



City of Port Colborne
Special Meeting of Council 01-18
Monday, January 22, 2018
Council in Closed Session – 5:00 p.m.
Committee Room 3, 3rd Floor, 66 Charlotte Street

Agenda

1. **Call to Order:** Mayor John Maloney
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **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 portions of the following Council meetings:
December 11, 2017 and December 18, 2017.
- (b) Correspondence from Woody McKaig, Solicitor, Sullivan Mahoney LLP, dated January 3, 2018, providing legal advice with respect to a citizen complaint against members of staff, 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(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Note: Mr. McKaig will be in attendance to provide legal advice respecting the above item.

- (c) Planning and Development Report No. 2018-09, regarding the potential sale of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.
- (ii) Disclosures of Interest (closed session agenda)
 - (iii) Consideration of Closed Session Items

(iv) Motion to Rise With Report

6. Disclosures of Interest Arising From Closed Session:

7. Report and Motions Arising From Closed Session:

8. Adjournment:

Note: Due to potential time constraints, item (c) of the closed session items listed for consideration during the special council meeting also appears on the closed session portion of agenda for the regular meeting. A closed session meeting will not be required after the regular meeting if consideration of closed session items is concluded during the special meeting.



City of Port Colborne
Regular Meeting of Committee of the Whole 01-18
Monday, January 22, 2018 – 6:30 p.m.
Council Chambers, 3rd Floor, 66 Charlotte Street

Agenda

1. **Call to Order:** Mayor John Maloney
2. **National Anthem:** Joel Longfellow
3. **Introduction of Addendum and Delegation Items:**
4. **Confirmation of Agenda:**
5. **Disclosures of Interest:**
6. **Adoption of Minutes:**
 - (a) Regular meeting of Committee of the Whole 26-17, held on December 11, 2017.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**
 - (a) Recognition of Joanne Ferraccioli for her accomplishments as Health Services Coordinator
10. **Delegations (10 Minutes Maximum):**
 - (a) Dave and Anne-Marie Lallouet requesting reimbursement of a Minor Variance Application Fee regarding 59R-15865 Lot Lakeshore Road, West (Page No. 17)
 - (b) Ray Khanna, Kingsway Investments and Aldo Martino of Jaamss Investment Corporation appealing the Fire and Emergency Services Department Inspection Fees charged regarding 224 Mitchell Street, Port Colborne (Page No. 35)
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, February 12, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, February 26, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, March 12, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, March 26, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, April 9, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, April 23, 2018	Committee of the Whole/Council – 6:30 P.M.

Committee Items:

Notes	Item	Description / Recommendation	Page
JDM BB RB AD FD YD DE BK JM	1.	<p>Chief Administrative Officer, Report No. 2018-12, Subject: <u>Unattached Patient List</u></p> <p>That staff be directed to transition the patients on the unattached patient list to Health Care Connect and cease maintaining a list of unattached patients.</p>	37
JDM BB RB AD FD YD DE BK JM	2.	<p>Fire and Emergency Services Department, Report No. 2018-11, Subject: <u>Port Colborne Operatic Society Pyrotechnics</u></p> <p>That By-law No. 4989/45/07 Being a By-law for Prohibiting and Regulating the Sale of Fireworks and Setting Off Fireworks in the City of Port Colborne be waived for the Port Colborne Operatic Society for their 2018 production, and further;</p> <p>That the Port Colborne Operatic Society ensure it meets all of the requirements as set out in Fire and Emergency Services Report 2018-11 as well as any other requirements that may be required to ensure public safety.</p>	41
JDM BB RB AD FD YD DE BK JM	3.	<p>Planning and Development Department, Planning Division, Report No. 2018-04, Subject: <u>Stopping Up and Closing of Part of Victoria Street</u></p> <p>That Planning and Development Department, Planning Division, Report 2018-04 with respect to Stopping Up and Closing of Part of Victoria Street be received for information.</p>	43
JDM BB RB AD FD YD DE BK JM	4.	<p>Planning and Development Department, Planning Division, Report No. 2018-05, Subject: <u>Affordability/Financial Hardship and Planning Application Fees</u></p> <p>That Planning and Development Department, Planning Division, Report 2018-05 with respect to Affordability/Financial Hardship and Planning Application Fees be received for information.</p>	45

JDM	BB	RB	5.	<p>Engineering and Operations Department, Engineering Division, Report No. 2018-01, Subject: Project No.: 2017-02, Municipal Drain Maintenance 2018</p> <hr/> <p>That Project 2017-02, Municipal Drain Maintenance and Cleaning, be awarded to Anthony’s Excavating Central Inc., of Wellandport, Ontario, for the total tendered price of \$396,258.90, plus applicable taxes. Staff is directed to utilise the bid items as listed within the awarded Tender Document, in such a manner as to complete all works as may be required.</p> <p>That a contract by-law; whereby the City enters into a Contract Agreement with the contractor be prepared.</p> <p>That funding for Project 2017-02 be financed on an interim basis, under GL Accounts 3-560-33226-1510, 3-560-33210-1510, 3-560-33236-1510, 3-560-33217-1510, 3-560-33206-1510, 3-560-33220-1510, 3-560-33221-1510, 3-560-33218-1510 and that staff be authorized to initiate billings back to each Municipal Drain’s Watershed at the completion of each Watershed’s works and upon receipt of the 1/3 Grant from OMAFRA.</p>	49
AD	FD	YD			
DE	BK	JM			
JDM	BB	RB	6.	<p>Engineering and Operations, Operations Division, Report No. 2018-03, Subject: Request for Proposal 2017-14: Playground Replacement – Rose Shymansky Memorial Park & Sunset Park</p> <hr/> <p>That Contract 2017-14, Playground Replacement at Rose Shymansky Memorial Park and Sunset Park be awarded to PlayPower LT Canada Inc. of Paris, Ontario, for the total tendered price of \$138,563.42; applicable taxes not included; and</p> <p>That the Director of Engineering and Operations be authorized to issue a purchase order to PlayPower LT Canada Inc.; and</p> <p>That the appropriate by-law be prepared and submitted for execution by the Mayor and City Clerk.</p>	53
AD	FD	YD			
DE	BK	JM			

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.

JDM AD DE	BB FD BK	RB YD JM	7.	<p>Engineering and Operations, Engineering Division, Report No. 2018-07, Subject: Request for Installation of a Flashing “Children Crossing” Light on Fielden Avenue Near Franklin</p> <hr/> <p>That staff be directed to proceed with the installation of a new Playground Ahead warning sign including a signpost and amber flashing beacon on Fielden Avenue approximately 40 metres north of Franklin Avenue and a new Playground Ahead warning sign including a signpost on Fielden Avenue approximately 90 metres south of the Reservoir Park entrance; and</p> <p>That the approximate cost of \$3,000 for this work be drawn from the 2018 Operating Budget GL 0-500-74220-3215.</p>	57
JDM AD DE	BB FD BK	RB YD JM	8.	<p>Engineering and Operations, Engineering Division, Report No. 2018-08, Subject: Request for Stop Sign Installation – Knoll Street at Highland Avenue</p> <hr/> <p>That staff be directed to proceed with the issuance of a Request for Quotation for vehicle and pedestrian counts including recommendations at the intersection of Knoll and Highland for an approximate cost of \$5,000; and</p> <p>That the approximate cost of \$5,000 for this work be drawn from the 2018 Budget GL 0-540-74610-3205.</p>	61
JDM AD DE	BB FD BK	RB YD JM	9.	<p>Engineering and Operations, Engineering Division, Report No. 2018-10, Subject: Port Colborne Operations Centre Equipment Purchase: Mobile Column Lifts</p> <hr/> <p>That Quotation 2017-07, the supply of Six Mobile Column Lifts be awarded to ISN Canada Group Inc., for the total quoted price of \$72,000 (plus any applicable taxes); and</p> <p>That funding for the equipment be financed under Account 3-500-33593-3401, Port Colborne Operations Centre Capital Expenditures; and</p> <p>That staff be authorized to issue a Purchase Order to ISN Canada Group Inc. for \$72,000.00 (plus any applicable taxes).</p>	65

JDM AD DE	BB FD BK	RB YD JM	10.	<p>Community and Economic Development Department, Report No. 2018-02, Subject: Franchise Agreement Renewal – Enbridge Gas Distribution Inc.</p> <hr/> <p>That the Council of The Corporation of the City of Port Colborne (“Council”) approves the form of the draft by-law (including the Franchise Agreement forming part thereof), attached hereto, and authorizes the submission thereof to the Ontario Energy Board for approval, pursuant to the provisions of Section 9 of the <i>Municipal Franchises Act</i>;</p> <p>That Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft by-law (including the franchise agreement forming part thereof), pursuant to the provisions of Section 9(4) of the <i>Municipal Franchises Act</i>; and</p> <p>That By-law 733/50/78 and By-law 3665/91/98 be repealed.</p>	69
JDM AD DE	BB FD BK	RB YD JM	11.	<p>Corporate Services Department, Clerk’s Division, Report No. 2018-13, Subject: Appointments to Boards and Committees</p> <hr/> <p>Canal Days Advisory Committee: That Betty Konc be appointed to the Canal Days Advisory Committee for a term ending December 31, 2020.</p> <p>East Village Neighbourhood Improvement Task Force: That Neal Schoen be appointed to the East Village Neighbourhood Improvement Task Force for a term ending December 31, 2020.</p> <p>Economic Development Advisory Committee: That Kate Ostryhon-Lumsden be appointed to the Economic Development Advisory Committee for a term ending December 31, 2020.</p> <p>Environmental Advisory Committee: That Beth Palma, Ryan Waines and Tim Hoyle be appointed to the Environmental Advisory Committee for a term ending December 31, 2020.</p> <p>Port Colborne Historical & Marine Museum: That the following persons be appointed to the Port Colborne Historical & Marine Museum Board:</p> <ol style="list-style-type: none"> 1. Amanda Emery for a term ending December 31, 2019; 2. Claudia Brema for a term ending December 31, 2019; 	103

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.

				<p>3. Bert Murphy for a term ending December 31, 2019; 4. Brian Heaslip for a term ending December 31, 2021; 5. Cheryl MacMillan for a term ending December 31, 2021; 6. Pamela Koudijs for a term ending December 31, 2021.</p> <p>Port Colborne Medical Education, Recruitment and Health Services Committee: That Connie Butler be appointed to the Port Colborne, Medical Education, Recruitment and Health Services Committee for a term ending December 31, 2020.</p> <p>Senior Citizen Advisory Council: That Judy Wade, Valerie King and Susan Brown be appointed to the Senior Citizen Advisory Council for a term ending December 31, 2020.</p> <p>That the Clerk be directed to bring forward the necessary by-law for approval.</p>	
JDM AD DE	BB FD BK	RB YD JM	12.	<p><u>Corporate Services Department, Corporate Services Division, Report No. 2018-06, Subject: 2016 Audited Financial Statements</u></p> <p>That the 2016 draft audited Financial Report for the year ended December 31, 2016 be approved.</p>	109
Miscellaneous Correspondence					
JDM AD DE	BB FD BK	RB YD JM	13.	<p><u>Region of Niagara Re: Commercial and Industrial Sub Class Tax Rate Reductions and Rebates (CSD Report 77-2017)</u></p> <p>That the correspondence received from the Region of Niagara Re: Commercial and Industrial Sub Class Tax Rate Reductions and Rebates (CSD Report 77-2017), be received for information.</p> <p>Note: The appendices can be found at the following link: https://www.niagararegion.ca/council/Council%20Documents/2017/csc-agenda-nov-29-2017.pdf</p>	181
JDM AD DE	BB FD BK	RB YD JM	14.	<p><u>Region of Niagara Re: High Level Official Plan Process Framework (PDS Report 41-2017)</u></p> <p>That the correspondence received from the Region of Niagara Re: High Level Official Plan Process Framework (PDS Report 41-2017), be received for information.</p>	189

JDM AD DE	BB FD BK	RB YD JM	15.	<p>Region of Niagara Re: Niagara Peninsula Conservation Authority “The Living Landscape” Draft Policy Document Review (PDS Report 47-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Niagara Peninsula Conservation Authority “The Living Landscape” Draft Policy Document Review (PDS Report 47-2017), be received for information.</p>	197
JDM AD DE	BB FD BK	RB YD JM	16.	<p>Region of Niagara Re: Niagara Region Mid-Year 2017 Growth Monitoring Report (PDS Report 48-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Niagara Region Mid-Year 2017 Growth Monitoring Report (PDS Report 48-2017), be received for information.</p>	209
JDM AD DE	BB FD BK	RB YD JM	17.	<p>Region of Niagara Re: Public Meeting Report – Regional Official Plan Amendment No. 13 (ROPA 13) – Transportation Policies (PDS Report 50-2017)</p> <hr/> <p>That the correspondence received for the Region of Niagara Re: Public Meeting Report – Regional Official Plan Amendment No. 13 (ROPA 13) – Transportation Policies (PDS Report 50-2017), be received for information.</p>	223
JDM AD DE	BB FD BK	RB YD JM	18.	<p>Region of Niagara Re: Opioid Update: Local Opioid Work (PHD Report 26-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Opioid Update: Local Opioid Work (PHD Report 26-2017), be received for information.</p>	251
JDM AD DE	BB FD BK	RB YD JM	19.	<p>Region of Niagara Re: Proposed Operating Budget Niagara Regional Police Service and Police Services Board (BRC-C Report 04-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Proposed Operating Budget Niagara Regional Police Service and Police Services Board (BRC-C Report 04-2017), be received for information.</p>	267

JDM	BB	RB	20.	<p><u>Ministry of Municipal Affairs Re: Update of Bill 59, Consumers First Act (Consumer Protection Statute Law Amendment)</u></p> <p>That the correspondence received from the Ministry of Municipal Affairs Re: Update of Bill 59, Consumers First Act (Consumer Protection Statute Law Amendment, to allow municipalities to regulate the location and number of payday loan establishments, be received for information.</p>	275
AD	FD	YD			
DE	BK	JM			
JDM	BB	RB	21.	<p><u>Charles Sousa, Minister, Ministry of Finance Re: Federal Legalization -A Framework to Govern the Lawful Use and Retail Distribution of Cannabis within the Province</u></p> <p>That the correspondence received from Charles Sousa, Minister, Ministry of Finance Re: Federal Legalization – A Framework to Govern the Lawful Use and Retail Distribution of Cannabis within the Province, be received for information.</p>	277
AD	FD	YD			
DE	BK	JM			
JDM	BB	RB	22.	<p><u>Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Smart Cities Challenge</u></p> <p>That the memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Smart Cities Challenge be referred to the 2018 Strategic Planning Session.</p>	279
AD	FD	YD			
DE	BK	JM			
JDM	BB	RB	23.	<p><u>Memorandum from Carrie McIntosh, Executive Assistant to the CAO on behalf of the Social Determinants of Health Advisory Committee – Everyone Matters Re: City of St. Catharines' Housing Action Plan 2017</u></p> <p>That the Memorandum from Carrie McIntosh, Executive Assistant to the CAO on behalf of the Social Determinants of Health Advisory Committee – Everyone Matters Re: City of St. Catharines' Housing Action Plan 2017, be received for information;</p> <p>That staff be directed to invite a representative from the City of St. Catharines to present its Housing Action Plan 2017 at a future meeting of Port Colborne City Council; and</p> <p>That staff be directed to review the City of St. Catharines' Housing Action Plan and develop a plan to suit the needs of Port Colborne.</p>	283
AD	FD	YD			
DE	BK	JM			

JDM	BB	RB	24.	<p><u>Sherkston Shores – 490 Empire Road, Port Colborne Re: Request to Hold Weekly Fireworks Display Events for 2018</u></p> <p>That pursuant to section 6.1.1 of By-law 4989/45/07, the Council of The Corporation of the City of Port Colborne authorize Sherkston Shores to hold display fireworks events on the following dates:</p> <ul style="list-style-type: none"> • Saturday, June 16th, 2018 • Saturday, June 23rd, 2018 • Saturday, June 30th, 2018 • Saturday, July 7th, 2018 • Saturday, July 14th, 2018 • Saturday, July 21st, 2018 • Saturday, July 28th, 2018 • Saturday, August 4th, 2018 • Saturday, August 11th, 2018 • Saturday, August 18th, 2018 • Saturday, August 25th, 2018 • Saturday, September 1st, 2018 <p>That such approval be conditional on the issuance of a permit by the Fire Chief, in compliance with By-law 4989/45/07 and payment of the applicable fees;</p> <p>That the following information be submitted to the Port Colborne Fire and Emergency Services Department for review a minimum of two weeks prior to the holding of the first event:</p> <ul style="list-style-type: none"> • A fireworks site plan but not limited to, separation distances to the public and vulnerable areas, location from where the fireworks are being fired, fallout zone, and direction of firing. • Information concerning the floating platform from which the fireworks are to be fired, including the platform size. • Event description information is required including description of fireworks, type, size and quantity. <ul style="list-style-type: none"> - firing procedures, manual or electric - emergency procedures - traffic control plans • A copy of the Fireworks Operator Certificate with Endorsements. <p>That Sherkston Shores be advised that as the Authority Having Jurisdiction, the Port Colborne Fire and Emergency Services Department will conduct spot site inspections and may revoke approval for any violation of the <i>Ontario Fire Code</i> or the <i>Explosives Act</i> prior to or during any one of the scheduled events.</p>	285
AD	FD	YD			
DE	BK	JM			

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.

JDM	BB	RB	25.	<u>Nancy Salvage and Fatima Shama, Executive Director, The Fresh Air Fund Re: Request for Proclamation of Fresh Air Fund Day, March 20, 2018</u>	287
AD	FD	YD			
DE	BK	JM		That March 20 th , 2018 be proclaimed as "Fresh Air Fund Day" in the City of Port Colborne in accordance with the request received from Nancy Salvage and Fatima Sham, Executive Director, The Fresh Air Fund.	
JDM	BB	RB	26.	<u>Janet Hope, Assistant Deputy Minister, Ministry of Housing Re: Development Charges Rebate Program</u>	289
AD	FD	YD			
DE	BK	JM		That the correspondence received from Janet Hope, Assistant Deputy Minister, Ministry of Housing Re: Development Charges Rebate Program, be referred to the Director of Planning and Development.	
JDM	BB	RB	27.	<u>St. James and St. Brendan Church, Port Colborne Re: International Women's Day, March 7, 2018 - Guild Hall, 72 Charlotte Street, Port Colborne</u>	331
AD	FD	YD			
DE	BK	JM		That the International Women's Day Event to be held at the Guild Hall, 72 Charlotte Street, Port Colborne on March 7, 2018, is hereby declared a municipally significant event in accordance with the Municipal Alcohol Management Policy.	
Outside Resolutions – Requests for Endorsement					
JDM	BB	RB	28.	<u>Township of Wainfleet, Town of Grimsby, Town of Lincoln, Town of Pelham and City of Welland Re: Notice of Passing of By-law to Increase Composition of Regional Council – Addition of Member for Township of West Lincoln</u>	333
AD	FD	YD			
DE	BK	JM		That the resolutions received from the Township of Wainfleet, Town of Grimsby, Town of Lincoln, Town of Pelham and City of Welland regarding the passing of By-law No. 2017-108 of the Regional Municipality of Niagara, being a By-law to Increase the Composition of Regional Council by Adding an Additional Councillor for the Township of West Lincoln, be received for information. Note: At its meeting of December 11, 2017 Council supported the passing of By-law No. 2017-108.	

JDM AD DE	BB FD BK	RB YD JM	29.	<p><u>Town of Fort Erie Re: Niagara Parks Commission's Proposed Expansion and Enhancement – Marina and Resort Development at Miller's Creek</u></p> <p>That the resolution received from the Town of Fort Erie Re: Niagara Parks Commission's Proposed Expansion and Enhancement – Marina and Resort Development at Miller's Creek, be received for information.</p>	339
JDM AD DE	BB FD BK	RB YD JM	30.	<p><u>City of St. Catharines Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs</u></p> <p>That the resolution received from the City of St. Catharines Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs, be supported.</p>	343
JDM AD DE	BB FD BK	RB YD JM	31.	<p><u>City of St. Catharines Re: Niagara Peninsula Conservation Authority Requesting the Appointment of a Supervisor</u></p> <p>That the resolution received from the City of St. Catharines Re: Niagara Peninsula Conservation Authority requesting the Appointment of a Supervisor, be received for information.</p> <p>Note: At its meeting of November 27, 2017 Council passed its own resolution requesting the Premier of Ontario to immediately appoint a Supervisor to take over the operations of the NPCA.</p>	345
JDM AD DE	BB FD BK	RB YD JM	32.	<p><u>City of St. Catharines Re: Women in Local Government</u></p> <p>That the resolution received from the City of St. Catharines Re: Women in Local Government, be received for information.</p>	347
JDM AD DE	BB FD BK	RB YD JM	33.	<p><u>City of St. Catharines Re: Gillian's Place and National Day of Action on Violence Against Women</u></p> <p>That the correspondence received from the City of St. Catharines Re: Gillian's Place and National Day of Action on Violence Against Women, be received for information.</p>	349

JDM	BB	RB	34.	<u>Township of Wainfleet Re: Federal Changes to the Municipal Councillor Taxation on Income – Request for Support</u>	351
AD	FD	YD		That the resolution received from the Township of Wainfleet Re: Federal Changes to the Municipal Councillor Taxation on Income, be supported.	
DE	BK	JM			
JDM	BB	RB	35.	<u>Town of Pelham Re: Town of Pelham’s Response to Regional Audit Committee Resolution</u>	353
AD	FD	YD		That the resolution received from the Town of Pelham Re: Town of Pelham’s response to Regional Audit Committee resolution, be received for information.	
DE	BK	JM			
Responses to City of Port Colborne Resolutions					
JDM	BB	RB	36.	<u>Town of Pelham in support of City of Port Colborne’s Resolution regarding The Region of Niagara Audit Committee recommendation respecting the Town of Pelham</u>	357
AD	FD	YD		That the correspondence received from the Town of Pelham regarding the position of the City of Port Colborne regarding the Region of Niagara Audit Committee recommendation respecting the Town of Pelham, be received for information.	
DE	BK	JM			
JDM	BB	RB	37.	<u>Township of Wainfleet in support of the City of Port Colborne’s Resolution regarding the Region to Continue to Financially Support Community Improvement Program</u>	359
AD	FD	YD		That the resolution received from the Township of Wainfleet in support of the City of Port Colborne’s resolution regarding the Region to Continue to Financially Support Community Improvement Plan, be received for information.	
DE	BK	JM			

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Fw: Lakeshore Road West property

Carrie McIntosh to [REDACTED]
Cc: Evan Acs, Brenda Heidebrecht

12/14/2017 09:03 AM

Hi Dave,

I will consider this your formal request. Your correspondence has been added to the agenda package being compiled for January 22, 2018 and your name is on the list of delegations.

Carrie McIntosh
Deputy Clerk

*Working smoke and carbon monoxide alarms save lives.
Plan your escape!*

City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8
Telephone: 905-835-2900 x. 308
Fax: 905-835-2969
Email: carriemcintosh@portcolborne.ca

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----- Forwarded by Carrie McIntosh/Port_Notes on 2017-12-14 09:02 AM -----

From: Evan Acs/Port_Notes
To: Carrie McIntosh/Port_Notes@Port_Notes
Cc: [REDACTED]
Date: 2017-12-14 08:52 AM
Subject: Fw: Lakeshore Road West property

Carrie,

See email below from Dave (copied on this message).

Regards,

Evan

----- Forwarded by Evan Acs/Port_Notes on 12/14/2017 08:51 AM -----

From: [REDACTED]
To: "planner@portcolborne.ca" <planner@portcolborne.ca>
Date: 12/13/2017 04:41 PM
Subject: Re: Lakeshore Road West property

Evan,

Thanks for contacting Carrie for me. I did indeed speak to her and dropped off my letter. I explained the situation to her and went over the letter with her so she understood what it was all about. She did advise me that this would be on the agenda for January 22nd. She also said I could speak on the matter and I said I would be glad to clarify anything if council had any questions. I know in the past I had to make a formal request to speak during a council meeting will this be necessary this time as well?

If you rather I email Carrie with this question I gladly will if you can forward her email.

Thanks again for all of your help

Dave

From: planner@portcolborne.ca <planner@portcolborne.ca>

Sent: December 13, 2017 4:35 PM

To: Outlook Administrator

Subject: Re: Lakeshore Road West property

Dave,

I understand that Carrie McIntosh called you today to discuss this. I trust this is all taken care of.

Attached is the Notice of Decision from last night's meeting. After the 20-day appeal period your minor varaince will be deemed final and binding and a building permit can be issued. In the meantime, you can apply for a building permit. Because no-one spoke at the meeting last night the chance of any appeal being filed is very very slim.

Regards,

Evan Acs, MA, MSc

Planner

Planning & Development Department

City of Port Colborne

66 Charlotte Street

Port Colborne ON L3K 3C8

Office: 905-835-2900 ext. 502

Fax: 905-835-2939

Working smoke and carbon monoxide alarms save lives.

(See attached file: A32-17-PC NOD.pdf)

[REDACTED]
To: "planner@portcolborne.ca" <planner@portcolborne.ca>

Date: 12/13/2017 07:53 AM

Subject: Lakeshore Road West property

Evan,

Just wondering if you had a chance to brief Ashley about the situation with my property? I have the letter and copies for each councillor ready to be submitted but just wanted to make sure that you had briefed her on what was going on so that she wasn't blind sided.

Dave

To: City of Port Colborne Council

From: Dave & Anne-Marie Lallouet

Date: Nov 27, 2017

Re: 59R-15865 Lot Lakeshore Rd W

We, Dave and Anne-Marie Lallouet, are requesting a reimbursement of a Minor Variance fee in the amount of \$1,150 that we submitted with our application on Nov 15, 2017.

We were not fully informed of the restrictions surrounding the RD zoning of lot 59R-15865 on Lakeshore Rd West that we purchased in August 2017 after an 8 month process.

When we were thinking about purchasing the lot in January 2017, Dave went to the City of Port Colborne Planning Department in order to alleviate any possible concerns about building a home on the property since it was not yet severed. Mr. Dan Aquilina was kind enough to explain the process of the severance application that would be initiated by the seller. The NPCA involvement was also explained to Dave and Mr. Aquilina followed up with an e-mail (see Att 1). Unfortunately, the RD zoning restrictions attachment was not received by us and we were not aware the attachment was missing since there was no mention of it in the email itself.

We were making every attempt to do our due diligence on this purchase. We were much more concerned with the issues surrounding the NPCA. We then made sure our offer (see Att 2) stated that any additional costs for the lot frontage minor variance that was pointed out by Mr. Aquilina and any possible environmental studies required by the NPCA would be incurred by the Seller. If we fully understood the zoning restrictions along with the other frontage minor variance required for severance, we would have written that into our offer as well. The RD zoning restrictions were not brought to our attention by the City, the Seller, the Realtor or the Lawyer up to the time of the final sale.

Even in March 2017, when Dave emailed Mr Aquilina to inquire about the delay in the Seller's severance application, it shows we were clearly unaware of the RD zoning restrictions. We even mentioned the size of the house we were planning to build and our possible concerns (see Att 3).

The final documents we received by The City when the severance was approved also do not outline restrictions associated to the RD zoning (see Att 4). Any restrictions on the RD zoning (ie: maximum 10% lot coverage) should have been outlined at this point. It would be an extremely small single detached dwelling under the current zoning.


The City's conditions that had to be met by the Seller took additional time and the sale was not final until August 2017. Due to these delays we were only able to start our build process in the Fall 2017. We continued to finalize our plans and it wasn't until Nov 6, 2017 (see Att 5) that we were advised of the restrictions on the zoning that conflicted with our plan.

We met with Evan Acs on Nov 10, 2017 in order to start the process of the required minor variance application. He indicated that the zoning restrictions would have been taken care of


within the City wide new zoning bylaw changes and had been expected to be completed in summer 2017. This would have negated our need for a Minor Variance application at this time. The issue is that we are unable to wait for the zoning change to become final due to the NPCA's ability of changing their mind and making the lot unbuildable. They told us there was no guarantee if we waited too long and we would run the risk of losing our permission for development. Once the minor variance is taken care of, we still have to submit our plans to the City and NPCA.

We are requesting the refund as we believe this expense is not ethically ours to incur.

Sincerely,

 dated Nov 29 2017

Dave Lallouet

 dated NOV 29, 2017

Anne-Marie Lallouet

Re: Lakeshore road property

A4.1

Outlook Administrator [REDACTED]

Fri 2017-01-27 4:40 PM

To: danaquilina@portcolborne.ca <danaquilina@portcolborne.ca>;

Dan,

Thanks so much for the quick response. So are you saying that the conservation authority won't be an issue? I have requested that specific language be included in the contract that has been drawn up so that I can build on the lot once it's severed. Speaking of which Mr. Badaway is responsible for all costs for the severance, survey and if a variance is needed he would be responsible for that also as we have agreed on a price that states I must be able to build on the lot when I take possession of the property.

Thanks again

Dave

From: danaquilina@portcolborne.ca <danaquilina@portcolborne.ca>

Sent: January 27, 2017 2:21 PM

To: Outlook Administrator

Subject: Re: Lakeshore road property

Hi Dave,

I should have checked the zoning earlier. The property is presently zoned Residential Development. Looking at the lot frontage requirements, you would also need a minor variance to the lot frontage based on our conversation. A minor variance application can be heard at the same time as the severance. Its normally a \$750 application fee (plus review fees) but when you combine a severance with it, its \$1,550 application (plus review fees). At a preconsultation meeting the agencies will confirm their fees. Just let me know if you would like me to schedule you(or Vance) to a meeting.

Dan Aquilina, MCIP, RPP, CPT

Director of Planning and Development

905-835-2901 Ext. 203

Fax: 905-835-2939

[www.portcolborne.ca]www.portcolborne.ca

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AH.1

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From: [REDACTED]
To: "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>
Date: 01/27/2017 01:56 PM
Subject: Lakeshore road property

Dan,

I forgot to ask you what the minimum setback would be from the property line to the closest part of the house? Also thanks again for the insight into the conservation restrictions that may have an affect on the process.

Enjoy the weekend

Thanks

Dave Lallouet



Fw: Lakeshore road property

Dan Aquilina to: Evan Acs, Heather Mahon

11/01/2017 04:21 PM

History:

This message has been forwarded.

Dan Aquilina, MCIP, RPP, CPT
Director of Planning and Development
905-835-2901 Ext. 203
Fax: 905-835-2939
www.portcolborne.ca

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----- Forwarded by Dan Aquilina/Port_Notes on 2017-11-01 04:20 PM -----

From: Dan Aquilina/Port_Notes
To: [REDACTED]
Date: 2017-01-27 02:21 PM
Subject: Re: Lakeshore road property

Hi Dave,

I should have checked the zoning earlier. The property is presently zoned Residential Development. Looking at the lot frontage requirements, you would also need a minor variance to the lot frontage based on our conversation. A minor variance application can be heard at the same time as the severance. Its normally a \$750 application fee (plus review fees) but when you combine a severance with it, its \$1,550 application (plus review fees). At a preconsultation meeting the agencies will confirm their fees. Just let me know if you would like me to schedule you(or Vance) to a meeting.



RD ZONE.pdf
Dan Aquilina, MCIP, RPP, CPT
Director of Planning and Development
905-835-2901 Ext. 203
Fax: 905-835-2939
www.portcolborne.ca

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11-2

BUYER: DAVID LALLOUET & ANNE MARIE LALLOUET

SELLER: [REDACTED]

REAL PROPERTY: PT LT LOT 33 LAKESHORE ROAD, PORT COLBORNE

PORT COLBORNE

In accordance with the terms and conditions of the Agreement of Purchase and Sale dated the 17 day of January 2017, regarding the above property, I/We hereby confirm that I/We have fulfilled the condition(s) which read(s) as follows:

This offer is further conditional upon the Buyer satisfying themselves that the conservation authority will allow the construction of a single family dwelling that is satisfactory to them and if a environment assessment is required the cost will be the responsibility of the Vendor, and a minor variance to the lot frontage that will be required will be the responsibility of the Vendor.

All other terms and conditions in the aforementioned Agreement of Purchase and Sale to remain unchanged.

For the purposes of this Notice of Fulfillment of Condition, "Buyer" includes purchaser, tenant, and lessee, and "Seller" includes vendor, landlord, and lessor, and "Agreement of Purchase and Sale" includes an Agreement to Lease.

DATED at PORT COLBORNE, Ontario, at 7:20 a.m./p.m. this 24 day of MAY 2017

SIGNED, SE [REDACTED] hand and seal:
[Witness] [REDACTED] DATE May 24/17
[Witness] [REDACTED] DATE May 24/17

Receipt acknowledged at 7:30 a.m./p.m. this 24 day of MAY 2017 by:

Print Name: PETER URSACKI Signature: [REDACTED]

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A44(3)

province. Your surveyor would set the grades of your house and land-you would need to consult with them. Npca comments on severance application and also reviews building permit to ensure your far enough away from the wetland.

Sent from my iPhone

[REDACTED] 9:53 PM, Outlook Administrator <d-
[REDACTED] wrote:

Dan,

Thanks for letting me know the severance hasn't been applied for. I was told by the realtor that he was going to have a meeting with Mr. Badaway about the application tomorrow. I have a question about the severance and building permit. Does Mr. Badaway have to have a grading survey done on the property to sever it? Also will I have to have a grading survey done to obtain a building permit? Seeing as the homes adjacent to mine will be at least 50 feet from mine I don't believe there will be an issue with water run off. I'm just wondering as I want to know how far out of the ground my foundation can be? As this affects what my end plan will be for the home. Will the NPCA need to sign off as to offsets allowed from their property in order to have the property severed or a building permit issued? If so who is responsible for getting this? I'm planning on a home around 1800 sqft. and don't want to end up with a piece of property with offsets that won't suit what I want to build.

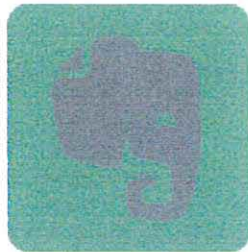
Any info would be greatly appreciated.

Thanks

Dave

Re: Lakeshore Road Property

danaquilina@portcolborne.ca



Reply

Wed 03-08, 7:36 AM

Dave,
No, a grading plan is a building permit requirement. Grading plan needs to be done by a surveyor or engineer. Npca doesn't own any property, they just regulate the wetland on behalf of the



PLANNING AND DEVELOPMENT DEPARTMENT
Planning Division

A1104

April 6, 2017

Secretary-Treasurer
Port Colborne Committee of Adjustment
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: **Application for Consent B06-17-PC**
Lakeshore Road West
George Badawey

Planning Staff has reviewed the referenced application and offer the following comments for your hearing on Tuesday April 11, 2017.

PURPOSE

IN THE MATTER OF AN APPLICATION by the agent George Badawey for the owners Claudette and George Badawey, for consent under Section 53(1) of the Planning Act, R.S.O. 1990, Chapter P. 13, so as to permit the conveyance of a parcel of land (Part 1) having a lot frontage of 20.11m (65.97ft) on Lakeshore Road West for a total lot area of 858.1m² (9236.81ft²) for a proposed residential use and to retain a parcel of land (Part 2) having a total lot frontage of 122.03m (400.36ft) on Lakeshore Road West for a total lot area of 4.952ha (12.23ac) for an existing residential use.

PUBLIC COMMENTS

Notice of this application was circulated on March 28, 2017 to all properties within 60 metres and a sign was provided to the applicant to post along the frontage of the subject property. No correspondence from the public has been received as of the date of writing of this report.

AGENCY COMMENTS

Notice of this application was circulated on March 28, 2017 to required City Departments and agencies. No correspondence has been received as the date of writing of this report.

PLANNING DIVISION COMMENTS

117 (9)

The application proposes to create a building lot for a future residential use. The property is surrounded by single detached dwellings to the east, south and west. The property is shown on the aerial image below.



City of Port Colborne Official Plan

Schedule "A": City Wide Land Use to the City of Port Colborne Official Plan designates the property as **Urban Residential** and **Environmental Protection Area**. Land uses in the Urban Residential designation include residential, neighbourhood commercial and community facilities and institutional uses.

Consents to sever in areas designated Urban Residential must meet the following conditions:

- a) A survey sketch prepared by a registered Ontario Land Surveyor is required.
- b) Lots created through land severance shall have frontage on a public road.
- c) Land severances on private roads are discouraged, except as provided for in the zoning by-law or except on private roads in a registered Plan of Subdivision.
- d) Notwithstanding Policies 3.2.4 (b) and 3.2.4 (c), land severances for technical reasons will be permitted as a boundary adjustment:
 - i. Where a part of a property is being deeded to an adjacent landowner;
 - ii. For easements;
 - iii. For rights-of-way; or The City of Port Colborne Official Plan
 - iv. For any other purpose that does not create a separate lot.

111 (1)

- e) Development of more than three (3) new lots will require a Plan of Subdivision.
- f) Conditions may be imposed on the approval of land severances including but not limited to; execution of a development agreement, payment of development charges, parkland dedication, road widening, provision of water/wastewater servicing, Minimum Distance Separation requirements and/or the requirements of a commenting agency addressing a legitimate concern.

Residential uses are supported in the Urban Residential designation and both lots will have frontage on a public road.

Lands designated **Environmental Protection Area** are those classified as Provincially Significant Wetlands, Provincially Significant Areas of Natural and Scientific Interest, the Significant Habitat of Threatened and Endangered Species and Natural Hazard Areas. The Environmental Protection Area designation recognizes the location of a Provincially Significant Wetland on the northern portion of Part 2. Part 1 is not designated Environmental Protection Area.

City of Port Colborne Zoning By-law 1150/97/81, as amended

The subject property is zoned **Residential Development (RD)** and **Environmental Protection (EP)**. The RD zone permits one single detached dwelling on one lot, uses, buildings and structures accessory to the foregoing permitted use. Uses permitted in the "EP" zone are:

- (a) Agricultural uses, and buildings and structures accessory thereto saving and excepting human habitation.
- (b) Dwellings existing at the date of the passing of this By-law and enlargement thereof and uses, buildings and structures accessory thereto.
- (c) Parks, playgrounds, tennis courts, lawn bowling greens, outdoor natural rinks, athletic fields, golf courses, picnic areas and boat launching ramps, boat houses and docking facilities, together with necessary accessory structures, saving and excepting human habitation.
- (d) Control structures to prevent flooding and/or erosion by water or wind.

The EP zone is limited to a portion of Part 2 and Part 2 is completely within the RD zone.

Part 2 contains an existing single detached dwelling. Part 1 is intended for one single detached and accessory structures, which are permitted uses in the RD zone. Upon review of the application, Planning staff note that the proposed lot does not meet the frontage requirements (30 metres) in the RD zone. Therefore, Planning staff have included the approval of a minor variance for the reduced lot frontage as a condition of the severance.

Discussion

The proposed lot fabric is consistent with the lot fabric in the immediate neighbourhood and the lot can be considered an infill lot.

Planning staff note that a portion of the driveway for 279 Lakeshore Road West is located on Part 1. Planning staff recommend that the driveway be removed from the property as a condition of the severance to remove the existing encroachment or that the applicant obtain approval for an easement.

AH (4)

No negative impacts are anticipated as a result of the severance provided the suggested conditions are required.

RECOMMENDATION

Given the information above, Planning Staff recommend application B06-17-PC be **GRANTED** subject to the following conditions:

1. That the applicant obtain approval of a minor variance for a lot frontage of 20.11 metres on Part 1.
2. That the existing driveway encroachment be removed from Part 1 or an easement be obtained.
3. That a Lot Grading Plan be prepared and submitted to the satisfaction of the City's Drainage Superintendent.
4. That the owner submit a letter to the City indicating that (s)he is aware of the requirements of By-law 4748/130/05 which requires the collection of the parkland dedication at the time of the building permit application based on the value of the property the day before issuance of the permit and that (s)he will advise any future purchasers of this requirement.
5. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
6. That a final certification fee of \$200 payable to the City of Port Colborne be submitted to the Secretary-Treasurer.

For the Following Reasons:

1. The application conforms to the policies of the City of Port Colborne Official Plan and will also comply with the provisions of Zoning By-law 1150/97/81, as amended provided the variance for lot frontage is approved
2. This decision is rendered having regard to the provisions of subsection 51(24) of the Planning Act, R.S.O. 1990, c.P.13.

Prepared by:

Approved and Submitted by:

Shannon Larocque, MCIP, RPP
Planner, Planning & Development

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

Application B06-17-PC

April 13, 2017

IN THE MATTER OF The Planning Act, R.S.O., 1990, Chapter P13, Section 53(1);

AND IN THE MATTER OF the property legally known as Part of Lots 1 & 2 Concession 1 in the City of Port Colborne Regional Municipality of Niagara; municipally known as 283 Lakeshore Road West.

AND IN THE MATTER OF AN APPLICATION by the agent George Badawey for the owners Claudette and George Badawey, for consent under Section 53(1) of the Planning Act, R.S.O. 1990, Chapter P. 13, so as to permit the conveyance of a parcel of land (Part 1) having a lot frontage of 20.11m (65.97ft) on Lakeshore Road West for a total lot area of 858.1m² (9236.81ft²) for a proposed residential use and to retain a parcel of land (Part 2) having a total lot frontage of 122.03m (400.36ft) on Lakeshore Road West for a total lot area of 4.952ha (12.23ac) for an existing residential use.

That application B06-17-PC be granted subject to the following conditions:

1. That the applicant obtain approval of a minor variance for a lot frontage of 20.11 metres on Part 1.
2. That the existing driveway encroachment be removed from Part 1 or an easement be obtained.
3. That a Lot Grading Plan be prepared and submitted to the satisfaction of the City's Drainage Superintendent.
4. That the owner submit a letter to the City indicating that (s)he is aware of the requirements of By-law 4748/130/05 which requires the collection of the parkland dedication at the time of the building permit application based on the value of the property the day before issuance of the permit and that (s)he will advise any future purchasers of this requirement.
5. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
6. That a final certification fee of \$200 payable to the City of Port Colborne be submitted to the Secretary-Treasurer.

FINAL AND BINDING

For the Following Reasons:


SECRETARY-TREASURER

1. The application conforms to the policies of the City of Port Colborne Official Plan and will also comply with the provisions of Zoning By-law 1150/97/81, as amended provided the variance for lot frontage is approved
2. This decision is rendered having regard to the provisions of subsection 51(24) of the Planning Act, R.S.O. 1990, c.P.13.

CERTIFIED A TRUE COPY

DATED AT PORT COLBORNE this 11th day of April, 2017.


SECRETARY-TREASURER

DECISIONS SIGNED:

""	"Dan O'Hara"	"Bea Kenny"	"John Mayne"	"Yvon Doucet"
Signature of Member of Committee	Signature of Member of Committee	Signature of Member of Committee	Signature of Member of Committee	Signature of Member of Committee

A115)



CITY OF PORT COLBORNE
Municipal Offices
66 Charlotte Street
Port Colborne, ON L3K 3C8
www.portcolborne.ca

MAYOR'S OFFICE

November 6, 2017



Dear Mr. Lallouët: *Lallouët*

I am trying to wrap my head around the current restrictions impacting the residential development of your property.

I am advised that at the February 9, 2017 pre-consultation meeting and upon the submission of Mr. Badawey's Consent and Minor Variance applications to address the proposed deficient lot frontage, you were informed that the Zoning By-law presently zones the property as Residential Development (RD), which permits the use of a single detached dwelling. However, as with every zone, the RD zone has provisions that regulate lot size, frontage, lot coverage and specific yard setbacks from the dwelling to the property lines. I understand you were provided a copy of the RD zone provisions.

The reduction of the lot frontage to a minimum of 20.11 metres was addressed in the Minor Variance Application of the Badawey's. However, side yard setbacks and lot coverage were not. In the RD zone the minimum side yard setbacks are 5 metres and the maximum lot coverage allowed is 10%. Under this zone, it would only allow a building width of 10.11 metres and lot coverage of 85.79 metres (your property is 20.11 metres X 42.66 metres X 10%). This would result in a small home, which I am not sure is your intent.

As an alternative, Planning staff has proposed to change the subject property from an RD zone to a First Density Residential zone in the City's new Zoning By-law that would reduce side yard setback distance to 1.5 metres and increase lot coverage allowance to a maximum of 40% (see attached excerpts).

The new Zoning By-law was proposed at a Public Meeting before Council this summer and staff are addressing all public and agency comments that were made before this returns to Council for consideration. Staff's intent is to do this before year's end but we may have to be aware of appeals to sections of the By-law that would hold up final enactment of the entire Zoning By-law.

In your recent email you state "as for when I'm going to build, as soon as I can get the plans approved by the City and the Conservation." To date the city has not received any building plans to approve.

AH (5)

November 6, 2017
Dave Lallouet
Lakeshore Road Property

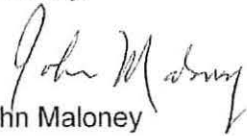
If you wish to proceed with building a dwelling that does not currently meet the requirements of the RD Zone, you have the option of applying for a Minor Variance to address any non-compliant provisions or wait until the new Zoning By-law is approved and no appeals have been made and meet the provisions of the new First Density Residential zone. This latter direction could take some time but would avoid further applications for variance.

You also stated that "you can't proceed with my plans without the drainage plan as my architect is waiting for this so he can proceed and the City is holding this up." A drainage plan was submitted to us by Lanthier & Gilmore Surveying Ltd. dated May 10, 2017 showing an approximate building envelope and this drainage plan (not the building envelope) was approved on June 18, 2017 (copy attached). I'm not sure what further document your architect requires.

On another note, I am advised that Mrs. Mahon did not state that the property was not zoned as a residential building lot. Under the current by-law, the property is in an RD zone which permits residential development provided it meets the zoning requirements. RD zoning is generally used on larger parcels of land.

Finally, I would recommend that you meet with one of the City's Planners to address any further concerns you have.

Sincerely,



John Maloney
Mayor

City of Port Colborne
RECEIVED

JAN 11 2018

CORPORATE SERVICE
DEPARTMENT

From: "Ray Khanna" <ray@kingswayinvestments.com>
To: <cityclerk@portcolborne.ca>
Date: 2018-01-11 03:09 PM
Subject: 224 Mitchell Street, Port Colborne

Attention: Carrie McIntosh

This will confirm that on **January 22nd, 2018**, our client **Aldo Martino/Jaamss Investment Corporation**, the mortgagee in possession of the referenced property (**224 MITCHELLE STREET, PORT COLBORNE**),

is appealing the Fire Department Inspection Fees of **FOUR HUNDRED AND FIFTY-NINE DOLLARS AND FORTY-FIVE CENTS (\$459.45)** per day for **SEVENTY-TWO (72)** days totalling

THIRTY-THREE THOUSAND, NINE HUNDRED AND NINETY-NINE DOLLARS AND THIRTY CENTS (\$33,999.30).

Should you require further information or have any questions, please do not hesitate in contacting me at either of the numbers listed below.

Ray Khanna, CPMB
Kingsway Investments
Broker/Owner

www.kingswayinvestments.com

direct(905)526-6300 | cell(905)541-1212

fax(905)526-7200 | email ray@kingswayinvestments.com

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Department: Chief Administrative Officer

PORT COLBORNE

Report Number: 2018-12

Date: January 22, 2018

Subject: Unattached Patient List

1) PURPOSE

This CAO generated report is provided to seek direction from Council with respect to the list of unattached patients that is maintained by City staff.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

In recent years, Port Colborne has experienced a shortage of Family Physicians and, as Physicians retire from their practices, residents have been left “unattached” from a Family Physician.

The City has addressed the problem of unattached patients by maintaining a list of patients and providing the list to Physicians who open new practices or join existing practices in Port Colborne.

The provincial Ministry of Health (MOH) also offers a resource that refers Ontarians that do not have a Physician to a family health care provider who may be accepting new patients. This service is called Health Care Connect (HCC). Physicians who accept patients from HCC receive a financial incentive. HCC is administered by the Hamilton Niagara Haldimand Brant Local Health Integration Network (LHIN).

3) STAFF COMMENTS AND DISCUSSIONS

The City has taken an active role in Health Services to provide a benefit to the community and its residents. One of the activities the City engages in is maintaining a list of unattached patients who are waiting for a Family Physician to accept them as a patient.

The City's list of unattached patient currently includes nearly 900 individuals.

There are several reasons that staff recommend reviewing this practice, including:

- By maintaining a list, City staff become custodians of residents' personal information, there is a privacy concern.
- Safety issues resulting from threats against City staff – there have been credible threats made against City staff responsible for the unattached patient list as a result of individuals becoming upset about their medical care. There is a safety concern.
- By maintaining a list, the City assumes liability for errors made in matching patients with Physicians.

- Staff only provide the names on the list to Physicians who open a practice within Port Colborne. Some of the patients on the list may be able to travel to see a Physician in a neighbouring municipality.
- HCC will connect patients with practitioners in other municipalities if the patient is able to travel.
- HCC assigns a Care Connector to patients who register to use the service. This is a nurse who will work with Family Physicians and nurse practitioners who are accepting new patients.
- According to the MOH, 98.7% of the patients registered with HCC from the local LHIN since 2009 have been connected with a health care provider.

At its November 20, 2017, meeting, the City's Medical Education, Recruitment and Health Services Committee received a verbal report from the Chief Administrative Officer and Health Services Coordinator and approved the following motion:

Moved by M. Robinson
 Seconded by Mayor J. Maloney

That the CAO be directed to prepare a report to be presented to Council in order that a new system for rostering patients can be implemented in the new year.
 CARRIED.

Based on these factors, staff believe that it would be an advantage to the City's residents and unattached patients to transition the list the City maintains to the HCC service that is maintained by the LHIN. This would entail referring future requests to be added to the list to HCC and communicating with existing people on the list that the City will be transitioning their information to HCC.

If Council decides to pursue this course of action a robust communication strategy will be required to assist patients who are currently on the list as well as those who attempt to get on the list in the future. The process of registering with HCC is fairly easy and can be done online or over the telephone, but some assistance from staff may be necessary to ease the transition for patients who are not comfortable with the process of being registered to HCC.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

a) City Staff continue to maintain a list of unattached patients.

Council could direct staff to continue to maintain the list of unattached patients. Staff believe that there could be liability in continuing this role as the City is the custodian of residents' personal information which can lead to privacy concerns. There is also the potential for liability due to errors. In addition, HCC tries to match unattached patients to practitioners beyond Port Colborne while City staff do not. (NOT RECOMMENDED).

b) Transition to Health Care Connect

Council could direct staff to cease maintaining a list of unattached patients. This would require contacting patients who are currently on the list and referring them to HCC. Patients who contact staff to be added to the list in the future would also be referred to HCC. The City would need to be prepared to assist some patients with the new process through communication materials and one-on-one assistance to individuals who require assistance. (RECOMMENDED).

