft Plan of Subdivision Approval (File No. D12-H58) Rosedale Plan of Subdivision</u></p> <p>That the Draft Plan Approval for the Rosedale Draft Plan of Subdivision be extended to August 12, 2020; and</p> <p>That the conditions of draft approval be updated by deleting conditions 47, 48 and 49 and that ministry names be updated in conditions 13, 35, 38 and 40; and</p> <p>That Upper Canada Consultants be notified accordingly.</p>	51

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Miscellaneous Correspondence					
WCS	MB	EB	7.	<p><u>Memorandum from the Accessibility Advisory Committee Re: The Honourable David Onley's Recommendations</u></p> <p>That Council supports the recommendation of the Accessibility Advisory Committee as follows;</p> <p>That the recommendation from the Accessibility Advisory Panel of the City of Greater Sudbury to the Honourable Raymond Cho, Minister for Seniors and Accessibility, to adopt the recommendations of David Onley in his review of the Accessibility for Ontarians with Disabilities Act and commit to the implementation of new standards for the build environment, stronger enforcement of the act, accessibility for design professions, and an assurance that public money is never again used to create new accessibility barriers, be supported.</p>	67
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	8.	<p><u>Region of Niagara Re: Notice of Passing of By-law to Amend By-law 112-2013 being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke – Triple Majority Requirement PHD 09-2019, June 11, 2019</u></p> <p>That the Council of The City of Port Colborne consents to the passage of By-law No. 2019-52 of The Regional Municipality of Niagara, being a by-law to amend By-law 112-2013 - A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke.</p>	69
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	9.	<p><u>Region of Niagara Re: Joint Canadian Urban Transit Association Reporting Memorandum of Understanding (PW 30-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: Joint Urban Transit Association Reporting Memorandum of Understanding (PW 30-2019), be received for information.</p>	87
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	10.	<p><u>Region of Niagara Re: 2018 End of Year Growth Report (PDS 21-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2018 End of Year Growth Report (PDS 21-2019), be received for information.</p>	111
RB	GB	FD			
AD	DK	HW			

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Outside Resolutions – Requests for Endorsement
NIL.
Responses to City of Port Colborne Resolutions
NIL.

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Report Number: 2019-05

Date: July 8, 2019

SUBJECT: Hunting in Gravelly Bay Complaints

1) PURPOSE

This report was prepared by Sherry Hanson, Manager of By-law Services, under the direction of Dan Aquilina, Director of Planning and Development. The purpose of this report is to present Council with options to address complaints regarding hunting in Gravelly Bay.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

In 2007, the City of Port Colborne approved Sunday Gun Hunting on private lands during existing gun hunting seasons, which remain subject to all restrictions under the *Fish and Wildlife Conservation Act, 1997*. This approval followed changes to legislation imposed by the Ministry of Natural Resources in 2005.

Duck hunting season was open from September 22, 2018 to January 5, 2019 in Port Colborne. Hunters may hunt from blinds, platforms, or vessels in Gravelly Bay, which is Transport Canada property, managed by St. Lawrence Seaway Management Corporation. Currently there is a 500 feet no hunting zone from the shoreline of Gravelly Bay plus an additional 100 feet, as per motion passed by Council on January 24, 1983 (Attachment 'A'). There are ten available blinds within Gravelly Bay, however, only five were in use this hunting season. There are currently three blinds approximately 1000 feet from the shoreline and 600 feet apart, and two blinds 300 feet from the breakwall within Gravelly Bay, also 600 feet apart (Attachment 'B').

There has been an increase in concern regarding safety and noise caused by hunting practices within Gravelly Bay. On April 9, 2018, Council passed the following resolution:

"That the Director of Planning and Development be directed to conduct an unbiased evaluation of hunting in Gravelly Bay through public consultation including an open house and internet survey; and That the Director of Planning and Development be directed to report back to Council with recommendations moving forward" (Attachment 'C').

A survey completed by 700 people expressed that Gravelly Bay is an area frequently used by both hunters (42.7%) and non-hunters (53.4%) (3.9% did not use the Bay). While 65% of respondents suggest they do not have an issue with hunting in Gravelly Bay, 11.5% expressed they do not like the noise as a result from the hunting, and 23.5% suggest they have a safety concern with the hunting (Attachment 'D').

The public put forward comments and questions regarding hunting in Gravelly Bay. Much of which surrounded safety concerns and enforcement clarifications. There was also feedback from hunters whom have been engaging in generational hunting in the Bay. There were suggestions to promote public education and reassurance of compliance with regulations mandated by all levels of government (Attachment 'E'). Comments from both

residents and hunters referred to the fact that they could be fined for interfering with lawful hunting. The By-law Enforcement Division confirmed with Niagara Regional Police that interfering with lawful hunting is subject to a \$150 fine plus a \$30 victim surcharge under the *Fish and Wildlife Conservation Act*.

The By-law Enforcement Division is attempting to address both the noise and safety concerns that result from hunting in Gravelly Bay, however, the City of Port Colborne has no jurisdiction over the lake water, as it is the property of the federal government, nor legislative control over the open season dates mandated by the provincial government.

3) STAFF COMMENTS AND DISCUSSIONS

Duck hunting is federal jurisdiction and is regulated under the *Migratory Birds Convention Act*. All hunters in Ontario require a federal Migratory Game Bird Hunting Permit (MGBHP), Wildlife Habitat Conservation Stamp, and a license to hunt small game in order to hunt migratory birds. These licenses allow hunters to hunt ducks during Duck Hunting Season. Hunters must also abide by the City's Discharge of Firearms By-law (2499/115/90).

Ontario is divided into Wildlife Management Unit (WMU) Boundaries. The City of Port Colborne is in the southern district where duck hunting is permitted. Many hunters use a temporary shelter known as a "duck blind" to camouflage themselves from wildlife. The *Public Lands Act* allows recreational hunters to erect duck blinds for hunting on federally owned lands and lakebeds without a permit, however, the hunters are required to remove these structures at the end of open season. The Ministry of Natural Resources and Forestry (MNR) may inspect these blinds at any time.

The City of Port Colborne's By-law Enforcement Division communicated with the Township of Kingsville, who have addressed similar issues along the southern shores of Lake St. Clair. Their recommendation to Council included that they did not have the authority to regulate hunting within Lake St. Clair, however, they did regulate the discharge of firearms and bows within the municipality. They recommended that if any persons failed to abide by By-law 10-2004, a by-law regulating the discharge of firearms and bows, the OPP should be contacted immediately. The Township of Kingsville has not pursued any additional action to date.

The City of Port Colborne has no authority to regulate hunting in Gravelly Bay or determine open season dates as it falls outside the municipality's jurisdiction. The City does however regulate the discharge of firearms within restricted areas. If a hunter discharges a firearm or bow on land within a no hunting zone, the City of Port Colborne in conjunction with the Niagara Regional Police should be contacted. If a hunter discharges a firearm or bow on the water, within the 600 feet no-hunting zone, the MNR should be contacted immediately. Safe hunting practices on federal waters fall under their jurisdiction.

4) STAFF COMMENTS AND DISCUSSIONS

Parks and Recreation Division Comments:

The City of Port Colborne's Community and Economic Development Department is exploring opportunities for various outdoor tourism activities. With the City's connection

to Lake Erie, game hunting and in particular bird and waterfowl in Port Colborne this could mean potential bigger business, particularly from the US and neighbouring Southern Ontario market. Based on the Travel Motivation and Attitudes Survey (TAMS) profiles on fishing and hunting produced in 2006, over the period of 2004 to 2005, 9.2 million adult Americans went hunting while on an out-of-town trip of one or more nights. These results demonstrate that there is a great potential tourism opportunities within the City of Port Colborne to tap into. Like baseball and hockey, these outdoor activities are an American tradition (40 million) shared by young and old, rich and poor, regardless of social or economic status. They are healthy activities for them, steeped in their heritage as it is to Canadians, touching the most important aspects of their lives, like families and friends, and a sense of stewardship for all things wild.

As reported by the Outdoor Industry Association from the United States, in 2007, Americans enjoying sport fishing and hunting spent \$58.6 billion supporting 509,000 jobs and generated \$7.6 billion in Federal, State and Local taxes. In addition, the ripple effect created from the direct spending that game hunters generated an additional \$159.7 billion in spending and 1.2 million jobs. Canada has only tapped in a small fraction of the avid game hunters and enthusiasts for sport fishing from the US. The US provides a further 17,000 hunters for Ontario (6%). These Americans are highly concentrated in Ontario's near border states including Minnesota, Wisconsin, Michigan, Ohio and New York.

According to the Ontario Federation of Anglers and Hunters, hunting has become an important industry, part of Canada's resource-based economy. In 2000, the net economic benefits associated with recreational hunting in Ontario represented over \$1.5 billion in economic activity. It employed approximately 20,000 people, with many jobs away from the city. Federal, provincial, and municipal governments collected an additional \$140 million directly as a result of hunters' expenditures. Canadian hunters spent about \$1.2 billion a year on hunting trips, and paid \$70 million for hunting licenses. The City of Port Colborne marketing and promotion dollars could be set aside to promote waterfowl hunting in Gravelly Bay, therefore benefitting from the above mention spin-offs to the community; which in turn will contribute to the local economy.

5) OPTIONS AND FINANCIAL CONSIDERATIONS

a) Do nothing

Council can do nothing and continue to forward all complaints regarding duck hunting in Gravelly Bay to the appropriate enforcement agency.

b) Other Options

Option 1 - Council can choose to petition the provincial government to change open season dates within Gravelly Bay to November 1st to January 1st.

Following discussions with the Department of Fisheries and Oceans, this is not an option as the federal government is unable to amend open season dates for a specific body of water without making an exception to the entire hunting region.

Option 2 - Council can choose to pass a resolution to the federal government to request that hunting in Gravelly Bay be exercised only from duck blind.

Following discussions with the Department of Fisheries and Oceans, this is not an option as the federal government is unable to amend hunting practices to duck blind only.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

This section is not applicable.

6) ATTACHMENTS

Attachment 'A' - A motion passed from Council on January 24, 1983 extending the no hunting zone to 600 feet.

Attachment 'B' - A map displaying location of blinds in the Bay.

Attachment 'C' - A motion passed April 9, 2018 directing the City's By-law Enforcement Division to conduct survey and open house.

Attachment 'D' - A summary of survey responses related to hunting in Gravelly Bay.

Attachment 'E' - A summary of questions and comments brought forward to the By-law Enforcement Division.

Attachment 'F' - A map displaying the recommended 150-foot extension to the current no hunting zone in the Bay.

7) RECOMMENDATION

That By-law Enforcement Services staff be directed to add an additional 150 feet to the 600 feet no hunting zone from the shoreline in Gravelly Bay, pending approval from the St. Lawrence Seaway Management Corporation.

8) SIGNATURES

Prepared on January 9, 2019 by:



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

Reviewed by:



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

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

PORT COLBORNE COUNCIL

Port Colborne, January 24th, 1983

MOVED BY

Paul T. ...

SECONDED BY

Ronald Gallenay

That the Council of the City of Port Colborne endorse the six hundred (600) foot NO HUNTING Zone from the shoreline in Gravelly Bay and the St. Lawrence Seaway Authority be so informed.

[Signature]

Mayor

(28)

CITY OF PORT COLBORNE
CIVIL SERVICE ...
CLERK

Dep. O'Brien



**City of Port Colborne
Regular Council Meeting 08-18
Minutes**

Date: April 9, 2018

Time: 9:59 p.m.

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

Members Present: B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor
B. Kenny, Councillor
J. Mayne, Councillor (until 10:03 p.m.)
J. Maloney, Mayor (presiding officer)

Absent: R. Bodner, Councillor (due to vacation)

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

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

1. Call to Order:

Mayor John Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 46 Moved by Councillor J. Mayne
Seconded by Councillor A. Desmarais

That the agenda dated April 9, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Mayor Maloney declared an indirect pecuniary interest with regard to item 1, Motion (Councillor Butters) Re: Request the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future Recruitment of Board Members to the Niagara Peninsula Conservation Authority (NPCA), as he is a member of the Niagara Peninsula Conservation Authority Board. Mayor Maloney refrained from discussing or voting on this item. Councillor Danch assumed the Chair during consideration of this item.

5. Adoption of Minutes:

No. 47 Moved by Councillor Y. Doucet
Seconded by Councillor A. Desmarais

(a) That the minutes of the special meeting of Council 06-18, held on March 26, 2018, be approved as presented.

(b) That the minutes of the regular meeting of Council 07-18, held on March 26, 2018, be approved as presented.

CARRIED.

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

The following items were identified for separate discussion:

Item 1.

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

No. 48 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

That Items 1 to 5 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:

2. **Corporate Services, Finance Division, Report No. 2018-47, Subject: 2018 Operating/Capital Budget**

Council resolved:

That in compliance with Ontario regulation 284/09, Council confirms that the 2018 budget was developed using the cash basis and has excluded the following accrual expenses: a portion of the amortization expense which amounts to approximately \$1,459,455 and the amount of post-employment benefits expense which amounts to approximately \$218,000; and

That the 2018 Budget be approved as presented; and

That the by-law for the budget estimates for all sums required for the operations for the year 2018 be adopted.

3. **Planning and Development, By-law Enforcement Division, Report No. 2018-45, Subject: Hunting at Gravelly Bay in Port Colborne**

Council resolved:

That the Director of Planning and Development be directed to conduct an unbiased evaluation of hunting in Gravelly Bay through public consultation including an open house and an internet survey; and

That the Director of Planning and Development be directed to report back to Council with recommendations moving forward.

4. **Township of Wainfleet Re: Request Support of Municipally Appointed Niagara Peninsula Conservation Authority Representative**

Council resolved:

That the resolution received from the Township of Wainfleet in support of the resolution of the City of Welland Re: Municipally Appointed Niagara Peninsula Conservation Authority Representative, be received for information.

5. **Township of South Stormont Re: Request Government of Ontario to Grant Municipalities the Authority regarding Approval of Landfill Projects in or Adjacent to their Municipality**

Council resolved:

That the resolution received from the Township of South Stormont Re: Request Government of Ontario to Grant Municipalities the Authority regarding Approval of Landfill Projects in or Adjacent to their Municipality, be supported.

CARRIED.

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

1. **Motion (Councillor Butters) Re: Request the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future Recruitment of Board Members to the Niagara Peninsula Conservation Authority (NPCA)**

No. 48 Moved by Councillor A. Desmarais
Seconded by Councillor B. Kenny

WHEREAS Port Colborne City Council is aware of concerns in the community that the Niagara Peninsula Conservation Authority (NPCA) has demonstrated an inability to operate as an effective, open and transparent Conservation Authority, that respects its mandate;

AND WHEREAS Port Colborne City Council has lost confidence in the current Board and management of the NPCA;

THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE RESOLVES AS FOLLOWS:

That the City of Port Colborne requests that the Region of Niagara immediately replace board members of the NPCA with members selected by the lower tier municipalities;

That the City of Port Colborne requests that the Region of Niagara establish guidelines for the recruitment, selection, and appointment of individuals to be in place during the next selection of NPCA board members;

That the guidelines be developed with criteria that is based on skillset and be carried out by the lower tier municipalities.

CARRIED.

9. **Proclamations:**

Nil.

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

- (a) **Minutes of the Environmental Advisory Committee meeting of January 10, 2018.**
- (b) **Minutes of the Port Colborne Active Transportation Advisory Committee meeting of January 15, 2018.**
- (c) **Minutes of the Port Colborne Economic Development Advisory Committee meeting of February 6, 2018.**

No. 49 Moved by Councillor B. Butters
Seconded by Councillor Y. Doucet

- (a) That the minutes of the Environmental Advisory Committee meeting of January 10, 2018, be received.
- (b) That the minutes of the Port Colborne Active Transportation Advisory Committee meeting of January 15, 2018, be received.
- (c) That the minutes of the Port Colborne Economic Development Advisory Committee meeting of February 6, 2018, be received.

CARRIED.

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

No. 50 Moved by Councillor Y. Doucet
Seconded by Councillor B. Kenny

That the following by-laws be enacted and passed:

6566/21/18 Being a By-Law to Adopt the Estimates for the City of Port Colborne for its own operations for the year 2018

6567/22/18 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 April 9, 2018

CARRIED.

12. **Council in Closed Session:**

Motion to go into Closed Session - 10:03 p.m.

No. 51 Moved by Councillor B. Butters
Seconded by Councillor J. Mayne

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

- (a) Minutes of the closed session portions of the following Council meetings: February 26, 2018 and March 12, 2018.
- (b) Planning and Development Department, Planning Division Report. No. 2018-49, with respect to the Port Colborne Quarries Site Plan Agreement pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Motion to rise without report:

No. 52 Moved by Councillor A. Desmarais
Seconded by Councillor Y. Doucet

That Council do now rise from closed session without report at approximately 10:32 p.m.

CARRIED.

13. **Disclosures of Interest Arising from Closed Session:**

Nil.

14. **Reports/Motions Arising from Closed Session:**

Nil.

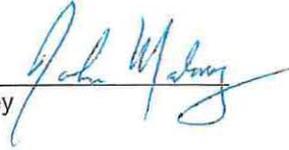
15. Adjournment:

No. 53 Moved by Councillor F. Danch
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately
10:33 p.m.

CARRIED.

John Maloney
Mayor



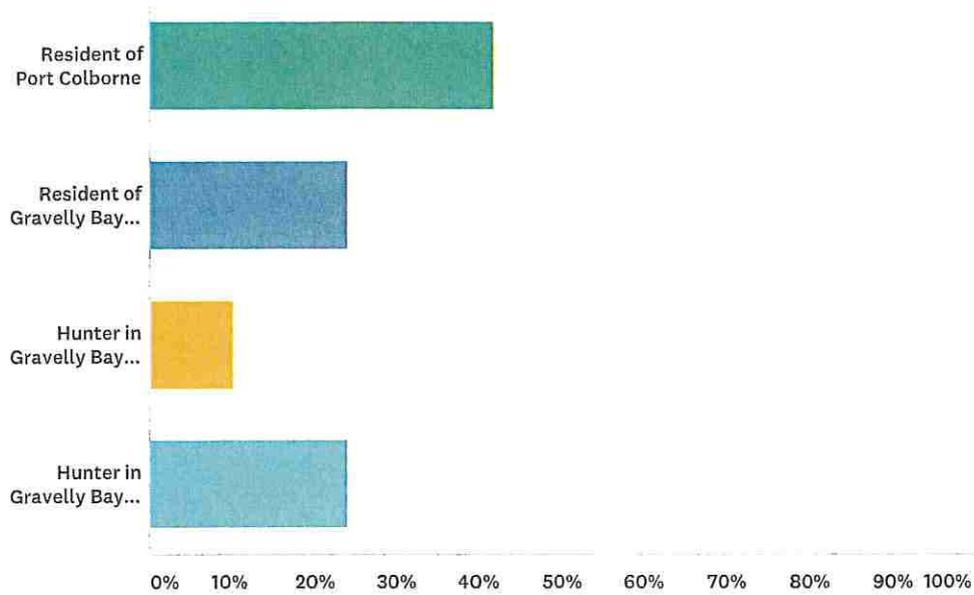
Amber LaPointe
City Clerk



AL/cm

Q1 Which of the following best describes you?

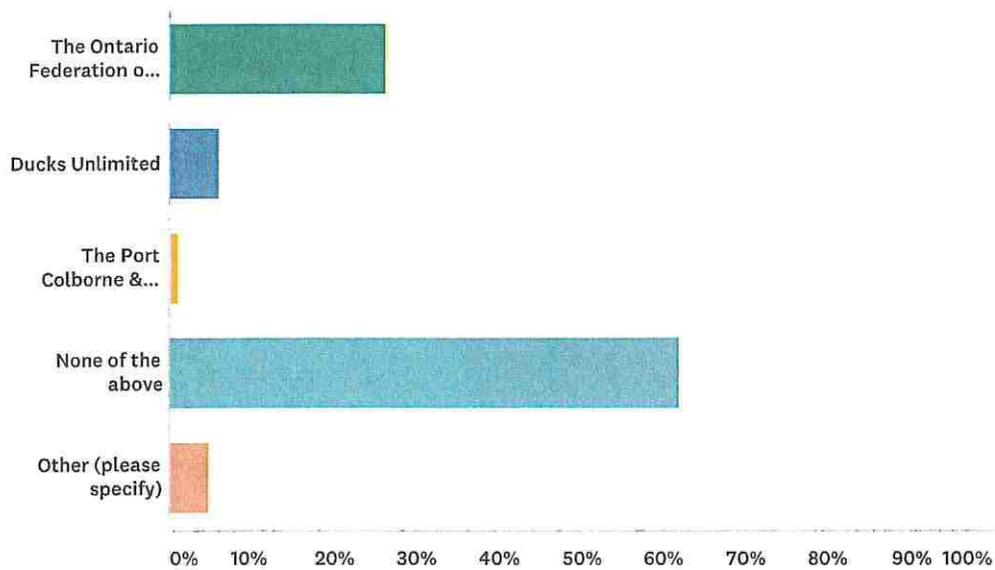
Answered: 697 Skipped: 3



ANSWER CHOICES	RESPONSES	
Resident of Port Colborne	41.89%	292
Resident of Gravelly Bay neighborhood	23.96%	167
Hunter in Gravelly Bay and a resident of Port Colborne	10.04%	70
Hunter in Gravelly Bay and a non-resident of Port Colborne	24.10%	168
TOTAL		697

Q2 Are you a member of a relevant service club or organization? (Please select the answer that best describes you)

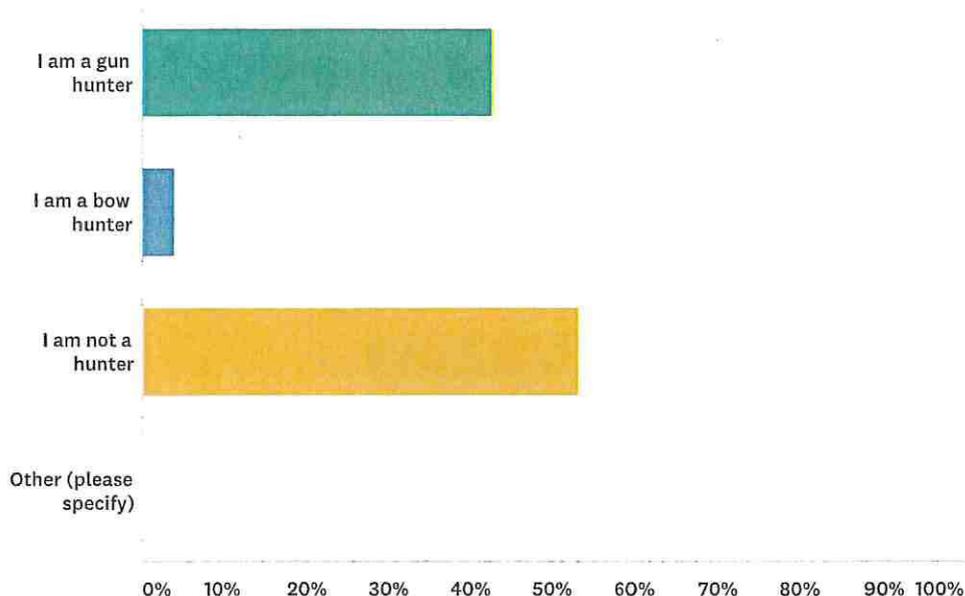
Answered: 697 Skipped: 3



ANSWER CHOICES	RESPONSES	
The Ontario Federation of Anglers and Hunters	26.11%	182
Ducks Unlimited	6.03%	42
The Port Colborne & District Conservation Club	1.15%	8
None of the above	61.98%	432
Other (please specify)	4.73%	33
TOTAL		697

Q3 Which of the following best describes you? (Please select the answer that best describes you)

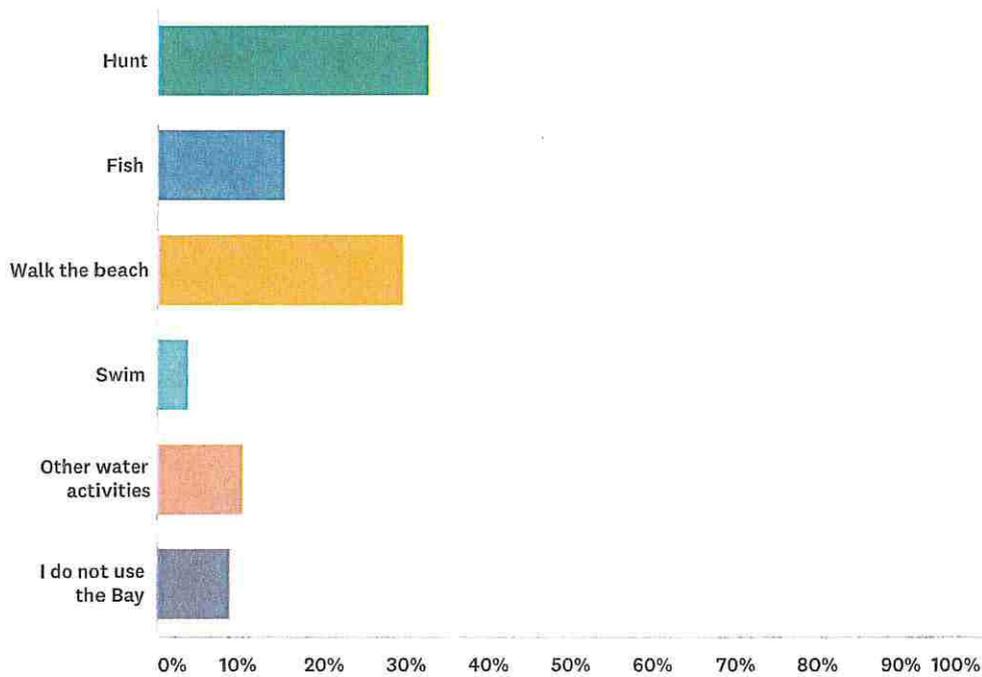
Answered: 693 Skipped: 7



ANSWER CHOICES	RESPONSES	
I am a gun hunter	42.71%	296
I am a bow hunter	3.90%	27
I am not a hunter	53.39%	370
Other (please specify)	0.00%	0
TOTAL		693

Q4 How do you use Gravelly Bay? (Please select the answer that best describes you)

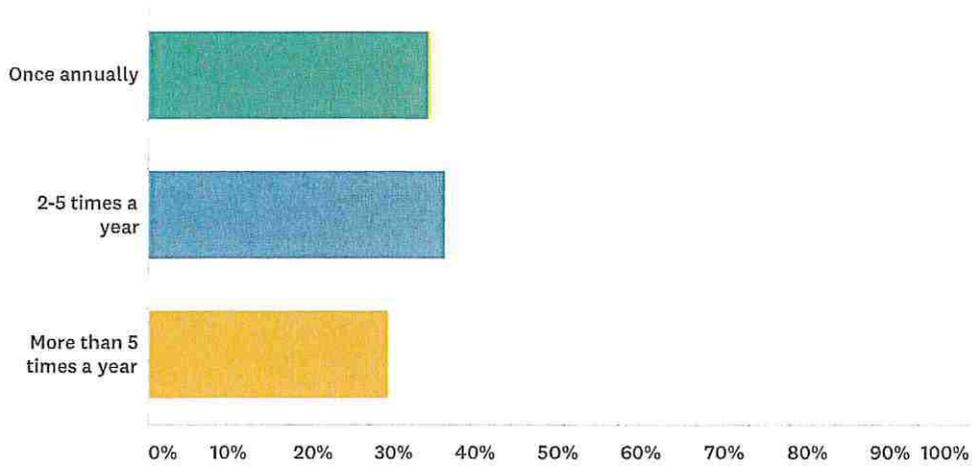
Answered: 698 Skipped: 2



ANSWER CHOICES	RESPONSES	
Hunt	32.66%	228
Fish	15.19%	106
Walk the beach	29.51%	206
Swim	3.72%	26
Other water activities	10.17%	71
I do not use the Bay	8.74%	61
TOTAL		698

Q5 If you use Gravelly Bay for hunting, how often do you visit?

Answered: 371 Skipped: 329



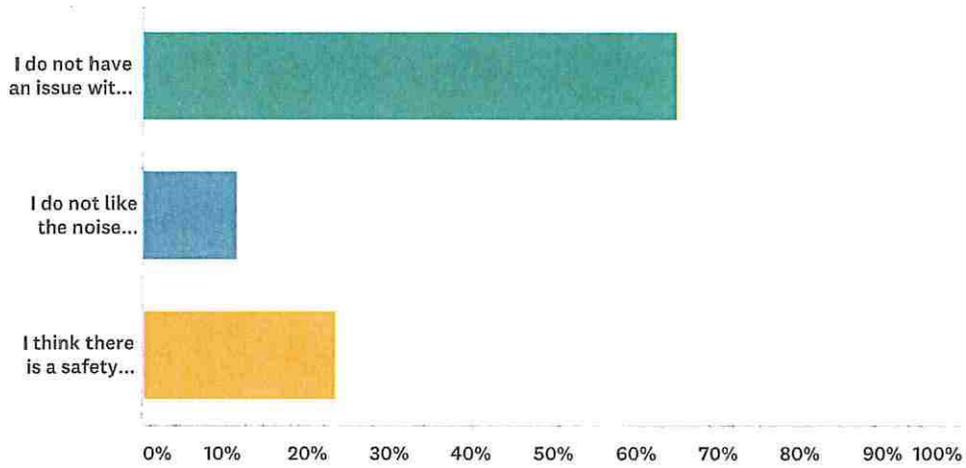
ANSWER CHOICES

RESPONSES

Once annually	34.23%	127
2-5 times a year	36.39%	135
More than 5 times a year	29.38%	109
TOTAL		371

Q6 What do you think about hunting in Gravelly Bay?

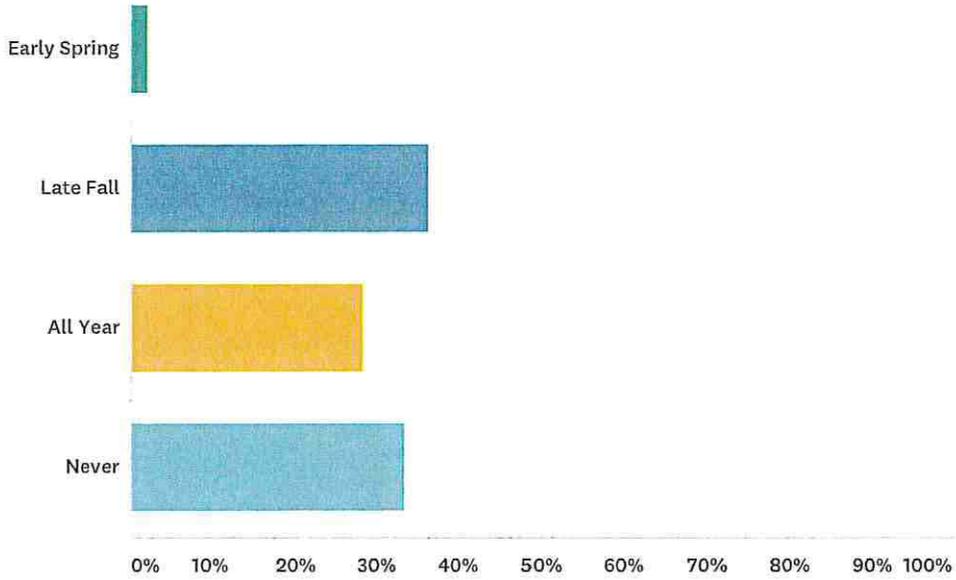
Answered: 696 Skipped: 4



ANSWER CHOICES	RESPONSES	
I do not have an issue with hunting in the Bay	65.09%	453
I do not like the noise resulting from hunting in the Bay	11.49%	80
I think there is a safety concern from hunting in the Bay	23.42%	163
TOTAL		696

Q7 What time of year would you be okay with hunting in the Gravelly Bay?

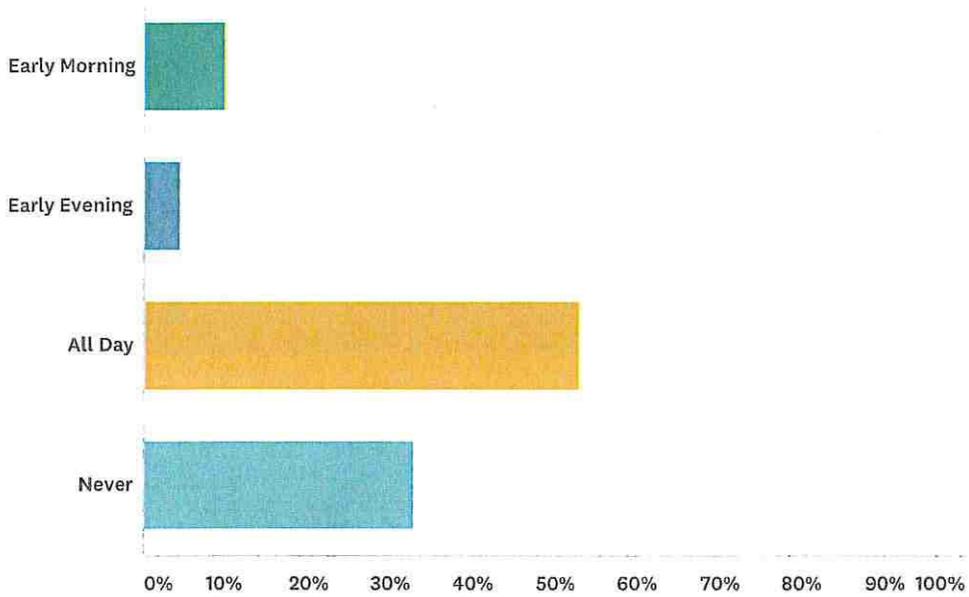
Answered: 692 Skipped: 8



ANSWER CHOICES	RESPONSES	
Early Spring	2.02%	14
Late Fall	36.42%	252
All Year	28.18%	195
Never	33.38%	231
TOTAL		692

Q8 What time of day would you be okay with hunting in Gravelly Bay?

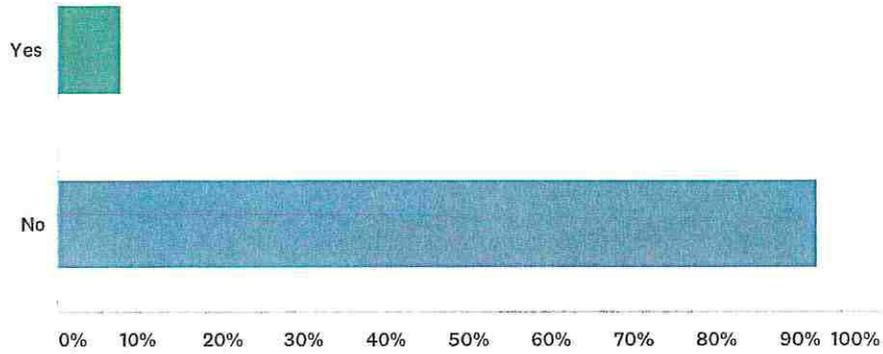
Answered: 692 Skipped: 8



ANSWER CHOICES	RESPONSES	
Early Morning	9.83%	68
Early Evening	4.34%	30
All Day	52.89%	366
Never	32.95%	228
TOTAL		692

Q9 While hunting in Gravelly Bay have you ever witnessed unsafe hunting practices?

Answered: 543 Skipped: 157



ANSWER CHOICES

Yes

No

Total Respondents: 543

RESPONSES

7.73%

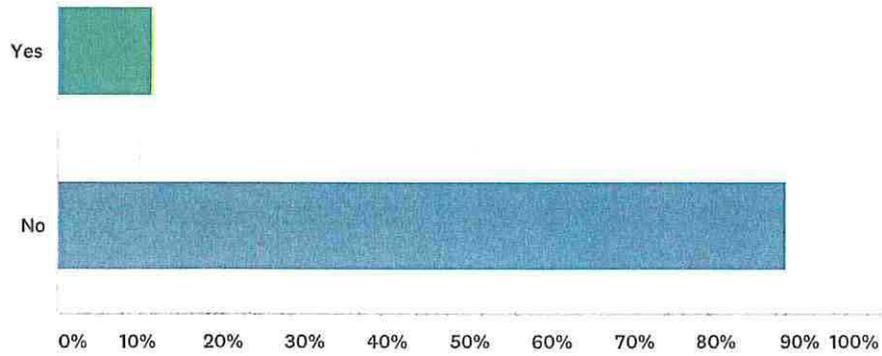
92.27%

42

501

Q10 Have you ever felt a direct safety concern as a result of hunting in Gravelly Bay?

Answered: 652 Skipped: 48



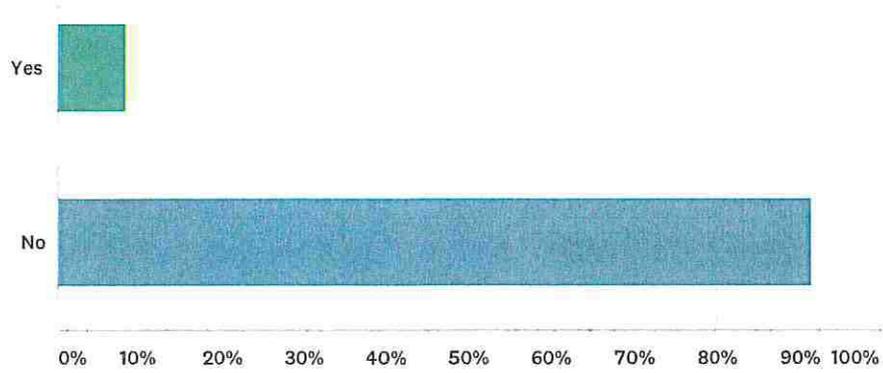
ANSWER CHOICES

ANSWER CHOICES	RESPONSES	
Yes	11.50%	75
No	88.50%	577

Total Respondents: 652

Q11 If you have felt a direct safety concern was it reported to authorities?

Answered: 465 Skipped: 235



ANSWER CHOICES

Yes

No

Total Respondents: 465

RESPONSES

8.39%

91.61%

39

426

Below is feedback provided by the public in addition to the survey regarding duck hunting in Gravelly Bay. Written feedback was received by 17 members of the public.

- 10 claimed to have a safety and/or noise concern with duck hunting in Gravelly Bay
- 2 people suggested additional education regarding duck hunting should be provided to the public
- 5 people provided other comments supporting or opposing duck hunting in Gravelly Bay
- Many people shared that they lived in close proximity of Gravelly Bay and had daily noise and/or safety concerns
 - These concerns were claimed to affect quality of living (deprivation of sleep, concentration, and activity), business development, property value, and causing distress to pets
- One person suggested that businesses may be reluctant to invest and/or locate in the City of Port Colborne due to active gunfire during open season
- Another wrote that active gunfire could potentially harm other people using the Bay for water-related activities
- 2 people suggested that further education for the public should be considered
 - It was implied that there was a lack of public knowledge on the practices of hunting in Gravelly Bay, such as the location of blinds, firearms being used, and legislation applicable to this activity
- One person suggest that the maximum range of their shotgun would be 60 yards (or 180 feet)
- Another person stresses that many hunting groups and associations abide by the legislation applicable to them as well as “collaborating” with the City of Port Colborne to ensure hunting can continue

Attachment 'F'

A map displaying the recommended 150 foot extension to the current no hunting zone in the Bay





Report Number: 2019-109

Date: July 8, 2019

SUBJECT: 41st Annual Canal Days Marine Heritage Festival - Additional Request for Road Closures

1) PURPOSE

The purpose of this report is to request permission for additional road closures for the 41st Annual Canal Days Marine Heritage Festival. Community and Economic Development staff successfully received funding from the Celebrate Ontario grant. The grant is to provide funding to host a concert on the Sunday, August 4, 2019 as a part of the Canal Days Concert Series. In order to host this concert, road closures will be needed to help manage vehicular traffic flow and allow for a safe concert footprint.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Requests for municipal road/parking closures are generally approved by City Council. Council's past practice is to support its own community wide festivals and events by approving the road/parking closures for Sunday, August 4, 2019 for the 41st Annual Canal Days Marine Heritage Festival Concert Series.

3) STAFF COMMENTS AND DISCUSSIONS

Staff are requesting Council approve the closure of streets listed below for the Canal Days Concert Series on Sunday, August 4, 2019. Prohibiting vehicular traffic will allow the designated festival grounds to become a much safer and more conducive venue to host Canal Days. The only consideration to road closure will be the exemption of the following: Ambulance (EMS), Police, and the Fire Department or any other vehicles required in the case of an emergency/service that may include public works, public utility or authorized vehicles by permit only.

As noted above, Community and Economic Development staff successfully received funding from the Celebrate Ontario Grant. This grant will provide funding for a few new initiatives taken on for Canal Days. This includes the Maui Jim/Vision Clinic Walleye Open, nautical themed actors, and the addition of live musical entertainment (the continuation of the Canal Days Concert Series) on, Sunday, August 4, 2019 on the mainstage at H.H. Knoll Lakeview Park (a concert is typically not held on Sunday). The concert will conclude before the commencement of fireworks. A public announcement regarding talent will be made in the near future, once the talent procurement process has concluded.

Staff requests that the following areas be closed/restricted to through traffic and street parking beginning at 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019 for the purpose of the concert series (a depiction of the road closures is attached as Appendix "A"):

- Steele Street, from the southern limit of Steele Street at Sugarloaf Street;
- Steele Street, from the eastern limit at Steele Street at Sugarloaf Street;

- Isabel Street, from the southern limit of Isabel Street at Sugarloaf Street;
- Fielden Avenue, from the northern limit of Fielden Avenue at Sugarloaf Street;
- Fielden Avenue, from the southern limit at Sugarloaf Street;
- Lighthouse Lane, from the southern limit at Sugarloaf Street;
- Elm Street, from the southern limit of Elm Street at Sugarloaf;
- Elm Street, from the western limit Elm Street at Sugarloaf;
- H.H. Knoll Lakeview Park parking lot, south of Dawg's Burgers and Fries to Fielden Avenue.