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Health Care is a top priority within the corporate Strategic Plan.

6) ATTACHMENTS

None.

7) RECOMMENDATION

That staff be directed to transition the patients on the unattached patient list to Health Care Connect and cease maintaining a list of unattached patients.

8) SIGNATURES

Prepared on January 12, 2018 and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

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Fire and Emergency Services Department

Report Number: 2018-11

Date: January 22, 2017

SUBJECT: PORT COLBORNE OPERATIC SOCIETY PYROTECHNICS

1) PURPOSE

The Fire Chief prepared this report as the Port Colborne Operatic Society wishes to use pyrotechnics as part of their program during show dates. The City of Port Colborne's current regulating by-law with regards to sale and setting off fireworks does not allow the use of pyrotechnics indoors.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The use of pyrotechnics is not permitted under By-law No. 4989/45/07. The Operatic Society has requested the use of them during show dates starting February 17, 2018.

The Fire Prevention Officer and the Fire Chief met with representatives of the Operatic Society late 2017, at Lakeshore Catholic High School to review their proposal. The proposed pyrotechnics is commonly known as flash paper (short duration open flame).

The Fire Department reviewed the use, extent of use and the location of use, as follows:

- a) limited use during each performance
- b) curtains are flame resistant (certified)
- c) safety person will be in place trained on the use of fire extinguishers
- d) City will be named as additional insured (\$5,000,000)

3) STAFF COMMENTS AND DISCUSSIONS

The Fire Chief is of the opinion that the Operatic Society can take the necessary safety precautions to ensure that the flash paper can be used during their shows. The actual flame is short-term in nature and should an unfortunate incident occur, a person trained could provide immediate assistance.

Additionally, the storage of flash papers requires that it be wet and only flash paper for immediate use be prepared for use through drying.

The Fire Department has offered to assist in ensuring the safe storage and use and to train society members as safety people and in the use of fire extinguishers.

4) **OPTIONS AND FINANCIAL CONSIDERATIONS**

i) To reject the request and not permit the use of flash paper.

Not recommended.

ii) Allow the Port Colborne Operatic Society to use flash paper providing they meet the requirements of the fire department.

- a. proper storage of flash paper
- b. trained personnel on site to act as a safety person
- c. name the City of Port Colborne as additional insured for \$5,000,000
- d. limit the use of flash paper during performances
- e. Catholic School Board to provide the City will a letter authorizing the use of flash paper

Financial Considerations

The City of Port Colborne will be named as additional insured during all performance dates.

5) **COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not applicable.

6) **ATTACHMENTS**

None.

7) **RECOMMENDATION**


That By-law No. 4989/45/07 being a By-law for prohibiting and regulating the sale of fireworks and setting off fireworks in the City of Port Colborne be waived for the Port Colborne Operatic Society for their 2018 production, and further;

That the Port Colborne Operatic Society ensure it meets all of the requirements as set out in Fire Department report 2018-11 as well as any other requirements that may be required to ensure public safety.

8) **SIGNATURES**

Prepared on January 11, 2018

Reviewed and respectfully submitted by:



Thomas B. Cartwright,
City Fire Chief



C. Scott Luey,
Chief Administrative Officer



Report Number: 2018-04

Date: January 22, 2018

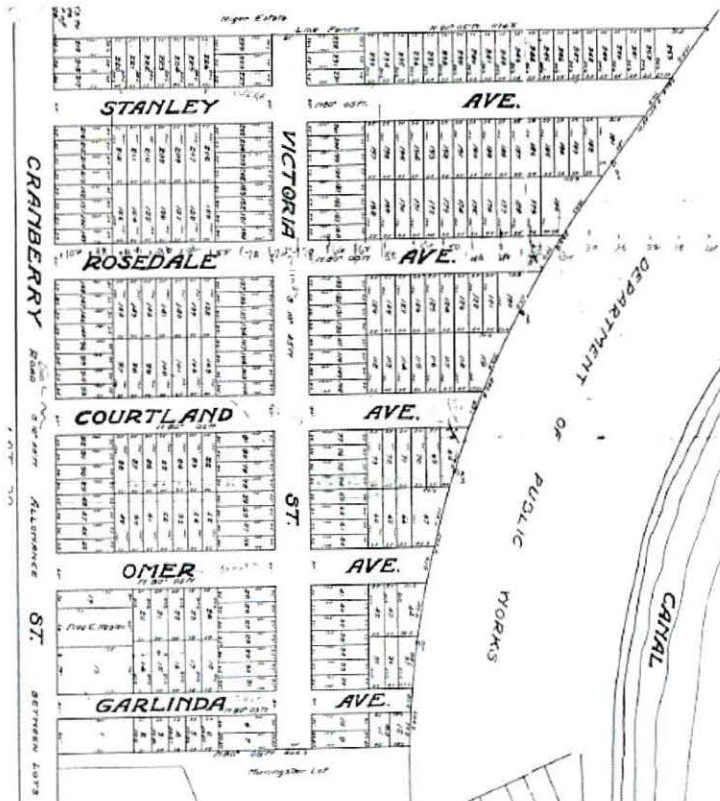
SUBJECT: Stopping Up and Closing of Part of Victoria Street

1) PURPOSE:

The purpose of the report is to inform Council of a proposal to stop up and close a part of Victoria Street. The public will first have an opportunity to voice any objections to the proposed closure prior to Council's future consideration. Notice has been advertised for four consecutive weeks as per City Policy.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Victoria Street was established as a 60' wide road allowance west of the Welland Canal and east of Elm Street (previously known as Cranberry Street). It was created on a Plan of Subdivision (Plan 3) in 1913 for the Village of Humberstone:



The portion proposed to be closed is located between Omer Avenue and Sherwood Forest Lane. Other portions of Victoria Street were closed by by-laws approved in the 1980s.

3) STAFF COMMENTS AND DISCUSSIONS

Staff were consulted and see no use or purpose for the City to maintain ownership as a road allowance (outlined in hashed line):



4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

This report is for informational purposes only.

b) Other Options

This report is for informational purposes only.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

None.

7) RECOMMENDATION

That Report 2018-04 with respect to the Stopping Up and Closing of Part of Victoria Street be accepted for information.

8) SIGNATURES

Prepared on January 4, 2018 by:

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

Reviewed and respectfully submitted by:

C. Scott Luey
Chief Administrative Officer



Planning & Development Department

Report Number: 2018-05

Date: January 22, 2018

SUBJECT: Affordability/Financial Hardship and Planning Application Fees

1) PURPOSE:

The purpose of the report is to provide Council with information regarding affordability options for planning application fees.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

At Council's November 14, 2017 meeting, the following minutes were recorded:

"(g) Planning Application Fees - Ability to Pay (Kenny)

Councillor Kenny informed that the delegate that withdrew their request to speak was going to request the fee for a minor variance be waived, due to financial hardship. Councillor Kenny requested staff prepare a report regarding affordability options related to payment of planning application fees for those experiencing financial hardship."

3) STAFF COMMENTS AND DISCUSSIONS

The current fee by-law for planning applications was approved by Council on May 8, 2017 through By-law 6473/40/17. Prior to, Council last implemented and updated application fees on November 28, 2011 through By-law 5718/149/11.

Planning fees have regard for the "anticipated cost" of providing the processing service. Setting appropriate fees is a difficult task as some applications are more complex than others and require more time spent on review and processing. Certain application fees may not be fully recovered and other applicants may be paying more. At the end, with any fee by-law, an average and balance needs to be targeted, set and ideally met.

Staff provided a breakdown to process a standard minor variance application to support its proposed \$1,150 fee:

STANDARD APPLICATION FOR MINOR VARIANCE			
Description of Task	Time (Hours)	Rate (2017)	
Consultation, review & completion of application including property authorization, fees, sketches, preparation for Commissioner, advise of hearing date, location, time and meeting protocol	3	Clerk	\$74.64
	1	Planner	\$32.02
Create and set up new file, prepare Treasury Chart	2	Clerk	\$49.76

Preparation of Notice	2	Clerk	\$49.76
Consult with Planning Staff - Review of Notice	.5	Planner	\$16.01
Preparation of poster and notification for pick-up, preparation of affidavits, instruction guidelines	3	Clerk	\$74.64
Create mailing buffer, prepare mailing addresses, labels and mail Notice/application to neighbours and agencies	3.5	Clerk	\$87.08
Site investigation by Planning staff	.5	Planner	\$16.01
Preparation & review of Planning Report	2.5 .5	Planner Director	\$80.05 \$31.11
Preparation of CoA packages and delivery	1.5	Clerk	\$37.32
Preparation for meeting, resolutions for decisions, extra correspondence	2	Clerk	\$49.76
Respond to public inquiry	1	Clerk	\$24.88
Create "pdf" files and upload Notices & Agenda & minutes	1.5	Clerk	\$37.32
Attendance at meeting, read reports/correspondence, take minutes	2	Clerk	\$49.76
Committee (5) member hearing attendance (\$80 Chair - \$75 Member)			\$375
Prepare minutes after meeting	1	Clerk	\$24.88
Prepare and mail notices of decision	1	Clerk	\$24.88
Prepare record of payment to members & notify Accounts Payable, create cheque	1	Clerk	\$24.88
Prepare & mail Final and Binding Notices	1	Clerk	\$24.88
TOTAL	30.5		\$1184.64

Port Colborne's planning fees have historically not been set at 100% cost recovery and, in fact, remain at the lower end in comparison to other municipalities in the Niagara Region.

If a variance from the zoning by-law is requested, the time to process can fluctuate if more than one variance to the by-law is needed or it results in opposition. However, if only one variance is requested it can lead to greater staff time spent regardless of distance or percentage varied. For example, the by-law requires that a deck can only encroach 1m to a side lot line and a variance request is for the deck to be located closer it can actually result in more staff time based on neighbour opposition. To base application fees on the amount of relief requested is difficult and unpredictable.

The distance of a variance request does not necessarily result in a reduction of processing service. A 1m reduction verses a 2m reduction yields no reduction in costs – a variance is a variance in this particular example. If a variance application requests more than one zoning provision (lot coverage, setbacks, height, location, etc.) to be relieved it would result in more planning review. This becomes the example of an average and balance (some pay more others less than the true cost incurred by the City).

Affordability Options – Financial Hardship

To entertain an affordability option presents challenges – how is affordability measured and determined? How is one person determined to have an inability to pay versus someone that does? Is it reviewing bank accounts, assets, T4 slips, paycheques, government assistance proof? Living accommodations? Mortgage payments or rent? Is it set at a barometer? Are other City fees (lot maintenance, building, marina, Vale, etc.) going to be affected by using the same approach? Should Council set aside budget monies annually for any reductions?

No other municipality has been found to have a planning application affordability option. Fees are based primarily on staff time to process and consider the cost of doing business on every planning application. Any reduction in a fee is then absorbed by the general taxpayer to cover costs.

The City currently reduces planning applications by 50% if located in a CIP area as a way to promote redevelopment/development.

Payment Plan

A payment plan may be considered on a case by case basis with the Finance Division. The Treasurer or Manager of Revenue can arrange a reasonable payment plan if the fees cannot be paid up front with the application. The arrangements must be in writing and signed by all parties. Any default on payments would void the arrangement and the balance to be added to taxes for collection with interest.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

This is recommended as Planning Application Fees are in place to cover processing costs.

b) Other Options

Council can reconsider any planning application fee that it has approved under By-law 6473/40/17 but in doing so should have a line item in the budget annually in place for revenue reduction in the Planning Division.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) **ATTACHMENTS**

None.

7) **RECOMMENDATION**

That report 2018-05 with respect to Affordability/Financial Hardship and Planning Application Fees be received for information.

8) **SIGNATURES**

Prepared on January 4, 2018 by:



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

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Reviewed by:



Peter Senese
Director of Corporate Services



**Engineering & Operations Department
Engineering Division**

Report Number: 2018 – 01

Date: January 22, 2018

SUBJECT: Project No.: 2017-02, Municipal Drain Maintenance for 2018

1) PURPOSE:

This report was prepared by Alana Vander Veen, Acting Drainage Superintendent under the authorization of Chris Lee, Director of Engineering & Operations. The purpose of the report is to inform Council of the outcome of the tender proceedings for the maintenance of a number of Municipal Drains within the City and to obtain approval from Council to award the contract to the lowest bidder.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Prior to preparing tender documents, staff conducted a review of all Municipal Drains. Based on complaints received, staff field observations and the knowledge of most recent maintenance, a priority list was established and through further refinement from field surveys and condition ratings for outlets and structures, tender documents were prepared. Those documents called for cleaning and maintenance on four Municipal Drains and their watersheds. Those Municipal Drains on the priority list and scheduled for Maintenance/Cleaning in 2018 are listed below:

Howie Municipal Drain
Fred Pietz Municipal Drain
Cook's Municipal Drain
Oil Mill Creek Municipal Drain

It is intended to conduct these works under the currently available reports for each drain. Using the existing Engineer's Report for each drain allows the municipality to undertake such maintenance/cleaning and then, using the existing Reports Assessment Schedule, initiate billings to those properties within the watershed as detailed within each report.

Bid documents were prepared and a public tender procedure was initiated. During the tender process a total of four (4) contractors took out documents. At the time of tender closing, three (3) contractors submitted pricing. The results of that tender opening are listed below. The entire tender process and opening proceedings adhered to policies and past practices as previously adopted and endorsed by Council.

3) STAFF COMMENTS AND DISCUSSIONS

The documents prepared by Staff for the 2017 Municipal Drains Maintenance Tender called for:

- cleaning of the existing Municipal Drains to the individual design as detailed within each report, including any maintenance corridors;
- replacement or cleaning of any existing culverts along the Drain;
- restoration of the drain banks as may be required, including any tree removals.

This project has the potential to extend into 2019, pending permit approvals and any restrictions that may result from weather. Billings to the individual watersheds will be initiated after the completion of work, once all final costs have been determined for each Watershed.

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

PRICES AS QUOTED FOR Project 2017-02, Drain Maintenance Cleaning

1) Anthony's Excavating Central Inc.	\$ 396,258.90
2) CRL Campbell Construction & Drains	\$ 763,484.85
3) Geo. Barns & Sons Limited	\$ 960,270.80

As indicated above, the lowest tender pricing was submitted by Anthony's Excavating Central Inc. of Wellandport, Ontario. The tender document as submitted by Anthony's Excavating was found to be complete in all aspects with regard to specifications, details and format.

The contract items and quantities which were listed within the contract documents are based on the original report details. Those details relate to channel widths and depths, (used to determining excavation requirements) along with all structures, and their sizing and type, (used to determine cleaning or replacement quantities) and also any vegetation, removals or access restrictions which may have been detailed in those original Engineers Reports (i.e. Buffer strips along channels).

Budget numbers are not included within the text of this report. The actual quantities and costs incurred by the works will be monitored by staff. All costs related to these works will be assumed by the municipality during construction. The final quantities and their associated costs will establish the final overall costs for each Watershed then be directly charged back to the individual properties within the Watersheds, as per the Assessment Schedule detailed within the Engineer's Report for each drain.

Anthony's Excavating has carried out works of this nature in the past within the City of Port Colborne and is currently the contractor for several other municipalities within the Region.

It is staff's recommendation that Council accept the lowest priced tender as submitted by Anthony's Excavating and award to them the Municipal Drains Maintenance Program. This will allow the City to enter into an agreement with Anthony's Excavating Central Inc. and to initiate construction as soon as permits and scheduling allow.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

If the tender is not accepted, no maintenance of these Municipal Drains will occur, leading to future drainage issues. Also the municipality would not be meeting its responsibilities under the Drainage Act, RSO 1990.

b) Other Options

If the tender is accepted, maintenance and cleaning of these Municipal Drains will take place, lessening the chance of drainage issues.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

N/A

6) ATTACHMENTS

None.

7) RECOMMENDATION

That Project # 2017-02, Municipal Drain Maintenance and Cleaning, be awarded to Anthony's Excavating Central Inc., of Wellandport, Ontario, for the total tendered price of \$396,258.90, plus applicable taxes. Staff is directed to utilise the bid items as listed within the awarded Tender Document, in such a manner as to complete all works as may be required.

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

That funding for Project # 2017-02 be financed on an interim basis, under GL Accounts # 3-560-33226-1510, 3-560-33210-1510, 3-560-33236-1510, 3-560-33217-1510, 3-560-33206-1510, 3-560-33220-1510, 3-560-33221-1510, 3-560-33218-1510 and that staff be authorized to initiate billings back to each Municipal Drain's Watershed at the completion of each Watershed's works and upon receipt of the 1/3 Grant from OMAFRA.

8) SIGNATURES

Prepared on December 20th, 2017 by:



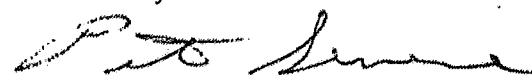
Alana Vander Veen
Survey/CAD Technologist
Acting Drainage Superintendent

Reviewed by:



Chris Lee
Director of Engineering & Operations

Reviewed by:



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted:



C. Scott Luey
Chief Administrative Officer

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Report Number: 2018-03

Date: January 22, 2018

SUBJECT: Request for Proposal 2017-14; Playground Replacement – Rose Shymansky Memorial Park & Sunset Park

1) PURPOSE:

This report was prepared by Stefanie De Cicco, Construction Inspector, under the direction of Steve Shypowskyj, Manager of Projects & Design. The purpose of this report is to inform Council of the outcome of the Request for Proposal proceedings that were initiated for the Playground Replacement – Rose Shymansky Memorial Park and Sunset Park and to obtain approval from Council for the award of the contract.

2) BACKGROUND, COUNCIL POLICY, PRACTICES

Council approved the allocation of \$73,200 from the 2017 Parks Capital Reserve Account. Subsequently, staff was directed to prepare tender documents for the replacement of playgrounds at Rose Shymansky Memorial Park. Due to timing, staff requested pricing for the replacement of the Sunset Park playground as this is marked for replacement in 2018 and is awaiting approval in the 2018 budget.

3) STAFF COMMENTS AND DISCUSSIONS

The Request for Proposal Project 2017-14 was publicly posted and closed on Tuesday November 14, 2017 at 2:00 pm with two companies submitting proposals. A budget limit of \$73,200 was set for this project, with the remaining amount reserved for finish grading materials. A budget limit of \$75,000 has been requested for the 2018 budget review for the Sunset Park playground replacement.

The following Companies submitted documents:

- New World Park Solutions Inc.
- PlayPower LT Canada Inc.

As was stated within the RFP documents, a matrix was applied in evaluating the various proposals submitted. The matrix for that assessment addressed the following items:

- Technical Expertise and Resources
- Similar Work Experience and Local Expertise
- Sub-Contract List
- Project Schedule
- Statement E
- Project Understanding
- Statement F
- Methodology (Work Plan, Innovation, Schedule, etc.)

Bidders were also asked to supply documentation of IPEMA (International Play Equipment Manufacturers Association) certification of structure components. In the interest of public playground safety, IPEMA provides third party certification that validates a manufacturer's certification of conformance to the CAN/CSA-Z614-14 Children Playspaces and Equipment. Credit was given as part of matrix evaluation.

A panel of parks staff reviewed the various proposals as submitted and subsequently rated each proposal, based on the matrix. The analysis below indicates the staff recommended submission that was rated for acceptability. The entire RFP process adhered to policies and past practices as adopted and endorsed by Council.

The prices submitted are as follows:

- New World Park Solutions

- Rose Shymansky Memorial Park \$69,219.00
- Sunset Park \$69,873.00
- Total \$139,092.00**

- PlayPower LT Canada Inc. **(Recommended)**

- Rose Shymansky Memorial Park \$69,490.04
- Sunset Park \$69,073.38
- Total \$138,563.42**

Upon approval of the 2018 budget, both bidders' submissions will have come in under budget, it is the recommendation of staff at this time that Council accept the RFP as submitted by PlayPower LT Canada Inc. and award the playground replacement to them for a total price of \$138,563.42. It is the opinion of staff, through the scoring process, that PlayPower LT Canada Inc. is offering the best finished product for the monies quoted and that their proposal offers the best experience, equipment and play value for the price.

PlayPower LT Canada Inc. are a common builder of playgrounds not only in Niagara municipalities, but throughout Canada and the U.S. and have previously supplied and installed playgrounds in H.H. Knoll Park, Humberstone Shoe Park, Vimy Park and Centennial Park in the City of Port Colborne.

Pursuing this action will allow the City to enter into an agreement with PlayPower LT Canada Inc. and to initiate an order for construction as soon as details and scheduling allow, with an anticipated completion date of May, 2018.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

If Council chooses not to award the project to PlayPower LT Canada Inc. the playgrounds at both Rose Shymansky and Sunset parks would not be replaced. As the proposed pricing will be within budget upon the 2018 budget approval it is not recommended to proceed with this route.

b) Other Options

Should Council accept the recommendation of staff to award Playpower LT Canada Inc. the contract for new playgrounds will be constructed at both Rose Shymansky and Sunset Parks. **This is the recommended option.**

Council could direct re-tendering or choosing an alternative proponent. The evaluation team worked diligently in the evaluation of each submission to obtain the results outlined above. (not recommended)

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

None.

6) ATTACHMENTS

None.

7) RECOMMENDATION

That Contract #2017-14, Playground Replacement at Rose Shymansky Memorial Park and Sunset Park be awarded to PlayPower LT Canada Inc. of Paris, Ontario, for the total tendered price of \$138,563.42; applicable taxes not included; and

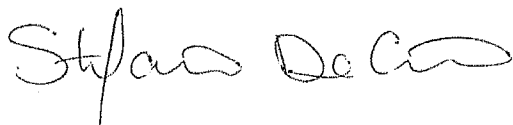
That the Director of Engineering & Operations be authorized to issue a purchase order to PlayPower LT Canada Inc.; and

That the appropriate by-law be prepared and submitted for execution by the Mayor and City Clerk.

8) SIGNATURES

Prepared on December 19, 2017 by:

Reviewed by:

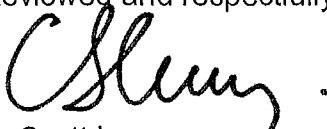


Stefanie De Cicco
Senior Construction Inspector

Steve Shypowskyj
Manager of Projects & Design

Reviewed and respectfully submitted by:

Reviewed by:



C. Scott Luey
Chief Administrative Officer

Peter Senese
Director of Corporate Services

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Report Number: 2018-07

Date: January 22, 2018

SUBJECT: Request for Installation of a Flashing “Children Crossing” Light on Fielden Avenue near Franklin Avenue

1) PURPOSE

This report was prepared by Jim Huppunen, Manager of Engineering Services, in reference to the request for the installation of a flashing “children crossing” light on Fielden Avenue near the intersection of Fielden and Franklin Avenues, referred to the Engineering & Operations Department at the November 14, 2017 Council meeting.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The following request was raised by Councillor Kenny during the Councillors’ Items portion of the November 14, 2017 Regular Meeting of Council:

Installation of a Flashing Light on Fielden Avenue (Kenny)

Councillor Kenny requested the installation of a flashing “children crossing” light near the intersection of Fielden and Franklin Avenues. The Manager of Engineering advised that staff would investigate and report back.

Fielden Avenue is a north-south local residential road with a speed limit of 50 km/h with stop controls at Borden Avenue to the south and Royal Road to the north of Franklin Avenue. Franklin Avenue is an east-west local residential road with a speed limit of 50 km/h with stop controls at Fielden Avenue.

The entrance to Reservoir Park is on the east side of Fielden Avenue approximately 40 metres south of Franklin Avenue. There currently is a Playground Ahead Sign (Wc-3) installed on a streetlight light pole approximately 40 metres north of Franklin Avenue. There is no Playground Ahead Sign installed south of Franklin Avenue or the Reservoir Park entrance.

3) STAFF COMMENTS AND DISCUSSIONS

Staff reviewed the area in regards to the request for a flashing “children crossing” light near the intersection of Franklin Avenue on Fielden Avenue. There is the potential of a blind spot on Fielden Avenue in the south bound direction when approaching Franklin Avenue and the entrance to Reservoir Park.

Since the existing Playground Ahead sign is installed on a streetlight pole, the installation of an amber flashing beacon is not possible, however, if the sign is moved to a signpost, the flashing amber light could be installed on top of the signpost.

Staff recommend that a new signpost be installed just north of the existing streetlight to accommodate the Playground Ahead warning sign and the flashing amber beacon. This would address the request for a flashing “children crossing” light.

The costs associated with this work would be approximately \$2,500 for the new sign, signpost and flashing amber beacon, which could be accommodated within existing budgets. This would be a solar powered flashing beacon, similar to other units installed throughout the City at stop sign ahead warning signs, for example.

Staff also recommend that a Playground Ahead sign be installed approximately 90 metres south of the Reservoir Park entrance in order to advise northbound traffic on Fielden Avenue that there is a park ahead and there could be the presence of children on or near the road travelling to or from the park. The costs associated with the installation of a new warning sign south of the Reservoir Park entrance on Fielden Avenue would be approximately \$500.

Therefore, the approximate total cost to address the request from Councillor Kenny would be \$3,000 which could be accommodated from existing Operational Budgets.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

a) Do nothing.

Leave current signage in place on Fielden Avenue.

b) Other Options

Install a new signpost and Playground Ahead warning sign north of Franklin Avenue and a new signpost and Playground Ahead warning sign south of Franklin Avenue on Fielden Avenue at a cost of approximately \$3,000.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

None.

7) RECOMMENDATION

That staff be directed to proceed with the installation of a new Playground Ahead warning sign including a signpost and amber flashing beacon on Fielden Avenue approximately 40 metres north of Franklin Avenue and a new Playground Ahead warning sign including a signpost on Fielden Avenue approximately 90 metres south of the Reservoir Park entrance; and

That the approximate cost of \$3,000 for this work be drawn from the 2018 Operating Budget GL #0-500-74220-3215.

8) SIGNATURES

Prepared on January 11, 2018 by:



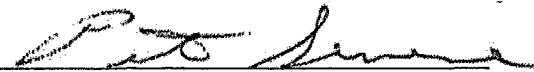
Jim Huppunen, A.Sc.T.
Manager of Engineering Services

Reviewed by:



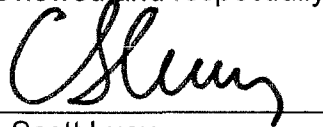
Steve Shypowskyj, C.E.T.
Acting Director of Engineering &
Operations

Reviewed by:



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

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Engineering & Operations Department
Engineering Division

Report Number: 2018-08

Date: January 22, 2018

SUBJECT: Request for Stop Sign Installation – Knoll Street at Highland Avenue

1) PURPOSE:

This report was prepared by Jim Huppunen, Manager of Engineering Services in reference to the request from Councillor Danch for the installation of a stop sign on Knoll Street at Highland Avenue. The request was referred to the Engineering & Operations Department at the November 14, 2017 Council meeting.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The following request from Councillor Danch was raised during the Councillors' Items portion of the October 10, 2017 Regular Meeting of Council:

Installation of a Stop Sign at Oakwood Street and Highland Avenue (Danch)
Councillor Danch requested the installation of a stop sign at the intersection of Oakwood Street and Highland Avenue. The Director of Engineering and Operations advised that a report will be presented to Council in the near future.

Further investigation into the request led to the clarification below, presented by Councillor Danch and raised during the Councillors' Items portion of the November 14, 2017 Regular Meeting of Council:

Traffic Study at the Intersection of Knoll Street and Highland Avenue (Danch)
Councillor Danch requested the City's traffic study include a review of the intersection of Knoll Street and Highland Avenue due to concerns about speeding. The Director of Engineering and Operations advised that the request will be referred to staff.

Staff spoke with Councillor Danch recently to further clarify the request for stop signs on Knoll Street. The clarification received is that there seems to be a high number of pedestrians crossing Knoll Street along Highland Avenue due to the location of St. John Bosco Catholic Elementary School at the west end of Highland Avenue and there are speeding concerns on Knoll Street.

Knoll Street is a north-south local residential road with a speed limit of 50 km/h with stop controls at Main Street West to the north and at Brady Street to the south of Highland Avenue. Highland Avenue is an east-west local residential road with a speed limit of 50 km/h with stop controls at Oakwood Street to the west, at Knoll Street and at Steele Street to the east of Knoll Street.

There is a sidewalk along the north side of Highland Avenue extending from St. John Bosco Catholic Elementary School at the west to Steele Street at the east. There is a Crossing Guard on duty during the school year on Steele Street as Steele Street is an arterial north-south road.

When pedestrians reach Knoll Street while travelling east-west on Highland Avenue, they do not have a protected crossing. A protected crossing would consist of either a Crossing Guard, a stop controlled intersection or an Intersection Pedestrian Signal.

3) STAFF COMMENTS AND DISCUSSIONS

Staff reviewed the area in regards to the request for a stop sign on Knoll Street at Highland Avenue. There is potential for a high number of pedestrians to cross Knoll Street due to the close proximity of St. John Bosco Catholic Elementary School. The sightlines were checked and there were no obstructions within the sight triangles required at this intersection.

During the review of accident reports for the intersection, it would appear that there have been no accidents within the past 10 years. After a review of files staff do not have any recent vehicle or pedestrian counts at the intersection.

At this time staff are unable to recommend the installation of a stop sign on Knoll Street as there are pre-defined warrants.

In order to determine the feasibility of an all-way stop restriction, the existing conditions must be measured against a set of pre-defined warrants, which have been established at the Provincial level. This municipality has adopted the warrants as set out by the Ontario Traffic Conference, and the accepted standard for traffic engineers throughout North America, as listed in the Ontario Traffic Manual. The Manual also lists the following conditions when all-way stop sign control should not be used:

1. Where pedestrian protection, in particular school children, is a prime concern, as the concern can usually be addressed by other means. (such as crossing guards)
2. As a speed control device.
3. On roadways on which progressive signal timing exists.
4. On roadways within urban areas having a posted speed in excess of 60 km/h.
5. At intersections having less than three and more than four approaches.
6. At offset or poorly defined intersections.
7. On truck or bus routes unless in an industrial area or where two such routes exist.
8. On multi-laned approaches where a parked or stopped vehicles will obscure the stop signs.
9. Where traffic would be required to stop on grades.
10. As a means of deterring through traffic in a residential area.
11. Where visibility of the signs is hampered by curves or grades and a safe stopping distance of less than 100 m exists.
12. Where any other traffic device controlling right-of-way is permanently in place within 250 m with the exception of a yield sign.

An All-Way Stop may be used under the following conditions:

- Only at the intersection of like roadways with the same number of lanes and similar volumes. A total vehicle volume exceeding 350 vehicles for the highest hour recorded, on streets not considered either arterial or collector streets.
- At locations with visibility problems.
- At locations with a high accident frequency where less restrictive measures have been

tried and found inadequate. (typically four per year for a three-year period resulting from right angle or turn type collisions)

- As an interim measure when traffic control signals are warranted but cannot be installed immediately.
- As a means of providing an introductory period to accustom drivers to a reversal of stop signs from one road to the other at the intersection.

All-way stop signs should not be installed to slow traffic to protect pedestrians (this is a law enforcement issue) or to encourage vehicles to use another route because of the inconvenience, as studies have found that they achieve the opposite result. Studies conducted in Ontario indicate that all-way stop controls have the following effect:

- Slows traffic down only within a few hundred feet or so on each side of the intersection. Most drivers accelerate back to their original speed (or faster to make up for lost time) just past the intersection.
- Tends to cause motorists to not obey stop signs when they consider them unnecessary. One study indicates that 78% of all vehicles do not come to a full legal stop at stop signs.
- Leads pedestrians to a false sense of security since they feel sure that they are protected by the signs.
- Increases the noise level and pollution at the intersection as vehicles accelerate away.
- Consumes a large amount of additional fuel from stopping and accelerating. (A Metro Toronto Transportation Energy Study estimated that 50% to 80% of the existing 800 all-way stops in Metro did not meet the warrants and were unnecessary. It estimated that 32 million litres of fuel per year could be saved with removal of the signs.)

Based on the above information, staff recommend hiring a consultant to conduct vehicle and pedestrian counts at Knoll Street and Highland Avenue during the school year in order to determine if the intersection meets the warrants for an all-way stop control (And Crossing Guard Warrants). The consultant will also be able to provide recommendations on how to address the concerns raised at the intersection. The approximate cost for this analysis is expected to be less than \$5,000. There are funds available in existing Traffic Safety budgets to accommodate this work.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Leave current signage in place on Knoll Street.

b) Other Options

- i. Install new stop signs on Knoll Street at Highland Avenue including appropriate line painting at an approximate cost of \$4,000. (not recommended)
- ii. Hire an additional Crossing Guard to allow for controlled crossing of pedestrians during the school year during school hours. The hourly rate of a Crossing Guard is \$15/hr plus 11% payroll burden which equals \$12,250 for the year. An additional \$350 would be required to outfit the Crossing Guard for a total of \$12,600. (not recommended)

- iii. Direct staff to issue a Request for Quotation for vehicle and pedestrian counts including a recommendation from a consultant at an approximate cost of \$5,000. (recommended)

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

None.

7) RECOMMENDATION

That staff be directed to proceed with the issuance of a Request for Quotation for vehicle and pedestrian counts including recommendations at the intersection of Knoll and Highland for an approximate cost of \$5,000; and

That the approximate cost of \$5,000 for this work be drawn from the 2018 Budget GL #0-540-74610-3205

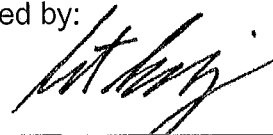
8) SIGNATURES

Prepared on January 11, 2018 by:



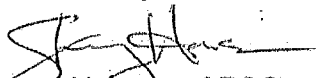
Jim Huppunen, A.Sc.T.
Manager of Engineering Services

Reviewed by:



Steve Shypowsky, C.E.T.
Acting Director of Engineering & Operations

Reviewed by:



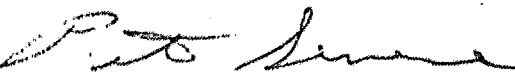
Sherry Hansen, CPSO
Supervisor, By-law Enforcement Division

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Reviewed by:



Peter Senese
Director of Corporate Services



Engineering & Operations Department
Engineering Division

Report Number: 2018 - 10

Date: January 22, 2018

Subject: Port Colborne Operations Centre Equipment Purchase: Mobile Column Lifts

1) PURPOSE

This report was prepared by Steve Shypowskyj, Manager of Projects & Design, in order to report on the quotation proceedings for the purchase of six new mobile column lifts for the Port Colborne Operations Centre.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

A request for funding in the 2017 Capital Budget for the purchase of six new mobile column lifts to furnish the Port Colborne Operations Centre was submitted and approved.

The equipment is to be utilized by the City mechanics to conduct routine maintenance and repairs on fleet vehicles. Mobile column lifts allow a wide range of vehicle from passenger vehicles to fire trucks and heavy equipment to be raised off of the ground and placed on jack stands allowing mechanics to essentially create a mobile working space where needed.

A number of specifications were requested during the quotation process to suit the City's needs such as the possibility to lift the heaviest vehicle being Port Colborne Fire's tanker truck. All of Engineering & Operations equipment will also be able to be lifted with the mobile column lifts alone or with supplemental attachments such as backhoes, front loader, and grader.

At the time of tender closing, formal, completed tenders were received from four suppliers as noted below. The submitted tender documents have been checked for errors or omissions and corrected pricing is listed below:

1) Vertical Systems	\$ 63,899.00 (Challenger)
2) Garage Supply Contracting Inc.	\$ 69,312.58 (Challenger)
3) ISN Canada Group Inc.	\$ 72,000.00 (Rotary Lift)
4) Novaquip Lifting Systems Inc.	\$ 77,199.96 (Steril Koni)

Each quotation document as submitted was found to be complete in all aspects with regard to specifications, details and format. The approved budgeted amount for the six mobile column lifts is **\$72,000**.

3) STAFF COMMENTS AND DISCUSSIONS

Upon submission of the quotations staff reviewed the specifications of each lift presented by the above mentioned bidders. Specifications were very similar across models with the main differences being lifting capacity, cycles per charge, and synchronization height between multiple lifts. Staff then arranged viewings for all of the lifts submitted to have a hands-on demonstration and question long-term users about their experiences with each particular unit. Additional input to build quality, internal components, access to readily available parts and

potential downtimes due to warranty work were all taken into consideration.

The Challenger model has limited presence within Ontario according to the supplier and, until January 2018, a similar set was unavailable to be viewed. Staff dealt with Vertical Systems (the low bidder) as two bidders supplied quotations on the same model. Upon review of the lifts, staff determined that they were well built and had a user friendly LCD interface. Staff also learned that there is not a supply of readily available parts in Ontario which would cause extended down time if parts are needed for repair. Issues with the supplied batteries were common with the two companies that staff contacted and the supplier recommended upgrading both batteries in each unit to a Gel-Tech style battery before delivery; an additional cost of approximately \$500 per unit. Longevity of the units, which is a major factor in the decision, is undetermined as staff and the bidder were unable to find a source with long-term use. Since this report was delayed until January 2018, the supplier has applied a 3% increase to the submitted cost which they have the right to apply at this time. This would increase each unit's cost by \$319.50. With these additional fees the total purchase price would amount to \$68,814.97 plus applicable taxes. Due to the lack of availability of parts, limited product usage, and lack of user experience/history, staff do not recommend these units.

Steril Koni has made mobile column lifts for more than 20 years and provide a well-built product that is easy to use. Multiple companies were contacted and visited to gather their experience with their Steril Koni mobile lifts. Overall feedback was good from long-term users and users of the new models as well. The submitted cost for these units is the downfall and why staff are not recommending them.

Rotary Lift has a strong presence in Ontario and staff were able to contact a number of companies who use this product daily and attend multiple viewings. All contacts recommended their units and commented on the great build quality, ease of use and quick access to parts. The supplier has offered to upgrade the quoted units to their newest model at no additional charge which has an additional 800lb lift capacity per column along with the addition of previously upgradable accessories (weight gauge, wireless handheld remote, and lock light safety beacon). These accessories are recommended as they make lifting a vehicle safer by measuring how the weight is being distributed and the ability to stand back to ensure the vehicle is being lifted at all corners within a certain tolerance. Staff had a representative from ISN Canada Inc. attend the Operations Centre to verify use in the intended location due to floor slope and they confirmed the lifts will work in the bays intended.

Two other lift manufacturers were submitted as alternative units to the bidder's main bid. Both manufacturers were determined not to have wireless capabilities and would need to be connected through a communication wire to each column. These manufacturers were eliminated and not evaluated as the specification called for wireless communication between all mobile columns.

Through this process, staff determined that the Rotary lift supplied by ISN Canada Group Inc. to be the best solution to fulfill the City's purposes at the Operations Centre and recommend proceeding with the purchase of the Rotary Lift mobile columns. These lifts offer a comparable 1 year parts and labour warranty along with limited warranties on parts, corrosion, and hydraulics for 5 years; 2 year electronics, and lifetime carriage rollers.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Council has already approved the 2017 Capital Budget request for the purchase of six mobile column lifts as they are required for day to day fleet maintenance. Staff does not recommend this action.

b) Other Options

Direction to purchase equipment from the lowest submitted bid can be given. Staff has spent a significant amount of time comparing specifications and visiting sites that currently operate all of the brands presented in the quotations to make an educated recommendation to Council. Staff does not recommend this action.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

None.

7) RECOMMENDATION

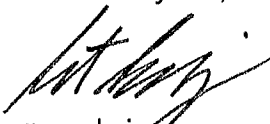
That Quotation #2017 – 07, the supply of Six Mobile Column Lifts be awarded to ISN Canada Group Inc., for the total quoted price of \$72,000 (plus any applicable taxes); and

That funding for the equipment be financed under Account 3-500-33593-3401, Port Colborne Operations Centre Capital Expenditures; and

That staff be authorized to issue a Purchase Order to ISN Canada Group Inc. for \$72,000.00 (plus any applicable taxes).

8) SIGNATURES

Prepared on January 11, 2018 by:


Steve Shypowskyj
Acting Director of Engineering & Operations

Reviewed by:


Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:


C. Scott Luey
Chief Administrative Officer

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Report Number: 2018-02

Date: January 22, 2018

SUBJECT: Franchise Agreement Renewal – Enbridge Gas Distribution Inc.

1) PURPOSE:

The purpose of this report is to obtain approval for the City to enter into a Franchise Agreement Renewal with Enbridge Gas Distribution Inc.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Provincial legislation requires a municipality enter into a Franchise Agreement with the gas distribution company serving the municipality. In 1998, the City of Port Colborne entered into a long-term Franchise Agreement with Enbridge Gas Distribution Inc. (formerly The Consumer's Gas Company). The agreement will expire on August 17, 2018. As a result, Enbridge Gas Distribution Inc. ("Enbridge") has requested the City commence the process to renew the Agreement.

3) STAFF COMMENTS AND DISCUSSIONS

Under the legislation, the renewal must follow the process approved by the Ontario Energy Board in 2001. The renewal process is lengthy and can take between six and eight months to complete. In order to avoid any lapse in franchise coverage, Enbridge has requested the City begin the renewal process at this time.

In accordance with the process approved by the Ontario Energy Board, passage of a Council resolution (in the form outlined in the "recommendation" section of this report) is required at this time. Enbridge will then forward the resolution to the Ontario Energy Board for approval. Once approved, Enbridge will provide direction to present the by-law and Franchise Agreement Renewal for Council's approval and execution.

Further information about the process is outlined in the correspondence received from Enbridge (including the Franchise Agreement Renewal documents, a copy of the existing By-law and Agreement, as well an overview of the renewal process). These documents are attached as Appendix "A".

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Not applicable.

b) Other Options

Council may defer or decline the Franchise Agreement Renewal. These options are not recommended.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

Appendix "A" – Correspondence from Enbridge Gas Distribution Inc. and renewal documents.

7) RECOMMENDATION

That the Council of The Corporation of the City of Port Colborne ("Council") approves the form of the draft by-law (including the Franchise Agreement forming part thereof), attached hereto, and authorizes the submission thereof to the Ontario Energy Board for approval, pursuant to the provisions of Section 9 of the *Municipal Franchises Act*;

That Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft by-law (including the franchise agreement forming part thereof), pursuant to the provisions of Section 9(4) of the *Municipal Franchises Act*; and

That By-law 733/50/78 and By-law 3665/91/98 be repealed.

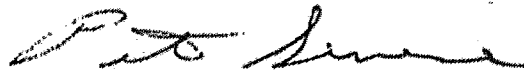
8) SIGNATURES

Prepared on November 28, 2017 by:

Reviewed by:



Ashley Grigg
Director of Community & Economic
Development



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Appendix "A" to Community and Corporate Services,
Clerk's Division Report 2017-182



Mark Wilson
Sr. Advisor Municipal Affairs
tel. 416-758-7953
Mark.wilson@enbridge.com

Enbridge Gas Distribution
500 Consumers Road
North York, Ontario M2J 1P8
Canada

September 19, 2017

Ms., Ashley Grigg, Clerk
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

City of Port Colborne
RECEIVED
NOV 10 2017
CORPORATE SERVICES
DEPARTMENT

Dear Ms. Grigg:

Re: Franchise Agreement between the Corporation of the City of Port Colborne (the "Municipality") and Enbridge Gas Distribution Inc. ("Enbridge")

I am writing to draw your attention to the fact that on August 17, 2018 the Franchise Agreement between the City of Port Colborne and Enbridge (formerly The Consumers' Gas Company Ltd.) will expire.

Provincial legislation requires a Franchise Agreement between the municipal corporation and the gas company serving that municipality. In April 2001, the Ontario Energy Board ("Board") issued the revised 2000 Model Franchise Agreement to serve as a model for such agreement.

As a result, Enbridge and the Municipality need to commence the process to renew a long-term Franchise Agreement using the approved model. The *Municipal Franchises Act, R.S.O. 1990, c. M.55, as amended* (the "Act") is the legislation that gives Enbridge the right to supply and distribute gas to the inhabitants of your Municipality.

Please be assured that Enbridge is renewing all municipal Franchise Agreements in Ontario using the model agreement.

To assist you in this matter, I am enclosing the following documents for your information and review:

1. Renewal Documents: A copy of the proposed Resolution, draft By-Law, 2000 Model Franchise Agreement and a document to guide you through the renewal process;
2. Historical Background: A copy of the current By-Law 3665 and Franchise Agreement passed and dated August 17, 1998. As well as a copy of the Certificate of Public Convenience and Necessity (EBC 58 and EBC 58A) that Enbridge holds for the Town of Port Colborne dated July 25, 1967 and July 7, 1976.

Ms. Grigg
Date
Page 2

3. Reference Document: A copy of the Gas Franchise Handbook, (an explanatory supplement to the 2000 Model Franchise Agreement).
4. Map: Enbridge Customer Density Map for the Municipality

This entire process can be quite lengthy and may take up to six or eight months. My letter to you, almost a year in advance, is to ensure we avoid any lapse in franchise coverage.

Please, therefore, review the Guidelines for Processing Franchise Agreements and arrange to have the Resolution passed by Council in a timely manner so that the regulatory approval process can commence.

I am available to attend at Council, or meet with you further, at any time.

Enbridge looks forward to its continued service within the City of Port Colborne.

Sincerely,



Mark Wilson
Senior Advisor Municipal Affairs

Encls.

cc: His Worship, Mayor John Maloney
Scott Leuy, Chief Administrative Officer

THE CORPORATION OF THE CITY OF PORT COLBORNE

RESOLUTION

Moved by _____

Seconded by _____

BE IT RESOLVED:

1. That this Council approves the form of draft By-law (including the franchise agreement forming part thereof) attached hereto and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the Municipal Franchises Act.
2. That this Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft By-law (including the franchise agreement forming part thereof) pursuant to the provisions of Section 9(4) of the Municipal Franchises Act.

Certified to be a true copy of a resolution passed by the Council of the Corporation of the City of Port Colborne on the ___ day of _____, 20 .

Clerk

THE CORPORATION OF THE CITY OF PORT COLBORNE
("CORPORATION")

BY-LAW NUMBER _____

**A BY-LAW TO AUTHORIZE A FRANCHISE AGREEMENT
BETWEEN THE CORPORATION AND
ENBRIDGE GAS DISTRIBUTION INC.**

WHEREAS the Council of the Corporation deems it expedient to enter into the attached franchise agreement with Enbridge Gas Distribution Inc.;

AND WHEREAS the Ontario Energy Board by its Order issued pursuant to The Municipal Franchises Act on the _____ day of _____, 20____ has approved the terms and conditions upon which and the period for which the franchise provided for in the attached agreement is proposed to be granted, and has declared and directed that the assent of the municipal electors in respect of this By-law is not necessary;

NOW THEREFORE BE IT ENACTED:

1. That the attached franchise agreement between the Corporation and Enbridge Gas Distribution Inc. is hereby authorized and the franchise provided for therein is hereby granted.
2. That the Mayor and the Clerk are hereby authorized and instructed on behalf of the Corporation to enter into and execute under its corporate seal and deliver the aforesaid agreement, which agreement is hereby incorporated into and shall form part of this By-law.

Read the first and second time this _____ day of _____, 20____ .

Clerk

Reeve

Read the third time and ENACTED AND PASSED this _____ day of _____, 20____ .

Clerk

Reeve

DATED this day of , 20 .

THE CORPORATION OF THE
CITY OF PORT COLBORNE

- and -

ENBRIDGE GAS DISTRIBUTION INC.

FRANCHISE AGREEMENT

ENBRIDGE GAS DISTRIBUTION INC.
500 Consumers Road
North York, Ontario
M2J 1P8

Attention: Regulatory Affairs Department

Model Franchise Agreement

THIS AGREEMENT effective this day of , 20 .

BETWEEN: The Corporation of The City of Port Colborne hereinafter called the
"Corporation"

- and -

Enbridge Gas Distribution Inc. hereinafter called the "Gas Company"

WHEREAS the Gas Company desires to distribute, store and transmit gas in the Municipality upon the terms and conditions of this Agreement;

AND WHEREAS by by-law passed by the Council of the Corporation (the "By-law"), the duly authorized officers have been authorized and directed to execute this Agreement on behalf of the Corporation;

THEREFORE the Corporation and the Gas Company agree as follows:

Part I - Definitions

1. In this Agreement:

- a. "decommissioned" and "decommissions" when used in connection with parts of the gas system, mean any parts of the gas system taken out of active use and purged in accordance with the applicable CSA standards and in no way affects the use of the term 'abandoned' pipeline for the purposes of the Assessment Act;
- b. "Engineer/Road Superintendent" means the most senior individual employed by the Corporation with responsibilities for highways within the Municipality or the person designated by such senior employee or such other person as may from time to time be designated by the Council of the Corporation;
- c. "gas" means natural gas, manufactured gas, synthetic natural gas, liquefied petroleum gas or propane-air gas, or a mixture of any of them, but does not include a liquefied petroleum gas that is distributed by means other than a pipeline;
- d. "gas system" means such mains, plants, pipes, conduits, services, valves, regulators, curb boxes, stations, drips or such other equipment

as the Gas Company may require or deem desirable for the distribution, storage and transmission of gas in or through the Municipality;

- e. "highway" means all common and public highways and shall include any bridge, viaduct or structure forming part of a highway, and any public square, road allowance or walkway and shall include not only the travelled portion of such highway, but also ditches, driveways, sidewalks, and sodded areas forming part of the road allowance now or at any time during the term hereof under the jurisdiction of the Corporation;
- f. "Model Franchise Agreement" means the form of agreement which the Ontario Energy Board uses as a standard when considering applications under the Municipal Franchises Act. The Model Franchise Agreement may be changed from time to time by the Ontario Energy Board;
- g. "Municipality" means the territorial limits of the Corporation on the date when this Agreement takes effect, and any territory which may thereafter be brought within the jurisdiction of the Corporation;
- h. "Plan" means the plan described in Paragraph 5 of this Agreement required to be filed by the Gas Company with the Engineer/Road Superintendent prior to commencement of work on the gas system; and
- i. whenever the singular, masculine or feminine is used in this Agreement, it shall be considered as if the plural, feminine or masculine has been used where the context of the Agreement so requires.

Part II - Rights Granted

2. To provide gas service:

The consent of the Corporation is hereby given and granted to the Gas Company to distribute, store and transmit gas in and through the Municipality to the Corporation and to the inhabitants of the Municipality.

3. To Use Highways.

Subject to the terms and conditions of this Agreement the consent of the Corporation is hereby given and granted to the Gas Company to enter upon all highways now or at any time hereafter under the jurisdiction of the Corporation and to lay, construct, maintain, replace, remove, operate and repair a gas system for the distribution, storage and transmission of gas in and through the Municipality.

4. Duration of Agreement and Renewal Procedures.

a. If the Corporation has not previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law.

or

b. If the Corporation has previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law provided that, if during the 20-year term this Agreement, the Model Franchise Agreement is changed, then on the 7th anniversary and on the 14th anniversary of the date of the passing of the By-law, this Agreement shall be deemed to be amended to incorporate any changes in the Model Franchise Agreement in effect on such anniversary dates. Such deemed amendments shall not apply to alter the 20-year term.

c. At any time within two years prior to the expiration of this Agreement, either party may give notice to the other that it desires to enter into negotiations for a renewed franchise upon such terms and conditions as may be agreed upon. Until such renewal has been settled, the terms and conditions of this Agreement shall continue, notwithstanding the expiration of this Agreement. This shall not preclude either party from applying to the Ontario Energy Board for a renewal of the Agreement pursuant to section 10 of the Municipal Franchises Act.

Part III - Conditions

5. Approval of Construction

- a. The Gas Company shall not undertake any excavation, opening or work which will disturb or interfere with the surface of the travelled portion of any highway unless a permit therefor has first been obtained from the Engineer/Road Superintendent and all work done by the Gas Company shall be to his satisfaction.
- b. Prior to the commencement of work on the gas system, or any extensions or changes to it (except service laterals which do not interfere with municipal works in the highway), the Gas Company shall file with the Engineer/Road Superintendent a Plan, satisfactory to the Engineer/Road Superintendent, drawn to scale and of sufficient detail considering the complexity of the specific locations involved, showing the highways in which it proposes to lay its gas system and the particular parts thereof it proposes to occupy.
- c. The Plan filed by the Gas Company shall include geodetic information for a particular location:
 - i. where circumstances are complex, in order to facilitate known projects, including projects which are reasonably anticipated by the Engineer/Road Superintendent, or
 - ii. when requested, where the Corporation has geodetic information for its own services and all others at the same location.
- d. The Engineer/Road Superintendent may require sections of the gas system to be laid at greater depth than required by the latest CSA standard for gas pipeline systems to facilitate known projects or to correct known highway deficiencies.
- e. Prior to the commencement of work on the gas system, the Engineer/Road Superintendent must approve the location of the work as shown on the Plan filed by the Gas Company, the timing of the work and any terms and conditions relating to the installation of the work.
- f. In addition to the requirements of this Agreement, if the Gas Company proposes to affix any part of the gas system to a bridge, viaduct or other structure, if the Engineer/Road Superintendent approves this proposal, he may require the Gas Company to comply with special

conditions or to enter into a separate agreement as a condition of the approval of this part of the construction of the gas system.

- g. Where the gas system may affect a municipal drain, the Gas Company shall also file a copy of the Plan with the Corporation's Drainage Superintendent for purposes of the Drainage Act, or such other person designated by the Corporation as responsible for the drain.
- h. The Gas Company shall not deviate from the approved location for any part of the gas system unless the prior approval of the Engineer/Road Superintendent to do so is received.
- i. The Engineer/Road Superintendent's approval, where required throughout this Paragraph, shall not be unreasonably withheld.
- j. The approval of the Engineer/Road Superintendent is not a representation or warranty as to the state of repair of the highway or the suitability of the highway for the gas system.

6. As Built Drawings

The Gas Company shall, within six months of completing the installation of any part of the gas system, provide two copies of "as built" drawings to the Engineer/Road Superintendent. These drawings must be sufficient to accurately establish the location, depth (measurement between the top of the gas system and the ground surface at the time of installation) and distance of the gas system. The "as built" drawings shall be of the same quality as the Plan and, if the approved pre-construction plan included elevations that were geodetically referenced, the "as built" drawings shall similarly include elevations that are geodetically referenced. Upon the request of the Engineer/Road Superintendent, the Gas Company shall provide one copy of the drawings in an electronic format and one copy as a hard copy drawing.

7. Emergencies

In the event of an emergency involving the gas system, the Gas Company shall proceed with the work required to deal with the emergency, and in any instance where prior approval of the Engineer/Road Superintendent is normally required for the work, the Gas Company shall use its best efforts to immediately notify the Engineer/Road Superintendent of the location and nature of the emergency and the work being done and, if it deems appropriate, notify the police force, fire or other emergency services having jurisdiction. The Gas Company shall provide the Engineer/Road Superintendent with at least one 24 hour emergency contact for the Gas Company and shall ensure the contacts are current.

8. Restoration

The Gas Company shall well and sufficiently restore, to the reasonable satisfaction of the Engineer/Road Superintendent, all highways, municipal works or improvements which it may excavate or interfere with in the course of laying, constructing, repairing or removing its gas system, and shall make good any settling or subsidence thereafter caused by such excavation or interference. If the Gas Company fails at any time to do any work required by this Paragraph within a reasonable period of time, the Corporation may do or cause such work to be done and the Gas Company shall, on demand, pay the Corporation's reasonably incurred costs, as certified by the Engineer/Road Superintendent.

9. Indemnification

The Gas Company shall, at all times, indemnify and save harmless the Corporation from and against all claims, including costs related thereto, for all damages or injuries including death to any person or persons and for damage to any property, arising out of the Gas Company operating, constructing, and maintaining its gas system in the Municipality, or utilizing its gas system for the carriage of gas owned by others. Provided that the Gas Company shall not be required to indemnify or save harmless the Corporation from and against claims, including costs related thereto, which it may incur by reason of damages or injuries including death to any person or persons and for damage to any property, resulting from the negligence or wrongful act of the Corporation, its servants, agents or employees.

10. Insurance

- a. The Gas Company shall maintain Comprehensive General Liability Insurance in sufficient amount and description as shall protect the Gas Company and the Corporation from claims for which the Gas Company is obliged to indemnify the Corporation under Paragraph 9. The insurance policy shall identify the Corporation as an additional named insured, but only with respect to the operation of the named insured (the Gas Company). The insurance policy shall not lapse or be cancelled without sixty (60) days' prior written notice to the Corporation by the Gas Company.
- b. The issuance of an insurance policy as provided in this Paragraph shall not be construed as relieving the Gas Company of liability not covered by such insurance or in excess of the policy limits of such insurance.

- c. Upon request by the Corporation, the Gas Company shall confirm that premiums for such insurance have been paid and that such insurance is in full force and effect.

11. Alternative Easement

The Corporation agrees, in the event of the proposed sale or closing of any highway or any part of a highway where there is a gas line in existence, to give the Gas Company reasonable notice of such proposed sale or closing and, if it is feasible, to provide the Gas Company with easements over that part of the highway proposed to be sold or closed sufficient to allow the Gas Company to preserve any part of the gas system in its then existing location. In the event that such easements cannot be provided, the Corporation and the Gas Company shall share the cost of relocating or altering the gas system to facilitate continuity of gas service, as provided for in Paragraph 12 of this Agreement.

12. Pipeline Relocation

- a. If in the course of constructing, reconstructing, changing, altering or improving any highway or any municipal works, the Corporation deems that it is necessary to take up, remove or change the location of any part of the gas system, the Gas Company shall, upon notice to do so, remove and/or relocate within a reasonable period of time such part of the gas system to a location approved by the Engineer/Road Superintendent.
- b. Where any part of the gas system relocated in accordance with this Paragraph is located on a bridge, viaduct or structure, the Gas Company shall alter or relocate that part of the gas system at its sole expense.
- c. Where any part of the gas system relocated in accordance with this Paragraph is located other than on a bridge, viaduct or structure, the costs of relocation shall be shared between the Corporation and the Gas Company on the basis of the total relocation costs, excluding the value of any upgrading of the gas system, and deducting any contribution paid to the Gas Company by others in respect to such relocation; and for these purposes, the total relocation costs shall be the aggregate of the following:
 - i. the amount paid to Gas Company employees up to and including field supervisors for the hours worked on the project plus the current cost of fringe benefits for these employees,

- ii. the amount paid for rental equipment while in use on the project and an amount, charged at the unit rate, for Gas Company equipment while in use on the project,
 - iii. the amount paid by the Gas Company to contractors for work related to the project,
 - iv. the cost to the Gas Company for materials used in connection with the project, and
 - v. a reasonable amount for project engineering and project administrative costs which shall be 22.5% of the aggregate of the amounts determined in items (i), (ii), (iii) and (iv) above.
- d. The total relocation costs as calculated above shall be paid 35% by the Corporation and 65% by the Gas Company, except where the part of the gas system required to be moved is located in an unassumed road or in an unopened road allowance and the Corporation has not approved its location, in which case the Gas Company shall pay 100% of the relocation costs.

Part IV - Procedural And Other Matters

13. Municipal By-laws of General Application

The Agreement is subject to the provisions of all regulating statutes and all municipal by-laws of general application, except by-laws which have the effect of amending this Agreement.

14. Giving Notice

Notices may be delivered to, sent by facsimile or mailed by prepaid registered post to the Gas Company at its head office or to the authorized officers of the Corporation at its municipal offices, as the case may be.

15. Disposition of Gas System

- a. If the Gas Company decommissions part of its gas system affixed to a bridge, viaduct or structure, the Gas Company shall, at its sole expense, remove the part of its gas system affixed to the bridge, viaduct or structure.
- b. If the Gas Company decommissions any other part of its gas system, it shall have the right, but is not required, to remove that part of its gas system. It may exercise its right to remove the decommissioned parts of its gas system by giving notice of its intention to do so by filing a Plan

as required by Paragraph 5 of this Agreement for approval by the Engineer/Road Superintendent. If the Gas Company does not remove the part of the gas system it has decommissioned and the Corporation requires the removal of all or any part of the decommissioned gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in any highway, the Corporation may remove and dispose of so much of the decommissioned gas system as the Corporation may require for such purposes and neither party shall have recourse against the other for any loss, cost, expense or damage occasioned thereby. If the Gas Company has not removed the part of the gas system it has decommissioned and the Corporation requires the removal of all or any part of the decommissioned gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in a highway, the Gas Company may elect to relocate the decommissioned gas system and in that event Paragraph 12 applies to the cost of relocation.

16. Use of Decommissioned Gas System

- a. The Gas Company shall provide promptly to the Corporation, to the extent such information is known:
 - i. the names and addresses of all third parties who use decommissioned parts of the gas system for purposes other than the transmission or distribution of gas; and
 - ii. the location of all proposed and existing decommissioned parts of the gas system used for purposes other than the transmission or distribution of gas.
- b. The Gas Company may allow a third party to use a decommissioned part of the gas system for purposes other than the transmission or distribution of gas and may charge a fee for that third party use, provided
 - i. the third party has entered into a municipal access agreement with the Corporation; and
 - ii. the Gas Company does not charge a fee for the third party's right of access to the highways.
- c. Decommissioned parts of the gas system used for purposes other than the transmission or distribution of gas are not subject to the provisions of this Agreement. For decommissioned parts of the gas system used for purposes other than the transmission and distribution of gas, issues

such as relocation costs will be governed by the relevant municipal access agreement.

17. Franchise Handbook

The Parties acknowledge that operating decisions sometimes require a greater level of detail than that which is appropriately included in this Agreement. The Parties agree to look for guidance on such matters to the Franchise Handbook prepared by the Association of Municipalities of Ontario and the gas utility companies, as may be amended from time to time.

18. Agreement Binding Parties

This Agreement shall extend to, benefit and bind the parties thereto, their successors and assigns, respectively.

IN WITNESS WHEREOF the parties have executed this Agreement effective from the date written above.

THE CORPORATION OF THE CITY OF PORT COLBORNE

By: _____

By: _____

Duly Authorized Officer

ENBRIDGE GAS DISTRIBUTION INC.

By: _____

By: _____

**GUIDELINES TO MUNICIPALITIES RESPECTING
FRANCHISE AGREEMENTS WITH ENBRIDGE GAS DISTRIBUTION ("Enbridge")**

Enclosed is the following package of documents:

- (a) Draft Resolution of the municipality;
- (b) Draft By-Law of the municipality;
- (c) Enbridge's 2000 Model Franchise Agreement
- (d) Currently held Certificates of Public Convenience and Necessity

GUIDELINES FOR PROCESSING FRANCHISE AGREEMENTS:

PLEASE READ IN ITS ENTIRETY AND FOLLOW STEPS IN ORDER

1. The draft By-law supplied in this package is designed to repeal any existing by-laws to give effect to a new by-law. Although Enbridge uses its best efforts to check its records for by-law repeal, please advise us if there are other by-laws that the municipality is aware of that should also be repealed.
2. Representatives (*Mayor and Clerk*) for the municipality should execute (i.e. sign and seal) the Resolution. **DO NOT SIGN OR DATE THE FRANCHISE AGREEMENT AND DO NOT SIGN THE BY-LAW AT THIS TIME.** The Resolution as well as the By-law and Franchise Agreement should be returned to Enbridge.
3. Upon Enbridge's receipt of the documentation from the municipality, a copy of this package will be forwarded to the Ontario Energy Board ("OEB") as part of the application for approval of the franchise agreement.
4. Notice of Enbridge's Application to the OEB for approval of the franchise agreement will be published in a local newspaper by the OEB.
5. Upon receipt of a Decision and Order from the OEB, Enbridge will follow the directions from the OEB as set out its Letter of Direction (i.e., directions as to service and publication). Enbridge will then have four (4) copies of the Franchise Agreement executed by Enbridge.
6. Enbridge will send four (4) copies of the Resolution, By-law and executed Franchise Agreement to the Municipality.
7. At this time the municipality will insert the date of the Decision and Order into the 2nd paragraph of the By-law. The By-law should be given **First, Second, Third and Final** reading. The date of the third and final reading of the By-law will be the effective date of the Franchise Agreement
8. Upon this third and final reading, the municipality should return three fully executed (signed and sealed) By-Laws and Franchise Agreements to Enbridge.
9. Upon receipt of the documents, Enbridge will then send one original fully executed Franchise Agreement with the By-law to the OEB and retain the balance for its records.

Kindly refer to the attached "Task List" for your reference and ease in completing the Franchise Agreement. We thank you for your co-operation with this process.

CHECK LIST FOR COMPLETING FRANCHISE AGREEMENT

Task #	Task	✓ Task Complete
Upon receipt of Franchise Agreement Package from Enbridge:		
1	Municipality creates official Resolution for execution purposes - one original required	
2	Municipality executes one original Resolution document	
3	Municipality forwards original executed Resolution document with Draft By-law and Franchise Agreement documents to Enbridge	
Upon receipt of the OEB Decision and Order regarding the Franchise Agreement:		
Enbridge will execute four (4) copies of the Franchise Agreement and forward to the Municipality		
Upon receipt of the executed Franchise Agreements and draft By-law from Enbridge:		
4	Municipality inserts date of the OEB Order and Decision into By-law document (2 nd paragraph AND WHEREAS...)	
5	Municipality gives First, Second, Third & Final Reading, 4 copies of the By-Law & inserts date into By-law document	
6	Municipality fully executes (signs and seals) all 4 originals of the By-law	
7	Municipality inserts date of Third and Final Reading into the Franchise Agreement (top of first page) as the date of the agreement	
8	Municipality fully executes (sign and seals) all four originals of the Franchise Agreement	
9	Municipality keeps one fully executed copy of the By-law and Franchise Agreement for their files.	
10	Municipality forwards three fully executed By-laws and Franchise Agreements to Enbridge for completion	
Once three executed copies are received by Enbridge, Enbridge will ensure the OEB receives a fully executed By-law and Franchise Agreement for their records.		

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 3665/91/98

A BY-LAW TO AUTHORIZE A FRANCHISE AGREEMENT
BETWEEN THE CORPORATION AND THE
CONSUMERS' GAS COMPANY

WHEREAS the Council of the Corporation of the City of Port Colborne deems it expedient to enter into the attached franchise agreement with The Consumers' Gas Company Ltd.;

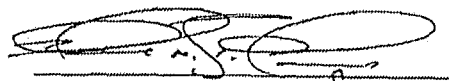
AND WHEREAS the Ontario Energy Board by its Order issued pursuant to The Municipal Franchises Act on the 13th day of July, 1998 has approved the terms and conditions upon which and the period for which the franchise provided for in the attached agreement is proposed to be granted, and has declared and directed that the assent of the municipal electors in respect of this By-law is not necessary;

AND WHEREAS The Consumers' Gas Company Ltd. has provided the Corporation with a consent to the repeal of the By-law hereinafter referred to:

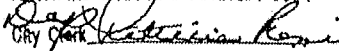
NOW THEREFORE BE IT ENACTED:

1. That the attached franchise agreement between the Corporation and The Consumers' Gas Company Ltd. is hereby authorized and the franchise provided for therein is hereby granted.
2. That the Mayor and the Clerk are hereby authorized and instructed on behalf of the Corporation to enter into and execute under its corporate seal and deliver the aforesaid agreement, which agreement is hereby incorporated into and shall form part of this By-law.
3. That the By-law referred to in Schedule "A" annexed hereto and forming part of this By-law is hereby repealed insofar as it applies to any area within the present geographic limits of the Corporation.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
17th DAY OF AUGUST, 1998.


MAYOR

CITY OF PORT COLBORNE
CERTIFIED TRUE AND CORRECT COPY


CITY CLERK


CLERK

SCHEDULE "A"



By-law No. 733/50/78 passed by the Council of the Corporation of the City of Port Colborne on the 26th day of June, 1978.

By-law No. 255 passed by the Council of the Corporation of the Town of Port Colborne on the 14th day of July, 1958.

DATED *AUGUST 18.*

19*78*

THE CORPORATION OF THE
CITY OF PORT COLBORNE

- and -

THE CONSUMERS' GAS COMPANY LTD.

FRANCHISE AGREEMENT

THE CONSUMERS' GAS COMPANY LTD.
Atria III, Suite 1100
2225 Sheppard Avenue East
North York, Ontario
M2J 5C2

Attention: Legal Department

THE CONSUMERS' GAS COMPANY LTD.

FRANCHISE AGREEMENT

THIS AGREEMENT made this

18th day of

August

, 1998.

BETWEEN:

THE CORPORATION OF THE
CITY OF PORT COLBORNE

hereinafter called the "Corporation"

- and -

THE CONSUMERS' GAS COMPANY LTD.

hereinafter called the "Gas Company"

WHEREAS the Gas Company desires to distribute and sell gas in the Municipality upon the terms and conditions of this Agreement;

AND WHEREAS by by-law passed by the Council of the Corporation (the "By-law"), the Mayor and the Clerk have been authorized and directed to execute this Agreement on behalf of the Corporation;

THEREFORE the Corporation and the Gas Company agree as follows:

I Definitions

1. In this Agreement:

- (a) "gas" means natural gas, manufactured gas, synthetic natural gas, liquefied petroleum gas or propane-air gas, or a mixture of any of them, but does not include a liquefied petroleum gas that is distributed by means other than a pipeline;
- (b) "gas system" means such mains, plants, pipes, conduits, services, valves, regulators, curb boxes, stations, drips or such other equipment as the Gas Company may require or deem desirable for the supply, transmission and distribution of gas in or through the Municipality;
- (c) "highway" means all common and public highways and shall include any bridge, viaduct or structure forming part of a highway, and any public square, road allowance or walkway and shall include not only the travelled portion of such highway, but also ditches, driveways, sidewalks, and sodded areas forming part of the road allowance now or at any time during the term hereof under the jurisdiction of the Corporation;
- (d) "Municipality" means the territorial limits of the Corporation on the date when this Agreement takes effect, and any territory which may thereafter be brought within the jurisdiction of the Corporation;
- (e) "Engineer/Road Superintendent" means the most senior individual employed by the Corporation with responsibilities for highways within the Municipality or the person designated by such senior employee or such other person as may from time to time be designated by the Council of the Corporation.

II Rights Granted

1. To provide gas service.

The consent of the Corporation is hereby given and granted to the Gas Company to supply gas in the Municipality to the Corporation and to the inhabitants of the Municipality.

2. To use road allowances.

The consent of the Corporation is hereby given and granted to the Gas Company to enter upon all highways now or at any time hereafter under the jurisdiction of the Corporation and to lay, construct, maintain, replace, remove, operate and repair a gas system for the supply, distribution and transmission of gas in and through the Municipality.

3. Duration of Agreement and Renewal Procedures.

The rights hereby given and granted shall be for a term of twenty (20)* years from the date of final passing of the By-law.

At any time within two years prior to the expiration of this Agreement, either party may give notice to the other that it desires to enter into negotiations for a renewed franchise upon such terms and conditions as may be agreed upon. Until such renewal has been settled, the terms and conditions of this Agreement shall continue, notwithstanding the expiration of this Agreement. Nothing herein stated shall preclude either party from applying to the Ontario Energy Board for a renewal of the Agreement pursuant to section 10 of the Municipal Franchises Act.

III Conditions

1. Approval of Construction.

Before beginning construction of or any extension or change to the gas system (except service laterals which do not interfere with municipal works in the highway), the Gas Company shall file with the Engineer/Road Superintendent a plan, satisfactory to the Engineer/Road Superintendent, drawn to scale and of sufficient detail considering the complexity of the specific location, showing the highways in which it proposes to lay its gas system and the particular parts thereof it proposes to occupy. Geodetic information will not be required except in complex urban intersections in order to facilitate known projects, being projects which are reasonably anticipated by the Engineer/Road Superintendent. The Engineer/Road Superintendent may require sections of the gas system to be laid at a greater depth than required by CAN/CSA-Z184-M92 to facilitate known projects. The location of the work as shown on the said plan must be approved by the Engineer/Road Superintendent before the commencement of the work and the timing, terms and conditions relating to the installation of such works shall be to his satisfaction.

Notwithstanding the provisions of the above noted paragraph, in the event it is proposed to affix a part of the gas system to a bridge, viaduct or structure, the Engineer/Road Superintendent may, if the Engineer/Road Superintendent approves of such location, require special conditions or a separate agreement.

No excavation, opening or work which shall disturb or interfere with the surface of the travelled portion of any highway shall be made or done unless a permit therefor has first been obtained from the Engineer/Road Superintendent and all works shall be done to his satisfaction.

*The rights given and granted for a first agreement shall be for a term of 20 years. The rights given and granted for any subsequent agreement shall be for a term of not more than 15 years, unless both parties agree to extend the term to a term of 20 years maximum.

The Engineer/Road Superintendent's approval, where required throughout this section, shall not be withheld unreasonably.

2. As Built Drawings.

The Gas Company shall not deviate from the approved location for any part of the gas system unless the prior approval of the Engineer/Road Superintendent to do so is received. After completion of the construction, where plans were initially filed, an "as built" plan of equal quality to the pre-construction plan or certification that the pre-construction plan is "as built" will be filed with the Engineer/Road Superintendent.

3. Emergencies.

In the event of an emergency involving the gas system, the Gas Company will proceed with the work and in any instance where prior approval of the Engineer/Road Superintendent is normally required, shall use its best efforts to immediately notify the Engineer/Road Superintendent of the location and nature of the emergency and the work being done and, if it deems appropriate, notify the police force having jurisdiction.

4. Restoration.

The Gas Company shall well and sufficiently restore, to the reasonable satisfaction of the Engineer/Road Superintendent, all highways, municipal works or improvements which it may excavate or interfere with in the course of laying, constructing, repairing or removing its gas system, and shall make good any settling or subsidence thereafter caused by such excavation or interference. If the Gas Company fails at any time to do any work required by this paragraph within a reasonable period of time, the Corporation may do or cause such work to be done and the Gas Company shall, on demand, pay any reasonable account therefor as certified by the Engineer/Road Superintendent.

5. Indemnification.

The Gas Company shall, at all times, indemnify and save harmless the Corporation from and against all claims, including costs related thereto, for all damages or injuries including death to any person or persons and for damage to any property, arising out of the Gas Company operating, constructing, and maintaining its gas system in the Municipality, or utilizing its gas system for the carriage of gas owned by others. Provided that the Gas Company shall not be required to indemnify or save harmless the Corporation from and against claims, including costs related thereto, which it may incur by reason of damages or injuries including death to any person or persons and for damage to any property, resulting from the negligence or wrongful act of the Corporation, its servants, agents or employees.

6. Alternative Easement.

The Corporation agrees, in the event of the proposed sale or closing of any highway or any part of a highway where there is a gas line in existence, to give the Gas Company reasonable notice of such proposed sale or closing and to provide, if it is feasible, the Gas Company with easements over that part of the highway proposed to be sold or closed sufficient to allow the Gas Company to preserve any part of the gas system in its then existing location. In the event that such easements cannot be provided, the Corporation will share, as provided in clause III, 7 of this Agreement, in the cost of relocating or altering the gas system to facilitate continuity of gas service.

7. Pipeline Relocation.

If in the course of constructing, reconstructing, changing, altering or improving any highway or any municipal works, the Corporation deems that it is necessary to take up, remove or change the location of any part of the gas system, the Gas Company shall, upon notice to do so, remove and/or relocate within a reasonable period of time such part of the gas system to a location approved by the Engineer/Road Superintendent.

Where any part of the gas system relocated in accordance with this section is located on a bridge, viaduct or structure, the Gas Company shall alter or relocate, at its sole expense, such part of the gas system.

Where any part of the gas system relocated in accordance with this section is located other than on a bridge, viaduct or structure, the costs of relocation shall be shared between the Corporation and the Gas Company on the basis of the total relocation costs, excluding the value of any upgrading of the gas system, and deducting any contribution paid to the Gas Company by others in respect to such relocation; and for these purposes, the total relocation costs shall be the aggregate of the following:

- (a) the amount paid to Gas Company employees up to and including field supervisors for the hours worked on the project plus the current cost of fringe benefits for these employees,
- (b) the amount paid for rental equipment while in use on the project and an amount, charged at the unit rate, for Gas Company equipment while in use on the project,
- (c) the amount paid by the Gas Company to contractors for work related to the project,
- (d) the cost to the Gas Company for materials used in connection with the project, and
- (e) a reasonable amount for project engineering and project administrative costs which shall be 22.5% of the aggregate of the amounts determined in items (a), (b), (c) and (d) above.

The total relocation costs as calculated above shall be paid 35% by the Corporation and 65% by the Gas Company.

8. Notice to Drainage Superintendent.

In a case where the gas system may affect a municipal drain, the Gas Company shall file with the Drainage Superintendent, for purposes of the Drainage Act, or other person responsible for the drain, a copy of the plan required to be filed with the Engineer/Road Superintendent.

IV Procedural And Other Matters

1. Municipal By-laws of General Application.

This Agreement and the respective rights and obligations hereunto of the parties hereto are hereby declared to be subject to the provisions of all regulating statutes and all municipal by-laws of general application and to all orders and regulations made thereunder from time to time remaining in effect save and except by-laws which impose permit fees and by-laws which have the effect of amending this Agreement.

2. Giving Notice.

Notices may be given by delivery or by mail, and if mailed, by prepaid registered post, to the Gas Company at its head office or to the Clerk of the Corporation at its municipal offices, as the case may be.

3. Disposition of Gas System.

During the term of this Agreement, if the Gas Company abandons a part of its gas system affixed to a bridge, viaduct or structure, the Gas Company shall, at its sole expense, remove that part of its gas system affixed to the bridge, viaduct or structure.


If at any time the Gas Company abandons any other part of its gas system, it shall deactivate that part of its gas system in the Municipality. Thereafter, the Gas Company shall have the right, but nothing herein contained shall require it, to remove its gas system. If the Gas Company fails to remove its gas system and the Corporation requires the removal of all or any of the gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in any highway, the Corporation may remove and dispose of so much of the deactivated gas system as the Corporation may require for such purposes and neither party shall have recourse against the other for any loss, cost, expense or damage occasioned thereby.

4. Agreement Binding Parties.


This Agreement shall extend to, benefit and bind the parties thereto, their successors and assigns, respectively.

IN WITNESS WHEREOF the parties hereto have duly executed these presents with effect from the date first above written.

THE CORPORATION OF THE CITY OF FORT COLBORNE



Mayor



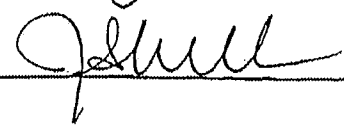
Clerk *L.C. Hunt*

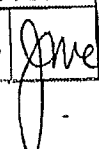
THE CONSUMERS' GAS COMPANY LTD.

G. J. Hills
Senior Vice-President
Administration
and Corporate Secretary



J.S. Williamson
Senior Legal Counsel and
Assistant Corporate Secretary



APPROVED
AS TO FORM
LEGAL 

IN THE MATTER of The Municipal Franchises Act,
R.S.O. 1960, Chapter 255 and amendments thereto;

AND IN THE MATTER of an Application by The Consumers'
Gas Company for certificates of public convenience
and necessity to construct works to supply and to
supply natural gas to the inhabitants of the under-
mentioned municipalities

- City of St. Catharines
- City of Niagara Falls
- City of Welland
- Town of Port Colborne
- Town of Fort Erie
- Town of Niagara-on-the-Lake
- Town of Thorold
- Village of Chippawa
- Village of Crystal Beach
- Village of Fonthill
- Township of Crowland
- Township of Willoughby
- Township of Bertie
- Township of Humberstone
- Township of Wainfleet
- Township of Thorold
- Township of Pelham
- Township of Niagara
- Township of Louth

B E F O R E:

A.R. Crozier, Chairman	} Tuesday, the 4th day
A.B. Jackson, Vice Chairman	
I.C. MacNabb, Vice Chairman	

UPON the Application of The Consumers' Gas Company (here-
inafter called the Applicant) for a certificate pursuant to
the provisions of The Municipal Franchises Act, R.S.O. 1960,
Chapter 255, and amendments thereto, and upon the hearing of
such Application by the Board at the City of Toronto, on the
4th day of July, 1967, after due notice had been given as dir-
ected by the Board, in the presence of Counsel for the Appli-
cant, no one else appearing, upon consideration of the evidence
and exhibits produced at the hearing and upon hearing what
was alleged by Counsel for the Applicant

1. THIS BOARD DOTH ORDER that a Certificate of Public Con-
venience and Necessity be and the same is hereby granted to

The Consumers' Gas Company for the supply of natural gas
to the inhabitants of the

City of St. Catharines
City of Niagara Falls
City of Welland
Town of Port Colborne
Town of Niagara-on-the-Lake
Town of Thorold
Village of Chippawa
Village of Crystal Beach
Village of Fonthill
Township of Crowland
Township of Willoughby
Township of Bertie
Township of Humberstone
Township of Wainfleet
Township of Thorold
Township of Pelham
Township of Niagara
Township of Louth

and for the construction of the works necessary therefor.

2. THIS BOARD fixes the costs of this Application at \$25.00
payable forthwith by the Applicant.

DATED AT TORONTO this 25th day of July, A.D. 1967.

THE ONTARIO ENERGY BOARD


Board Secretary.

82

THE ONTARIO ENERGY BOARD

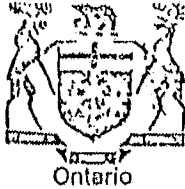
IN THE MATTER of The Municipal Franchises Act, R.S.O. 1960, Chapter 255 and amendments thereto;

AND IN THE MATTER of an Application by The Consumers' Gas Company for certificates of public convenience and necessity to construct works to supply and to supply natural gas to the inhabitants of the undermentioned municipalities.

- City of St. Catharines
- City of Niagara Falls
- City of Welland
- Town of Port Colborne
- Town of Fort Erie
- Town of Niagara-on-the-Lake
- Town of Thorold
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- Village of Crystal Beach
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- Township of Crowland
- Township of Willoughby
- Township of Bertie
- Township of Humberstone
- Township of Wainfleet
- Township of Thorold
- Township of Pelham
- Township of Niagara
- Township of Louth

CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY

McDONALD & ZIMMERMAN
199 Bay Street,
Toronto 1, Ontario.



IN THE MATTER OF The Municipal Franchises Act, R.S.O. 1960, Chapter 255 and amendments thereto;

AND IN THE MATTER of an Application by The Consumers' Gas Company for certificates of public convenience and necessity to construct works to supply and to supply natural gas to the inhabitants of the undermentioned municipalities

- City of St. Catharines
- City of Niagara Falls
- City of Welland
- Town of Port Colborne
- Town of Fort Erie
- Town of Niagara-on-the-Lake
- Town of Thorold
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- Village of Crystal Beach
- Village of Fonthill
- Township of Crowland
- Township of Willoughby
- Township of Bertie
- Township of Humberstone
- Township of Wainfleet
- Township of Thorold
- Township of Pelham
- Township of Niagara
- Township of Louth

BEFORE: A. B. Jackson
Chairman

I. G. MacNabb
Vice-Chairman

Monday, the 5th
day of July, 1976

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

UPON the application of The Consumers' Gas Company
dated May 30, 1967 for certificates of public

convenience and necessity pursuant to section 8 of The Municipal Franchises Act to construct works to supply and to supply natural gas to the inhabitants of the above-named municipalities;

AND UPON the application having been heard at Toronto on July 4, 1967 in the presence of counsel for the Applicant, no one else appearing, and a Certificate having been issued on July 25, 1967 under Docket E.B.C. 58 in respect of all the above-named municipalities except the Town of Fort Erie, and the application having been adjourned sine die in respect of the Town of Fort Erie due to the question of the validity of the Applicant's then existing franchise by-law for the Town of Fort Erie;

AND UPON the Applicant having negotiated a new franchise by-law with the Town of Fort Erie, the terms and conditions and period thereof having been approved by the Board by E.B.A. 173 dated May 8, 1975, and the new franchise by-law having been finally passed by the Council of the Corporation of the Town of Fort Erie on June 23, 1975:

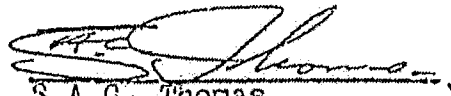
IT IS ORDERED that a certificate of public convenience and necessity be and the same is hereby granted to The

RECEIVED 1975 JUN 23 10 11 AM

Consumers' Gas Company for the supply of natural gas to
the inhabitants of the Town of Fort Erie.

ISSUED at Toronto this *7th* day of July, 1976.

ONTARIO ENERGY BOARD









S.A.C. Thomas
Secretary to the Board

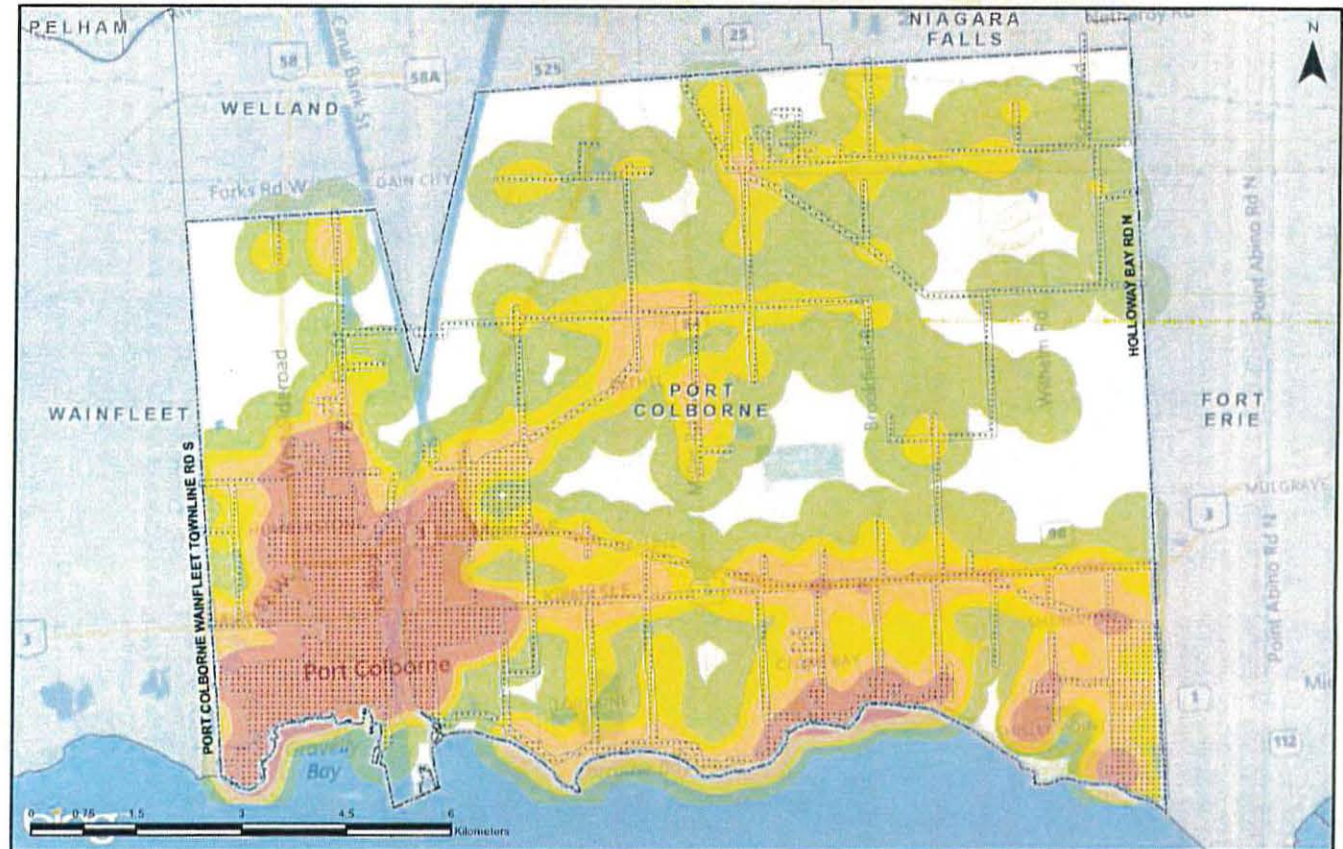
THESE DOCUMENTS HAVE BEEN REPRODUCED

Key Map



Legend

-  Port Colborne Boundary
-  Enbridge Pipeline Coverage Area
- Enbridge_Customer_Density**
-  Low Density
-  Low Density
-  High Density
-  High Density



Disclaimer:

The map is provided with no warranty express or implied and is subject to change at any time. Any person using the Density Map shall do so at its own risk and the Density Map is not intended in any way as a tool to locate underground infrastructure for the purposes of excavation.

City of Port Colborne





Report Number: 2018-13

Date: January 22, 2018

SUBJECT: Appointments to Boards and Committees

1) PURPOSE

The purpose of this report is to obtain approval regarding appointments to boards and committees.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

In 2006 staggered terms were introduced for many of the City's boards and committees and citizens were appointed for terms of two, three and four years. Future appointments were to be for four year terms in order to maintain the staggered structure established by the 2006 appointments. Council's current policy regarding the making of appointments to Boards and Committees was adopted by Council on November 10, 2008. A copy of the policy is available on the City's website.

New appointments to fill an expired term are for a four-year term. The term of appointments to fill vacancies created by resignations is for the balance of the term of the appointee who resigned. Notice is provided to each Board/Committee member with an expiring term.

3) STAFF COMMENTS AND DISCUSSIONS

The following information was made available to Council at the closed session portion of the December 11, 2017 Council meeting and is provided now for the benefit of the public.

Canal Days Committee:

The Terms of Reference provide that this Committee is to be composed of five community members, two Councillors, as well as representative from each local Business Improvement Area (BIA). Four vacancies exist for community members.

Betty Konc

Betty Konc is a resident of Port Colborne and is a local business owner who is seeking reappointment to the Committee. Ms. Konc is a member of the Economic Development Advisory Committee and serves as the Chair of the Downtown BIA. Ms. Konc has expressed a desire to continue to be a part of the team that organizes and executes Canal Days.

East Village Neighbourhood Improvement Task Force:

The Terms of Reference provide for the appointment of three residents of the East Village Area of Port Colborne and both Ward Two Councillors. There is one vacancy on the Committee due to an expired term.

Neal Schoen

Neal Schoen is a Paralegal with Justice Niagara who is a property owner within the East Village and is seeking reappointment to the Task Force. Mr. Schoen has served as Chair of the Task Force since May 2016, and is aware of the community issues within the East Village. Mr. Schoen has expressed desire to enact change in the East Village with a focus to reduce crime, improve the quality of rental housing, increase the pride of ownership by homeowners, improve safety and appearance and improve the dialogue between residents and Council.

Economic Development Advisory Committee:

This Committee was established at the November 9, 2015 Council meeting. The Terms of Reference provide for the appointment of six citizen members, who must be affiliated with the Port Colborne business community. These members are not required to be qualified municipal electors. There are two vacancies representing the business community on the Committee due to expired terms.

Kate Ostryhon-Lumsden

Kate Ostryhon-Lumsden has worked in real estate sales in Port Colborne and area for thirty-one years and is seeking reappointment to the Committee. Ms. Ostryhon-Lumsden possesses a Bachelor of Arts (Hons.) and has expressed interest in continuing to serve on the Committee as she views herself as an ambassador for Port Colborne and is concerned about the community's growth.

Environmental Advisory Committee

The Terms of Reference provide for the appointment of up to thirteen voting members; three from Council and up to ten from the public. There are three vacancies due to expired terms.

Beth Palma

Beth Palma is a Registered Nuclear Medicine Technologist and is seeking reappointment to the Committee. Ms. Palma advises that she has been a member of the Environmental Advisory Committee since the time of its establishment and is happy to be able to assist with this Committee.

Ryan Waines

Ryan Waines is a Port Colborne resident who is employed as the Environmental Manager at Jungbunzlauer Canada Inc. and is seeking reappointment to the Committee. Mr. Waines advises that in his role and position at work he is engaged with the various laws and regulations pertaining to facility operations that overlap with the mandate and discussions of the Committee. Mr. Waines is a life-long resident of Port Colborne and has expressed that he has an active interest in all environmental related activities.

Tim Hoyle

Tim Hoyle is an Assistant Manager at Buffalo State College and a Volunteer Fire Fighter for the City of Port Colborne. Mr. Hoyle is seeking reappointment to the Committee. Mr. Hoyle has experience with air monitoring, HAZMAT, safety and chemical identification and advises that his experience at work and as a Fire Fighter has brought the complexity of environmental issues to light.

Port Colborne Historical & Marine Museum

The Terms of Reference provide for the appointment of twelve members of the public. Seven vacancies exist.

Amanda Emery

Amanda Emery possesses a Bachelor's Degree in History and Political Science and has worked in four different museums in positions including Archives Assistant, Audio/Visual Cataloguing Assistant, Heritage Outreach Officer, Tour Guide and Outreach Coordinator. Ms. Emery is currently applying to complete her Masters in Museum Studies and advises that her education and work experience and her genuine interest in history fit well with the tasks and goals of the Port Colborne Museum.

Claudia Brema

Claudia Brema is a retired employee of the Niagara Health System and is a life-long resident of Port Colborne with family ties to the community. Ms. Brema has experience in volunteerism including the Canal Days Committee, Port Cares, Meals on Wheels, Niagara Community Foundation, Port Colborne Hospital Foundation, Port Colborne Lioness and United Way. Ms. Brema has expressed interest in the history of Port Colborne and Niagara as well as an interest in supporting the fantastic staff at the Port Colborne Museum.

Bert Murphy

Bert Murphy possesses a Bachelor of Science (Hons.) and a Masters of Education degree and is a retired program consultant with the District School Board of Niagara and a retired part-time lecturer with Brock University. Mr. Murphy has experience teaching about the geography and history of the Niagara Peninsula and is a volunteer at the museum assisting with the restoration of the timber cabin. Mr. Murphy has expressed interest in the programs that the museum offers as well as local history and has abilities in writing and carpentry.

Brian Heaslip

Brian Heaslip is retired from the Port Colborne Fire Department and has experience in community service and history. Mr. Heaslip is seeking reappointment to the Board in order to continue to work with the staff and Board to expand the museum's impact on the community and increase the interest of youth in the history of the area.

Cheryl MacMillan

Cheryl MacMillan is a retired teacher from the District School Board of Niagara and possesses a Bachelor of Arts and Bachelor of Education. Ms. MacMillan is seeking reappointment to the Board and notes that she has experience advocating for the museum and all it offers to the citizens in Niagara and beyond. Ms. MacMillan has expressed interest in continuing to further the goals of the museum including expansion of the facilities on the museum property and enhancement of education programming for youth.

Pamela Koudijs

Pamela Koudijs served thirty-eight years as an educator and currently works as a Designated Early Childhood Educator with the District School Board of Niagara. Ms. Koudijs is seeking reappointment to the Board and states that she loves Port Colborne, its history and its role in the formation of this area. Ms. Koudijs advises that her experience as an educator and her skills as a photographer can continue to help her to assist the Board.

Port Colborne Medical Education, Recruitment and Health Services Committee

The Terms of Reference provide that the Committee shall be composed of the Mayor, five members of the community, up to three Council representatives and a minimum of one member of the medical community. Three citizen vacancies exist.

Connie Butler

Connie Butler is a retired Registered Nurse who holds a Bachelor of Arts, Bachelor of Education, Bachelor of Science and Masters of Education and who served for more than twenty-five years as a nurse educator, general educator and Infection Control Practitioner. Ms. Butler is seeking reappointment to the Committee and advises that she has experience serving on a number of committees and as a new member of the community she is interested in helping to acquire appropriate medical care in Port Colborne.

Senior Citizen Advisory Council

The Terms of Reference provide for the appointment of up to ten members of the public. Three vacancies exist.

Judy Wade

Judy Wade possesses a Bachelor of Arts and was employed as a high school teacher for the District School Board of Niagara for more than twenty years. Ms. Wade is seeking reappointment to the Committee and advises that she feels she can help with determining needs of seniors in the community in order to advise Council of such needs.

Valerie King

Valerie King is a retiree who was employed as a police officer, social worker and senior lecturer at Cumbria University in the United Kingdom. Ms. King is seeking reappointment to the Committee and advises that she has more than forty years of experience working with the public with respect to issues affecting their rights as well as teaching others to work with vulnerable people and she has expressed a desire to give back to the community.

Susan Brown

Susan Brown is seeking reappointment to the Committee. Ms. Brown is semi-retired and states that her work experience and business contacts make her an asset to the Committee. Ms. Brown also notes that she feels she has the time and knowledge to help the citizens of Port Colborne.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

a) Do nothing.

This is not a practical option. In accordance with the City's policy, Council should consider the applications. All appointments are at the discretion of Council.

b) Other Options

Council may choose to provide additional direction with regard to future recruitment.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not applicable.

6) ATTACHMENTS

None.

7) RECOMMENDATION

Canal Days Advisory Committee:

That Betty Konc be appointed to the Canal Days Advisory Committee for a term ending December 31, 2020.

East Village Neighbourhood Improvement Task Force:

That Neal Schoen be appointed to the East Village Neighbourhood Improvement Task Force for a term ending December 31, 2020.

Economic Development Advisory Committee:

That Kate Ostryhon-Lumsden be appointed to the Economic Development Advisory Committee for a term ending December 31, 2020.

Environmental Advisory Committee:

That Beth Palma, Ryan Waines and Tim Hoyle be appointed to the Environmental Advisory Committee for a term ending December 31, 2020.

Port Colborne Historical & Marine Museum:

That the following persons be appointed to the Port Colborne Historical & Marine Museum Board:

1. Amanda Emery for a term ending December 31, 2019;
2. Claudia Brema for a term ending December 31, 2019;
3. Bert Murphy for a term ending December 31, 2019;
4. Brian Heaslip for a term ending December 31, 2021;
5. Cheryl MacMillan for a term ending December 31, 2021;
6. Pamela Koudijs for a term ending December 31, 2021.

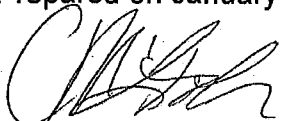
Port Colborne Medical Education, Recruitment and Health Services Committee:
That Connie Butler be appointed to the Port Colborne, Medical Education, Recruitment
and Health Services Committee for a term ending December 31, 2020.

Senior Citizen Advisory Council:
That Judy Wade, Valerie King and Susan Brown be appointed to the Senior Citizen
Advisory Council for a term ending December 31, 2020.

That the Clerk be directed to bring forward the necessary by-law for approval.

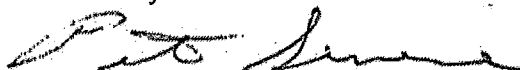
8) SIGNATURES

Prepared on January 15, 2018 by:



Carrie McIntosh
Deputy Clerk

Reviewed by:



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer



Report Number: 2018-06

Date: January 22, 2018

SUBJECT: 2016 Audited Financial Statements

1) PURPOSE

The purpose of this report is to provide the 2016 Financial Report for approval by Council.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

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

3) STAFF COMMENTS AND DISCUSSION

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

The draft audited Financial Statements are attached to this report and presented in draft format prior to the official signing and release of the Financial Report by the City's auditors, Grant Thornton, pending Council approval. Once approved by Council the Financial Statements will be put on the City's web site for public viewing. A notice will be published in the local newspaper that the 2016 financial report is available to the public (section 295(1), *Municipal Act*).

In addition to the Financial Report, staff prepare the Financial Information Return (FIR) which is a statutory report filed with the Ministry of Municipal Affairs and Housing annually. Copies of the FIR and the Financial Report are available on request, free of charge (section 295(2), *Municipal Act*). The 2016 FIR has been submitted to the Ministry and both reports will be available on the City's web site for public viewing.

The 2016 Financial Statements are in compliance with the full accrual accounting method and reports the 2015 comparative financial information. The reporting includes the budgeted amounts, as audited, in comparison to the actual results and Council's adopted budget.

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

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

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

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

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

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

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

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

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

2016 Financial Report

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

- a) Employee benefit obligations for vested sick leave, WSIB and post-employment benefits are accounted for by an actuarial valuation and shown on the balance sheet as a liability. The sick leave benefits are partially funded by a reserve, which were decreased from \$85,007 to \$36,118 in 2016, and is currently under funded. The WSIB and post-retirement benefits are funded on a current year basis. This unfunded liability amounts to \$8,042,000 (2015 - \$7,860,679) (Note 8 to the Financial Statements) and reduces the Accumulated Surplus. The valuation was updated in 2015 as required every 3 years.
- b) Deferred Revenues are revenues collected under the Development Charges Act, recreational land (Parks) and Federal Gas Tax Revenues for development purposes and shown on the balance sheet as a liability. This amounts to \$321,237 (2015 - \$692,294) (Note 5 to the Financial Statements). These revenues are brought into income as expenditures are incurred.
- c) The City's unfunded long term debt amounts to \$11,742,073 (2015 - \$13,214,271) (Note 7 to the Financial Statements) which includes outstanding debentures and capital lease obligations under full accrual accounting. All principal debt payments are no longer expensed and are applied directly to the debt payable. Previously this amount was reported as an amount to be recovered in the future. As it is unfunded, long term debt is a reduction of the Accumulated Surplus.