4) **OPTIONS AND FINANCIAL CONSIDERATIONS:**

a) **Do Nothing**

If Council does not choose to define and secure the grounds surrounding the festival and events taking place, a much higher risk of accident and/or injury to participants places the municipality at risk. This option is not recommended.

b) **Other Options**

Staff recommends approval of requested road/parking closures to ensure the safety of staff and participants for the 2019 Canal Days Marine Heritage Festival and to assist with care and control movement of pedestrians and motorized vehicles in and around festival grounds, ensuring the delivery and provision of a safe festival.

5) **COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Engaged and vibrant community organizations contributing to the overall health and well-being of the community and showcases the City of Port Colborne's Cultural Heritage. Supporting local business and providing assistance towards enterprising festivals and events in collaboration with the City of Port Colborne.

6) **ATTACHMENTS**

Appendix "A" – Additional Canal Days Concert Road Closures

7) **RECOMMENDATION**

1. That the closure to street parking and through traffic be approved and authorized for following roads beginning at 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019 for the purpose of hosting the Canal Days concerts:
 - Steele Street, from the southern limit of Steele Street at Sugarloaf Street;
 - Steele Street, from the eastern limit at Steele Street at Sugarloaf Street;
 - Isabel Street, from the southern limit of Isabel Street at Sugarloaf Street;
 - Fielden Avenue, from the northern limit of Fielden Avenue at Sugarloaf Street;
 - Fielden Avenue, from the southern limit at Sugarloaf Street;
 - Lighthouse Lane, from the southern limit at Sugarloaf Street;
 - Elm Street, from the southern limit of Elm Street at Sugarloaf;

- Elm Street, from the western limit of Elm Street at Sugarloaf Street;
- H.H. Knoll Lakeview Park parking lot, south of Dawg's Burgers and Fries to Fielden Avenue.

8) SIGNATURES

Prepared on June 25, 2019 by:



Luke Rowe
Event Coordinator

Reviewed by:



Nicole Halasz
Manager of Parks and Recreation

Reviewed by:



Ashley Grigg
Director of Community and Economic
Development

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Appendix "A" to Community and Economic Development,
Parks and Recreation Report 2019-109

Additional Canal Days Concert Road Closures
Sunday, August 4, 2019





Report Number: 2019-110

Date: July 8, 2019

SUBJECT: Thirty Ninth Annual Terry Fox Run

1) PURPOSE:

The purpose of this report is to present a request to host the Thirty Ninth Annual Terry Fox Run.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Nancy Salvage, Terry Fox Run Organizer (the "Event Organizer") has submitted a request to host the Thirty Ninth Annual Terry Fox Run (the "Event") on September 15, 2019 at 1:00 p.m., and the thirteenth annual head shave immediately prior, at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell. The Terry Fox Run is an annual event, taking place in a variety of locations across Canada to raise funds for Canadian cancer research.

The City's policies and procedures concerning festivals and events outline guidelines for the City to provide assistance to local associations and organizations to host special events in municipally owned facilities and/or property. To manage municipal resources for these events and ensure public safety (as per the City's User Pay Policy), event organizers may request to borrow certain City-owned equipment and materials. Equipment such as picnic tables, waste receptacles, snow fencing, barricades, and traffic barriers/pylons may be loaned by the City, providing the event organizer reimburses the City for any additional costs that may be incurred (i.e. through the transportation and delivery of materials, staff overtime, and equipment, etc.). Event organizers are also responsible for any loss and/or damage to municipal facilities/property, including equipment/materials on loan, that are subject to full recovery charges for the actual replacement/repair costs incurred by the City.

In addition to other conditions of approval that the City may impose, the City's festivals and events insurance policy requires event organizers to carry a minimum of \$2 million in general liability insurance (or \$5 million for an event involving alcohol). The organizer is required to file a Certificate of Insurance, naming the City as an additional insured, to the City prior to the event.

Further, event organizers are required to submit an application for a Noise By-law exemption to the By-law Enforcement Division, if they are intending to provide amplified music during the event.

3) STAFF COMMENTS AND DISCUSSIONS

As outlined above, the Event Organizer has requested the use of H.H. Knoll Lakeview Park bandshell with access to hydro. Further, the Event Organizer has requested financial support from the City, by requesting Council waive the associated bandshell permit fee, totaling \$50.00 (plus Harmonized Sales Tax). Council has waived this fee in the past.

Road closures are not requested or required for the event, as sidewalks are available throughout the route. The Event Organizer has managed this event in similar fashion in the past and has taken the necessary precautions to remind participants of all safety measures while biking, running and walking the 1 kilometre, 3 kilometre and 5 kilometre routes. If approved, appropriate departments and external stakeholders will be advised, including the Niagara Regional Police Service, Fire Department and Emergency Medical Services.

The Event Organizer is required to file a certificate of insurance in the amount of \$2,000,000 million, naming the City of Port Colborne as an additional insured. The certificate of insurance has been filed with the City as has been submitted to the City Clerk's Office.

Additionally, the Event Organizer has requested to have the Terry Fox flag raised over City Hall during the week of August 26, 2019. As in the past, this request will be referred to the Mayor's Office for response. The Event Organizer has also invited Mayor Steele to open the Event at 1:00 p.m.

The Event Organizer has also requested to have information posted on the West Side Road sign, the Library sign, and the Vale Health & Wellness Centre sign from September 4 to September 15, 2019 and have the fees associated with this waived.

Further, the Event Organizer has requested to have a 10' x 10' stall at the Port Colborne Farmers' Market on August 23 & 30 2019 and September 6 & 13, 2019 to sell licensed Terry Fox t-shirts and distribute pledge forms. As in the past, this request will be referred to the Market Clerk for response.

Staff/Stakeholder Comments:

This report was circulated for stakeholder comments, with input received as follows:

By-law Enforcement Division:

The By-law Division has no concerns.

Building Division:

The Building Division has no concerns.

Communications Officer:

The Communications Officer has no comments.

Engineering and Operations Department:

The Engineering and Operations Department has no concerns with this event.

Fire and Emergency Services Department:

The Fire and Emergency Services Department has no concerns with the event.

Niagara Regional Police Services:

No comments received.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Council may choose to receive and file this report, effectively denying the request. This option is not recommended.

b) Other Options

Council may provide alternative direction regarding the event. As an annual event, the Terry Fox Run has consistently received municipal support and this year's event request does not differ from previous years. This option is recommended.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

Appendix "A" – Terry Fox Run Map

Appendix "B" – Letter from Event Organizer, Nancy Salvage

7) RECOMMENDATION

That the request to host the thirty ninth annual Terry Fox Run on September 15, 2019 at 1:00 p.m., and the thirteenth annual head shave at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell, be approved; and

That the permit fee for the use of the H.H. Knoll Lakeview Park bandshell and hydro be waived; and

That the advertising fee be waived for information being posted on the West Side Road sign, the Library sign, and the Vale Health & Wellness Centre Pylon Sign from September 4 to September 15, 2019, be waived; and

That the request for the Terry Fox Run flag to be raised over City Hall the week of August 26, 2019, be approved and referred to the Mayor's office for response; and

That the request for a 10' x'10' stall at the Port Colborne Farmers' Market on August 23 and 30 2019 and September 6 and 13, 2019 to sell licensed Terry Fox t-shirts and distribute pledge forms, be approved and referred to the Market Clerk for response; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the event.

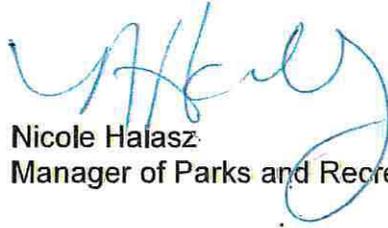
8) **SIGNATURES**

Prepared on June 25, 2019 by:



Luke Rowe
Event Coordinator

Reviewed by:



Nicole Halasz
Manager of Parks and Recreation

Reviewed by:



Ashley Grigg
Director of Community and Economic
Development

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Appendix "A" to Community and Economic Development,
Parks and Recreation Report 2019-110



**Appendix "B" to Community and Economic Development,
Parks and Recreation Report 2019-110**

June 10, 2019

Dear Mayor Steele and Members of City Council,

The Terry Fox Run Committee of Port Colborne has begun planning for the 39th Annual Terry Fox Run. We look forward to another fun and successful day, honoring Terry Fox and raising money for the best in Canadian cancer research, made cutting edge in no small part by more than half a billion dollars raised in the last 39 years through the Terry Fox Run.

This years run will be held on Sunday, Sept. 15th, with an official starting time of 1PM. Our 13th annual head shave will take place at 12:30. We request use of the band shell at HH Knoll Park for that day, and request the waiving of fees for this. We want to continue the same community run/walk/bike route we started five years ago, through the city with total distances of 1KM, 3 km, and 5 KM, marked out. Sidewalks are available throughout the route. We would be honored to have Mayor Steele officially start our event at 1PM.

We would also like to have the Terry Fox flag raised over City Hall the week of Aug 26th with the mayor if possible. Our final request is for a spot at the market to sell licensed Terry Fox merchandise and give out pledge sheets on Aug 23rd, 30th, and Sept 6th and 13th..

Thank you, Mayor Steele and City Council, for your assistance and continued support!

Sincerely,

Nancy Salvage, Organizer
Terry Fox Run in Port
905 835 0442

Report Number: 2019-84

Date: July 8, 2019

SUBJECT: Project 2019-03, Annual Sewer Flushing and CCTV Inspection – City Wide – 2 Year Duration

1) PURPOSE:

This report was prepared by Stephanie Jennings, Engineering Technologist, under the authorization of Chris Lee, Director of Engineering and Operations. The purpose of the report is to inform Council of the outcome of the tender proceedings for the 2019-03 Annual Sewer Flushing and CCTV Inspection, and to obtain approval from Council to award the annual maintenance project to the recommended bidder.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES:

Previously this year, tender documents were prepared and a public tendering procedure was initiated. During the tender process a total of twelve (12) bidders took out documents. At the time of tender closing, seven (7) bidders submitted pricing. The results of that tender opening are listed below. The entire tender process and opening proceedings adhered to policies and past practises as previously adopted and endorsed by Council.

3) STAFF COMMENTS AND DISCUSSIONS:

Staff prepared documents and publicly called for the submission of a formal tender. The documents called for a contract being entered into pending approval by Council. The work stipulated in the documents entailed sewer flushing and the collection of CCTV data for Sanitary Sewer infrastructure.

The Sanitary program has been an annual event in years past, all part of the City's annual inspection program. The Sanitary collection system is divided into six (6) cycles; with one being inspected annually. Cycle 6 will be inspected in 2019 and Cycle 3 will be inspected in 2020. Maps of these two (2) cycles are attached. Staff have also designated a number of locations (strategic collector sewers) which are flushed and CCTV inspected annually.

At the time of tender closing, formal completed tenders were received from the following listed, seven (7) contractors. All submitted tender documents have been checked for errors or omissions. Therefore, the bid results as submitted are shown below:

Prices as Quoted - Project 2019-03 Annual Sewer Flushing & CCTV Inspection

1) Wessuc Inc.	\$ 121,186.00
2) Bob Robinson & Son Construction	\$ 136,421.00
3) Pipetek Infrastructure Services Inc.	\$ 146,984.50
4) Nieltech Services Limited	\$ 165,800.00
5) Envirosystems Incorporated	\$ 170,285.00
6) Accuworx Inc.	\$ 265,702.00
7) Aqua Tech Solutions Inc.	\$ 444,873.00

As indicated above, the lowest tender pricing was submitted by Wessuc Inc. of Brantford, Ontario. The tender document as submitted by Wessuc Inc. was found to be complete in all aspects, with regard to specifications, details and format.

It is the recommendation of staff that Council accept the lowest priced tender as submitted by Wessuc Inc. and award the contract for the 2019 and 2020 program to Wessuc. This will allow the City to enter into an agreement with Wessuc Inc. and to initiate the program as soon as scheduling allows.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do Nothing

If no action is taken at this time, the Annual Sewer Flushing and CCTV inspection programs for 2019 will not be completed and current allocated funds for 2019 would not be spent. (Not Recommended)

b) Award the Contract

If Council accepts the recommendation of staff, then the City's 2019, Annual Sewer Flushing and CCTV Inspection Programs will be implemented, thus fulfilling the municipality's obligation to inspect and maintain the Sanitary Sewer system within the City, and avail Council the opportunity to spend its allocated funds for 2019. **(Recommended)**

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES:

There are no impacts on Council's current strategies.

6) ATTACHMENTS:

- i) 2019 Cycle 6 Flushing and CCTV Inspection Mapping
- ii) 2020 Cycle 3 Flushing and CCTV Inspection Mapping

7) RECOMMENDATION:

That Project 2019-03 Annual Sewer Flushing and CCTV Inspection, for a two (2) Year Duration, be awarded to Wessuc Inc. of Brantford, Ontario, for the total tendered price of \$121,186.00 plus applicable taxes. Staff is directed to utilize the bid items as listed within the awarded Tender Documents, in such a manner as to complete all required works, all the while keeping within the annual budget allocations of Council; and

That funding for Project 2019-03 Annual Sewer Flushing and CCTV Inspection be financed under Account: 7-590-76250-3328 Extraneous Flows; and

That a by-law, in which the City enters into a Contract Agreement with the Contractor be prepared, upon final budget approval.

8) SIGNATURES:

Prepared on **Thursday, June 27, 2019** by: Reviewed by:



Stephanie Jennings
Engineering Technologist



Chris Lee
Director of Engineering and Operations

Reviewed by:



Brenda Garrett
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer



- CCTV Cycle 3
- Manhole

**CCTV Cycle 3
Area 1 of 2**



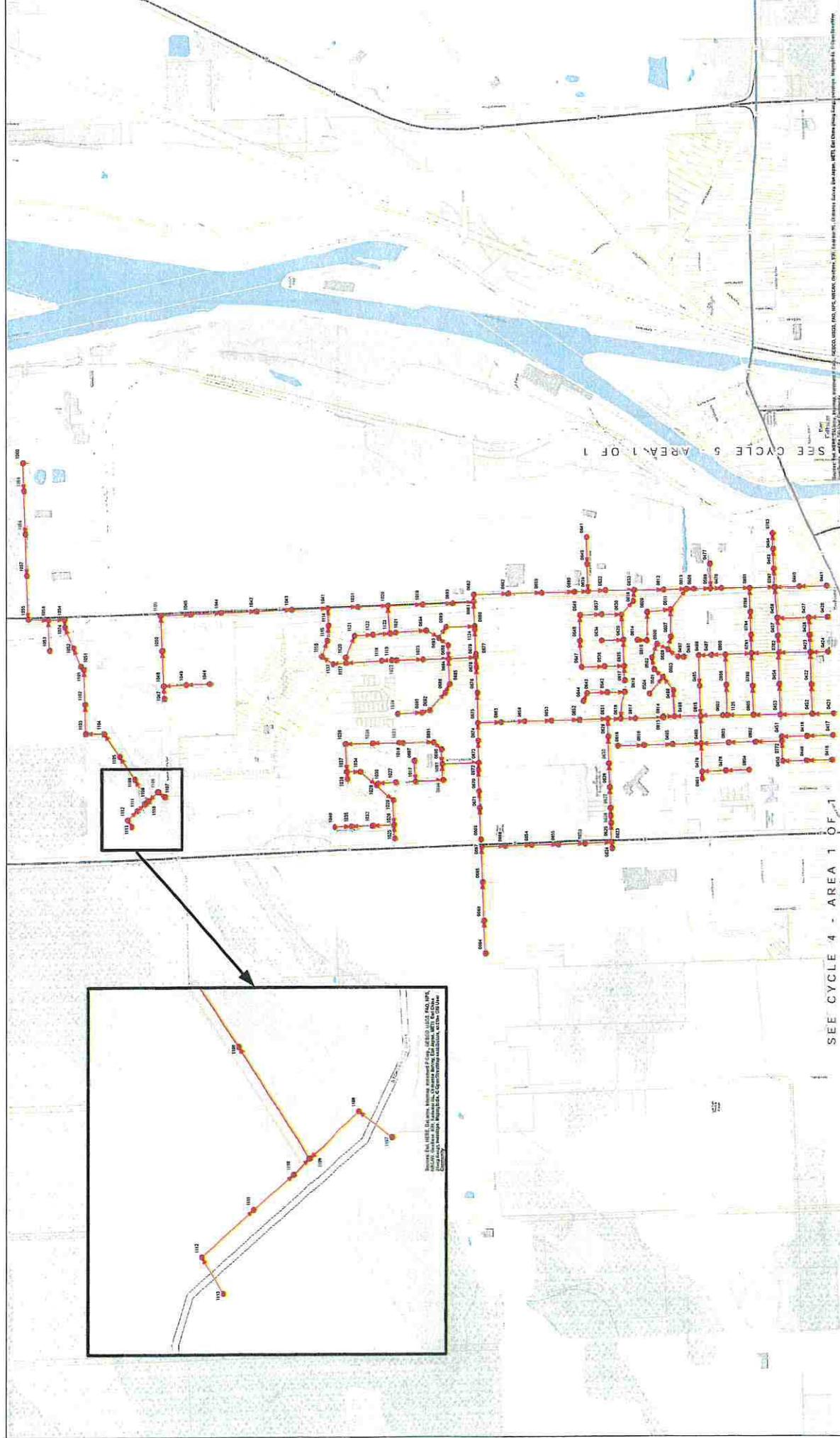


- CCTV Cycle 3
- Manhole

CCTV Cycle 3
Area 2 of 2



Source: East H.E.R.E., Delaware, Michigan, Westford P Corp., OREGON, USGS, FAD, SPS, NRCAN, GeoEye, IZI, Kadwan H, Oshawa Survey, East Japan, METI, East China, Hong Kong, Indonesia, Myanmar, C-Quest, Queensland, and the US User Community



SEE CYCLE 4 - AREA 1 OF 1

SEE CYCLE 5 - AREA 1 OF 1

CCTV Cycle 6
Manhole

CCTV Cycle 6
Area 1 of 1





Report Number: 2019-108

Date: July 8, 2019

SUBJECT: Request for Extension of Draft Plan of Subdivision Approval (File No. D12-H58) Rosedale Plan of Subdivision

1) PURPOSE:

The purpose of the report is to provide Council with a recommendation regarding a request for an extension of Draft Plan of Subdivision Approval for Rosedale Plan of Subdivision.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The Rosedale Draft Plan of Subdivision proposed by Ralph Rotella was approved by the Region of Niagara (being the approval authority at the time) in June 1988. The plan is located east of West Side Road (Hwy 58), south of Stonebridge Drive and north of Oxford Boulevard (Hawthorne Heights). The development is located on 32 acres of land and contains 119 single family dwellings, a block for approximately 57 apartment units, a commercial and a park block. The Draft Plan had a 4 year lapsing date in 1992 to meet all conditions of draft plan approval.

In 1997, the *Planning Act* was amended to give rights to upper-tier municipalities to delegate to lower-tier municipalities for subdivision/condominium approval. In 1999, through Planning & Development Report 99-11, Council did not approve the City taking over the administration of Rosedale Subdivision from the Region due to outstanding issues between the Region and the proponent on the payment of Development Charges as set out below. However, in 2006 the then Manager of Planning for the City requested the Region delegate the subdivision for administration.

According to Regional Planning Report 2007-64 (in response to the 2006 letter from the then City Planning Manager), in 1989, Regional Council adopted a Development Charges By-law and passed a subsequent by-law which imposed the payment of Development Charges on Plans of Subdivision prior to their registration or prior to an extension of Draft Approval whichever is the earlier. Draft approval for the Rosedale Plan was set to lapse on June 21, 1992 and the applicant was notified of the requirement to pay the Development Charges according to the Regional by-law. After discussions between the Region and Mr. Rotella, it was agreed that Draft Approval could be temporarily extended to allow the proponent to enter into an agreement to pay interest on the Development Charges principle and have Draft Approval extended to 1994.

In October 1994, Mr. Rotella was requested to pay the Regional Development Charge as agreed to previously. No response was received and after several months, a report was approved by Council which recommended the applicant withdraw his Plan of Subdivision. In December 1995, the Region again contacted the applicant through his solicitor and set out another possible payment solution. Again, no response was received, and the file was

put on hold awaiting a response from the proponent.

In 2005, Regional staff met with Mr. Rotella at his request to discuss the Plan's status. It was noted in the discussions that the Rosedale Plan of Subdivision technically remains draft approved as the status has not been formally withdrawn by the Region. Secondly, it was noted that changes in the *Development Charges Act* now requires the City to collect the Regional Development Charge at the building permit stage.

As mentioned above, in 2006, the Manager of Planning requested that the file for the Rosedale Plan of Subdivision be transferred to the City for administration. Prior to this, the Region indicated that it would retain the file in an effort to have the applicant comply with payment of Development Charges in accordance with the earlier signed agreement, however at the time of transfer, changes to the *Development Charges Act* have now secured payment of Development Charges at the building permit stage. However, it appears this matter has somewhat come full circle as the Region is now requiring owners to pay Development Charges within 2 years of obtaining Draft Plan approval for their entire subdivision plan as they did in 1989 which as mentioned above resulted in the draft plan extension being left in stage of "review".

The Region of Niagara, City and Ralph Rotella have been in discussions for several years regarding wastewater servicing of the property and the required upgrades to the Oxford Pumping Station. The Region is proposing to construct a wastewater line through Mr. Rotella's property that would cross City lands before connecting to existing infrastructure on Stonebridge Drive. This would eliminate the Oxford Pumping Station.

On August 12, 2013, Council set a lapsing date for draft plan approval of August 12, 2015. An extension was granted by City Council on July 12, 2015 to extend the lapsing date to August 12, 2017 and a number of conditions of draft plan approval were added. On June 26, 2017, Council again extended the lapsing date to August 12, 2019.

On June 7, 2019, Planning staff received a request (Appendix A) from Upper Canada Consultants on behalf of Ralph Rotella to extend approval of the Draft Plan of Subdivision for two years, to complete detailed engineering designs and obtain Ministry of Environment Certificates of Approval.

3) STAFF COMMENTS AND DISCUSSIONS

Planning staff circulated a request for comments on the draft plan extension request to agencies on June 7, 2019. The following comments have been received from commenting agencies as of the date of writing of this report:

Niagara Region Development Services Division:

Regional Planning and Development Services staff recommends that the City consider only up to a one (1) year extension of draft approval, subject to the satisfaction of municipal requirements. It should be noted that the subdivision has been draft approved for 31 years (since 1988), and no information has been submitted to demonstrate that the owner has been working to satisfy agency (Regional) conditions.

Comment

Prior to writing this report, staff requested three times for the consultant to submit a list of conditions that have been cleared or worked on to demonstrate that some progress has been made in the last two years. As of the date of writing this report, staff has not received any additional information from the consultant. While the consultant states that the proponent is waiting on information from the Region regarding the sewage pumping station, staff is not aware of any efforts by the proponent to meet with City and Regional staff on this issue.

Staff recommends updating the conditions of draft approval to reflect comments from the Niagara Region. Conditions 47, 48 and 49 are duplicates of conditions 22, 23 and 24 and can be deleted. Staff has also updated the names of provincial ministries to match the current nomenclature used by the Government of Ontario.

It is staff's position that a one year extension can be supported. This will give the owner time to start detailed engineering design and obtain Ministry of Environment, Conservation and Parks Certificates of Approval. This will also ensure that the owner is sincerely pursuing the development of the property in a timely fashion. Should sufficient progress be made within the next year the applicant can request further extensions.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing

If Council chooses this option, the Draft Plan approval will lapse on August 12, 2019 and the applicant would have to submit a new application.

b) Other Options

Though not recommended, Council could deny the application and the Draft Approval will lapse on August 12, 2019 or Council can set the lapsing date to any other time.

Council can choose to reject updates to the Conditions of Draft Approval.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

Appendix A Letter Stating Request for Extension

Appendix B Comments from Niagara Region

Appendix C Conditions of Draft Approval for Rosedale Estates Showing Suggested Updates

7) RECOMMENDATION

That the Draft Plan Approval for the Rosedale Draft Plan of Subdivision be extended to August 12, 2020; and

That the conditions of draft approval be updated by deleting conditions 47, 48 and 49 and that ministry names be updated in conditions 13, 35, 38 and 40; and

That Upper Canada Consultants be notified accordingly.

8) SIGNATURES

Prepared on June 27, 2019 by:



Evan Acs, MA, MSc
Planner

Reviewed by:



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

Reviewed and respectfully submitted by:

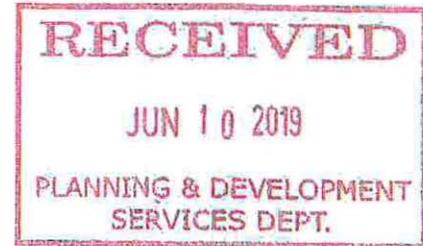


C. Scott Luey
Chief Administrative Officer



June 7, 2019

To: Evan Acs
Planner
Planning and Development Services
City of Port Colborne
66 Charlotte Street
Port Colborne ON L3K 3C8



Re: **Request for Extension of Draft Plan of Subdivision Approval
Rosedale Subdivision – 26T-87018 (East Side of Highway 58)**

In reference to the above noted project, please accept this request to extend draft approval for a period of 2 years. Please find enclosed a cheque in the amount of **\$1,530.00** made payable to the City of Port Colborne and cheque in the amount of **\$2,540.00** made payable to the Regional Municipality of Niagara.

The applicant has been working with Upper Canada Consultants to clear conditions of approval and determine the best way to move the project forward. Specifically, the development of this site is contingent on servicing infrastructure related to the Oxford Pumping Station that has yet to be provided by Niagara Region.

Our client respectfully requests that an extension be provided to allow for sufficient time to complete engineering design, obtain necessary Ministry approvals and work with Niagara Region to implement the required servicing upgrades.

If you have any questions or require any further information or copies, please contact the undersigned.

Sincerely,

Craig A. Rohe, M.Pl., MCIP, RPP
Senior Planner
Upper Canada Consultants

CC: Ralph Rotella (Owner)
Martin Heikoop, Upper Canada Consultants

VIA EMAIL ONLY

June 25, 2019

Files: D.11.07.SD-19-026
D.11.07.SD-01318

Evan Acs
Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear Mr. Acs:

**Re: Regional and Provincial Planning Comments
Request for Extension of Draft Approval
Rosedale Draft Plan of Subdivision (26T-87018 Revised)
Highway 58 (Eastside) – North of Oxford Boulevard
City of Port Colborne**

Regional Planning and Development Services staff has reviewed the request by Upper Canada Consultants to extent draft approval for the Rosedale Draft Plan of Subdivision. The following Provincial and Regional comments are offered to assist the City in considering the request for extension.

Background and Discussion

The Rosedale Draft Plan of Subdivision was approved by Regional Council on June 21, 1988. Several temporary extensions of draft approval were granted after the original lapse date of June 21, 1992 until 1995 when the file was put on hold to address outstanding requirements related to on-site servicing and Regional development charges. The status of draft approval, however, was never formally withdrawn by Regional Council, and in 2007, Regional Council delegated approval authority for the development to the City of Port Colborne.

On July 13, 2015, City Council had approved the requested extension until August 12, 2017, along with the recommended changes to the conditions outlined by the Region. Regional comments dated June 8, 2017 were provided to the City in response to the previous request for draft approval extension. These comments noted updates to the Regional Waste Collection Policy. On June 26, 2017, City Council approved the requested extension until August 12, 2019.

The agent has requested an extension to draft approval to allow for sufficient time to complete engineering design, obtain necessary Ministry approvals, and work with Niagara Region to implement the required servicing upgrades related to the Oxford Pumping Station. In order to proceed with the required sanitary sewer work related to the Oxford Sewage Pumping Station, staff request that the Developer and Developer's Consultant arrange for a meeting with Regional and City staff to determine the process and steps required to complete this work to ensure there are no further delays in the subdivision approval process.

Given the significant period of time in which original approval was granted, the recent two (2) year extension, and the apparent lack of progress in addressing the conditions of draft approval, Regional staff recommends that the City consider only up to a one (1) year extension of draft approval, in which the applicant must demonstrate a commitment to the proposed development. No information was submitted with the extension request that shows the progress of the development, or details which conditions have been satisfied to date.

The Region's comments provided for the previous extension request largely remain unchanged. Staff notes for information purposes, however, that conditions related to the "Ministry of the Environment and Climate Change (MOECC)" should be updated to "Ministry of the Environment, Conservation and Parks (MECP)." Further, the 1988 Conditions with 2015 Amendments for the Rosedale Plan of Subdivision contains duplicate Conditions (Conditions 22 and 47, 23 and 48, and 24 and 49).

Conclusion

Regional Planning and Development Services staff recommends that the City consider only up to a one (1) year extension of draft approval, subject to the satisfaction of municipal requirements. It should be noted that the subdivision has been draft approved for 31 years (since 1988), and no information has been submitted to demonstrate that the owner has been working to satisfy agency (Regional) conditions.

If you have any questions or wish to discuss these comments, please contact the undersigned at extension 3352 or Aaron Butler, MCIP, RPP, Senior Development Planner, at extension 3264.

Please send notice of Council's decision on this extension request.

Sincerely,



Aimee Alderman
Development Planner

cc: Mr. R. Alguire, Development Approvals Technician, Niagara Region
Ms. S. Dunsmore, P.Eng., Manager of Development Engineering, Niagara Region

ROSEDALE PLAN OF SUBDIVISION
1988 CONDITIONS WITH 2019 AMENDMENTS

The conditions for final approval and registration of the Rosedale (Revised) plan of subdivision, R. Rotella, File No. 26T-87018, Part of Lot 30, Conc. 3, City of Port Colborne are:

1. That this approval applies to the Rosedale draft plan of subdivision, Part of Lot 30, Conc. 3 (Former Twp. of Humberstone), City of Port Colborne, prepared by W.A. Mascoe, O.L.S., dated April 29th, 1987, and revised on May 31, 1988, showing 119 single family residential lots, two blocks of land for access reserve purposes and one block of land each for commercial, multiple family residential and park purposes, respectively.
2. That the road allowances within the draft plan be dedicated as public highway.
3. That the proposed streets be named to the satisfaction of the City of Port Colborne.
4. That any dead end streets and open sides of road allowances within the draft plan be terminated in 0.3m (1ft) reserves to be conveyed to the City of Port Colborne.
5. That a temporary point of ingress to and egress from the plan site be provided to the satisfaction of the City of Port Colborne until such time as adjacent residential lands are developed.
6. That all easements required for utility or drainage purposes be granted to the appropriate authority.
7. That the owner dedicate those lands shown as Block 'B' on the revised draft plan to the City of Port Colborne for park purposes pursuant to the provisions of Section 50(5)(a) of the Planning Act, 1983.
8. That the final plan may incorporate minor design revisions requested by the City of Port Colborne which may result in changes to the width or area of some lots but which shall not include a change in the total number shown on the draft approved plan.
9. That development of the subdivision be phased to the satisfaction of the City of Port Colborne and that provision for such phasing be included in the subdivision agreement between the owner and the City.

10. That the owner agrees in writing to satisfy all requirements, financial or otherwise, of the City of Port Colborne concerning the provision of roads, installation of services, drainage, and all other matters related to the development of the subject site.
11. That the subdivision agreement between the owner and the City of Port Colborne be registered by the municipality against the land to which it applies as provided for pursuant to Section 50(6) of the Planning Act, S.O. 1983.
12. That the design for the water distribution system intended to service the draft plan area be submitted to the City of Port Colborne for review and approval.
13. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings, with calculations, for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment and Climate Change (MOECC) Compliance Approval under the Transfer of Review Program.

Commented [EA1]: Change to Ministry of the Environment, Conservation and Parks (MECP).

Note: Under the MOECC Transfer of Review Program, general sanitary and storm systems are reviewed. Any specialized systems and/or stormwater management will require direct application to the MOECC office in Toronto. Please note that any additional approvals required from any other agency (NEC, NPCA, MTO, etc.) as part of the application must be obtained prior to submission of the ECA application. The developer should discuss any items with an engineering consultant.

Commented [EA2]: Change to MECP.

Commented [EA3]: Change to MECP.

14. That prior to approval of the final plan or any on-site grading, the owner submit to the Regional Planning and Development Services Department (Development Services Division) for review and approval two copies of a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991:
 - (a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site; and,
 - (b) Detailed erosion and sedimentation control plans.

Note: The Region will request that the Niagara Peninsula Conservation Authority review the stormwater management and other related plans on the Regions behalf and submit comments to the Regional Planning and Development Services Department (Development Services Division) regarding the approval of these

plans and the subsequent clearance of related conditions by Regional Planning Staff.

15. That the owner enters into an agreement with the Regional Municipality of Niagara and assumes their portion of the cost to construct the sanitary sewer to the Industrial Pumping station as a result of this development.
16. That a 7.6 meter (25 foot) setback be maintained from the top of the bank of the escarpment for all structural development on Lots 98 and 99 to the satisfaction of the Niagara Peninsula Conservation Authority. For this purpose the Authority has defined the 184 metre (G.S.C.) contour as being the top of the bank.
17. That a 7.6 meter (25 foot) setback be maintained from the top of the bank of the escarpment for all structural development on Lot 100 to the satisfaction of the Niagara Peninsula Conservation Authority. For this purpose the Authority has defined the rear lot line for Lot 100 as shown on the revised draft plan as being the top of the bank.
18. That a 7.6 meter (25 foot) setback be maintained from the top of the bank of the escarpment for all structural development on Lots 101 to 106 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority. For this purpose Authority has defined the 189 meter (G.S.C.) contour as being the top of the bank.
19. That a 7.6 meter (25 foot) setback be maintained from the toe of the escarpment for all structural development on Lots 80 to 83 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority.
20. That the owner submit a grading plan showing existing and final contours and erosion controls to be undertaken where necessary to the Niagara Peninsula Conservation Authority for their review and approval.
21. That the subdivision agreement between the owner and the City contain wording whereby the owner agrees to undertake the development setback and grading requirements of the Niagara Peninsula Conservation Authority as specified above, to the satisfaction of the agency.
22. That the owner provides a written acknowledgement to the Regional Planning and Development Services Department (Development Service Division) that draft approval of this subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of final approval of the subdivision for registration purposes.
23. That the owner shall provide the Regional Planning and Development Services Department (Development Services Division) with a written undertaking stating that all offers and agreements of purchase and sale, which may be negotiated prior to registration of the subdivision, shall contain a clause that servicing allocation will

not be assigned until the plan is granted final approval for registration, and a similar clause be inserted in the subdivision agreement between the owner and the City of Port Colborne.

24. That in order to provide for Regional curbside collection of waste the owner shall comply with any applicable Regional policies relating to the collection of waste and ensure that all streets and development blocks can provide a through access.
25. That a 7.6 meter (25 foot) setback be maintained from the top of the bank of the escarpment for all structural development on Lots 98 and 99 to the satisfaction of the Niagara Peninsula Conservation Authority. For this purpose the Authority has defined the 184 meter (G.S.C.) contour as being the top of the bank.
26. That a 7.6 meter (25 foot) setback be maintained from the top of the bank of the escarpment for all structural development on Lot 100 to the satisfaction of the Niagara Peninsula Conservation Authority. For this purpose the Authority has defined the rear lot line for Lot 100 as shown on the revised draft plan as being the top of the bank.
27. That a 7.6 meter (25 foot) setback be maintained from the top of the bank of the escarpment for all structural development on Lots 101 to 106 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority. For this purpose the Authority has defined the 189 meter (G.S.C.) contour as being the top of the bank.
28. That a 7.6 meter (25 foot) setback be maintained from the toe of the escarpment for all structural development on Lots 80 to 83 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority.
29. That the owner submit a grading plan showing existing and final contours and erosion controls to be undertaken where necessary to the Niagara Peninsula Conservation Authority for their review and approval.
30. That the subdivision agreement between the owner and the City contain wording whereby the owner agrees to undertake the development setback and grading requirements of the Niagara Peninsula Conservation Authority as specified above, to the satisfaction of that agency.
31. That prior to approval of the final plan, the owner prepare and submit to the satisfaction of the Ministry of Transportation a traffic report indicating anticipated peak hour turning volumes at the Highway 58 access to the subdivision site.
32. That prior to approval of the final plan, the owner enter into a legal agreement with the Ministry of Transportation whereby the owner agrees to be responsible for all

costs associated with improvements which may be required to Highway 58 and its intersection with the public road access to the subdivision site.

33. That the owner convey a 0.3m (1ft) reserve to the Ministry of Transportation along the Highway 58 frontage of the subdivision site to the satisfaction of that agency.
34. That prior to approval of the final plan, the owner prepare and submit to the Ministry of Transportation for review and approval a drainage plan and report outlining the intended treatment of the calculated run-off from the plan site insofar as it may affect the Highway 58 right-of-way.
35. That prior to approval of the final plan, the owner shall submit to the Regional Planning and Development Services Department (Development Services Division) for the review and approval a detailed noise impact study assessing potential noise impacts from Highway 58 and the adjacent Loyalist Industrial Park for the proposed development and recommending mitigation measures to meet the applicable Ministry of the Environment and Climate Change noise guidelines.
36. That the subdivision agreement between the owner and the City of Port Colborne contain provisions whereby the owner agrees to implement the approved mitigation measures recommended by the noise impact study referred to in the condition above.
37. That prior to any grading or construction on the subdivision site, the owner carry out an examination of the site to the satisfaction of the Ministry of Natural Resources to ascertain if previous drilling activity for gas resources poses a potential hazard to existing and subsequent land owners.
38. That prior to any grading or construction on the subdivision site, the owner identify and if necessary replug any gas wells on the site to the satisfaction of the Ministry of Natural Resources.
39. That prior to approval of the final plan, the owner demonstrate to the satisfaction of the Ministry of Natural Resources that adequate provisions have been made for the elimination of any on-site hazards related to any abandoned gas wells within the subdivision site.
40. That prior to approval of the final plan, the owner shall submit to the Regional Planning and Development Services Department (Development Services Division) for review and approval a Stage 1 Archaeological Assessment to address the registered archaeological sites on the subject lands. No demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter of compliance from the Ministry of Tourism and Culture through

Commented [EA4]: Change to MECP.

Commented [EA5]: Change to Ministry of Natural Resources and Forestry.

Commented [EA6]: Change to Ministry of Tourism, Culture and Sport

the Regional Planning and Development Services Department (Development Services Division) conforming that all archaeological resource concerns have met licensing and resource conservation requirements.”

- 41. That prior to the approval of the final plan, Conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 35 and 36 have been carried out to the City's satisfaction.

The clearance letter from the municipality shall include a brief and complete statement for each condition indicating how each has been satisfied or carried out.

- 42. That prior to the approval of the final plan, the City of Port Colborne is to be satisfied that Conditions 12, 13, 14 and 15 have been met.

- 43. That prior to the approval of the final plan, the City of Port Colborne is to be advised by the Niagara Peninsula Conservation Authority that Conditions 16, 17, 18, 19, 20 and 21 have been carried out to its satisfaction.

- 44. That prior to the approval of the final plan, the City of Port Colborne is to be advised by the Ministry of Transportation that Conditions 31, 32, 33 and 34 have been carried out to its satisfaction.

- 45. That prior to the approval of the final plan, the City is to be advised by the Ministry of Natural Resources that conditions 37, 38 and 39 have been carried out to its satisfaction.

- 46. That is final approval is not given to this plan within four years of the draft approval date, and no extensions have been granted, draft approval shall lapse. If the owner wishes to request an extension to the draft approval period, a written explanation is required, together with a resolution from the local municipality which must be received by the Region prior to the lapsing date.

- 47. That the owner provides a written acknowledgement to the Regional Planning and Development Services Department (Development Service Division) that draft approval of this subdivision does not include a commitment of serving allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of final approval of the subdivision for registration purposes.

Commented [EA7]: To be deleted.
Duplicate of Condition 22.

- 48. That the owner shall provide the Regional Planning and Development Services Department (Development Services Division) with a written undertaking stating that all offers and agreements of purchase and sale, which may be negotiated prior to registration of the subdivision, shall contain a clause that servicing allocation will not be assigned until the plan is granted final approval for registration, and a similar clause be inserted in the subdivision agreement between the owner and the City of Port Colborne.

Commented [EA8]: To be deleted.
Duplicate of Condition 23.

49. [That in order to provide for Regional curbside collection of waste the owner shall comply with any applicable Regional policies relating to the collection of waste and ensure that all streets and development blocks can provide a through access.]

Commented [EA9]: To be deleted.
Duplicate of Condition 24.

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TO: Mayor Steele and Members of City Council

FROM: Accessibility Advisory Committee

DATE: July 8, 2019

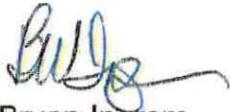
RE: Accessibility for Ontarians with Disabilities Act – the Honourable David Onley’s recommendations

The Port Colborne Accessibility Advisory Committee recommends the following to Council:

That the recommendation from the Accessibility Advisory Panel of the City of Greater Sudbury to the Honourable Raymond Cho, Minister for Seniors and Accessibility, to adopt the recommendations of David Onley in his review of the Accessibility for Ontarians with Disabilities Act and commit to the implementation of new standards for the build environment, stronger enforcement of the act, accessibility for design professions, and an assurance that public money is never again used to create new accessibility barriers, be supported.

The correspondence from the Chair of the Accessibility Advisory Panel of the City of Greater Sudbury is attached. The review by the Honourable David Onley can be viewed at <https://files.ontario.ca/seniors-accessibility-third-review-of-aoda-en-2019.pdf>.