In addition, the City incurred a construction loan to finance the new Operations Centre pending the issuance of the debenture in 2017. This amounted to \$7,437,000 of the approved debenture of \$14,230,000 (Note 6 to the Financial Statements).

- d) The City's cash amounted to \$1,439,226 (2015 - \$3,464,908) and a bank indebtedness of \$NIL. Investments amount to \$12,132,914 (2015 - \$10,593,831) which includes GICs increased from the sale of the investment in NRBN (Note 3 to the Financial Statements). Taxes receivable amounted to \$1,979,562 (2015 - \$1,949,060) and user charges (water/wastewater) receivable amounts to \$1,801,174 (2015 - \$1,410,790). Other receivables include grants, other receivables and drains receivable amounting \$2,899,675 (2015 - \$2,877,855).

All of the above assets and liabilities are based on cash or readily available cash required to pay for liabilities which amount to a Net Financial Debt position of the municipality being \$13,571,787 (2015 - \$6,439,145). This debt position is attributed to the long term debt and employee benefit obligations which will require future cash flow. This is a measure of the resources that the City has to finance future operations. The Non-Financial Assets are primarily the Tangible Capital Assets and amount to \$125,937,648 (2015 - \$116,082,367) which is the net book value of assets (cost less accumulated amortization) based on historical costs. The Accumulated Surplus of \$113,315,587 (2015 - \$110,275,900) represents the net

financial assets of the City including the City's Tangible Capital Assets and is detailed in Note 10 to the Financial Statements as described previously in the report. This represents the net resources (both financial and physical) which are not readily available for spending as the majority of its value is non-financial capital assets that the City has to provide City services.

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

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

This statement, under PSAB standards:

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

The Financial Statements show an Annual Accounting Surplus in 2016 of \$3,039,687 (2015 - \$5,429,622) and is equal to the annual excess of revenues over expenses for the year and is related primarily to capital grants and revenues. The revenues raised during the year covered the cost of services provided, including the annual cost of using capital assets to provide those services and the funding of capital assets through grants. As this annual deficit or surplus takes into account amortization of assets, loss on sale of assets and does not consider the acquisition of capital assets and principal debt payments, this surplus is not indicative of the operational surplus/deficit in any given year.

In 2016, the City experienced an overall cash surplus in general operations in the amount of \$169,333. Various revenues exceeding budget and expenditures being under budget created variances within the accounts for both surpluses and/or deficits throughout the department budgets. Staff recommend that the allocation of the 2016 general operating cash surplus be transferred to the following reserves: \$10,000 in surplus wharfage fees collected to the Goderich Elevators reserve fund, \$50,000 in surplus from the Marina to the Marina Capital reserve fund, \$47,000 in surplus from the Building Division to the Building reserve, \$31,074 to the Salary/Wages reserve for 2017 increases and \$31,259 to unfunded capital 861 Elm Street land sale and 40-44 Killaly Street property per Schedule C.

The following funds were transferred from 2016 operations to specific reserves for future expenditures as such funds were received or budgeted for in 2016 but will not be expended

until 2017 or future years:

• Human Resources	\$ 10,102	– consultant budgeted 2016
• Physician Recruitment	\$ 41,260	– 2016 savings
• Fire	\$ 34,000	– Vol FF Recruitment
• Fire	\$ 20,000	– Communication Upgrades
• Wastewater Operations	\$ 60,461	– Sewer TV Inspections
• Corporate Services	\$ 40,000	– Records Mgmt Project budgeted
• Corporate Services	\$ 33,763	– Finance System Project
• Wastewater Equipment	\$ 6,437	– unspent capital funds
• Wastewater	\$ 320,994	– rate stabilization
• Wastewater Capital	\$ 1,113,000	– capital funds
• Water	\$ 279,633	– rate stabilization
• Water Equipment	\$ 5,354	– budgeted in 2016 (Net)
• Storm Sewers	\$ 25,472	– flushing funds for 2017
• Nickel Area Storm Sewers	\$ 1,100,000	– project for 2017
• Public Works/Parks	\$ 101,422	– various projects completion in 2017
• Public Works/Parks	\$ 159,637	– Equipment Replacement
• Nickel Beach	\$ 3,000	– Outdoor showers not done
• Sidewalks	\$ 70,902	– to be completed in 2017
• Bethel Community Centre	\$ 55,500	– Roof and Doors
• Planning	\$ 6,126	– Development Charge Study
• Community Services	\$ 13,219	– Various programs
• Museum	\$ 1,861	– Donations for Equipment
• Streetlights Debt	\$ 15,110	– savings for future debenture payments
• Marina	\$ 3,858	– POCOMAR balance of reno funds
• Roselawn	\$ 9,579	– fees collected for capital works
• Roselawn	\$ 43,604	– capital funds budgeted
• Transit funding	\$ 17,648	– Prov Gas Tax for 2017 program
• Vale H&W Centre	\$ 150,183	– sponsorships for debt payments
• Traffic Study	\$ 10,000	– continuation of the program
• Traffic signals	\$ 44,845	– Pedestrian Walk Main St
• Tourism Centre	\$ 1,768	– remaining funds from windows project
• Economic Development	\$ 10,000	– Corporate/Tourism branding
• Marina	\$ 10,775	– Sewer Pumping Station
• Employee Benefits	\$ 50,000	– Greenshield funds refunded
• Land Sales	\$ 39,091	– surplus land sales
• WSIB	\$ 61,610	– surplus of claims and premiums
• Skatepark Debt	\$ 15,000	– sponsorships for debt payments
• Library	\$ 4,195	– budget stabilization surplus
• Library	\$ 2,823	– WSIB
• New Operations Centre	\$ 365,000	– ongoing project
• Debenture Debt	\$ 52,078	– future debt

The following funds were transferred from 2016 reserves to operations/capital for 2016 expenditures budgeted in 2016 or previously budgeted in 2015:

• SCADA Water Study	\$ 14,530 – ongoing program
• Water Rate Stabilization	\$ 279,633 – funding water deficit & frozen services
• Lakeshore Watermain	\$ 230,884 – capital project completed in 2016
• Signs	\$ 3,480 – City Entrance Signs
• Playground Equipment	\$ 66,283 – completion in 2016
• Water capital	\$ 704,885 – completion capital projects in 2016
• Water Meter Replacements	\$1,806,164 – completion capital project in 2016
• Nickel Area Storm Sewers	\$ 239,643 – design project costs for 2017
• Fire	\$ 24,258 – Additional cost for roof
• Physician Recruitment	\$ 15,000 – fund recruitment
• Engineering	\$ 11,000 – GIS computer in 2016
• Fire	\$ 129,899 – Firefighter retro pays
• Community Services	\$ 15,172 – Aged Needs Study completed in 2016
• Marina	\$ 72,664 – LES Grant renovations completed
• Library	\$ 81,904 – Capital projects
• Sick Leave	\$ 50,426 – retirement payout
• Traffic Signals	\$ 91,834 – complete projects
• Vale Centre Debt	\$ 343,817 – payment of debenture
• Capital Infrastructure	\$ 9,298 – costs associated with NRBN sale

Currently, there is \$3,023,822 (2015 - \$2,511,422) included in the overall operating deficit due to projects not funded in the past but are to be recovered in the future through other sources of revenue such as sale of specific property, taxation, debentures and matured debentures. These Unfunded Capital Projects are attached in Schedule “C”.

The Consolidated Statement of Changes in Net Financial Assets/Debt reports the City’s financial activities during the year by way of the Annual Surplus (Deficit) and eliminates all non-financial activity such as amortization, write down of Tangible Capital Assets, acquisition and disposals of Tangible Capital Assets, gain/loss on sale of capital assets and prepaid expenses from the Statement of Operations. This measures the increase or decrease in net financial assets/debt which represents the City’s ability to pay for its liabilities and provide the resources for the City to finance future operations. In 2016, the increase in net debt was \$7,132,642 (2015-the decrease in net debt was \$2,915,131) and amounts to a net debt of \$13,571,787 (2015 - \$6,439,145) as at December 31, 2016. As stated previously, this is mainly due to future employee benefit obligations and the long term debt of debentures net of the City’s financial assets.

The Consolidated Statement of Cash Flows explains how the City financed its activities and met its cash requirements resulting in a change in cash over the reporting period. It provides for changes in activities from operations, capital, financing and investing. It displays a net decrease in cash of \$2,025,682. This results from a net change in operations of cash amounting \$8,156,846, net acquisition in capital assets of \$14,789,568, a net increase of debt of \$6,146,123 and an increase in investments of \$1,539,083. Cash and cash equivalents amount to \$1,439,226 (2015 - \$3,464,908) at the end of the year.

The Consolidated Schedules of Tangible Capital Assets for 2016 and 2015 year ends are on pages 28 and 29 of the Financial Report. These schedules provide information on the gross costs, additions/disposals, amortization and net book value of the City's assets. The classes of assets include: land, land improvements, buildings, vehicles, furniture/equipment, infrastructure and construction in process. The net book value of the capital assets is \$125,937,648 as compared to 2015 for \$116,082,367.

The Consolidated Schedules of Segment Disclosure (pages 30 to 33 in the Financial Report) reports revenues and expense amounts that are directly related to the segment. The segments that are reported for disclosure of services are: General, Water, Wastewater and Port Colborne Public Library Board. Segmented information as required under PSAB is described in Note 22 to the Financial Report. The City provides for a wide range of services that reflect the way in which the operations are managed. City expenses are reported by function in the Statement of Operations such as: General Government, Protection to persons/property, Environmental, Transportation, Recreation and Cultural and Planning/Development.

Auditor's Report

The City's auditor, Grant Thornton, has concluded an audit of the records of the Corporation and has issued an unqualified audit opinion on the financial statements for 2016. This means that there were no significant internal financial control weaknesses or material errors noted during the audit and the financial statements are free of material misstatement; the financial statements present fairly the financial position of the City of Port Colborne as at December 31, 2016.

The "Report to Council - Communication of Audit Results" is provided to Council as Schedule "B", with the December 31, 2016 draft audited Financial Report. This report is addressed to Members of Council from Grant Thornton to communicate such matters as the audit results and reportable matters they believe should be brought to Council's attention.

4) OPTIONS AND FINANCIAL CONSIDERATIONS

No financial impact.

5) COMPLIANCE WITH STRATEGIC PLANNING INITIATIVES

Not applicable.

6) ATTACHMENTS

- Schedule "A" - The 2016 Draft Financial Report.
- Schedule "B" - Report to Council - Communication of Audit Results from Grant Thornton
- Schedule "C" - Unfunded Capital Projects

7) **RECOMMENDATION**

That the 2016 draft audited Financial Report for the year ended December 31, 2016 be approved.

8) **SIGNATURES**

Prepared on January 5, 2018 by:



Peter Senese
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Financial Report

City of Port Colborne

December 31, 2016

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Contents

	Page
City of Port Colborne	
Independent Auditor's Report	1-2
Consolidated Statement of Financial Position	3
Consolidated Statement of Operations	4
Consolidated Statement of Changes in Net Debt	5
Consolidated Statement of Cash Flows	6
Notes to the Consolidated Financial Statements	7-27
Consolidated Schedule of Tangible Capital Assets	28-29
Consolidated Schedule of Segment Disclosure	30
Consolidated Schedule of Segment Disclosure with Budget Information	31-33
Trust Funds	
Independent Auditor's Report	34-35
Consolidated Statement of Financial Position	36
Consolidated Statement of Operations	36
Notes to the Consolidated Financial Statements	37

City of Port Colborne
Consolidated Statement of Financial Position

As at December 31 2016 2015

Financial assets		
Cash and cash equivalents (Note 2)	\$ 1,439,226	\$ 3,464,908
Portfolio investments (Note 3)	12,132,914	10,593,831
Taxes receivable	1,979,562	1,949,060
User charges receivable	1,801,174	1,410,790
Other receivables	<u>2,899,675</u>	<u>2,877,855</u>
	<u>20,252,551</u>	<u>20,296,444</u>
Liabilities		
Payables and accruals	5,459,193	4,361,558
Other liabilities	822,835	606,787
Deferred revenue (Note 5)	321,237	692,294
Construction loan (Note 6)	7,437,000	-
Long term debt (Note 7)	11,742,073	13,214,271
Employee benefit obligations (Notes 8 and 17)	<u>8,042,000</u>	<u>7,860,679</u>
	<u>33,824,338</u>	<u>26,735,589</u>
Net debt	<u>(13,571,787)</u>	<u>(6,439,145)</u>
Non-financial assets		
Tangible capital assets (Note 9 and Pages 28 and 29)	125,937,648	116,082,367
Prepaid expenses	<u>949,726</u>	<u>632,678</u>
	<u>126,887,374</u>	<u>116,715,045</u>
Accumulated surplus (Note 10)	<u>\$ 113,315,587</u>	<u>\$ 110,275,900</u>

Contingencies (Note 20)

Approved by

 Director of Corporate Services

 Chief Administrative Officer

See accompanying notes to the consolidated financial statements.

City of Port Colborne
Consolidated Statement of Operations

For the Year Ended December 31, 2016

	Budget 2016 (Note 23)	Actual 2016	Actual 2015
Revenue			
Taxation (Note 12)	\$ 15,691,076	\$ 15,768,064	\$ 14,688,088
User charges (Note 14)	12,999,506	12,462,080	11,914,135
Government transfers (Note 15)	3,080,366	3,206,916	3,169,890
Other (Note 16)	<u>779,495</u>	<u>979,943</u>	<u>945,899</u>
	<u>32,550,443</u>	<u>32,417,003</u>	<u>30,718,012</u>
Expenses			
General government	3,632,139	3,711,835	5,196,241
Protection to persons and property	3,902,864	4,071,433	3,458,214
Transportation services	5,040,371	4,894,053	5,042,918
Environmental services	10,297,367	8,852,399	10,318,615
Health services	173,746	214,672	189,231
Social and family services	60,000	46,464	20,000
Recreation and culture services	7,418,134	7,994,237	7,609,794
Planning and development	<u>2,105,175</u>	<u>2,065,641</u>	<u>2,531,120</u>
	<u>32,629,796</u>	<u>31,850,734</u>	<u>34,366,133</u>
Net revenues (expenses)	<u>(79,353)</u>	<u>566,269</u>	<u>(3,648,121)</u>
Other			
Revenue related to tangible capital assets			
Government transfers (Note 15)	839,592	1,945,543	1,735,042
Other (Note 16)	2,500	449,397	577,218
Gain on disposal of tangible capital assets	-	78,478	40,483
Gain on sale of investment in Niagara Regional Broadband Network Limited	<u>-</u>	<u>-</u>	<u>6,725,000</u>
	<u>842,092</u>	<u>2,473,418</u>	<u>9,077,743</u>
Annual surplus	762,739	3,039,687	5,429,622
Accumulated surplus (Note 10)			
Beginning of year	<u>110,275,900</u>	<u>110,275,900</u>	<u>104,846,278</u>
End of year	<u>\$ 111,038,639</u>	<u>\$ 113,315,587</u>	<u>\$ 110,275,900</u>

See accompanying notes to the consolidated financial statements.

City of Port Colborne
Consolidated Statement of Changes in Net Debt
For the Year Ended December 31, 2016

	Budget 2016 (Note 23)	Actual 2016	Actual 2015
Annual surplus	\$ 762,739	\$ 3,039,687	\$ 5,429,622
Amortization of tangible capital assets	5,012,783	5,012,765	4,990,398
Acquisition of tangible capital assets	(19,446,799)	(15,204,882)	(7,953,267)
Proceeds from sale of tangible capital assets	-	415,314	716,473
Gain on disposal of tangible capital assets	-	(78,478)	(40,483)
	(13,671,277)	(6,815,594)	3,142,743
Acquisition of prepaid expenses	-	(317,048)	(227,612)
(Increase) decrease in net debt	(13,671,277)	(7,132,642)	2,915,131
Net debt			
Beginning of year	(6,439,145)	(6,439,145)	(9,354,276)
End of year	<u>\$ (20,110,422)</u>	<u>\$ (13,571,787)</u>	<u>\$ (6,439,145)</u>

See accompanying notes to the consolidated financial statements.

City of Port Colborne Consolidated Statement of Cash Flows

For the Year Ended December 31

2016

2015

Increase (decrease) in cash and cash equivalents

Operating activities		
Annual surplus	\$ 3,039,687	\$ 5,429,622
Non-cash items		
Amortization of tangible capital assets	5,012,765	4,990,398
Gain on disposal of tangible capital assets	(78,478)	(40,483)
Gain on sale of investment in Niagara Regional Broadband Network Limited	-	(6,725,000)
Increase in taxes receivable	(30,502)	(52,616)
(Increase) decrease in user charges receivable	(390,384)	102,370
Increase in other receivables	(21,820)	(944,070)
Increase in payables and accruals	1,097,635	484,747
Increase (decrease) in other liabilities	216,048	(16,172)
(Decrease) increase in deferred revenue	(371,057)	3,285
Increase in prepaid expenses	(317,048)	(227,612)
	<u>8,156,846</u>	<u>3,004,469</u>
Capital activities		
Proceeds from sale of tangible capital assets	415,314	716,473
Acquisition of tangible capital assets	(15,204,882)	(7,953,267)
	<u>(14,789,568)</u>	<u>(7,236,794)</u>
Financing activities		
Issue of construction loan	7,437,000	-
Issue of long term debt	296,000	4,864,576
Issue of capital lease obligations	-	6,861
Repayment of long term debt	(1,750,589)	(1,077,152)
Repayment of capital lease obligation	(17,609)	(19,411)
Increase in employee benefit obligations	181,321	1,450,272
	<u>6,146,123</u>	<u>5,225,146</u>
Investing activities		
Proceeds from sale of investment in Niagara Regional Broadband Network Limited	-	7,500,000
Purchase of portfolio investments, net	(1,539,083)	(8,669,235)
	<u>(1,539,083)</u>	<u>(1,169,235)</u>
Net decrease in cash and cash equivalents	(2,025,682)	(176,414)
Cash and cash equivalents (Note 2)		
Beginning of year	<u>3,464,908</u>	<u>3,641,322</u>
End of year	<u>\$ 1,439,226</u>	<u>\$ 3,464,908</u>

See accompanying notes to the consolidated financial statements.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

1. Significant accounting policies

Management responsibility

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

The significant accounting policies used are as follows:

(a) Reporting entity

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

Port Colborne Public Library Board
Port Colborne Downtown Development Board
Port Colborne Main Street Business Improvement Area
Port Colborne Fibre Inc.
Port Colborne Hydro Inc.

Interdepartmental and organizational transactions and balances are eliminated.

The following joint local board is proportionally consolidated:

Niagara Central Airport Commission (Joint Board)

Related party transactions are eliminated (Note 18).

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

(b) Basis of accounting

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

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

1. Significant accounting policies (continued)

(c) Cash and cash equivalents

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

(d) Portfolio investments

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

(e) Deferred revenue

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

(f) Employee future benefits

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

(g) Contaminated sites liability

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

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

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

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

1. Significant accounting policies (continued)

(h) Tangible capital assets

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

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

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

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

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

Amortization is based on the following classifications and useful lives:

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

(i) Subdivision infrastructure

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

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

1. Significant accounting policies (continued)

(j) Revenue recognition

i) Taxation

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

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

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

ii) User charges

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

iii) Government transfers

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

iv) Other

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

(k) Reserves for future expenses

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

(l) Local improvements

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

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

1. Significant accounting policies (continued)

(m) Region and school board transactions

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

(n) Use of estimates

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

2. Cash and cash equivalents	<u>2016</u>	<u>2015</u>
Cash on hand	\$ 3,950	\$ 4,350
Bank balances	<u>1,435,276</u>	<u>3,460,558</u>
	<u>\$ 1,439,226</u>	<u>\$ 3,464,908</u>

3. Portfolio investments

Guaranteed investment certificates carry an effective interest rate from 1.00% to 2.50% and maturity dates ranging from January, 2017 to December, 2020. Interest is receivable on maturity. Carrying value approximates market value.

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

4. Bank indebtedness

An operating line of credit of \$ 4,000,000 has been established with the CIBC, of which \$ Nil (2015 - \$ Nil) was used at December 31, 2016. An executed borrowing by-law in form and content satisfactory to CIBC is in effect to a limit of \$ 4,000,000. Interest is calculated at prime minus 0.50%. Overdrafts outstanding under the line of credit are converted to a promissory note at the CIBC's request which has not been enacted.

5. Deferred revenue	<u>2016</u>	<u>2015</u>
Development Charges Act	\$ 215,898	\$ 415,983
Parkland	15,315	924
Federal gas tax	<u>90,024</u>	<u>275,387</u>
	<u>\$ 321,237</u>	<u>\$ 692,294</u>

The deferred revenue is made up of the following:

Balance, beginning of year	\$ <u>692,294</u>	\$ <u>689,009</u>
Contributions from		
Parkland	17,200	-
Interest earned	8,400	11,116
Gas tax grants received		
Federal	<u>560,148</u>	<u>533,475</u>
	<u>585,748</u>	<u>544,591</u>
Utilized for		
Tangible capital asset acquisitions	<u>(956,805)</u>	<u>(541,306)</u>
Balance, end of year	<u>\$ 321,237</u>	<u>\$ 692,294</u>

6. Construction loan

The City entered into an agreement with the Ontario Infrastructure and Lands Corporation ("OILC") to temporarily borrow money to finance capital expenditures relating to the operations centre for \$ 13,780,000 and the east side employment lands for \$ 450,000 to a maximum of \$ 14,230,000, pending the issue of debentures in 2017. The City is paying interest on the loan monthly at the OILC floating interest rate until the loan is replaced by the debenture. Principal payments will begin once the debenture is issued.

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

7. Long term debt 2016 2015

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

The Municipality has assumed responsibility for the payment of principal and interest charges on certain long term debt issued by the Region of Niagara. At the end of the year, the outstanding principal amount of this debt is

	\$ 11,708,601	\$ 13,163,190
Capital lease obligations	<u>33,472</u>	<u>51,081</u>
Net long term debt	<u>\$ 11,742,073</u>	<u>\$ 13,214,271</u>

- (b) The net long term debt:

<u>Debenture Number</u>	<u>Purpose</u>	<u>Interest Rates</u>	<u>Maturity Dates</u>	<u>2016</u>	<u>2015</u>
74-2003	Marina Pavilion/ Restaurant and Fire Dept. HQ	2.95 to 5.65%	2018	\$ 694,000	\$ 1,014,000
57-2006	Fire Truck	4.70 to 5.15%	2016	-	346,000
72-2007	Marina Boat Ramp and Drains	4.90 to 5.10%	2017	104,224	203,478
61-2008	Watermains	3.70 to 4.90%	2018	165,000	242,000
67-2009	Vehicles and Equip.	1.15 to 4.80%	2019	155,000	203,000
73-2010	City Hall, Marina, Main St. CIP. and Fire Vehicle	1.60 to 4.65%	2020	1,262,101	1,437,314
46-2013	Health & Wellness Centre	2.67%	2023	2,039,192	2,322,869
47-2013	Roads and Fire Dept.	3.37%	2033	696,063	727,159
48-2013	Skatepark, Fuel Tanks and Op. Centre Design	3.70%	2043	1,764,119	1,802,794
75-2015	LED Street Lights and Water Meters	1.15 to 2.80%	2025	2,498,000	2,755,000
94-2015	Fire Tanker and Watermains	3.46%	2035	2,034,902	2,109,576
34-2016	Fire Truck	1.20 to 1.60%	2021	296,000	-
	Leased Vehicles and Equipment	Various	2016-18	<u>33,472</u>	<u>51,081</u>
				<u>\$ 11,742,073</u>	<u>\$ 13,214,271</u>

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

7. Long term debt (continued)

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

2017	\$ 1,530,628
2018	1,472,469
2019	1,045,319
2020	1,501,320
2021	831,541

(d) The Municipality paid \$ 445,608 (2015 - \$ 364,868) interest on long term debt during the year.

8. Employee benefit obligations

	<u>2016</u>	<u>2015</u>
Workplace Safety and Insurance Board		
future benefits	\$ 1,851,400	\$ 1,837,779
Vested sick leave benefits	249,300	268,900
Retirement benefits	<u>5,941,300</u>	<u>5,754,000</u>
	8,042,000	7,860,679
Less: sick leave funded by reserve	<u>(36,118)</u>	<u>(85,007)</u>
	<u>\$ 8,005,882</u>	<u>\$ 7,775,672</u>

(a) Workplace Safety and Insurance Board future benefits

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

In 2016, an actuarial estimate of future liabilities has been completed and forms the basis for the estimated liability reported in these financial statements. In 2015, the City has recorded an accrual for the estimate of future benefit costs and administrative loading as calculated by the WSIB. During the year \$ 38,237 (2015 - \$ 36,811) was paid by the City to the WSIB in relation to these benefits.

The accrued benefit obligation at December 31, 2016 of \$ 1,851,400 was determined by an actuarial valuation using a discount rate of 3.3%.

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

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

8. Employee benefit obligations (continued)

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

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

(i) Interest (discount) rate

The obligations as at December 31, 2016 of the present value of future liabilities were determined using a discount rate of 3.3%.

(ii) Future benefit indexing rate

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

	<u>2016</u>	<u>2015</u>
Accrued benefit obligation		
Balance, beginning of year	\$ 1,837,800	\$ 582,400
Benefit payments	(129,000)	(109,300)
Current service cost	81,400	79,600
Interest cost	61,200	20,000
Increase in obligation related to new firefighters estimated liability	-	1,265,100
Balance, end of year	<u>\$ 1,851,400</u>	<u>\$ 1,837,800</u>
Funded status		
Deficit	\$ 1,571,000	\$ 1,837,800
Unamortized actuarial gain	<u>280,400</u>	<u>-</u>
	<u>\$ 1,851,400</u>	<u>\$ 1,837,800</u>

The net benefit expense is as follows:

Current service cost	\$ 81,400	\$ 79,600
Interest cost	<u>61,200</u>	<u>20,000</u>
Net benefit expense	<u>\$ 142,600</u>	<u>\$ 99,600</u>

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

8. Employee benefit obligations (continued)

(b) Vested sick leave benefits

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

The accrued benefit obligation at December 31, 2016 of \$ 249,300 (2015 - \$ 268,900) was determined by an actuarial valuation using a discount rate of 3.4%.

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

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

(i) Interest (discount) rate

The obligations as at December 31, 2016 of the present value of future liabilities were determined using a discount rate of 3.4%.

(ii) Salary increase rate

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

	<u>2016</u>	<u>2015</u>
Accrued benefit obligation		
Balance, beginning of year	\$ 268,900	\$ 268,096
Benefit payments	(51,300)	(30,000)
Current service cost	24,700	23,900
Interest cost	8,600	8,600
Amortization of actuarial gain	<u>(1,600)</u>	<u>(1,696)</u>
Balance, end of year	<u>\$ 249,300</u>	<u>\$ 268,900</u>
Funded status		
Deficit	\$ 237,000	\$ 255,000
Unamortized actuarial gain	<u>12,300</u>	<u>13,900</u>
	<u>\$ 249,300</u>	<u>\$ 268,900</u>

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

8. Employee benefit obligations (continued)

(b) Vested sick leave benefits (continued)

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

	<u>2016</u>	<u>2015</u>
Current service cost	\$ 24,700	\$ 23,900
Interest cost	8,600	8,600
Amortization of actuarial gain	<u>(1,600)</u>	<u>(1,696)</u>
Net benefit expense	<u>\$ 31,700</u>	<u>\$ 30,804</u>

During the year \$ 50,427 (2015 - \$ 48,341) was paid to employees who left the Municipality's employment. The Municipality has set aside \$ 36,118 (2015 - \$ 85,007) in a reserve.

(c) Retirement benefits

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

The accrued benefit obligation at December 31, 2016 of \$ 5,941,300 (2015 - \$ 5,754,000) was determined by an actuarial valuation using a discount rate of 3.4%.

The City's obligation under the retirement provision of employment agreements will be funded out of current revenue. During the year benefit payments of \$ 337,900 (2015 - \$ 318,300) were paid to retirees.

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

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

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

(i) Interest (discount) rate

The obligations as at December 31, 2016 of the present value of future liabilities were determined using a discount rate of 3.4%.

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

8. Employee benefit obligations (continued)

(c) Retirement benefits (continued)

(ii) Medical costs

Drug costs were assumed to be 8% in 2016 and decrease 0.175% per year until 2036 when the rate will be 4.5% and continue thereafter.

Vision costs were assumed to be 2.5% in 2016 and decrease 0.25% per year until 2026 when the rate will be 0% and continue thereafter.

Other health costs were assumed to be 4.5% in 2016 and continue thereafter.

(iii) Dental costs

Dental costs were assumed to be 6% in 2016 and decrease 0.1875% per year until 2024 when the rate will be 4.5% and continue thereafter.

	<u>2016</u>	<u>2015</u>
Accrued benefit obligation		
Balance, beginning of year	\$ 5,754,000	\$ 5,559,924
Benefit payments	(337,900)	(318,300)
Current service cost	298,900	289,100
Interest cost	205,600	196,600
Amortization of actuarial loss	<u>20,700</u>	<u>26,676</u>
Balance, end of year	<u>\$ 5,941,300</u>	<u>\$ 5,754,000</u>
Funded status		
Deficit	\$ 6,083,100	\$ 5,916,500
Unamortized actuarial loss	<u>(141,800)</u>	<u>(162,500)</u>
	<u>\$ 5,941,300</u>	<u>\$ 5,754,000</u>

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

Current service cost	\$ 298,900	\$ 289,100
Interest cost	205,600	196,600
Amortization of actuarial loss	<u>20,700</u>	<u>26,676</u>
Net benefit expense	<u>\$ 525,200</u>	<u>\$ 512,376</u>

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

9. Tangible capital assets	<u>2016</u>	<u>2015</u>
Net book value		
Land	\$ 6,203,049	\$ 6,411,698
Land improvements	9,351,806	9,573,052
Buildings	34,967,968	36,326,976
Leasehold improvements	273,214	172,654
Vehicles	2,739,467	2,838,602
Office equipment and furniture and fixtures	593,763	614,486
Machinery and equipment	2,370,711	2,437,889
Infrastructure	<u>58,722,511</u>	<u>54,929,113</u>
	115,222,489	113,304,470
Assets under construction	<u>10,715,159</u>	<u>2,777,897</u>
	<u>\$ 125,937,648</u>	<u>\$ 116,082,367</u>
<hr/>		
10. Accumulated surplus	<u>2016</u>	<u>2015</u>
Consists of:		
Surpluses (deficits)		
Operating	\$ (3,336,488)	\$ (2,827,898)
Port Colborne Public Library Board	1,425	1,426
Port Colborne Downtown Development Board	43,334	40,915
Port Colborne Main Street Business Improvement Area	28,051	23,932
Niagara Central Airport Commission (Note 18)	<u>18,625</u>	<u>26,452</u>
	<u>(3,245,053)</u>	<u>(2,735,173)</u>
Investment in tangible capital assets	<u>125,937,648</u>	<u>116,082,367</u>
Unfunded		
Construction loan	(7,437,000)	-
Long term debt	(11,650,183)	(13,034,873)
Employee benefit obligations	<u>(8,042,000)</u>	<u>(7,860,679)</u>
	<u>(27,129,183)</u>	<u>(20,895,552)</u>
Reserves and reserve funds (Note 11)	<u>17,752,175</u>	<u>17,824,258</u>
	<u>\$ 113,315,587</u>	<u>\$ 110,275,900</u>

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

11. Reserves and reserve funds	<u>2016</u>	<u>2015</u>
Reserves set aside for specific purposes by Council		
Working capital	\$ 703,010	\$ 703,010
Recreation programs and facilities	339,114	352,474
Acquisition of capital assets	2,085,445	1,450,757
Library	34,598	27,580
Museum	18,259	16,399
Transit	75,100	75,100
Election expense	70,956	47,956
Administration costs	1,032,117	816,357
Airport	33,232	33,232
Cemetery	16,978	16,978
Wastewater operations	2,679,471	1,793,579
Water operations	<u>544,039</u>	<u>2,981,579</u>
Total reserves	<u>7,632,319</u>	<u>8,315,001</u>
Reserve funds set aside for specific purposes by Council or agreement		
Acquisition of fixed assets	7,365,171	6,411,270
Accumulated sick leave and disability	36,118	85,007
Administration costs	1,133,189	1,031,630
Grain elevator property	891,041	845,563
Community centre	465,656	647,574
Library	191,301	241,120
Transit	37,380	18,891
Water projects	<u>-</u>	<u>228,202</u>
Total reserve funds	<u>10,119,856</u>	<u>9,509,257</u>
Total reserves and reserve funds	<u>\$ 17,752,175</u>	<u>\$ 17,824,258</u>

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

12. Taxation	Budget 2016	Actual 2016	Actual 2015
Real property		\$ 34,375,878	\$ 33,311,518
From other governments			
Payments in lieu of taxes		<u>382,761</u>	<u>365,683</u>
		<u>34,758,639</u>	<u>33,677,201</u>
Less: taxation collected on behalf of (Note 13)			
Region of Niagara		13,471,321	13,490,355
School boards		<u>5,519,254</u>	<u>5,498,758</u>
		<u>18,990,575</u>	<u>18,989,113</u>
Net taxes available for municipal purposes		<u>\$ 15,768,064</u>	<u>\$ 14,688,088</u>
Residential, multi-residential and farm	\$ 12,159,932	\$ 12,172,922	\$ 11,396,484
Commercial and industrial	<u>3,531,144</u>	<u>3,595,142</u>	<u>3,291,604</u>
Net taxes available for municipal purposes	<u>\$ 15,691,076</u>	<u>\$ 15,768,064</u>	<u>\$ 14,688,088</u>

13. Collections for the Region of Niagara and school boards

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

	2016	2015
Region of Niagara	\$ 13,471,321	\$ 13,490,355
School boards	<u>5,519,254</u>	<u>5,498,758</u>
	<u>\$ 18,990,575</u>	<u>\$ 18,989,113</u>

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

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

14. User charges	Budget 2016	Actual 2016	Actual 2015
Operating			
Fees and service charges	\$ 2,475,349	\$ 2,815,464	\$ 2,460,590
Direct water billings	4,707,244	4,383,898	4,209,330
Wastewater surcharges	5,591,436	4,934,473	5,032,943
Licences and permits	<u>225,477</u>	<u>328,245</u>	<u>211,272</u>
	<u>\$ 12,999,506</u>	<u>\$ 12,462,080</u>	<u>\$ 11,914,135</u>
15. Government transfers			
	Budget 2016	Actual 2016	Actual 2015
Operating			
Government of Canada	\$ 23,400	\$ 41,108	\$ 35,531
Province of Ontario	3,056,966	3,165,395	3,096,444
Municipal	-	413	37,915
	<u>3,080,366</u>	<u>3,206,916</u>	<u>3,169,890</u>
Capital			
Government of Canada	743,000	748,951	1,425,000
Province of Ontario	96,592	1,196,592	110,042
Municipal	-	-	200,000
	<u>839,592</u>	<u>1,945,543</u>	<u>1,735,042</u>
	<u>\$ 3,919,958</u>	<u>\$ 5,152,459</u>	<u>\$ 4,904,932</u>

City of Port Colborne Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

16. Other revenue	Budget <u>2016</u>	Actual <u>2016</u>	Actual <u>2015</u>
Operating			
Penalties and interest on taxes	\$ 382,770	\$ 409,426	\$ 394,893
Fines	22,000	18,266	21,691
Interest income	30,525	34,164	50,095
Rental income	37,573	48,594	49,116
Investment income – reserves and reserve funds	-	131,450	50,041
Contributions from developers	100,000	-	-
Transfer from trust funds	5,105	4,273	4,371
Donations	184,462	128,822	122,230
Other	<u>17,060</u>	<u>204,948</u>	<u>253,462</u>
	<u>779,495</u>	<u>979,943</u>	<u>945,899</u>
Capital			
Contributions from developers		204,717	-
Donations	2,500	186,932	293,627
Other	<u>-</u>	<u>57,748</u>	<u>283,591</u>
	<u>2,500</u>	<u>449,397</u>	<u>577,218</u>
	<u>\$ 781,995</u>	<u>\$ 1,429,340</u>	<u>\$ 1,523,117</u>

17. Pension agreements

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

Since OMERS is a multi-employer pension plan, the Municipality does not recognize any share of the pension plan deficit of \$ 2.3 billion (2015 - \$ 5.3 billion) based on the fair market value of the plan's assets, as this is a joint responsibility of all Ontario municipal entities and their employees. Contributions were made in the 2016 calendar year at rates ranging from 9.0% to 15.8% depending on the member's designated retirement age and level of earnings. Employer contributions for current and past service are included as an expense in the consolidated statement of operations. Employer contributions to OMERS for 2016 current and past service was \$ 761,678 (2015 - \$ 771,777) and were matched by employee contributions in a similar amount.

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

18. Niagara Central Airport Commission

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

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

	<u>2016</u>	<u>2015</u>
Financial assets		
Cash and temporary investments	\$ 87,329	\$ 125,564
Receivables	<u>40,659</u>	<u>17,710</u>
	127,988	143,274
Liabilities		
Accounts payable and accrued liabilities	<u>44,763</u>	<u>14,552</u>
Net financial assets	<u>83,225</u>	<u>128,722</u>
Non-financial assets		
Prepaid expenses	1,354	1,354
Fuel inventory	24,712	18,347
Tangible capital assets	<u>1,238,403</u>	<u>1,132,862</u>
	<u>1,264,469</u>	<u>1,152,563</u>
Accumulated surplus	<u>\$ 1,347,694</u>	<u>\$ 1,281,285</u>
Accumulated surplus consists of:		
Operating surplus	\$ 93,127	\$ 132,259
Reserves	16,164	16,164
Investment in tangible capital assets	<u>1,238,403</u>	<u>1,132,862</u>
	<u>\$ 1,347,694</u>	<u>\$ 1,281,285</u>
Revenues		
Grants	\$ 84,450	\$ 82,800
Fuel, rentals and other	152,110	109,079
Interest	477	935
Expenses	<u>(170,627)</u>	<u>(166,679)</u>
Annual surplus	<u>\$ 66,410</u>	<u>\$ 26,135</u>

City of Port Colborne
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

18. Niagara Central Airport Commission (continued)

The financial position information is as reported by the Niagara Central Airport Commission as at December 31, 2016 and the results of operations are as reported for the year ended December 31, 2016. The comparative financial position and results of operations figures are as reported by the Niagara Central Airport Commission at December 31, 2015.

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

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

	<u>2016</u>	<u>2015</u>
Government transfers	<u>\$ 16,890</u>	<u>\$ 16,560</u>

19. Trust funds

Trust funds administered by the Municipality amounting to \$ 386,188 (2015 - \$ 358,553) have not been included in the consolidated statement of financial position nor have these operations been included in the consolidated statement of operations.

20. Contingencies

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

21. Liabilities for contaminated sites

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

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

City of Port Colborne
Notes to the Consolidated Financial Statements
For the Year Ended December 31, 2016

22. Segmented information

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

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

General

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

Water

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

Wastewater

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

Port Colborne Public Library Board

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

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

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

City of Port Colborne

Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

23. Budget

The budget bylaw adopted by Council March 29, 2016 was not prepared on a basis consistent with that used to report actual results in accordance with Canadian public sector accounting standards. The budget was prepared on a modified accrual basis while Canadian public sector accounting standards require a full accrual basis. As a result, the budget figures presented in the consolidated statement of operations and consolidated statement of changes in net debt represent the budget adopted by Council with the following adjustments:

Budgeted annual deficit	\$	64,364
Add:		
Acquisition of tangible capital assets		19,446,799
Repayment of long term debt		1,696,293
Less:		
Transfers to (from) reserves, net		(2,731,569)
Amortization of tangible capital assets		(5,012,783)
Debenture proceeds		<u>(12,700,365)</u>
Budgeted deficit per consolidated statement of operations	\$	<u>762,739</u>

City of Port Colborne
Consolidated Schedule of Tangible Capital Assets

For the Year Ended December 31, 2016

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

City of Port Colborne
Consolidated Schedule of Tangible Capital Assets

For the Year Ended December 31, 2015

	<u>Land</u>	<u>Land Improvements</u>	<u>Buildings and Leaseholds</u>	<u>Vehicles</u>	<u>Furniture and Equipment</u>	<u>Infrastructure</u>	<u>Construction in Process</u>	<u>2015</u>
Cost								
Beginning of year	\$ 6,466,065	\$ 16,708,675	\$ 46,090,400	\$ 4,409,884	\$ 6,816,683	\$ 98,740,465	\$ 1,437,745	\$ 180,669,917
Additions	20,289	177,321	565,964	1,270,111	411,748	4,301,382	4,285,495	11,032,310
Disposals	(74,656)	(74,282)	(241,375)	(549,567)	(221,803)	(931,587)	(2,945,343)	(5,038,613)
End of year	<u>6,411,698</u>	<u>16,811,714</u>	<u>46,414,989</u>	<u>5,130,428</u>	<u>7,006,628</u>	<u>102,110,260</u>	<u>2,777,897</u>	<u>186,663,614</u>
Accumulated amortization								
Beginning of year	-	6,761,803	8,421,865	2,349,466	3,616,512	45,724,783	-	66,874,429
Amortization	-	527,479	1,578,672	264,807	556,223	2,063,217	-	4,990,398
Amortization on disposals	-	(50,620)	(85,178)	(322,447)	(218,482)	(606,853)	-	(1,283,580)
End of year	-	<u>7,238,662</u>	<u>9,915,359</u>	<u>2,291,826</u>	<u>3,954,253</u>	<u>47,181,147</u>	-	<u>70,581,247</u>
Net book value	<u>\$ 6,411,698</u>	<u>\$ 9,573,052</u>	<u>\$ 36,499,630</u>	<u>\$ 2,838,602</u>	<u>\$ 3,052,375</u>	<u>\$ 54,929,113</u>	<u>\$ 2,777,897</u>	<u>\$ 116,082,367</u>

City of Port Colborne
Consolidated Schedule of Segment Disclosure

For the Year Ended December 31, 2016

	General	Water	Wastewater	Library	Eliminations	Consolidated
Revenue						
Taxation	\$ 15,768,064	\$ -	\$ -	\$ -	\$ -	\$ 15,768,064
User charges	3,093,256	4,407,243	4,935,007	26,574	-	12,462,080
Government transfers	5,109,516	-	-	729,633	(686,690)	5,152,459
Other revenue	1,229,626	166,602	-	33,112	-	1,429,340
Gain (loss) on disposal of tangible capital assets	78,490	(12)	-	-	-	78,478
	<u>25,278,952</u>	<u>4,573,833</u>	<u>4,935,007</u>	<u>789,319</u>	<u>(686,690)</u>	<u>34,890,421</u>
Expenses						
Salaries and benefits	11,170,066	610,388	208,458	511,099	-	12,500,011
Materials	5,414,003	246,855	61,991	129,085	-	5,851,934
Contracted services	1,904,485	2,240,339	3,458,421	23,260	-	7,626,505
Rents and financial expenses	109,038	6,482	2,869	162	-	118,551
External transfers to others	154,994	-	-	-	-	154,994
Long term debt interest	294,726	106,358	-	-	-	401,084
Tax write-offs	184,890	-	-	-	-	184,890
Amortization	4,082,436	497,503	363,792	69,034	-	5,012,765
Inter-functional transfers	235,908	247,616	203,166	-	(686,690)	-
	<u>23,550,546</u>	<u>3,955,541</u>	<u>4,298,697</u>	<u>732,640</u>	<u>(686,690)</u>	<u>31,850,734</u>
Annual surplus	<u>\$ 1,728,406</u>	<u>\$ 618,292</u>	<u>\$ 636,310</u>	<u>\$ 56,679</u>	<u>\$ -</u>	<u>\$ 3,039,687</u>

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

For the Year Ended December 31, 2016

Budget

Actual

General government

Revenue

Taxation	\$ 15,691,076	\$ 15,768,064
User charges	2,647,126	3,093,256
Government transfers	3,877,188	5,109,516
Other	679,953	1,229,626
Gain on disposal of tangible capital assets	-	78,490
	<u>22,895,343</u>	<u>25,278,952</u>

Expenses

Salaries and wages	10,699,588	11,170,066
Materials	5,414,651	5,414,003
Contracted services	1,701,200	1,904,485
Rents and financial expenses	124,185	109,038
External transfers to others	106,262	154,994
Long term debt interest	312,780	294,726
Tax write-offs	255,698	184,890
Amortization	4,082,454	4,082,436
Inter-functional transfers	236,349	235,908
	<u>22,933,167</u>	<u>23,550,546</u>

Annual surplus (deficit)	\$ (37,824)	\$ 1,728,406
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**City of Port Colborne
Consolidated Schedule of Segment Disclosure
with Budget Information**

For the Year Ended December 31, 2016

Budget

Actual

Water

Revenue

User charges	\$ 4,727,494	\$ 4,407,243
Government transfers	-	-
Other	102,042	166,602
Loss on disposal of tangible capital assets	-	(12)
	<u>4,829,536</u>	<u>4,573,833</u>

Expenses

Salaries and wages	600,442	610,388
Materials	373,831	246,855
Contracted services	2,418,313	2,240,339
Rents and financial expenses	10,734	6,482
Long term debt interest	109,096	106,358
Amortization	497,503	497,503
Inter-functional transfers	247,616	247,616
	<u>4,257,535</u>	<u>3,955,541</u>

Annual surplus

	<u>\$ 572,001</u>	<u>\$ 618,292</u>
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**City of Port Colborne
Consolidated Schedule of Segment Disclosure
with Budget Information**

For the Year Ended December 31, 2016

Budget

Actual

Wastewater

Revenue

User charges	\$ 5,596,436	\$ 4,935,007
Government transfers	-	-
Other	-	-
Loss on disposal of tangible capital assets	-	-
	<u>5,596,436</u>	<u>4,935,007</u>

Expenses

Salaries and wages	291,975	208,458
Materials	361,240	61,991
Contracted services	4,147,637	3,458,421
Rents and financial expenses	6,230	2,869
Amortization	363,792	363,792
Inter-functional adjustments	203,166	203,166
	<u>5,374,040</u>	<u>4,298,697</u>

Annual surplus

	<u>\$ 222,396</u>	<u>\$ 636,310</u>
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Library

Revenue

User charges	\$ 28,450	\$ 26,574
Government transfers	729,460	729,633
Other	-	33,112
Loss on disposal of tangible capital assets	-	-
	<u>757,910</u>	<u>789,319</u>

Expenses

Salaries and wages	522,436	511,099
Materials	135,774	129,085
Contracted services	24,500	23,260
Rents and financial expenses	-	162
Amortization	69,034	69,034
	<u>751,744</u>	<u>732,640</u>

Annual surplus

	<u>\$ 6,166</u>	<u>\$ 56,679</u>
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City of Port Colborne Trust Funds

Consolidated Statement of Financial Position As at December 31, 2016

	<u>Local Improvements</u>	<u>Julia Yager Trust</u>	<u>Fulton Trust</u>
Assets			
Cash	\$ 22,229	\$ 975	\$ 1,045
Investments	-	6,252	-
Accrued interest	<u>15</u>	<u>-</u>	<u>-</u>
Accumulated surplus	<u>\$ 22,244</u>	<u>\$ 7,227</u>	<u>\$ 1,045</u>

Consolidated Statement of Operations For the Year Ended December 31, 2016

	<u>Local Improvements</u>	<u>Julia Yager Trust</u>	<u>Fulton Trust</u>
Revenue			
Interest earned	\$ 167	\$ 43	\$ 1
Perpetual trust contributions	-	-	-
Donations	<u>-</u>	<u>-</u>	<u>-</u>
	<u>167</u>	<u>43</u>	<u>1</u>
Expenses			
Transfer to capital fund	-	-	-
Transfer to revenue fund	<u>-</u>	<u>-</u>	<u>-</u>
	<u>-</u>	<u>-</u>	<u>-</u>
Annual surplus	167	43	1
Accumulated surplus			
Beginning of year	<u>22,077</u>	<u>7,184</u>	<u>1,044</u>
End of year	<u>\$ 22,244</u>	<u>\$ 7,227</u>	<u>\$ 1,045</u>

<u>Sherkston Trust</u>	<u>Overholt Cemetery</u>	<u>Roselawn Centre</u>	<u>Total 2016</u>	<u>Total 2015</u>
\$ 772	\$ -	\$ 32,533	\$ 57,554	\$ 43,169
10,639	311,708	-	328,599	315,361
<u>-</u>	<u>-</u>	<u>20</u>	<u>35</u>	<u>23</u>
<u>\$ 11,411</u>	<u>\$ 311,708</u>	<u>\$ 32,553</u>	<u>\$ 386,188</u>	<u>\$ 358,553</u>

<u>Sherkston Trust</u>	<u>Overholt Cemetery</u>	<u>Roselawn Centre</u>	<u>Total 2016</u>	<u>Total 2015</u>
\$ 66	\$ 6,827	\$ 182	\$ 7,286	\$ 4,767
-	10,650	-	10,650	10,710
<u>-</u>	<u>-</u>	<u>13,972</u>	<u>13,972</u>	<u>18,375</u>
<u>66</u>	<u>17,477</u>	<u>14,154</u>	<u>31,908</u>	<u>33,852</u>
-	-	-	-	-
<u>-</u>	<u>4,273</u>	<u>-</u>	<u>4,273</u>	<u>7,136</u>
<u>-</u>	<u>4,273</u>	<u>-</u>	<u>4,273</u>	<u>7,136</u>
66	13,204	14,154	27,635	26,716
<u>11,345</u>	<u>298,504</u>	<u>18,399</u>	<u>358,553</u>	<u>331,837</u>
<u>\$ 11,411</u>	<u>\$ 311,708</u>	<u>\$ 32,553</u>	<u>\$ 386,188</u>	<u>\$ 358,553</u>

See accompanying notes to the consolidated financial statements

City of Port Colborne
Trust Funds
Notes to the Consolidated Financial Statements

For the Year Ended December 31, 2016

1. Accounting policies

The consolidated financial statements of the trust funds of the City of Port Colborne are the representation of management prepared in accordance with accounting policies prescribed for Ontario municipalities by the Ministry of Municipal Affairs and Housing. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximations. These have been made using careful judgements.

Significant aspects of the accounting policies adopted are as follows:

(a) Basis of accounting

Sources of financing and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable; expenses are recognized as they are incurred and measurable.

(b) Investments

Investments are recorded at cost.

2. Subdividers' deposits

In addition to the cash accounts held by the Municipality and shown as trust funds, bank letters of credit are also held as security to ensure the provision of subdivision services and the completion of contracts.