Respectfully,



Bryan Ingram
Chair, Port Colborne Accessibility Advisory Committee

June 26, 2019

The Honourable Raymond Cho
Minister for Seniors and Accessibility
Legislature of Ontario
College Park, 5th Floor
777 Bay Street
Toronto, ON
M7A 1S5

Minister Cho:

Re: Onley Report Recommendations

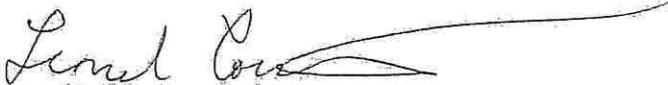
As Chair of the City of Greater Sudbury Accessibility Advisory Panel, and on behalf of my fellow Panel Members I am writing to urge you to support the recommendations of David Onley in his review of the Accessibility for Ontarians with Disabilities Act and commit to the implementation of new standards for the built environment, stronger enforcement of the act, accessibility training for design professions and an assurance that public money is never again used to create new accessibility barriers.

Without support for the Onley recommendations, the Province's established target date for making Ontario fully accessible by the year 2025 becomes unachievable.

The City of Greater Sudbury is among a number of municipalities and public sector organizations that have undertaken many initiatives to promote and enhance accessibility throughout their communities. These organizations have demonstrated a strong commitment to barrier free access and inclusion for all people regardless of ability.

As persons with disabilities living in Ontario we believe that it is time for the province to take a leadership role by supporting the Onley recommendations and offering tools and resources to public sector organizations to assist them in achieving the goal of making our province barrier free by 2025.

Regards,



Lionel Courtemanche
Chair, City of Greater Sudbury Accessibility Advisory Panel

City of Port Colborne
RECEIVED
JUN 21 2019

CORPORATE SERVICES
DEPARTMENT

June 21, 2019

CL 12-2019, June 20, 2019
PHSSC 6-2019, June 11, 2019
PHD 09-2019, June 11, 2019

AREA MUNICIPAL CLERKS

SENT ELECTRONICALLY

Re: Notice of Passing of By-law to Amend By-law 112-2013 being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke - Triple Majority Requirement
PHD 09-2019, June 11, 2019

Regional Council, at its meeting of June 20, 2019, approved the following recommendation of its Public Health and Social Services Committee:

1. That Regional Council **APPROVE** the proposed amendments to By-law No. 112-2013 being a Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke, outlined in the Consultation Recommendations section of Report PHD 09-2019;
2. That Regional Council **ADOPT** a bill to amend By-law No. 112-2013 being a Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke, to include the amendments found in the Consultation Recommendations section of Report PHD 09-2019, that will, if adopted, come into force and effect on August 1, 2019 provided that:
 1. A majority of the councils of the local area municipalities pass resolutions consenting to the By-law; and
 2. The total number of electors in the local municipalities that have passed resolutions in support of the Bill form a majority of all electors in the Region of Niagara as established in the revised list of electors for the municipal election held in the year 2018; and
3. That, subject to the adoption of the aforementioned Bill, a copy of the Bill and Report PHD 09-2019 **BE CIRCULATED** to the Clerks of the 12 local area municipalities with a request that their councils adopt the following resolution and advise the Regional Clerk of the results of that consideration, no later than July 31, 2019:

“That the Council of (name of municipality) consents to the passage of By-law No. 2019-52 of The Regional Municipality of Niagara, being a by-law to amend By-law 112-2013 - A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke.”

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

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

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

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

Local Area Municipality	Population	Eligible Electors
Fort Erie	30,710	23,460
Grimsby	27,314	20,398
Lincoln	23,787	16,974
Niagara Falls	88,071	60,892
Niagara-on-the-Lake	17,511	14,237
Pelham	17,110	13,910
Port Colborne	18,306	15,208
St. Catharines	133,113	92,133
Thorold	18,801	14,471
Wainfleet	6,372	5,786

Welland	52,293	37,879
West Lincoln	14,500	11,336
Total for Region	447,888	326,684

*as of the 2018 Municipal Election

We respectfully request that you place this matter before your Council at your earliest opportunity to consider a resolution consenting to the by-law and advise accordingly of the action taken by your Council no later than July 31, 2019.

A copy of Report PHD 09-2019 and By-law No. 2019-52 are enclosed for your information.

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

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2019-160

Subject: Amendments to By-law 112-2013 – A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke

Report to: Public Health and Social Services Committee

Report date: Tuesday, June 11, 2019

Recommendations

1. That Regional Council **APPROVE** the proposed amendments to By-law No. 112-2013 being a Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke, outlined in the Consultation Recommendations section of Report PHD 09-2019;
2. That Regional Council **ADOPT** a bill to amend By-law No. 112-2013 being a Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke, to include the amendments found in the Consultation Recommendations section of Report PHD 09-2019, that will, if adopted, come into force and effect on August 1, 2019 provided that:
 - a. A majority of the councils of the local area municipalities pass resolutions consenting to the By-law; and
 - b. The total number of electors in the local municipalities that have passed resolutions in support of the Bill form a majority of all electors in the Region of Niagara as established in the revised list of electors for the municipal election held in the year 2018; and
3. That, subject to the adoption of the aforementioned Bill, a copy of the Bill and Report PHD 09-2019 **BE CIRCULATED** to the Clerks of the 12 local area municipalities with a request that their councils adopt the following resolution and advise the Regional Clerk of the results of that consideration, no later than July 31, 2019:

“That the Council of (name of municipality) consents to the passage of By-law No. <> of The Regional Municipality of Niagara, being a by-law to amend By-law 112-2013 - A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke.

Key Facts

- *Smoke-Free Ontario Act, 2017 (SFOA) and Cannabis Statute Law Amendment Act, 2018* incorporated cannabis and vaping products into SFOA's scope, and prohibited cannabis and e-cigarette places of use to be the same as tobacco products.

- The Outdoor Second-hand Smoking By-law Amendment Report (PHD 02-2019) sought to harmonize the existing Regional by-law with the amended *SFOA*, by including cannabis and vaping products. This amending by-law was approved as By-law 2019-07 and allowed for time to consult with the public, work with the municipalities to improve the by-law, and conduct a review of research to understand the health effects of second-hand exposure to cannabis and e-cigarette vapour. The amending by-law included a sunset clause in that it is only intended to be in force until a permanent by-law is enacted.
- Through the leadership of the area CAOs, fulsome consultation has occurred with municipal representatives and a survey was conducted to gauge public opinion.
- Public health is concerned that continued cannabis and e-cigarette use without policy to limit places of use could lead to normalization of use, second-hand exposure to smoke and vapour, and also trigger relapse through exposure of those individuals trying to quit.
- The review of research supports restricting cannabis use as a precautionary approach with cannabis smoke containing multiple known carcinogens already found in tobacco smoke. While e-cigarette vapour has shown minimal harm, youth are taking up e-cigarettes at an alarming rate and youth e-cigarette users have demonstrated a higher chance of switching to tobacco use.
- The local area municipalities (LAMs) were presented with the results from the public consultation survey and the review of research to guide decision making. The research, public and LAMs are supportive of including cannabis and vaping into the Regional by-law, while expanding the prohibited places of use to include
 - Nine metres from entrances or exits of public buildings
 - Municipal/regional recreational trails
 - Municipal/regional beaches

Financial Considerations

There are no financial implications from the amendments to the Regional by-law. Keeping the Regional by-law aligned with the *SFOA* will streamline enforcement and continue to keep costs minimal.

Analysis

Smoke-Free Legislative Updates

Upon legalization of recreational cannabis on October 17, 2018, new *SFOA* provisions were simultaneously proclaimed to prohibit cannabis and vaping use where tobacco is prohibited. With this update, Niagara Region By-law No. 112-2013 became misaligned by only applying to tobacco products. Subsequently, a by-law to amend By-law 112-2013 to include cannabis and vaping products with a one-year sunset clause, received triple majority support which allowed for harmonization while staff worked on reviewing

the latest research evidence on the topic, as well as a fulsome consultation with the public and LAMs.

Review of Latest Research Evidence:

Tobacco

Smoking tobacco remains the leading cause of preventable disease and preventable death in Ontario and Canada. Legislative smoking restrictions have been shown to have multiple beneficial effects, including

- Decrease exposure of non-smokers to second-hand tobacco smoke, and thereby decrease harmful effects of second-hand smoke¹
- Support for smokers in either increasing success in quit attempts or by decreasing the amount they smoke²
- Decrease the prevalence of smoking through deterring people from initiating use³
- Associated with increase in self-imposed restriction of smoking in the home, further decreasing the exposure of children to second-hand smoke⁴

Evidence supports legislation aimed at limiting exposure to second-hand smoke and protecting people's rights to smoke-free air.⁵ Such legislative examples could include the *SFOA* or local smoke-free by-laws. The Regional By-law has demonstrated Niagara's commitment to denormalization, i.e. decreasing the social acceptance of smoking, and making smoking an abnormal occurrence. Broader by-laws help with denormalization and supporting citizens who are trying to quit by reducing the volume of visual cues in areas of daily life.⁶

¹ Frazer K, Callinan JE, McHugh J, et al. Legislative smoking bans for reducing harms from secondhand smoke exposure, smoking prevalence and tobacco consumption. *Cochrane Database Syst Rev.* 2016; 2:CD005992. doi:10.1002/14651858.CD005992.pub3

² Monson E, Arsenault N. Effects of enactment of legislative (public) smoking bans on voluntary home smoking restrictions: A review. *Nicotine Tob Res.* 2017; 19(2): 141-148. doi:10.1093/ntr/ntw171

³ Monson E, Arsenault N. Effects of enactment of legislative (public) smoking bans on voluntary home smoking restrictions: A review. *Nicotine Tob Res.* 2017; 19(2): 141-148. doi:10.1093/ntr/ntw171

⁴ Monson E, Arsenault N. Effects of enactment of legislative (public) smoking bans on voluntary home smoking restrictions: A review. *Nicotine Tob Res.* 2017; 19(2): 141-148. doi:10.1093/ntr/ntw171

⁵ Holitzki H, Dowsett LE, Spakman E, Noseworthy T, Clement F. Health effects of exposure to second- and third-hand marijuana smoke: A systematic review. *CMAJ Open.* 2017; 5(4): E814-E822. doi:10.9778/cmajo.20170112

⁶ Robertson L, McGee R, Marsh L, Hoek J. A systematic review on the impact of point-of-sale tobacco promotion on smoking. *Nicotine Tob Res.* 2015;17(1):2-17. doi:10.1093/ntr/ntu168

Cannabis

Cannabis research in terms of second-hand exposure is very limited. However, two systematic reviews on the health impacts of significant second-hand exposure to cannabis^{7,8} found

- Metabolites of cannabis found in bodily fluids following second-hand exposure
- Psychoactive effects occur with sufficient exposure,
- Eye irritation occurs with sufficient exposure.

These limited studies assessed only short-term impacts and primarily utilized unventilated rooms; ventilation significantly reduced or completely eliminated the impacts. However, cannabis smoke has been found to contain known carcinogens, similar to tobacco smoke.^{9,10} Second-hand cannabis therefore carries risk for similar health consequences, such as increased rates of heart disease and lung disease, including lung cancer. Including cannabis in Niagara's smoke-free by-law represents a reasonable precautionary approach considering the potential harm from second-hand exposure, but especially in terms of denormalization for Niagara's children and youth.

E-cigarettes

Several systematic reviews have been conducted on the health impacts of second-hand e-cigarette vapour:^{11,12,13,14}

⁷ Holitzki H, Dowsett LE, Spakman E, Noseworthy T, Clement F. Health effects of exposure to second- and third-hand marijuana smoke: A systematic review. *CMAJ Open*. 2017; 5(4): E814-E822. doi:10.9778/cmajo.20170112

⁸ Berthet A, De Cesare M, Favrat B, et al. A systematic review of passive exposure to cannabis. *Forensic Sci Int*. 2016; 269: 97-112. doi: 10.1016/j.forsciint.2016.11.017

⁹ Maertens RM, White PA, Rickert W, et al. The genotoxicity of mainstream and sidestream marijuana and tobacco smoke condensates. *Chem Res Toxicol*. 2009; 22(8): 1406-1414. doi:10.1021/tx9000286

¹⁰ Moir D, Rickert WS, Levasseur G, et al. A comparison of mainstream and sidestream marijuana and tobacco cigarette smoke produced under two machine smoking conditions. *Chem Res Toxicol*. 2008; 21(2): 494-502. doi:10.1021/tx700275p

¹¹ Glasser AM, Collins L, Pearson JL, et. Al. Overview of electronic nicotine delivery systems: A systematic review. *Am J Prev Med*. 2017; 52(2):e33-e66. doi:10.1016/j.amepre.2016.10.036

¹² Hess IMR, Lachireddy K, Capon A. A systematic review of the health risks from passive exposure to electronic cigarette vapour. *Public Health Res Pract*. 2016; 26(2): e2621617. doi:10.17061/phrp2621617

¹³ Farsalinos KE, Polosa R. Safety evaluation and risk assessment of electronic cigarettes as tobacco cigarette substitutes: A systematic review. *Ther Adv Drug Safety*. 2014; 5(2): 67-86. doi:10.1177/2042098614524430

¹⁴ Grana R, Benowitz N, Glantz SA. E-cigarettes: A scientific review. *Circulation*. 2014; 129: 1972-1986. doi:10.1161/circulationaha.114.007667

- Second-hand exposure to vapour increases cotinine (a metabolite of nicotine) in blood^{15,16}
- E-cigarette vapour increases particulate matter, heavy metals, and nicotine in the air, however levels are significantly less than conventional cigarette smoke^{17,18,19}
- Second-hand exposure to vapour has a minimal to negligible potential to harm^{20,21,22}

One study found that e-cigarette use in adolescents and young adults increased the probability of beginning to smoke conventional cigarettes.²³ If a youth did not smoke and had never used an e-cigarette, there was found to be a 7.9% chance that they would begin to smoke in the future. However, if a youth began using an e-cigarette, there was a 30.4% chance of them beginning to smoke conventional cigarettes in the future.²⁴ Thus, a strong reason to include e-cigarettes in the by-law is to deter youth from initiating tobacco use.

Niagara Region Public Health and Emergency Services (NRPH & ES) is assessing our capacity to conduct a local evaluation on the impact of smoke-free policies, to understand how well the intended goals are being achieved and to inform possible improvements.

¹⁵ Glasser AM, Collins L, Pearson JL, et. Al. Overview of electronic nicotine delivery systems: A systematic review. *Am J Prev Med.* 2017; 52(2):e33-e66. doi:10.1016/j.amepre.2016.10.036

¹⁶ Grana R, Benowitz N, Glantz SA. E-cigarettes: A scientific review. *Circulation.* 2014; 129: 1972-1986. doi:10.1161/circulationaha.114.007667

¹⁷ Hess IMR, Lachireddy K, Capon A. A systematic review of the health risks from passive exposure to electronic cigarette vapour. *Public Health Res Pract.* 2016; 26(2): e2621617. doi:10.17061/phrp2621617

¹⁸ Farsalinos KE, Polosa R. Safety evaluation and risk assessment of electronic cigarettes as tobacco cigarette substitutes: A systematic review. *Ther Adv Drug Safety.* 2014; 5(2): 67-86. doi:10.1177/2042098614524430

¹⁹ Grana R, Benowitz N, Glantz SA. E-cigarettes: A scientific review. *Circulation.* 2014; 129: 1972-1986. doi:10.1161/circulationaha.114.007667

²⁰ Glasser AM, Collins L, Pearson JL, et. Al. Overview of electronic nicotine delivery systems: A systematic review. *Am J Prev Med.* 2017; 52(2):e33-e66. doi:10.1016/j.amepre.2016.10.036

²¹ Hess IMR, Lachireddy K, Capon A. A systematic review of the health risks from passive exposure to electronic cigarette vapour. *Public Health Res Pract.* 2016; 26(2): e2621617. doi:10.17061/phrp2621617

²² Farsalinos KE, Polosa R. Safety evaluation and risk assessment of electronic cigarettes as tobacco cigarette substitutes: A systematic review. *Ther Adv Drug Safety.* 2014; 5(2): 67-86. doi:10.1177/2042098614524430

²³ Soneji S, Barrington-Trimis JL, Wills TA, et al. Association between initial use of e-cigarettes and subsequent cigarette smoking among adolescents and young adults: A systematic review and meta-analysis. *JAMA Pediatr.* 2017; 171(8): 788-797. doi:10.1001/jamapediatrics.2017.1488

²⁴ Soneji S, Barrington-Trimis JL, Wills TA, et al. Association between initial use of e-cigarettes and subsequent cigarette smoking among adolescents and young adults: A systematic review and meta-analysis. *JAMA Pediatr.* 2017; 171(8): 788-797. doi:10.1001/jamapediatrics.2017.1488

Public Consultation

In order to conduct a fulsome consultation with the public, NRPH & ES developed a survey with the following objectives:

- a. To understand Niagara residents' opinions and attitudes toward smoking restrictions
- b. To determine the level of support or opposition to the amendments to Regional By-law No. 112-2013 in By-law No. 2019-07
- c. To determine the level of support or opposition toward possible by-law amendments

An online and paper survey was available between March 7 and April 5, 2019. The survey was promoted primarily through social media accounts (i.e. Facebook, Twitter, Instagram), and municipal/regional websites. Respondents to the survey resided both inside and outside of Niagara Region. There were a total of 5,578 surveys completed. See below for the breakdown of survey responses for residents within Niagara Region by municipality; this shows that a representative distribution of respondents was achieved.

Table 1-Number and Proportion of Respondents by Municipality

Municipality	Population Estimate (2016) ^a	Proportion of Total Niagara Population	Number of Respondents	Proportion of Total Survey Respondents
Niagara	447,888	100%	5,508	98.7%
St. Catharines	133,113	30%	1,677	30.1%
Niagara Falls	88,071	20%	1,035	18.6%
Welland	52,293	12%	691	12.4%
Fort Erie	30,710	7%	414	7.4%
Port Colborne	18,306	4%	300	5.4%
Lincoln	23,787	5%	298	5.3%
Niagara-on-the-Lake	17,511	4%	256	4.6%
Grimsby	27,314	6%	254	4.6%
Thorold	18,801	4%	220	3.9%
Pelham	17,110	4%	183	3.3%

West Lincoln	14,500	3%	109	2.0%
Wainfleet	6,372	1%	71	1.3%

^aData source: Statistics Canada, 2016 Census of the Population. All data references are for the Census Division of Niagara.

Of the respondents, 35% used at least one tobacco or alternative product (i.e., cigarettes, cigars, little cigars and cigarillos, shisha/hookah, cannabis [medical & recreational], vapes [including JUUL] or Heat-Not-Burn tobacco products) at least once in the past 30 days.

Overall, 75.7% of respondents are supportive of the amendments to Regional By-law No. 112-2013, which includes tobacco, cannabis and vaping products. Furthermore, 84.7% of respondents are supportive of including additional prohibited locations, the list of which was selected from a scan of smoke-free by-laws in other jurisdictions.

Table 2-Number and Proportion of Respondents Who Support Additional Locations in By-Law

Location	<i>n</i>	%
Nine metre radius surrounding any entrance or exit of a public building	4,416	79.2%
Municipal recreational trails (including trail entrances/exits)	3,144	56.4%
Municipal beaches	3,377	60.5%
Outdoor community meeting areas	3,515	63.0%
Other	771	13.8%

NRPH & ES receives daily complaints to the Tobacco Hotline from Niagara region residents. Over the course of 2014 to 2018, NRPH & ES received 559 documented complaints related to smoking. Smoking in front of entrances or exits to public buildings is the highest complaint for outdoor spaces, and this finding is further supported through the recent public survey with 79.2% of respondents supportive of prohibiting smoking

and vaping within a nine-metre radius surrounding any entrance or exit of a public building.

Municipal Consultation

In January 2019, NRPH & ES had a meeting with the Chief Administrative Officers (CAOs) from the local area municipalities (LAMs) to discuss the smoke-free outdoor spaces by-law and the changes to the *SFOA*. The CAOs recommended that a representative group from each LAM work together to form a consensus on amendments to the Regional by-law in a collaborative approach.

Subsequent meetings were held between February and April with the 12 LAM representatives. Representatives included a cross section of disciplines including by-law enforcement, planning and development, parks and recreation, legal services, building, health and safety, and a CAO.

The group was provided with background information on the by-law, changes to the *SFOA*, current research and evidence on cannabis and vaping, and results of an environmental scan of recent smoke-free bylaw amendments. As a group, decisions and guidance were provided for the public consultation survey including planning, implementation, and communication.

Survey results from public consultation were shared with the LAM representatives, from the perspective of the entire sample size, as well as municipal-specific information. Each proposed amendment was based on the literature review, environmental scan, and/or public consultation results. The LAM group was presented with an individual item for consideration, given the opportunity to discuss whether the amendments should be added, and then each LAM was provided an opportunity to either support or oppose the amendment.

Consultation Recommendations

The LAM representatives with consensus recommend the following amendments to Niagara Region By-law No. 112-2013

1. Inclusion of tobacco, cannabis and vaping
2. Expanding the prohibit places of use to include
 - a. Nine metres from entrances or exits of public buildings
 - b. Municipal/regional recreational trails
 - c. Municipal/regional beaches

Exclusions to the by-law include highways, road allowances abutting a regional or municipal property, municipal sidewalks, designated parking areas, and rights-of-way.

The *Municipal Act* provides municipalities the authority to pass by-laws with respect to the health, safety, and well-being of persons and specifically with respect to smoking and vaping of tobacco, cannabis and vapour products (section 115).

Furthermore, the *Municipal Act* provides authority to prohibit use within public places and workplaces.

To be enacted, the by-law must pass a “triple majority”, meaning

1. A majority of votes in favour of the by-law are cast at Regional Council
2. A majority of the local area municipalities must pass their own resolutions consenting to the by-law
3. The number of electors in those municipalities that pass consenting resolutions must represent a majority of all electors in the Region. If the by-law fails on either (1) or (2) above, it will be deemed to have been repealed at the Regional level.

Enforcement

Enforcement of smoking and vaping restrictions is often raised as a fiscal concern, however research following the implementation of local tobacco by-laws demonstrates that new laws are manageable with the current staff and within operational budgets.²⁵ The amended by-law will utilize the existing five FTE Tobacco Control Officers (TCOs) that currently enforce the Smoke-Free Ontario Strategy and current Regional By-law. Responsibilities of the TCOs entail promotion, education, and enforcement. Since legalization on October 17, 2018 to May 1, 2019, NRPH & ES has received 17 complaints related to cannabis and 92 complaints related to vaping.

In Niagara, enforcement of any new legislation consists of an education phase, and then moves on to warnings and/or charges, as appropriate. Enforcement of this by-law will be performed on a complaint basis where the TCOs work in conjunction with existing municipal by-law officers. Municipal by-law officers will have the authority to issue charges if there is support and capacity from their LAM.

A complaint referral process will be in place based on what already exists through the Tobacco Hotline and the NRPH & ES website. Previous experience enforcing by-laws demonstrates that comprehensive education efforts are fundamental to ensuring successful implementation. It is important to ensure that people know about the changes and NRPH & ES will ease into this change process with a similar approach to any of the legislative amendments.

²⁵ Kennedy RD, Zummach D, Filsinger S, Leatherdale ST. Reported municipal costs from outdoor smoke-free by-laws-experience from Ontario, Canada. *Tobacco Induced Diseases*. 2014; 12(4): 1-6. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3944976/>

Public Education

NRPH & ES has developed a public education strategy that will ultimately increase awareness of the by-law and educate residents of the benefits of a smoke-free and vape-free environment. Strategies will include utilizing existing staff and support from a summer student to provide education and awareness through dissemination of information and resources to various stakeholders and using existing website and social media channels to engage Niagara residents. LAMs have agreed to support the communication efforts with updates to municipal website's and/or social media pages, and this collaboration will improve the campaign's reach.

Signage

Purchasing and distribution of signage will be managed through the existing operational budget. The Region will supply signs to the local area municipalities and/or property owners/operators with either metal signs or decals. Owners and operators of public buildings will have access to ordering signage online via the NRPH & ES website, as per our usual process.

It will be the responsibility of the municipality or property owner/operator to post or adhere the signs as appropriate.

Alternatives Reviewed

Through the consultation process, neither the public nor the LAMs supported excluding cannabis or vaping from the by-law. Consideration was given to fully expand the by-law to all public spaces, however due to the authority granted under the *Municipal Act*, application was limited to public places that did not include highways, roads, or sidewalks. Furthermore, the scope of the consultation limited expansion of the by-law beyond the current recommendations, as well as recommendations based on evidence in terms of excessive prohibition.

Relationship to Council Strategic Priorities

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

Other Pertinent Reports

- [PHD 02-2019 – Outdoor Second-Hand Smoking By-law Amendment - REVISED](#)
- [PHD 01-2019 – Cannabis Legalization](#)
- [PHD 13-2018 – Comprehensive Tobacco Control Report](#)

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

Prepared by:

Diana Teng
Manager, Chronic Disease and Injury
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Recommended by:

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Public Health and Emergency Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Melanie Seguin, Health Promoter, Chronic Disease and Injury Prevention, Amanda Kirkwood, Program Evaluator, Organizational and Foundational Standards Division, Dr. Joanne Kearon, Medical Resident, David Lorenzo, Associate Director, Chronic Disease and Injury Prevention and reviewed by Dr. Andrea Feller, Associate Medical Office of Health.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2019-52

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

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

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

WHEREAS the *Smoke-Free Ontario Act, 2017*, S.O. 2017, c. 26 (hereinafter the "*Smoke-Free Ontario Act*") as amended prohibits smoking tobacco or cannabis, and vaping (the use of electronic cigarettes), but Regional By-Law No. 112-2013 prior to being amended in January 2019 only prohibited smoking tobacco;

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

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

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

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

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

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

WHEREAS on January 17, 2019, Regional Council passed By-law 2019-07, to amend By-law 112-2013, to temporarily include provisions respecting cannabis and vaping subject to consultation with the local area municipalities.

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

1. That the following definitions are added to subsection 1(1) of By-law 112-2013 in alphabetical order within the context of all definitions currently contained in said by-law:

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

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

“public place” means

- a. Any property owned, leased, or controlled by Niagara Region or any area municipality, including without limitation parks, playgrounds, sports or playing fields, recreational trails, beaches, arenas, recreational centers, community meeting areas, special events, farmers markets, bus shelters, splash pads, and pools;
- b. Any outdoor area within a nine-metre radius of an entrance to or exit from a building located on any property owned, leased or controlled by Niagara Region or any area municipality; and

- c. any outdoor area that is within a nine-metre radius of an entrance to or exit from a public building or building generally accessible to the public, whether or not the building is leased, or controlled by Niagara Region or any area municipality, including places of employment, condominium buildings, apartment buildings and other similar residential buildings;

Provided "public place" does not include:

- (1) Highways;
- (2) Road allowances abutting a regional or municipal property;
- (3) Municipal sidewalks, save, and except for that portion of any municipal sidewalk that is within a nine-metre radius of an entrance to or exit from a building located on any property owned, leased, or controlled by the Niagara Region or any area municipality;
- (4) Rights-of-way; and
- (5) Residential dwellings owned, operated, or subsidized by Niagara Regional Housing or an area municipality.

"use" with respect to electronic cigarettes includes any of the following:

- a. Inhaling vapour from an electronic cigarette;
- b. Exhaling vapour from an electronic cigarette;
- c. Holding an activated electronic cigarette;

"vape" means to use an electronic cigarette;

2. That the definition of "outdoor public place" contained in subsection 1(1) of By-law 112-2013 be removed.
3. That the word "outdoor" in section 2(1) of By-law 112-2013 be deleted.
4. That the definition of "smoke or smoking" contained in subsection 1(1) of By-law 112-2013 shall have the words "or cannabis" added following the word "tobacco" and prior to the word "or".

5. That section 2(1) of By-law 112-2013 shall be amended by adding after the word “tobacco” and prior to the word “upon” the following words:

“or cannabis or vape”
6. That the invalidity or unenforceability of a provision of this by-law or part of a provision of this by-law shall not negate the effectiveness or validity of the remaining provisions or parts thereof of this by-law.
7. That this bylaw shall come into force and effect on August 1, 2019, provided that:
 - a. A majority of the councils of the lower-tier municipalities forming part of the region of Niagara have passed resolutions consenting to the bylaw; and,
 - b. The total number of electors in the lower-tier municipalities that have passed resolutions form a majority of all electors in The Regional Municipality of Niagara.
8. That By-law 2019-07 be repealed effective August 1, 2019.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: June 20, 2019

June 25, 2019

CL 11-2019, June 20, 2019

PWC 6-2019, June 11, 2019

PW 30-2019, June 11, 2019

**TOWN OF LINCOLN
CITY OF PORT COLBORNE**

SENT ELECTRONICALLY

Joint Canadian Urban Transit Association Reporting Memorandum of Understanding
PW 30-2019

Regional Council, at its meeting held on June 20, 2019, passed the following recommendation of its Public Works Committee:

That Report PW 30-2019, dated June 11, 2019, respecting Joint Canadian Urban Transit Association Reporting Memorandum of Understanding, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Chief Administrative Officer **BE AUTHORIZED** to execute an agreement to establish the commitment by the Town of Lincoln, City of Port Colborne, and Niagara Region to consolidate Canadian Urban Transit Association (CUTA) statistics reporting for the purpose of increasing the respective shares of Provincial Gas Tax (PGT) between 2020 and 2023;
2. That Niagara Region staff **BE DIRECTED** to report transit statistics in consolidation with the City of Port Colborne and Town of Lincoln to maximize PGT funding from the Ministry of Transportation (MTO); and
3. That Report PW 30-2019 **BE CIRCULATED** to the Town of Lincoln and the City of Port Colborne.

A copy of PW 30-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

:jg

CLK-C 2019-117

cc: H. Talbot Financial & Special Projects Consultant, Enterprise Resource Management Services
N. Coffey Executive Assistant to the Commissioner, Public Works
C. Habermehl Acting Commissioner, Public Works

Subject: Joint Canadian Urban Transit Association Reporting Memorandum of Understanding

Report to: Public Works Committee

Report date: Tuesday, June 11, 2019

Recommendations

1. That the Chief Administrative Officer **BE AUTHORIZED** to execute an agreement to establish the commitment by the Town of Lincoln, City of Port Colborne, and Niagara Region to consolidate Canadian Urban Transit Association (CUTA) statistics reporting for the purpose of increasing the respective shares of Provincial Gas Tax (PGT) between 2020 and 2023;
2. That Niagara Region staff **BE DIRECTED** to report transit statistics in consolidation with the City of Port Colborne and Town of Lincoln to maximize PGT funding from the Ministry of Transportation (MTO); and
3. That Report PW 30-2019 **BE CIRCULATED** to the Town of Lincoln and the City of Port Colborne.

Key Facts

- The purpose of this report is to seek authorization to develop a MoU and enter into an agreement with the City of Port Colborne and Town of Lincoln for consolidated reporting of CUTA statistics by Niagara Region in light of the financial benefits outlined in report LNTC-C 1-2019.
- Total increase to the Niagara area in PGT between 2020 and 2023 with the proposed joint CUTA reporting is estimated at \$0.24 million.
- Niagara Region's annual PGT allocation will be reduced by \$0.2 million in 2020 when the population statistics which apply to Lincoln are removed from MTO's calculation for Niagara Region. This combined with the already reduced amount of \$0.16 million from the removal of Port Colborne population, results in an under funding of \$0.36 million for Niagara Region. The introduction of other new local transit operators within Niagara Region who apply for PGT will further reduce the PGT eligible to Niagara Region.
- However, Niagara Region has the ability to realize \$0.04 million annually in additional gas tax over the Agreement period by leveraging Niagara Region's annual transit spending, which is in excess of MTO's 75% municipal contribution threshold.

- The joint reporting MoU timeline is as follows:
 - June 2019 - 2018 CUTA transit statistics to be reported
 - Q4 2019 - MTO PGT allocation announcements (no later than Q1 2020)
 - Q1 2020 - Municipalities receive funding from MTO
- “Fiscal Responsibility and Affordability with no negative impacts on local transit revenues” was a guiding principle from the *Niagara Transit Service Delivery and Governance Study* (Dillon Report, 2017) and the subsequent MoU signed in 2017. Staff continues to quantify the impacts to PGT as well as the operating and capital costs resulting from the route consolidations outlined in LNTC-C 21-2018.

Financial Considerations

As part of an ongoing and strategic effort to maximize the capital funds available to support transit growth in Niagara, the Linking Niagara Transit Committee (Report LNTC-C-1-2019 Joint CUTA Reporting attached as Appendix 1) suggests an MoU be developed for consolidated reporting of annual CUTA statistics by the Niagara Region with City of Port Colborne (Port Colborne) and Town of Lincoln (Lincoln).

The PGT allocation to flow to Port Colborne and Lincoln between 2020 and 2023 inclusively, is estimated at \$1.19 million¹. The estimated loss of PGT allocation to the Region, during the same time period, is \$1.42 million (Table 1). The total net loss of \$0.24 million is a result of MTO’s existing formula for population and the 75 percent municipal spending threshold as described in Report LNTC-C 1-2019.

Table 1: Estimated PGT through independent CUTA reporting

Independent Reporting million \$	Niagara Region Budget Year (PGT Receipt)				Total
	2020	2021	2022	2023	
Port Colborne Transit	\$ 0.16	\$ 0.09	\$ 0.11	\$ 0.16	\$ 0.52
Lincoln Transit	\$ 0.12	\$ 0.16	\$ 0.19	\$ 0.20	\$ 0.67
Total Local PGT Allocation	\$ 0.28	\$ 0.25	\$ 0.30	\$ 0.36	\$ 1.19
Niagara Region* Population Loss	\$ (0.36)	\$ (0.36)	\$ (0.36)	\$ (0.36)	\$ (1.42)
Total Local PGT Loss	\$ (0.08)	\$ (0.10)	\$ (0.05)	\$ -	\$ (0.24)

Through joint CUTA reporting, there exists an opportunity to ensure that the Regional loss of \$0.24 million is received (Table 2). The pre-determined revenue share and methodology are outlined in the analysis section under Tables 3 & 4.

¹ based on preliminary 2019 Municipal transit budgets and 3 years of operating forecasts

Table 2: Estimated PGT through joint CUTA reporting

Joint Reporting million \$	Niagara Region Budget Year (PGT Receipt)				Total	Total Impact
	2020	2021	2022	2023		
Port Colborne & Niagara Region	\$ 0.16	\$ 0.16	\$ 0.16	\$ 0.16	\$ 0.63	\$ 0.11
Lincoln & Niagara Region	\$ 0.20	\$ 0.20	\$ 0.20	\$ 0.20	\$ 0.79	\$ 0.12
Total Combined PGT Allocation	\$ 0.36	\$ 0.36	\$ 0.36	\$ 0.36	\$ 1.42	\$ 0.24
Lincoln Share	\$ 0.16	\$ 0.18	\$ 0.20	\$ 0.20	\$ 0.73	\$ 0.06
PC Share*	\$ 0.13	\$ 0.14	\$ 0.13	\$ 0.16	\$ 0.56	\$ 0.05
Total Regional PGT Allocation	\$ 0.07	\$ 0.04	\$ 0.02	\$ -	\$ 0.13	\$ 0.13

* the 2019 savings from the upload of the PC Link Route will result in an additional \$0.08 M for transit reinvestment; the PC total financial impact from the Agreement and Link upload is \$0.13 million

Analysis

Under the PGT funding program, municipalities qualify for funding if they contribute financially to public transit services, with the total share determined by a formula of 70 percent ridership and 30 percent population. The current provincial envelope generates approximately \$0.27 per transit ride and \$8.31 per capita. In addition, the PGT funding provided to each municipality is not to exceed 75 percent of their municipal own spending (tax levy plus revenue) on transit. The intended use of the PGT program is to support ridership growth and provide funding for incremental transit spending by offsetting portions of the capital investments required. Smaller local transit operators with limited capital investment primarily utilize PGT to offset operational expenses. As a result, under independent CUTA reporting, the municipal own spending may not be sufficient to ensure that the maximum amount of eligible PGT is received.

The existing PGT program also creates an additional obstacle within Niagara Region in circumstances where local populations rely on both local and inter-municipal transit connections. Under the current MTO allocation methodology, population statistics can only be applied to and received by one transit operator. Therefore, as smaller municipalities start new local transit services, the allocation to NRT is reduced. In 2017, the allocation of Niagara Region's PGT was reduced by \$0.15 million when the Town of Pelham received their first year of PGT. This impact will be compounded with an additional reduction of \$0.197 million with Lincoln receiving PGT funds this year.

This report proposes that the 2018 municipal transit statistics for Port Colborne and Lincoln be submitted by Niagara Region in combination with NRT transit statistics in June 2019. The combined reporting will leverage Niagara Region's sufficient transit spending to not limit our eligibility relative to MTO's spending cap threshold. The PGT allocations based on the submitted statistics are typically announced to Municipalities around December. The receipt of funding follows 3 - 4 months later. This aligns with the provincial fiscal year of 2019-2020. The PGT funding allocations will therefore become available during the municipal 2020 budget year. The MoU agreement will follow the same timeline for 2019 transit statistics with funding becoming available during the 2021

budget year. The Lincoln agreement will be for two years, while the Port Colborne agreement will continue through to the 2022 budget year.

Port Colborne Agreement

The agreement with Port Colborne is based on the principle that following the full operating cost upload of route #25 (Port Colborne Link) to the Niagara Region in 2019 (as approved in the 2019 Regional budget), Port Colborne will maintain a constant municipal contribution for their existing local community bus service equal to \$0.16 million (their 2018 municipal transit levy amount).

Beginning in January 2020, Niagara Region will pay invoices pertaining to contracted service for both the Port Colborne Link and the existing service levels for the Port Colborne Community Bus (local transit). Port Colborne will pay Niagara Region the cost of their base local transit service up to \$0.16 million. The estimated 2020 net operating budget for the Port Colborne local Community bus is \$0.26 million. The Region will utilize PGT funding to offset all local transit net service costs up to \$0.3 million annually. Local net operating costs greater than \$0.3 million will require additional funding from Port Colborne. If net operating costs fall below \$0.16 million, surplus funds will be transferred into the Port Colborne Transit reserve to be used for future transit reinvestment. The transfer of funding between Port Colborne and Niagara Region will continue through 2022, however Port Colborne will report its own 2021 transit statistics in (June 2022) with its subsequent funding in March 2023 going directly to Port Colborne.

Table 3: Port Colborne Transit PGT Allocation and Methodology

million \$	Niagara Region Budget Year				2020-2022 Impact
	2019	2020	2021	2022	
Port Colborne Local Transit Municipal Contribution	\$ 0.16	\$ 0.16	\$ 0.16	\$ 0.16	
PGT Receipt	\$ 0.11	\$ 0.16	\$ 0.16	\$ 0.16	
PGT used for Operating	\$ 0.10	\$ 0.10	\$ 0.12	\$ 0.13	
PC Transit Reinvestment					
PC Transit Reserve Savings	\$ 0.08				\$ 0.08
Port Colborne PGT share		\$ 0.03	\$ 0.02		\$ 0.05
Niagara Region PGT Share		\$ 0.03	\$ 0.02	\$ 0.02	\$ 0.07

The 2019 Port Colborne operating budget of \$0.18 million, includes the net operating costs associated with the Port Colborne Link (\$0.11 million). The agreed municipal transit contribution of \$0.16 million following the upload of the Port Colborne Link service to Niagara Region provides cost savings which would be reinvested into enhanced local transit over the next three years without impacts on the municipal levy. The total available funding to enhance local transit service is estimated at \$0.13 million over the term of the agreement.

Lincoln Agreement

The agreement with the Town of Lincoln is based on sharing the recovered PGT funding equally. Joint filing the 2018 transit statistics in June 2019 will result in PGT funding being received in March 2020. Once the allocation is received by the Niagara Region, the Region will allocate the pre-determined amount to Lincoln. The agreed PGT sharing allocation outlined in the MoU is \$0.16 million in 2020 and \$0.18 million in 2021 (as outlined in Table 4 below).

Table 4: Lincoln PGT Transit Allocation and Methodology

million \$	Niagara Region Budget Year	
	2020	2021
Provincial Fiscal Year	2019/2020	2020/2021
Allocation based on CUTA Reports Transit Statistics Year	2018	2019
Provincial Gas Tax Estimates		
Eligible	\$ 0.20	\$ 0.20
allocation to Lincoln	\$ 0.16	\$ 0.18
allocation to Region	\$ 0.04	\$ 0.02
Loss	\$ -	\$ -

When the potential for joint filing was originally explored, further assessment was needed to determine whether a joint filing agreement with Pelham would be advantageous. However, due to the 2019 transit expansion within Pelham, Pelham is now contributing sufficient municipal levy contributions to ensure the Town maximizes its entire eligible PGT funds to support its local transit service and joint filing is no longer required to ensure that all of the eligible PGT is received.

Alternatives Reviewed

An alternative to the proposed strategy would be to not report CUTA statistics jointly and continue to apply PGT towards offsetting local transit operating costs and realize year-over-year fluctuation in PGT allocations from the province. The estimated loss in PGT funding of \$0.24 M over the next three years would result in negative impacts to the taxpayer and prevent local and IMT agencies from expanding services without further financial impacts to the taxpayer. Discussions are currently underway with MTO as they conduct a review on their PGT program policies. Existing policy prevents the ability for Niagara Region to double count populations, which receive both local and inter-municipal transit services. The negative impact to Niagara Region's annual PGT allocation will continue to grow as more local municipalities provide service to their communities.

Relationship to Council Strategic Priorities

This proposal aligns with the previous Council strategic priority of achieving results under Doing Business Differently and Moving People and Goods and directly advances the following key Council Strategic Priorities:

- Provincial commitment to GO Rail expansion in Niagara
- Support local municipalities in developing long-term solutions for transit.

Other Pertinent Reports

- LNTC-C-1 2019 Joint CUTA Reporting
- LNTC-C 21-2018 IMT Service Implementation Strategy
- LNTC-C 22-2018 IMT Financial Impact Analysis
- LNTC-C 23-2018 IMT Capital Plan 2019
- PW 19-2018 Niagara Region Transit 2018 Service Agreement

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Appendices

Appendix 1 LNTC-C 1-2019 Rationale for Municipal and Regional provincial gas tax sharing through joint Canadian Urban Transit Association (CUTA) reporting

Subject: Rationale for Municipal and Regional provincial gas tax sharing through joint Canadian Urban Transit Association (CUTA) reporting

Report to: Linking Niagara Transit Committee

Report date: Wednesday, February 6, 2019

Recommendations

1. That Regional Council **AGREE IN PRINCIPLE** that Niagara Region report transit statistics in consolidation with local area municipalities operating smaller transit systems to maximize provincial gas tax (PGT) funding from MTO.
2. That staff **BE AUTHORIZED** to develop agreement terms in consultation with local area municipalities outlining the framework for consolidated reporting and the PGT as well as cost distribution between participating municipalities and Niagara Region.

Key Facts

- The purpose of this report is to seek authorization to develop a Memorandum of Understanding (MoU) with local area municipalities operating smaller transit systems for consolidated reporting of Canadian Urban Transit Association (CUTA) statistics by Niagara Region in light of the financial benefits outlined in this report.
- Total loss in PGT between 2019 and 2022 without proposed joint CUTA reporting is estimated at \$1.0M.
- Independent CUTA reporting from small local transit operators will not generate sufficient operating costs and municipal contributions to ensure they receive the maximum amount of eligible PGT at their current and projected funding levels.
- Benefits of Joint CUTA reporting:
 - Local transit operators could apply PGT funding towards net operating expenses without limiting future PGT allocations.
 - Local transit operators could increase transit spending without incremental tax burdens on residents.
 - Niagara Region would receive or share the population portion of the annual PGT allocation based the relative proportion of demand/ridership.
- “Fiscal Responsibility and Affordability with no negative impacts on local transit revenues” was a guiding principle from the *Niagara Transit Service Delivery and Governance Study* (Dillon Report, 2017) and the subsequent MoU signed in 2017. Staff continues to quantify the impacts to PGT as well as the operating and capital costs resulting from the route consolidations outlined in LNTC-C 21-2018.
- A discussion about provincial funding and the importance of investment in Niagara's future transit, including the GO expansion, was advanced at the recent AMO

conference in a meeting with the new Minister of Transportation. Discussions are ongoing with MTO at both the political and staff levels.

Financial Considerations

The proposed Niagara Region Transit (NRT) operational plan, including both service enhancements for existing routes and new service connections to Niagara West, Pelham, Crystal Beach and Wainfleet, once fully implemented will require an additional \$11.5M in net operating costs plus \$13.9M for new capital (LNTC-C-22-2018 and LNTC-C-23-2018). Local populations rely on both local and inter-municipal transit connections, however under the current MTO allocation methodology, population statistics can only be applied to and received by one transit operator. Options for sharing PGT between local and inter-municipal transit links were evaluated based on the ability to maintain a constant annual transit investment while enhancing and/or expanding service levels with no tax levy impact.

PGT is intended to fund expenditures that support ridership growth and are incremental to transit spending, and is not intended to replace or reduce the municipal contributions to transit. Smaller local transit providers generally operate a reduced level of service as compared to major transit operators. Based on the local population census data, the transit providers within Niagara with annual operating costs less than \$250,000 may not be eligible for the full PGT allowable through the MTO methodology. In addition, if a municipality reduces their spending on transit through reduced transit investment or inclusion of PGT funds to offset the municipal contribution, they would receive a reduced PGT allocation in the subsequent program year if they did not maintain the minimum municipal contribution percentage. Joint CUTA reporting provides an opportunity to ensure the region as a whole receives all eligible PGT funding.

Under the PGT funding program, municipalities qualify for PGT if they contribute financially to public transit services, with the total share determined by a formula of 70 percent based on ridership and 30 percent based on population. The 2018-2019 provincial envelope, based on this formula, generated approximately \$0.27 cents per transit ride and \$9.15 per capita. Despite the majority of the provincial funding envelope being allocated through ridership, the annual allocations for small transit operators depend heavily on population due to comparatively low ridership on these systems. This is especially true for the smaller transit operators in Niagara.

The total 2018 PGT allocation to the region was \$6.4M with an estimated \$4.0M (62%) being generated by the 447,876 census population. By 2022, the Provincial Government intends to increase the PGT funding from the current 2.0 cents per litre to 4.0 cents per litre, thus making Niagara's municipalities eligible for an estimated \$8.0M annually based on their population alone. The three largest municipalities, St. Catharines, Niagara Falls and Welland generate 47% of their \$5.0M in PGT from

population, where as the remaining municipalities realize 94% of their \$1.45M in PGT from population and based on the MTO methodology may not receive all eligible funds. The PGT allocated to NRT is derived from only those municipal populations which do not have local transit. In 2017, Pelham received their first year of PGT which reduced the PGT funding for NRT since the population statistics can only be applied to and received by one transit operator. Despite increasing investment and expansion of NRT services, the introduction of local transit services such as Grimsby and Lincoln will result in additional NRT PGT reductions (estimated at \$475,000 annually).

Under the proposed NRT operational plan outlined in LNTC-C-21-2018, 100% of Fort Erie and Port Colborne Link route services are to being transferred to Niagara Region. The decrease in net operating costs realized by Port Colborne will drive the municipal transit spending below the necessary spending threshold to receive all eligible PGT funding. This risk is further compounded when the allocated PGT funding is used to offset the remaining operating costs as illustrated in the example below. Through joint CUTA reporting, these risks would be mitigated and ensure that all eligible funding is received.

Example: Reductions in eligible PGT funding

	Scenario 1	Scenario 2
A Operating Costs	\$ 200,000	\$ 200,000
B Revenue	\$ 20,000	\$ 20,000
C Donations	\$ 10,000	\$ 10,000
D PGT used in Operating		\$ 100,000
E Net Operating Cost	\$ 170,000	\$ 70,000
F Municipal Contribution (E+B+C-D)	\$ 200,000	\$ 100,000
Maximum PGT allowable (0.75*F)	\$ 150,000	\$ 75,000

The loss in PGT over the next four years is provided in Table 1 below and is estimated at approximately \$1.0 million for existing transit operators. The loss in PGT funding is expected to increase as local transit services begin in Lincoln, Grimsby, West Lincoln and Wainfleet. As local transit services expand and municipal contributions increase beyond \$250,000 annually, the estimated loss would decrease.

Table 1: Estimated combined loss in PGT through independent CUTA reporting

	2019	2020	2021	2022	2019 -2022
Fort Erie	\$ -	\$ -	\$ -	\$ -	\$ -
Port Colborne	\$ 40,628	\$ 50,189	\$ 182,761	\$ 259,563	\$ 533,142
Niagara on the lake	\$ -	\$ -	\$ -	\$ 31,845	\$ 31,845
Welland					
Niagara Falls					
St. Catharines					
Pelham	\$ 26,287	\$ 100,343	\$ 88,704	\$ 191,050	\$ 406,385
Estimate Lost PGT (Existing Transit Operations)	\$ 66,915	\$ 150,533	\$ 271,465	\$ 482,458	\$ 971,371

Together with other municipal partners, Niagara advanced a discussion about provincial funding and the importance of investment in Niagara's future transit and GO expansion at the recent AMO conference in a meeting with the new Minister of Transportation. Discussions are ongoing with MTO at both the political and staff levels. In the meantime, the development of a PGT sharing methodology could be established on a case by case basis and would be evaluated based on equity and fairness across the Niagara Region.

Analysis

Regional staff analysed each municipality independently and the opportunities were identified based on their ability to maintain the current level of transit investment and simultaneously allow for transit service expansions and enhancements.

Port Colborne and Fort Erie established Link routes to Welland and Niagara Falls respectively, but with limited service hours. In 2011, the service levels on the Link routes were enhanced through a pilot project funded by Niagara Region. The local routes have always been funded by the local municipality. In 2017, following the successful and unanimous triple majority process, the current Link routes were made a permanent component of inter-municipal transit (IMT). These routes are well established with historic baselines for service hours, operating costs and ridership however a distribution model for new local and IMT connections will be more difficult to determine since a start-up cost framework has not been established, nor is there a baseline for comparable service hours, operating costs and ridership. The options for sharing PGT, while rooted on the same premise that the populations within local boundaries benefit from both local and IMT connections, may require differing methodologies for allocating PGT. Therefore unique proposals for PGT sharing were provided for each of the following groups:

- Existing local and IMT routes
- New local and IMT routes

A. Existing Local and IMT Routes

Existing local and IMT Link routes have established operating costs and ridership and therefore provide the baseline for future PGT sharing opportunities. Options were evaluated based on the ability to maintain a consistent transit investment over the next four years and were not based on realizing operational cost savings (Table 2). In addition, opportunities were identified where service expansion at both the local and regional level could be realized without financial impacts to the tax levy.

Table 2: Options based on maintaining 2018 municipal contributions over next 4 years

	Opportunity / Target	Benefit	Risk
Option A	vary PGT applied to operating; holding tax levy constant at 2018 rate	- PGT funding available for NRT capital replacement /investment	-no funding for local transit re-investment
Option B	hold PGT applied to operating at the 2018 level	- cost savings realized from the Region Link upload to the Region provide funds for local transit re-investment - remaining PGT used for Link capital investment	- could result in large fluctuations in PGT funding year over year - funds may be in excess of service requirements - no PGT available for Link capital investment
Option C	apply all available PGT funds to operating	- could provide largest Local transit re-investment opportunity	- could result in large fluctuations in PGT funding year over year - funds may be in excess of service requirements - no PGT available for Link capital investment
Option D	Joint CUTA reporting - apply formula of ridership proportions to allocate PGT between Local & Link	- Captures all available PGT funds - ensures PGT distribution between local and regional transit proportionate to the demographic/population usage - provides tax levy no greater than 2018 base - allows for local and regional service expansion	- re-estimation of PGT sharing conducted annually

Based on the criteria of maintaining a constant local transit tax levy over the next 4 years, Option D above, provides the greatest opportunity for local transit service expansion plus PGT funding for NRT capital investment. Therefore, it is the recommendation of this report that joint CUTA reporting through Option D be the appropriate methodology for sharing the population portion of the PGT.

Existing Smaller Transit Operators

Fort Erie

Current operating costs and municipal contributions for Fort Erie Transit are sufficient to ensure full receipt of PGT at current and projected funding levels. It is estimated that 95% of the annual PGT is received through the population portion of the formula, while the remaining 5% is through ridership.

Fort Erie residents receive both local and Link transit services, therefore the preferred option for sharing PGT between Fort Erie and Niagara Region would be through

allocations based on the proportion of local and Link ridership, Option D. Applying the current estimated ridership proportion of 80% local and 20% link results in an annual estimate of \$238,000 in PGT remaining within Fort Erie and \$60,000 going to Niagara Region. Assuming the relative transit ridership remains constant, the 2022 estimates (including the proposed increase of the Provincial PGT envelope) projects \$418,000 to Fort Erie (annually) and \$105,000 for the Niagara Region (annually). Through joint CUTA reporting, annual PGT distribution would reflect actual ridership proportions each year to account for individual growth differences.

Table 3: Fort Erie Options for PGT Sharing through Joint Reporting

Fort Erie		2019 - 2022 Total Impact		
	Opportunity / Target	Municipal \$ Contribution	PGT Received	PGT Lost
Option A	holding tax levy constant at 2018 rate	\$4.11 M Total (all Base service)	- \$0.6 M used for FE Operating (no excess PGT for local Transit Re-Investment) - \$0.93 M used for FE Link Capital	No Lost PGT
Option B	hold PGT applied to operating at the 2018 level	\$4.11 M Total (\$3.57 M Base \$0.54 M Reinvestment)	- \$1.14 M used for FE Operating (incl. \$0.54 M PGT for local Transit Re-Investment) - \$0.40 M used for FE Link Capital	No Lost PGT
Option C	apply all available PGT funds to operating	\$4.11 M Total (\$3.18 M Base \$0.93 M Reinvestment)	- \$1.54 M used for FE Operating (incl. \$0.93 M PGT for local Transit Re-Investment) - \$0.0 M used for FE Link Capital	No Lost PGT
Option D	Joint CUTA reporting	\$4.11 M Total (\$3.48 M Base \$0.63 M Reinvestment)	- \$1.23 M used for FE Operating (incl. \$0.63 M PGT for local Transit Re-Investment) - \$0.31 M used for FE Link Capital	No Lost PGT

Note: the proportion of PGT allocated to NRT, assuming the increased provincial envelope would cover the capital investment required to service the Fort Erie Link route. Also assumes that the PGT doubles by 2022, as planned.

Based on Option D above, Fort Erie would generate an additional \$0.63M over the next 4 years to re-invest in local transit while holding the existing tax levy constant at 2018 levels. Niagara Region would receive sufficient funding to purchase one bus every 12 years at current PGT funding levels and two buses every 12 years if funding levels double. No other option provides this benefit.

Port Colborne

Current operating costs and municipal contributions for Port Colborne Transit are not sufficient to ensure full receipt of PGT at current and projected funding levels. It is estimated that 97% of the annual PGT is received through the population portion of the formula, while the remaining 3% is through ridership.

Table 4: Port Colborne Options for PGT Sharing through Joint Reporting

Port Colborne		2019 - 2022 Total Impact		
	Opportunity / Target	Municipal \$ Contribution	PGT Received	PGT Lost
Option A	holding tax levy constant at 2018 rate	Total \$0.41 M	- \$0.06 M used for PC Operating (no excess PGT for local Transit Re-Investment) - \$0.38 M used for PC Link Capital	\$0.38 M
Option B	hold PGT applied to operating at the 2018 level	Total \$0.41 M (\$0.19 M Base \$0.22 Reinvestment)	- \$0.27 M used for PC Operating (incl. \$0.22 M PGT for local Transit Re-Investment) - \$0.0 M used for PC Link Capital	\$0.53 M
Option C	apply all available PGT funds to operating	Total \$0.41 M (\$0.19 M Base \$0.22 Reinvestment)	- \$0.27 M used for PC Operating (incl. \$0.22 M PGT for local Transit Re-Investment) - \$0.0 M used for PC Link Capital	\$0.53 M
Option D	Joint CUTA reporting	Total \$0.41 M (\$0.18 M Base \$0.23 M Reinvestment)	- \$0.28 M used for PC Operating (incl. \$0.23 M PGT for local Transit Re-Investment) - \$0.53 M used for PC Link Capital	No Loss

Note: the proportion of PGT allocated to NRT, assuming the increased provincial envelope would cover the capital investment required to service the Port Colborne Link route. Also assumes that the PGT doubles by 2022, as planned.

Port Colborne's current operating practice, Option C, applies all available PGT funds towards reducing the tax levy requirements for transit operating costs. If this practice continues after NRT uploads 100% of Link service costs (which are currently 60% of Port Colborne's annual transit budget), the majority of allowable PGT will become ineligible. Port Colborne residents receive both local and Link transit services, therefore the preferred option for sharing PGT between Port Colborne and Niagara Region would be through allocations based on the proportion of local and Link ridership, Option D.

Through joint reporting and PGT sharing under Option D, Port Colborne would realize a consistent and lower year over year budget and ensure all eligible PGT funds are received. Applying the current estimated ridership proportion of 35% local and 65% Link would result in an annual estimated \$54,000 in PGT remaining within Port Colborne and an estimated \$100,000 going to Niagara Region. Assuming the relative transit ridership remains constant, the 2022 estimates including increases in the Provincial PGT

envelope, projects \$99,000 for Port Colborne and \$183,000 for the Niagara Region. Through joint CUTA reporting, annual PGT distribution would reflect actual ridership proportions each year to account for individual growth differences.

Based on Option D above, Port Colborne would generate an additional \$0.23M over the next 4 years to re-invest in local transit while holding the existing tax levy constant at 2018 levels. Option D also prevents the loss of PGT relating to the 75% threshold. Niagara Region would receive sufficient funding to purchase two buses every 12 years at current PGT funding levels and three buses every 12 years if funding levels double.

Niagara-on-the-Lake

Current operating costs and municipal contributions for Niagara-on-the-Lake Transit are sufficient to ensure full receipt of PGT at current and projected funding levels. It is estimated that 97% of the annual PGT is received through the population portion of the formula, while the remaining 3% is through ridership.

Niagara-on-the-Lake Transit does not currently operate a Link route, but instead connects with other IMT routes within its municipal boundary which gives its residents access to both local and IMT routes. NRT route 40/45 generated approximately 73,000 boardings in 2017, the relative percentage of resident trips using NRT was 73% with the remaining 17% utilizing local transit services. Table 5 below estimates \$101,229 of the total 2018 PGT allocation would be eligible to Niagara Region for services delivered to Niagara-on-the-Lake. Alternatively, MTO could contribute an incremental \$101,229 in PGT to Niagara Region based on the current 2.0 cents per litre currently apportioned for PGT funding.

Table 5: Niagara-on-the-Lake Option D - Population Servicing Methodology for PGT Sharing

	2017 adj. Boardings		Option D. Transit Ridership /Population	2018 PGT Allocation	Estimated Population Portion of PGT	2018 PGT population share to NR
	Local Ridership	NRT Ridership				
NOTL	27,303	73,200	72.8%	\$143,487	\$ 138,987	\$ 101,229

The current operating structure does not appear to realize any benefits to reporting jointly with Niagara Region. Future opportunities may develop as the consolidation framework unfolds.

Existing Large Transit Operators

The 2018 NRT proposed operational plan including the IMT route consolidations have estimated the financial impacts associated with the transfer of ridership and subsequent PGT funding from the municipalities to Niagara Region. The estimated PGT share within this report are to be included in the larger financial discussion regarding the total

financial impacts resulting from the proposed route consolidations outlined in the Dillon Report.

Welland

Current operating costs and municipal contributions for Welland Transit are sufficient to ensure full receipt of PGT at current and projected funding levels. It is estimated that 67% of the annual PGT Welland receives is generated through the population portion of the formula, while the remaining 33% is through ridership.

Table 6: Welland Option D - Population Servicing Methodology for PGT Sharing

	2017 adj. Boardings		Option D. Transit Ridership /Population	2018 PGT Allocation	Estimated Population Portion of PGT	2018 PGT population share to NR
	Local Ridership	NRT Ridership				
Welland	1,025,622	90,410	8.1%	\$691,259	\$ 465,035	\$ 37,672

Welland residents have direct access to both local and IMT routes. NRT routes 60/65 and 70/75 generated approximately 90,000 boardings in 2017, the relative percentage of resident trips using NRT was 8.0% with the remaining 92.0% utilizing local transit services. Table 6 above estimates \$37,672 of the total 2018 PGT allocation would be eligible to Niagara Region for services delivered to Welland. Alternatively, MTO could contribute an incremental \$37,672 in PGT to Niagara Region based on the current 2.0 cents per litre currently apportioned for PGT funding.

Niagara Falls

Current operating costs and municipal contributions for Niagara Falls Transit are sufficient to ensure full receipt of PGT at current and projected funding levels. It is estimated that 54% of the annual PGT Niagara Falls receives is generated through the population portion of the formula, while the remaining 46% is through ridership.

Table 7: Niagara Falls Option D - Population Servicing Methodology for PGT Sharing

	2017 adj. Boardings		Option D. Transit Ridership /Population	2018 PGT Allocation	Estimated Population Portion of PGT	2018 PGT population share to NR
	Local Ridership	NRT Ridership				
Niagara Falls	2,310,328	163,797	6.6%	\$1,401,055	\$ 762,310	\$ 50,468

Niagara Falls residents have direct access to both local and IMT routes. NRT routes 40/45, 50/55 and 60/65 generated approximately 164,000 boardings in 2017, the relative percentage of resident trips using NRT was 6.6% with the remaining 93.4% utilizing local transit services. Table 7 above estimates \$50,468 of the total 2018 PGT allocation would be eligible to Niagara Region for services delivered to Niagara Falls. Alternatively, MTO could contribute an incremental \$50,468 in PGT to Niagara Region based on the current 2.0 cents per litre currently apportioned for PGT funding.

St. Catharines

Current operating costs and municipal contributions for St. Catharines Transit are sufficient to ensure full receipt of PGT at current and projected funding levels. It is estimated that 48% of the annual PGT St. Catharines receives is generated through the population portion of the formula, while the remaining 52% is through ridership.

Table 8: St. Catharines Option D - Population Servicing Methodology for PGT Sharing

	2017 adj. Boardings		Option D. Transit Ridership /Population	2018 PGT Allocation	Estimated Population Portion of PGT	2018 PGT population share to NR
	Local Ridership	NRT Ridership				
St. Catharines	5,842,960	155,140	2.6%	\$2,882,397	\$ 1,371,573	\$ 35,475

St. Catharines residents have direct access to both local and IMT routes. NRT routes 40/45, 50/55 and 70/75 generated approximately 155,000 boardings in 2017, the relative percentage of resident trips using NRT was 2.6% with the remaining 97.4% utilizing local transit services. Table 8 above estimates \$35,475 of the total 2018 PGT allocation would be eligible to Niagara Region for services delivered to St. Catharines. Alternatively, MTO could contribute an incremental \$35,475 in PGT to Niagara Region based on the current 2.0 cents per litre currently apportioned for PGT funding.

B. New Local and IMT Routes

For municipalities which do not have local service or that have recently initiated local service or supporting IMT connections, baseline statistics are not available. Thus the start-up cost sharing framework including baseline service hours, operating costs, and ridership are not fully known. Using other local start-up operations as a reference, it is assumed that new local transit operations will not incur large capital expenditures since services will be contracted out to third party providers who transfer the cost of capital through fixed operating rates. The reduced capital pressures will likely result in the PGT funding being used to reduce municipal operating contributions and the subsequent tax levy impact. Therefore opportunities to share PGT between local and IMT providers may be based on a minimum municipal spending threshold plus assurance of a minimum PGT funding to cover NRT capital requirements. Determinations on the appropriate sharing methodology would be established through relative assessments based on the established guiding principle of equity and fairness across Niagara region.

Pelham

It is estimated that 99% of annual PGT will be received through the population portion of the formula, while the remaining 1% is through ridership. Pelham residents currently receive local transit service which includes one IMT stop, accounting for approximately 20% of the total route time. The current demand for the IMT portion of the route is not sufficient to warrant a conventional fixed route feeder service, however alternative service delivery options could meet the demand in a more cost effective solution.

Table 9: Pelham Required Municipal Transit Spend to Receive 100% of Eligible PGT

	Pelham	
	2019	2022
Eligible Population PGT	\$ 160,189	\$ 281,425
Required Municipal Own Transit Spending* (75% threshold)	\$ 213,586	\$ 375,233
*Municipal own spending includes passenger revenues, donations if applicable, and municipal contributions to operating and capital expenses		

The 2017 CUTA reported statistics estimate that the Pelham transit municipal contribution is insufficient to ensure Pelham receives 100% of eligible PGT funding in 2018. The net operating costs plus revenues and donations do provide sufficient transit investment to receive full funding however, the inclusion of the PGT funding to offset operating expenses reduces the municipal contribution and therefore reduces the subsequent years PGT allocation. The required municipal transit contribution (spending in excess of the PGT funding used for operating expenses) to receive 100% of the eligible PGT is presented in Table 9 above.

Prior to 2017, the Pelham population base was included in the NRT PGT allocation and accounted for an estimated \$150,000 annually. Comparing the 2017 Pelham budget with their estimated 2018 transit budget (Table 9), illustrates the dilemma that small transit operators face when applying all PGT funding towards operating costs. Holding transit investment constant at 2018 service levels, this approach projects large year over year fluctuations in the annual budgeted tax levy ranging from \$90,000 to \$150,000. This results in a total four year transit tax levy of \$0.51M, and eliminates the potential for surplus funding to be used for transit expansion as well as an estimated loss of \$0.44M in PGT funding from the province. The recent provincial announcement of the 2018/2019 PGT allocation supports this analysis with Pelham realizing a reduction of \$100,000 over last year's PGT allocation. This represents an overall financial loss to Niagara.

Table 10: Pelham Options for PGT Sharing through Joint Reporting

Pelham		2019 - 2022 Total Impact		
	Opportunity / Target	Municipal \$ Contribution	PGT Received	PGT Lost
Current Outlook: Option A, B & C all the Same		Total \$0.51 M (all Base Service)	- \$0.40 M used for Pelham Operating (no excess PGT for local Transit Re-Investment) - \$0.0 M used for Pelham Link Capital	\$0.44 M
Option D	Joint CUTA reporting	Total \$0.4 M (\$0.03 M Base \$0.37 M Reinvestment)	- \$0.64 M used for Pelham Operating (incl. \$0.37 M PGT for local Transit Re-Investment) - \$0.17 M used for Pelham Link Capital	No Loss

Note: assumes that the PGT doubles by 2022, as planned.

There exists an opportunity to receive 100% of all eligible PGT funding and stabilize Pelham’s annual budgeting requirements through Option D outlined in Table 10 above. Through the development of a transit strategy and the formation of a partnership between Pelham and the Region, both would be financially better off than working independently. The partnership would include joint CUTA reporting, a minimum local annual transit contribution, a 20% cost share from Niagara Region towards the IMT portion of the service and a portion of the Pelham PGT funding. For example, assuming a minimum levy-supported transit investment by Pelham equal to \$100,000 (the average of the last two years tax levy based on 2017 and 2018), this partnership would result in a four year total transit tax levy of \$400,000, allow for \$372,000 in local transit expansion, and direct \$167,000 of PGT towards the Region for capital replacement.

Lincoln

It is estimated that 99% of annual PGT will be received through the population portion of the formula, with the remaining 1% through ridership. Lincoln residents currently only receive a piloted local transit service; however the 2019 Lincoln operational plan includes a permanent local transit service plus an IMT Link extending from Lincoln to St. Catharines with an annual net operating budget of \$585,000 plus up to \$1.5M in capital.

The required municipal transit contribution by the Town to receive 100% of the eligible PGT is presented in Table 11 below. The proposed 2019 operational budget for Lincoln Transit is \$263,550 with an estimated \$2,000 in potential fare revenue. The total transit municipal contribution of \$265,550 results in an estimated PGT of approximately \$199,000, which is \$23,000 below the full eligible PGT funding (\$222,000). Since Lincoln Transit uses a contracted third party to operate its transit, the municipality does not have capital expenditures. If the estimated \$199,000 PGT funds were used to offset the 2019 operational expenses, the subsequent year PGT funding would decrease from \$199,000 to \$50,000, an additional \$149,000 loss in eligible funding.

Table 11: Lincoln Required Municipal Transit Spend to Receive 100% of Eligible PGT

	Lincoln	
	2019	2022
Eligible Population PGT	\$ 222,702	\$ 391,248
Required Municipal Own Transit Spending* (75% threshold)	\$ 296,936	\$ 521,664
*Municipal own spending includes passenger revenues, donations if applicable, and municipal contributions to operating and capital expenses		

The current PGT funding for the Lincoln population is being allocated to NRT for all IMT services. This is because Lincoln does not currently charge a fare which is an eligibility requirement for PGT. If the local transit service's net operating budget is less than the required municipal transit spending or the PGT funding is used to reduce the local municipal transit spending below the required threshold, the lost funding would result in a net decrease to the region as a whole. Currently the population base for Lincoln is included in the PGT allocation to Niagara Region and therefore, when removed, will result in an estimated \$220,000 reduction in funding to the Region.

Through joint reporting and the sharing of the PGT funding, 100% of the eligible PGT funding for the Lincoln population base would be allocated to the Region. The PGT allocation would be shared between Lincoln and the Region based on an agreed upon ridership/ population percentage similar to other smaller systems. The local transit budget would be consistent and known year over year plus the former losses in eligible PGT would become available and provide funding for IMT capital requirements associated with the proposed West Niagara expansion of IMT Link service.

Without historic baseline data for local and Link services driving ridership proportions, determination on the agreement for relative PGT shares would need to ensure equity and fairness among all transit providers as well as consistency and transparency to tax payers. The formula for allocation could be modified over time to reflect actual ridership data on both systems

Grimsby

It is estimated that 99% of annual PGT will be received through the population portion of the formula, with the remaining 1% through ridership. Grimsby residents currently do not receive any transit services however the NRT 2019 operational plan includes an IMT Link extending from Grimsby to St. Catharines with an annual net operating budget of \$585,000 plus up to \$3.5M in capital.

Table 12: Grimsby Required Municipal Transit Spend to Receive 100% of Eligible PGT

	Grimsby	
	2019	2022
Eligible Population PGT	\$ 255,723	\$ 449,260
Required Municipal Own Transit Spending* (75% threshold)	\$ 340,964	\$ 599,013
*Municipal own spending includes passenger revenues, donations if applicable, and municipal contributions to operating and capital expenses		

Currently the population base for Grimsby accounts for an estimated \$250,000 annually in the PGT allocation to Niagara Region and supports all IMT services. If the budgeted municipal transit spend is less than the required municipal transit spend for 100% PGT funding there will be a net loss of PGT funding to the region as a whole. The required annual municipal contribution to receive all eligible PGT funding (based on the Grimsby population) would be \$341,000 which is greater than current spending in Pelham, Lincoln, and Port Colborne. This suggests that the initial transit investment in Grimsby would be insufficient to receive 100% of PGT funding.

Through joint reporting and the sharing of the PGT funding, 100% of the eligible PGT funding for the Grimsby population base would be allocated to the Region. The PGT allocation would be shared between Grimsby and the Region based on an agreed upon ridership/ population percentage similar to other smaller systems. The local transit budget would be consistent and known year over year plus any former losses in eligible PGT would become available and provide funding for IMT capital requirements associated with the proposed West Niagara expansion of IMT Link service.

Without historic baseline data for local and link services driving ridership proportions, determination on the agreement for relative PGT shares would need to ensure equity and fairness among all transit providers as well as consistency and transparency to tax payers. The formula for allocation could be modified over time to reflect actual ridership data on both systems.

Remaining Municipalities

Currently West Lincoln and Wainfleet do not operate local transit services. Based on the existing population base, independent locally operated transit services would not be fiscally prudent. Future operational plans combining local and IMT services using alternative deployment strategies (i.e. on-demand transit) may provide a more cost effective solution.

Alternatives Reviewed

An alternative to the proposed strategy would be to not report CUTA statistics jointly and continue to apply PGT towards offsetting local transit operating costs and realize year-over-year fluctuation in PGT allocations from the province. The estimated loss in PGT funding of \$1.0 M over the next four years would result in negative impacts to the taxpayer and prevent local and IMT agencies from expanding services without further negative impacts on the taxpayer.

Relationship to Council Strategic Priorities

This proposal aligns with Council strategic priority of achieving results under Doing Business Differently. This proposal also aligns with Council strategic priority of Moving People and Goods and directly advances the following key Council Strategic Priorities:

- Provincial commitment to GO Rail expansion in Niagara
- Support local municipalities in developing long-term solution for transit.

Other Pertinent Reports

- LNTC-C 21-2018 IMT Service Implementation Strategy
- LNTC-C 22-2018 IMT Financial Impact Analysis
- LNTC-C 23-2018 IMT Capital Plan 2019
- PW 19-2018 Niagara Region Transit 2018 Service Agreement

Prepared by:

Heather Talbot
Financial & Special Projects Consultant
Financial Planning and Management,
Corporate Services

Recommended by:

Todd Harrison
Commissioner
Enterprise Resource Management
Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared by Heather Talbot, Financial and Special Project Consultant, Financial Management and Planning, in consultation with the Transit Operators and the Inter-Municipal Transit Working Group; Matt Robinson, Director, GO Implementation Office, Kumar Ranjan, Transportation Lead GO Implementation Office, Robert Salewytch, Transit Planning Coordinator; and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.

June 25, 2019

CL 11-2019, June 20, 2019
PEDC 6-2019, June 12, 2019
PDS 21-2019, June 12, 2019

DISTRIBUTION LIST

SENT ELECTRONICALLY

2018 End of Year Growth Report
PDS 21-2019

Regional Council, at its meeting held on June 20, 2019, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 21-2019, dated June 12, 2019, respecting 2018 End Of Year Growth Report, **BE RECEIVED** and **CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

A copy of PDS 21-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

:jg

CLK-C 2019-115
Distribution List

- Local Area Municipalities
- Niagara Peninsula Conservation Authority
- Niagara Home Builders Association
- Niagara Industrial Association
- Local Chambers of Commerce
- Local School Boards
- G. Bowie, Planner
- N. Oakes, Executive Assistant to the Commissioner, Planning & Development Services
- R. Mostacci, Commissioner, Planning and Development Services

Subject: 2018 End Of Year Growth Report

Report to: Planning and Economic Development Services Committee

Report date: Wednesday, June 12, 2019

Recommendations

1. That Report PDS 21-2019 **BE RECEIVED** for information; and
2. That a copy of Report PDS 21-2019 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

Key Facts

- The purpose of this report is to inform Planning and Economic Development Services Committee and Council about 2018 growth and development trends in Niagara Region.
- Population growth in 2018 was greater than any year in the previous decade. In 2018, Niagara's population increased by approximately 7,000 people (1.49% growth rate) to 472,448 people.
- Data relating to Housing Starts, Completions and Building Permits show a shift towards higher density housing from single detached dwelling types.
- The average sale price for all homes in Niagara increased by 3.4%, significantly lower than the unusually high 21% combined increase over 2016 and 2017.
- For a second consecutive year, the total value of building permits issued in Niagara Region exceeded \$1 Billion.

Financial Considerations

There are no direct financial implications associated with this report.

Metrics in this report inform Niagara's financial strategies. Increased residential, commercial and industrial development in Niagara, combined with increasing property assessments, has a direct impact on revenues collected by the Region.

Analysis

Annual Growth Report Overview

Since 2017, Planning and Development Services has released Mid-Year and End-of-Year reports focused on growth and development trends in Niagara. The Growth Report represents an opportunity to update Regional Council on growth and development trends across Niagara's communities.

This report highlights trends between 2017 and 2018 related to growth in population, housing and building permits. While previous versions of the semi-annual growth report have discussed development applications and economic development trends, recent reports to Planning and Economic Development Services Committee covered both topics in detail (identified in Other Pertinent Reports as the end of this report.).

Population and Housing

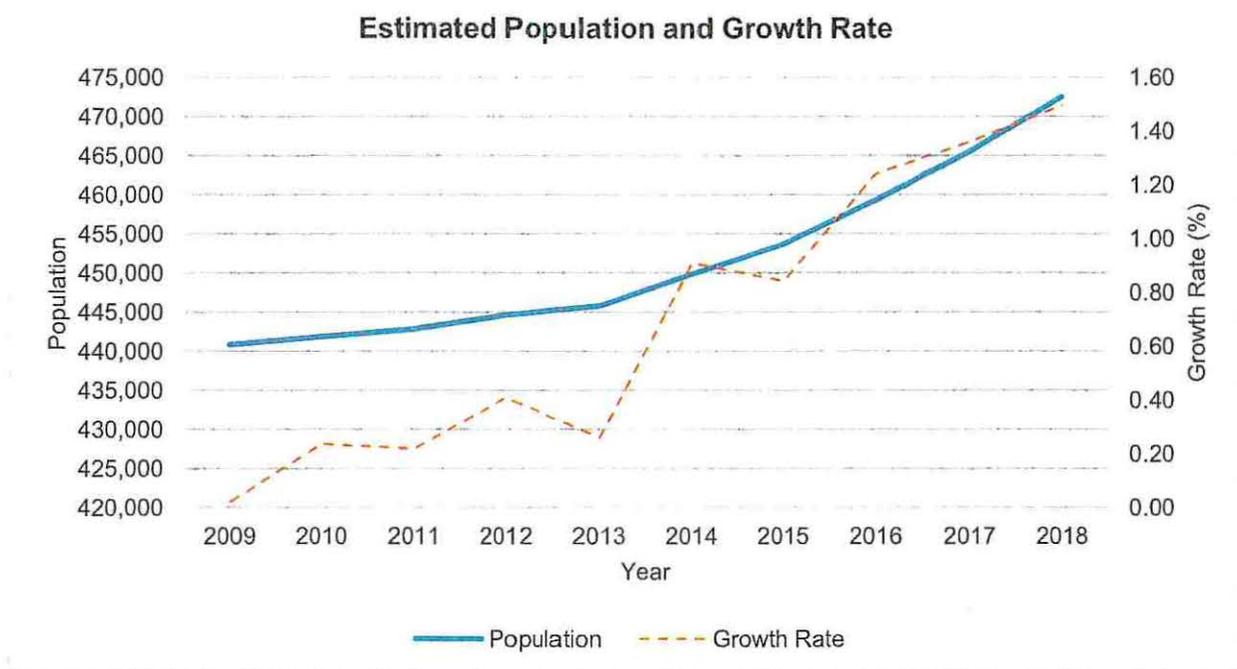
Annual Population Estimates

Niagara Region's population has been increasing steadily since 2009 and reached an estimated population of 472,448 people as of July 1st 2018. This represents an increase of nearly 7,000 more people than 2017 and an annual growth rate of 1.49%.

The Region's annual population growth rate has increased consistently in recent years, starting at 0.02% in 2009 and reaching 1.24% in 2016, followed by 1.36% in 2017 and 1.49% in 2018. In general, the Region's growth rate has been rising since 2014 and is required to do so until 2041 to achieve Provincial planning forecasts.

Figure 1 shows the annual population estimate and associated growth rate between 2009 and 2018.

Figure 1: Estimated Population and Growth Rate (2009-2018)



Source: Statistics Canada, Annual Demographic Estimates: Subprovincial Areas

Components of Population Growth and Demographic Trends

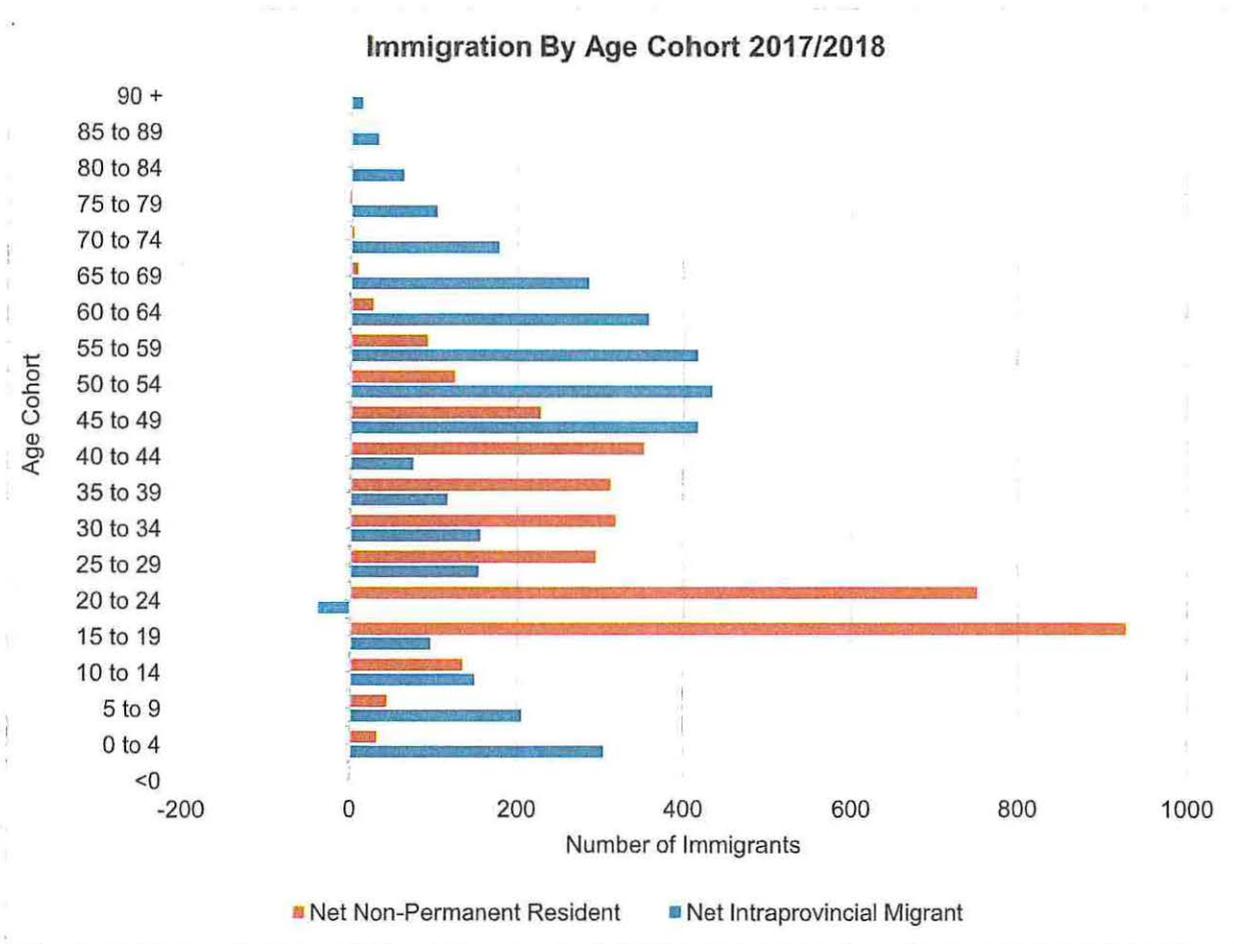
Niagara's population growth is driven entirely by international and intraprovincial migration.