	<u>2016</u>	<u>2015</u>
Letters of credit, beginning of year	\$ 479,369	\$ 454,455
Net additions	<u>619,354</u>	<u>24,914</u>
Letters of credit, end of year	<u>\$ 1,098,723</u>	<u>\$ 479,369</u>

These letters of credit are not reflected in the accounts.



Grant Thornton

Report to Council - Communication of audit results

Corporation of the City of Port Colborne

For the year ended December 31, 2016



Grant Thornton

December 5, 2017

**Members of Council of the
Corporation of the City of Port Colborne**
66 Charlotte Street
Port Colborne, ON
L3K 3C8

To the Members of Council of the
Corporation of the City of Port Colborne:

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We are pleased to report that we have now substantially completed our audit of the consolidated financial statements (hereinafter the “financial statements”) of the Corporation of the City of Port Colborne (hereinafter the “entity”) for the year ended December 31, 2016. We enclose our *Report to Council - Communication of audit results* to continue our dialogue with the committee on the audit of the entity. This report provides an overview of the results of our audit including comments on misstatements, significant accounting policies, sensitive accounting estimates, and other matters that may be of interest to the committee.

This communication has been prepared to comply with the requirements outlined in CAS 260 *Communication with those Charged with Governance*. The information in this document is intended solely for the information and use of Council and management. It is not intended to be distributed or used by anyone other than these specified parties.

We express our appreciation for the cooperation and assistance received from the management and staff of the entity during the course of our audit.

If you have any particular comments or concerns, please do not hesitate to raise them at our scheduled meeting.

Yours sincerely,

Grant Thornton LLP

James D. Brennan, CPA, CA
Principal

JDB/jf

Contents

	Page
Status of the audit	1
Audit results	2
Reportable matters	4
Technical updates	7
Appendix A – Draft independent auditor's reports	8
Appendix B – Draft Management representation letter	12
Appendix C – PSAB Accounting developments	17
Appendix D – Auditing developments	22

Status of the audit

Outstanding items

We have substantially completed our audit of the financial statements of the entity for the year ended December 31, 2016 and the results of that audit are included in this report.

We have attached our draft auditor's reports in the appendices. We will finalize the reports once Council has approved the draft consolidated financial statements. The following items were outstanding as at the date of this report:

- Approval of the financial statements by Council;
- Receipt of signed management representation letter (draft has been attached in appendix B);
- Procedures regarding subsequent events; and
- Responses from legal inquiries.

Planned audit approach

We have successfully executed our audit strategy in accordance with the plan presented to Council on December 15, 2016.

Audit results

Summary of misstatements

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

Adjustments:	Increase (Decrease)			
	Assets	Liabilities	Accumulated Surplus	Annual Surplus
To adjust location of capital lease obligation elimination for F/S.			\$ 947	\$ (947)
To record change in unfunded employee benefit obligations.		\$ 433,228	(433,228)	
Total adjusted misstatements	\$ Nil	\$ 433,228	\$ (432,281)	\$ (947)

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

Unadjusted misstatements	Overstatement (Understatement)			
	Assets	Liabilities	Accumulated Surplus	Annual Surplus
To accrue for statutory holidays which are not recorded as part of the year end payroll accrual and the reversal of the prior year amounts.		\$ (28,900)	\$ 36,500	\$ (7,600)
To record overstatement of water and sewer fixed charges and understatement of accumulated surplus due to catch up of revenue to calendar year.			(253,000)	253,000
Total unadjusted misstatements	\$ Nil	\$ (28,900)	\$ (216,500)	\$ 245,400

We have discussed the unadjusted misstatements with management and requested that the identified amounts be adjusted. The amounts have not been adjusted for the following reason: they are not material to the financial statement presentation.

Other adjustments

Our audit did not identify any other adjustments made after receipt of the trial balance and audit workpapers.

Summary of disclosure matters

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

Reportable matters

Internal control

Management is responsible for the design and operation of an effective system of internal control that provides reasonable assurance that the accounting system provides timely, accurate and reliable financial information, and safeguards the assets of the entity.

The audit is designed to express an opinion on the financial statements. Our understanding of internal control is sufficient to enable us to plan the audit and to determine the nature, timing and extent of tests to be performed. If we become aware of a deficiency in your internal controls systems, auditing standards requires us to communicate to the audit committee those deficiencies we consider significant or material. However, a financial statement audit is not designed to provide assurance on internal control.

During the course of performing our audit, we identified areas of improvement in internal control. Our comments on the matter have been provided in an internal control letter to management.

Significant findings from the audit

As part of the audit, we identified the following significant items we wanted to discuss:

Significant findings	Considerations and results
Acceptable alternative accounting policies	None
Significant transactions	None
Sensitive accounting estimates and disclosures	<p>The provision for post-employment benefits of approximately \$ 6,191,000.</p> <p>Management engaged an actuary to calculate the liability for employees who have taken early retirement based on the current annual benefits and the number of years until the employees turn 65.</p> <p>Liabilities have been recognized in the financial statements for future employee benefits. The objective is to recognize a liability in the reporting period in which employees have provided the services that give rise to the benefits. Management's estimate is based on the actuary's valuation report and is reasonable in the context of the consolidated financial statements taken as a whole. The actuary's valuation was performed in accordance with the standards of the Canadian Institute of Actuaries.</p> <p>The provision for Workplace Safety and Insurance Board future benefits of approximately \$ 1,851,000.</p> <p>Management engaged an actuary to calculate the liability for employees who have taken early retirement based on the current annual benefits and the number of years until the employees turn 65.</p> <p>Liabilities have been recognized in the financial statements for future employee benefits. The objective is to recognize a liability in the reporting period in which employees have provided the services that give rise to the benefits. Management's estimate is based on the actuary's valuation report and is reasonable in the context of the consolidated financial statements taken as a whole. The actuary's valuation was performed in accordance with the standards of the Canadian Institute of Actuaries.</p> <p>The provision for uncollectible taxes of approximately \$ 224,000.</p> <p>Management reviews previous year's rebates to determine the current years. Management also reviews accounts which are significantly in arrears and determines if it is likely that they will be collected either through the land owner or through tax sale.</p> <p>For tax revenue amounts billed but may not be collected as of December 31, 2016. For uncollected accounts, management estimates the collectability of these receivables based on their age and their knowledge of the specific properties. As part of our audit, we review the age of the receivables and search for any subsequent receipts or relevant communications to assess whether management's allowance for uncollectable receivables is reasonable. Management's estimate is reasonable in the context of the consolidated financial statements taken as a whole.</p>
Fraud and illegal acts	None

Other matters to discuss

The following table outlines additional matters we would like to bring to your attention:

Factors affecting disclosure values	Useful life estimates of tangible capital assets	
	The estimated useful lives assigned to tangible assets are as follows:	
	Land improvements	10-100 years
	Buildings	20-50 years
	Leasehold improvements	20-50 years
	Vehicles	10-20 years
	Office equipment and furniture and fixtures	5-10 years
	Machinery and equipment	3-30 years
	Infrastructure	10-100 years

Independence

We confirm that there have been no changes to our status with respect to independence since we confirmed our independence to you on December 15, 2016.

Technical updates

Canadian standards in transition

Accounting standards

Accounting standards issued by the Accounting Standards Board which may affect your business for the current and future years have been summarized in Appendix C

Auditing standards

Recent changes to auditing standards have been summarized in Appendix D.

If you have any questions about these changes we invite you to contact us and we will be pleased to address your concerns.

Appendix A – Draft auditor’s report

Independent auditor’s report

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

We have audited the accompanying consolidated financial statements of the Corporation of the City of Port Colborne, which comprise the consolidated statement of financial position as at December 31, 2016, and the consolidated statements of operations, changes in net financial assets and cash flows for the year then ended and a summary of significant accounting policies and other explanatory information.

Management’s responsibility for the financial statements

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

Auditor’s responsibility

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

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

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the consolidated financial position of the Corporation of the City of Port Colborne as at December 31, 2016, and the results of its operations, changes in net assets and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Port Colborne, Canada
 , 2017

Chartered Professional Accountants
Licensed Public Accountants

Independent auditor's report

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

We have audited the accompanying consolidated financial statements of the trust funds of the Corporation of the City of Port Colborne, which comprise the consolidated statement of financial position as at December 31, 2016, and the consolidated statement of operations for the year then ended, and a summary of significant accounting policies and other explanatory information. The consolidated financial statements have been prepared by management based on the financial reporting provisions prescribed for Ontario municipalities by the Ministry of Municipal Affairs and Housing.

Management's responsibility for the financial statements

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

Auditor's responsibility

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

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

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the financial position of the trust funds of the Corporation of the City of Port Colborne as at December 31, 2016, and the results of its operations for the year then ended in accordance with the financial reporting provisions of the Ministry of Municipal Affairs and Housing.

Basis of accounting

Without modifying our opinion, we draw attention to Note 1 to the consolidated financial statements, which describes the basis of accounting. The consolidated financial statements are prepared to assist the trust funds of the Corporation of the City of Port Colborne to comply with the reporting provisions of the Ministry of Municipal Affairs and Housing. As a result, the consolidated financial statements may not be suitable for another purpose.

Port Colborne, Canada
_____, 2017

Chartered Professional Accountants
Licensed Public Accountants

Appendix B – Draft Management representation letter

Management Representation Letter

January XX, 2018

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

Dear Sirs:

We are providing this letter in connection with your audit of the consolidated financial statements of the Corporation of the City of Port Colborne as of December 31, 2016, and for the year then ended, for the purpose of expressing an opinion as to whether the consolidated financial statements present fairly, in all material respects, the financial position, results of operations, and cash flows of the Corporation of the City of Port Colborne in accordance with Canadian public sector accounting standards.

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

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

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

Financial statements

- 1 The consolidated financial statements referred to above present fairly, in all material respects, the financial position of the entity as at December 31, 2016 and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards, as agreed to in the terms of the audit engagement.

Completeness of information

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

Fraud and error

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

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

Recognition, measurement and disclosure

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

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

Other

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

Yours very truly,

Chief Administrative Officer

Director of Corporate Services/Treasurer

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

Unadjusted misstatements	Overstatement (Understatement)			
	Assets	Liabilities	Accumulated Surplus	Annual Surplus
To accrue for statutory holidays which are not recorded as part of the year end payroll accrual and the reversal of the prior year amounts.		\$ (28,900)	\$ 36,500	\$ (7,600)
To record overstatement of water and sewer fixed charges and understatement of accumulated surplus due to catch up of revenue to calendar year.			(253,000)	253,000
Total unadjusted misstatements	\$ Nil	\$ (28,900)	\$ (216,500)	\$ 245,400

DRAFT

Appendix C – PSAB Accounting developments

Public Sector Accounting Board – [updated September 30, 2017]	Effective date
<p>Introduction to the PSA Handbook</p> <p>The Introduction to the PSA Handbook has been amended to add a new type of public sector entity called a government component. A government component is an integral part of a government, such as a department, ministry or fund, that is not a separate entity with the power to contract in its own name and that can sue and be sued. Government components that want to prepare general purpose financial statements must apply the standards for governments in the PSA Handbook.</p> <p>As a result of adding the definition of a government component, the definition of a government organization was amended. A government organization is any organization controlled by a government that is a separate entity with the power to contract in its own name and that can sue and be sued. Government organizations include government business enterprises (GBEs), government not-for-profit organizations (GNPOs) and other government organizations (OGOs). As a result of the change in the definition of a government organization, some entities that were formerly classified as GNPOs or OGOs may now be classified as government components which may result in a change in the accounting framework that they are required to apply.</p> <p>Government business partnerships (GBPs) between two or more public sector entities that want to issue general purpose financial statements must apply the standards for PAEs in Part I of the CPA Canada Handbook – Accounting – IFRS.</p> <p>Non-business government partnerships between two or more public sector entities that want to issue general purpose financial statements would normally apply the PSA Handbook, unless it does not meet the needs of the partnership's financial statement users. In that case the partnership can apply the standards applicable to PAEs in Part I of the CPA Canada Handbook – Accounting – IFRS. Factors to consider in assessing users' needs include, but are not limited to, whether the partnership:</p> <ul style="list-style-type: none"> • has issued, or is in the process of issuing, debt or equity instruments that are, or will be, outstanding and traded in a public market; • holds assets in a fiduciary capacity for a broad group of outsiders as one of its primary businesses; • has commercial-type operations and substantially derives its revenue from these activities; and • receives limited government assistance on an ongoing basis. <p>Government components and government partnerships that adopt the PSA Handbook must account for the transition retroactively, with the restatement of prior periods in accordance with Section PS 2125 <i>First-time adoption</i>.</p>	<p>Government components that adopt the PSA standards - Fiscal periods beginning on or after January 1, 2017. Earlier adoption is permitted.</p> <p>GBPs that adopt the standards applicable to PAEs - Fiscal periods beginning on or after January 1, 2017. Earlier adoption is permitted.</p> <p>Government partnerships, other than GBPs, that determine the standards applicable to PAEs are most appropriate for their partnership - Fiscal periods beginning on or after January 1, 2017. Earlier adoption is permitted.</p> <p>Government components, GBPs and other government partnerships that expect to change their basis of accounting must disclose this fact in the periods preceding the period the change becomes effective.</p>

Public Sector Accounting Board – [updated September 30, 2017]	Effective date
<p>Section PS 3450 Financial instruments, Section PS 2601 Foreign currency translation, Section PS 1201 Financial statement presentation, and PS 3041 Portfolio investments</p> <p>PS 3450 <i>Financial instruments</i> is a new Section that establishes standards for recognizing and measuring financial assets, financial liabilities and non-financial derivatives.</p> <p>PS 2601 <i>Foreign currency translation</i> revises and replaces Section PS 2600 <i>Foreign currency translation</i>.</p> <p>PS 1201 <i>Financial statement presentation</i> revises and replaces Section PS 1200 <i>Financial statement presentation</i>.</p> <p>PS 3041 <i>Portfolio investments</i> revises and replaces Section PS 3040 <i>Portfolio investments</i>.</p> <p>The issuance of these new sections also includes consequential amendments to</p> <ul style="list-style-type: none"> • <i>Introduction to accounting standards that apply only to government not-for-profit organizations</i> • PS 1000 <i>Financial statement concepts</i> • PS 1100 <i>Financial statement objectives</i> • PS 2125 <i>First-time adoption by government organizations</i> • PS 2500 <i>Basic principles of consolidation</i> • PS 2510 <i>Additional areas of consolidation</i> • PS 3050 <i>Loans receivable</i> • PS 3060 <i>Government partnerships</i> • PS 3070 <i>Investments in government business enterprises</i> • PS 3230 <i>Long-term debt</i> • PS 3310 <i>Loan guarantees</i> • PS 4200 <i>Financial statement presentation by not-for-profit organizations</i> <p>PSG-6 <i>Including results of organizations and partnerships applying fair value measurement</i> was withdrawn as a result of the issuance of these sections.</p>	<p>The new requirements are all required to be applied at the same time.</p> <p>For governments - Fiscal years beginning on or after April 1, 2019. This effective date was amended in September 2015.</p> <p>For government organizations that applied the CPA Canada Handbook – Accounting prior to their adoption of the CPA Canada Public Sector Accounting Handbook - Fiscal years beginning on or after April 1, 2012.</p> <p>For all other government organizations - Fiscal years beginning on or after April 1, 2019. This effective date was amended in September, 2015.</p> <p>Earlier adoption is permitted.</p>
<p>Section PS 2200 Related party disclosures</p> <p>This Section defines a related party. It also establishes the disclosures required for related party transactions, including disclosure of information about an entity's related party transactions and the relationship between the related parties when the transactions:</p> <ul style="list-style-type: none"> • have occurred at a value different from that which would have been arrived at if the parties were unrelated; or • have or could have, a material financial effect on the financial statements. <p>As a result of the issuance of Section 2200, the Public Sector Accounting Board (PSAB) approved the withdrawal of Section PS 4260 <i>Disclosure of related party transactions by not-for-profit organizations</i> since PS 2200 contains similar disclosure requirements.</p>	<p>Fiscal years beginning on or after April 1, 2017.</p> <p>Earlier adoption is permitted.</p> <p>Section PS 4260 will remain in effect for GNFPOs reporting under PSAS plus the PS 4200 series until Section PS 2200 must be adopted for fiscal periods beginning on or after April 1, 2017.</p> <p>Earlier adoption is permitted.</p>

Public Sector Accounting Board – [updated September 30, 2017]	Effective date
<p>Section PS 3420 Inter-entity transactions</p> <p>This Section establishes how to account for and report transactions between public sector entities that comprise a government's reporting entity from both a provider and recipient perspective (i.e., related parties within a government reporting entity). The main features of the new Section are:</p> <ul style="list-style-type: none"> • Transactions are measured at their carrying amounts, except in specific circumstances. • Transactions occurring on similar terms and conditions as an arm's length transaction are measured at the exchange amount. • Cost allocation and recovery is the allocation of costs of activities associated with providing goods or services to another entity and the recovery of the costs incurred from the other entities. Under a policy of cost allocation, revenues and expenses are recognized on a gross basis at their exchange amount. • Unallocated costs are the cost of resources recorded by the providing entity in its operating activities that are incurred on behalf of a recipient entity. A recipient may choose to recognize unallocated costs for the provision of goods and services and measure them at their carrying amount, fair value or other amount dictated by policy, accountability structure or budget practice. • The transfer of an asset or liability for nominal or no consideration is measured by the provider at its carrying amount and by the recipient at its carrying amount or fair value. • Inter-entity transactions must be disclosed in accordance with Section PS 2200 <i>Related party disclosures</i>. 	<p>Fiscal years beginning on or after April 1, 2017. Earlier adoption is permitted.</p>
<p>Section PS 3210 Assets</p> <p>This new Section provides guidance for applying the definition of an asset set out in Section PS 1000 <i>Financial statement concepts</i> and establishes general disclosure standards for assets.</p> <p>Disclosure of information about the major categories of assets that are not recognized is required. When an asset is not recognized because a reasonable estimate of the amount involved cannot be made, the reason(s) for this should be disclosed.</p>	<p>Fiscal years beginning on or after April 1, 2017. Earlier adoption is permitted.</p>
<p>Section PS 3320 Contingent assets</p> <p>This new Section defines and establishes disclosure standards for contingent assets.</p> <p>Contingent assets are possible assets arising from existing conditions or situations involving uncertainty. That uncertainty will ultimately be resolved when one or more future events not wholly within the public sector entity's control occur or fail to occur and that resolution will confirm the existence or non-existence of an asset.</p> <p>Disclosure of information about contingent assets is required when the occurrence of the confirming future event is likely.</p>	<p>Fiscal years beginning on or after April 1, 2017. Earlier adoption is permitted.</p>
<p>Section PS 3380 Contractual rights</p> <p>This new Section defines and establishes disclosure standards on contractual rights. Contractual rights are rights to economic resources arising from contracts or agreements that will result in both an asset and revenue in the future.</p> <p>Disclosure of information about contractual rights is required, including a description about their nature and extent and the timing.</p>	<p>Fiscal years beginning on or after April 1, 2017. Earlier adoption is permitted.</p>

Public Sector Accounting Board – [updated September 30, 2017]	Effective date
<p>Section PS 3430 Restructuring transactions</p> <p>This new Section defines a restructuring transaction and establishes standards for recognizing and measuring assets and liabilities transferred in a restructuring transaction.</p> <p>A restructuring transaction is a transfer of an integrated set of assets and/or liabilities, together with related program or operating responsibilities without consideration based primarily on the fair value of the individual assets and individual liabilities transferred. The main requirements in the new Section are:</p> <ul style="list-style-type: none"> • The net effect of a restructuring transaction is recognized as revenue or an expense by the entities involved (transferor/recipient). • The recipient must recognize the individual assets and liabilities received in a restructuring transaction at their carrying amounts with applicable adjustments at the restructuring date. • The transferor and recipient cannot restate their financial position or results of operations as if the transaction had happened from inception. • The transferor and recipient must disclose sufficient information to enable users to assess the nature and financial effects of a restructuring transaction on their financial position and operations. <p>The issuance of this new Section also resulted in consequential amendments to Section PS 3050 <i>Loans receivable</i>.</p>	<p>Fiscal years beginning on or after April 1, 2018. Earlier adoption is permitted.</p>

Proposed modifications to the accounting standards for not-for-profit organizations in the private and public sectors

In April 2013, the Accounting Standards Board (AcSB) and the Public Sector Accounting Board (PSAB and collectively, the Boards) published a joint statement of principles (SOP) entitled *Improvements to Not-for-Profit Standards*. The changes proposed in the SOP would apply to private sector NFPOs that apply Part III of the CPA Handbook – Accounting Standards for Not-for-Profit Organizations and public sector NFPOs that apply the CPA Canada Public Sector Accounting Handbook (PSA Handbook) including the Section PS 4200 to 4270 series of standards contained within the PSA Handbook. The consultation document issued by the Boards proposed improvements to better meet the needs of financial statement users and, where possible, to align accounting standards for private and public sector NFPOs.

The Boards received an overwhelming 292 responses from interested parties of which 11% related to the proposals for public sector NFPOs. The Boards analyzed the responses and discovered some common concerns with certain proposed principles, including:

- contributions and pledges
 - only recognizing contributions and pledges receivable when the NFPO has control over the contribution and can exercise its control;
 - recognizing contributions as revenue immediately unless the contribution gives rise to an obligation that meets the definition of liability;
- controlled and related entities
 - consolidating all controlled NFPOs;
 - equity accounting for all controlled for-profit entities;
- financial statement presentation
 - presenting expenses by function in the statement of operations and disclosing expenses by object in the notes to the financial statements; and
 - presenting total fundraising and general expenses separately in the statement of operations (or disclosing the amounts in the notes).

The Boards met in March 2015 to develop a process to address the SOP. They discussed key issues including: user needs, a need for symmetry between both private and public NFPOs, and future timing of the project. In late June 2015, PSAB discussed their own project plan to improve its standards for NFPOs. As part of its proposed strategic initiative, the PSAB plans to explore the implications of all government organizations following the same set of standards. PSAB will also consider whether its standards should provide more flexibility when being applied to different stakeholder groups. While the AcSB will continue to issue not-for-profit standards, PSAB will monitor and assess any accounting differences from a broader public sector perspective.

Appendix D – Auditing developments

Canadian Auditing Standards (CASs) and other Canadian Standards issued by the AASB	Effective date
<p>Replacement of the Joint Policy Statement Concerning Communications with Law Firms Regarding Claims in Connection with the Preparation and Audit of Financial Statements and AuG-46, Communication with Law Firms under New Accounting and Auditing Standards</p> <p>The former joint policy statement, which was appended to CAS 501, <i>Audit Evidence – Specific Considerations for Selected Items</i>, was based on the terminology and accounting requirements of Part II of the CPA Canada Handbook. That joint policy statement was replaced with a revised statement of the same name that incorporates the following fundamental changes:</p> <ul style="list-style-type: none"> • expanding the scope of the revised Statement to apply to in-house legal counsel who are acting in a legal capacity by performing a role that commonly would be performed by external legal counsel; • providing a more detailed discussion on the legal concept of privilege; • structuring the revised Statement to be accounting framework neutral so that it can be used regardless of the applicable financial reporting framework applied by management to evaluate the entity's claims and possible claims; and • updating guidance with respect to the timing of issuance of the inquiry and response letters. <p>The implementation of this Policy Statement has resulted in the withdrawal of AuG 46 Communications with Law Firms under new Accounting and Auditing Standards.</p>	<p>The revisions are effective for communication letters issued on or after December 1, 2016.</p>
<p>Replacement of Section 5020, Association with CSOA 5000, Use of the Practitioner's Communication or Name</p> <p>The AASB has approved the replacement of Section 5020 with a new standard to address a number of issues that were raised by practitioners and other Canadian stakeholders. The key issues that are now addressed in CSOA 5000 include:</p> <ul style="list-style-type: none"> • Determining the meaning of "association"; • Identifying when a practitioner becomes associated with information; • Establishing the work effort required and the communications needed in the context of the nature and extent of the practitioner's association with information; and • Determining how this standard should interrelate with other standards. 	<p>CSOA 5000 is effective for consents provided on or after June 1, 2017 with early adoption permitted.</p>
<p>CSAE 3000 – Attestation Engagements Other than Audits or Reviews of Historical Financial Information and CSAE 3001 – Direct Engagements</p> <p>In an attestation engagement, the practitioner's objective is to reach a conclusion on a public statement or assertion issued by the party responsible for the underlying subject matter of the engagement. In a direct engagement, there is no public statement or assertion by the responsible party and the practitioner expresses a conclusion "directly" on the underlying subject matter.</p> <p>The two standards noted above replace the following sections:</p> <ul style="list-style-type: none"> • Section 5025 – <i>Standards for Assurance Engagements Other Than Audits of Financial Statements and Other Historical Information</i>; • Section 5030 – <i>Quality Control Procedures for Assurance Engagements</i> 	<p>The final standards are effective for attestation and direct engagements where the assurance report is dated on or after June 30, 2017, with early adoption permitted.</p>

Canadian Auditing Standards (CASs) and other Canadian Standards issued by the AASB	Effective date
<p><i>Other Than Audits of Financial Statements and Other Historical Financial Information;</i></p> <ul style="list-style-type: none"> • Section 5049 – <i>Use of Specialists in Assurance Engagements Other Than Audits of Financial Statements and Other Historical Financial Information;</i> • Section 5050 – <i>Using the Work of Internal Audit in Assurance Engagements Other Than Audits of Financial Statements and Other Historical Financial Information;</i> and • Section 8100 – <i>General Review Standards.</i> <p>The key differences between the superseded standards and the new standards relate to a number of different areas, including the number and format of the standards, the relationships between assurance standards, the terminology and definitions, specifications regarding those assurance providers who can claim compliance with assurance standards, the detailed requirements of the standards, and limited assurance engagements. The full extent of the changes is beyond the scope of this summary, but Grant Thornton would be happy to provide further information, if required.</p>	
<p>Amendments to CAS 250, <i>Consideration of Laws and Regulations in an Audit of Financial Statements</i></p> <p>The amendments to this standard have not changed the work effort of the auditor and serve to clarify existing guidance. The key changes are intended to:</p> <ul style="list-style-type: none"> • help the auditor decide whether to report identified or suspected non-compliance to authorities outside the entity • clarify the auditor’s duty of confidentiality and any additional responsibilities the auditor may have according to laws, regulations and relevant ethical requirements • enhance consideration of the implications of non-compliance with laws and regulations for the audit • emphasize the fact that, in certain cases, communication with management or those charged with governance may be restricted or prohibited by law or regulation 	<p>CAS 250 (revised) applies to audits of financial statements for periods ending on or after December 15, 2018.</p>
<p>Amendments to CAS 700 and other standards pertaining to Reporting on Audited Financial Statements and adoption of 701, <i>Communicating Key Audit Matters in the Independent Auditor’s Report</i></p> <p>The key changes to the existing Canadian standards as a result of adopting CAS 700 (revised) and CAS 701 are as follows:</p> <ul style="list-style-type: none"> • Expanded disclosures regarding management’s responsibilities related to going concern, specifically: the responsibility to assess the entity’s ability to continue as a going concern and whether the use of the going concern basis of accounting is appropriate as well as disclosing, if applicable, matters relating to going concern. • Expanded disclosures regarding the auditor’s responsibilities related to going concern, specifically: the requirement to conclude on the appropriateness of management’s use of the going concern basis of accounting and, if based on the audit evidence obtained, whether the auditor concludes a material uncertainty exists related to events or conditions that may cast significant doubt on the entity’s ability to continue as a going concern. If the auditor concludes that a material uncertainty exists, the auditor is required to draw attention in their report to the related disclosures. • Disclosure of the engagement partner’s name in auditor’s reports for audits of listed entities. • Changes to the descriptions of the responsibilities of management, the auditor and those charged with governance, including a reference to who within the entity is responsible for overseeing the reporting process (when those charged with governance are distinct from management) (ISA 700) • Adoption of a new standard (CAS 701) that deals with the requirements when the auditor will be communicating the matters judged to be most 	<p>The new reporting standards apply for periods ending on or after December 15, 2018, with earlier application permitted.</p>

Canadian Auditing Standards (CASs) and other Canadian Standards issued by the AASB	Effective date
<p>significant to the audit in the audit report, either because the auditor has chosen to do so or because law or regulation requires key audit matters to be described in the auditor's report.</p> <p>It is believed that these changes will enhance the communicative value of the auditor's report and also improve the overall quality of the audit and financial reporting.</p>	
<p>Amendments to CAS 720, <i>The Auditor's Responsibilities Relating to Other Information</i> The main changes are as follows:</p> <ul style="list-style-type: none"> • broadening and clarifying the scope of other information by linking it to the concept of an "annual report" • enhancing the auditor's work effort with respect to other information; and • providing transparency by requiring reporting on the auditor's work relating to other information. <p>The concept in extant CAS 720 that other information is not audited (i.e. that auditors do not provide assurance on the other information) has been retained.</p>	<p>CAS 720 applies for periods ending on or after December 15, 2018, with earlier application permitted.</p>
<p>Amendments to CAS 800, <i>Special Considerations – Audits of Financial Statements Prepared in Accordance with Special Purpose Frameworks</i>, and CAS 805, <i>Special Considerations – Audits of Single Financial Statements and Specific Elements, Accounts or Items of a Financial Statement</i> CAS 800 and CAS 805 have been amended to provide guidance as to how the enhancements to the Auditor Reporting standards apply to audits of special purpose financial statements and audits of specific elements, accounts or items of a financial statement.</p>	<p>CAS 800 and CAS 805 apply for periods ending on or after December 15, 2018, with earlier application permitted.</p>
<p>Amendments to CAS 810, <i>Engagements to Report on Summary Financial Statements</i> The key changes are as follows:</p> <ul style="list-style-type: none"> • The requirements of extant CAS 810 have been amended to require a material misstatement related to going concern or a material misstatement of other information to be highlighted in the CAS 810 report, if these items have been highlighted separately in the auditor's report on the related audited financial statements in accordance with the new reporting format. • A new requirement has been introduced for CAS 810 reports to include a reference to the communication of key audit matters in the auditor's report on the audited financial statements <p>The layout of the CAS 810 illustrative auditor's report has been altered to be consistent with those in CAS 700 (Revised).</p>	<p>CAS 810 applies for periods ending on or after December 15, 2018, with earlier application permitted.</p>
<p>Amendments to CAS's related to the subject of Addressing Disclosures in the Audit of Financial Statements The AASB has approved certain changes to the standards that clarify how auditors should address the audit of financial statement disclosures. The changes include:</p> <ul style="list-style-type: none"> • Clarifying the meaning of "Disclosure"(CAS 200) • Providing guidance to auditors to address audit considerations relating to disclosures early in the Audit (CAS 210, 260, 300) • Disclosure considerations in identifying, assessing and responding to risks of material misstatement (CAS 240, 315, 320 and 330) <p>Clarifying and elaborating on expectations of the auditor when evaluating misstatements and forming an opinion (CAS 450 and 700)</p>	<p>These revised standards apply for periods ending on or after December 15, 2018, with earlier application permitted.</p>

City of Port Colborne
Unfunded Capital Projects

Schedule C

		at Dec 31, 2015						Total		at Dec 31, 2016					
		Balance	deposit on sale	sale of land	expenses/donations	revenue fund	debenture	reserve	Capital Alloc	Balance	Future funding				
3-160-35131	Island Property sale	33,263.22	-	30,000.00					-	3,263.22	sale of property				
3-160-35122	Babcox Wilcox Property	250,829.94							-	250,829.94	sale of property				
3-160-35132	861 Elm St-Oskam Steel	50,534.27						25,534.27	-	25,000.00	future taxes				
3-160-35133	CMT School	549,108.90		- 384,299.98	24,274.54				-	189,083.46	sale of property				
3-160-35134	40-44 Killaly st	144,711.09						5,724.47	-	138,986.62	sale of property				
3-500-33133	Roselawn Bld	34,526.91							-	34,526.91	sale of piano				
3-550-33129	Road Const	122,947.26							-	122,947.26	2016 Roads Const budget				
3-550-33129	Railway grade crossings					100,000.00			-	100,000.00	expended in 2017				
3-500-33122	Roads					2,198.56			-	2,198.56	apply to unfunded roads				
3-550-33179	East Side Employment Lands	315,421.77			71,537.41		450,000.00		-	63,040.82	expended in 2017				
3-500-33134	Operations Centre	155,455.01			624,661.99		634,000.00	9,338.01	-	155,455.01	Future Debenture 2017				
3-500-33593	Operations Centre				7,659,319.44		6,127,000.00	9,338.01	1,522,981.43	1,522,981.43	Future Debenture 2017				
3-540-33142	Island Land Purch-Op Centre	226,161.90					226,000.00		-	161.90	Future Debenture 2017				
3-670-33604	Main St CIP	320,684.08			88,237.40	57,132.00		210,869.00	-	255,184.48	maturing debentures in 2014				
3-670-33605	Marina Land	141,346.33				30,630.00			-	110,716.33	currently in budget-\$30,000/year				
	SHM Boat Storage Equipment	28,372.96							-	28,372.96	matured debentures				
3-670-33603	SHM FuelPump/Tank Replace	22,964.83			6,818.30				6,818.30	29,783.13	matured debentures				
3-670-33606	SHM Shower Renov	35,521.00						31,168.00	-	31,168.00	matured debentures				
3-600-33568	SHM Fencing	9,950.00				9,950.00			-	9,950.00	2016 budget				
3-600-33568	SHM Fencing				10,998.80				-	10,998.80	2017 budget				
3-670-33609	SHM Pumping station	5,274.54				5,274.54			-	5,274.54	2016 budget				
3-800-34012	Museum Log Cabin	19,248.07			6,762.00				-	6,762.00	fund over 3 yrs 2016 to 2018				
3-800-34006	Museum Building	23,920.00				6,000.00			-	6,000.00	fund over 4 yrs 2016 to 2019				
3-600-33584	Sherkston Comm Centre	19,583.94				5,000.00			-	5,000.00	fund over 4 yrs 2016 to 2019				
3-600-33568	SHM Weed Harvester	18,190.00				9,000.00			-	9,000.00	fund over 5 yrs 2013 to 2017				
3-200-32700	Finance Computer	9,183.00				5,000.00			-	5,000.00	fund over 5 yrs 2013 to 2017				
		2,537,199.02	-	30,000.00	- 384,299.98	8,492,609.88	-	115,921.10	-	7,437,000.00	-	273,295.74	282,093.06	2,789,292.08	
3-595-33416	Water meters program				200,876.08				200,876.08	200,876.08	Future Debenture 2017				
3-595-33417	Lakeshore watermain				29,430.72				29,430.72	29,430.72	2017 capital budget				
3-590	sewer	4,223.00								4,223.00	Alloc from Sewer fund-surplus				
		4,223.00			230,306.80	-			230,306.80	234,529.80					
												512,399.86			

December 12, 2017

CL 17-2017, December 7, 2017
CSC 14-2017, November 29, 2017
Report CSD 77-2017

LOCAL AREA MUNICIPAL COUNCILS

SENT ELECTRONICALLY

Commercial and Industrial Sub Class Tax Rate Reductions and Rebates
CSD 77-2017

Regional Council, at its meeting of December 7, 2017, approved the following recommendation of its Corporate Services Committee:

That Report CSD 77-2017, dated November 29, 2017, respecting Commercial and Industrial Sub Class Tax Rate Reductions and Rebates, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the public consultation process described in Report CSD 77-2017 and which is required to consider changes to the Commercial and Industrial Vacant and Excess Land sub-class reductions and Commercial and Industrial Vacancy Rebates **BE APPROVED**; and
2. That Report CSD 77-2017 **BE APPROVED** and **CIRCULATED** to the Councils of the area municipalities for information.

A copy of report CSD 77-2017 is enclosed for your information.

Yours truly,



Frank Fabiano
Acting Regional Clerk
:cjp

CLK-C 2017-132

cc: H. Chamberlain, Director, Financial Management and Planning, Enterprise Resource Management Services
J. Burgess, Commissioner, Enterprise Resource Management Services
M. Montague, Executive Assistant to the Commissioner, Enterprise Resource Management Services

Subject: Commercial and Industrial Sub Class Tax Rate Reductions and Rebates

Report to: Corporate Services Committee

Report date: Wednesday, November 29, 2017

Recommendations

1. That the public consultation process described in this report and which is required to consider changes to the Commercial and Industrial Vacant and Excess Land sub-class reductions and Commercial and Industrial Vacancy Rebates **BE APPROVED**
2. That this report **BE APPROVED** and **CIRCULATED** to the Councils of the area municipalities for information.

Key Facts

- The purpose of this report is provide Council with the data required to understand opportunities related to new legislation on Commercial and Industrial Vacant and Excess Land tax rate sub-class reductions and Commercial and Industrial vacancy rebates in advance of considering the 2018 tax policy decisions in 2018 Q1 and to proceed with the necessary public consultation process.
- The Commercial and Industrial Vacant and Excess Land sub-classes are currently automatically provided with a 30% discount to the Commercial and Industrial tax rates
- The Commercial and Industrial classes have available to them the application based 30% rebate program for building vacancies that are greater than 90 days in the year.
- Commencing in 2017, the Province is providing municipalities a greater range of options to eliminate or modify these programs however the process must include public consultation and a subsequent application to the Province for a regulation to prescribe the percentages.
- In 2016 the City of St. Catharines initiated a request to the Region to consider a single sub-class reduction for the tax rates for Industrial and Commercial classes. This change was made to the Region's 2017 tax policy based upon the analysis completed. A reduction to the industrial sub-class reduction was approved at 30% (industrial formerly 35%) and was guided by pre-existing regulations that did not require the public consultation process.
- The above changes were highlighted in the discussion of 2017 tax policy and Council was provided with some additional general information in CSD 26-2017.

Financial Considerations

There are two components to these two incentives provided to the Commercial and Industrial properties:

Sub-class Rate Reductions – Currently the Region's sub-class reductions provide a 30% discount to both Commercial and Industrial Vacant and Excess Land subclasses. There are no direct costs to the Region for changes in these reductions, only shifts in taxes across classes and municipalities. The Region engaged Municipal Tax Advisory Group (MTAG) to undertake a study of the sub-class reduction impacts across property classes and across municipalities and this analysis is included in Appendix 1 to this report. Page 116 of the attachment provides, for illustrative purposes, the pure effect of discounts to the benefit of the industrial and commercial properties owners which total \$535,000 and \$1,021,000 respectively.

MTAG modelled a number of scenarios to better understand the full impacts on Regional taxation of eliminating the discounts. As these discounts also have municipal tax impacts, the pages 32 to 115 of Appendix 1 model the same scenarios for municipal taxes for the benefit of municipal analysis and discussion. Any of these options may be considered individually or together or in part and are presented for discussion purpose.

The seven scenarios are as follows:

1. Commercial vacant land discount reduced to 0% from 30%
2. Commercial Excess land discount reduced to 0% from 30%
3. Industrial Vacant land discount reduced to 0% from 30%
4. Industrial Vacant land discount reduced to 0% from 30%
5. Commercial vacant and excess land discount reduced to 0%
6. Industrial vacant and excess land discount reduced to 0%
7. All commercial and industrial vacant and excess land discounts reduced to 0%

The schedules providing the Regional redistribution of taxes are provided on pages 18 to 31. These schedules reflect the impacts based on the recalculation of tax rates using the 2017 general levy.

The full elimination of these discounts is modeled on page 30 of the appendix and has the obvious impact of increasing taxes to those who received the discounts but decreases the property taxes to all others as follows:

- Decreases on the residential property class (83% of Regional assessment) equivalent to 0.30% or \$1 million in assessment growth from elimination of commercial discounts. Adding in the elimination of Industrial discounts the benefit to residential tax payers increases equivalent to 0.46% or \$1.5 million in assessment growth. For the median residential property assessed at 248,200 the benefit is a \$6.63 reduction to the \$1,433 in annual taxes.
- Every \$1 million in commercial assessment would see a decrease of \$47.00 due to the elimination of commercial and industrial discounts.

- Every \$1 million in industrial assessment would see a decrease of \$70.00 due to the elimination of commercial and industrial discounts.

The municipal redistribution of eliminating all industrial and commercial subclass discounts is on page 31 of Appendix 1. The \$346,489 increase in distribution to Niagara Falls is reflective of the greatest discounts provided in that municipality that if eliminated reduce the distributed to the other eleven local area municipalities at amounts ranging from \$2,730 for Town of Lincoln to \$204,621 for the City of St. Catharines.

Vacancy Rebates – Currently the Region’s vacancy rebate program provides for a 30% rebate to both Commercial and Industrial property classes. The Region and each Municipality budget for the cost of providing these vacancy rebates. These impacts are not included in the Appendix 1 as they impact budget and general levy directly. The Region’s 2017 budget for these rebates is \$921,000 and actual results for the last two years are as per Table 1 below. The elimination of these rebates would reduce the region’s general levy budget by 0.30%. The benefit to the residential taxation in of eliminating rebates in addition to discounts is a total of 0.76% reduction or \$10.88. For the commercial and industrial properties assessed at \$1 million the reduction of eliminating discounts and rebates is \$77.00 and \$115.00 respectively.

Table 1 – Regional Vacancy Rebates by Municipality

	2015 actual		2016 actual		2017 forecast	
	IT	CT	IT	CT	IT	CT
St. Catharines	27,731.20	433,957.52	83,416.68	272,052.72	82,894.24	280,973.10
Niagara Falls	27,742.00	244,397.00	21,963.00	292,918.00	18,306.00	104,253.00
Welland	6,724.37	117,301.30	2,103.32	100,482.85	10,963.35	88,439.21
Thorold	33,488.62	21,286.65	72,716.44	24,509.86	74,697.21	26,592.21
Fort Erie	21,824.78	59,051.68	27,413.07	54,743.18	27,649.03	30,725.59
Grimsby	1,839.08	20,587.34	12,246.14	16,858.74	7,042.61	18,723.04
NOTL *	0.00	9,142.28	0.00	29,266.36	0.00	19,402.08
Port Colborne	10,649.71	27,401.14	2,420.01	18,872.05	2,340.00	19,100.00
Pelham	734.68	14,000.39	0.00	11,275.27	0.00	13,172.62
West Lincoln *	0.00	6,228.00	0.00	8,254.66	0.00	15,236.44
Wainfleet	0.00	1,509.39	0.00	1,539.71	0.00	1,685.77
Lincoln	344.67	19,441.84	0.00	0.00	0.00	0.00
Totals	\$131,079	\$974,305	\$222,279	\$830,773	\$223,892	\$618,303
Annual Total		1,105,383.64		1,053,052.06		842,195.50

Analysis

At the time of the 2017 tax policy change to the Industrial sub-class tax rate reduction from 35% to 30% the following Municipal Act sections applied.

Section 313 of the Municipal Act provides that the commercial and industrial subclasses for vacant and excess land may be 30% for commercial and 35% for industrial.

However the upper tier may pass a by-law providing for a single percentage of not less than 30% and not more than 35%. CSD 10-2016 recommended a single percentage of 30% for both subclasses therefore approval was required to reduce the industrial from 35% to 30%.

Section 364 of the Municipal Act requires municipalities to provide vacancy rebates to the Commercial and Industrial classes at 30% and 35% respectively. This would apply to the primary property classes that do not have tax policy reductions. However subsection 364(4) requires that if an upper tier municipality establishes a single percentage for a year under subsection 313 (1.1) that percentage applies for the year to vacancy rebates to Commercial and Industrial properties rather than the rates in section 364.

Commencing in 2017, new opportunities and process is available to consider further reductions to the vacant unit and excess land subclasses.

- Discounts were previously limited to 30% to 35% for commercial and industrial properties
- Discounts can now be anywhere from 0% to 100%
- Separate rates can be set for commercial and industrial classes
- Public consultation and a regulation is required to approve the change
- Discounts adopted no longer need apply to the vacant unit rebate program in each lower tier municipality and municipalities may establish different rates for commercial and industrial classes. Previously the lower-tier determined the specific details of program but the Region established the percentage
- Each lower tier municipality may have different vacant unit rebate percentages than other lower tier municipalities in the Region. Region would establish the rebate rate for the municipality and the municipality would continue to establish the program rules.

Arguments for elimination the vacancy rebate and reduction program are as follows:

- Normal and chronic vacancy do get included in the income valuation of commercial properties assessed by MPAC. Obsolescence is also a factor in the cost valuation of properties. Vacancy rebates can be argued to duplicate adjustment already included in MPAC valuations
- Vacant and excess land valuation by MPAC already reflect the fact that there are no improvement on the land it can therefore argued that there is no need to also adjust the tax rate to a lower level for these properties
- Vacancy rebated may be providing some financial incentive to property owner who may be acquiring land for long term speculation rather than immediate productive use
- The elimination of vacancy rebates may provide an incentive to more actively pursue productive use of vacant property by commercial and industrial property owners.

- Dollars directed at vacancy rebates may be repurposed to incent redevelopment rather than retaining the property in a non-productive state.

Arguments for not eliminating vacancy rebate and reduction program are as follows:

- Prior to 1998, business tenants paid Business Occupancy Tax taxes directly to the municipality in respect of their tenancy as a percentage of the property tax paid ranging from 25% to 75% depending on the nature of the business. The percentages were legislated in the Assessment Act. The property owner was liable for the property taxes on the building. With the tax reform that occurred in 1998 the business occupancy tax was added to the property tax and became a liability of the property owner. The vacancy rebate was created for the landlord so that taxes did not increase significantly on vacant areas that would not have paid business occupancy tax prior to 1998. Property owners can therefore argue that their share of the property tax should not be increased from what it was in 1998 because of the elimination of business occupancy tax.

The Director of Economic Development was consulted and he will be involved in the public consultation process.

Public Consultation

Many municipalities are taking advantage of these options and examples of their consultation and program changes are provided in Appendix 2.

In advance of the consideration of 2018 tax policy decisions staff would recommend that the following public consultation tax place during the period January to February:

- One open house for the general public – Niagara Region Headquarter (location to be determine), location is central and with good access to members of the public. Details of meeting to be advertised using social media, Facebook, print media and the Region's website.
- One open house for business class property owners – same as above with distribution to Chamber of Commerce, Business Improvement Areas etc. where business owners are also invited to make written submission or appear in person at the open house.
- Engagement meeting with the municipal stakeholders – invitations to all local area municipal councils for their distribution to municipal stakeholders in Finance, Planning, Economic Development etc.
- An on-line survey/questionnaire - Finance will work with the Communication team to develop a series of questions to capture feedback from the public on the impacts of the program and feedback on options for changes.

Alternatives Reviewed

No recommendations for policy changes are being made at this time and will only come forward to Council following the consultation process.

Relationship to Council Strategic Priorities

CSD 79-2016, Regional Council, December 8, 2016
CSD 26-2017, Regional Council, March 30, 2017
CWCD 142-2017, Regional Council, April 7, 2017

Prepared by:

Helen Chamberlain, Director
Financial Management and Planning
Enterprise Resource Management
Services

Recommended by:

Jason Burgess, Acting Commissioner
Enterprise Resource Management
Services

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared by Helen Chamberlain, Director, Financial Management and Planning/Deputy Treasurer.

Appendices

Appendix 1 2017 Tax Policy Study, Modelling of Changes to Subclass Discounts
Appendix 2 The Vacancy Rebate and Reduction Programs Update (June 2017)

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December 12, 2017

CL 17-2017, December 7, 2017
PEDC 10-2017, November 29, 2017
Report PDS 41-2017

LOCAL AREA MUNICIPAL CLERKS

SENT ELECTRONICALLY

High Level Official Plan Process Framework
PDS 41-2017

Regional Council, at its meeting of December 7, 2017, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 41-2017, dated November 29, 2017, respecting High Level Official Plan Process Framework, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the New Official Plan Process Framework, as set out in this report, **BE ENDORSED** for the purpose of initiating the New Regional Official Plan process; and
2. That this report **BE CIRCULATED** to the Clerks of the Local Area Municipalities.

A copy of report PDS 41-2017 is enclosed for your information.

Yours truly,



Frank Fabiano
Acting Regional Clerk
:cjp

CLK-C 2017-136

cc: D. Heyworth, Official Plan-Consultant Planning and Development Services
R. Mostacci, Commissioner, Planning and Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services

Subject: High Level Official Plan Process Framework

Report to: Planning and Economic Development Committee

Report date: Wednesday, November 29, 2017

Recommendations

1. That the New Official Plan Process Framework, as set out in this report, **BE ENDORSED** for the purpose of initiating the New Regional Official Plan process.
2. That this report **BE CIRCULATED** to the Clerks of the Local Area Municipalities.

Key Facts

- The purpose of this report is to seek Council's endorsement of the Official Plan Process Framework.
- The New Regional Official Plan (ROP) is a long range policy document that provides comprehensive policy direction and inter-related policies.
- The New ROP represents the opportunity to create a concise, "more user friendly", contemporary document that: provides guidance to local municipalities; ensures the Regional mandate (interests) are comprehensively applied; and achieves conformity with provincial plans in order to achieve great development.
- As set out in this report, the New ROP will be completed in sections in alignment with the outlined engagement profile but will be formally adopted by By-law as one integrated comprehensive document.
- The development of the New ROP will require constant consultation with local municipal partners, who will need to implement the Plan at the local level, as well as the Province representing the ultimate approval authority of the Plan.
- The New ROP will need to be informed by the completion of numerous interrelated background studies.
- Area Planners received a power point presentation on the New ROP development framework on October 27, 2017.

Financial Considerations

The completion of the necessary Background Studies will require the combination of significant staff and consulting resources over the next two to three years. Council approved the resources to complete the New Official Plan over the next 5 years as part of the 2017 Budget Process.

Analysis

Background

Ontario's *Planning Act* (S. 26) requires municipalities to undertake regular reviews (five or ten year reviews) of their Official Plans to align with Provincial requirements. The Act requires alignments be achieved in the following areas:

- Conformity/Consistency with Provincial Plans (Places to Grow; Greenbelt, NEC, Provincial Policy Statements)
- Alignment with the goals of the Planning Act

A New ROP will be an essential Council land use policy document for a planning horizon to 2041. An updated ROP will align with new Provincial Policy and with Regional objectives. It will also provide policy guidance on emerging matters such as a comprehensive regional employment strategy and climate change.

Approved in 1973, first as the Regional Policy Plan, the current ROP) has not been comprehensively updated. The historical structure of the ROP never contemplated the comprehensive long range planning guidance required by the contemporary Provincial planning requirements. A New ROP that reflects Provincial Policy and up-to-date current planning practice will reduce the risk to the development community and allow the local Official Plans to be brought up to date.

By approval of Report PDS 40-2016, Council endorsed the approach of the preparation of a New ROP from start to finish rather than a series of site specific topic amendments. The New ROP will be processed under Section 26 of the *Planning Act*.

Key Official Plan Objectives

The key objectives of the New Official Plan in terms of structure and content are to:

- Promote and achieve great development outcomes.
- Be more user friendly for the public, stakeholder groups, consultant, staff and Council.
- Be more concise and provide clearer policy guidance where necessary and latitude where appropriate.
- Address Provincial requirements, Regional interests and provide guidance to the Local Area Municipalities.

Assigning Resources and Work Program

At the end of July 2017, the Official Plan-Policy Consultant (staff) began working with the Community and Long Range Planning Division.

Among the first steps examined was to ensure needed background studies would be completed to properly inform the preparation/writing of the New ROP and address the requirements of the 2017 Provincial Growth Plan.

The background studies/strategies identified as a priority to complete are the Regional Land Needs Assessment, the Regional Employment Strategy, the Regional Urban Structure and the Regional Housing Strategy. These studies were initiated as part of the MCR (except for the Regional Housing Strategy), but were been put on hold pending the Provincial Coordinated Provincial Plan Review which is now complete. The goal is to substantially complete these studies by Q2 2018.

Background studies will be developed in consultation with municipal partners and receive input from stakeholders. Key components associated with each of these Background Studies are as follows:

Regional Land Need Assessment

The Regional Land Needs Assessment will determine the amount of developable urban land required for residential and employment purposes. It will also identify any excess lands – that being lands that will likely not be develop by 2041. Guidance from the Province for this is expected by Q1 2018.

Regional Employment Lands Strategy

The Regional Employment Lands Strategy will ensure there are sufficient population based employment lands to serve the growing regional population as well as sufficient marketable areas for traditional industrial employment. It is Important to identify Regional Employment Areas - being areas of business and economic activity for long term employment development which are to be protected from conversion. The strategy will also ensure sufficient supply of lands for employment purposes and ensure employment areas are marketable for their intended purpose.

Regional Urban Structure

The Regional Urban Structure will identify important strategic growth nodes within the region to 2041 and assign population and density accordingly. For example, strategic growth targets will be established for downtown St. Catharines which is identified in the Growth Plan as an Urban Growth Centre.

Regional Housing Strategy

The Regional Housing Strategy is intended to ensure a proper housing mix in terms of housing forms over the planning horizon of the New ROP to provide choice, aging in place opportunities and affordability. This will involve setting affordable housing targets and establishing tools to support affordable housing.

Priority Background Studies/Strategies – Resource & Environment Related

Natural Heritage & Water Systems Planning

Natural Heritage and Water Systems planning will be a significant component of the New ROP to meet Provincial policy direction. Protecting significant natural features (woodlots and wetlands for example), and water courses, as defined by the Province with appropriate clear policy application is a critical component of the Provincial planning framework. Watershed Planning is another requirement of the Provincial framework which will further ensure water resources and issues like storm water management are properly addressed.

This work will be supported by consultant services and will include the assessment of natural heritage and water systems options for policy and mapping and establish criteria for provincial compliance.

Agriculture Study

Agriculture is a primary component of the region's economy and the protection of the regions unique land base is reflected in Provincial planning documents. An Agricultural Study will with consultant support for specific policy areas, such as for agricultural-related and on-farm diversified uses. The intent will be to ensure conformity with Provincial planning documents and while supporting the interest of the local agricultural industry.

Aggregate Resources

Many types of aggregates resources are located throughout the region - these resources are essential to the economy. The extraction of the resource necessary while at the same time addressing land use compatibility. An amendment to update Aggregate Resource policies in the ROP was initiated through Imagine Niagara and will now be carried forward as a section of the New ROP.

Climate Change

Much of the direction, whether indirectly or directly of the 2017 Growth Plan has a foundation in responding to climate change. The Growth Plan's focus on public transit supportive densities, complete communities, multi-modal transportation, complete streets, watershed planning and natural heritage protection are related to climate change. Climate change guidance will be integrated throughout the New ROP, such as watershed planning and low impact development standards as well assessing obligations and options on the region's role relative to greenhouse gas emission targets.

Important Planning Act Considerations

Bill 73, *Smart Growth for Our Communities Act*, came in to force and effect on July 1, 2017. When a New ROP is passed, no privately-initiated applications to amend it will be permitted for 2 years, unless supported by the municipality. This means a Council resolution is required to accept a privately initiated Amendment.

Bill 139, *Building Better Communities and Conserving Watersheds Act*, has obtained Second Reading in the Ontario Legislature. Proposed new sections to the *Planning Act* will eliminate the ability to appeal an Official Plan or Official Plan Amendment adopted in accordance with Section 26 of the *Planning Act*, if the approval authority is the Minister.

Engagement Profile

Engagement will be important component in all aspects of the Official Plan including the completion of Background Studies/Strategies. Appendix 1 lists Engagement Profile Points and Considerations to be considered during the development of further Background Studies/Strategies and Official Plan sections.

Alternatives Reviewed

There are various alternative approaches to completing the Official Plan in terms of Background Studies and Official Plan sections. Staff's recommended approach is to complete the New Official Plan in sections for endorsement and then integrate endorsed Sections into a comprehensive document approval. This is much more efficient and avoids numerous opportunities for appeal and confusion.

It is noted that the process for preparing an Official Plan is fluid and issues arise which change priorities and possibly the framework.

Relationship to Council Strategic Priorities

A New ROP will assist in implementing Council's Strategic Priority of Innovation, Investment, & Entrepreneurship.

Other Pertinent Reports

PDS 40-2016: Regional Official Plan Update
PDS 41-2016: Coordinated Policy Review Proposed Revisions
PDS 15-2017: Bill 73 Planning Act Changes

Prepared by:

Dave Heyworth, MCIP, RPP
Official Plan-Consultant
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared in consultation with Brian Dick, MCIP, RPP, Acting Manager, Long Range Planning and Danielle DeFields, MCIP, RPP, Manager, Community Planning, and reviewed by Doug Giles, Director, Community and Long Range Planning, BUS, MEP

Appendices

Appendix 1 Engagement Profile

Page 7

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DEC 15 2017

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December 12, 2017

CL 17-2017, December 7, 2017
PEDC 10-2017, November 29, 2017
Report PDS 47-2017

**NIAGARA PENINSULA CONSERVATION AUTHORITY
LOCAL AREA MUNICIPALITIES**

SENT ELECTRONICALLY

Niagara Peninsula Conservation Authority "The Living Landscape"
Draft Policy Document Review
PDS 47-2017

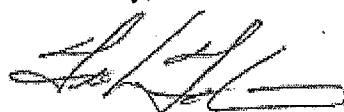
Regional Council, at its meeting of December 7, 2017, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 47-2017, dated November 29, 2017, respecting Niagara Peninsula Conservation Authority "The Living Landscape" Draft Policy Document Review, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That this report **BE RECEIVED** for information;
2. That the staff comments within this report and appendices respecting the Niagara Peninsula Conservation Authority's draft "The Living Landscape" policy document **BE ENDORSED**;
3. That a copy of this report **BE FORWARDED** to the Niagara Peninsula Conservation Authority for consideration in finalizing the "The Living Landscape"; and
4. That a copy of this report **BE FORWARDED** to Local Area Municipalities for information.

A copy of report PDS 47-2017 is enclosed for your information.

Yours truly,



Frank Fabiano
Acting Regional Clerk
:cjp

CLK-C 2017-137

cc: S. Norman, Senior Planner, Planning and Development Services
R. Mostacci, Commissioner, Planning and Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services

Subject: Niagara Peninsula Conservation Authority “The Living Landscape” Draft Policy Document Review

Report to: Planning and Economic Development Committee

Report date: Wednesday, November 29, 2017

Recommendations

1. That this report **BE RECEIVED** for information.
2. That this report and appendices respecting the Niagara Peninsula Conservation Authority’s draft “*The Living Landscape*” policy document **BE ENDORSED**.
3. That a copy of this report **BE FORWARDED** to the Niagara Peninsula Conservation Authority for consideration in finalizing the “*The Living Landscape*”.
4. That a copy of this report **BE FORWARDED** to Local Area Municipalities for information.

Key Facts

- The purpose of this report is to seek Council’s endorsement for comments on the draft “*The Living Landscape*” policy document.
- The Niagara Peninsula Conservation Authority (NPCA) is updating its policies, procedures and guidelines for the administration of Ontario Regulation 155/06. They have branded this document “*The Living Landscape*”.
- Comments on the April 2017 Draft “*The Living Landscape*” document are due December 31, 2017
- Comments on the draft policy document are grouped into 4 main categories, these include:
 - consistency and alignment with Ontario Regulation 155/06;
 - references to the Memorandum of Understanding between the NPCA and the Region and local area municipalities;
 - the integration of guidelines for policy administration and planning review in the document; and
 - the technical application of the policies and NPCAs Regulation (O. Reg. 155/06)

Financial Considerations

There are no direct financial considerations associated with commenting on the draft policy document.

Analysis

In September 2015, the NPCA initiated a process to review and update its main policy document, previously titled *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document*, through a project called "*The Living Landscape*". Throughout the development of the draft document, which is the subject of this report, staff from the Region maintained an open dialogue with the NPCA, offering input, feedback and suggestions for changes. The extent of the consultation with Region staff and other stakeholders during the process is appreciated.

In April of 2017, a draft of the document was circulated for comment. Comments were initially due earlier in the year, but the commenting deadline was extended until December 31, 2017 to allow for greater feedback opportunities.

While Regional staff have participated in providing feedback to the NPCA during the development of the draft document, this report and its appendix forms the formal Regional submission with respect to the draft document circulated for comment.

The draft document as circulated is approximately 160 pages in length and is divided into 14 sections, each speaking to a component of the NPCA's authority. The introduction section of the document is comprehensive and the preamble introducing each of the regulated features are clear, concise, and written with the user in mind. The inclusion of select graphics and illustrations is commended and greatly enhances readability.

The following is an overview of the attached comments contained in Appendix I to this report:

1. Consistency & Alignment

In general there appears to be inconsistencies between "*The Living Landscape*" document and NPCA's Regulation (O. Reg. 155/06). While there may be rationale for policies which don't align with the Regulation, this is not made clear in the document. Where there is an inconsistency between the Regulation and the policy document this should be explained to ensure consistent application.

2. References to the Memorandum of Understanding and Other Agencies

The document makes several references to the MOU between NPCA and Niagara Region and the local area municipalities. It is recommended that references to the MOU be removed including the associated direction on how NPCA staff will undertake these MOU responsibilities and that the document should focus on the administration of NPCA's Regulation (O. Reg. 155/06).

3. The Integration of Policy and Planning Guidelines

In the previous version of the NPCA Policy and Land Use Planning document, policy administration (Section 3) and plan review (Section 4) guidelines were outlined separately. In the new document, in many cases, the policy administration and plan review guidelines are integrated into a single section. This approach can lead to confusion as to what is to be commented on through a permit application and what is to be commented on through the review of a *Planning Act* application.

4. The Technical Application of the Policies and Regulation

In addition to the general themes above, there were several technical comments related to the development of the policies and application of O.Reg. 155/06.

Additionally, Bill 139, "*Building Better Communities and Conserving Watersheds Act, 2017*", if approved, will have impacts on the operation, roles, and responsibilities of the NPCA which may need to be reflected in "*The Living Landscape*" document.

Alternatives Reviewed

This report is recommended for endorsement as it represents the Region's comments on the NPCA's draft "*The Living Landscape*" policy document. Alternatively, Council could choose not to endorse this report and not to comment on the NPCA's draft policy document. This option is not recommended.

Relationship to Council Strategic Priorities

This report offers a Niagara Region perspective on the proposed NPCA "*The Living Landscape*" policy document. The NPCA plays a significant role in conservation and shaping development in Niagara. This report is aligned with the *Fostering Innovation, Investment and Entrepreneurship* priority.

Other Pertinent Reports

None

Prepared by:

Sean Norman, PMP, MCIP, RPP
Senior Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared in consultation with Erik Acs, MCIP, RPP, Senior Planner and reviewed by, Lindsay Earl, MCIP, RPP, Senior. Development Planner, Danielle De Fields, MCIP, RPP, Manager, Community Planning and Doug Giles, Director of Community and Long Range Planning.

Appendices:

Appendix I: Niagara Region Comments on Draft Living Landscape Document

Page 5

PDS 47-2017 Appendix I: Niagara Region Comments – Niagara Peninsula Conservation Authority Draft “The Living Landscape” Document

1. Consistency & Alignment

Draft Document Section	Niagara Region Comments
	<p>In general there appears to be inconsistencies between “The Living Landscape” document and NPCA’s Regulation (O. Reg. 155/06). It may be that there is a rationale for policies which don’t align with the regulation, but this is not made clear in the document. Where there is an inconsistency between the Regulation and the policy document this should be explained to ensure consistent application. Specific examples include:</p>
4.2.14.2	<p>This section requires a permit for development in a “spill area”. It is understood that spill areas are difficult to determine and map. It is unclear from O.Reg. 155/06 what authority the NPCA has to regulate spill areas and require permits for development. Regional staff have concern that landowners and others may not be aware that a property is within a spill area and that a permit for development is required from the NPCA.</p> <p>It is recommended that the policy document confirm that NPCA has the mandate to regulate spill areas. If it is determined that NPCA has this authority, please ensure that spill area locations can be determined mapped.</p>
6.1.4.4	<p>This section deals with the setback regulation from the physical top of bank.</p> <p>Based on Section 2 (b) i) & ii) of O. Reg. 155/06, NPCA regulates 15m from the greater of the physical top of bank and the long-term stable top of bank. However, Section 6.1.4.4 of the draft document describes the regulated limit as 7.5m from the greatest hazard. This is contrasted by Section 6.2.4.1 of the draft document which provides direction for development within 15m of the top of bank hazard.</p> <p>It is recommended that the policy document be consistent in the setback from the top of bank, and if this differs from the text of the Regulation an explanation should be provided.</p>
Section 8	<p>The classification of wetlands in Section 8 of the draft document differs from the classification of wetlands in O. Reg. 155/06. For example the regulation provides a different classification and regulation limit for non-PSWs greater than 2 hectares and non-PSW’s less than 2 hectares. The</p>

	<p>draft document does not address this difference.</p> <p>Although Regional staff do not have an issue with the proposed setbacks for non-PSW's, it is recommended that the inconsistency with Regulation 155/06 should be clarified in the document to ensure there is no confusion with its application.</p>
9.2.5.1	<p>Watercourse buffers are an important and contentious issue in Niagara Region. The development and interpretation of these policies could have significant impacts on the agricultural community and others. Overall we suggest that further background and explanation on these policies should be provided in the document. For example:</p> <p>Section 9.2.5.1 suggests that a 30m natural buffer is required on cold water streams and a 15m natural buffer is required on warmwater streams. It is unclear from O. Reg. 155/06 what the legislative basis is for the NPCA to regulate and require these buffers.</p> <p>It is recommended that the legislative basis for requiring these buffers should be provided.</p> <p>Further, Section 9.5.2 provides no direction on from what the natural buffer is to be measured from and what would be permissible development within the natural buffer.</p> <p>It is recommended that additional direction should be provided on how this buffer is to be determined and what would be permissible.</p> <p>Further clarification should be provided as to what constitutes a natural buffer to ensure consistent application and certainty with the agricultural community.</p> <p>It is recommended that a definition on what constitutes a natural buffer should be provided that is consistent with provincial direction. For example the Greenbelt Plan permits crops to be planted in buffers.</p> <p>Given the importance, Niagara Region staff would welcome further consultation on this issue prior to approval of "The Living Landscape" document.</p>

2. References to the Memorandum of Understanding and Other Agencies

Draft Document Section	Niagara Region Comments
	<p>The document makes several references to the MOU between NPCA and Niagara Region and the Area Municipalities.</p> <p>It is recommended that references to the MOU be removed including the associated direction on how NPCA staff are to undertake these MOU responsibilities.</p>
2.3.2.3	<p>This section provides direction related to the Niagara Escarpment Plan (NEP). It is recommended that additional information be included in this section regarding the relationship between the Niagara Escarpment Commission and NPCA and the specific roles and responsibilities of the NPCA regarding applications in the NEP.</p> <p>It is recommended that additional details should be included on the role of NPCA with respect to how NEP applications are circulated and processed.</p>
2.5	<p>The inclusion of the information in Section 2.5 "Other Relevant Legislation" is greatly appreciated.</p> <p>It is recommended that additional information be added to this section to clearly outline how each piece of legislation guides the decision-making of NPCA and what are the specific roles and responsibilities of NPCA under each piece of legislation.</p>
2.5	<p>Section 2.5 includes information related to the Niagara River Remedial Action Plan. This information may no longer be current.</p> <p>It is recommended that NPCA update this information and consider if this the appropriate place in the document to include this section.</p>

3. The Integration of Policy and Planning Guidelines

Draft Document Section	Niagara Region Comments
	<p>In the previous version of the NPCA Policy and Land Use Planning document policy administration (Section 3) and plan review (Section 4) guidelines were outlined separately. In the new document, in many cases, the policy administration and plan review guidelines are integrated into a single section. This approach can lead to confusion as to what is to be commented on through a permit application and what is to be commented</p>

	on through the review of a Planning Act application. A few examples are as follows:
3.3.5	<p>This section is related to native plant species. It is unclear if this is a requirement or a recommendation. It is unclear if this guidance is for proposals in NPCAs regulated area, or the entire watershed.</p> <p>Although Regional staff support this as a best practice, clarification should be provided on how this section would be interpreted and applied.</p>
6.2.8	<p>This section is related to requiring fencing. Is this a requirement that would be imposed on landowners who are applying for a permit from NPCA, or is this a recommendation that would be made through the planning process for example on site plan or subdivision applications.</p> <p>It is recommended that this section be expanded to provide certainty to municipalities, landowners and developers.</p>
6.2.9	<p>This section (Valleyland Policy Direction for Official Plans and Zoning By-Laws) is a recommendation for municipalities to consider through the planning process.</p> <p>We agree that this is an appropriate direction; however, it is recommended that it would be more appropriate to include this in a section with other planning recommendations rather than in a section related to specific to development and valleyland hazards.</p>

4. The Technical Application of the Policies and Regulation

Draft Document Section	Niagara Region Comments
4.1.1	<p>In this section the application of the 100 year flood vs. Regional Flood is not clear.</p> <p>It is recommended that the information in Section 4.1.2.3 be moved up to an earlier section to assist the reader.</p>
6.2.4.1	<p>Based on Section 6.2.4.1 (a), for existing development that is within 15m to 7.5m of the erosion hazard, replacements or additions shall not encroach any closer than existing.</p> <p>In contrast Section 6.2.5.1 allows for new development to encroach up to 7.5m from the erosion hazard.</p> <p>This policy would appear to permit new development to encroach closer to</p>

	<p>the hazard than a replacement or addition to an existing development.</p> <p>It is recommended that this issue be reviewed to ensure that there is consistency in the permissions from NPCA.</p>
6.2.5.2	<p>This section permits lots to be created 7.5m from the erosion hazard.</p> <p>It is unclear if the rear 7.5m of the lot be regulated by NPCA pursuant to Section 2 (b) i) of O. Reg. 155/06 which prescribes a regulation limit of 15m?</p> <p>In the case of a) to c) where a lesser setback is permitted would the property be regulated by NPCA after the creation of the new lot. This may have implications on how the new owner would be permitted to develop on the lot.</p> <p>It is recommended that this section be expanded to make it clear that newly created lots created in accordance with this policy would no longer be regulated by the NPCA.</p>
6.2.4.2 & 6.2.5.2	<p>These sections both permit the erosion allowance to be reduced in some circumstance to a minimum of 3m.</p> <p>Justification should be provided for the proposed 3m minimum given that Section 3.4 of the <i>MNR Technical Guide for Erosion Hazard Limits</i> recommends a minimum erosion access allowance of 6m.</p>
Section 8	<p>In Section 3.24.1 b) 5) of the previous NPCA Policy and Procedures Document direction regarding the construction of private access roads across wetlands was provided. The "Living Landscape" document no longer provides any direction regarding the permissibility of private access roads.</p> <p>It is recommended that the explicit policies related to private access roads from the current NPCA policy document be carried forward into the "Living Landscape" document.</p>

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December 12, 2017

CL 17-2017, December 7, 2017
PEDC 10-2017, November 29, 2017
Report PDS 48-2017

DISTRIBUTION LIST

SENT ELECTRONICALLY

Niagara Region Mid-Year 2017 Growth Monitoring Report
PDS 48-2017

Regional Council, at its meeting of December 7, 2017, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 48-2017, dated November 29, 2017, respecting Niagara Region Mid-Year 2017 Growth Monitoring Report, **BE RECEIVED** and **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 with an offer to have Niagara Region staff present the Mid-Year 2017 Growth Monitoring Report at local municipal Councils.

A copy of report PDS 48-2017 is enclosed for your information.

Yours truly,



Frank Fabiano
Acting Regional Clerk
:cjp

CLK-C 2017-138

Distribution List:

Local Area Municipalities

M. Brickell, Niagara Peninsula Conservation Authority

C. McShane, Niagara Home Builders' Association

D. Ursini, Niagara Industrial Association

M. Balsom, President/CEO, Greater Niagara Chamber of Commerce

K. Marcil, Acting Operation Manager, Greater Fort Erie Chamber of Commerce

D. Fabiano, Executive Director, Niagara Falls Chamber of Commerce, Port Colborne/Wainfleet Chamber of Commerce, Welland/Pelham Chamber of Commerce

S. Mabee, Niagara District School Board

M. Ladouceur, Conseil scolaire Viamonde

S. Whitwell, Niagara Catholic District School Board

A. Aazouz, Conseil Scolaire de District Catholique Centre-Sud

G. Bowie, Planner, Planning and Development Services

R. Mostacci, Commissioner, Planning and Development Services

N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services

Subject: Niagara Region Mid-Year 2017 Growth Monitoring Report

Report to: Planning and Development Services Committee

Report date: Wednesday, November 29, 2017

Recommendations

1. That this report **BE RECEIVED** for information.
2. That a copy of this report **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 Regional Council on Niagara's current growth and development trends through mid-year 2017.
- The mid-year growth report is a companion piece to the Niagara Region Annual Growth Monitoring Report and Year End Development Planning Applications Monitoring Report.
- Niagara continues to see an increase in development activity and housing development, including a strong increase in average household sales price of 29%.
- Niagara has experienced more housing starts (+56) and completions (+233) to date in 2017 compared to 2016, but overall residential building permits are down (-149).
- Non-Residential Building Permit values increased by over 52 Million dollars in the first half of 2017 compared to 2016.
- Development Planning and Engineering applications have increased 11.6% (mid-year 2017 compared to mid-year 2016).
- Pre-consultation meetings with area municipalities have jumped 50.8% in the first six months of this year over the same period in 2016.
- Regional Development Services staff has satisfied review timeline targets for 94.1% of all applications so far in 2017.
- Review fees collected at mid-year are \$404,310 and the total 2017 fees are anticipated to surpass 2016 levels based on the projected number of applications.

Financial Considerations

There are no direct financial implications associated with this report.

Increased residential, commercial and industrial development in Niagara, combined with increasing property assessments, result in increased revenue collected by Niagara Region through Development Charges and the levy.

Analysis

Mid-Year Growth Report Overview

In March 2017, Planning and Development Services presented two reports focusing on growth and development trends in Niagara. The first report, Niagara Region Annual Growth Monitoring Report (PDS 9-2017), focused on population, property market and building permit activity in Niagara for 2016. The second report, 2016 Year End Development Planning Applications Monitoring Report (PDS 13-2017), focused on trends in development applications and the associated impact on Niagara Region.

The purpose of the Mid-Year report is to provide an overview on how Niagara is trending at the halfway mark of the current year compared to the previous year. The Mid-Year report is a brief overview of some of the trends found in both reports previously mentioned and final, more comprehensive, end of year reports will be provided in 2018.

Growth Monitoring

Property Market Trends: Sales and Sales Price

The following section focuses on trends from the real estate sector, reporting on sales and average household sale prices across Niagara. Information has been collected from the Niagara Association of Realtors, Realtors Association of Hamilton-Burlington (RAHB) and Canada Mortgage and Housing Corporation (CMHC).

The total number of home sales (all home types including single-detached, semi-detached, townhouse and apartment) at the midpoint of 2017 (4,600) is slightly below where they were mid-year 2016 (4,704), but average sale price has continued to climb, increasing 29% over mid-year 2016. St. Catharines continues to have the most home sales in the Region, accounting for nearly a third of all sales.

Thorold (42%) had the greatest increase in average sale price while Niagara-on-the-Lake had the highest average sale price (\$766,118) within the Region. Welland continues to have the lowest average sale price in Niagara at \$305,752 – however this is still a 33% increase from a year prior. Table 1 below includes a breakdown for each municipality.

Table 1: Number of Home Sales and Average Sale Price (Q1+2)

Municipality	Number of Sales			Average Sale Price (\$)		
	2016	2017	Change %	2016	2017	Change %
Fort Erie	387	405	5	260,065	342,525	32
Pelham	192	170	-11	448,989	559,286	25
Lincoln	203	238	17	395,695	480,358	21
Niagara Falls	1,013	890	-12	309,458	387,183	25
Niagara-on-the-Lake	214	209	-2	558,762	766,118	37
Port Colborne/Wainfleet	248	220	-11	250,003	334,929	34
St. Catharines	1,338	1,331	-1	283,268	366,292	29
Thorold	231	270	17	271,426	384,947	42
Welland	512	527	3	229,364	305,752	33
West Lincoln	88	98	11	420,790	555,779	32
Grimsby	278	242	-13	456,004	599,819	32
Niagara Region	4,704	4,600	-2	\$315,727	\$408,423	29

Niagara Realty Association and Hamilton/Burlington Realty Association, 2017

The total number of sales (681 in 2017 and 512 in 2016) for new single-detached home builds increased by 17% while the average price for new single-detached homes increased 19% (Table 2). Fort Erie had the highest increase in new single-detached homes growing from 27 to 76 compared to mid-year 2016. Niagara Falls continues to drive the housing market with over 50% of Niagara's new single-detached home sales.

Table 2: Number of Sales and Average Sale Price of New Single-Detached Homes Absorbed in (Q1+2)

Municipality	Number of Sales			Average Sale Price (\$)		
	2016	2017	Change %	2016	2017	Change %
Fort Erie	27	76	181	389,229	537,544	38
Grimsby	22	10	-55	N/A	N/A	N/A
Lincoln	19	19	0	340,017	340,073	0
Niagara Falls	236	355	50	393,694	438,849	12
Niagara-on-the-Lake	75	70	-7	519,585	822,889	58
Pelham	34	51	50	537,385	569,033	6
Port Colborne	3	10	233	N/A	N/A	N/A
St. Catharines	31	30	-3	381,527	559,239	47
Thorold	15	30	100	426,083	502,590	18
Welland	50	30	-40	371,143	435,567	17
Niagara Region*	512	681	33	\$424,582*	\$504,583*	19

Canadian Mortgage and Housing Corporation (Housing Now Tables: First Quarter 2017)

The average cost for a new single detached home in Niagara¹ is now over \$500,000 compared to around \$425,000 a year ago. Niagara-on-the-Lake had the highest price increase (58%) and has the highest average price (\$822,889). Welland, Lincoln and Niagara Falls are the only municipalities reported on that have an average sale price below \$500,000 for new single-detached homes.

Residential Building Permit Activity

The following section highlights trends in housing starts, housing completions and building permits issued. Housing Starts and Completions are collected from Canada Mortgage and Housing Corporation (CMHC) while building permit activity is collected by the Region from the local area municipalities.

Housing Starts (homes that have begun construction) have increased in the first 6 months of 2017 (1,014 starts in 2017 compared to 958 in 2016) mainly due to an increase in townhouse/row developments. While single detached homes have decreased slightly and few apartments have begun construction in 2017, there was more than a doubling in townhouse/row construction (353 in 2017 compared to 170 in 2016). Niagara Falls continues to have the most development activity with over a third of all housing starts in Niagara. Port Colborne, while having more activity compared to 2016, continues to have the lowest housing starts within Niagara. Table 3 provides additional information.

Table 3: Housing Starts by Dwelling Type and Municipality (Q1+Q2)

Municipality	Single		Semi-Detached		Row		Apartment		All	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Fort Erie	52	77	0	6	3	11	0	0	55	94
Grimsby	4	10	0	0	0	59	0	0	4	69
Lincoln	16	44	2	2	8	66	0	0	26	112
Niagara Falls	308	238	4	8	82	101	0	0	394	347
Niagara-on-the-Lake	81	30	8	2	7	6	11	0	107	38
Pelham	43	55	0	0	13	0	0	0	56	55
Port Colborne	2	12	0	0	0	0	0	0	2	12
St. Catharines	33	33	18	16	32	102	29	4	112	155
Thorold	34	26	4	0	14	8	20	0	72	34
Wainfleet	5	14	0	0	0	0	0	0	5	14
Welland	45	58	2	4	8	0	3	0	58	62
West Lincoln	64	20	0	2	3	0	0	0	67	22
Niagara Region	687	617	38	40	170	353	63	4	958	1,014

Canadian Mortgage and Housing Corporation (Starts and Completions Survey)

¹ Excludes full datasets for Grimsby, Wainfleet, Port Colborne and West Lincoln.

Housing Completions (homes that were completed in the first half of the year) have increased in 2017 (1,014) compared to 2016 (781). Single-detached homes made up over 70% of the completions (746 out of 1,014 were single-detached). Again, Niagara Falls leads the way with nearly 50% of all completions (472) while Wainfleet had the fewest (7). Table 4 provides additional information.

Table 4: Housing Completions by Dwelling Type and Municipality (Q1+Q2)

Municipality	Single		Semi-Detached		Row		Apartment		All	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Fort Erie	24	77	4	4	3	4	0	0	32	84
Grimsby	18	13	0	0	0	0	0	0	18	13
Lincoln	24	19	0	0	40	4	0	0	64	23
Niagara Falls	238	354	6	4	22	105	0	9	266	472
Niagara-on-the-Lake	74	67	14	34	37	3	0	11	125	115
Pelham	37	52	0	0	4	9	0	0	41	61
Port Colborne	4	14	0	0	8	0	0	0	12	14
St. Catharines	31	34	12	8	30	24	2	0	75	66
Thorold	9	31	4	6	0	3	4	20	17	60
Wainfleet	3	7	0	0	0	0	0	0	3	7
Welland	47	29	4	0	34	17	0	0	85	46
West Lincoln	27	49	0	0	16	4	0	0	43	53
Niagara Region	536	746	44	56	194	173	6	40	781	1,014

Canadian Mortgage and Housing Corporation (Starts and Completions Survey)

Building Permits (permits that have been issued during the first half of the year) are down from 2016 and have shifted marginally away from single-detached towards higher density housing types. Building permits issued in the first half of 2016 totalled 1,414 units, which decreased slightly in 2017 to 1,265 units. Building permits issued for townhomes are notably up in 2017 while apartments are down. Lincoln and Thorold have issued significantly more permits compared to 2016 while Niagara Falls, Grimsby and St. Catharines are lower. Table 5 provides additional information.

Table 5: Building Permits by Dwelling Type and Municipality (Q1+2)

Municipality	Single		Semi-Detached		Row		Apartment		All	
	2016	2017	2016	2017	2016	2017	2016	2017	2016	2017
Fort Erie	66	55	5	8	3	8	0	1	74	72
Grimsby	7	5	0	12	4	25	120	0	131	42
Lincoln	34	46	1	2	0	87	0	0	35	135
Niagara Falls	352	164	4	12	55	136	2	0	413	312
Niagara-on-the-Lake	95	32	25	2	3	31	11	0	134	65
Pelham	96	147	2	0	37	44	0	0	135	191
Port Colborne	11	14	0	0	0	0	0	0	11	14
St. Catharines	40	29	23	17	26	90	147	14	236	150
Thorold	36	69	9	3	7	29	0	0	52	101
Wainfleet	14	12	0	0	0	0	0	0	14	12
Welland	49	80	2	2	11	0	0	3	62	85
West Lincoln	95	48	4	24	18	14	0	0	117	86
Niagara Region	895	701	75	82	164	464	280	18	1,414	1,265

Niagara Region Planning and Development Services

Non-Residential Development Building Permit Values

The following section highlights trends in non-residential building permit values and the 10 highest costing projects in the first half of 2017. Data presented is collected from Statistics Canada and Planning and Development Services Building Permits.

The first half of 2017 saw a significant increase in Industrial, Commercial and Institutional and Government building permit values compared to 2016. Industrial building permits increased by \$4,282,000, Commercial by \$21,154,000 and Institutional and Government by \$26,831,000. Table 6 provides additional details.

Table 6: Non-Residential Building Permit Values (dollars x 1,000)

Non-Residential Permits	2016	2017	Difference
Industrial	\$14,780	\$19,062	\$4,282
Commercial	\$46,310	\$67,464	\$21,154
Institutional and Government	\$23,037	\$49,868	\$26,831
Total	\$84,127	\$136,394	\$52,267

Statistics Canada. Table 026-0003 and Niagara Region Planning and Development Services: 2017 Building Permits

Table 7 contains a breakdown of the 10 highest costing projects to receive a building permit in the first half of 2017. The GE Plant in Welland continues to be a major source of industrial investment in Niagara.

Table 7: Top 10 Highest Building Permit Costs

Project	Value (\$)	Type	Municipality
GE Plant	85,256,000	Industrial	Welland
Hotel Development	19,136,468	Commercial	NOTL
Niagara College (Addition and Interior Renovation)	16,000,000	Institutional	NOTL
Outlet Collection at Niagara (Addition/Renovation)	6,000,000	Commercial	NOTL
Stamford Collegiate (Renovation/Alteration)	5,000,000	Institutional	Niagara Falls
Warehouse Expansion	5,000,000	Industrial	West Lincoln
Commercial Development	5,000,000	Commercial	Thorold
St. Catharines Storage Garage (Renovation/Alteration)	4,000,000	Government	St. Catharines
Catholic District School Board (Classroom and Daycare Addition)	3,000,000	Institutional	Grimsby
Hilton Niagara Falls (Renovation/Alteration)	2,200,000	Commercial	Niagara Falls

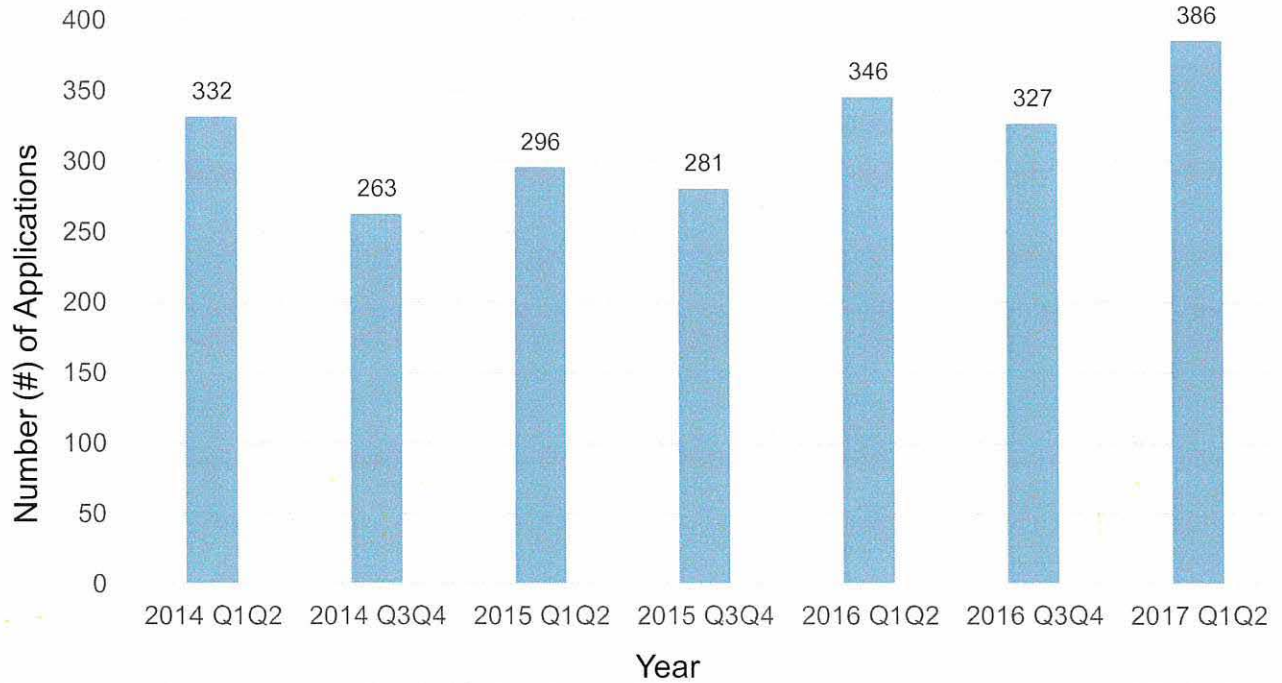
Statistics Canada. Table 026-0003 and Niagara Region Planning and Development Services: 2017 Building Permits

Development Applications

Summary of Development Activity

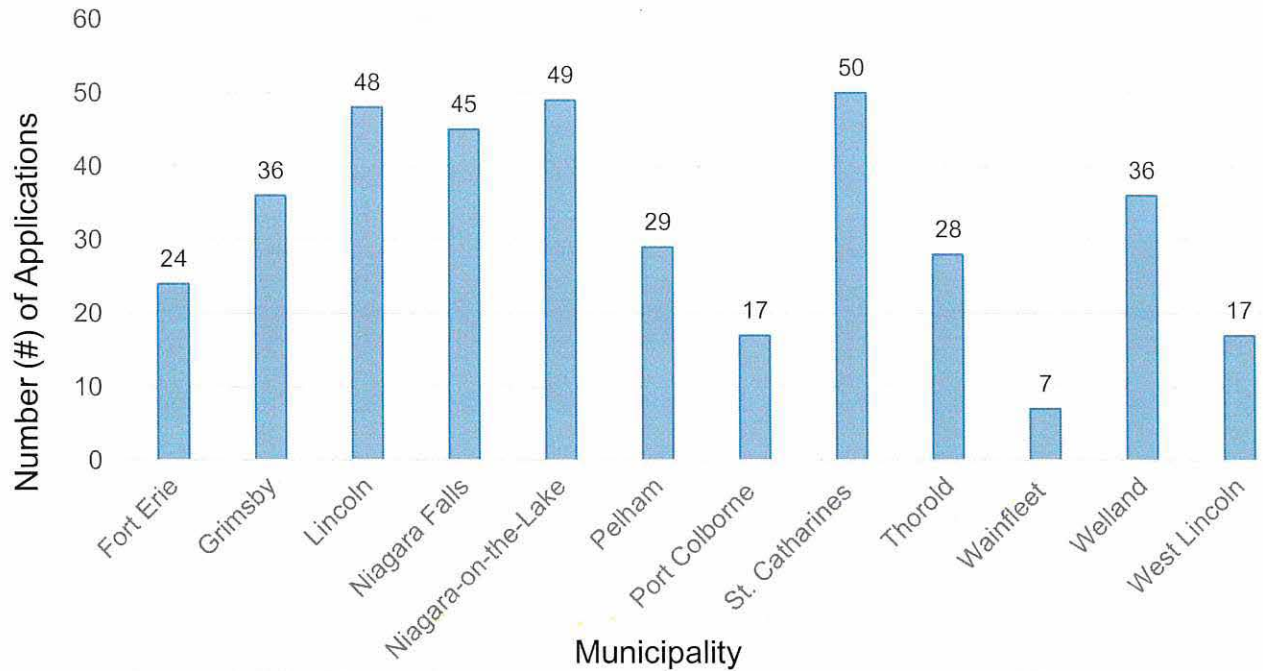
The number of development applications reviewed by Regional Development Services staff in the first six months of 2017 increased 11.6% over the same period in 2016. Staff provided review comments on 386 applications. Figure 1 illustrates the number of applications considered by Development Planning and Engineering staff since 2014 by each half year period and represents a general upward trend.

Figure 1 - Total Applications (2014-2017)



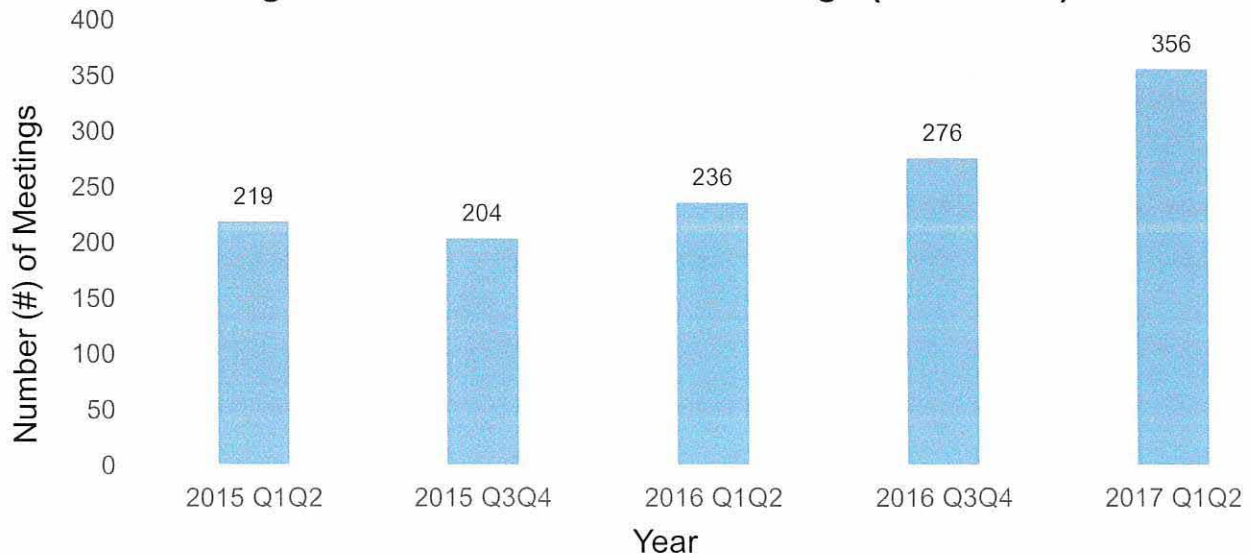
The distribution of applications by area municipality at the mid-year point of 2017 is shown on Figure 2. The municipalities representing the most development application activity during this timeframe include St. Catharines (50 applications), Niagara-on-the-Lake (49), Lincoln (48) and Niagara Falls (45).

Figure 2 - Total Applications by Municipality (2017 Q1 Q2)

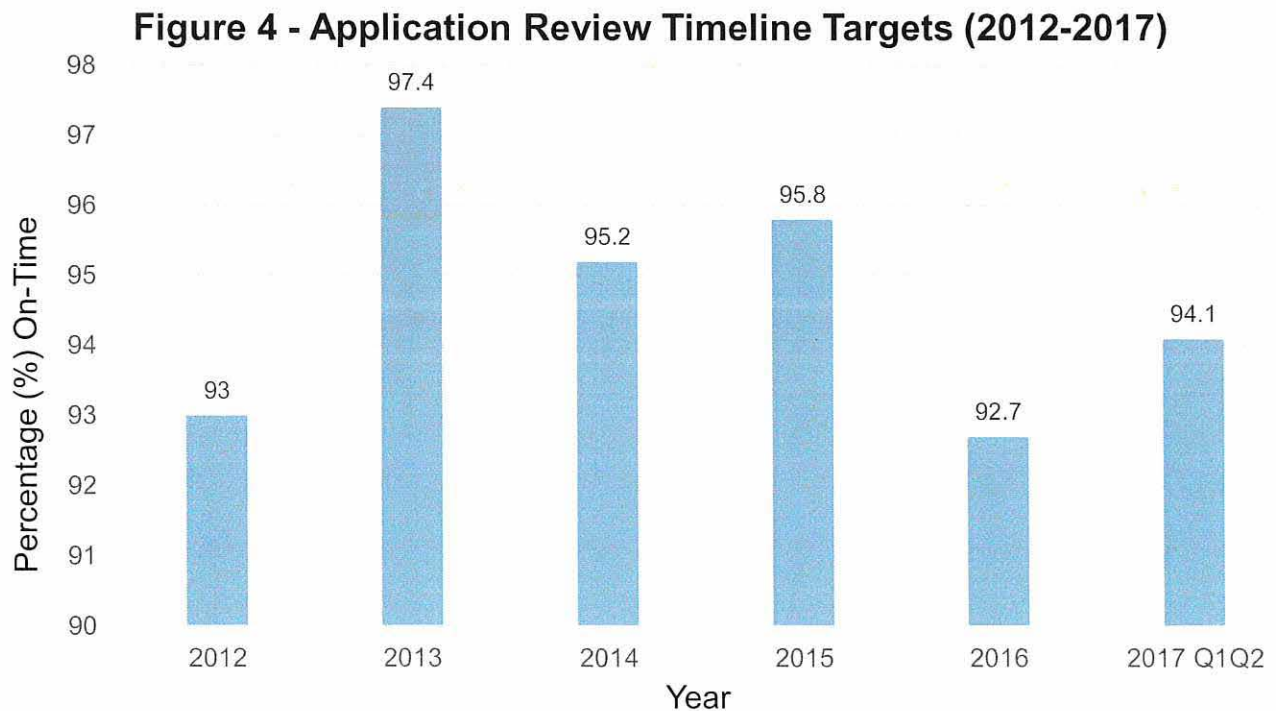


A significant portion of Development Services workload involves preparation for and attendance at pre-consultation meetings with developers, property owners, local staff and agencies. In the first half of 2017, staff attended 356 pre-consultation meetings which is a 50.8% increase compared to the 2016 mid-year data. This is the most formal pre-consultation meetings ever in a half year period (see Figure 3).

Figure 3 - Preconsultation Meetings (2015-2017)



Timeline targets for Regional Development Services staff to respond to applications circulated by area municipalities and agencies are established based on type of application. Staff provided review comments satisfying the different timeline targets for 94.1% of all Development Planning and Engineering applications with due dates up until mid-year 2017. Figure 4 indicates the percentage of applications since 2012 that the Region has met the commenting period timelines. Improvements have been achieved compared to on-time response levels in 2016. The increasing volume of applications and complex nature of certain proposals affect these targets. In consultation with local municipal staff, extensions to the comment period for some applications are granted to allow the resolution of issues, submission of additional information, address workload and respond to local priorities. Municipalities and Regional staff continue to examine solutions to improve responsiveness on development application review.



The 2017 mid-year revenue is \$404,310 from development application review fees. Staff estimates that 2017 year-end development application fees will exceed the total 2016 fee revenue of \$744,098 due to the anticipated increased number of development applications.

Alternatives Reviewed

The Mid-Year Growth Monitoring report is meant to highlight trends in Niagara based on the most current and complete data available. No alternatives were reviewed.

Relationship to Council Strategic Priorities

This report is being brought forward to show how 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 13-2017: 2016 Year End Development Planning Applications Monitoring Report

Prepared by:

Greg Bowie
Planner
Planning and Development Services

Recommended by:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared in consultation with Richard Wilson, MCIP, RPP, Senior Planner, reviewed by Brian Dick, MCIP, RPP, Acting Manager, Community Planning.

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DEC 15 2017

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www.niagararegion.ca

December 12, 2017

**CL 17-2017, December 7, 2017
PEDC 10-2017, November 29, 2017
Report PDS 50-2017**

**LOCAL AREA MUNICIPALITIES
NIAGARA PENINSULA CONSERVATION AUTHORITY
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING**

SENT ELECTRONICALLY

Public Meeting Report

Regional Official Plan Amendment No. 13 (ROPA 13) – Transportation Policies

PDS 50-2017

Regional Council, at its meeting of December 7, 2017, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 50-2017, dated November 29, 2017, respecting Public Meeting Report Regional Official Plan Amendment No. 13 (ROPA 13) – Transportation Policies, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That this report **BE RECEIVED** for information; and
2. That a copy this report **BE CIRCULATED** to the Local Municipalities, Niagara Peninsula Conservation Authority, and the Ministry of Municipal Affairs.

A copy of report PDS 50-2017 is enclosed for your information.

Yours truly,

A handwritten signature in black ink, appearing to read "Frank Fabiano".

Frank Fabiano
Acting Regional Clerk
:cjp

CLK-C 2017-134

cc: A. Tikky, Planner, Planning and Development Services
R. Mostacci, Commissioner, Planning and Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services

Subject: Public Meeting Report
Regional Official Plan Amendment No. 13 (ROPA 13) –
Transportation Policies

Report to: Planning and Economic Development Committee

Report date: Wednesday, November 29, 2017

Recommendations

1. That this report **BE RECEIVED** for information.
2. That a copy this report **BE CIRCULATED** to the Local Municipalities, Niagara Peninsula Conservation Authority, and the Ministry of Municipal Affairs.

Key Facts

- This Amendment is required to implement the goals, vision, and recommendations of the Niagara Region Transportation Master Plan (TMP), which was approved by Regional Council on July 20, 2017, and to ensure conformity with the new Provincial Growth Plan.
- A clear and focused set of transportation policies in the Regional Official Plan is necessary to support prosperity and growth in the Niagara Region.
- This Amendment will repeal the existing policies within Chapter 9 of the Regional Official Plan and replace them with a new set of transportation policies. The Amendment will also revise and update related policies, definitions, and schedules to ensure alignment and consistency with other sections of the Regional Official Plan.
- No recommendation is being made on ROPA 13 at this time. Comments received from the circulation and through a subsequent statutory Public Meeting will be addressed through the recommendation report in Q1 2018.

Purpose

The purpose of this report is to provide information to Regional Council on the process, timing, and feedback received to date for Regional Official Plan Amendment 13 (ROPA 13) to update the Region's transportation policies. This report also frames the Public Meeting being held on November 29, 2017.

Financial Considerations

There are no direct financial implications arising from this report as the cost to process the Amendment is included in the Planning and Development Services Department's Operating Budget for 2017. However implementation of the policies of the Amendment and the recommendations of the TMP will have capital budget implication.

Analysis

Background

In 2015, Niagara Region had launched the "Niagara 2041" initiative, which included the development of a Transportation Master Plan (TMP) for the Niagara Region. The TMP, which was approved by Regional Council on July 20, 2017, is a comprehensive study that defines policies, programs, and infrastructure improvements needed to address the Region's transportation and growth requirements until the year 2041. The TMP emphasizes the need to integrate and co-ordinate transportation planning, land use planning, and urban design as part of its implementation in order to reflect the unique needs of the Region's urban and rural communities.