Niagara's natural population change was a decrease of 577 people (meaning 577 more people died than were born in Niagara). The Region grew by 4,163 people from international migration and 3,567 people from intraprovincial migration. Without the benefit of international and intraprovincial migration, Niagara would be in population decline.

The majority of intraprovincial migrants moving into Niagara are between the ages of 45 to 69, increasing Niagara's median age and compounding a naturally-aging demographic. On the other hand, an even greater number of non-permanent residents in the 15 to 24 year old range are coming to Niagara. These non-permanent residents are likely attending post-secondary education institutions (Brock University and Niagara College) and leaving Niagara after completion.

Figure 2 shows the age breakdown of net non-permanent residents and net intraprovincial migrants.

Figure 2: Immigration to Niagara Region by Age Cohort 2017/2018



Source: Statistics Canada. Components of population change by census division, 2016 boundaries

The St. Catharines-Niagara Census Metropolitan Area (CMA), which includes most of Niagara,¹ has the third highest median age (45.6) and third highest share of persons aged 65 and older amongst all CMAs in Canada (22.1%). In addition, St. Catharines-Niagara CMA has the third lowest share of persons aged 15 to 64 years of age (63.9%) – also known as the working age population.

In addition, the St. Catharines-Niagara CMA had the greatest increase in median age over the past decade for Ontario (+3 years) and has increased by +1.5 years since the 2016 Census. Considering the majority of permanent intraprovincial migrants moving

¹ The St. Catharines-Niagara CMA excludes Grimsby and West Lincoln. When looking at the entire Niagara Census Division (which includes all 12 local municipalities), the average age falls outside of the top 10 oldest Census Divisions in Canada. Based on the 2016 Census, the Census Division had an average age of 43.8 where as the St. Catharines – Niagara CMA had an average of 44.1.

into Niagara are above 45 years of age, it is anticipated that the average age will continue to increase due to natural demographic change and migration trends.

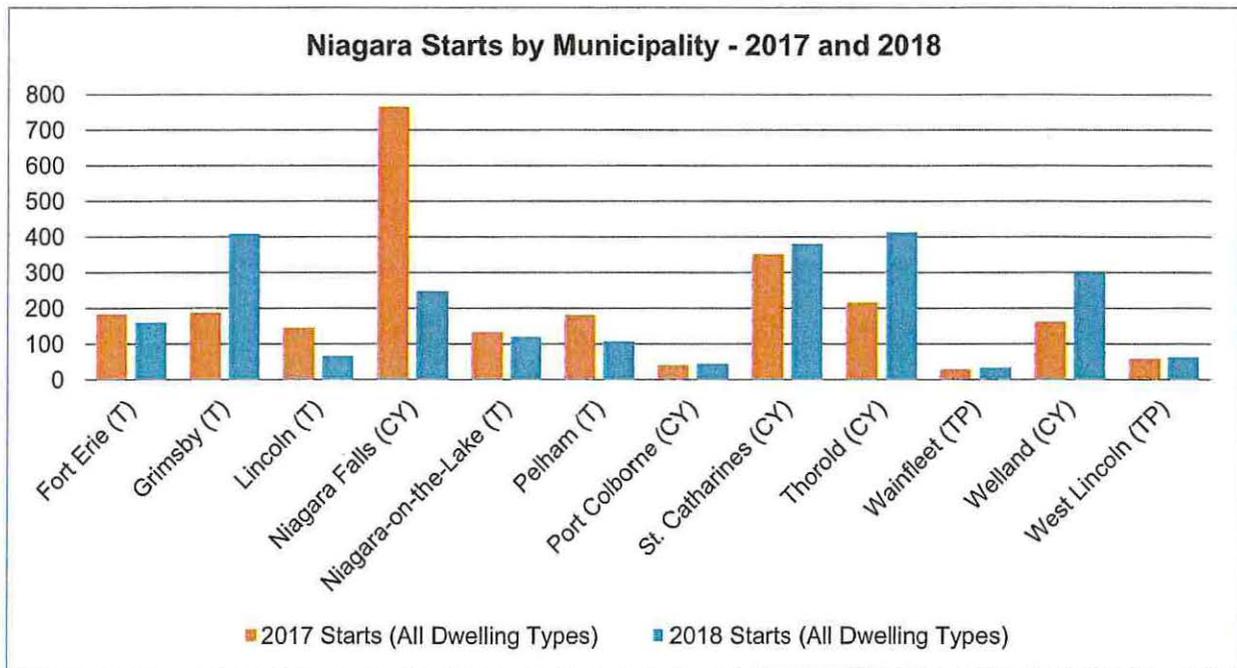
Housing Developments

2,332 dwelling units began construction in 2018 (figure 3). While this was a 4% decline compared to the 2,440 dwellings started in 2017, it is still well above the average starts between 2006 and 2015, which were less than 1,500 per year.

Housing completions increased 29% to over 2,800 completed units (figure 4). This is the highest number of unit completions in over 15 years and is driven largely by medium and high density development (908 townhomes and 533 apartment units).

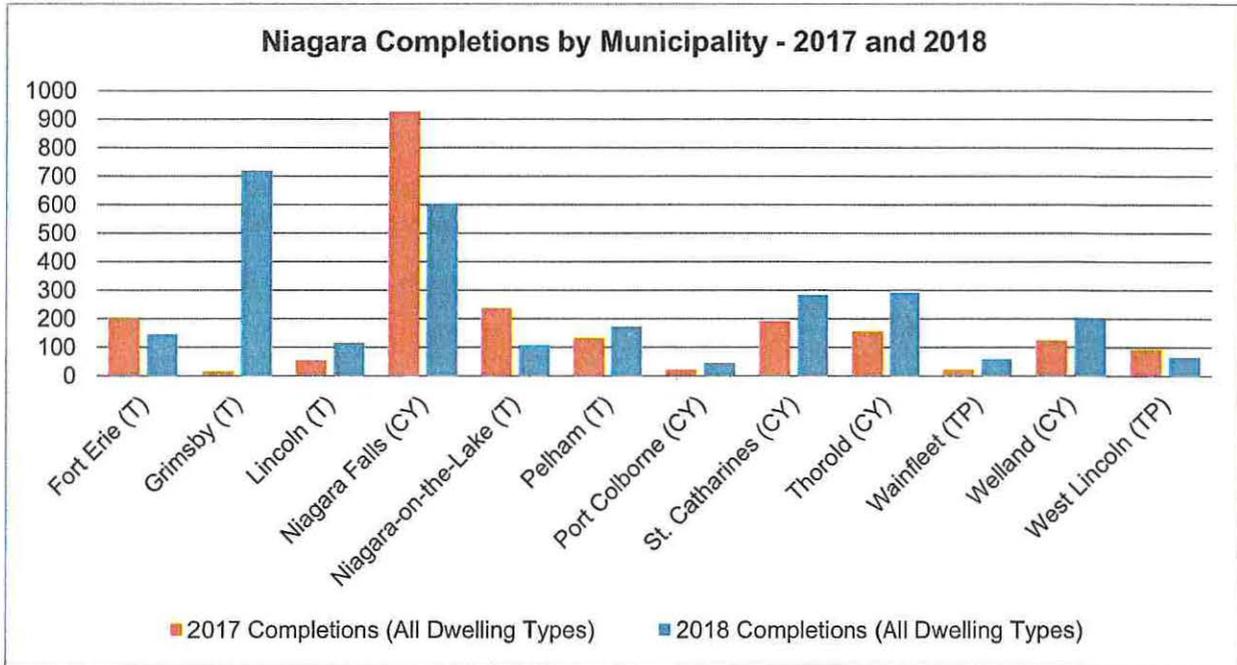
Building permit issuance for residential units also increased 5% between 2017 and 2018 (figure 5). Again, the trend here has been a shift towards higher density development rather than single detached dwellings. Nearly 3,000 dwelling unit building permits were issued in 2018. This will result in sustained starts and completions through 2019 and beyond as higher density housing (especially apartment units) take more time to complete than lower density housing types.

Figure 3: Housing Starts by Municipality (2017/2018)



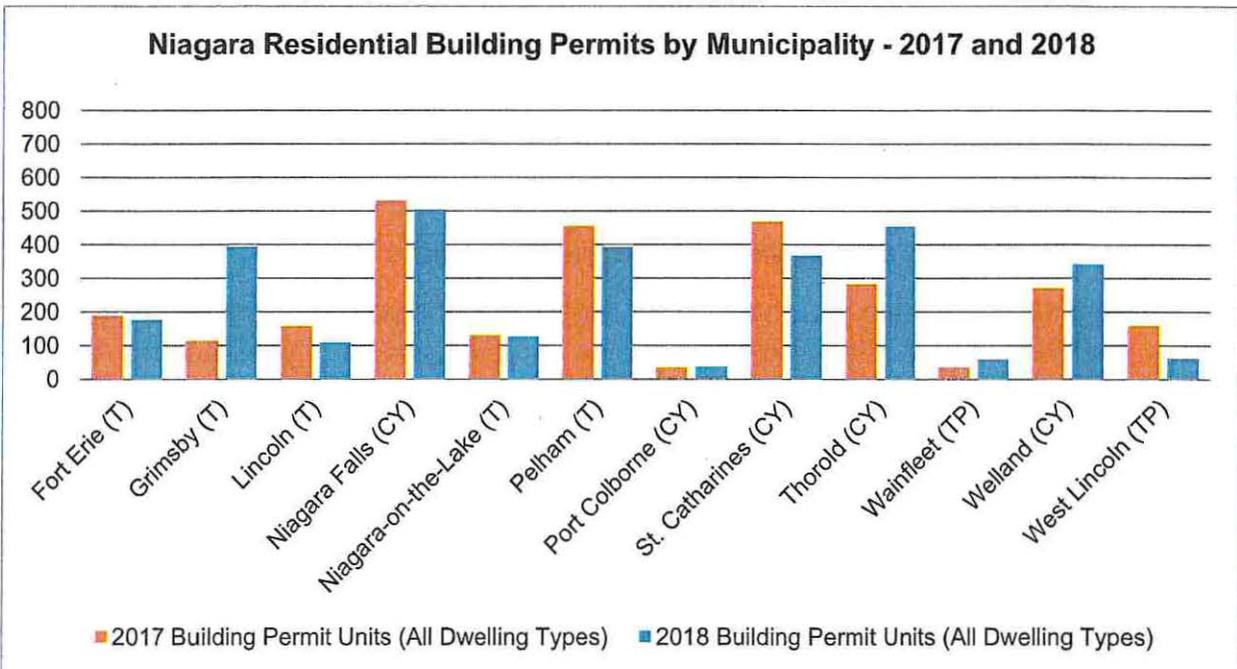
Source: CMHC Housing Now Report

Figure 4: Housing Completions by Municipality (2017/2018)



Source: CMHC Housing Now Report

Figure 5: Housing Units Issued Via Building Permit by Municipality (2017/2018)

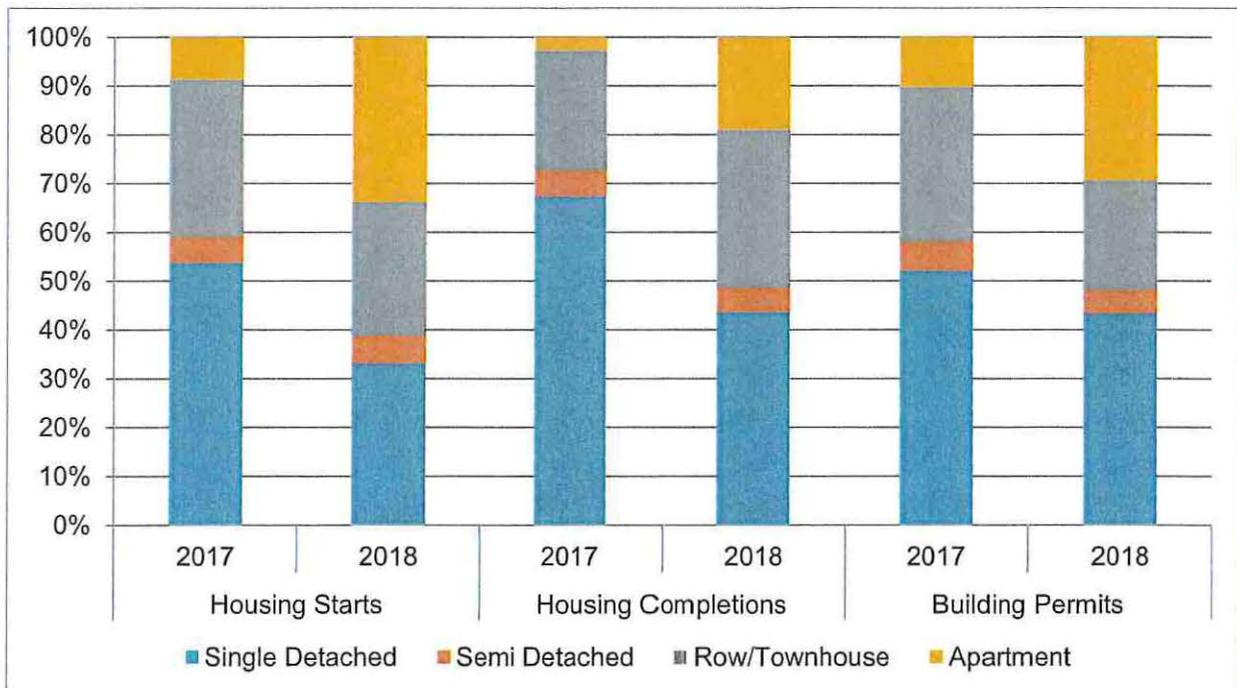


Source: Niagara Region Planning and Economic Development Building Permits

Housing Diversity

A notable change between 2017 and 2018 is the increase in higher density housing types. Housing starts, completions and building permits all had less than 50% share of single detached dwellings. Whereas in 2017, and for most years previously, single detached dwellings made up over 50% in those categories. The largest shift in 2018 was towards apartment units. Figure 6 highlights the one-year shift towards higher density development for Housing Starts, Housing Completions and Building Permits.

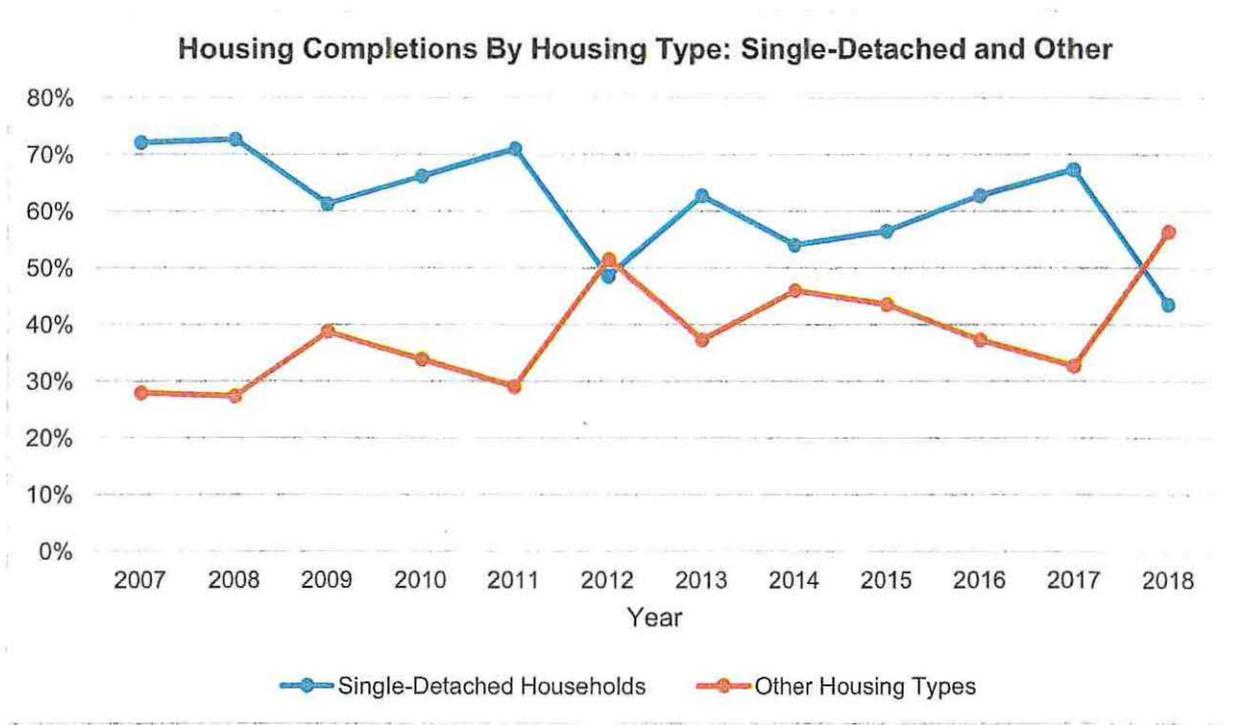
Figure 6: Proportion of Housing Units by Development Stage (2017/2018)



Source: CMHC Housing Now and Niagara Region Planning and Economic Development Building Permits

Figure 7 highlights a twelve-year trend in housing completions, showing how the gap between percent of single detached households and other housing types has narrowed over time and switched in 2018. By the end of 2018, the number of high-rise units in development reached a 25-year high. As land across the Region continues to develop and housing prices continue to increase, the share of higher density development in the coming years is likely to increase.

Figure 7: Housing Completions by Housing Type (2007-2019)



Source: CMHC Housing Now (2007-2018)

Housing Market

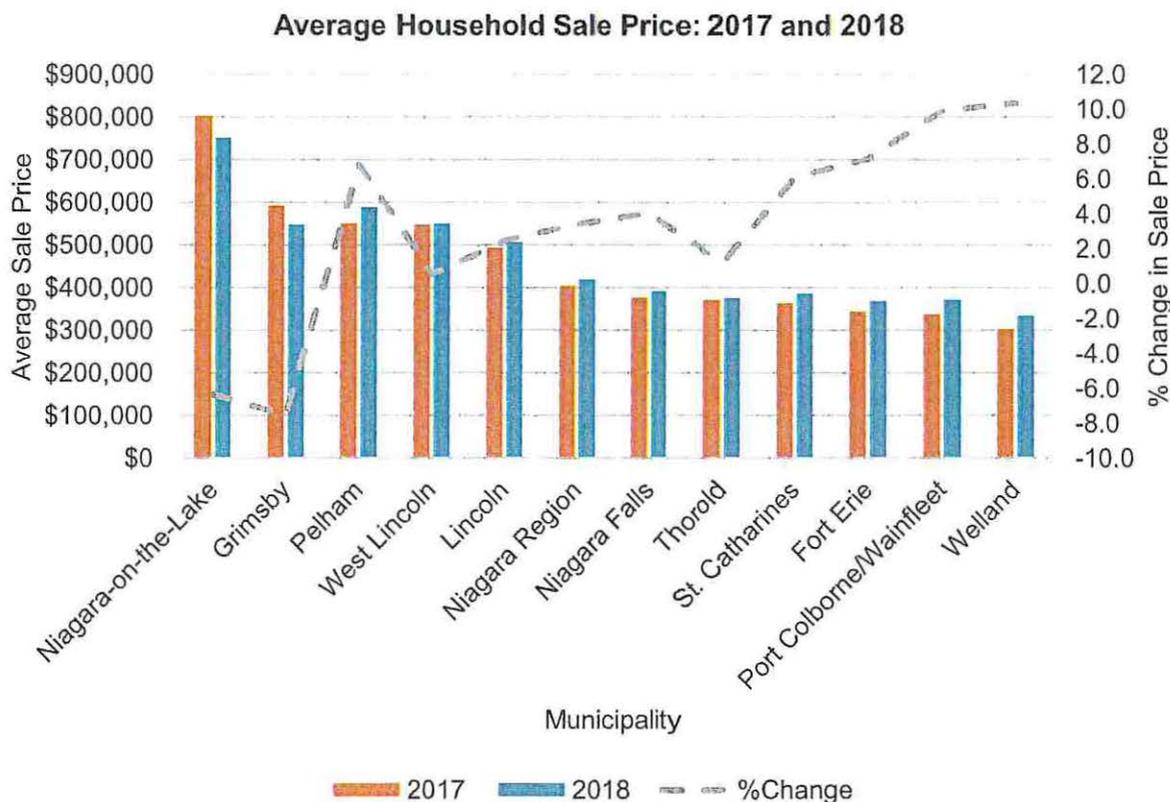
The average sale price for a home in Niagara continued to grow in 2018, increasing 3.4% to an average cost of \$418,751. While this increase is less than the 17% increase in 2016, or the 21% increase in 2017, the increase still has a significant impact on housing affordability in Niagara, especially first-time homebuyers who are looking to enter the housing market.

The two municipalities with the highest average sale price in 2017, Niagara-on-the-Lake and Grimsby, experienced a decline in average price between 2017 and 2018. The three municipalities with the lowest average sale price in 2017 (Welland, Fort Erie and Port Colborne/Wainfleet²) experienced the highest average price increase.

Figure 8 highlights the average sale price and percentage change for each municipality between 2017 and 2018.

² The Niagara Realty Association reports on Port Colborne and Wainfleet together, therefore they are listed as one in the report and in Figure 8.

Figure 8: Average Sale Price and % Change by Municipality (2017/2018)



Source: Niagara Realty Associate and Realty Association of Hamilton-Burlington

The number of home sales in Niagara decreased by 11% between 2017 and 2018. CMHC notes that this is likely due to the new mortgage rules as well as a cooling housing market. CMHC forecasts that sales should remain consistent in 2019 and 2020³.

Building Permit Values

Building Permit Values

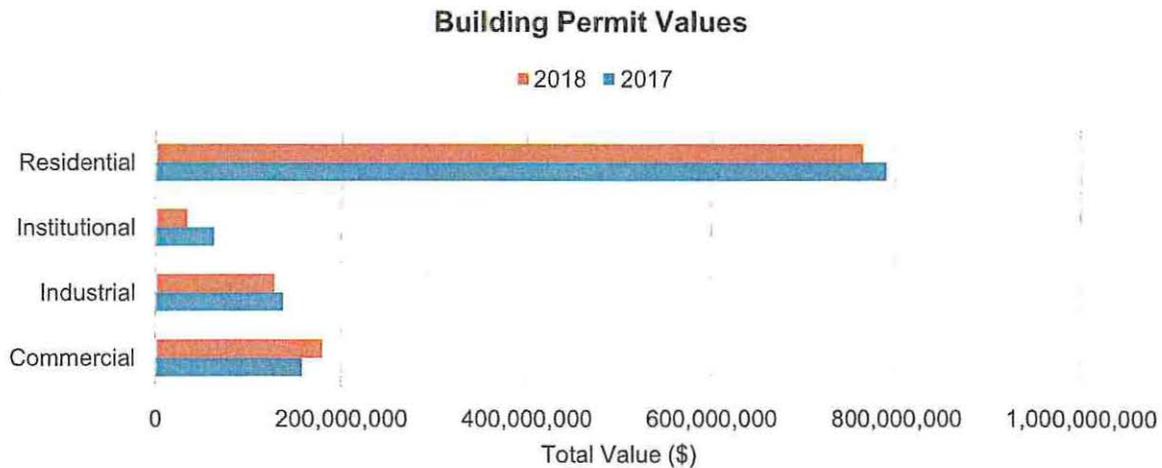
Building permit values for residential and non-residential uses remained above \$1 Billion for consecutive years. While building permit value for Industrial (-7.3%), Institutional (-48%) and Residential (-3.3%) all saw declines between 2017 and 2018, Commercial building permits increased 13.1%. The cumulative year-over-year decrease was -4%. Overall, \$1.1 Billion worth of permits were issued in 2018.⁴

³ CMHC Housing Market Outlook: Central Ontario, Fall 2018.

⁴ This figured is calculated by taking the Statistics Canada CMA Building Permit data and adding municipally-collected data for West Lincoln and Grimsby.

Figure 9 highlights the changes in building permit values for residential and non-residential uses).

Figure 9: Building Permit Values (2017/2018)



Source: Statistics Canada, Niagara Region Planning and Economic Development Building Permits

Highest Value Building Permits Issued in 2018:

Below is a table showing the 10 highest non-residential building permits issued in 2018. There was a good mix between industrial, commercial and institutional/government. Developments at Innio in Welland (200 Buchner Road, formerly GE) continue to top industrial investments for the Region.

Municipality	Location	Permit Value (\$)	Development Type
Welland	200 Buchner Road	30,000,000	Industrial
Niagara Falls	6366 Stanley Avenue	16,000,000	Commercial
Port Colborne	1555 Elm Street	15,000,000	Industrial
Fort Erie	2818 House Road	12,500,000	Industrial
Welland	670 Tanguay Avenue	11,000,000	Institutional/Government
St. Catharines	221 Glendale Avenue	10,000,000	Commercial
St. Catharines	89 Meadowvale Drive	8,650,500	Commercial
Fort Erie	2818 House Road	8,000,000	Commercial
Niagara Falls	6650 Niagara River Parkway	8,000,000	Commercial
St. Catharines	59 Church Street	8,000,000	Institutional/Government
West Lincoln	177 West Street	8,000,000	Institutional/Government

Source: Niagara Region Planning and Economic Development Building Permits

Alternatives Reviewed

The End of Year Growth Monitoring report is meant to highlight trends in growth and development across Niagara based on the most current and complete data available. No alternatives were considered.

Relationship to Council Strategic Priorities

This report was prepared to show how development, and proactive planning for development, is leading towards stronger economic prosperity in our communities across the Niagara Region.

Other Pertinent Reports

- PDS 9-2017: Niagara Region Annual Growth Monitoring Report
- PDS 25-2018: Niagara Region End of Year 2017 Growth Monitoring Report
- PDS 3-2019: Development Applications Monitoring Report – 2018 Year End
- ED 5-2019: Niagara Economic Update

Prepared by:

Greg Bowie
Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Isaiah Banach, Manager of Long Range Planning, Blake Landry, Ec.D. Manager, Economic Research & Analysis and reviewed by Brian Dick, MCIP, RPP, Senior Planner, Long Range Planning.

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

Date: June 24, 2019

Time: 6:30 p.m.

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

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Absent: F. Danch, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
J. Ferraccioli, Health Services Coordinator
B. Garrett, Director of Corporate Services
A. Grigg, Director of Community and Economic Development
M. Lannan, Environmental Compliance Student
A. LaPointe, Manager of Legislative Services/City Clerk
S. Lawson, Deputy Fire Chief
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
D. Suddard, Environmental Compliance Coordinator

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That the agenda dated June 24, 2019 be confirmed, as circulated or as amended.
CARRIED.

By general consensus, items 12 and 13 under Items Requiring Separate Discussion were brought forward for consideration after item 6 (Presentations).

4. Disclosures of Interest:

Nil.

5. Adoption of Minutes:

(a) Regular meeting of the Committee of the Whole 17-19, held on June 10, 2019

Moved by Councillor E. Beauregard
Seconded by Councillor R. Bodner

- (a) That the minutes of the regular meeting of the Committee of the Whole 17-19, held on June 10, 2019, be approved as presented;
and

CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 2, 3, 8, 10, 12, 13, 15, and 16.

By general consensus Items Requiring Separate Discussion were considered in the following order: 12, 13, 1, 2, 8, 10, 15, and 16. The minutes reflect the order of the agenda.

7. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor A. Desmarais
Seconded by Councillor M. Bagu

That items 1 to 16 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:

4. Fire and Emergency Services Department, Report 2019-73, Subject: Mutual Assistance Agreement

Committee of the Whole recommends:

That the Chief Administrative Officer be directed to sign the Mutual Assistance Agreement Mutual Assistance Agreement with all municipalities within Niagara, as well as the Regional Municipality of Niagara; and

That the necessary by-law be prepared.

5. **Fire and Emergency Services Department, Report 2019-92, Subject: Fire and Emergency Services Information Report**

Committee of the Whole recommends:

That Fire and Emergency Services Department Report 2019-92, Subject: Fire and Emergency Services Information Report, be received for information.

6. **Engineering and Operations Department, Operations Division, Report 2019-82, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2017)**

Committee of the Whole recommends:

That Engineering and Operations Department, Operations Division Report 2019-82, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2017), be received for information.

7. **Planning and Development, By-law Enforcement Division, Report 2019-98, Subject: By-law Appointment of Municipal Law Enforcement Officers and a Building Inspector**

Committee of the Whole recommends:

That Charlotte Cooper be appointed as a Municipal Law Enforcement Officer; and

That Alexandra Campbell be appointed as a Municipal Law Enforcement Officer, Property Standards Officer and a Building Inspector.

9. **Planning and Development Department, Planning Division, Report 2019-99, Subject: Recommendation Report for Zoning By-law Amendment D14-02-19, 45-53 West Side Road**

Committee of the Whole recommends:

That the Zoning By-law Amendment, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-99, be approved, rezoning 45-53 West Side Road from Commercial Plaza to CP-52; and

That staff be directed to prepare the Notice of Passing in accordance with the Planning Act and circulate to all applicable parties.

11. **Corporate Services Department, Finance Division, Report 2019-102, Subject: Property and Liability Insurance Policy Renewal**

Committee of the Whole recommends:

That coverage with Frank Cowan Company be approved to provide the City's comprehensive property and liability insurance program for the next 18 months to December 31, 2020, as outlined and recommended in this report; and

That the addition be approved for Environmental Liability coverage which carries a limit of \$3,000,000 with an aggregate of \$5,000,000 and an estimated premium of \$8,250.

14. Community and Economic Development Department, Health Services Division, Report 2019-97, Subject: Physician Recruitment Incentive – Dr. Fraelic

Committee of the Whole recommends:

That the City of Port Colborne enter into a partnership with the Town of Fort Erie to offer an incentive contractual agreement to Dr. Joe Fraelic, at a total approved cost of \$35,000 – representing the City's share (one half) of the incentive amount; and

That the City's cost be funded from the Physician Recruitment Reserve Fund; and

That the appropriate by-law be presented for approval.

CARRIED.

8. Presentations:

Nil.

9. Delegations:

- (a) **Vittoria Wikston, Senior Manager, Marketing and Community Development, 2021 Canada Games Host Society Inc., presenting The Canada 2021 Games – Niagara Region**

Vittoria Wikston provided a powerpoint presentation with respect to The Canada 2021 Games in Niagara. A copy of the presentation is attached. Ms. Wikston announced that a Countdown Celebration will be held Monday, August 5, 2019 at the Henley Grand Stand including a free concert celebration.

10. Mayor's Report:

A copy of the Mayor's Report is attached.

11. Regional Councillor's Report:

Regional Councillor Butters advised that at the June 20, 2019 meeting of Regional Council, a pay increase was debated and Regional Council decided to introduce a wage increase to compensate for the federal tax change that eliminated the one-third

tax free income for Regional Councillors but the pay increase was referred to a citizen committee to provide recommendation to Council at a later date.

Regional Councillor Butters advised that Niagara Region's Strategic Plan for 2019-2022 was presented and includes a new vision, mission, and values and is posted on the Region's website.

12. Councillors' Items:

(a) Let's Talk About series by the Public Library (Desmarais)

Councillor Desmarais advised that the Library is holding part of its Let's Talk About series on Wednesday, June 26, 2019 at the Guild Hall. Councillor Desmarais advised that the topic for the evening is Human Trafficking.

(b) CAO Working Group on Community Wellness (Desmarais)

In response to a concern expressed by Councillor Desmarais with respect to vandalism and theft incidents in the City, the Chief Administrative Officer advised that the CAO Working Group will reconvene as soon as possible to discuss.

(c) Pedestrian crossover on Clarence Street (Desmarais)

In response to a concern expressed by Councillor Desmarais, the Director of Engineering and Operations advised that staff will ensure the trees are trimmed on Clarence Street so the leaves do not block the flashing lights and that the report providing safety options for the crossover will be brought to a July meeting of Council.

(d) Centennial Park (Bodner)

In response to an inquiry by Councillor Bodner, the Director of Community and Economic Development advised that she will contact the property owner to determine the amount of time that construction will affect access to the parks and will report back to Council.

(e) Beach cleaning (Bodner)

In response to an inquiry by Councillor Bodner, the Director of Community and Economic Development advised that she will report back at the next meeting of Council with respect to the plan and schedule for cleaning and grooming City beaches.

(f) Intersection of Main and Elm Streets (Bruno)

In response to a concern expressed by Councillor Bruno with respect to speeding through the intersection at Main and Elm Streets, Mayor Steele advised that she would forward the concern to the Niagara Regional Police Staff Sergeant.

(g) Grass and weeds on road allowance next to 55 Coronation Drive (Bruno)

Councillor Bruno expressed thanks to Richard Daniel, Manager of Operations, for his quick response and action plan to cut the grass and weeds on the road allowance near 55 Coronation Drive.

(h) Community beautification (Bruno)

In response to a concern expressed by Councillor Bruno with respect to out of town businesses posting signs on hydro poles, the Director of Engineering and Operations advised that he would request permission from Fortis to remove the signs.

(i) Leak detection program (Bruno)

In response to a request by Councillor Bruno for an update with respect to the leak detection program, the Director of Engineering and Operations advised that seven service connections have either been repaired or the homeowners have been provided notification to repair, fourteen leaks were detected within the network, an estimate of more than 30,000 m³ monthly or 6 million gallons. The Director also reported that during the first two weeks of July a pilot program will begin to monitor certain fire hydrants.

(i) Streetlight outage reporting (Kalailieff)

In response to an inquiry by Councillor Kalailieff about the amount of time streetlights take to be repaired after an outage is reported, the Director of Engineering and Operations advised that staff is working with IT to correct a glitch in the reporting software.

(j) Roadside mowing (Wells)

In response to a concern expressed by Councillor Wells with respect to ditches being clogged by heavy grass cutting, the Director of Engineering and Operations advised that staff is looking at alternatives that will be presented during 2020 budget deliberations.

(k) Site development - Barber Drive (Wells)

In response to concerns expressed by Councillor Wells with respect to site development on Barber Drive, the Director of Planning and Development advised that he is aware of the complaints with respect to noise, tree removal, and privacy reduction and the Ministry of Environment is dealing with the property owner with respect to noise complaints. The Director also advised that there is an agreement for material to be stored on the site and that he will follow up with the owner to determine if there is need for a site plan agreement.

(l) Truck traffic on Concession 3

Councillor Wells expressed a concern with respect to increased truck traffic on Concession 3.

(m) Greater Niagara Chamber of Commerce letter re Quarry (Wells)

Councillor Wells stated that the letter provided to Council from the Greater Niagara Chamber of Commerce with respect to the quarry contained inaccuracies.

(n) Canal Days (Bagu)

In response to an inquiry from Councillor Bagu, Mayor Steele advised that the \$40-50,000 set aside by Council for Canal Days has not been used as was inaccurately reported by the newspaper and that the \$56,000 was a grant received.

(o) FCM Conference (Bruno)

Councillor Bruno provided a summary of the events and seminars that he attended during the Federation of Canadian Municipalities Conference from May 30 - June 2, 2019 in Quebec City. A copy of the summary is attached.

(p) FCM Conference (Beauregard)

Councillor Beauregard provided a summary of the events and seminars that he attended during the Federation of Canadian Municipalities Conference from May 30 - June 2, 2019 in Quebec City. A copy of the summary is attached.

(q) FCM Conference (Steele)

Mayor Steele provided a summary of the events and seminars that he attended during the Federation of Canadian Municipalities Conference from May 30 - June 2, 2019 in Quebec City. A copy of the summary is attached.

(q) Great Lakes and St. Lawrence Cities Initiative (Steele)

Mayor Steele provided a summary of his attendance at the Great Lakes and St. Lawrence Cities Initiative Conference June 5 - 7, 2019 in Sheboygan Wisconsin. A copy of the summary is attached.

Staff responses to Councillors' enquiries:

(a) CAMA Conference, FCM Conference (Luey)

Chief Administrative Officer Luey provided a summary of his attendance at the Canadian Association of Municipal Administrators Conference from May 27 – May 29 and the Federation of Canadian Municipalities Conference from May 30 – June 2, 2019 in Quebec City. Mr. Luey advised that the CAMA theme was resiliency in leading in today's environment and that he attended sessions about resiliency, populism, building positive and respectful workplaces, and political acumen. At FCM, Mr. Luey advised that he attended a municipal tradeshow, a political address by the federal party leaders, and sessions about 5G technology, gender parity on municipal councils, risk management, and festival fundraising.

(b) Smoke alarm program (Cartwright)

The Fire Chief provided a reminder to residents with respect to the continuing door-to-door smoke alarm inspection program.

(c) Downtown Community Improvement Plan proposed change (Aquilina)

The Director of Planning and Development advised that an open house is scheduled on Thursday, June 27, 2019 from 4:30-5:30 p.m. with respect to a proposed expansion to Downtown Community Improvement to include the property at the corner of Elm and Charlotte Streets.

13. Consideration of Items Requiring Separate Discussion:**1. Fire and Emergency Services Department, Report 2019-93, Subject: Fire Department Fee Schedule**

The Fire Chief provided a powerpoint presentation with respect to the Fire Department's fee schedule. A copy of the presentation is attached.

Moved by Councillor M. Bagu
Seconded by Councillor D. Kalailieff

That Fire and Emergency Services Department Report 2019-93, Subject: Fire Department Fees Schedule, be received for information.

Moved in amendment by Councillor G. Bruno
Seconded by Councillor E. Beauregard

That the main motion be amended by striking out "be received for information" and inserting "be supported"; and

That the main motion be further amended by adding thereto the following:

"That the Fire Chief be directed to continue with past practices using previously determined fees adjusted through inflation in consultation with Council."

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

That Fire and Emergency Services Department Report 2019-93, Subject: Fire Department Fees Schedule, be supported; and

That the Fire Chief be directed to continue with past practices using previously determined fees adjusted through inflation in consultation with Council.

CARRIED.

2. Engineering and Operations Department, Operations Division, Report 2019-100, Subject: Energy Conservation and Demand Management Plan 2019-2024

The Environmental Compliance Supervisor, Darlene Suddard, and Environmental Compliance Student, Mae Lannan, provided a powerpoint presentation with respect to the Energy Conservation and Demand Management Plan 2019-2024. A copy of the presentation is attached.

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That Engineering and Operations Department, Operations Division Report 2019-100, Subject: Energy Conservation and Demand Management Plan, 2019-2024" be received; and

That the Energy Conservation and Demand Management Plan, 2019-2024, be approved; and

That staff be directed to publish, make available to the public and implement the City's Energy Conservation and Demand Management Plan, in compliance with Ontario Regulation 397/11; and

That Councillor D. Kalailieff be appointed to sit on the Energy Conservation Committee for the term of Council.

CARRIED.

3. Fire and Emergency Services Department, Report 2019-71, Subject: Emergency Management Program

Moved by Councillor M. Bagu
Seconded by Councillor D. Kalailieff

That the updated Emergency Management Program and updated Emergency Management Plan attached to Fire and Emergency Services Department Report 2019-71 be adopted by by-law; and

That By-law No. 6555/10/18 be repealed.

CARRIED.

8. Planning and Development Department, Planning Division, Report 2019-85, Subject: Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street and Accompanying Memo Re: Ministry of Environment D-6 Guidelines

Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

That the Official Plan Amendment, attached to Planning and Development Department, Planning Division, Report 2019-85 as

Appendix A, changing the designation of the property from "Parks and Open Space" to "Industrial Areas", be approved.

That the Zoning By-law Amendment, attached to Planning and Development Department, Planning Division, Report 2019-85 as Appendix B, rezoning the land from "P-CH" to "LI-51", be approved

That Planning staff be directed to prepare the Notice of Passing in accordance with the Planning Act and circulate to all applicable parties.

Moved by Councillor E. Beauregard
Seconded by Councillor G. Bruno

That the rules respecting delegations, as outlined under Section 10 of the Procedural By-law, be suspended in order permit Jeff Dwor, owner of 170 Welland Street, to speak regarding the Official Plan Amendment and Zoning By-law Amendment for the property.

CARRIED.

Moved in amendment by Councillor E. Beauregard
Seconded by Councillor M. Bagu

That the main motion be amended by adding thereto the following:

"That the storage of a loose material basis not be permitted on the 170 Welland Street."

LOST

Moved in referral by Councillor A. Desmarais
Seconded Councillor H. Wells

That consideration of Planning and Development Department, Planning Division Report 2019-85, Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street be referred to the Director of Planning and Development to consider protection of the community by ensuring compliance with the Ministry of Environment D-6 Guidelines; and

That the Director of Planning and Development report back to Council at the July 22, 2019 Committee of the Whole meeting.

CARRIED.

10. Planning and Development Department, Planning Division, Report 2019-101, Subject: Creation of an Affordable Housing Strategy for Port Colborne

Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

That Planning and Development Department, Planning Division Report 2019-101 be received for information.

CARRIED.

12. Community and Economic Development Department, Health Services Division, Report 2019-95, Subject: Establishment of a Locum Physician Support Program

The Health Services Coordinator, Joanne Ferraccioli, summarized the locum physician support program and answered concerns with respect to funding the program

Moved by Councillor A. Desmarais
Seconded by Councillor R. Bodner

That the Locum Physician Support Program, as outlined in Community and Economic Development Department, Health Services Division Report 2019-95, be approved.

That the City of Port Colborne Locum Physician Support Program include the following provisions:

1. Physicians seeking support are required to submit a written request for locum physician assistance to the Health Services Committee.
2. Locum financial assistance from the City is funded from the City's Physician Recruitment Reserve account.
3. Total financial support is at a rate of \$500 per eight-hour workday, with a maximum amount of not more than \$5,000 per calendar year, per physician.
4. The application shall be reviewed by the Health Services Committee for approval.
5. Upon the Health Services Committee's approval, the Director of Community and Economic Development shall authorize the application for locum physician assistance.
6. Payment shall be issued upon completion of the locum, to the Practice Physician.

CARRIED.