Accordingly, the Region is undertaking the proposed Regional Official Plan Amendment to ensure the goals, vision, and recommendations identified in the TMP are properly implemented. The draft policies, which are outlined in Appendix I, will replace the existing policies within Chapter 9 of the Regional Official Plan with new policies that align with the direction of the TMP and conform to the new Provincial Growth Plan for the Greater Golden Horseshoe. The Amendment will address these key areas:

- Co-ordinated Transportation System Planning;
- Public Transit;
- Active Transportation;
- Complete Streets;
- Transportation Demand Management and Transportation Management Systems;
- Regional Road System; and
- Goods Movement.

Furthermore, the Amendment will include additional schedules, updated definitions, and minor adjustments to other sections of the Regional Official Plan to allow for better integration of transportation planning, land use planning, and urban design. The Amendment will equip Niagara Region with current and sound transportation policies to ensure best practices are utilized across the region in alignment with the ongoing comprehensive review of the Regional Official Plan.

It is imperative that the existing transportation policies of the Regional Official Plan are revised in co-ordination with the TMP to ensure that the direction and recommendations identified in the study are properly implemented. As outlined in the ROPA 13 initiation report (PDS 2-2017), the new Regional Official Plan and its background studies are only just commencing, and as such, it is appropriate for the proposed Amendment to the Regional Official Plan to be brought forward at this time.

Public and Stakeholder Feedback

The draft policies of ROPA 13 were developed through co-ordination between the Regional Planning and Development Services, Public Works, and Public Health Departments. To assist in the review of the Amendment, the draft policies and mapping were circulated to local municipalities, prescribed agencies and key stakeholders for comment. Additionally, the Region is hosting an Open House on November 8, 2017 at Niagara Region Headquarters in order to receive comments and answer questions from the public regarding the proposed Amendment.

At the time of submission for this report, no comments have been received. Staff will provide an update on any correspondence received at the Committee meeting.

Process and Next Steps

Pursuant to Section 17(17.1) and (17.2) of the Planning Act, the statutory Public Meeting will be held following the circulation period, which ends on January 3, 2018. The recommendation report will then be completed following the Public Meeting.

A recommendation report will be brought in Q1 2018.

Alternatives Reviewed

This report is provided for information purposes. No alternatives are being reviewed at this time.

Relationship to Council Strategic Priorities

This report supports Council's Business Plan Theme 2 "Healthy Communities" and Theme 5 "Integrated Transportation System".

Other Pertinent Reports

- **PDS 2-2017** Project Initiation Report
 Regional Official Plan Amendment 13 (ROPA 13)
 Transportation Policies
 February 22, 2017

Prepared by:
Alexandria Tikky
Planner
Planning and Development Services

Recommended by:
Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:
Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was reviewed by Brian Dick, MCIP, RPP, Acting Manager, Long Range Planning, Planning and Development Services Department.

Appendices

Appendix I Draft Regional Official Plan Amendment 13 (ROPA 13) Page 5

AMENDMENT NO. 13
TO THE OFFICAL PLAN
FOR THE NIAGARA PLANNING AREA

PART "A" - THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies, and implementation, but does not form part of this Amendment. The Preamble includes:

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART "B" - THE AMENDMENT

The Amendment describes the additions and/or modifications to the Official Plan for the Niagara Planning Area, which constitute Regional Official Plan Amendment No. 13.

- Schedule Changes
- Table Changes
- Text Changes

PART "C" - THE APPENDICES

The Appendices provide information, public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

PART "A" - THE PREAMBLE

TITLE AND ITS COMPONENTS:

This document, when approved in accordance with Section 26 of the Planning Act, 1990, shall be known as Amendment 13 to the Regional Official Plan of the Niagara Planning Area. Part "A" – The Preamble, contains background information and does not constitute part of this Amendment. Part "B" – The Amendment, which consists of text and map changes, constitutes Amendment 13 to the Regional Official Plan of the Niagara Planning Area. Part "C" – The Appendices, does not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment and do not form part of this Plan.

PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to update the existing transportation mapping, definitions and policies of the Regional Official Plan. Specifically, this Amendment is intended to:

1. Conform to the applicable policies of the Provincial Policy Statement (2014) and the Provincial Growth Plan for the Greater Golden Horseshoe (2017).
2. Equip the Niagara Region with current and sound transportation policies that implement and promote best practices for the movement of goods and people throughout the Niagara Region's transportation system.
3. Ensure that the Regional Official Plan is consistent with the goals, vision, and recommendations identified in the Niagara Region Transportation Master Plan, approved by Regional Council in 2017.

LOCATION OF THE AMENDMENT

This Amendment applies to the entire Niagara Planning Area.

BACKGROUND

In accordance with Section 26 (3) of the *Planning Act*, a special meeting of Regional Council was held on October 10, 2013 in order to initiate a public engagement process known as "Imagine Niagara", which would inform the comprehensive review of the Regional Official Plan. Through consultation with key community stakeholders, "Imagine Niagara" sought

to generate public interest in the review process and provide an opportunity for Niagara residents to outline the future vision for their communities.

Following this public engagement process, the Niagara Region had launched the “Niagara 2041” initiative, which included the development of a Transportation Master Plan (TMP) for the Niagara Region. The TMP, which was approved by Regional Council on July 20, 2017, is a comprehensive study that defines policies, programs, and infrastructure improvements needed to address the Region’s transportation and growth requirements until the year 2041. The TMP emphasizes the need to integrate and co-ordinate transportation planning, land use planning, and urban design as part of its implementation in order to reflect the unique needs of the Region’s urban and rural communities.

Accordingly, it is imperative that the existing transportation policies of the Regional Official Plan are revised in co-ordination with the TMP to ensure that the direction and recommendations identified in the study are properly implemented. Given that the new Regional Official Plan and its background studies are only just commencing, it is appropriate for the proposed Amendment to the Regional Official Plan to be brought forward at this time.

BASIS FOR THE AMENDMENT

1. This Amendment implements and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) and other Provincial Plans with respect to transportation planning across the Niagara Region. The Amendment is consistent with the Provincial Policy Statement (2014) and the Niagara Region Transportation Master Plan.
2. The policies proposed through this Amendment will provide consistency with the goals, vision, and recommendations identified in the TMP, and equip the Region with current and sound transportation policies that will strategically align with the ongoing comprehensive review of the Regional Official Plan.
3. This Amendment will provide new transportation policies which implement and promote best practices for the movement of goods and people throughout the Niagara Region’s transportation system.
4. The new transportation policies within the Amendment will replace the existing policies within Chapter 9 of the Regional Official Plan. The Amendment will also include new mapping schedules, definitions, and minor modifications to policies in other sections of the Regional Official Plan that will improve its structure and organization.

5. The Amendment is divided into sections, which constitute the Amendment:
 - a) Part I: Modifications to Existing Policies
 - b) Part II: New Policies
 - c) Part III: Definitions
 - d) Part IV: Mapping

6. The Amendment was the subject of a Public Open House and Statutory Public Meeting held under the Planning Act. Public and agency comments were addressed as part of the preparation of this Amendment.

7. Based on the Region's review of the *Planning Act*, the Growth Plan for the Greater Golden Horseshoe (2017), the Provincial Policy Statement (2014), the Regional Official Plan, and the Niagara Region Transportation Master Plan, Regional staff is of the opinion that the Amendment is consistent with and aligns with Provincial and Regional policies and plans and, therefore, represents good planning.

IMPLEMENTATION

Chapter 14 - Implementation of the Official Plan for the Niagara Planning Area, shall apply where applicable.

PART "B" - THE AMENDMENT

Amendment 13 To The Official Plan for the Niagara Planning Area

Schedule Changes

1. "Schedule E – Niagara Region Bicycle Network" is repealed.
2. Appendix 1 "Schedule E1 – Transportation Infrastructure" is added to the Plan as **"Schedule E1 – Transportation Infrastructure"**
3. Appendix 2 "Schedule E2 – Strategic Cycling Network" is added to the Plan as **"Schedule E2 – Strategic Cycling Network"**

Text Changes

The Official Plan for the Niagara Planning Area is amended as follows.

Part I – Modifications to Existing Policies

1. **Policy 2.D.2.8** is repealed.
2. **Policy 2.D.2.9** is renumbered as **Policy 2.D.2.8**.
3. **Policy 2.D.2.10** is renumbered as **Policy 2.D.2.9**.
4. **Policy 2.D.2.11** is renumbered as **Policy 2.D.2.10**.
5. **Policy 3.A.3.22 c)** is modified to "Preparation of a Regional Goods Movement Study"
6. **Section 4.G.13 Transportation Corridors** is removed.
7. **Policy 4.G.13.1** is repealed.

8. **Policy 10.C.2.3.3** is modified to “When developing or redeveloping leased, operated or owned facilities (buildings or structures) the Region will consider and apply the Region’s Model Urban Design Guidelines and Facility Accessibility Design Standards”
9. **Policy 10.C.2.3.6** is repealed.
10. **Policy 10.C.2.3.7** is renumbered as **Policy 10.C.2.3.6**.

Part II – New Policies

1. Chapter 9 is repealed and replaced with the following policies and objectives:

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“9. Transportation: Moving People and Goods

The Provincial Growth Plan for the Greater Golden Horseshoe projects significant growth within the Niagara Region by the year 2031, providing the Region with an opportunity to implement a sustainable transportation system that builds, preserves, and enhances liveable communities, healthier lifestyles, and greater economic competitiveness. In alignment with the long-term vision of the Niagara Region’s Transportation Master Plan, the policies of this Chapter support the use of alternative modes of transportation to the car, as well as infrastructure investments that provide for convenient access to residential, employment, recreation, and cultural destinations within the Niagara Region and across the Greater Toronto and Hamilton Area.

The Niagara Region transportation system currently comprises a multi-modal network of pedestrian, cycling, transit, automobile, and goods movement infrastructure that crosses land, air, and water. The Region is committed to reducing greenhouse gas emissions, improving social equity, and facilitating economic development by further establishing a comprehensive active transportation network, an interconnected public transit system, and a goods movement network that strategically utilizes existing infrastructure and has regard for adjacent and nearby sensitive land uses.

9.A General Objectives

- Objective 9.A.1** Promote and support all modes of safe transport for the movement of goods and people to jobs, housing, school, culture, and recreational opportunities, especially in intensification areas and areas designated for high-density development.
- Objective 9.A.2** Support a connected transportation network that allows the efficient movement of people and goods on all modes of transportation (road, rail, marine, and air).
- Objective 9.A.3** Reduce automobile dependency by enhancing opportunities for residents, workers, and visitors to walk, cycle, take transit and carpool.
- Objective 9.A.4** Support a connected and convenient public transit network throughout the region.
- Objective 9.A.5** Create active transportation systems and programs that encourage walking, cycling, and the use of public transit.
- Objective 9.A.6** Support the implementation of complete streets at regional and local levels.

Objective 9.A.7 Encourage the most financially and environmentally appropriate mode of sustainable transportation to reduce greenhouse gas emissions.

Objective 9.A.8 Ensure that agricultural vehicles and equipment are accommodated within the transportation network where appropriate.

9.B Coordinated Transportation System Planning

Policy 9.B.1 The Region will encourage the implementation of a comprehensive transportation system through the co-ordination of land use planning and strategic investments in infrastructure.

Policy 9.B.2 The Region will work with the Province and local municipalities to plan for, improve, and protect for the following corridors and facilities:

- a) Queen Elizabeth Way (QEW) widenings from Hamilton to Highway 406 and from McLeod Road to Mountain Road;
- b) Highway 406 interchanges at QEW and Glendale Avenue, Highway 405, Concession 6, and Mewburn Road, and Highway 406 and Third Avenue Louth;
- c) the Niagara Escarpment Crossing and South Niagara East-West Arterial Road;
- d) the Niagara-Hamilton Trade Corridor;
- e) the Niagara Greater Toronto Area (NGTA) East Corridor; and
- f) the Highway 406 extension to the NGTA East Corridor.

Policy 9.B.3 The Region will work with Metrolinx, the Province and other stakeholders to improve linkages between the regional transit systems and GO Transit.

Policy 9.B.4 The Region will work with Federal, Provincial and municipal governments to ensure the provision of an efficient and safe Provincial Freeway network through the region.

Policy 9.B.5 The Region will ensure there is suitable transportation infrastructure to support the Region's growth and economic strategy.

9.C Public Transit

- Policy 9.C.1** The Region supports the expansion of public transit across the region through:
- a) Direct investment in transit infrastructure to identified and planned growth areas;
 - b) Transit service(s) to areas that have achieved, or will be planned to achieve, transit supportive residential and employment densities;
 - c) Improved linkages from nearby neighbourhoods to major trip generators, including the St. Catharines urban growth centre, locally designated residential intensification areas, employment areas, including tourist locations and connections, and major transit station areas;
 - d) Transit linkages within and between settlement areas in and outside of the Region to increase the modal share of transit;
 - e) Accessibility to public transit;
 - f) Park-and-ride facilities with priority spaces for carpool and car-share vehicles;
 - g) Fare and service integration between local agencies; and
 - h) Consideration of the role public transit plays in reducing greenhouse gas emissions.
- Policy 9.C.2** The Region will leverage public transit to support transit-oriented development.
- Policy 9.C.3** The Region will encourage the provision of demand-responsive transit service, where operationally and economically feasible, in local municipalities to serve low-density areas.
- Policy 9.C.4** As a top priority, the Region supports the consolidation of the operation of municipal transit agencies to provide a more integrated and consistent transit service with the intent of providing inter-municipal regional

transit by multiple modes of transit to all municipalities within the region.

- Policy 9.C.5** The Region will encourage transit service integration as part of the implementation of an inter-municipal regional transit system.
- Policy 9.C.6** The Region will support transit investment for improved services to provide alternate modes of travel and facilitate access to major transit station areas.
- Policy 9.C.7** The Region will aid in expediting higher-order transit connections to the Greater Toronto Hamilton Area (GTHA), including the GO Transit Hubs, to promote intensification and new employment markets.
- Policy 9.C.8** The Region shall plan to ensure GO Transit hubs are supported by and serve adjacent planned areas of intensification and employment.
- Policy 9.C.10** The Region will examine the feasibility of establishing a West Niagara transit terminal in order to facilitate intermodal connections within the Niagara Region and to the Greater Toronto Hamilton Area (GTHA).
- Policy 9.C.11** Local municipalities with major transit station areas shall develop land use plans that are transit supportive, achieve minimum density targets that reflect existing and planned transit service levels, and provide a mix of land uses and appropriate transportation infrastructure connections to the stations.

9.D Active Transportation

- Policy 9.D.1** The Region and municipalities will ensure that comprehensive active transportation networks are integrated into transportation planning to ensure safe, effective travel for pedestrians, cyclists, and others among neighbourhoods and between strategic growth areas, major trip generators, and transit stations.
- Policy 9.D.2** The Region will prioritize the implementation of the Strategic Cycling Network as identified in the Niagara Region's Transportation Master Plan to advance the development of the Niagara Bikeways Master Plan as shown in Schedule E2.
- Policy 9.D.3** The Region will fund the implementation of the Niagara Bikeways Master Plan network along Regional Roads through the Region's Capital Works programs and other funding or cost-sharing opportunities.

- Policy 9.D.4** The Region will support local municipalities in implementing sections of the Niagara Bikeways Master Plan that are within their jurisdiction, with a priority for elements identified in the Strategic Cycling Network.
- Policy 9.D.5** Local municipalities are encouraged to develop supporting policies and bicycle infrastructure through planning documents and capital work projects to ensure a connected and extended bicycle network within the Region.
- Policy 9.D.6** The Region supports the re-purpose of abandoned rail and other linear corridors, including hydro corridors, for off-road trails. The Region recommends that local municipalities consider various means to protect and/or acquire such corridors.
- Policy 9.D.7** The Region will work with the Ministry of Transportation (MTO) and other stakeholders to encourage the provision of active transportation access over 400 Series Highways.

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9.E Complete Streets

- Policy 9.E.1** The Niagara Region Complete Streets Design Guidelines shall be used to define Regional Road typologies and implement complete streets elements, such as trees, public art, gateway features, decorative lighting fixtures, street furnishings, bicycle storage, and other features.
- Policy 9.E.2** The implementation of complete streets should be considered for Regional Roads that meet any of the following requirements:
- a) Have been identified by the Region in their Capital Plan ;
 - b) Are located within existing and planned high density and mixed use areas;
 - c) Serve as designated cycling routes, public transit routes or tourist routes;
 - d) Are within special precincts such as Community Improvement Areas, Heritage Conservation Districts, or waterfronts;
 - e) Have excess vehicle capacity for current and anticipated traffic;
 - f) Are experiencing safety concerns; or,
 - g) Where a local municipality has identified the need to upgrade a local street that intersects with a Regional Road.
- Policy 9.E.3** The Region shall ensure that reference to the Niagara Region Complete Streets Design Guidelines is included within the Request for Proposal (RFP) process for Municipal Class Environmental Assessments.
- Policy 9.E.4** Local Official Plans shall include policies related to the implementation of complete streets.
- Policy 9.E.5** In the absence of local complete street guidelines, local municipalities shall refer to the Region's Complete Streets Design Guidelines for direction towards the design, refurbishment or reconstruction of their existing and planned local street network.
- Policy 9.E.6** Local municipalities shall identify priority roads for the implementation of complete streets.

Policy 9.E.7 The Region will work with local municipalities to implement complete street elements, such as multi-use paths, street lighting, and missing sidewalk links along Regional Roads.

Policy 9.E.8 The elements of complete streets that fall under local jurisdiction shall be maintained by the local municipality.

9.F The Regional Road System

Policy 9.F.1 As conditions of the approval of a development application:

- a) The Region may acquire from the landowner land required for the road allowance as identified in Table 9-1 at no cost to the Region free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and,
- b) The Region is to be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.

Policy 9.F.2 The Region shall require the conveyance of land, at no cost to the Region, as condition of the approval of a development application, beyond the designated road allowance widths identified in Table 9-1, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, cuts, fills and storm drainage requirements, as required to meet accepted/current engineering design criteria/standards. These do not require an amendment to this Plan.

Policy 9.F.3 Land for Regional Road widenings will be required equally from both sides of the centreline of the designated Regional Road unless existing land uses, topographic features or other physical or environmental constraints necessitate taking greater widening on one side than the other.

Policy 9.F.4 The Region may acquire, at its own expense, additional land that exceeds the road allowance widths identified in Table 9-1, without an amendment to this Plan.

Policy 9.F.5 The Region will consider the need for noise mitigation measures to address traffic noise from Regional Roads, where required, premised on

noise study recommendations per Ministry of Environment and Climate Change guidelines for the following situations:

- a) New development adjacent to a Regional Road; or,
- b) Impact of noise generated by increased traffic on Regional Roads adjacent to established development.

Policy 9.F.6 As part of the development application process, a road allowance not yet owned by the Region and identified in the Niagara Region's Transportation Master Plan should be protected in the following cases:

- a) A local street that will be ultimately assumed by the Region; and,
- b) Plans for the extension of an existing road allowance.

Policy 9.F.7 The Region will have regard to the Niagara Region Model Urban Design Guidelines and the Niagara Region Complete Streets Design Guidelines when providing comments on development applications located along Regional Roads.

Policy 9.F.8 The Region will plan and protect corridors and rights-of-way for transportation, goods movement and transit facilities to meet current and projected needs, while ensuring that development is not permitted in planned corridors that could preclude or negatively affect the purposes of the corridor.

Policy 9.F.9 Local municipalities, in consultation with and to the satisfaction of the Province, shall develop Official Plan policies that provide corridor protection to ensure that development applications will not predetermine or preclude the planning and/or implementation of the above noted transportation facilities.

9.G Transportation Demand Management and Transportation Management Systems

Policy 9.G.1 The Region will develop and implement by including in this Plan comprehensive Transportation Demand Management (TDM) strategy to:

- a) To reduce trip distances and time;
- b) Increase alternative uses to the automobile;

- c) Prioritize active transportation, transit, and goods movement over single-occupant automobile;
- d) Expand infrastructure to support active transportation; and
- e) Consider the needs of major trip generators.

Policy 9.G.2 Local municipalities shall develop and implement TDM policies to be incorporated into local official plans that are consistent with the future Regional TDM Study.

Policy 9.G.3 The Region will utilize Transportation System Management (TSM) programs to improve and monitor the efficiency of the transportation network.

Policy 9.G.4 The Region and local municipalities will be responsive to new and/or upcoming TSM technologies and trends to facilitate the implementation of policies and/or directives.

9.H Goods Movement

Policy 9.H.1 The Region's goods movement network will be based on the recommendations of a Goods Movement Study that analyzes all modes of transport (i.e. roads, rail facilities, airports, and marine facilities) as well as the Federal government's "Transportation 2030: A Strategic Plan for the Future of Transportation in Canada". The Region's goods movement network will also take advantage of cross-border trade and the Foreign Free Trade Zone, and maximize the use of the Niagara Economic Zone and Niagara Economic Centre.

Policy 9.H.2 The Region and its local municipalities will ensure that development of lands adjacent to, or in close proximity to, major goods movement facilities and corridors will be compatible with the goods movement function of those facilities and be designed to avoid, mitigate or minimize negative impacts on and from the facilities and corridors.

Policy 9.H.3 The Region, in partnership with local municipalities, will identify priority and alternative routes from prime employment and employment areas to the provincial network.

Policy 9.H.4 The Region will continue to advocate for highway capacity improvements to address inter-regional and international trade and tourism related demands for the purposes of goods movement.

Policy 9.H.5 The Region will support emerging technologies that will enhance the movement of goods through opportunities such as electric vehicles, commercial drone deliveries, and autonomous trucks.

Policy 9.H.7 The Region will support the development of multi-modal transportation systems to facilitate the movement of goods and people, while ensuring compatibility with adjacent land uses and access to these facilities.”

Part III – Definitions

1. The following definitions are added to Chapter 15 of the Plan:

“Airports

means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Bicycle Infrastructure

means all infrastructure and facilities that are used for cycling, including dedicated, buffered, and separated bike lanes, multi-use paths, off-road trails, and bicycle parking and storage (racks, lockers, etc.).

Complete Streets

means streets that are planned to balance the needs of all road users, including pedestrians, cyclists, transit-users, and motorists, and are designed for the safety of people of all ages and abilities.

Demand-Responsive Transit Service

means door-to-door transportation service that has flexible routing and scheduling, and can operate either as an “on-demand” service or a “fixed-schedule” service, such as airport shuttles or paratransit services for people with disabilities and the elderly.

Freight Supportive

means transportation systems and facilities that facilitate the movement of goods, including policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems.

Frequent Transit

means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Major Goods Movement Facilities and Corridors

means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Major Trip Generators

means origins and destinations with high population densities or concentrated activities which generate many trips (e.g. urban growth centres and other downtowns, major office and office park, major retail, employment areas, community hubs and other public service facilities, and other mixed-use areas)

Marine Facilities

means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities.

Multi-modal Transportation System

means a transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Planned Corridors

means corridors or future corridors which are required to meet projected needs, and are identified through this Plan, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ministry of Transportation, Ministry of Energy, Metrolinx or Independent Electricity System Operator (IESO) or any successor to those Ministries or entities, is actively pursuing the identification of a corridor. Approaches for the protection of planned corridors may be recommended in guidelines developed by the Province.

Rail Facilities

means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.

Road Allowance

means widths that are intended to accommodate travel lanes, turning lanes, intersections, sidewalks, bicycle lanes, public transit lanes, transit facilities, utilities, active transportation, noise control measures, snow storage, drainage measures, curb and gutters, fencing, sidewalks, cultural features, landscaping, illumination, signage, street enhancements and other elements noted as compatible with the road system.

Sensitive Land Uses

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Strategic Growth Areas

means nodes, corridors and other areas within settlement areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, mobility hubs and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

Transit-oriented Development

means an approach to development that uses land efficiently creating compact, walkable, mixed use communities around a major transit station area or within a transit corridor.

Transit Service Integration

means the co-ordinated planning or operation of transit service between two or more agencies or services that works to facilitate seamless service for riders. Transit service integration can include considerations of service schedules, service routes, information, fare policy, and fare payment.

Transportation System Management

means a set of strategies that largely aim to reduce GHG emissions by reducing congestion, primarily by improving transportation system capacity and efficiency. TSM strategies may also address a wide range of other externalities associated with driving such as pedestrian/driver safety, efficiency, congestion, travel time, and driver satisfaction. Some TSM strategies are designed to reduce total and systemic congestion and improve system-wide efficiency, while other strategies target particularly problematic areas where improvements could greatly affect congestion, safety, efficiency, and GHG emissions.”

1. The following definition replaces the definition of “**Active Transportation**” in Chapter 15 of the Regional Official Plan:

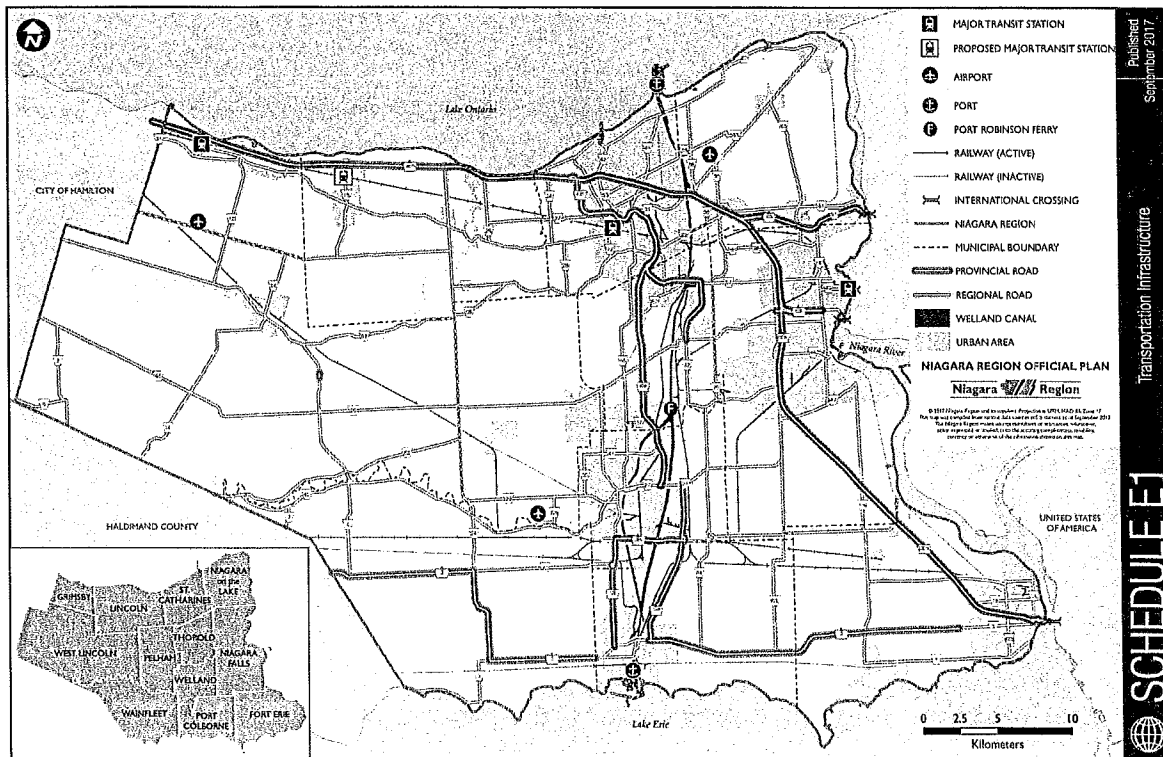
“Active Transportation

means any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices.”

Part "C" - The Appendices

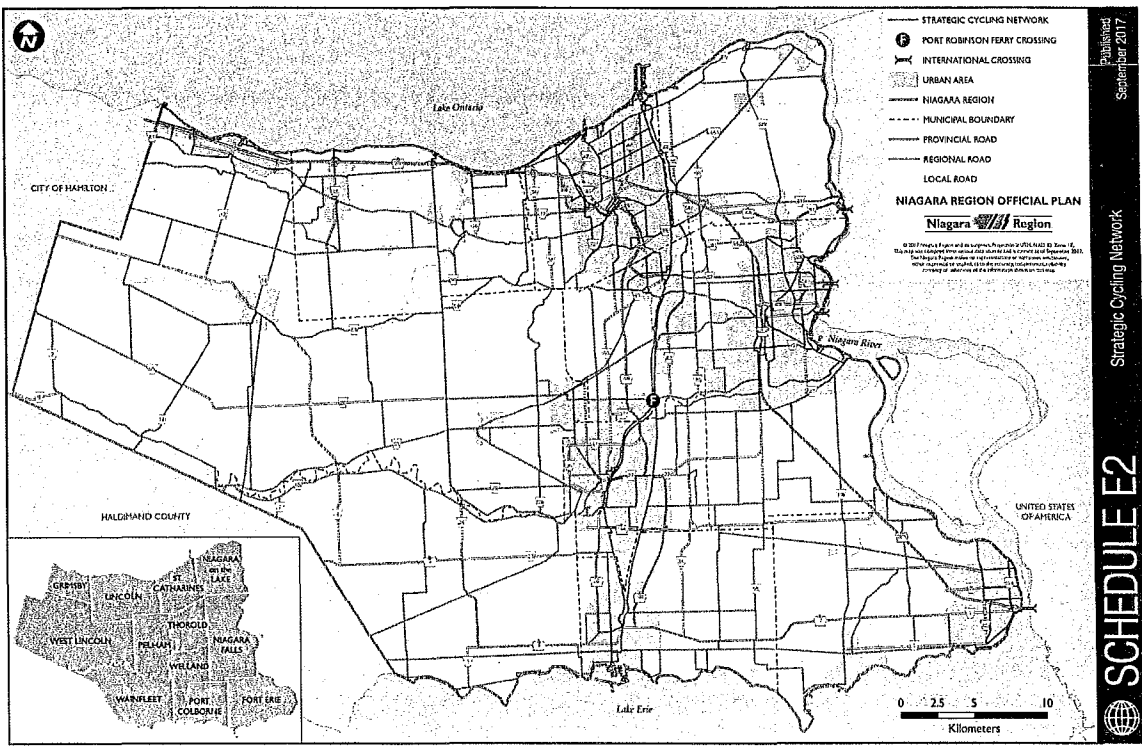
Appendix 1 - Schedule E1 - Transportation Infrastructure

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Appendix 2 – Schedule E2 – Strategic Cycling Network

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December 12, 2017

CL 17-2017, December 7, 2017
PHSSC 13-2017, November 28, 2017
Report PHD 26-2017

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

Opioid Update: Local Opioid Work
PHD 26-2017

Regional Council, at its meeting of December 7, 2017, approved the following recommendation of its Public Health and Social Services Committee:

1. That Report PHD 26-2017, dated November 28, 2017, respecting Opioid Update, Local Opioid Work, **BE RECEIVED** for information;
2. That a copy of this report **BE FORWARDED** to local area municipalities; and
3. That staff **BE DIRECTED** to report to PHSSC every committee cycle via Council Weekly Correspondence Distribution Communications, to be placed on the PHSSC agenda.

A copy of report PHD 26-2017 is enclosed for your information.

Yours truly,



Frank Fabiano
Acting Regional Clerk
:cjp

CLK-C 2017-133

cc: R. Van Meer, Acting Manager, Chronic Disease and Injury Prevention, Public Health
V. Jaeger, Medical Officer of Health/Commissioner Public Health
J. Bonaldo, Executive Assistant to the Medical Officer of Health/Commissioner Public Health

Subject: Opioid Update: Local Opioid Work

Report to: Public Health and Social Services Committee (PHSSC)

Report date: Tuesday, November 28, 2017

Recommendations

1. That this report regarding local opioid work **BE RECEIVED** for information
2. That a copy of this report **BE FORWARDED** to local area municipalities
3. That staff **BE DIRECTED** to report to PHSSC every committee cycle via CWCD Communications, to be placed on the PHSSC agenda

Key Facts

- Sept. 5, 2017, staff were directed to prepare a report describing the metrics, financial and Network resources required to monitor progress on the opioid response
- Over 25 groups in Niagara, including Regional services, health system partners and community organizations, form the Opioid Network and contribute organization-specific efforts to reducing opioid-related harms in the community
- The Opioid Network is stepping up service coordination and action. On Nov. 16, 2017, a new model involving a steering committee and four working groups was set.
- Niagara Region Public Health (NRPH) is tracking newer metrics (e.g., number of clients trained to administer naloxone, number of family/friends of clients who reported administering naloxone)
- On Nov. 7, 2017, staff were directed to provide an opioid information report at every PHSSC. A CWCD Communication, sent to PHSSC members the Friday before each PHSSC meeting and placed on the PHSSC agenda as a standing item, is proposed
- CWCDs will provide updates on opioid-related local actions, any significant federal or provincial updates, and as much updated regional data as available, including but not limited to: EMS transport, naloxone distribution, and overdose death data

Financial Considerations

As of September 2017, NRPH has received \$250,000 in additional base funding for staff positions to support local opioid response initiatives (PHD 15-2017). This funding has been allocated to a 1.0 FTE Harm Reduction Program Coordinator, a 1.0 FTE Addictions Statistician, and a 0.5 FTE Health Promoter/Community Outreach Worker.

Analysis

The Work of Niagara’s Regional Service, Health System, and Community Partners

Niagara is fortunate to have a vigorous community of committed organizations working across the four pillars of an opioid strategy: prevention, harm reduction, treatment and enforcement. **Table 1: Work of Niagara’s Regional Service, Health System, and Community Partners**, offers a brief description of each Network organization’s work to reduce opioid-related harms in the region across these pillars. These organizations are connected to other partners, including many primary care groups, community health centres, pharmacies, and community agencies across the region not listed in Table 1.

Table 1: Work of Niagara’s Regional Service, Health System, and Community Partners

Network Member	Work to Decrease Opioid-Related Harms in the Region
Bridges Community Health Centre	<ul style="list-style-type: none"> • Naloxone kits are present on site • Providers make referrals to Methadone clinics, Mental Health organizations (CMHA, Niagara Region Mental Health, etc.) and Community Addictions Services of Niagara (CASON) as appropriate. Bridges CHC also provides CASON with free office space to see their clients in Port Colborne. • Providers make referrals to, and collaborate with, Dr. Koon at the NewPort Centre for complex addictions cases • Bridges CHC social workers provide counselling support to some individuals with concurrent disorders (mental health and addictions) • Clients are referred to pharmacies for free naloxone kits as appropriate • All prescribers at Bridges CHC practice diligent prescribing of opioids and follow protocols in place (e.g., all clients who are prescribed narcotics must sign a narcotics contract)
Brock University Health Services	<ul style="list-style-type: none"> • Provides mental health and addictions clinical services on-campus for students • A full-time mental health nurse provides mental health services for students • The Student Health and Wellness Hub offers drop-in Peer Health Educator services for students on various topics, including mental health • Personal counseling services are provided free to students • Health promotion staff are implementing opioid education and awareness initiatives

Network Member	Work to Decrease Opioid-Related Harms in the Region
	<ul style="list-style-type: none"> • Campus security are being trained on the importance of opioid overdose recognition and administration of naloxone
Centre de santé communautaire	<ul style="list-style-type: none"> • Staff trained on naloxone administration • Staff delivered over 500 educational workshops in French language schools in Niagara and Hamilton on illicit and prescription drugs in the past two years • Welland primary care staff conduct regular opioid case conferences
Community Addiction Services of Niagara (CASON)	<ul style="list-style-type: none"> • Provides specialized addiction services (assessment and referral, individual/family/group treatment and supportive housing) for approximately 3,000 individuals of all ages, including families • Approximately 15% of clients are seeking help for their opioid addiction; demand for service exceeds capacity • Part of a comprehensive addictions system in Niagara that offers a continuum of services, which can be accessed from any point in the continuum • Partners with Niagara Region and Positive Living Niagara for the StreetWorks needle exchange program – CASON's role is to provide a link to treatment resources for those who are ready to make changes • Satellite offices are located throughout the Niagara region as well as in every secondary school, The Raft, YWCA shelters (thanks to funding through the Niagara Prosperity Initiative) and the Niagara Detention Centre • CASON is a partner in delivering Early Intervention Services with Niagara Region Mental Health • CASON's specialized addiction services are contracted by the Region for Ontario Works clients with serious substance use issues
Hamilton Niagara Haldimand Brant LHIN	<ul style="list-style-type: none"> • Works with public health agencies and health system partners at the local level to roll out strategies and solutions to combat the opioid crisis, including: public education campaigns for at-risk groups, exploring the possibility of harm-reduction strategies such as the introduction of supervised injection sites in select communities, and increasing naloxone availability to first-responders, pharmacies, and to opioid users and their loved ones • Mental Health and Addictions is an area of focus in LHIN Sub-Region Planning

Network Member	Work to Decrease Opioid-Related Harms in the Region
Hospice Niagara	<ul style="list-style-type: none"> • Provides hospice palliative care throughout Niagara, including in-residence, day programs and in homes • Provides extensive education related to the appropriate use of opioids in palliative pain and symptom management, in courses such as Pain Assessment and Management (PAM), the Comprehensive Advanced Palliative Care Education (CAPCE) program and Fundamentals of Hospice Palliative Care-Enhanced program
MapleLand Pharmacy	<ul style="list-style-type: none"> • Provides health education to individuals about opioid medications, overdoses and stewardship • In a position to identify high-risk patients early • Provides free naloxone kits to individuals with an OHIP card
Peter McDermott, Dentist and Prosthodontist	<ul style="list-style-type: none"> • Dentists exercise reasonable professional judgment to determine whether prescribing an opioid is the most appropriate choice for a patient • Executive council member of Niagara Peninsula Dental Association
Moms Stop the Harm	<ul style="list-style-type: none"> • Conducts advocacy and education work stemming from key beliefs, which include: families as partners in finding solutions, support don't punish, saving lives through harm reduction, redefine recovery, ending the harm due to bad drug policy, know the drug, minimize the risk, bereavement support and investing in education
Johny Moore	<ul style="list-style-type: none"> • Committed to working towards tangible recovery solutions for Niagara residents with opioid addiction • Founder of the End The Stigma Movement • Advocating for system change to reduce opioid-related harms • Developing educational curriculum for lecturing and speaking in schools, institutions, from both lived experiences and research perspectives • Creating awareness through the use of digital media, social media, and the arts (e.g., film) to engage a broader audience and inspire those seeking recovery
mumsDU	<ul style="list-style-type: none"> • mumsDU (Moms United and Mandated to Saving the Lives of Drug Users) represents the parental voice on substance use and the need for drug policy reform provincially and federally in Canada, and internationally
NAMES	<ul style="list-style-type: none"> • NAMES (Niagara Area Moms Ending Stigma) is a local group of moms who are speaking out in support of harm reduction through advocacy and proven harm reduction initiatives,

Network Member	Work to Decrease Opioid-Related Harms in the Region
	<p>including safe injection sites and better access to resources in our community</p> <ul style="list-style-type: none"> • NAMES offers monthly get-togethers where our moms can get together, share our stories and provide support to one another • We are committed to exploring alternative and proven harm reduction initiatives, including RAACs (rapid access addiction clinics) in our communities
Kelly Neill, Parent	<ul style="list-style-type: none"> • Brings the parent perspective of a youth with addiction to opioids and the impacts of opioid addiction on families
Niagara Catholic District School Board	<ul style="list-style-type: none"> • Currently employs three internal school-based social workers, and works closely with two external school-based social workers that provide clinical therapy for students • Supports CASON counselors working in all eight secondary schools and the NCDSB alternative setting to provide clinical therapy and case management to students • Social workers and counselors facilitate referrals to community partners if necessary
Niagara College	<ul style="list-style-type: none"> • Facilitates staff and student training for correctly identifying an overdose and administering naloxone • Conducts on-campus health promotion, education and awareness initiatives regarding harms of opioid use, signs and symptoms of overdose, naloxone administration and community resources • Mini health fairs at student residences are scheduled this fall for student education and awareness on opioid-related harms • Exploring possibly making naloxone available on campus
Niagara Correctional Facility	<ul style="list-style-type: none"> • Screens all new admissions for opioid use • Provides all inmates with a naloxone wallet card on release. The cards contain important resources and information related to obtaining naloxone. • Facilitates education on naloxone to all inmates and guards by a Niagara Region Public Health Outreach Nurse and Positive Living Niagara • Beginning Jan. 31, 2018 inmates who screen positive for opioid use and consent to receive a naloxone take home kit will be provided with health teaching while in custody and provided with a naloxone take home kit on release • Numerous posters have been placed throughout the institution regarding the signs and symptoms of opioid overdose. Health teaching about overdose and opioid use will be given to inmates in small group sessions by a Public Health nurse.

Network Member	Work to Decrease Opioid-Related Harms in the Region
Niagara EMS	<ul style="list-style-type: none"> • Provides emergency services for individuals experiencing opioid overdose in the region • Since 2016, actively monitors calls for opioid overdose and shares relevant data with Network members and the media • Real-time surveillance near readiness through a software tool called First Watch that will immediately alert when numbers of opioid overdoses increase past the standard deviation • Initiating a protocol for all Niagara Ambulance Communication Staff to deliver pre-arrival instructions to callers to 911 regarding the administration of naloxone • Exploring a proactive program with CASON for those that have experienced a recent opioid overdose and have called 911. This collaboration would see a team of a paramedic and a social worker reach out within 24 hours to those who have had an opioid overdose, assess readiness for treatment and transport to treatment if required, refer to addictions programs for the individual and family members if appropriate, and replenish naloxone kits if needed.
Niagara Falls Community Health Centre	<ul style="list-style-type: none"> • Provides primary healthcare to the residents of Niagara Falls, along with health promotion programs and community development services • People with mental health and/or addiction issues are among its priority populations
Niagara Health	<ul style="list-style-type: none"> • Established the physician-led Rapid Access Addiction Medicine (RAAM) Clinic located at the St. Catharines Hospital, with plans to add a nurse practitioner and social worker • Implemented an Order Set for the use of Suboxone for Opioid Withdrawal Management, which can be utilized in the emergency department or any other inpatient clinical areas • Provides Naloxone Overdose Kit education and distribution within the New Port Centre Residential addictions treatment program • Provides education and training of Withdrawal Management staff. Implementing a Naloxone Kit distribution program at the Withdrawal Management centre • Ongoing development of a Naloxone Kit distribution program for inpatient mental health services, emergency psychiatric services, the Hepatitis C Care Clinic, and potentially all of Niagara Health's emergency department, medical/surgical and critical care inpatient units. • Ongoing development of a "Substance Use Clinical Pathway"

Network Member	Work to Decrease Opioid-Related Harms in the Region
	that can be utilized by inpatient medical/surgical/critical care units to guide the assessment, care and treatment of Substance Use Disorders for persons in their care
Niagara North Family Health Team	<ul style="list-style-type: none"> • Provides safe prescribing of opioids for its patient population • Educates physicians and other prescribers about how to prescribe safely and how to apply the recent pain management and opioid-prescribing guidelines in the correct patient populations
Niagara Region Public Health	<ul style="list-style-type: none"> • Co-leads and supports the development, implementation, and evaluation of a local overdose response plan and community drug strategy • Manages and distributes naloxone to community partners for distribution to clients who use drugs. Provides education regarding its use. • Works with partners (i.e., emergency departments, first responders, and harm reduction services) to establish a data system to identify and track the risks posed by opioids, including overdose • Works in partnership with and funds the needle exchange program StreetWorks, delivered by Positive Living Niagara • An Outreach Social Determinants of Health nurse provides harm reduction services such as testing and treatment of sexually transmitted and blood-borne infections, immunizations, wound care, mental health and addiction referrals to sex trade and injection drug use populations • The Health Bus program, Sexual Health program, and Niagara Region Mental Health program all partner to provide harm reduction services to their clients, working routinely with community agencies in the mental health and addictions field • NRPH will use its staff and resources to effectively support the Network steering committee and working groups in their tasks as appropriate
Niagara Regional Police Service	<ul style="list-style-type: none"> • Continuing to seek out and prosecute individuals involved in the trafficking of opioids • Working within the 'Good Samaritan' legislation. Encouraging individuals to call 911 without the fear of arrest • Providing education of harms to students at secondary and post-secondary institutions • Updated processing rooms for opioids, including filtered processing units, and provision of proper personal protective equipment

Network Member	Work to Decrease Opioid-Related Harms in the Region
	<ul style="list-style-type: none"> • Begun rollout of naloxone kits to units where exposure to opioids is expected. The next step is to issue more naloxone kits to frontline patrol officers.
Ontario Aboriginal HIV/AIDS Strategy (OAHAS)	<ul style="list-style-type: none"> • Provides client-centered and asset-based programs and services, including tools and preventive education, to reduce the risk of opioid-related harm to clients and others • Offers direct client services and supports community development • Provides harm reduction supplies and referrals to housing, pre- and post- counselling, and linkages to treatment and care • Partners with advisories and other groups
Ontario Addiction Treatment Centres and Towards Recovery Clinics	<ul style="list-style-type: none"> • Operates three opioid replacement therapy clinics in Niagara with teams of physicians, nurses and pharmacists; currently serving approximately 575 patients • Provides naloxone overdose kits and training • Provides specialized care including hepatitis C treatment and breastfeeding support for people who use drugs • Part of a well-established referral network with other community service providers • Manages an extensive database and assists other community agencies in understanding trends in monthly drug use within the region
Positive Living Niagara	<ul style="list-style-type: none"> • Delivers the Beyond the N.O.D. (Niagara Opioid Overdose Diversion) Naloxone Distribution Program which trains how to avoid, recognize, and respond to an opioid overdose using naloxone nasal spray. Since August 2013, 660 people have been trained and over 600 naloxone kits have been reported as used in an overdose emergency. • This regional program runs in conjunction with the NRPH-funded StreetWorks program, providing harm reduction services including: needle exchange and disposal, safer sex materials, safer smoking kits, and information about these topics as well as overdose prevention
Quest Community Health Centre	<ul style="list-style-type: none"> • Provides primary health care (including comprehensive and safe opioid prescribing, titration and withdrawal support), referrals to addiction medicine and follow-up care, therapy (including counseling for addictions), specialized clinics supporting individuals experiencing chronic pain complicated by addiction, groups (including SMART Recovery and Skills to Cope), opioid-specific case management and health system navigation (including linking clients to services such as a specialist and

Network Member	Work to Decrease Opioid-Related Harms in the Region
	<p>services addressing the social determinants of health)</p> <ul style="list-style-type: none"> • Education on overdose prevention, recognition and response training, and naloxone use and kit distribution to clients and their family/friends atrisk of an opioid-related emergency • Provides Urgent Services Access Team (USAT) services, an interdisciplinary mobile outreach health team working with people atrisk of opioid overdose and/or frequenting the emergency department for mental health and addiction concerns, and linking clients to addictions treatment services in the region
The Salvation Army	<ul style="list-style-type: none"> • The Salvation Army Booth Centre in St. Catharines is a men's homeless shelter with 21 shelter beds and 25 housing first units; it is also a Corrections Canada funded federal halfway house. Its location is within a hub for opioid use in St. Catharines. • The shelter offers safe disposal of needles, education on addiction, and staff trained in naloxone administration • The Salvation Army believes in harm reduction principles and will not turn away service to those who are under the influence, as we feel those individuals have a better success rate if they can be safe in shelter
Start Me Up Niagara	<ul style="list-style-type: none"> • Operates an open access Outreach centre every day of the year in the Queenston neighbourhood • Provides drop-in services, weekend meals, health care, communication (mail, email, phone) device use, advocacy, housing and employment supports • Hosted 46,000 visits in 2016
Welland McMaster Family Health Team	<ul style="list-style-type: none"> • Provides comprehensive family health care to its rostered patients • Delivers chronic pain and mental health services clinically to individuals and in group programs

The Work of the Opioid Network

NRPH co-chairs the Network with Positive Living Niagara (CWCD 17-2017). The Network continues to grow in membership.

The Opioid Network formed in 2016 as a networking and partnership group and it is now in a position to step up service coordination and action. A new structure for the Network was established on Nov. 16, 2017. In this new structure, a steering committee of 10-12 senior level Network members will be selected to ensure representation across prevention, harm reduction, treatment, and enforcement groups. Following a Terms of

Reference, the steering committee will direct and monitor progress of initiatives undertaken by four collective action oriented working groups. The four working groups are:

- Treatment/Access to Service, led by Lisa Panetta (CASON)
- Communication/Education, led by Kelly Neill (parent of child with lived experience)
- Harm Reduction/Alternative Strategies led by Jenny Stranges (Quest Community Health Centre)
- Data/Surveillance, lead to be determined

New working groups may be formed as required for emerging issues. In the new model, all Network members will continue to meet regularly to advise the steering committee and preserve overall partnership, coordination, and communication.

Preliminary discussions have occurred between Network members (i.e., community agencies and the LHIN) about preparing an application to Health Canada for a federal exemption for a supervised injection site. The first task of the Harm Reduction/Alternative Strategies working group is to explore this.

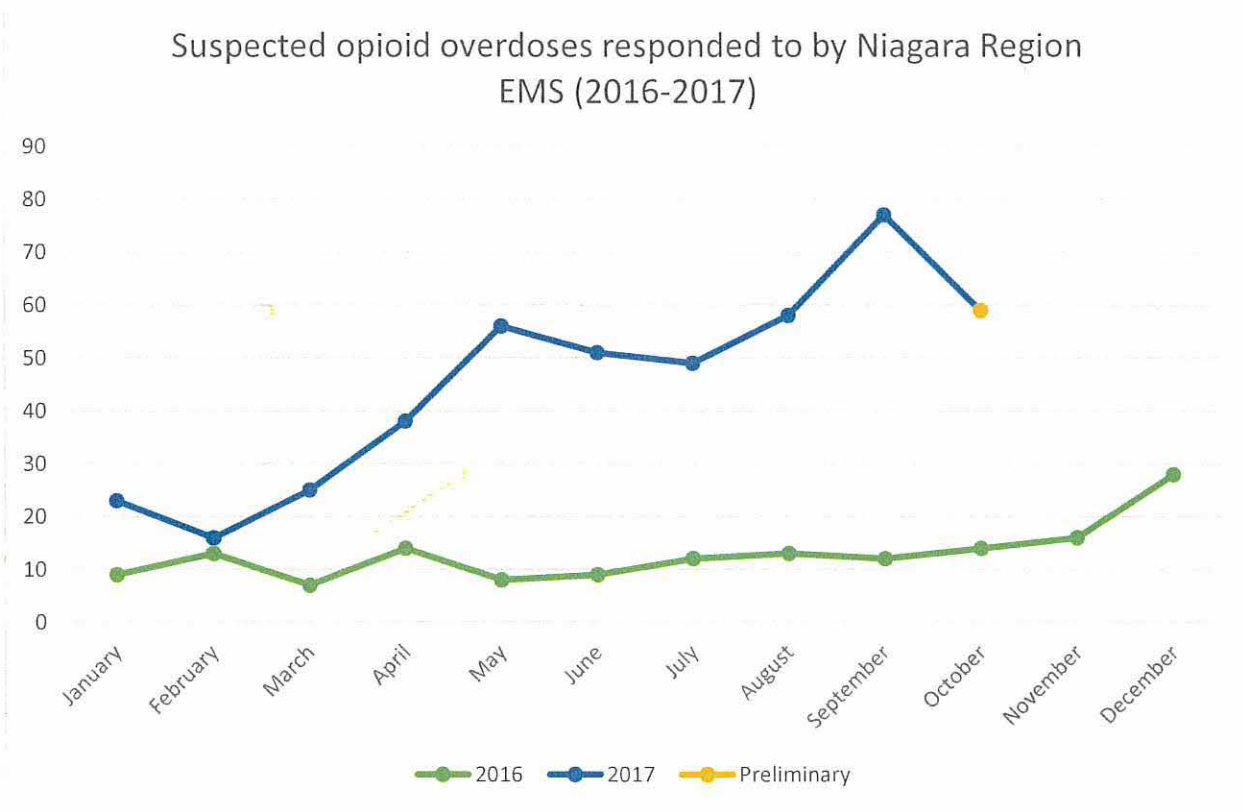
Data Monitoring

NRPH has recently provided opioid-related Memorandum updates to Council. NRPH is leading work to establish a surveillance system for tracking opioid-related indicators of harms to guide preventive and reactive action. The most up to date and accurate data can be found [within our website](#).