13. Community and Economic Development Department, Health Services Division, Report 2019-96, Subject: One-time Funding Request for Amalgamation Support – Port Colborne Family Health Organization and Mapleview Family Health Organization

The Health Services Coordinator, Joanne Ferraccioli, explained the funding request by the Family Health Organization.

Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

That the City of Port Colborne financially support the amalgamation of the Port Colborne Family Health Organization and the Mapleview Family Health Organization, at a one-time cost of \$30,000, to be funded from the Physician Recruitment Reserve Fund.

CARRIED.

15. Community and Economic Development Department, Parks and Recreation Division, Report 2019-94, Subject: Fourth Annual Summer Concerts in King George Park

Moved by Councillor A. Desmarais
Seconded by Councillor D. Kalailieff

That the Summer Concerts in King George Park event, to be held on August 6, 13, 20, and 27, 2019, be supported, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2019-94, Subject: Summer Concerts in King George Park;

That the fees for the park permit and use of hydro at King George Park, be waived;

That the Noise By-law Exemption application fee, be waived;

That the Event Organizer be required to file a certificate of Insurance, naming the City as additional insured, in the amount of \$2,000,000, prior to the event.

CARRIED.

16. Ritesh Malik of 2493207 Ontario Inc., Re: Request for Relief of Property Taxes/Interest for the duration of Development Process – 599 Main Street, West, Port Colborne

Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

That the request by Ritesh Malik of 2493207 Ontario Inc. for relief of property taxes for the duration of the development process for 599 Main Street West be denied.

CARRIED.

14. Notice of Motion:

Nil.

15. Adjournment:

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That the Committee of the Whole meeting be adjourned at approximately 10:20 p.m.

CARRIED.



—JEUX DU—
CANADA
—GAMES—

NIAGARA REGION
RÉGION DE NIAGARA

About The Canada Games



- Celebration of sport and culture
- First held during Canada's 1967 centennial
- Held every two years; alternating winter | summer
 - 2017 Summer Games | Winnipeg, Manitoba
 - 2019 Winter Games | Red Deer, Alberta
- 2021 will be the third games in Ontario
- Approximately 60% of Olympic medalists participated in Canada Games

About 2021 Canada Games - Niagara



- August 2021
 - Opening Ceremony – Friday, August 6th
 - Closing Ceremony – Saturday, August 21st
- 18 Sports
- 5000 Game Participants

Sport Program | The Sports



- 18 sports competing at venues across Niagara
- 3 sports with para-athletes
 - Athletics, Swimming, Sailing
- 2 sports with Special Olympic Athletes
 - Athletics, Swimming
- Inclusion of Box Lacrosse as pilot program
 - Important opportunity for Indigenous inclusion

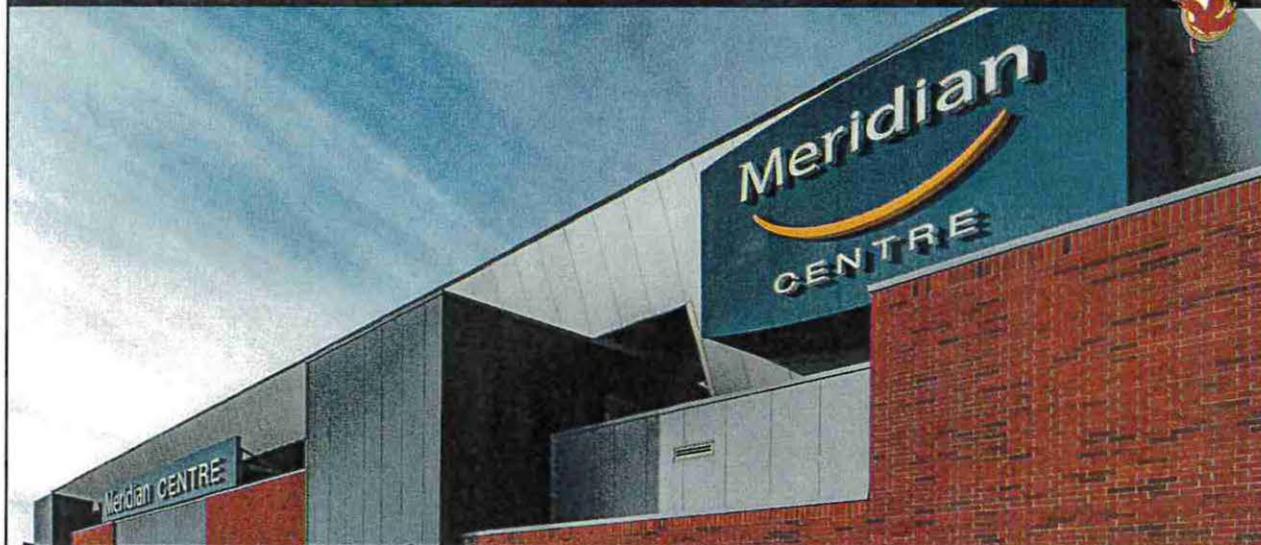
4000 Strong | Volunteer Led Games

involved
unteer

CELEBRATION EVENTS

CULTURE

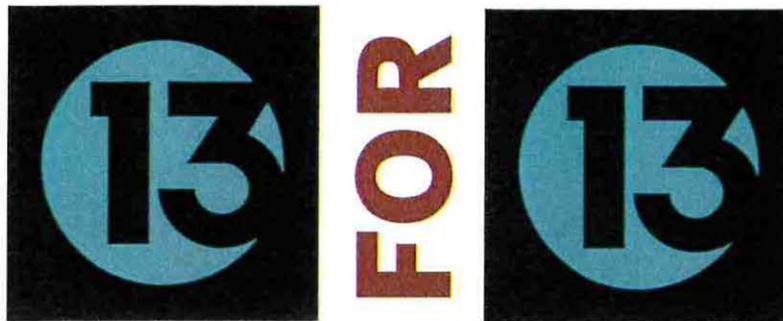
OPENING CEREMONIES | FRIDAY, AUGUST 6TH, 2021



CLOSING CEREMONIES | SATURDAY, AUGUST 21ST, 2021



FESTIVAL PROGRAM



13 FOR 13 FESTIVAL | CONCEPT

THE "13 FOR 13" PROGRAM WILL BE AN INNOVATIVE PROGRAM THAT WILL PARTNER EACH OF THE 13 COMMUNITIES IN NIAGARA (INCLUDING THE REGION) WITH ONE OF THE 13 PROVINCES AND TERRITORIES THAT WILL BE PARTICIPATING IN THE GAMES.

THIS PROGRAM WILL ULTIMATELY RESULT IN 13 DIFFERENT CULTURAL EVENTS THAT WILL HAPPEN THROUGHOUT THE COMPETITION DAYS, FROM THE 7TH TO THE 20TH OF AUGUST.



TORCH RELAY PROGRAM

TORCH PROGRAM | 2021



- STARTS IN OTTAWA
- ENDS IN NIAGARA

ROUTE | TBA

- WATERWAYS
- ALL MUNICIPALITIES
- WINE | CYCLE ROUTE



MILESTONE EVENT | COUNTDOWN CELEBRATION



2

- MONDAY, AUGUST 5TH, 2019
- HENLEY GRAND STAND
- FREE CONCERT CELEBRATION
 - GLEN SMITH DUO
 - FLAT BROKE



OUTLET COLLECTION
- AT NIAGARA -



Why The Turtle?

There are many wonderful coincidences that explain why the turtle is the perfect fit for the 2021 Canada Games in Niagara. :

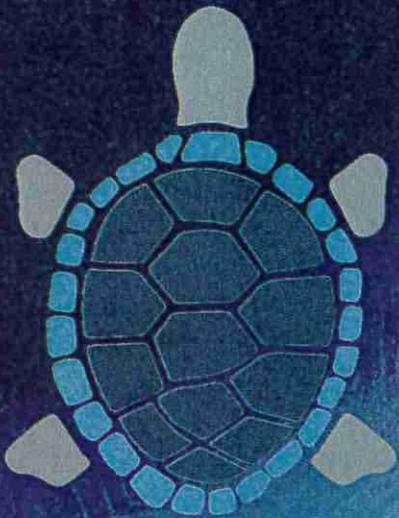
Turtle Island
The belief by our Indigenous community that the Niagara Escarpment is the backbone, or heart of "Turtle Island".

Our First Nations People
The significance of turtles to Niagara's Indigenous community

The Case For Number 13
The symmetry between the turtle's 13 large sections on its shell, Niagara's 13 municipalities (12 municipalities plus 1 region), and Canada's 13 provinces and territories.

28 for 28
The alignment between the turtle's 28 small sections on its shell and the 2021 Canada Games being the 28th Canada Games.

A stylized, light blue silhouette of a turtle, facing forward. The shell is composed of several large, dark blue sections arranged in a circular pattern, with smaller sections in between. The head, front legs, and back legs are also light blue. The background of the slide features a subtle, intricate geometric pattern.



A Natural Habitat
The abundance of turtles and turtle species in Niagara and southern Ontario

Making A Splash
The many water sports featured at the Canada Games.

A Matter of Conservation
The importance of protecting these endangered species.

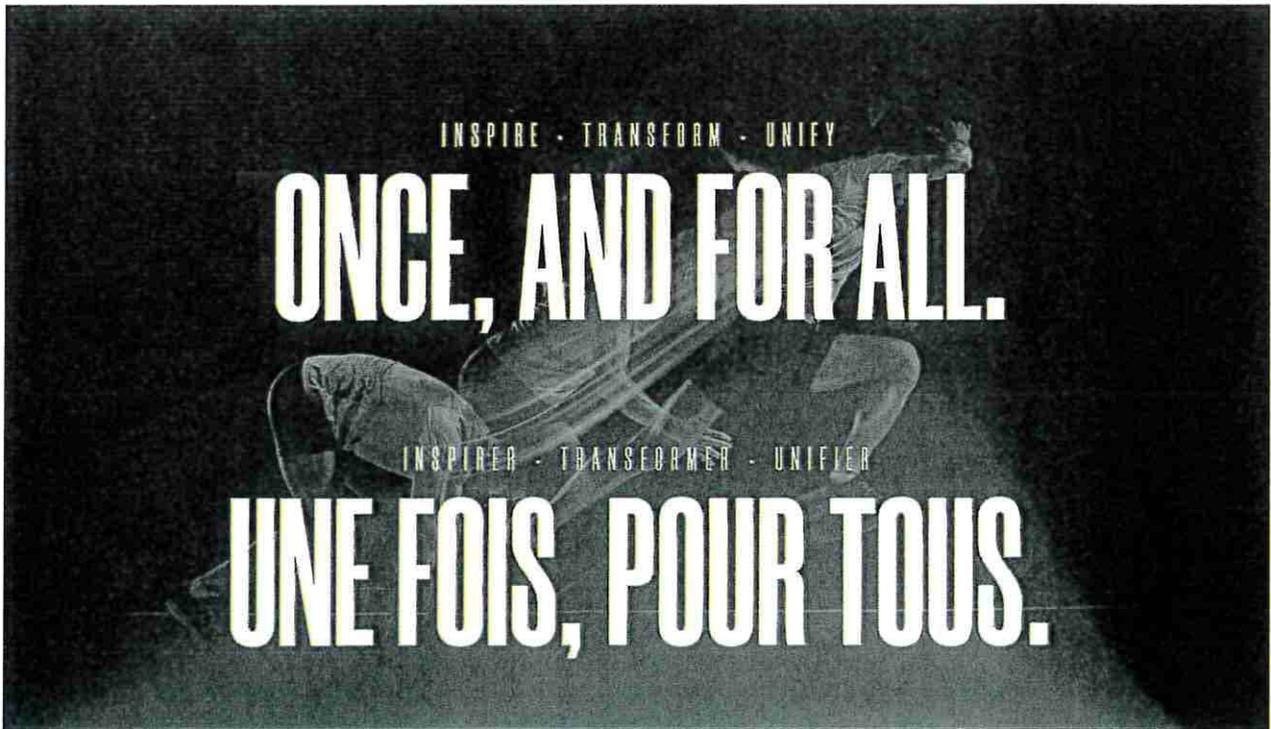
Athlete Development
The Canada Games are an important part of the development of Canada's young athletes. Achieving one's potential in any sport requires persistence and diligence. As our friend the turtle has taught us, slow and steady wins the race!

INSPIRE · TRANSFORM · UNIFY

ONCE, AND FOR ALL.

INSPIRED · TRANSFORMED · UNIFIED

UNE FOIS, POUR TOUS.



THANK YOU

INSPIRE, TRANSFORM, UNIFY.



INSPIRER, TRANSFORMER, UNIFIER.

MERCI

The City of Port Colborne

Fire & Emergency Services Fee Schedule

2019

1

Fees for Service Ontario Fire Service

Fees were introduced in the early 1990's

- Deterrent for false alarms
- Cost Recovery
- Revenue

Ministry of Transportation fees for motor vehicle incidents were established in 1980

2

Fees for Service

- Municipal Act allows for the establishment of fees
- Fees are established through By-law
- Council receives reports outlining fees and determines what is charged

3

Fees for Service

- Fees were established in 1980 and reviewed and revised regularly
 - Last update to the Fire Department Fees was in 2016
- Fire Department fees are now part of the City's overall Fee Schedule which is updated on an annual basis

4

The City of Port Colborne

Energy Conservation and Demand Management Plan 2019 – 2024

*Engineering and Operations Department Report 2019-100
June 24, 2019*



1

Background

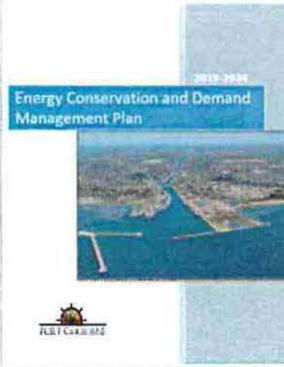
- Electricity Act, 1998
- Ontario Regulation 507/18 – Broader Public Sector: Energy Reporting and Conservation and Demand Management Plans



2

The Plan

- Guidance for: energy management, energy conservation and integration into all activities
- Reduce energy consumption, increase energy efficiency and ultimately reduce City's "footprint"
- Will evolve as energy demands and conservation opportunities are better understood



3

Vision Statement

To carry out the strategic and proactive pursuit of responsible energy management, in order to contribute to the environmental, economic, and social wellbeing of the residents, businesses and visitors of the City of Port Colborne.

4

Commitment

The City of Port Colborne aims to lead the community by example, and therefore commits to the following:

Allocation of the resources necessary to develop and implement a strategic energy management plan, aimed at reducing our energy consumption and its related environmental impact

Promotion of responsible energy management throughout the City, implementing economically viable energy conservation projects and renewable energy initiatives where possible

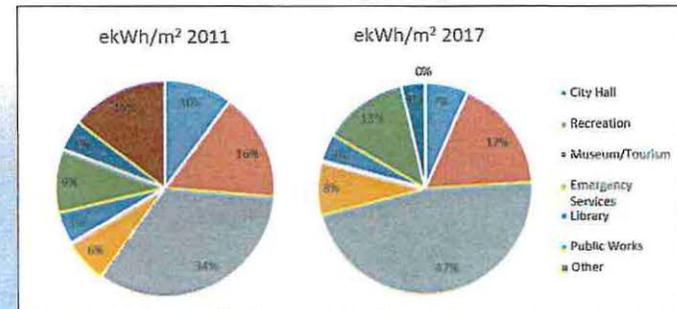
Compliance with legislated environmental requirements and standards

Continual improvement of the Plan and its projects and initiatives

5

Current Energy State

2011-2017 Energy Intensity



6

Energy Conservation Efforts - Highlights

Energy Supply Management

- Explored conservation measures and funding opportunities
- Roving Energy Manager for 1 year term to assist staff



7

Energy Conservation Efforts - Highlights

Facility Energy Management

Project Year	Project Name	Impact
2012-2013	T12-T8 fluorescent lighting retrofit	21% decrease in normalized ekWh/m ²
2015-2016	Streetlight LED retrofit	41% reduction in costs
2016	HVAC upgrades at Library and Roselawn	20% and 10% decrease in normalized ekWh/m ²
2018-ongoing	LED lighting retrofit	Evaluate in 2020

Energy Conservation Efforts - Highlights

Organizational Integration

- Ongoing energy audits of key City facilities
- Energy awareness campaign

Renewable Energy

- VHWC investigation into combined heat and power (2015)



9

The Plan - Goals



Provide the leadership necessary to promote a culture of energy conservation throughout City facilities



Reduce energy consumption and greenhouse gas emissions through energy conservation and management



Continuously improve the energy efficiency of City facilities and processes



Seek opportunities to utilize renewable energy sources where feasible and practical

10

Quantitative Goals

Target	Year achieved by
10% reduction in annual energy intensity	2024
25% reduction in electricity used by computer servers	2024
200,000kWh reduction from electricity consumption associated with lighting and plug load	2024
15% reduction of yearly kWh/HDD	2024

11

The Plan - Objectives

Energy Plan Management

Energy Conservation Committee meetings

- Chaired by Environmental Compliance Supervisor, with representatives from all City facilities – and Council
- Host annual meetings (or as frequently as needed) to effectively monitor energy consumption and carry out energy conservation planning

12

The Plan - Objectives

Energy Supply Management

- Investigate alternative funding opportunities with utility distribution companies to enhance energy conservation and demand management opportunities
- Investigate the opportunity of creating a revolving fund based on energy cost avoidances, to be reinvested in energy initiatives
- Strengthen partnerships with utility distribution companies to enhance energy conservation and demand management opportunities

13

The Plan - Objectives

Facility Energy Management

- Create an enhanced understanding of energy use within facilities
- Establish an equipment inventory for each City facility
- Establish rigorous building management and maintenance practices to increase energy efficiency of equipment and facilities
- Carry out continual building envelope improvements on City facilities, when possible
- Carry out continual energy retrofits and upgrades to City facilities, when possible
- Update all remaining facility lighting

14

The Plan - Objectives

Facility Energy Management

- | | |
|--|---|
| <ul style="list-style-type: none"> • Develop a commitment to high level energy efficiency requirements for new construction buildings | <ul style="list-style-type: none"> • Further investigation into the energy consumption, and conservation opportunities, for facilities older than 10 years |
| <ul style="list-style-type: none"> • Develop a plan to reduce energy used by computers | <ul style="list-style-type: none"> • Conserve energy through adjusted lighting and plug load |
| <ul style="list-style-type: none"> • Increase the efficiency of HVAC units in select City Facilities | |

15

The Plan - Objectives

Organizational Integration

- | | |
|---|---|
| <ul style="list-style-type: none"> • Employee training and awareness to educate City employees on energy consumption and conservation measures associated with their job functions | <ul style="list-style-type: none"> • Develop an energy communication strategy to sustain awareness of energy management, including consumption, reports, and initiatives |
| <ul style="list-style-type: none"> • Incorporate energy management policies into all staff job functions | <ul style="list-style-type: none"> • Allocate student intern resources to carry out Plan objectives and initiatives, when possible |
| <ul style="list-style-type: none"> • Enhance communication concerning energy conservation success | |

16

The Plan - Objectives

Energy Data Management

- Establish a City-wide procedure for energy record keeping, monitoring and reporting, to be followed by key staff members
- Utilize the Energy Planning Tool to better analyze energy use and costs within City facilities and operations
- Develop a commitment to manage load demands and to shift and reduce energy demand during peak periods, when possible

17

The Plan - Objectives

Procurement

- Develop and implement an Energy Efficiency Procurement Policy, which ensures that new equipment purchases (computers, HVAC etc.) undergo an energy efficiency assessment before purchase
- Develop and implement a policy that states tenants who lease City facilities are required to use energy star, or equivalent appliances

18

The Plan - Objectives

Renewable Energy

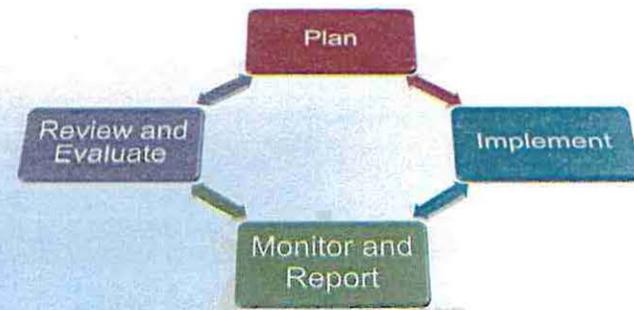
Develop Renewable Energy Plan to guide the research and possible implementation of renewable energy initiatives within the City

- Establish a City-wide commitment to renewable energy
- Monitor available renewable energy technologies and market conditions to make recommendations to the ECC and ultimately to Council

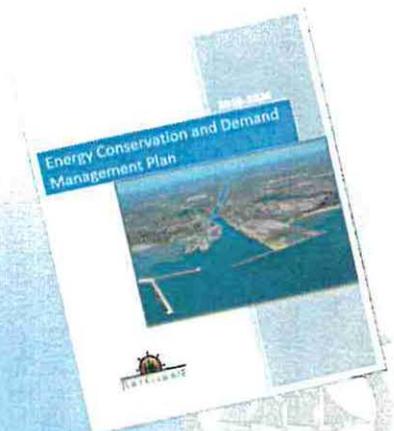


19

Evaluation



20



The image shows the cover of a report titled "Energy Conservation and Demand Management Plan". The cover features a blue header with the title in white text. Below the title is a photograph of an industrial facility with a large body of water in the foreground. At the bottom of the cover, there is a small logo and the word "PLANT" in a stylized font. The report cover is tilted and appears to be resting on a surface.

Questions?

21

Federal of Canadian Municipalities

May 30 – June 2 Quebec City

Report from Mayor Bill Steele

I attended this conference from May 30 – June 2 with Councillors Gary Bruno and Eric Beauregard and CAO Scott Luey. The conference theme was “Building Better Lives.”

We split attending the various sessions. I attended the following:

Procuring Low carbon solutions – within our municipality we all have a role in reducing our greenhouse gases. Municipalities are on the front lines of reducing emissions. The challenge is complex and puts pressure on municipal leaders to embrace low-carbon solutions that stand up to scrutiny. Having a solid understanding of the issue is essential. Portland Oregon had a presentation on low carbon concrete – same cost of concrete of today but has a very low carbon footprint. Any new construction has to use this new concrete. It speeds up construction time because it takes less time to cure.

Rural Town Hall – driving tomorrow’s growth – Thriving and prosperous rural communities are key to driving Canada’s economic future. We heard from speakers about federal initiatives designed to drive growth in rural areas. FCM is working to build better lives in rural communities from universal broadband to the doubling of this year’s Gas Tax Fund transfer. Across Canada we hope to have 90% of homes connected with internet by 2021; 95% by 2026 and 100% by 2030.

Building Vibrant Rural Economies – Rural Canada is becoming a more desirable place for business investment and with the right tools we can attract that investment and build prosperous, livable communities. Speakers talked about how social infrastructure – from health care to housing – builds better lives.

Festivals and other community events: risks and rewards – Festivals and other recreational and cultural events are staples of the livable and vibrant communities we build. We have to do them right and reduce the risk and liability for residents and municipalities. Speakers talked about developing a solid risk management plan. They also spoke about the challenges and opportunities of raising money and offsetting costs through sponsorship revenue.

Responding to the drug crisis in our communities – Speakers talked about the current public health crisis unfolding in our communities and some community-based approaches to prevention and education, as well as harm reduction, treatment and enforcement. This should be looked at as a health issue, not a police issue when dealing with addicts. Winnipeg has a drug task force with health officials and police. We need to create a drug strategy – must have investment in youth – The City of Waterloo have a youth engagement program which is working well for them.

Great Lakes and St. Lawrence Cities Initiative – Annual General Meeting

June 5 – 7 Sheboygan, WI

Report from Mayor Bill Steele

I attended this conference from June 5 – 7 in Sheboygan, Wisconsin with Mayor Sendzik of St. Catharines and Mayor Redekop of Fort Erie. The conference theme was “Living Blue – Transforming waterfronts – economically, socially and sustainably.”

The following is a recap of the plenaries I attended.

Creating healthier communities through waterfront access – The panel highlighted new ways to bring people to the waterfront by providing trails, swimming piers, clean beaches, entertainment and engaging space that help contribute to healthier lifestyles. Having waterfronts that are clean, green and connected, attract people and employers to your community.

Untapped potential – waterfront economic development – We understand the best potential for our waterfronts. The region grew on the backbone of working waterfronts and industries that relied on an abundance of freshwater and access to shipping. The panel discussed how communities today can harness their waterfronts to continue economic growth and development while balancing the need for sustainability and accessibility.

Sheboygan River Clean up Project – We toured the multi-million dollars clean up underway in the Sheboygan River that will reintroduce wetlands and commercial areas.

Lead Pipes in Infrastructure

Mayor Weaver of Flint, Michigan talked about the lead pipe issue including bad water and infrastructure – all infrastructure is now up to modern standards and they are working with the residents replacing lead pipe in homes and laterals to their homes.

Mayor Barrett of Milwaukee spoke about their infrastructure and that anything built pre 1951 contained lead pipes. They have a similar project going forward replacing lead laterals into homes.

Assessing the impacts of climate change on the Grant Lakes and St. Lawrence Basin and how to move forward - Don Wuebbles – Professor of Atmospheric Science, University of Illinois talked about climate change and its affect on the Great Lakes. (see slides)

Planning for the future - keeping waterfronts resilient and sustainable – The Mayor of Ajax spoke about creating healthier communities through water access - we need vision and political will, community pride, maintenance and improvement strategies and strategic partnership. (see slides)

Roundtable session – Waterfront Developments – identify the building blocks for waterfront development – integrated industrial, commercial and residential projects – or proceeding individually

Press Conference – Asian Carp – A press conference was held where the member Mayors signed the Mayor’s Declaration to Stop Asian Carp. Since the first Asian Carp appeared, the Great Lakes and St. Lawrence Cities Initiative have take this issue very seriously. These four fish species from Asia, called “Asian Carp” were introduced to clean up ponds in the southern US. Unfortunately, spills and flooding allowed them to enter the Mississippi and other rivers, where they have made their way to the edge of the Great Lakes, threatening the Great Lakes and the St. Lawrence River and our entire ecosystem.

Six resolutions came forward and were passed by the Board of Directors:

1. Greater Investment required to reduce nutrient impacts on waterways
2. Support for the Great Lakes and St. Lawrence Collaborative Strategy
3. Strengthening the Great Lakes St. Lawrence River Basin Sustainable Water Resources Agreement and the Great Lakes St. Lawrence River Basin Water Resources Compact for a sustainable blue economy
4. Advancing interim measures at Brandon Road lock and dam to protect against Asian Carp
5. Taken action to reduce plastic waste in the Great Lakes and St. Lawrence River
6. Support for nature based ecotourism along the Great Lakes coastlines and watersheds.



MAYOR'S REPORT – JUNE 24, 2019

NICKEL BEACH FAMILY BONFIRES

Our inaugural Nickel Beach Family Bonfire was a great success. I want to thank Brandon's No Frills, Oskam Steel and Chris Madronich for their contributions to the evening and to everyone who brought their families.

Next one is Friday July 26th.

COMPANY ANNIVERSARIES

Friday night I had the opportunity to celebrate the 25th anniversary of North America Traffic. Thanks to Peter Vieveen and Jordan Sherlock – we look forward to visiting your plant this week.

On Saturday I attended the 60th Anniversary of Murdoch's Tire & Automotive with Don and Ken Murdoch. Our Town Crier declared the "Man in the Tires" to be a Port Colborne Landmark.

ART CRAWL

Thanks to the organizers, artists and musicians as well as members of the public who flocked to West Street Saturday afternoon and evening to take in the Art Crawl. It was an amazing showcase of local talent.

BUDWEISER CHALLENGE FISHING DERBY

The Budweiser Challenge Fishing Derby was held on Saturday as well with 92 teams participating. The weather was perfect and the fish were plentiful.

SCHOOL'S OUT

At the end of the week school will be out for the summer and I'm asking residents to keep a close eye while driving on city roads, especially near playgrounds and parks where children are at play.

Remember during hot days, you can cool off at Nickel Beach and Centennial Beach as well as the Discovery Spray Pad at H.H. Knoll Lakeview Park. Our air-conditioned library also has many programs taking place or you can just relax and read a book or magazine. The Vale Health & Wellness Centre is also available as a cooling place in extreme heat.

CANADA DAY CELEBRATIONS

Coming up next Monday, the Port Colborne Optimist Club will be presenting Canada Day at H.H. Knoll Lakeview Park. Festivities begin at 10 a.m. and continue in the park until 6 p.m. Fireworks will follow over the canal around 10 p.m. There are lots of activities to keep your family busy. Details are listed on our website on the events page.

REPORT /PRESENTATION OF COUNCILLOR GARY BRUNO

FEDERATION OF CANADIAN MUNICIPALITIES (FCM) CONVENTION – 2019 –QUEBEC CITY

Council Meeting – June 24, 2019

- 1. Study Tour of Port of Quebec :**Had the opportunity to tour the St. Lawrence and part of the inner harbor .While onboard I listened to Patrick Robitallie -Vice President Business Development speak to the history and growth of the Port of Quebec from from both a cargo and passenger cruise ship perspective. After the speech Patrick spent the balance of the two hour tour describing and answering my questions on how best to partner or start a Port Authority , what to look for in an agreement, how to grow the Port and create a network of users. Patrick indicated we could contact him or any of his colleagues along our journey for advice, perspective, contacts or alliances. I have shared this information and contact information with Mayor Steele for his subsequent Great Lakes Mayors conference as well as for future reference and contact directly.
- 2. Tandempark :**This is a software development company that is all thinks volunteer participation database, profile retention, lead generation, scheduling, orientation, and recruitment. All information is held in the cloud and is data intense (both current and historical). While we have an excellent program and staff that has developed over the years, this platform ensures better sustainability of institutional knowledge over the years. It keeps volunteer engagement current and dynamic. For a municipality like Port Colborne I think this is a very good program to eliminate redundancy, silo building and less risk of losing institutional knowledge. I have passed collateral material and contacts on to Ashley and Nicole for further investigation and discussions.
- 3. PILT PROGRAM:** This Service provider agency, reviews and researches assessment of all Federal Government buildings and properties in municipalities across Canada at no charge to the municipality. I engaged with the representatives at the Conference to provide us with our current Payments in Lieu of Taxes PILT dollars we currently receive (117k). The program allows Port Colborne to go back and review its mapping and tax rolls to ensure our view of which properties should be assessed to see if there are any forgotten properties as well as whether we believe they are assessed correctly. At the end of that internal scan we can submit our findings to this provider to see if they agree with our review. Should there be missed or under-valued assessments the agency will notify the federal government of their findings and seek adjustments to our PILT payments going back up to 3 years.

4. **SMART CITY'S BUDGETING:** Quickly , the seminar dealt with the importance of having a well thought out IT "platform" as the basis for all things inter connected going forward in terms of information technology compatibility. In addition there was a consensus that when it comes to IT, that a multiyear budgeting guarantees spend budget be adopted, as roll out and connectivity can't move in fits and starts waiting to see if budgets approved. Once a segment of change is adopted it must be fully funded to completion. This capital budgeting approach should be looked at across all departments. Also included was an 'innovation budget "as part of all departments' budgets.

5. **MUNICIPAL WORLD ARTICLE:** I had the opportunity to speak with the managing editor and key staff at this well respected municipal publication and convinced them that a story on "HOW THE LITTLE CITY THAT CAN" all about some of our successes particularly as it relates to leveraging funds would make an excellent article. Their staff is looking forward to the article. I will advise Corporate Communications department on further details.

Friday, May 31, 2019

Modernizing our Fiscal Toolbox in Election 2019 Workshop:

- Go to AMO site and look at Gas Tax at Work to see all the projects being completed at the local level with Gas Tax money

Connected Lab:

Permeable interlocking Concrete Pavement

- Allows water to soak into the pavement, goes through the pavement and reduces pollution
- Reduces storm water volume
- Groundwater recharge is a benefit
- PICP is like a great big infiltration system
- Kitchener used the Green Municipal Fund to fund their PIC

15 Most productive apps:

- Asana: organizes calendars
- Eva by Voicea: this app gets invited into your online meeting and the app takes notes for you
- Otter: similar in concept as Eva by Voicea but notes can be edited while meeting is going on
- Bamboo Slate: allows you to write out your notes and it becomes instantly digitized

Managing Snow and Water Levels for Safer Communities

- Maintenance Decision Support System (MDSS)
- MDSS is a software framework - it brings together weather forecast (13 different weather forecasts and weighs them based on their historical accuracy); Road Weather Information System (RWIS) pressure, humidity, weather, condition of pavement; Rules of Practice
 - Implementation:
 - Road Configuration Data
 - Identify segments
 - Shape files
 - Number of lanes on each
 - Length of segments
 - Traffic volume
- MDSS optimizes road operations - saves money by using less salt and helps the environment by having less salt entering the storm sewer systems
- City of Vaughan case study
- * especially important given a recent article stating how some of our ditches have become highly concentrated with salt to the point its salt water.

Saturday, June 1, 2019

Legalized Cannabis: How Municipalities are Adapting

Bottom Line Up Front - Neil Dubord , Chief Constable of Delta Police

Pure Sun Nursery - growing Marijuana facility

- 26% of greenhouses are converted into cannabis grow
- these nurseries are on ALR land (Agricultural Land Reserve)
- The conversion from vegetable to cannabis growing has impacted the food supply
- They are operating as an industry in some areas on Industrial Lands and being taxed agricultural - so paying very little tax

Municipalities and the Affordable Housing Crisis

Dr. David Wachsmuth, Canada Research Chair in Urban Governance, McGill University

Is part of a think Tank called UPGo (Urban Politics and Governance Lab)

The gov't has moved away from gov't creating housing to relying on the private sectors to develop housing

Downsides of the market driven approach for affordable housing:

1. Markets cannot address the needs of the poorest individuals in our society
2. Housing markets are not designed to provide affordable housing
 1. They are designed to sell

Development vs. No development debate in our communities play a role

Even when the housing market works well, it's because those who want to sell their houses have people who can afford to buy them wanting houses

What's the role of short term rentals (AirBnb) in the affordable housing crisis?

- 130,000 AirBnb rentals are up for reservation every day in Canada
- A surprisingly small amount of people using AirBnb are people sharing their homes. Most are Condo units or Apartment (commercial entities)
- 2% or more of the housing in large cities that could be a home for a family are taken up by short term rentals. Montreal is the worst.
- Smaller communities are becoming more affected by this

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**City of Port Colborne
Regular Meeting of Council 19-19
Monday, July 8, 2019
following Committee of the Whole Meeting
Council Chambers, 3rd Floor, 66 Charlotte Street**

Agenda

- 1. Call to Order:** Mayor William C. Steele
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
 - (a) Regular meeting of Council 17-19, held on June 24, 2019.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**

Nil.
- 10. Minutes of Boards, Commissions & Committees:**
 - (a) Minutes of the Accessibility Advisory Committee Meeting of May 27, 2019 (Draft)
 - (b) Minutes of the Port Colborne Active Transportation Advisory Committee Meeting of April 29, 2019
 - (c) Minutes of the Canal Days Advisory Committee Meeting of May 1, 2019
 - (d) Minutes of the Port Colborne Economic Development Advisory Committee Meeting of March 21, 2018, April 3, 2019 (draft) and August 1, 2018
 - (e) Minutes of the Port Colborne Historical & Marine Museum Meeting of May 21, 2019
 - (f) Minutes of the Port Colborne Public Library Board Meeting of May 14, 2019
- 11. Consideration of By-laws:**
- 12. Council in Closed Session:**
 - (i) Motion to go into Closed Session

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

- (a) Minutes of the closed session portion of the following Council meeting: June 24, 2019.
 - (b) Planning and Development Department, Planning Division outline re: Planning 101, Council training *Municipal Act, 2001*, Subsection 239(3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:
 - 1. The meeting is held for the purpose of educating or training members.
 - 2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
 - (c) Planning and Development Department, Planning Division Report 2019-105, concerning the potential disposition of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.
 - (d) Planning and Development Department, Planning Division Report 2019-107, concerning the potential disposition of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.
 - (e) Corporate Services Department, Clerk's Division Report 2019-106, Subject: Appointments to Boards and Committees, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees.
- (ii) Disclosures of Interest (closed session agenda):
 - (iii) Consideration of Closed Session Items:
 - (iv) Motion to Rise With Report:

13. Disclosures of Interest Arising From Closed Session:

14. Report/Motions Arising From Closed Session:

15. Adjournment:

Council Items:

Notes	Item	Description / Recommendation	
WCS MB EB RB GB FD AD DK HW	1.	<p><u>Port Colborne Transit Advisory Committee Requires Councillor Appointment</u></p> <p>That Councillor _____ be appointed as the Councillor representative on the Port Colborne Transit Advisory Committee for a term ending November 30, 2022.</p> <p>(Note: Due to the resignation of Councillor Eric Beauregard).</p>	
WCS MB EB RB GB FD AD DK HW	2.	<p><u>Planning and Development Department By-law Enforcement Division, Report 2019-05, Subject: Hunting in Gravelly Bay Complaints</u></p> <p>That By-law Enforcement Services staff be directed to add an additional 150 feet to the 600 feet no hunting zone from the shoreline in Gravelly Bay, pending approval from the St. Lawrence Seaway Management Corporation.</p>	
WCS MB EB RB GB FD AD DK HW	3.	<p><u>Community and Economic Development Department, Parks and Recreation Division, Report 2019-109, Subject: 41st Annual Canal Days Marine Heritage Festival – Additional Request for Road Closures</u></p> <p>1. That the closure to street parking and through traffic be approved and authorized for following roads beginning at 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019 for the purpose of hosting the Canal Days concerts:</p> <ul style="list-style-type: none"> • Steele Street, from the southern limit of Steele Street at Sugarloaf Street; • Steele Street, from the eastern limit at Steele Street at Sugarloaf Street; • Isabel Street, from the southern limit of Isabel Street at Sugarloaf Street; • Fielden Avenue, from the northern limit of Fielden Avenue at Sugarloaf Street; • Fielden Avenue, from the southern limit at Sugarloaf Street; • Lighthouse Lane, from the southern limit at Sugarloaf Street; 	

		<ul style="list-style-type: none"> • Elm Street, from the southern limit of Elm Street at Sugarloaf; • Elm Street, from the western limit of Elm Street at Sugarloaf Street; • H.H. Knoll Lakeview Park parking lot, south of Dawg's Burgers and Fries to Fielden Avenue. 	
WCS RB AD	MB GB DK	EB FD HW	<p>4. <u>Community and Economic Development Department, Parks and Recreation Division, Report 2019-110, Subject: Thirty Ninth Annual Terry Fox Run</u></p> <p>That the request to host the thirty ninth annual Terry Fox Run on September 15, 2019 at 1:00 p.m., and the thirteenth annual head shave at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell, be approved; and</p> <p>That the permit fee for the use of the H.H. Knoll Lakeview Park bandshell and hydro be waived; and</p> <p>That the advertising fee be waived for information being posted on the West Side Road sign, the Library sign, and the Vale Health & Wellness Centre Pylon Sign from September 4 to September 15, 2019, be waived; and</p> <p>That the request for the Terry Fox Run flag to be raised over City Hall the week of August 26, 2019, be approved and referred to the Mayor's office for response; and</p> <p>That the request for a 10' x'10' stall at the Port Colborne Farmers' Market on August 23 and 30, 2019 and September 6 and 13, 2019 to sell licensed Terry Fox t-shirts and distribute pledge forms, be approved and referred to the Market Clerk for response; and</p> <p>That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the event.</p>

<p>WCS MB EB RB GB FD AD DK HW</p>	<p>5.</p>	<p><u>Engineering and Operations Department, Engineering Division, Report 2019-84, Subject: Project 2019-03, Annual Sewer Flushing and CCTV Inspection – City Wide – 2 Year Duration</u></p> <p>That Project 2019-03 Annual Sewer Flushing and CCTV Inspection, for a two (2) Year Duration, be awarded to Wessuc Inc. of Brantford, Ontario, for the total tendered price of \$121,186.00 plus applicable taxes. Staff is directed to utilize the bid items as listed within the awarded Tender Documents, in such a manner as to complete all required works, all the while keeping within the annual budget allocations of Council; and</p> <p>That funding for Project 2019-03 Annual Sewer Flushing and CCTV Inspection be financed under Account: 7-590-76250-3328 Extraneous Flows; and</p> <p>That a by-law, in which the City enters into a Contract Agreement with the Contractor be prepared, upon final budget approval.</p>	
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>6.</p>	<p><u>Planning and Development Department, Planning Division, Report 2019-108, Subject: Request for Extension of Draft Plan of Subdivision Approval (File No. D12-H58) Rosedale Plan of Subdivision</u></p> <p>That the Draft Plan Approval for the Rosedale Draft Plan of Subdivision be extended to August 12, 2020; and</p> <p>That the conditions of draft approval be updated by deleting conditions 47, 48 and 49 and that ministry names be updated in conditions 13, 35, 38 and 40; and</p> <p>That Upper Canada Consultants be notified accordingly.</p>	

Miscellaneous Correspondence			
WCS RB AD	MB GB DK	EB FD HW	<p>7. <u>Memorandum from the Accessibility Advisory Committee Re: The Honourable David Onley's Recommendations</u></p> <p>That Council supports the recommendation of the Accessibility Advisory Committee as follows;</p> <p>That the recommendation from the Accessibility Advisory Panel of the City of Greater Sudbury to the Honourable Raymond Cho, Minister for Seniors and Accessibility, to adopt the recommendations of David Onley in his review of the Accessibility for Ontarians with Disabilities Act and commit to the implementation of new standards for the build environment, stronger enforcement of the act, accessibility for design professions, and an assurance that public money is never again used to create new accessibility barriers, be supported.</p>
WCS RB AD	MB GB DK	EB FD HW	<p>8. <u>Region of Niagara Re: Notice of Passing of By-law to Amend By-law 112-2013 being a By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke – Triple Majority Requirement PHD 09-2019, June 11, 2019</u></p> <p>That the Council of The City of Port Colborne consents to the passage of By-law No. 2019-52 of The Regional Municipality of Niagara, being a by-law to amend By-law 112-2013 - A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke.</p>
WCS RB AD	MB GB DK	EB FD HW	<p>9. <u>Region of Niagara Re: Joint Canadian Urban Transit Association Reporting Memorandum of Understanding (PW 30-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: Joint Urban Transit Association Reporting Memorandum of Understanding (PW 30-2019), be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	<p>10. <u>Region of Niagara Re: 2018 End of Year Growth Report (PDS 21-2019)</u></p> <p>That the correspondence received from the Region of Niagara Re: 2018 End of Year Growth Report (PDS 21-2019), be received for information.</p>

Outside Resolutions – Requests for Endorsement
NIL.
Responses to City of Port Colborne Resolutions
NIL.

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

By-law No.	Title
6699/63/19	Being a By-law to Appoint a Deputy Clerk (Commissioner for Taking Affidavits)
6700/64/19	Being a By-law to Temporarily close Sections of Various Streets to Vehicular Traffic for the Purpose of the 41 st Annual Canal Days Festival
6701/65/19	Being a By-law to Authorize Entering Into a Contract Agreement with Wessuc Inc. Re Tender 2019-03, Annual Sewer Flushing and CCTV Inspection
6702/66/19	Being a By-law to Amend By-law 5991/97/13, Being a By-law to Set a Lapsing date of Draft Plan approval for Rosedale Subdivision
6703/67/19	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special and Regular Meetings of July 8, 2019

The Corporation of the City of Port Colborne

By-law no. 6699/63/19

Being a by-law to appoint a Deputy Clerk (Commissioner for Taking Affidavits)

Whereas Subsection 228(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipality shall appoint a Clerk; and

Whereas Subsection 228(1) of the *Municipal Act, 2001* provides that the municipality may appoint a Deputy Clerk who shall have all the powers and duties of the Clerk; and

Whereas Section 1 of the *Commissioners for Taking Affidavits Act* (the "Act") provides that the persons who hold an office or an office of a class that is prescribed by the regulations made under the Act are, by virtue of office, commissioners for taking affidavits in Ontario; and

Whereas Deputy clerks, treasurers, and deputy treasurers of municipalities are, by virtue of office, commissioners for taking affidavits in Ontario; and

Whereas it is desirable to ensure that public service is maintained at all times; and

Whereas the Council of The Corporation of the City of Port Colborne deems it expedient to appoint a Deputy Clerk for the above purpose;

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

1. That Kristina Domenicucci is hereby appointed a Deputy Clerk for The Corporation of the City of Port Colborne solely for the purpose of acting as a Commissioner for Taking Affidavits;
2. That this by-law shall come into force and take effect on the day of passing;
3. That this by-law shall be repealed on the date the appointee ceases to be an employee of the City of Port Colborne.

Enacted and passed this 8th day of July, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-law no. 6700/64/19

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the 41st Annual Canal Days Festival

Whereas at its meeting of July 8, 2019, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2019-109, Subject: 41st Annual Canal Days Marine Heritage Festival - Additional Request for Road Closures; and

Whereas the municipality has jurisdiction, as defined in Section 28 of the *Municipal Act, 2001, S.O. 2001, c.25*, over the highways known as West Street, Princess Street, Park Street, Charlotte Street, Kent Street, Victoria Street, Adelaide Street, Sugarloaf Street, Clarence Street, King Street, Steele Street, Isabel Street, Fielden Avenue, Lighthouse Lane, and Elm Street; and

Whereas the municipality is granted the power under Sections 11(3) and 27(1) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, to pass by-laws with respect to highways within its jurisdiction and to close a highway temporarily for any purpose specified in the by-law; and

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the 41st Annual Canal Days Festival;

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

1. That in this by-law "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this by-law at any time during the hours of 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours of 2:00 p.m. to 12:00 a.m. on Sunday, August 4, 2019.
5. The provisions of this by-law shall not apply to ambulances, police or fire service vehicles or public utility emergency vehicles, authorized event vehicles, or any other vehicles required in the case of emergency.
6. Any person violating the provisions this by-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.
7. No person, being the owner of any dog (animal), shall permit any such dog (animal) to be on any street, square or parking lot closed under the authority of this by-law.

8. This by-law shall take effect on the date and times prescribed and on the placing of proper barricades and signs.

Enacted and passed this 8th day of July, 2019.

William Steele
Mayor

Amber LaPointe
City Clerk

Schedule "A" to By-law No. 6700/64/19

- Steele Street, from the southern limit of Steele Street at Sugarloaf Street;
- Steele Street, from the eastern limit at Steele Street at Sugarloaf Street;
- Isabel Street, from the southern limit of Isabel Street at Sugarloaf Street;
- Fielden Avenue, from the northern limit of Fielden Avenue at Sugarloaf Street;
- Fielden Avenue, from the southern limit at Sugarloaf Street;
- Lighthouse Lane, from the southern limit at Sugarloaf Street;
- Elm Street, from the southern limit of Elm Street at Sugarloaf;
- Elm Street, from the western limit of Elm Street at Sugarloaf Street;
- H.H. Knoll Lakeview Park parking lot, south of Dawg's Burgers and Fries to Fielden Avenue.

The Corporation of the City of Port Colborne

By-law no. 6701/65/19

Being a by-law to authorize entering into a contract agreement with Wessuc Inc.
Re tender 2019-03, Annual Sewer Flushing and CCTV Inspection

Whereas at its meeting of July 8, 2019 the Council of The Corporation of the City of Port Colborne approved the recommendations of the Engineering and Operations Department, Engineering Division, Report 2019-84, Subject: Project 2019-03, Annual Sewer Flushing and CCTV Inspection; and

Whereas Council of The Corporation of the City of Port Colborne is desirous of entering into a contract agreement with Wessuc Inc. regarding tender 2019-03, Annual Sewer Flushing and CCTV Inspection;

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

1. That The Corporation of the City of Port Colborne enter into a contract agreement with Wessuc Inc. regarding Tender 2019-03, Annual Sewer Flushing and CCTV Inspection.
2. That the Mayor and the Clerk be and each of them is hereby authorized and directed to sign said agreement, together with any documents necessary to complete the conditions of said agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 8th day of July 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-law No. 6702/66/19

Being a by-law to amend by-law 5991/97/13,
being a bylaw to set a lapsing date of draft plan approval
for Rosedale Subdivision

Whereas the Council of The Corporation of the City of Port Colborne passed By-law 5991/97/13 to give Draft Plan approval to August 12, 2015; and

Whereas on July 13th 2015 the Council of The Corporation of the City of Port Colborne extended Draft Plan approval to August 12, 2017; and

Whereas on June 26th 2017 the Council of The Corporation of the City of Port Colborne extended Draft Plan approval to August 12, 2019;

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

1. That a draft approval lapsing date of August 12th 2020 be set for the Rosedale Plan of Subdivision.
2. That Schedule A to this by-law form the list of conditions of draft approval for the Rosedale Plan of Subdivision.

Enacted and passed this 8th day of July, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-Law no. 6703/67/19

Being a by-law to adopt, ratify and confirm
the proceedings of the Council of The
Corporation of the City of Port Colborne at
its Special and Regular Meetings of July 8, 2019

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

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

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

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Special and Regular Meetings of July 8, 2019 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 8th day of July, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

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**City of Port Colborne
Regular Meeting of Council 17-19
Minutes**

Date: June 24, 2019

Time: 10:20 p.m.

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

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Absent: F. Danch, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
B. Garrett, Director of Corporate Services
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)

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Withdrawal:

By-law 6696/60/19, Being a by-law to Amend Zoning By-law 6575/30/18 respecting Lands Legally Described as Part Lot 27 Concession 1, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, Municipally known as 170 Welland Street, was withdrawn due to the deferral of the associated report during the Committee of the Whole meeting.

By-law 6697/61/19 Being a by-law to Adopt Amendment No. 6 to the Official Plan for the City of Port Colborne was withdrawn due to the deferral of the associated report during the Committee of the Whole meeting.

The remainder of the by-laws were renumbered to suit.

3. **Confirmation of Agenda:**

No. 108 Moved by Councillor E. Beauregard
Seconded by Councillor D. Kalailieff

That the agenda dated June 24, 2019 be confirmed, as circulated or as amended.

CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Adoption of Minutes:**

No. 109 Moved by Councillor H. Wells
Seconded by Councillor D. Kalailieff

(a) That the minutes of the regular meeting of Council 16-19, June 10, 2019, be approved as presented.

CARRIED.

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

Nil.

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

No. 110 Moved by Councillor R. Bodner
Seconded by Councillor D. Kalailieff

That items 1 to 16 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Items:

1. **Fire and Emergency Services Department, Report 2019-93, Subject: Fire Department Fee Schedule**

Council resolved:

That Fire and Emergency Services Department Report 2019-93, Subject: Fire Department Fees Schedule, be supported; and

That the Fire Chief be directed to continue with past practices using previously determined fees adjusted through inflation in consultation with Council.

2. Engineering and Operations Department, Operations Division, Report 2019-100, Subject: Energy Conservation and Demand Management Plan 2019-2024

Council resolved:

That Engineering and Operations Department, Operations Division Report 2019-100, Subject: Energy Conservation and Demand Management Plan, 2019-2024" be received; and

That the Energy Conservation and Demand Management Plan, 2019-2024, be approved; and

That staff be directed to publish, make available to the public and implement the City's Energy Conservation and Demand Management Plan, in compliance with Ontario Regulation 397/11; and

That Councillor D. Kalailieff be appointed to sit on the Energy Conservation Committee for the term of Council.

3. Fire and Emergency Services Department, Report 2019-71, Subject: Emergency Management Program

Council resolved:

That the updated Emergency Management Program and updated Emergency Management Plan attached to Fire and Emergency Services Department Report 2019-71 be adopted by by-law; and

That By-law No. 6555/10/18 be repealed.

4. Fire and Emergency Services Department, Report 2019-73, Subject: Mutual Assistance Agreement

Council resolved:

That the Chief Administrative Officer be directed to sign the Mutual Assistance Agreement Mutual Assistance Agreement with all municipalities within Niagara, as well as the Regional Municipality of Niagara; and

That the necessary by-law be prepared.

5. Fire and Emergency Services Department, Report 2019-92, Subject: Fire and Emergency Services Information Report

Council resolved:

That Fire and Emergency Services Department Report 2019-92, Subject: Fire and Emergency Services Information Report, be received for information.

6. Engineering and Operations Department, Operations Division, Report 2019-82, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2017)

Council resolved:

That Engineering and Operations Department, Operations Division Report 2019-82, Subject: Energy Consumption and Greenhouse Gas Emissions Report (2017), be received for information.

7. Planning and Development, By-law Enforcement Division, Report 2019-98, Subject: By-law Appointment of Municipal Law Enforcement Officers and a Building Inspector

Council resolved:

That Charlotte Cooper be appointed as a Municipal Law Enforcement Officer; and

That Alexandra Campbell be appointed as a Municipal Law Enforcement Officer, Property Standards Officer and a Building Inspector.

8. Planning and Development Department, Planning Division, Report 2019-85, Subject: Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street and Accompanying Memo Re: Ministry of Environment D-6 Guidelines

Council resolved:

That consideration of Planning and Development Department, Planning Division Report 2019-85, Recommendation Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street be referred to the Director of Planning and Development to consider protection of the community by ensuring compliance with the Ministry of Environment D-6 Guidelines; and

That the Director of Planning and Development report back to Council at the July 22, 2019 Committee of the Whole meeting.

9. Planning and Development Department, Planning Division, Report 2019-99, Subject: Recommendation Report for Zoning By-law Amendment D14-02-19, 45-53 West Side Road

Council resolved:

That the Zoning By-law Amendment, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-99, be approved, rezoning 45-53 West Side Road from Commercial Plaza to CP-52; and

That staff be directed to prepare the Notice of Passing in accordance with the Planning Act and circulate to all applicable parties.

10. Planning and Development Department, Planning Division, Report 2019-101, Subject: Creation of an Affordable Housing Strategy for Port Colborne

Council resolved:

That Planning and Development Department, Planning Division Report 2019-101 be received for information.

11. Corporate Services Department, Finance Division, Report 2019-102, Subject: Property and Liability Insurance Policy Renewal

Council resolved:

That coverage with Frank Cowan Company be approved to provide the City's comprehensive property and liability insurance program for the next 18 months to December 31, 2020, as outlined and recommended in this report; and

That the addition be approved for Environmental Liability coverage which carries a limit of \$3,000,000 with an aggregate of \$5,000,000 and an estimated premium of \$8,250.

12. Community and Economic Development Department, Health Services Division, Report 2019-95, Subject: Establishment of a Locum Physician Support Program

Council resolved:

That the Locum Physician Support Program, as outlined in Community and Economic Development Department, Health Services Division Report 2019-95, be approved.

That the City of Port Colborne Locum Physician Support Program include the following provisions:

1. Physicians seeking support are required to submit a written request for locum physician assistance to the Health Services Committee.
2. Locum financial assistance from the City is funded from the City's Physician Recruitment Reserve account.
3. Total financial support is at a rate of \$500 per eight-hour workday, with a maximum amount of not more than \$5,000 per calendar year, per physician.
4. The application shall be reviewed by the Health Services Committee for approval.
5. Upon the Health Services Committee's approval, the Director of Community and Economic Development shall authorize the application for locum physician assistance.

6. Payment shall be issued upon completion of the locum, to the Practice Physician.

13. Community and Economic Development Department, Health Services Division, Report 2019-96, Subject: One-time Funding Request for Amalgamation Support – Port Colborne Family Health Organization and Mapleview Family Health Organization

Council resolved:

That the City of Port Colborne financially support the amalgamation of the Port Colborne Family Health Organization and the Mapleview Family Health Organization, at a one-time cost of \$30,000, to be funded from the Physician Recruitment Reserve Fund.

14. Community and Economic Development Department, Health Services Division, Report 2019-97, Subject: Physician Recruitment Incentive – Dr. Fraelic

Council resolved:

That the City of Port Colborne enter into a partnership with the Town of Fort Erie to offer an incentive contractual agreement to Dr. Joe Fraelic, at a total approved cost of \$35,000 – representing the City's share (one half) of the incentive amount; and

That the City's cost be funded from the Physician Recruitment Reserve Fund; and

That the appropriate by-law be presented for approval.

15. Community and Economic Development Department, Parks and Recreation Division, Report 2019-94, Subject: Fourth Annual Summer Concerts in King George Park

Council resolved:

That the Summer Concerts in King George Park event, to be held on August 6, 13, 20, and 27, 2019, be supported, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2019-94, Subject: Summer Concerts in King George Park;

That the fees for the park permit and use of hydro at King George Park, be waived;

That the Noise By-law Exemption application fee, be waived;

That the Event Organizer be required to file a certificate of Insurance, naming the City as additional insured, in the amount of \$2,000,000, prior to the event.

16. Ritesh Malik of 2493207 Ontario Inc., Re: Request for Relief of Property Taxes/Interest for the duration of Development Process – 599 Main Street, West, Port Colborne

Council resolved:

That the request by Ritesh Malik of 2493207 Ontario Inc. for relief of property taxes for the duration of the development process for 599 Main Street West be denied.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

No. 111 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

- (a) That the minutes of the Port Colborne Public Library Board meeting of May 14, 2019, be received.
- (b) That the minutes of the Social Determinants of Health Advisory Committee – Everyone Matters meetings of February 7, 2019 and April 4, 2019, be received.

CARRIED.

11. Consideration of By-laws:

No. 112 Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That the following by-laws be enacted and passed:

- 6694/58/19 Being a By-law Establishing an Emergency Management Program for the Protection of Public Safety, Health, The Environment, Critical Infrastructure and Property, and to Promote Economic Stability and Disaster-Resilient Community Repealing By-law No. 6555/10/18
- 6695/59/19 Being a By-law to Appoint Municipal Law Enforcement Officers, a Property Standards Officer, and a Building Inspector
- 6696/60/19 Being a By-law to Amend Zoning By-law 6575/30/18 Respecting Lands legally Described as Block A on Plan 69/NP828, in the City of Port Colborne, Regional

Municipality of Niagara, Municipally known as 45-53
West Side Road

6697/61/19 Being a By-law to Authorize Entering into a Physician
Recruitment Incentive Contractual Agreement with
Dr. Joe Fraelic in Partnership with the Town of Fort
Erie

6698/62/19 Being a By-law to Adopt, Ratify and Confirm the
Proceedings of the Council of The Corporation of the
City of Port Colborne at its Regular Meeting of June
24, 2019

CARRIED.

12. Council in Closed Session:

Motion to go into Closed Session: 10:25 p.m.

No. 113 Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

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 meeting: June 10, 2019.
- (c) Planning and Development Department, Planning Division
Report 2019-103, concerning the potential disposition of
City owned land, pursuant to the *Municipal Act, 2001*,
Subsection 239(2)(c) a proposed or pending acquisition or
disposition of land by the municipality or local board.
- (d) Chief Administrative Officer Report 2019-104 regarding Nyon
Energy Lands and the Nyon Tank Farm property, pursuant to
Municipal Act, 2001, Subsection 239(2)(e) litigation or
potential litigation, including matters before administrative
tribunals, affecting the municipality or local board and
239(2)(f) advice that is subject to solicitor-client privilege,
including communications necessary for that purpose.
- (e) Presentation by the Chief Administrative Officer (CAO) regarding
the CAO Performance Appraisal - Self assessment, pursuant to
the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters
about an identifiable individual, including municipal or local board
employees, and Subsection 239(2)(d) labour relations or
employee negotiations.

CARRIED.

Motion to rise with report: 11:26 p.m.

No. 114 Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

That Council do now rise from closed session with report at approximately 11:26 p.m.

13. Disclosures of Interest Arising from Closed Session:

Nil.

14. Reports/Motions Arising from Closed Session:

(c) **Planning and Development Department, Planning Division Report 2019-103, concerning the potential disposition of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.**

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

(d) **Chief Administrative Officer Report 2019-104 regarding Nyon Energy Lands and the Nyon Tank Farm property, pursuant to *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

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

15. Adjournment:

No. 115 Moved by Councillor E. Beauregard
Seconded by Councillor D. Kalailieff

That the Council meeting be adjourned at approximately 11:27 p.m.
CARRIED.

William W. Steele
Mayor

Amber LaPointe
City Clerk

AL/cm

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Minutes

Accessibility Advisory Committee

May 27, 2019

5 p.m.

3rd floor committee room, City Hall
66 Charlotte Street Port Colborne

City of Port Colborne
RECEIVED

JUN 18 2019

**CORPORATE SERVICES
DEPARTMENT**

Attendees:

Committee

Bryan Ingram, Chair
Laura Slade
Alison Chambers
Robyn Garner
Cynthia Skinner
Andrea Mamo
Ron Bodner, Councillor
C. McIntosh (minutes)

Guests

Nancy Busch
Luke Rowe, Events Assistant

1. Call to order

B. Ingram called the meeting to order at approximately 5 p.m.

2. Approval of the Agenda

Moved by L. Slade
Seconded by R. Garner

That the Agenda for the May 27, 2019 meeting of the Accessibility Advisory Committee be approved.
CARRIED.

3. Approval of July 10, 2018 Minutes

Moved by L. Slade
Seconded by R. Bodner

That the Minutes for the July 10, 2018 meeting of the Accessibility Advisory Committee be approved.
CARRIED.

4. Business Arising

None.

5. Update – Accessibility Successes in the City

C. McIntosh provided a list for the committee's review. Attached.

6. Committee input requested:

- Pop up patios
Discussion took place about the pop up patios with respect to the traffic (fumes/danger) on Clarence Street, decrease of parking spaces, and the functional accessibility of the patios (small space).
- Library washroom
The Library is removing the magazine reading area to include fully accessible (universal) washroom).

Discussion took place about the ease of transferring to a higher 19" rather than 17" toilet. C. McIntosh will communicate with Library staff/board. Discussion also took place about installation of an adult change table and consensus was supportive as it would be able to accommodate the greatest number of people and put forth the image of a caring and inclusive community. Committee members also asked that the height of braille be considered when constructing the washroom.

- Canal Days
Members provided input to Luke about last year's Canal Days concert and about how the venue's accessibility could be improved. Suggestions included:
 - creation of a barrier between the accessible designated area and the general public to ensure safety,
 - ensure accessible washroom(s) can be accessed within the designated area,
 - have security in the area,
 - requested a platform viewing area,
 - suggested more accessible parking spots and a drop-off zone (and advertise on website)
 - requested review of site prior to concert.

Luke advised that he would try to accommodate all requests and suggestions. Luke will forward the site plan.

C. McIntosh will find out capacity of the bandshell.

7. Committee priorities

This item was deferred until the next meeting.

8. New Business

Discussion took place about the lack of accessible parking near the H.H. Knoll Lakeview Park washroom.

Discussion also took place about lack of accessibility of Niagara Regional Police detachment building in Port Colborne.

Members were encouraged to submit letters to the staff liaison to be sent to encourage businesses and facility owners to become more accessible.

It was suggested that once the beach wheelchairs are delivered to the beach, members could visit the beach to work with the students so they know what it looks like for someone to transfer. It was suggested that someone from Community Living attend.

9. Next Meeting

Before Canal Days. Try to make 3rd week of June.

10. Adjournment

The business of the Accessibility Advisory Committee having been completed, the meeting adjourned at approximately 6:17 p.m.

Port Colborne Accessibility Advisory Committee
Summary of Progress to Remove Barriers in the City 2015-2019

November 2015 – Report to Council 2015-193 proposing removal of one accessible parking stall in the City Hall parking lot due to the fact that only one is required. Recommendation was defeated by Council after input from the AAC.

January 2016 – Consultation with the AAC by Engineering staff with respect to the building of the new Operations Centre. The AAC had the opportunity to review the preliminary designs and provide input. The Operations Centre was designed in accordance with the FADS in public areas, where possible.

April 2016 - Hearing devices available in Council Chambers (signs installed).

June 2016 – AAC forwards beach mat idea to Community Services.

July 22, 2016 – Letter of support provided by the AAC for a grant by Community Living to install a portable lift system at the Vale Health and Wellness Centre pool.

December 2016 – Temporary closure of the accessible ramp on the outside of Roselawn Centre in order to re-build a safer ramp. (Note – the “temporary ramp” is still there as of May 2019 but the lifts installed in the interior of the building to allow movement between levels is finally working!)

January 2017 – Addition of an accessible on street parking stall in front of 164 Clarence Street, at the request of the owner and at the recommendation to Council by the AAC.

June 2017 – Marina parking lot. Some areas re-lined, expanding the width of parking stalls and increasing the number of accessible stalls.

July 2017 – Consultation by Engineering staff about the downtown CIP design.

September 2017- Request for an additional accessible on street parking stall in front of St. Patrick’s Elementary School received and approved by Council at the recommendation of the AAC.

October 2017 – Concern forwarded by AAC to Welland Transit with respect to report of a bus driver not lowering the ramp at the request of a passenger. Transit Manager said he would address.

2018 – Chairs with arms added to Council Chambers.

April 2018 – Museum complete log cabin. Accessible by ramp and input from AAC about the ramp.

July 2018 – AAC consulted about new concert venue for Canal Days at H.H. Knoll Lakewview Park.

Summer 2018 – Accessible beach chairs available at Nickel Beach.

November 2018 - Library renovations. Guidance on design provided by the Chair of the AAC who is also a Library Board member.

March 2019 – Consultation of the AAC by By-law staff with respect to pop-up patio design guidelines and applications (received – 3 so far).

April 2019 – Andrea Mamo provides a presentation to Senior City staff about legislation addressing disabilities, barriers, law vs. functionality, universal design, incorporating accessibility into the procurement of goods, services and facilities and consulting with the AAC.

April 2019 – Engineering staff consult the AAC with respect to a universal washroom to be installed at the Library.

May 2019 – Engineering and Parks and Recreation staff meet with respect to concerns about accessibility at the Vale Health & Wellness Centre Rink 2. Installation of designated seating area is planned during summer maintenance activities.

* This list is not complete and does not generally include items where accessibility was enforced through the building code.

Port Colborne Accessibility Advisory Committee Summary of Progress to Remove Barriers in the City 2008-2015

May 2008 - Additional parking for persons with disabilities – King Street (LR Wilson Archives)

November 2008 – City Council adopts Region of Niagara Facility Accessibility Design Standards, affecting all new municipal facility construction (above and beyond ON Building Code requirements).

February 2009 – New City website launched. Accessibility features built in.

February 2009 – Additional parking for persons with disabilities next to Melissa's Playground, H.H. Knoll Park, additional 2 stalls at Centennial Pool, repainting of stalls at arenas.

March 2009 – Additional parking for persons with disabilities Catharine St.

August 2009 – AAC reviews designs for Humberstone Hall upgrades and submits comments/concerns to architect.

December 2009 – Council approves policies in accordance with new Customer Service Standards

December 2009 – Training / re-training for all staff, Council, volunteers begins, and continues to present.

April 2010 – Additional parking for persons with disabilities – King St (Bridges, CNR lot)

May 2010 – Election polling stations re-considered in light of a barrier identification check list (approval by Council).

June 2010 – Upgrades including accessibility upgrades to Humberstone Hall complete.

August 2010 - New parking for persons with disabilities 230 Main Street (Subway).

August 2010 – AAC reviews designs for new Health and Wellness Centre, submits comments/concerns via CBO to Project Manager, MHPM.

September 2010 – August 2012 – Museum receives grant for accessibility upgrades to main Museum building. Upgrades include a new ramp and accessible front door, more spacious lobby and an accessible washroom.

December 2010 – Additional parking for persons with disabilities - 175 Main St West, 205-109 Main St West, 98 Main St. West in public parking lots.

Spring 2011 - Completion of Main Street Community Improvement Plan construction. These improvements included the creation of a more pedestrian friendly, walk-able environment through the relocation of on-street parking and an overall increase in public parking via three new municipal lots strategically placed throughout the project areas and the complete reconstruction and widening of pedestrian sidewalks. Street trees and planter boxes as well as amenities such as benches, bicycle racks and garbage bins were added to further promote the pedestrian feel to the street. Additionally, specific measures were taken to make the area more accessible for those with hearing and site deficiencies with the inclusion of special pavement markings and street crossing signals.

May 2011 - Accessible stalls created at Centennial Park washroom.

December 2011 – Museum receives donation from Ruth Henry and paves the pathway running from the east entrance to the west end of the Museum grounds.

April 2012 – Additional park benches installed at Reservoir and Humberstone Shoe parks to allow extra seating.

May 2012 – Roll-out of a new training program and re-training of begins of all summer students, volunteers and staff according to the Accessible Customer Service standards.

August 2012 – Upgrades to front foyer at City Hall. Provides larger accessible waiting area for transit passengers. The changes were made so as to maintain the large space in the vestibule. Repairs to the ramp are pending.

October 2012 – AAC is consulted with respect to the furniture for the Vale Health & Wellness Centre. The furniture purchased for the new community centre went above and beyond the accessible standard with 80% of chairs and tables purchased meeting the accessible standard which was set at 20%.

November 2012 – Substantial completion of the Vale Health & Wellness Centre, designed and built according to FADS standards.

January 2013 – Circulated “Did you know” referral to AccessON information by Chamber of Commerce to all Chamber members.

February 2013 – AAC members toured the Vale Health & Wellness Centre prior to its opening and provided to Council an Accessibility Checklist recommending improvements.

May 2013 – Accessible Parking added at St. Patrick’s School.

December 2013 – Update to Multi Year Accessibility Plan approved by Council.

December 2013 – Accessibility Report filed with the Ministry.

August 2014 – After consultation with Engineering staff, the AAC recommended and Council approved amending the City Standard for future sidewalk re-builds to include a sloping curb where an accessible parking space is to be located, particularly where the curb is 4” or more in height.

August 2014 – After AAC consultation with Engineering staff, an asphalt apron leading from the sidewalk into Lions Park was added to provide better transition from the sidewalk to the stone.

August 2014 – The AAC recommended and Council approved a report from the By-law Division, the addition of an accessible parking space outside of Boggios on Catharine Street.

August 2014 – The bench blocking the side-exit from the accessible parking space to the curb outside of Boggios was re-located, at the recommendation to staff by the AAC.

August 2014 – The municipal Elections Coordinator and the City Clerk met with the AAC with respect to the 2014 Municipal Election Accessibility Plan, Policies and Procedures Governing the Provision of Election Information and Services to Persons with Disabilities. A comprehensive report of the accessibility measures for the municipal election was provided by the Clerk to Council.

May 2015 - 95% of staff received refresher training on the provision of accessible customer service. Provision of this training to the over 300 City volunteers is on-going as orientation sessions are held. The training was uploaded to the City's website.

June 2015 - Harbourmaster building on West Street washrooms improved to accessible standards. Committee engaged by Engineering staff and a tour of the work being done was provided to the AAC Chair.

Other

- Museum embraces the provision of alternate formats for the provision of their information in the form of the provision of virtual tours and an "armchair" cemetery tour (upcoming)
- Accessibility improvements at the Vale Health & Wellness centre, including automated doors
- all sidewalk corners reported by Operations to have been cut
- train track upgrades – Main Street, King Street (near Museum)
- accessible transit – increased runs

* This list is not complete and does not generally include items where accessibility was enforced through the building code.

JUN 18 2019

CORPORATE SERVICES
DEPARTMENT

April 29, 2019
MEETING OF THE PORT COLBORNE ACTIVE TRANSPORTATION
ADVISORY COMMITTEE

Minutes of the twelfth regular meeting of the Committee Members of the Port Colborne Active Transportation Advisory Committee, held in the Library, Third Floor Library, City Hall, 66 Charlotte Street, Port Colborne April 29, 2019, 5:00 p.m.

The following Committee Members were in attendance:

Committee Members: Ann Kennerly, George McKibbon, Michael Scott, Wade Smith
Council: Councillor Angie Desmarais
Staff: Nicole Halasz, Karen Walsh
Regrets: Tom Harrietha,

1. CALLED TO ORDER: 5:08 p.m.

2. CONFIRMATION OF PREVIOUS MINUTES:

Moved by: George McKibbon
Seconded by: Councillor Angie Desmarais

THAT the minutes from the March 18, 2019 be accepted as presented.
CARRIED

3. BUSINESS ARISING FROM THE MINUTES:

None

4. STAFF REPORT

- Trail safety – invite NRPS to next meeting
- Education – include with Wayfinding signs, what to do if you see someone
- Education – people share the road with all transportation, impaired driving
- MADD – safety piece, training at school, community safety day
- Budget for Maintenance – to maintain the barriers to not allow vehicles, and once they have been removed – replace faster, uniform and all the openings. Identify some of the openings to close them up.
- Take pictures of good spots for biking, as well as bad spots – West Street, Tennessee
- Walking experience, cycling experience
- Establishing suggested routes, promote with Port Colborne, support business cycling day.

- Walking check list
- Ideas for a brochure - badge or certificate I cycle, I walk with the businesses.
- Banner at crosswalk at on Clarence Street & Catharine Street.
- Pedestrian cross walk – King & Clarence Street
- Pop-Up restaurants - how do they effect cycling, and accessibility?
- Air quality monitor – storage area
- Bike Repair Station – Vale & Marina
- Bike Racks – City Hall, Marina, Vale

5. BUSINESS

a) Trail Clean-up Day – Thursday, May 9 at 8:30 a.m. at Seaway Park, bags, glove and safety vest will be supplied. Angie will be supply food. May 14th is the rain day.

b) Community Safety Day – Saturday, May 25

- Mike will be there for Community Safety Day with Marina Information
- Shirts or name tags for ATAC members
- Contest for ATAC logo launch. Announce at Canal Days, ATAC committee will judge.
- Entry form include what Active Transportation includes.

c) Signs on the Trails

- Entry sign and The Great Trail signs along the trail.
- Patty Moss, Butterfly project, expand project to along the friendship trail.

d) Active School Travel

- City will be working with McKay school
- Air Quality measures in the walkabout area. (Hamilton)
- Encourage groups to ride or walk together.

e) Farmer's Market

Dates (May 17 & 31, June 21 & 28 (with Seniors Advisory Council), July 5, 12, 19, 26, and August 9, 16, 23) each week with different information.

f) Work plan

- Working with other departments to discuss with ATAC – example Pop-up patios, planning new subdivision, engineering new roads.
- Ask council to have this committee to be involved in decisions. – memo?

- Need a city policy, - accessibility, seniors, ATAC, transportation committee
- Angie will talked to Scott.
- Will gave you comments about transportation and what happened.

6. NEW BUSINESS

The Uninhabitable Earth: Life after Warming on May 9 & 23

7. INFORMATION/CORRESPONDENCE

none

8. ADJOURNMENT:

Moved by: Wade Smith
Seconded by: George McKibbon

Resolved that we do now adjourn.
CARRIED

Time of adjournment 7:11 p.m.

Next Meeting: Monday, June 17, 2019 at 5:00 p.m.

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JUN 18 2019

**CORPORATE SERVICES
DEPARTMENT**

CANAL DAYS ADVISORY COMMITTEE MEETING
Wednesday, May 1, 2019 – 5:00 p.m.
Committee Room 3, City Hall

Present: Mayor Bill Steele, Councilor Eric Beauregard, Councillor Ron Bodner Councilor, Councilor Donna Kalailieff

Staff: Morena Bertholds, Michelle Cuthbert, Nicole Halasz, Luke Rowe, Karen Walsh

Guests: none

1) Welcome Call meeting to order at 5:11 p.m.

2) Approval of the Agenda

Add TPN Update

3) Approval of the April 1, 2019 minutes

Moved by: Councillor Ron Bonder

Seconded by: Councillor Donna Kalailieff

THAT we do approve the minutes of April 1, 2019.

CARRIED

4) Declarations of Interest

none

5) Recap of special Meeting of Committee of the Whole 13-19 Canal Days Strategic Planning Session

- Three different scenario, Status Quo, Marine Heritage, Go Big, starting in 2020 and moving forward.
- Measurement ways instead of beer sales.

6) Concert Venue

- Shorten the footprint at the back, add an entrance at the back with shuttlestop.
- Hard service in front of the bandshell will be accessibility area.
- Add satellite bar in the congested area of the concert.

7) Donation Taking Actors

The Nautical Theme Actors will be asking for donations, this was included in the Celebrate Ontario grant application. If we do not receive the grant the City will pay.

Moved by: Councillor Ron Bodner
Seconded by: Councillor Donna Kalailieff
THAT we do approve having actors collecting donations.
CARRIED

Signs – In order to keep our concerts with no gate charges, Donate.

8) Vessels/naval longboat group

Empire Sandy, Cotter, HMCS Oriole, and CCGS Limnos

Naval longboat group can't attend 2019 will book for 2020.

9) Go train bus shuttle cost increase

Transit company, all 60 footers, having a shuttle run to GO station in St. Catharines \$1,500 (for Saturday & Sunday). Working with GO as well.

Use ridership stats for future use.

10) Committee/staff t-shirts

Golf shirts for staff and councilor. No Frills is sponsoring volunteer shirts.

11) Other Business

TPN Grant is for advertising to 18 – 35 year range and in the GTA. Digital ask in Spotify campaign. Canal Days social media has been updated. 100 km radius.

After the festival have a survey with a few questions and prizes from the bands.

Sanction events present a business case to committee for Canal days after 2019.

12) Next Meeting Date

June 12th at 5:15 p.m.
Alternatively, on a council night.

13) Adjournment – 6:18 p.m.

MARCH 21, 2018
MEETING OF THE PORT COLBORNE ECONOMIC DEVELOPMENT
ADVISORY COMMITTEE

Minutes of the eleventh regular meeting of the Committee Members of the Port Colborne Economic Development Advisory Committee, held in the Third Floor Committee 3 Room, City Hall, 66 Charlotte Street, Port Colborne March 21, 2018, 4:00 p.m.

The following Committee Members were in attendance:

Committee Members: Gary Bruno, Fred Davies, Betty Konc, Jeni LaMarre, David Semley, Dee Tilbrook, Len Stolk

Councillor: Mayor John Maloney, Councillor Dave Elliott, Councillor John Mayne

Regrets: Kate Ostryhon-Lumsden, Jordan Sherlock

Staff: Julian Douglas-Kameka, Scott Luey, Karen Walsh

1. CALLED TO ORDER: 4:05 p.m.

2. CONFIRMATION OF MINUTES:

a. Tuesday, February 6, 2018

Moved by: Gary Bruno
Seconded by: John Mayne

THAT the minutes of February 6, 2018 be accepted as presented.
CARRIED

3. BUSINESS ARISING FROM MINUTES:

Introduction of Julian Douglas-Kameka new Economic Development Officer. Brief bio of herself.
Round table introduction of committee members.

4. Delegations:

a. none

5. BUSINESS

a. Chair's Update:

Nothing to report.

b. Staff Update:

Nothing to report.

c. Economic Development Strategy

Round table discussion took place on everyone's opinion of the report.

- Staff looked at the RFP and report was what we asked for.
- Fiber Network – the city can have advocate role.
- High Speed internet should be EDAC first priority.
- Need to put together an action plan.
- Good starting point we might have to form some sub-committees.
- Talked a lot about industry and we have discussed it is not coming here.
- It does bring some definition, it enables EDAC to focus on areas and an opportunity to move forward.
- The report had no measureable outcomes.
- The next couple of months have Julian put together the action plan for this report.
- Create a road map with oversight from EDAC and council.

MOTION

The Economic Development Advisor Committee recommends to the City of Port Colborne Council to approve the City of Port Colborne Economic Development Strategic Plan: 2018-2028 prepared by MDB Insight dated March 2018.

Moved by: David Semley

Seconded by: Gary Bruno

CARRIED

MOTION

Recommend that the Economic Development Strategic Plan is in the City's future planning and budgeting activities.

Moved by: Gary Bruno

Seconded by: David Semley

CARRIED

6. NEW BUSINESS

None

7. INFORMATION/CORRESPONDENCE

None

8. ADJOURNMENT:

Moved by: Dave Elliott
Seconded by: Jeni LeMarre

Resolved that we do now adjourn.
CARRIED

Time of adjournment 5:03 p.m.

Next meeting be held in June, Julian to work on a short report to identify long term, middle term and short term goals. The committee will identify measures and timelines.

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JUN 26 2019

APRIL 3, 2019
MEETING OF THE PORT COLBORNE ECONOMIC DEVELOPMENT
ADVISORY COMMITTEE

Minutes of the thirteenth regular meeting of the Committee Members of the Port Colborne Economic Development Advisory Committee, held in the Third Floor Committee 3 Room, City Hall, 66 Charlotte Street, Port Colborne April 3, 2019, 4:00 p.m.

The following Committee Members were in attendance:

Committee Members: Marilyn Barton, Andrea Boitor, Larry Fontaine, Betty Konc, Kate Ostryhon-Lumsden, David Semley, Len Stolk

Councillor: Mayor Bill Steele, Councillor Gary Bruno, Councillor Harry Wells

Staff: Julian Douglas-Kameka, Scott Luey, Ashley Grigg, Karen Walsh

Regrets: none

Guest: Val Kuhns, Acting Director, Economic Development for Niagara Region

1. CALLED TO ORDER: 4:04 p.m.

2. BUSINESS:

a. Niagara Economic Development Presentation

Presented by Val Kuhns, Acting Director, Economic Development for Niagara Region (presentation attached).

b. EDAC Leadership and Structure

i. Election of Chair

Nominations: David Semley
Carried

ii. Election of Vice-Chair

Nominations: Larry Fontaine
Carried

iii. Structure/Sub-Committees

Industrial/Commercial/Small Business
Tourism
Residential Development

Moved by: Betty Konc
Seconded by: Councillor Gary Bruno

THAT the three subcommittee be (1) Industrial/Commercial/Small Business (2) Tourism and (3) Residential Development.
CARRIED

Appoint three Chair for the subcommittee

Industrial/Commercial/Small Business
Nominations: Larry Fontaine
Moved by: Councillor Gary Bruno
Second by: Kate Ostryhon-Lumsden

THAT the Larry Fontaine be Chair for Industrial/Commercial/Small Business Subcommittee.
CARRIED

Other members on the committee: Len Stolk

Tourism
Nominations: Betty Konc
Moved by: Councillor Gary Bruno
Second by: Andrea Boitor

THAT the Betty Konc be Chair for Tourism Subcommittee.
Carried

Other members on the committee: Andrea Boitor

Residential Development
Nominations: Councillor Gary Bruno
Moved by: Mayor Bill Steele
Second by: Councillor Harry Wells

THAT the Councillor Gary Bruno be Chair for Residential Development Subcommittee.
Carried

Other members on the committee: Kate Ostryhon-Lumsden

Action Items:

- Chair of subcommittee will communicate with EDO on who is on the committee and when they meet.
- Chair Dave Semley will meet with subcommittee chairs and their goals.
- EDO to provide information on list of potential contacts of individuals and companies.

c. Economic and Development and Tourism Report

Economic Development Officer Julian Douglas- Kameka presented the Economic and Development and Tourism Report (presentation attached).

d. Trade Corridor

- Seaway – moving forward with Trade Corridor - Water, Rail and Highway
- Marine – Discussion with Hamilton Port with Welland, Thorold and St. Catharines, working toward Port of Niagara.
- Cruise Ships – working with Seaway to dock cruise ships in better location, smaller cruise ship
- Mid Penn Highway - moving forward, communities are in support

e. Priorities – deferred to next meeting

3. NEW BUSINESS - deferred to next meeting

5. INFORMATION/CORRESPONDENCE - deferred to next meeting

8. ADJOURNMENT:

Moved by: Councillor Gary Bruno

Resolved that we do now adjourn.

CARRIED

Time of adjournment 6:22 p.m.

Next meeting call of the chair or EDO.

NIAGARA ECONOMIC DEVELOPMENT OVERVIEW

NIAGARA
CANADA

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE
CITY OF PORT COLBORNE
APRIL 3RD, 2019

ROLE OF NIAGARA ECONOMIC DEVELOPMENT

To support the growth of Niagara's economy and ensure competitiveness
by:

Promoting the Niagara Region through investment attraction and lead generation activities in strategically targeted sectors and geographies.

Providing expedited business services to support private sector development.

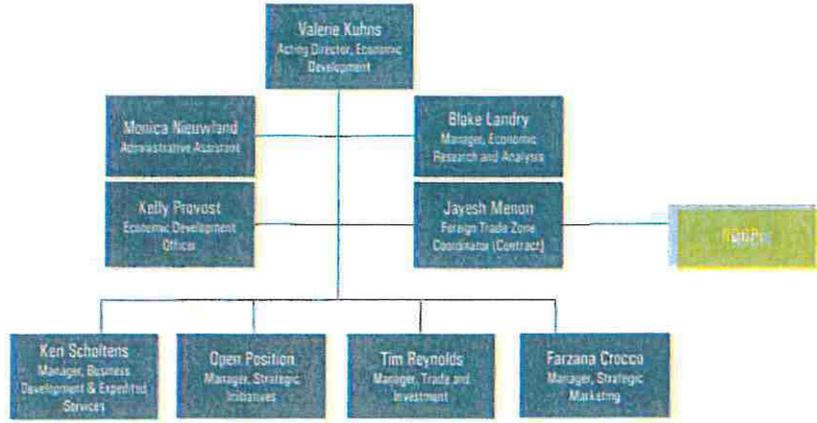
Conducting economic research and analysis to ensure an in-depth understanding of the region's economy.

Supporting advocacy to the provincial and federal government on behalf of regionally significant projects.

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

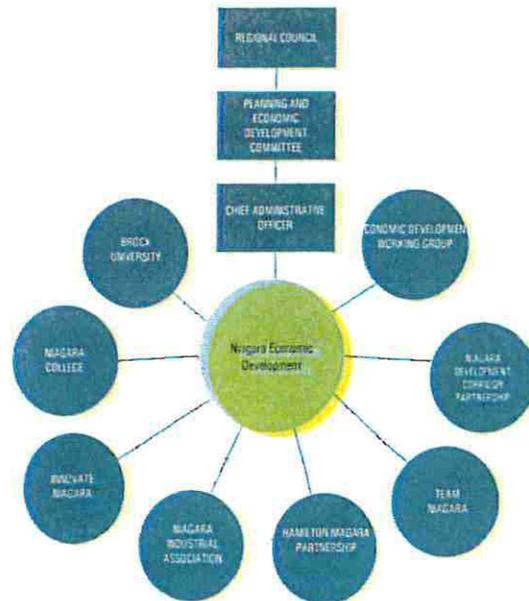
TEAM ORGANIZATION



NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

PARTNERSHIPS AND REPORTING STRUCTURE



NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

TEAM NIAGARA WOU

NIAGARA ECONOMIC DEVELOPMENT MODEL

- CAOs and Economic Development Officers from 12 municipalities wanted to work together collaboratively within a two-tiered economic development model.
- EDTF 4-2012, May 16th 2012 Delineation of Economic Development Roles and Responsibilities between the Local Municipalities and Niagara Region Economic Development Services.
- **Regional Role:** Investment Attraction/regionally significant projects
- **Local Area Municipality Role:** Business Retention and Expansion

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

STRATEGIC ACTION PLAN

ECONOMIC DEVELOPMENT: SUPPORTING BUSINESS GROWTH AND DIVERSIFICATION ACROSS NIAGARA

- Economic Development support to local municipalities e.g. NFTZ, Business Research and Analysis.
- Support export diversification by Niagara companies through NFTZ programs.
- Engage the private sector through the Economic Development Working Group.
- Review of Development Charges, Waivers and other incentive programs.
- Define NED's role in tourism.
- Advance opportunities in agriculture and manufacturing, including supply chain opportunities.
- Succession Planning solutions.
- Joint Aftercare Program for new company investments.
- Strengthen the technology sector.

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT STRATEGIC ACTION PLAN

EMPLOYMENT LAND STRATEGY: IDENTIFYING AND CREATING REGIONALLY SIGNIFICANT EMPLOYMENT LANDS

- Identify opportunities with the St. Lawrence Seaway to promote Transport Canada lands for employment and to attract investment.
- Support the Regional Employment Lands Study.
- Provide economic development input to the Municipal Comprehensive Review (Official Plan).

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT STRATEGIC ACTION PLAN

MARKETING NIAGARA REGION: RAISING THE PROFILE OF NIAGARA AS A PLACE TO LIVE AND DO BUSINESS

- Investment missions to targeted markets with qualified lead generation initiatives in sectors where Niagara has a competitive advantage.
- Promote Niagara as a location for business investment.
- Develop a communications and public relations campaign to promote Niagara's business and investment successes.
- Develop and implement a Niagara Ambassadors program with local business leaders.

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT STRATEGIC ACTION PLAN

STREAMLINE THE PLANNING PROCESSES: EXPEDITING THE APPROVALS PROCESS

- Ensure timely approvals process through working with Regional and local area planning staff.
- Host a workshop to identify and address barriers to industrial and commercial development.

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT STRATEGIC ACTION PLAN

INCREASING NIAGARA'S COMPETITIVENESS: ADDRESSING UNNECESSARY REGULATORY BURDENS ON BUSINESS

- Economic Trade Corridor designation and National Trade Corridors Fund application.
- Support agricultural stakeholders on irrigation issues.
- Advance land use planning policies that support agriculture and business development opportunities.

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

STRATEGIC ACTION PLAN

WORKFORCE: MEETING CURRENT AND FUTURE TALENT, PROFESSIONAL, SKILLED TRADES AND LABOUR NEEDS

- Partner with Local Immigration Partnership to promote Niagara as a destination for skilled immigrants.
- Develop an educational program to promote skilled trades occupations to parents and students.
- Develop stakeholder partnerships to meet the current and future talent, professional, skilled trades and labour needs in collaboration with Brock University and Niagara College.
- Increase competitiveness in Niagara businesses through the adoption of new technologies, professional development and training opportunities in collaboration with post-secondary educational institutions.

NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

STRATEGIC ACTION PLAN

ADVOCACY: IMPROVING TRANSPORTATION INFRASTRUCTURE ENSURING NIAGARA REMAINS COMPETITIVE IN THE GLOBAL ECONOMY

- Secure federal and provincial funding for the East/West Corridor.
- Development of a fully integrated intra-regional transit system with schedules that support employment.
- Access to broadband across Niagara, urban and rural areas.
- Expanded Go Train services in Niagara.
- Economic opportunities at municipally owned airports in Niagara.
- Extend natural gas into rural areas in Niagara.
- Lower electricity costs to regain manufacturing competitiveness in Southern Ontario.
- Provincially funded campaign to promote skilled trades and careers in manufacturing.
- Feasibility of a Niagara Port facility with Hamilton Port Authority and St. Lawrence Seaway Management Company.

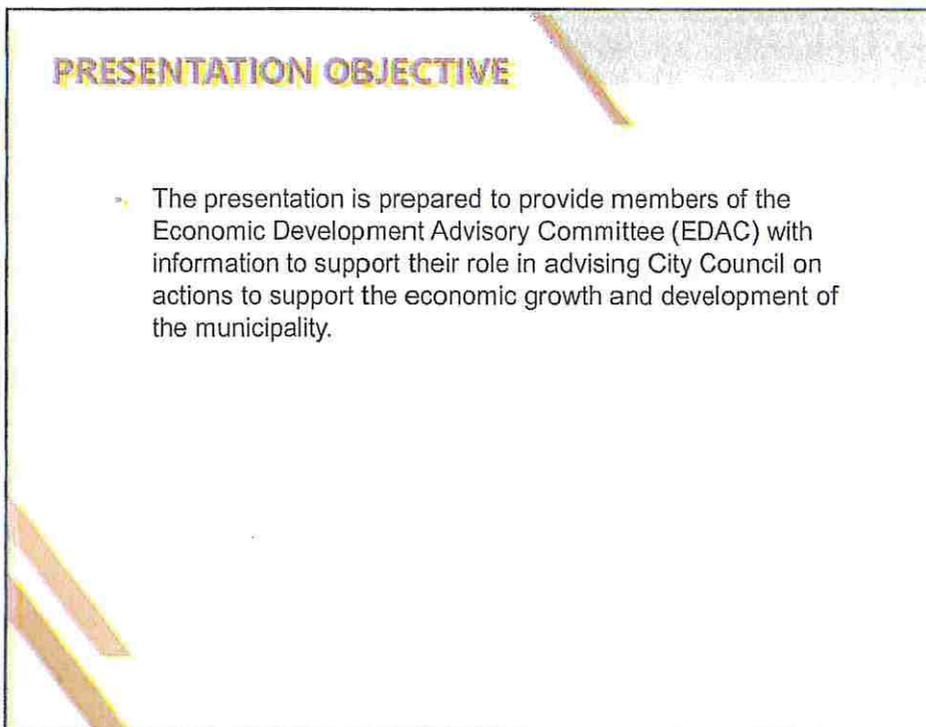
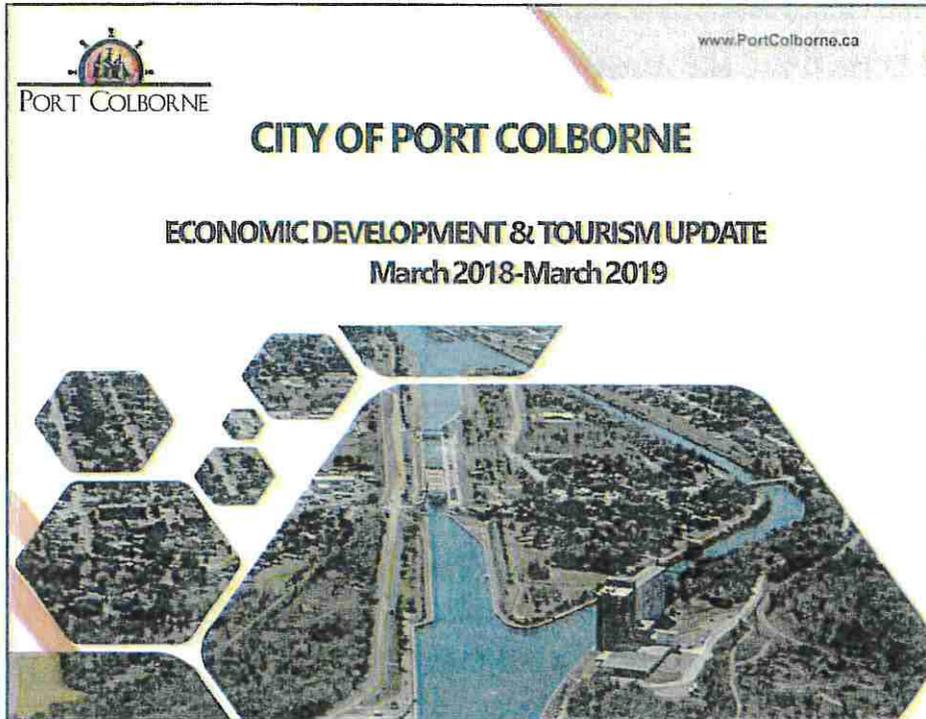
NIAGARA
CANADA

NIAGARA ECONOMIC DEVELOPMENT

THANK YOU

QUESTIONS?

NIAGARA
CANADA



www.PortColborne.ca

ECONOMIC HIGHLIGHTS

- ▶ **Labor Force**
 - ▶ In the Labor Force-----8,640
 - ▶ Employed-----7,825
 - ▶ Employment Rate-----50.8%
 - ▶ Participation Rate-----56%
 - ▶ Unemployment Rate---9.5%
- ▶ **Education/Skills** (25-64yrs)
 - ▶ 55% of the population have a qualification above High School Dip
- ▶ **Commuting**
 - ▶ 36% travel less than 15 mins
 - ▶ 67% travel less than 30 mins
 - ▶ 88% travel less than 45 mins to work

(Statistics Canada 2016 Census)

www.PortColborne.ca

ECONOMIC SNAPSHOT

DEMOGRAPHY

Population by Age Distribution, Port Colborne 2006 & 2016

Source: Statistics Canada, 2016 Census Profile, 2006 Census Profile

Population by Age Distribution, 2016

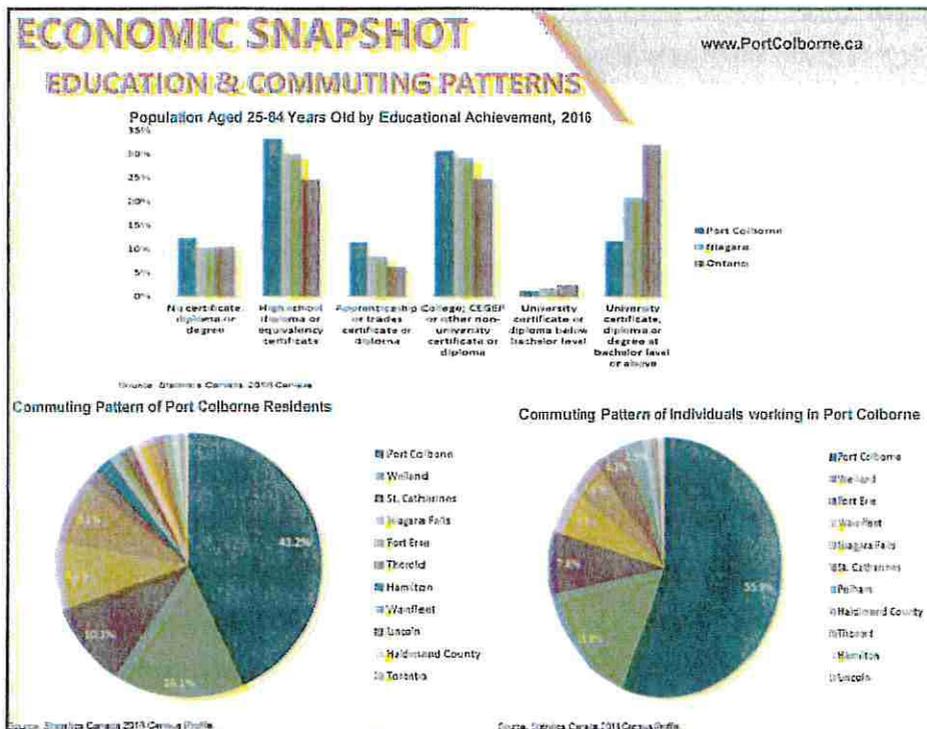
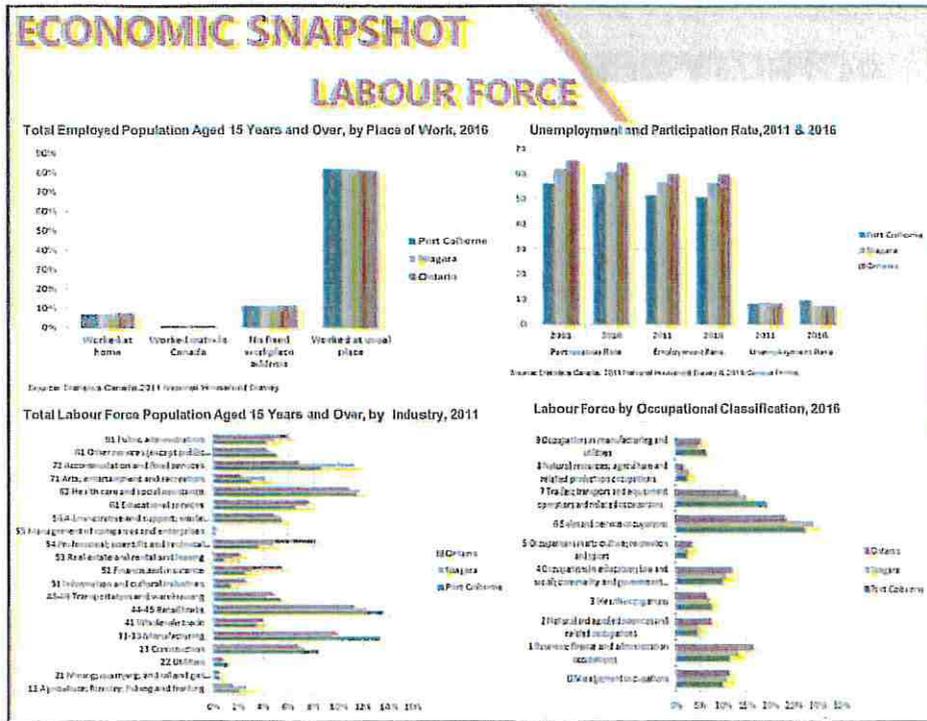
Source: Statistics Canada, 2016 Census Profile

Population Growth, 2001-2016

Source: Statistics Canada, 2016 Census Profile, 2011 National Household Survey, 2006 Census

Port Colborne Growth Projection, 2016-2041

Source: Statistics Canada, 2016 Census Profile, 2016 National Household Survey, 2016 Census





**ECONOMIC DEVELOPMENT & TOURISM
LONG TERM GOALS** www.PortColborne.ca

Economic Development Goals

1. Growth of Tax Base/ Tax Assessment
 - To increase the tax base in Port Colborne by promoting investment opportunities within viable markets and employing initiatives to encourage residential and business relocation
2. Growth of Population Base
 - To increase Port Colborne's population base through residential attraction and retention initiatives
3. Diversify the Economic Base
 - To support the retention and expansion of existing businesses while strengthening the ability of the economy to sustain economic shocks through the development of diverse sectors.
4. Growth in Employment
 - To increase the participation and employment rates within the City.

ECONOMIC DEVELOPMENT & TOURISM LONG TERM GOALS

www.PortColborne.ca

Tourism Goals

1. Increase visitation
2. Increase visitor spending
3. Increase recognition as a visitor destination

Blueprint for Growth and Development

www.PortColborne.ca

- The Port Colborne Economic Development Strategic Plan: 2018-2028 was approved by City Council in April 2018.
- The 10 yr Strategic Plan identified 4 priorities and 5 goals.
- Staff has set out to operationalize the plan by identifying clear achievable goals for the short term (planning/foundation years)

Blueprint for Growth and Development

www.PortColborne.ca

- Work-plan (short-term) objective
 - **To create an enabling environment and to help the City to become investment ready.**

- Phase 1 of the Strategic Plan implementation is based on 3 priorities with clear goals and strategic actions. The priorities are:
 - Investment Readiness
 - Entrepreneurship and Small Business Development
 - Tourism and Destination Development

Investment Readiness

www.PortColborne.ca

Goals/Outcomes

- **Land and Infrastructural Development**
 - Ongoing discussions with St Lawrence Seaway, Hamilton Port Authority, Niagara Region, Vale, Realtors and the private sector.
 - Downtown CIP stakeholder consultation meeting held (awaiting funding to proceed)
 - Available land inventory expanded with servicing information

Workforce Development

- Initial discussions with Brock, Niagara College, Contact North, industry reps and Port Care/Works
- Currently exploring terms of collaboration with Niagara Workforce Planning Board (NWPB)

www.PortColborne.ca

Investment Readiness

Goals/Outcomes

- **Sector Development**
 - Promoted outbound mission to China International Import Expo
 - Engagement through NIA and Chamber events
 - Worked with NFTZ manager to promote trade programs to local businesses. 4 Port Colborne companies have since received services through this program.
 - Export seminar facilitated.
- Hosted Niagara Industrial Association (NIA) event at Roselawn with over 80 attendees



www.PortColborne.ca

Investment Readiness

Goals/Outcomes

- **Investment Attraction**
 - Draft scope of Community Readiness and Capacity Building Master Plan prepared
 - Provided responses to investment queries and facilitated site selection exercises
 - Meeting with 2 international inbound delegations (Ukraine & Cuba). Port Colborne's value proposition and promotional materials shared
 - Participated in the selection and review of consultancy for NFTZ Strategic Plan and Emerging Markets Study.
 - Searchable database of funding and incentive programs currently being developed. Platform created by web developers and content being entered
 - Staff has uploaded new pages to the corporate website and is in the process of updating existing content on business and tourism pages



Investment Readiness

Goals/Outcomes

• Promotion and Marketing

• **Business in Focus Magazine**

- Engaged print media to enhance exposure and promotion of Port Colborne. Port Colborne was featured in the August 2018 Business in Focus Magazine (at no cost to the City).

• **Immigrant Business EXPO**

- Since the event 4 emails have been received from persons who had attended the event and information has been provided and introductions made.
- Approximately 500 visitors guides, brochures, community profiles, Port Colborne commercial real estate opportunities snapshot, guide to doing business in Port Colborne and operating a home based business in Port Colborne distributed.



Investment Readiness

Goals/Outcomes

• Promotion and Marketing

• **Franchise Show**

Port Colborne distributed

- Over 1600 visitors guides
- Over 2300 brochures, community profiles and guides.
- The City received a copy of the event opt-in mailing list with over 2000 contacts
- Approximately 150 visitors visited the booth over the weekend.
- 58 attendees left their names for additional information to be supplied. Follow-up emails have been send to those who had left email addresses and requested information has been provided.

www.PortColborne.ca



www.PortColborne.ca

Entrepreneurship & Small Business Development

Goals/Outcomes

- **Business Support Centre**
 - NFSBEC partnership established. Partnership development ongoing. Business & Entrepreneurship Support Services Centre launched.
 - BESS consultations (one-one small business support) (13 face-face, 17 email)
 - Seminars and workshops calendar to build the capacity of local businesses developed.
 - 3 Seminars/workshops held. 21 event participants.



www.PortColborne.ca

Entrepreneurship & Small Business Development

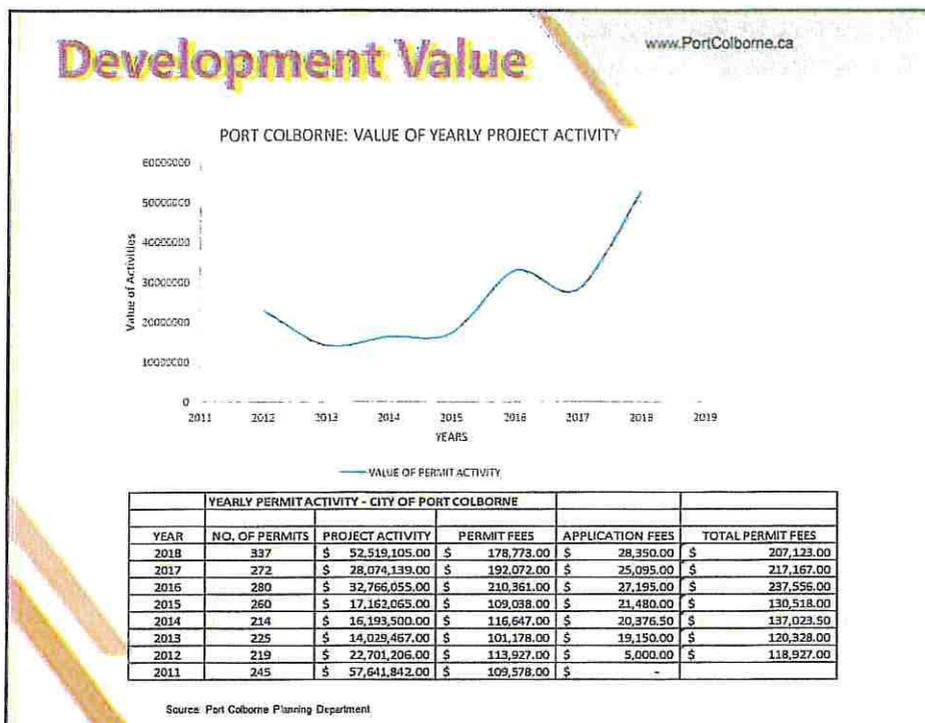
Goals/Outcomes

- **Business Outreach and Visitation Program**
 - Corporate Calling-Scheduled visits to strategic businesses. 10 visits conducted
 - Business visitation program launched.
 - 31 companies submitted an expression of interest between Jan-Mar 2019



- **Youth Engagement**
 - Youth entrepreneurship activities undertaken.
 - Relationship established for ongoing collaboration
 - 7 Presentations conducted to approximately 250 students





Tourism and Destination Development

www.PortColborne.ca

Goals/Outcomes

- Marine Character Enhanced and Celebrated
 - Staff has had discussions with Ontario Ministry of Tourism, Culture and Sports and has expressed an interest in involvement in Ontario Cruise related initiatives. Port Colborne is now included in communications and initiatives.
 - Port Colborne is currently a partner to the Explore The Freshwater Seas Project currently in development
 - Staff is currently working with Ontario Cruise Port Municipalities to promote and market the City at Sea Trade Cruise Global, April 8-11th 2019 in Miami.

- Enhance the Economic Value of Heritage, Arts and Culture sub-sector
 - Staff initiated discussions with Niagara College Food and Wine Institute, Niagara Region and FoodShare, to explore the feasibility of establishing a Innovation & Creativity Incubator and co-working space in the City.

Tourism and Destination Development www.PortColborne.ca

Goals/Outcomes

- ▶ Promotion, Marketing and Development of Tourism Assets
- ▶ City/Downtown BIA Bus Tour Partnership
 - ▶ Port Colborne received 10 coordinated bus tours in 2018 up from 2 in 2017
- ▶ Sponsorship
 - ▶ The City also undertook a number of sponsorship opportunities, most noteworthy was the H2O Conference.
- ▶ OMCA Conference

Staff attended the 2018 OMCA conference, scheduled appointments with tour operators and promoted the City's tourism assets.

Tourism and Destination Development www.PortColborne.ca

Goals/Outcomes

- ▶ Promotion, Marketing and Development of Tourism Assets
- ▶ Horizon Travel and Lifestyle Magazines (Toronto Star insert July 28, 2018 from August 1st -31st)
- ▶ **11,160 x 5 second commercial spots** ran on the 10 screens in Toronto's PATH system (3,000,000 impressions per month).
 - ▶ **168 x 5 second commercial spots** (dynamic motion full page ad) on the Yonge St & Dundas St Screen (920,000 impressions per week)
 - ▶ **91,500 x 5 second commercial spots** on the screens at 82 International News Stands locations (25,000 customers a day) (52 in the PATH system, 30 in malls across the GTA) (42 inch screens located at the point of purchase).

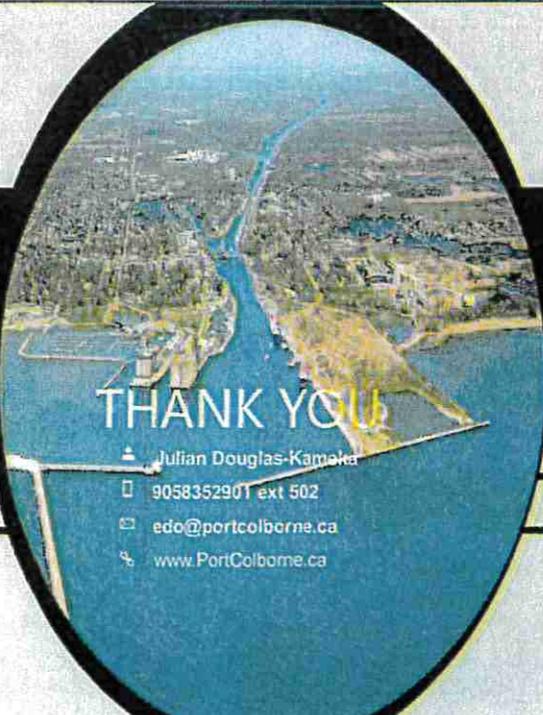


www.PortColborne.ca

Recommendations



- 01**
LAND DEVELOPMENT
Advocate for resources to be committed to service additional industrial and residential lands.
- 02**
BUSINESS SUPPORT CENTRE
Make budgetary provision for local business enterprise activities and the hosting of an Ideas and Innovation Fair.
- 03**
POSITION PORT COLBORNE AS A HUB FOR CREATIVITY & INNOVATION
Integrate and Celebrate initiatives around Arts & Culture, Entrepreneurship and the Trades.
- 04**
INCENTIVISE DEVELOPMENT
Support private sector investment, rehabilitation, adaptive reuse, redevelopment & construction activity.
- 05**
MARINE HERITAGE, ARTS AND CULTURE
Promote/support initiatives which position Port Colborne as a thriving, vibrant place for Marine Heritage, Arts and Culture.
- 06**
QUALITY OF PLACE
Develop and Promote a Citywide Beautification campaign. Develop clean and green initiatives to showcase Port Colborne as a beautiful and environmentally sustainable Community. Launch #PropelPortColborne campaign.
- 07**
COMMUNITY READINESS & CAPACITY BUILDING MASTER PLAN
Identify resources to implement Community Readiness & Capacity Building Master Plan.



THANK YOU

 Julian Douglas-Kamoka
 9058352901 ext 502
 edo@portcolborne.ca
 www.PortColborne.ca

JUN 26 2019

AUGUST 1, 2018
MEETING OF THE PORT COLBORNE ECONOMIC DEVELOPMENT
ADVISORY COMMITTEE

Minutes of the twelfth regular meeting of the Committee Members of the Port Colborne Economic Development Advisory Committee, held in the Second Floor Committee 2 Room, City Hall, 66 Charlotte Street, Port Colborne August 1, 2018, 4:00 pm.

The following Committee Members were in attendance:

Committee Members: Gary Bruno, Fred Davies, Betty Konc, Kate Ostryhon-Lumsden, David Semley, Len Stolk

Councillor: Mayor John Maloney, Councillor Dave Elliott,

Regrets: Councillor John Mayne, Jeni LaMarre, Jordan Sherlock, Dee Tilbrook,

Staff: Julian Douglas-Kameka, Scott Luey, Ashley Grigg, Karen Walsh

1. CALLED TO ORDER: 4:09 p.m. no quorum

2. CONFIRMATION OF MINUTES:

deferred

3. BUSINESS ARISING FROM MINUTES:

none

4. Delegations:

a. none

5. BUSINESS

a. Economic Development & Tourism Activities Workplan

Discussion took place on the Workplan set out by the Economic Development Strategic Plane. Focusing on the Four Priorities.

Primary Priorities

- a) Small Independent Business
- b) Residential Development

Secondary Priorities

- a) Industrial Development
- b) Tourism & Destination Development

6. NEW BUSINESS

None

7. INFORMATION/CORRESPONDENCE

None

8. ADJOURNMENT:

Time of adjournment 6:02 p.m.



Port Colborne Historical & Marine
MUSEUM
...more than a museum!

City of Port Colborne
RECEIVED
JUL 02 2019
CORPORATE SERVICES
DEPARTMENT

A meeting of the Board of Management of the Port Colborne Historical and Marine Museum was held May 21, 2019 at 7 p.m. at the L.R. Wilson Heritage Research Archives.

Present: Stephanie Powell Baswick, Alexander Fazzari, Pam Koudjis, Donna Abbott, Cheryl MacMillan, Claudia Brema, Margaret Tanaszi, Brian Heaslip, Bonnie Johnston, Marcia Turner, and Abbey Stansfield.

Regrets: Councillor Eric Beauregard, Terry Huffman, Jeff Piniak, Bert Murphy.

Minutes of Last Meeting

Moved by: Marcia Turner

Seconded by: Claudia Brema

To: Approve the corrected Minutes of the Board of Management from April 16, 2019.

Motion Carried.

Business Arising From Minutes:

No Report.

Correspondence:

Stephanie Powell Baswick displayed the newsletters and magazines received from heritage institutions and societies.

Curator Report:

Stephanie Powell Baswick reported that the summer student positions had been filled. The results of which are Meghan Chamberlain as the Archives Research Assistant, Dario Smagata- Bryan as the Curatorial Research Assistant, Quintin Keddy as the Heritage Tourism Officer, Spencer Alder as the digitization assistant, and Vittoria Secca and Hannah Charuk as Tea Room Assistants.

Stephanie also reported that the museum is participating in the MONA (Museums of Niagara Association) photo project at the Walker Cancer Centre. This partnership has each participating museum submitting 4-6 photos to display in the waiting room of the Walker Cancer Centre for the patients and family to enjoy. The photos will be rotated on a weekly basis so that there is one new photo on display every week of the year.

Auxiliary Report:

Bonnie Johnston reported that the Auxiliary was very pleased with the way that the new cedar shingled roof looks. Bonnie also reported that the sink from the upstairs bathroom of the Tea Room has been restored and reinstalled.

The Auxiliary ladies have been working hard to clean the Tea Room for the Pie Social.



Port Colborne Historical & Marine
MUSEUM
...more than a museum!

24 batches of biscuit mix have been prepared to have on hand for the beginning of the Tea Room season. Volunteers are still being sought for the Tea Room.

Program Committee Report:

Cheryl MacMillan thanked everyone for their Board Member's contribution Member's Reception. The event went well and successfully began another museum season.

Cheryl read a list of requested board participation for Arabella's Pie Social from Assistant Curator, Michelle Mason.

The next Program Committee meeting will be held in June.

Fundraising Committee Report:

Donna Abbott reported that members of the committee would be setting up by cleaning, organizing, and pricing items for Towpath Treasures Thursday and Friday. The committee will run Towpath during the Pie Social and then will clean up afterwards.

It was reported that Lower Lakes Towing will not be providing a Laker Trip for the Museum this year. In corresponding with them it was discovered that there are still four trips that have not been used from previous years' auctions. Instead it is their intention to get all of the trips used by the end year and they have generously sponsored Canal Days instead for \$5,000.

Building and Property Committee Report:

Brian Heaslip reported that a group of volunteers is getting ready to start weekly maintenance. Included in their work list is the fence around the garden and building new doors for the Blacksmith's Shop.

The new security cameras are in and in the process of having the technology portion installed.

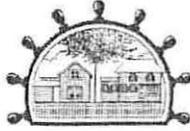
Finance Committee Report:

Stephanie Powell Baswick reported that the museum is doing well with spending funds on projects. She has requested and is still waiting for a summary of all former reserve accounts. When those figures come in, she has projects in mind to finish off those accounts that correspond with their function.

Stephanie also reported that the roof on the Tea Room is going to cost more than originally quoted because of repairs required. She has asked the roofing company to keep a log of the costs and send that to her for approval prior to doing the work.

Membership Committee Report

Bonnie Johnston reported that Museum members for 2019 are made up of 106 people. Museum members have donated \$878 on top of membership fees and the Museum has 7 new Life Patrons.



Port Colborne Historical & Marine
MUSEUM
...more than a museum!

Accession Committee Report:

The next accession committee meeting will be held June 24, 2019 at 6:30 PM.

Policy Report:

No Report

New Business:

Marcia Turner reported that Bell Marine has donated \$1,000 to sponsor Canal Days t-shirts.

Motion to Adjourn: Alexander Fazzari

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Port Colborne Public Library Board

MINUTES of the 5th Regular Board Meeting of 2019

Tuesday, May 14, 2019, 6:15 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

Present: Michael Cooper (Chair), Bryan Ingram (Vice-Chair), Brian Beck, Valerie Catton, Harmony Cooper, Jeanette Frenette, Ann Kennerly, Cheryl MacMillan
Staff: Susan Therrien (Director of Library Services/Board Secretary), Rachel Tkachuk (Librarian)
Regrets: Councilor Mark Bagu, Scott Luey (CEO), Peter Senese (Treasurer)

1. Call to Order:

The Chair called the meeting to order at 6:15 p.m.

2. Chair's Remarks:

Mr. Cooper welcomed the Board.

3. Declaration of Conflict of Interest:

Nil.

4. Adoption of the Agenda:

Moved by B. Ingram

Seconded by C. MacMillan

19:030 That the agenda be adopted with one minor correction.
CARRIED.

5. Approval of the Minutes of the Previous Meeting of April 2, 2019:

Moved by J. Frenette

Seconded by C. MacMillan

19:031 That the minutes of the April 2, 2019 meeting be adopted as circulated.
CARRIED.



6. Business Arising from the Minutes:

Nil.

7. Delegations and Presentations:

Nil.

8. Consent Items:

- 8.1. Circulation Report
- 8.2. Financial Statement
- 8.3. Strategic Plan Implementation Report
- 8.4. Capital Projects Report
- 8.5. Public Relations Report
- 8.6. Newsletter and Media Items

Moved by B. Beck

Seconded by H. Cooper

19:032 That Consent Items 8.1 to 8.6 be received for information purposes.
CARRIED.

9. Discussion Items:

9.1. OPL Guidelines Accreditation Audit

The Board will meet in the fall for a working session. In the interim, the Director will complete the audit checklist.

9.2. Report to Council, May 27, 2019

The Chair and Director will present the library's 2018 Annual Report, a report on fees and charges, and information on upcoming events in 2019 to Council on May 27, 2019.

9.3. Director's Report

9.3.1. Partnership with the Vale Health and Wellness Centre



Partnership with the Vale Health and Wellness Centre will begin in June to coincide with Parks and Recreation Month. This collaboration will include the creation of a dedicated library space at Vale complete with signage and promotional materials. The space will include a movable shelving unit that will be well-stocked with library materials for people to borrow. Programming will include pop-up library activities and story-time.

9.3.2. "Let's Talk About..." Series

Upcoming event topics include human trafficking (June 26, 2019), youth suicide prevention and awareness (September 25, 2019), and a discussion of support services for parents/caregivers of youth with mental health issues and addictions (November 27, 2019).

9.3.3. Meetings, Events and Workshops

- Social Determinants of Health Advisory Committee, April 4, 2019
- Niagara Region Library CEOs Meeting with Paul Takala, CEO, HPL, April 8, 2019
- Meeting with Niagara Region Library Board CEOs, Chairs, Vice-Chairs. April 16, 2019
- Advocacy Teleconference (Interlibrary Loan Service Disruption), April 24, 2019
- Edge 2.0 Webinar, April 29, 2019
- City of Port Colborne Special Council Meeting: Strategic Plan, May 6 & 7, 2019. Attended by S. Therrien. Librarian R. Tkachuk is part of a team of volunteers selected to assist the consultant.
- Meeting at Thorold Public Library to investigate migration to Evergreen ILS, May 8, 2018
- Meeting with MPP Jeff Burch, May 10, 2019. Attended by Thorold, Welland and Port Colborne Public Libraries

9.3.4. Health and Safety: Jobs Hazards Assessment

Italia Reeves, Health and Safety Coordinator, met with library staff to introduce forms to be completed to evaluate job hazards associated with each job description.

9.3.5. Staff Announcements

S. Hol, Assistant Librarian, has decided to further her education and submitted her resignation. Interviews to fill the vacancy were conducted on May 10, 2019.

9.3.6. Staff Development

The Director reported that homelessness awareness training will commence in June. Library staff will also attend a session on “Library Service with Empathy and Safety” coordinated by the St. Catharines Public Library, May 27, 2019.

9.4. OnBoard Training, April 27, 2019

The Board discussed the event and shared information with those who were not able to attend.

9.5. Legislative Context for Governing Public Library Boards

The Board reviewed information provided by Southern Ontario Library Service.

9.6. SOLS Delivery Service and Interlibrary Loans

The Director reported on information regarding the effects of funding cuts to Southern Ontario Library Service regarding interlibrary loan service.

9.7. Regional Review

The Director reported on meetings with local Niagara public libraries regarding Regional Governance Review.

9.8. Integrated Library Service (ILS): Evergreen

The current contract for the ILS expires in December 2020. The Board is exploring options including Evergreen.

10. Decision Items:

10.1. Reciprocal Borrowing Agreement (Niagara Libraries)

Moved by: B. Ingram

Seconded by: B. Beck

19:033 That the Port Colborne Public Library join the Reciprocal Borrowing Agreement in place among Niagara libraries.

CARRIED.



10.2. Policies

10.2.1. Video Surveillance

Moved by: H. Cooper
Seconded by: J. Frenette

- 19:034 That the Port Colborne Public Library Board adopt the City of Port Colborne Video Surveillance Security Policy; and,
That after completion of the installation of security cameras at the Port Colborne Public Library and the Port Colborne Historical and Marine Museum (jointly known as the Cultural Block), the CEO or designate will review the procedures, responsibilities, and obligations of the Board regarding video surveillance and may recommend, after consultation with the CAO and City Clerk, the creation of a separate Board policy.
CARRIED.

10.2.2. Circulation

Moved by: A. Kennerly
Seconded by: B. Ingram

- 19-035 That the Circulation Policy be approved with revisions as discussed; and,
That fines for children (ages 1 to 12) be waived.
CARRIED.

10.2.3. Amendment of Bylaws

10.2.4. Board Advocacy

10.2.5. Succession Planning

10.2.6. Resource Sharing

Moved by H. Cooper
Seconded by J. Frenette

- 19:036 That policy Items 10.2.3 to 10.2.6 be approved as presented.
CARRIED.

11. Board Members' Items:

The Director informed the Board that libraries have submitted resolutions to their respective municipal councils regarding provincial funding cuts to Ontario Library Service.



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Moved by: H. Cooper

Seconded by: B. Beck

- 19: 037 That a resolution be crafted in collaboration with Councilor Mark Bagu for presentation to City Council.
CARRIED.

12. Notices of Motion:

Nil.

13. Date of the Next Meeting:

Tuesday, June 4, 2019 at 6:15 p.m.
Port Colborne Public Library, Auditorium
310 King St., Port Colborne, ON

14. Adjournment:

Moved by J. Frenette

Seconded by B. Beck

- 19:038 That the meeting be adjourned at 7:42 p.m.
CARRIED.

Michael Cooper
Board Chair
June 4, 2019

Susan Therrien, Director of Library Services
Board Secretary
June 4, 2019