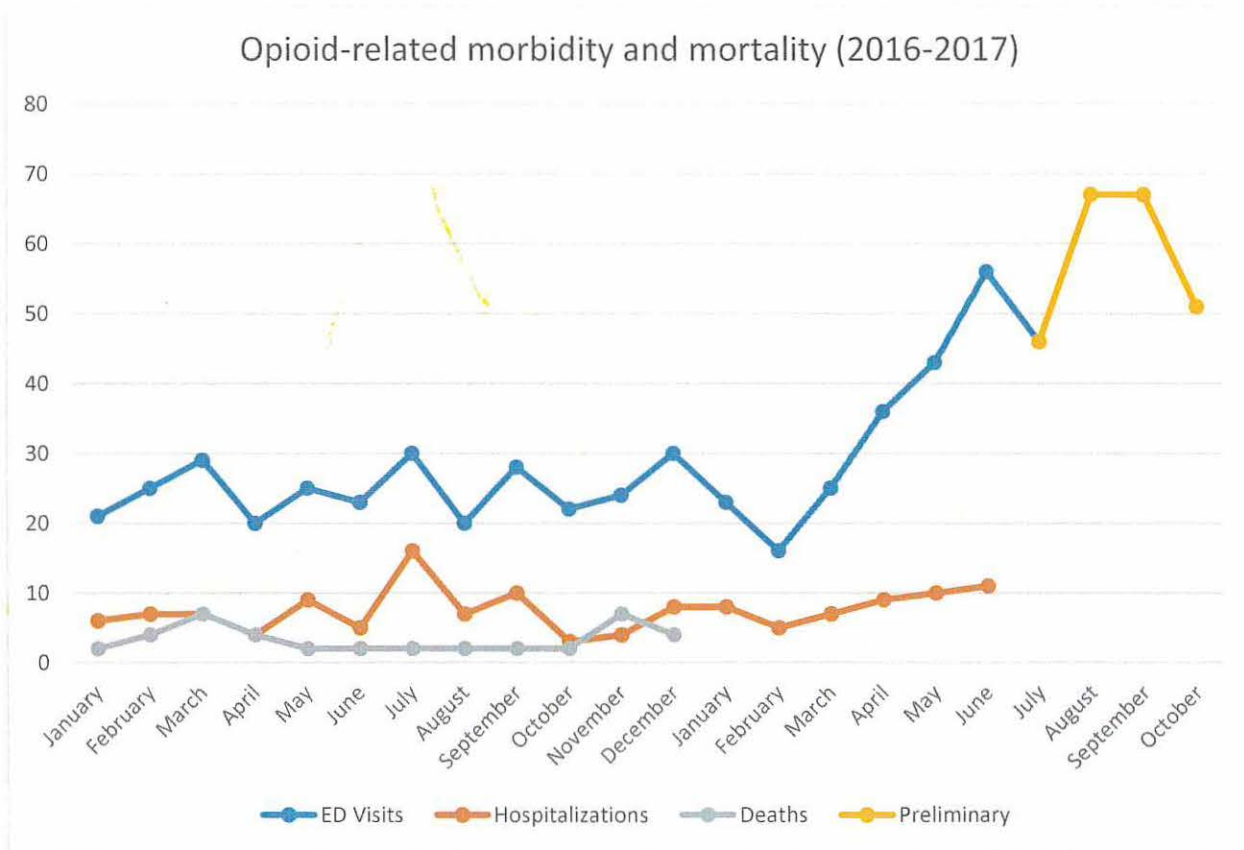
Some data are released by the Ministry of Health and Long Term Care (MOHLTC) to public health units only after they have been extensively checked. This process can range from months (e.g., hospitalization data) to approximately a year (e.g., death data).

For this report, we have included some **preliminary** data (in orange) in addition to the data found on the website.

A summary of opioid-related population health outcome and naloxone distribution data available to date follows.



- In 2016, there were a total of 155 suspected opioid overdoses, but by the end of June 2017, there were 209 suspected opioid overdoses
- The majority of suspected overdoses occurred in individuals age 26-45
- The majority of suspected overdoses occurred in men
- An increase in suspected EMS overdose transports since February 2017 can be observed, with a slight decrease noted in October 2017



- In 2016, there were a total of 297 opioid poisoning emergency department (ED) visits, and 82 hospitalizations
- ED visit data continues to trend upwards since February 2017. August and September of 2017 had in excess of 50 – 60 ED visits per month, while hospitalization data remains at approximately 8 opioid-related hospitalizations per month.
- Death data for 2016 is still considered to be preliminary
- In 2016, fentanyl was the most common type of opioid present at the time of death (present in 35% of deaths), followed by hydromorphone (present in 25% of deaths)

Naloxone use in Niagara (2016 - 2017)



Data source: Positive Living Niagara, July 2017

- Currently, Public Health only reports StreetWorks data, but over the coming months naloxone data from more Niagara agencies will be captured
- In 2016, 147 naloxone kits distributed by StreetWorks were used
- In the first half of 2017 alone, 190 StreetWorks naloxone kits were used
- The majority (71%) of naloxone used through StreetWorks is used on males
- Currently, naloxone can also be obtained from participating Ontario pharmacies, community health centres, methadone clinics, detention centres, and addiction treatment facilities. Imminently, NRPH will be ordering, coordinating, and supervising naloxone inventory, distributing it to community agencies to in turn distribute to their clients, and reporting on this to the MOHLTC.
- Public Health Units are working with the MOHLTC to obtain a more fulsome picture of data related to naloxone distribution and use.

NRPH will be responsible for the collection and reporting of these and other data into the MOHLTC's new Ontario Harm Reduction Database (ONHRDB). Specifically, NRPH will report quarterly on a suite of indicators outlined in **Table 2: MOHLTC Proposed Harm Reduction Program Indicators**. Performance on these and other local indicators will be tracked and used by NRPH and the Network. It is expected that these newly required indicators will evolve and potentially change over time as the MOHLTC refines them. In addition, the data working group of the Network will want to work on combining available partner data, as possible.

Table 2: MOHLTC Proposed Harm Reduction Program Indicators

Harm Reduction Program Component	Indicators
Population Health Outcomes	<ul style="list-style-type: none"> • Emergency room visits due to opioid overdose • Hospitalizations due to opioid overdose • Drug-toxicity deaths • Opioid-related drug toxicity deaths
Local Opioid Response	<ul style="list-style-type: none"> • Status of the development, implementation, and evaluation of the local opioid response plans and early warning and surveillance system
Naloxone Distribution (by sub-organization/ organization type)	<ul style="list-style-type: none"> • Number of eligible community organizations' distribution of naloxone • Number of clients trained to administer naloxone • Number of family and/or friends of clients trained to administer naloxone • Number of naloxone kits distributed to clients • Number of naloxone kits distributed to family and friends • Number of clients who reported administering naloxone, including how many doses were given per overdose • Number of family/friends of clients who reported administering naloxone, including how many doses were given per overdose • Number of times that 911 was called when naloxone was administered
Opioid Overdose Early Warning System	<ul style="list-style-type: none"> • Status of the development and implementation of the local opioid overdose early warning system • Number of times the system has been used, including details regarding the relevant surge and actions taken to reduce risk • Lessons learned and what quality improvement actions have been undertaken

Update on Opioid-Related Communications to the Public Health and Social Services Committee

As per Council's direction (PHSSC 12-2017), NRPH will be reporting to PHSSC every three weeks on any opioid-related actions or meetings that have taken place locally, any

significant federal or provincial updates, and up-to-date regional EMS transport, naloxone distribution, and overdose death data as available.

This report fulfills the requirement under the Ontario Public Health Organizational Standards (s6.7), keep Board of Health apprised on budget and resource allocation.

Alternatives Reviewed

The alternative of standard formal reports would not enable timely reporting. Various models of Network structure were considered. The model proposed was agreed to by co-chairs of the Network and presented for adoption by all Network members.

Other Pertinent Reports

[CWCD 407-2017](#): Opioid Events Update, November 3, 2017

[CWCD 386-2017](#): Opioid Provincial Update, October 13, 2017

[CWCD 369-2017](#): Public Health Drug and Opioid Website, September 29, 2017

[PHD 15-2017](#): Harm Reduction Program Enhancement - Opioid Response

[CWCD 17-2017](#): Opioid Update – Focus on EMS Response

[PHSSC-C 4-2017](#): Opioid Update Including Recent Federal Government Report on Opioids

[PHD 16-2016](#): Opioid Misuse – A Community Issue

Prepared by:

Ryan Van Meer, MD, MPH
Acting Manager, Chronic Disease and
Injury Prevention
Niagara Region Public Health

Recommended by:

Valerie Jaeger, MD, PhD, MPH
Medical Officer of Health

Submitted by:

Carmelo D'Angelo, BSc, MPA
Chief Administrative Officer

This report was prepared in consultation with Dr. Andrea Feller, Associate Medical Officer of Health, David Lorenzo, Associate Director, Chronic Disease and Injury Prevention Division, Sinéad McElhone, Manager, Surveillance & Evaluation, Organizational and Foundational Standards Division and Amy Fishleigh, Health Promoter, Chronic Disease and Injury Prevention Division.

December 12, 2017

**CL 17-2017, December 7, 2017
BRCOTW 06-2017, November 23, 2017
Correspondence Item BRC-C 04-2017**

DISTRIBUTION LIST

SENT ELECTRONICALLY

2018 Proposed Operating Budget Niagara Regional Police Service
and Police Services Board

BRC-C 04-2017

Regional Council, at its meeting of December 7, 2017, approved the following
recommendation of its Budget Review Committee of the Whole:

That Correspondence Item BRC-C 04-2017 being a letter from D. Reid,
Executive Director, Police Services Board, dated November 3, 2017, respecting
2018 Proposed Operating Budget Niagara Regional Police Service and Police
Services Board, **BE RECEIVED**;

1. That the Niagara Regional Police Service 2018 Operating Budget **BE APPROVED** with recognition that a provincial arbitration award above Niagara Regional Council's 2018 budget guidance was imposed on the Police Services Board;
2. That Niagara Region **CALLS** on the Government of Ontario to reform the interest arbitration system to ensure taxpayer affordability and a municipality's ability to pay are protected; and
3. That this resolution **BE CIRCULATED** to Niagara's local area municipalities and Members of Provincial Parliament.

A copy of Correspondence Item BRC-C 04-2017 is enclosed for your information.

Yours truly,



Frank Fabiano
Acting Regional Clerk
:amn

CLK-C 2017-144

cc: D. Reid, Executive Director, Niagara Regional Police Services Board
Local Area Municipalities
S. Oosterhoff, MPP, Niagara West – Glanbrook
J. Bradley, MPP, St. Catharines
W. Gates, MPP, Niagara Falls
C. Forster, MPP, Welland
H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer
J. Burgess, Acting Commissioner, Enterprise Resource Management Services
M. Montague, Executive Assistant to the Acting Commissioner, Enterprise Resource Management Services



REGIONAL MUNICIPALITY OF NIAGARA
POLICE SERVICES BOARD
5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

Tel: (905) 688-4111 • Toll Free: 1-888-668-3911 • Fax: (289) 248-1011
psb@niagarapolice.ca • www.niagarapolice.ca

November 3, 2017

Mr. Frank Fabiano, A/Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold, Ontario
L2V 4T7

Dear Mr. Fabiano:

**RE: 2018 Proposed Operating Budget
Niagara Regional Police Service and Police Services Board**

On October 26, 2017, the Regional Municipality of Niagara Police Services Board met to consider the proposed 2018 consolidated operating budget for the Niagara Regional Police Service and the Police Services Board.

The following motion was duly passed:

"That the Board approve the 2018 Operating Budget for the Police Service and Board resulting in a Total Net Expenditure Budget before Indirect Allocations of \$143,491,264;

And further, that the consolidated budget of the Service and the Board be submitted to Regional Council for approval.

Carried."

A report from the Niagara Regional Police Service is attached, along with a copy of the presentation. I would ask that this information be placed on the agenda for the Regional Budget Review Committee of the Whole meeting scheduled for November 23, 2017.

Please be advised that Chief of Police Bryan MacCulloch and his Executive Management Team will be in attendance to address this matter.

In the meantime, should there be any questions, please don't hesitate to contact me.

Sincerely,

Deb Reid
Executive Director

Encl.

- c. Regional Chair Alan Caslin, Niagara Region
CAO Carmen D'Angelo, Niagara Region
Mr. Jason Burgess, A/Commissioner of Corporate Services, Niagara Region
Chief Bryan MacCulloch, Niagara Regional Police Service

212.



NIAGARA REGIONAL POLICE SERVICE

Chief of Police Bryan MacCulloch BA,MA

RECEIVED
OCT 25 2017
FOS RB

Public Agenda

REPORT OF THE POLICE SERVICE

TO

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Board Report Number: 271/2017
Date of Report: October 25, 2017
Date of Board Meeting: October 26, 2017

Chairperson Bob Gale
and Members of the
Regional Municipality of Niagara Police Services Board

Reference: 2018 Operating Budget of the Niagara Regional
Police Service

Recommendation: That the Police Services Board receives and
approves the 2018 Operating Budget for the Police
Service and Board resulting in a Total Net
Expenditure Budget before Indirect Allocations of
\$143,491,264, an increase of 4.5%.



Background:

The foundation of the 2018 Operating Budget was consistent with prior years; the Service is mandated to uphold all Adequacy Standards set by the Police Services Act, while providing effective policing to the community.

At the July 6, 2017 meeting, the Finance Committee approved a two percent (2%) budgetary guidance for the Niagara Regional Police Service 2018 Operating Budget.

Report:

Taking in to account the ongoing annual budget pressures, limited funding options and the compounded impact of the retroactive arbitrated award the Service embarked upon an analysis seeking to increase efficiencies while keeping in mind Budget Guidance, the Business Plan, Provincial Adequacy Standards and the Region's priorities.

Led by the command staff, the executive team completed risk assessments of each of the programs within the Service. We examined our model from the perspective of Front-Line or First Response, Investigative or Support Services for Front-Line Operations and finally other Support or Administrative functions.

In addition to our program risk assessments our mitigations strategies included:

- A detailed line by line review of discretionary spending and cost recovery opportunities. Budget requests were validated based on historical spending. The budget includes user fee increases and discretionary spending decreases;
- Ongoing review of administrative policies, procedures and procurement opportunities which led to non-discretionary savings; and
- Addressing the ever changing operational needs, community expectations and legislative requirements through the reprioritization of resources. As part of the 2018 Budget process the executive considered and found alternatives for \$800,000 in program change requested.

The proposed 2018 Operating Budget for the Police Service and Board before indirect allocation is \$143,491,264, a base increase of 4.5% or \$6.2 million. The \$6.2 million cost drivers include the 2018 collective agreement arbitration award impact, the salaried days adjustment and the opening of the Welland Provincial Court House. The 2018 Proposed Operating Budget Schedule of Revenue and Expenditures is attached as Appendix A.

The proposed operating budget includes a net program change reduction of \$39,332 that includes:

- A False Alarm revenue increase from a program review. The alarm program has not been updated since 2010. In November the Service will be recommending changes designed to continue to effectively and efficiently further reduce the number of false alarm calls for service while maintaining cost recovery;
- The Board has received and approved a recommendation from the Service regarding Front Desk staffing. The net impact will be a savings of over \$200,000. This program change will re-purpose 8 (eight) uniform officers to the front line to assist in reducing overtime; and additionally
- The Service is recommending an increase in front line patrol compliment of 8 (eight) uniform officers to be predominantly offset by a reduction in overtime.

In addition to the normal budget pressures, the 2018 Operating Budget is being presented with significant risks due to unresolved factors including the Casino District Agreement with the City of Niagara Falls and the potential changes to the current Ministry of Community Safety and Correctional Services funding programs.

Conclusion:

The Service believes that the recommended 2018 Operating Budget at 4.5% includes funding for the authorized strength required to provide adequate and effective policing in the Niagara Region.

As a result of your supporting our proposed budget, the Region and the citizens we serve will continue to realize a number of benefits. These benefits, are not limited to, but include the following:

- Enhanced engagement with the community;
- Ability to Maintain Public Safety. We will maintain the ability to respond to calls for service in a timely manner;
- Continuity of High Risk Files within our Specialized policing units;
- Efficient Management of Resources – Decrease our Reliance on Overtime by increasing the number of officers on the front-line;
- Support of Regional Priorities like having a region that moves people and goods, and promotes economic development across our region;
- Modernization of Policing Services;
- Ability to Support Emerging Legislation like Cannabis and Emerging Case Law (R vs Jordan); and
- Compliance with Provincial Adequacy Standards.

The proposed total consolidated net expenditure budget for the Niagara Regional Police Service and the Board is \$143,491,264 which is a 4.5% increase.

Police Service	\$142,747,326
Board	\$743,938
Niagara Regional Police Service and Board	\$143,491,264

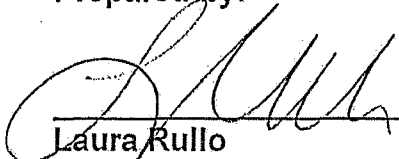
Relevant Policy Considerations: Police Services Act

Cost of Recommendations: \$143,491,264 before Indirect Allocations

Alternative Options: Do not approve


Reasons for Recommendation: To provide a realistic estimate of the cost of providing mandated policing services

Prepared by:



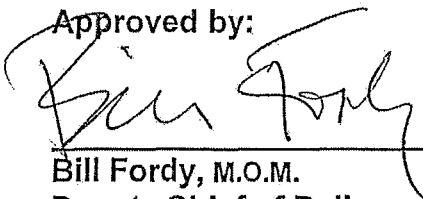
 Laura Rullo
 Manager, Finance

Reviewed by:




 Lisa DiDonato-DeChellis
 Director, Business Services

Approved by:



 Bill Fordy, M.O.M.
 Deputy Chief of Police

Respectfully Submitted by:



 Bryan MacCulloch
 Chief of Police

Appendix A

Schedule of Revenue and Expenditures by OE
 Niagara Regional Police Service and Board
 Fiscal Year: 2018

	2017	2018				
	Budget	Base	Program Change - Mandatory	Total	Variance	Variance%
	Total					
Compensation	134,470,702	144,526,547	60,668	144,587,215	10,116,513	7.5%
Administrative	3,943,220	3,824,074	-	3,824,074	(119,146)	(3.0%)
Operational & Supply	2,142,893	2,255,470	-	2,255,470	112,577	5.3%
Occupancy & Infrastructure	341,375	327,105	-	327,105	(14,270)	(4.2%)
Equipment, Vehicles, Technology	5,822,012	6,028,621	-	6,028,621	206,609	3.6%
Financial Expenditures	4,000	4,000	-	4,000	-	0.0%
Transfers To Funds	9,585,060	6,723,092	-	6,723,092	(2,861,968)	(29.9%)
Allocation Between Departments	(1,265,715)	(1,366,859)	-	(1,366,859)	(101,144)	8.0%
Gross Expenditure Subtotal	155,043,547	162,322,051	60,668	162,382,719	7,339,171	4.7%
Federal & Provincial Grants	(9,050,766)	(10,007,795)	-	(10,007,795)	(957,029)	10.6%
By-Law Charges & Sales	(7,119,300)	(7,255,000)	(100,000)	(7,355,000)	(235,700)	3.3%
Other Revenue	(1,389,276)	(1,528,659)	-	(1,528,659)	(139,383)	10.0%
Transfers From Funds	(225,000)	-	-	-	225,000	(100.0%)
Gross Revenue Subtotal	(17,784,342)	(18,791,454)	(100,000)	(18,891,454)	(1,107,112)	6.2%
<u>Net Expenditure (revenue) before indirect allocations</u>	137,259,205	143,530,597	(39,332)	143,491,264	6,232,059	4.5%

Ministry of
Municipal Affairs

Ministère des
Affaires municipales

Office of the Minister

Bureau du ministre

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Fax: 416 585-6470

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Ministry of Government and
Consumer Services

Ministère des Services
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Services aux
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Télééc.: 416 326-1947

City of Port Colborne
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CORPORATE SERVICES
DEPARTMENT



MGCS3766MC-2017-797

December 15, 2017

Dear Heads of Municipal Councils:

We are pleased to provide an update on Bill 59, Putting Consumers First Act (Consumer Protection Statute Law Amendment), 2017. Bill 59 made amendments to the City of Toronto Act, 2006 and the Municipal Act, 2001. Upon proclamation, these amendments will allow local municipalities to regulate the location and number of payday loan establishments. We would like to inform you that the government has proclaimed these sections into force effective January 1, 2018.

During consultations to inform the development of Bill 59, the government heard from municipalities that there was interest in an expanded municipal authority to regulate payday lenders. As a government we have listened. We thank municipal leaders for your contributions to protecting consumers and your communities.

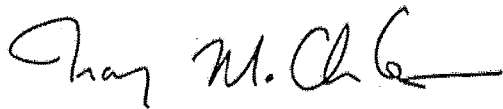
Additional regulatory changes to strengthen protection for consumers using payday loans and cheque-cashing services will come into force on July 1, 2018 and include the following:

- It will be mandatory for payday lenders to provide borrowers with an extended payment plan if borrowers take out three or more loans with the same lender within a 63-day period.
- Payday lenders can only lend up to 50 per cent of a borrower's net pay per loan.
- The cost of borrowing a payday loan must be disclosed as an annual percentage rate in advertisements and agreements.
- The maximum fee for cashing government-issued cheques will be capped at \$2 plus one per cent of the face value of the cheque, or \$10, whichever is less.
- It will be mandatory for cheque cashing service providers to provide a receipt when cashing government-issued cheques.

If you have any questions about the amendments, you may contact Ann Misetich, Manager of Consumer and Business Policy via email at Ann.Misetich@ontario.ca or by telephone at 416-326-8868.

Thank you for your continued support of strengthening financial protection for consumers in Ontario's communities. We look forward to continuing to work with you on this important initiative in the future.

Sincerely,



Tracy MacCharles
Minister of Government and Consumer Services



Bill Mauro
Minister of Municipal Affairs

c: Municipal Clerks/CAOs

JAN 02 2013



Ministry of Finance
Office of the Minister

Ministère des Finances
Bureau du ministre

7th Floor, Frost Building South
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Telephone: 416-325-0400
Facsimile: 416-325-0374

7^e étage, Édifice Frost Sud
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Téléphone: 416-325-0400
Télécopieur: 416-325-0374

Dear Heads of Municipal Councils:

Ontario continues to prepare for federal legalization of cannabis by moving ahead with its safe and sensible framework to govern the lawful use and retail distribution of cannabis as a carefully controlled substance within the province. On December 12, 2017, Ontario passed legislation that will regulate the lawful use, sale and distribution of recreational cannabis by the federal government's July 2018 deadline.

I am writing to provide you with an update on the provincial work underway to establish a retail and distribution channel for legal cannabis. I would also like to confirm the Province's commitment to engaging with municipalities on funding to help address the incremental costs associated with the implementation of cannabis legalization in Ontario.

Our objectives in the establishment of the retail and distribution system for legal cannabis are to protect youth and eliminate the illegal market. Municipalities are essential partners in the efforts to achieve these goals.

As noted in my October 27 letter, the various engagements the province has had with municipalities have been beneficial. Over the course of November and December, staff from the Ministry of Finance and the Liquor Control Board of Ontario (LCBO) met with staff of the municipalities identified for the initial cannabis retail stores for July 2018. These meetings provided valuable insights on provincial guidelines and areas of local interests that will inform store siting. I would like to thank the staff of these municipalities for their thoughtful feedback.

With the conclusion of the federal government's consultation with provinces and territories on the tax framework, we now have a better understanding of the revenue share to address the costs of legalization. During those discussions, we negotiated for a greater share of revenue on the basis that both the province and municipalities bear incremental costs. We now look forward to engagement with municipalities on a reasonable distribution of the province's share of the federal excise tax revenue. Given the federal government's forecasts of modest revenue and the Federation of Canadian Municipalities' estimated cost projections, our engagement will need to acknowledge that it appears unlikely there will be enough revenue to fully cover the incremental municipal and provincial costs associated with legalization.

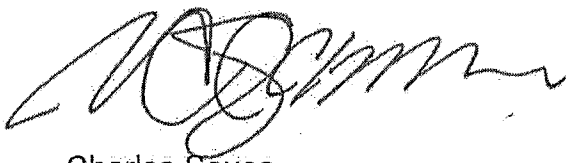
In January 2018, the Ministry of Finance will work with the Association of Municipalities of Ontario and the City of Toronto to launch an engagement process with municipalities on cannabis-related funding. This process will consider what is known about incremental municipal and provincial costs and set out a proposed approach to funding for municipalities that supports our shared policy objectives.

To help guide this engagement, I would like to propose the following principles:

- **Address Implementation Costs** – An approach to funding should acknowledge that the province and municipalities will incur upfront incremental costs as a result of the federal government's decision to legalize cannabis and that a funding approach should focus on helping to address these costs.
- **Respect the Role of Municipalities** – An approach to funding should recognize the efforts of municipalities in their areas of jurisdiction associated with the legalization of cannabis.
- **Align with the Term of the Federal Tax Framework** – An approach to funding should align with the two-year term agreed to between the federal, provincial and territorial governments on the federal excise tax.

As we conclude the holiday season and reflect on the past year, I would like to thank you again for your meaningful engagement with the province as we all prepare for the legalization of cannabis in July 2018. Please accept my best wishes for the New Year.

Sincerely,



Charles Sousa
Minister

c: The Honourable Yasir Naqvi, Attorney General of Ontario
The Honourable Bill Mauro, Minister of Municipal Affairs
Ali Ghiassi, Chief of Staff, Minister's Office, Ministry of Finance
Scott Thompson, Deputy Minister, Ministry of Finance
Nicole Stewart, Executive Lead, Cannabis Retail Implementation Project,
Ministry of Finance
Lynn Dollin, President, Association of Municipalities of Ontario
Pat Vanini, Executive Director, Association of Municipalities of Ontario
Municipal CAOs and City Managers

DEC 18 2017

CORPORATE SERVICES
DEPARTMENT

MEMORANDUM

To: Niagara Centre
Mayor & Members of City Council
Chief Administrative Officer

Date: December 18, 2017

From: Vance Badawey

Subject: Smart Cities Challenge



Vance Badawey
Member of Parliament
Niagara Centre

Constituency Office:

136 East Main Street,
Unit 103
Welland, ON L3B 3W6
Tel: 905-788-2204
Fax: 905-788-0071

Vance.Badawey.C1@parl.gc.ca

Hill Office:

House of Commons
Ottawa, ON K1A 0A6
Tel: 613-995-0988
Fax: 613-995-5245

Vance.Badawey@parl.gc.ca



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

The Government of Canada is excited to kick off the Smart Cities Challenge.

We are challenging communities from coast to coast to coast to bring forward their best ideas for improving the lives of their residents through innovation, data and connected technology.

We expect communities to innovate and think big. The smart cities approach is all about building the communities of tomorrow, which will require everyone working together.

We are looking for projects that use technology and data to improve people's lives through better city planning and the implementation of clean, digitally connected technology. This could include greener buildings, smart roads and energy systems, and advanced digital connectivity for homes and businesses.

Example: Service for Seniors

A smart cities approach might leverage mobile apps to better coordinate the different forms of care and service that aging residents require.

- ✓ A smart cities approach might leverage mobile apps to better coordinate the different forms of care and service that aging residents require.
- ✓ It could use wearable sensors connected to healthcare providers to enable real-time monitoring of health and let seniors stay at home longer.
- ✓ It could analyze data to better plan public transit stops to be closer to those with greatest need, or re-route traffic to create safe walking zones.

Example: Transforming Communities

- ✓ Perhaps an industry in decline has left an area of the community needing to be rethought, cleaned up, and rebuilt.
- ✓ Smart lighting and detection technology, integrated with first responder services, could address issues around safety and security.
- ✓ Online training programs offered by the local library could help workers adapt to the changing marketplace.



The Smart Cities Challenge is open to all communities in Canada – large and small – including municipalities, local or regional governments, and Indigenous communities (First Nations, Métis and Inuit).

The Challenge will have three rounds of competition. The first round is now open and communities will have until April 24, 2018 to submit their applications.

Finalists for this round will be announced in Summer 2018 and will each receive \$250,000 to further develop their ideas into a full proposal.

The winners of the first competition will be announced in Spring 2019 and will have their ideas funded through prizes of up to \$5 million, \$10 million or \$50 million prizes.

Infrastructure Canada is engaging Indigenous leaders, communities and organizations to finalize the design of a competition specific to Indigenous communities that will reflect their unique realities and issues. Indigenous communities are also eligible to compete for all the prizes in the current competition.

With this launch, the Government of Canada has fulfilled a commitment made in Budget 2017.

Visit the Government of Canada's new Challenge website for complete details including the application guide and challenge criteria. For updates and to join the conversation, follow the Smart Cities Challenge on Twitter with [#smartcitiesCanada](https://twitter.com/smartcitiesCanada).

Frequently Asked Questions

Q1. How does the Challenge work?

A1. The Smart Cities Challenge will be run as three competitions. The first competition has now begun. The launch of the Smart Cities Challenge fulfills the Government of Canada's Budget 2017 commitment.

The Challenge process has five key steps, starting with the application deadline of April 24, 2018 with the selection of final winners in Spring 2019:

1. Application
2. Selection of Finalists
3. Final Proposal
4. Selection of Winners
5. Implementation

Q2. How will the finalists be selected?

A2. Applications will be reviewed by relevant experts from inside and outside government, and then they will be evaluated by an independent jury based on eight criteria requirements. The full criteria is posted in the applicant guide on the Impact Canada Challenge Platform.

Q3. How will the final winners be selected?

A3. Similar to the process for the applications, final proposals will be reviewed by the relevant experts from inside and outside government, and then they will be evaluated by an independent jury.

Their evaluation will focus on project feasibility, strength of the business case, and clear links to the outcomes established in the Challenge Statement. The Statement is a single sentence that will guide each community's proposal and define the outcomes a community aims to achieve by implementing its smart cities proposal. Finalists may be invited to present their proposals to the jury in person.

Q4. How will jury members be selected?

A4. Jury members who are reflective of Canada's diversity will be appointed through an open, transparent selection process. Members will be selected based on regional and technical subject matter expertise in areas such as technology, urbanism, social inclusion, innovation, Indigenous issues, environment, and culture.

Q5. What are the prizes?

A5. The following prizes are available in the first round of competition that is currently underway:

- ✓ One prize of up to \$50 million
Open to all communities, regardless of population
- ✓ Two prizes of up to \$10 million each
Open to all communities with populations* under 500,000 people
- ✓ One prize of up to \$5 million
Open to all communities with populations* under 30,000 people

Infrastructure Canada is engaging Indigenous leaders, communities and organizations to finalize the design of a competition specific to Indigenous communities that will reflect their unique realities and issues. Indigenous communities are also eligible to compete for all the prizes in the current competition.

Q6. How can finalists use their grant money?

A6. Each finalist will receive a grant of \$250,000 for the development of their final proposal and business plan. The grant will be spent to develop the capacity to deliver the proposal and to develop the final detailed submission and business case. The application will request high-level information on how the grant will be spent and the final application will request detailed information on how the grant was spent.

Q7. How will winners receive their prize money?

A7. Winners will receive their prizes through contribution agreements with Infrastructure Canada. The contribution agreements will be outcomes-based, with terms of payments triggered by the successful achievement of progress toward the specified outcomes, and tailored to the requirements of each winning project.

Q8. If an applicant doesn't win, can it resubmit in the subsequent competition?

A8. Applicants who do not win one competition can participate in subsequent competitions.

Q9. Why is the competition called a Smart Cities Challenge? Is it only open to cities?

A9. The Challenge is open to all communities, large and small, including municipal, regional, local governments and First Nations, Inuit and Métis communities. These communities are encouraged to propose solutions using smart cities approaches.

Q10. How will the \$300 million allocated to the Challenge be used?

A10: Through the Investing in Canada Plan, the Government of Canada allocated \$300 million to the Smart Cities Challenge program. Of this amount, up to \$80 million will be used as prize funding for winners of the first round of competitions, in addition to up to \$6.25 million that will be awarded in grants to finalist to develop their final proposals. The remaining funding will be used in subsequent competitions.

Q11. How will municipalities be able to afford the development and implementation of their proposals?

A11: We've set out a two-step process.

In the first step, communities will be asked to define the Challenge they are seeking to address, and provide only a high-level picture of the smart cities approach for addressing it.

In the second step, those chosen as finalists will be asked to develop a comprehensive business case for submission to the jury. This step will involve more complex, detailed and technical planning and preparation. To support this work, we plan to issue a \$250,000 grant to all finalists.

Q12. Will specific municipalities automatically be awarded funding/prizes?

A12: The finalists and winners of the Smart Cities Challenge will be selected by an independent Jury. Applications and final proposals will be reviewed by experts from inside and outside government, prior to their consideration by the Jury.

In the interest of transparency, the evaluation criteria applied by the Jury are publicly available, as part of the Applicant Guide. Moreover, all initial applications that are accepted, as well as all final proposals, will be available online.

Q13. Will Indigenous communities have the same amount of time to work on their Challenge submissions as other communities, as the Indigenous prize has not been launched?

A13. Indigenous communities are eligible to compete for all the prizes in the current competition.

For the Indigenous-specific competition, Infrastructure Canada is engaging Indigenous leaders, communities and organizations to finalize the design to best reflect the unique realities and issues. This engagement will help us find a process and timeline that works for Indigenous communities.

Details on this competition will be shared at a later date.



MEMORANDUM

City of Port Colborne
RECEIVED
JAN 02 2018
CORPORATE SERVICES
DEPARTMENT

Office of the Chief Administrative Officer

905-835-2901 Ext. 308

TO: Mayor Maloney and Members of Council
FROM: Social Determinants of Health Advisory Committee – Everyone Matters
DATE: December 4, 2017
RE: **City of St. Catharines’ Housing Action Plan 2017**

At its November 1, 2017 meeting, the Social Determinants of Health Advisory Committee – Everyone Matters made the following recommendation to Council:

Moved by Councillor Y. Doucet
Seconded by C. Clark-Lafleur

That the Social Determinants of Health Advisory Committee – Everyone Matters recommends to Port Colborne City Council that a representative from the City of St. Catharines be invited to present its Housing Action Plan 2017 at a future meeting of Port Colborne City Council; and

That the Social Determinants of Health Advisory Committee – Everyone Matters recommends to Port Colborne City Council that direction be provided to staff to review the City of St. Catharines’ Housing Action Plan and develop a plan to suit the needs of Port Colborne.
CARRIED.

Prepared by:

Carrie McIntosh
Executive Assistant to the CAO

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City of Port Colborne
RECEIVED
JAN 08 2018
CORPORATE SERVICES
DEPARTMENT

From: Teunis Breton <tbreton@suncommunities.com>
To: "ashleygrigg@portcolborne.ca" <ashleygrigg@portcolborne.ca>
Date: 01/08/18 01:08 PM
Subject: Sherkston Shores fireworks Schedule

Good afternoon Ashley,

Lauren has provided the dates and times for this year's fireworks display below. Michael Bohonos from Garden City Display Fireworks has once again been awarded the contract.

Can you please distribute to city management and council for approval.

Michael Bohonos
President/Designer
Garden City Display Fireworks Inc.
Phone: 905-563-8670
Cell: 905-988-3131
www.gardencdfireworks.com

Best regards,
Tony

Tony Breton
General Manager

Sherkston Shores Beach Resort, a Sun RV Resort
490 Empire Road, Sherkston, ON L0S 1R0
T: (905) 894-0972 x.000 | TF: (800) 263-8121 | F: (905) 894-5352
www.sherkston.com | www.suncommunities.com | www.sunrvresorts.com | NYSE: SUI

Commitment | Intensity | Empowerment | Accountability | Customer Service

From: Lauren Charette
Sent: Monday, January 08, 2018 10:56 AM
To: Teunis Breton
Subject: fireworks

Hi Tony,

The below dates are the dates we will be having our firework show here at Sherkston Shores. There is a total of 12 dates. During June and July the show will begin at 10pm. In August and September the show will begin at 9:30pm.

Saturday June 16th
Saturday June 23rd
Saturday June 30th
Saturday July 7th
Saturday July 14th

Saturday July 21st
Saturday July 28th
Saturday August 4th
Saturday August 11th
Saturday August 18th
Saturday August 25th
Saturday September 1st

Lauren Charette
Activities Manager

Sherkston Shores Beach Resort, a Sun RV Resort

490 Empire Road, Sherkston, ON L0S 1R0

T: (905) 894-0972 x.275 | TF: (800) 263-8121 | F: (905) 894-5352

www.sherkston.com | www.suncommunities.com | www.sunrvresorts.com | NYSE: SUI

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JAN 17 2018

CORPORATE SERVICES
DEPARTMENT

Dear Mayor Maloney,

Thank you for your leadership as a champion of children. This year, The Fresh Air Fund will celebrate its 142nd summer of providing New York City children with the opportunity to unlock their limitless potential.

The Fresh Air Fund would like your help in reaching out to prospective volunteer host families by proclaiming March 20th, 2018 as “Fresh Air Fund Day” in Port Colborne. Your participation will be a great support of the host recruitment efforts of our volunteer leaders in your city.

The Fresh Air Fund, an independent, not-for-profit agency, has provided free summer experiences to more than 1.8 million New York City children from low-income communities since 1877. Each summer, Fresh Air Fund children leave New York City’s busy streets behind and take part in simple summertime fun – swimming for the first time, running through sprinklers in the grass, and gazing at star-filled skies. For many Fresh Air children, a free Fresh Air experience is their first time away from the City and our volunteer host families tell us that they often gain more from the experience than their new Fresh Air friend. For more information, visit www.freshair.org.

With your support of “Fresh Air Fund Day,” we hope to create these special bonds for more Burlington families and New York City children. Attached please find a sample proclamation and background materials for your review. If you have any questions or to confirm your participation and partnership, please contact Julie Silverman at 212-897-8890. My sincerest thanks for your leadership, support, and partnership in serving New York City’s children and families.

Best,

Nancy Salvage
Port Colborne, Ontario
905-835-0442

Fatima Shama
Executive Director
The Fresh Air Fund

SAMPLE PROCLAMATION

WHEREAS The Fresh Air Fund provides free outdoor summer experiences to thousands of children from New York City's low-income communities each summer, and

WHEREAS The Fresh Air Fund allows children from New York City to visit the homes of volunteer host families along the East Coast and Southern Canada, and

WHEREAS Port Colborne families have been participating in The Fresh Air Fund's Friendly Towns Program for over 140 years, and

WHEREAS The Fresh Air Fund allows children from New York City to enjoy Port Colborne backyards, parks, and wide open spaces, and

WHEREAS The Fresh Air Fund is celebrating its 142nd summer,

NOW, THEREFORE BE IT RESOLVED THAT I, Mayor Maloney of the city of Port Colborne, do hereby proclaim March 20, 2018 to be:

"FRESH AIR FUND DAY"

in Port Colborne, in recognition of the transformative opportunities that inspire new dreams and new perspectives provided by The Fresh Air Fund.

From: Hope, Janet (MHO)
Sent: December-20-17 1:38 PM
To: Hope, Janet (MHO)
Subject: Fair Housing Plan - Development Charges Rebate Program - Expression of Interest

(Suivi par la version française)

Dear Chief Administrative Officer/City Manager:

Further to the announcement of the **Development Charges Rebate Program** made on November 29, 2017 by the Honourable Peter Milczyn, Minister of Housing, I am pleased to provide you with more details about the program.

The Development Charges Rebate Program is one of the initiatives in the government's Fair Housing Plan, and aims to increase the supply of housing, specifically purpose-built market rental housing.

Through the program, market rental housing developers would receive a rebate of development charges collected by municipalities for eligible rental housing developments in communities that are most in need of rental housing. Up to a total of \$125 million over five years will be available to eligible municipalities under the Development Charges Rebate Program, starting with \$25 million in 2018-19.

The program would target purpose-built market rental developments and units in municipalities with low vacancy rates and high tenant populations. This would also encourage and help to build complete communities that are accessible, livable, walkable, and close to transit and other services.

The Ministry of Housing will work with municipalities to deliver the program, and is inviting select municipalities identified as being most in need of rental housing to identify their interest in participating in the program. Municipalities are encouraged to review the attached Expression of Interest, including the Program Guidelines and other relevant information, and if interested, submit a proposal by 1:00 p.m. Eastern Standard Time (EST) on **Friday, March 2, 2018**. Submissions must be submitted through the Grants Ontario System (GOS). Step-by-step instructions on how to use GOS are available in the appendices accompanying the Expression of Interest.

Ministry staff will be hosting two informational sessions on the Development Charges Rebate Program and Expression of Interest process via teleconference in mid-January, 2018. Further details on these teleconferences, along with registration information, will be distributed to the municipalities through the Ministry of Municipal Affairs and Ministry of Housing's Municipal Services Offices (MSO) Regional Housing Team Leads.

I look forward to working with you as we launch this important program.

Sincerely,

Original Signed By

Janet Hope
Assistant Deputy Minister

- c: Ministry of Housing's MSO Regional Housing Team Leads
All housing Service Manager Directors
All Lower and Upper-Tier Planning Departments
All Single-Tier Planning Departments

Attachments:

1. Expression of Interest
2. Development Charges Rebate Program Guidelines
3. Sample GOS Application Form

Aux directrices et directeurs généraux :

Par suite de l'annonce du **Programme de remise sur les redevances d'aménagement** faite le 29 novembre 2017 par l'honorable Peter Milczyn, ministre du Logement, je suis heureuse de vous fournir des précisions sur ce programme.

Le Programme de remise sur les redevances d'aménagement est l'une des initiatives du Plan pour le logement équitable du gouvernement et vise à accroître l'offre de logements, plus précisément de logements construits expressément pour le marché locatif.

Grâce à ce programme, les promoteurs de logements du marché locatif recevront une remise sur les redevances d'aménagement perçues par les municipalités sur les ensembles de logements locatifs admissibles dans les collectivités qui ont le plus besoin de logements locatifs. Jusqu'à 125 millions de dollars sur cinq ans seront versés aux municipalités admissibles aux termes du Programme, dont 25 millions de dollars en 2018-2019.

Le Programme s'appliquera aux ensembles et logements construits expressément pour le marché locatif dans les municipalités où le taux d'inoccupation est faible et où la proportion de locataires est élevée. Il favorisera en outre la construction de collectivités complètes où il fait bon vivre, qui sont accessibles et propices à la marche, et situées près des transports en commun et d'autres services.

Le ministère du Logement collaborera avec les municipalités pour fournir le Programme. Il invite les municipalités jugées avoir le plus grand besoin de logements

locatifs à indiquer si elles souhaitent participer au Programme. Les municipalités sont encouragées à passer en revue le document sur la déclaration d'intérêt, les Lignes directrices et autres renseignements ci-joints, puis à présenter leur proposition, le cas échéant, au plus tard à 13 h, heure normale de l'Est (HNE), **le vendredi 2 mars 2018**. Les propositions doivent être présentées à l'aide du Système des subventions de l'Ontario (SSO). Des instructions détaillées sur l'utilisation du SSO sont fournies dans les annexes accompagnant le document sur la déclaration d'intérêt.

Le personnel du ministère tiendra vers la mi-janvier 2018 deux séances d'information par téléconférence sur le processus relatif au Programme de remise sur les redevances d'aménagement et à la déclaration d'intérêt. Des précisions à cet égard, ainsi que sur l'inscription, seront communiquées aux municipalités par le ministère des Affaires municipales et les chefs d'équipe, services régionaux de logement, des bureaux des services aux municipalités (BSM) du ministère du Logement.

Je suis impatiente de travailler avec vous à la réalisation de cet important programme.

Je vous prie d'agréer l'expression de mes sentiments distingués.

La sous-ministre adjointe,

Original signé par

Janet Hope

- c. Chefs d'équipe, services régionaux de logement, des BSM du ministère du Logement
Directeurs et directrices des gestionnaires de services responsables du logement
Services d'urbanisme des municipalités de palier inférieur et de palier supérieur
Services d'urbanismes des municipalités à palier unique

p.j.

1. Document sur la déclaration d'intérêt
2. Lignes directrices du Programme de remise sur les redevances d'aménagement
3. Exemple de formulaire de demande du SSO

Instructions

This section provides information on how to complete and submit your application. Users of this application may also hover their cursor over any heading to learn more about the requirements.

How To Complete The Application

The following form allows municipalities to express their interest in participating in the Development Charges Rebate Program.

Municipalities must submit their completed Expression of Interest through the Grants Ontario System (GOS) no later than 1:00 p.m. Eastern Standard Time (EST) on March 2, 2018. Municipalities will receive an acknowledgement of their submission, via an electronic receipt. Submissions received after this deadline will not be accepted as part of the Expression of Interest process. Incomplete submissions will not be assessed or considered in selecting municipalities to participate in the program.

Municipalities intending to submit an Expression of Interest (EOI) are encouraged to begin to draft their submission through the Grants Ontario System (GOS) on or before February 16, 2018 at 5:00 p.m. Eastern Standard Time (EST). This will confirm their intention to submit an Expression of Interest before the March 2, 2018 deadline.

Municipalities must fill in all fields on this form that apply to their submission. Some fields in the submission will already have pre-populated information based on what was supplied during Transfer Payment Common Registration (TPCR).

Before completing this form electronically municipalities are encouraged to make use of the EOI period to review the form, and the accompanying Expression of Interest and Program Guidelines, draft responses, and use the EOI supports available through MHO. It may be useful to print a copy of the EOI and Program Guidelines.

Please ensure that the contact information and grant payment information reflects all arrangements agreed upon by both parties. This information will be incorporated into the Transfer Payment Agreement and future reporting requirements.

Answer each question fully or indicate "not-applicable" if the question is not relevant to your submission. Answers may vary in length. However, there are limits on the number of characters for some of the descriptive questions and fields. If you need more space or have longer answers, please feel free to attach a separate Microsoft Word document as supporting documentation in GOS.

Attachment, Requirements Checklist

- Additional documentation supporting #10 - Section G2
- Copy of municipal council's decision designating the Service Manager (SM) as program administrator
- Written/signed confirmation from SM indicating willingness to act as program administrator



Grants Ontario Application Form

Development Charges Rebate Program

Grant Case # 2017-12-1-708343040

SAMPLE

Section A - Organization Information

This section displays general information about your organization submitted during the Grants Ontario enrolment process. To make a change to this information, please submit an Assistance Request through the Grants Ontario System. Once the change has been made, all future reports will include the updated information.

1. Organization Name: SAMPLE		2. Organization Legal Name: SAMPLE	
3. Web Site URL: www.grants.gov.on.ca			
4. Type of Legal Entity: Other	5. Year Established:	6. Date Incorporated:	
7. Corporation Registration Number:	8. Date of last AGM:	9. Date of Next AGM:	
10. Organization Mandate:			

Section B - Organization Address Information

This section displays address information about your organization submitted during the Grants Ontario enrolment process. To make a change to this information, please submit an Assistance Request through the Grants Ontario System. Once the change has been made, all future applications will include the updated information.

Primary Address:

1. Street address 1: [Redacted]		
2. Street address 2: [Redacted]		
3. City: [Redacted]	4. Province: [Redacted]	5. Postal Code [Redacted]

Mailing Address:

6. Street address 1: [Redacted]		
7. Street address 2: [Redacted]		
8. City: [Redacted]	9. Province: [Redacted]	10. Postal Code [Redacted]

Section C - Organization Contact Information

Information about key people in the organization, including whether they have signing authority or not. Note that only the first group of contact fields are mandatory. All other types of contacts are optional.

Organization Contact

General contact for the organization. The person who should receive general information from the Ministry including notification of grant opportunities, deadlines and news releases.

1. * Salutation: Mr.	2. * First Name:	3. * Last Name:	4. * Title:
5. * Phone Number (Work):		6. Phone Number (Mobile):	7. * Email Address:

8. Signing Authority (Does this person have signing authority for your organization?)

Most Senior Official

This is the most senior elected or appointed official with whom a Minister of the Crown would correspond with (i.e. Mayor, Board Chair, Reeve, Chief, CEO)

9. Salutation:	10. First Name:	11. Last Name:	12. Title: Board Chair
13. Phone Number (Work):		14. Phone Number (Mobile):	15. Email Address:

16. Signing Authority (Does this person have signing authority for your organization?)

Other Senior Staff

This is the most senior member of the organization aside from the person listed as Most Senior Official (i.e. CEO, Executive Director).

17. Salutation:	18. First Name:	19. Last Name:	20. Title: CEO
21. Phone Number (Work):		22. Phone Number (Mobile):	23. Email Address:

24. Signing Authority (Does this person have signing authority for your organization?)

Other Contact 1

Any other person with whom the Ministry might wish to contact or additional signing authorities e.g. Treasurer, CFO or Vice Chair

25. Salutation:	26. First Name:	27. Last Name:	28. Title: Other1
29. Phone Number (Work):		30. Phone Number (Mobile):	31. Email Address:

Signing Authority (Does this person have signing authority for your organization?)

Other Contact 2

Any other person with whom the Ministry might wish to contact or additional signing authorities e.g. Treasurer, CFO or Vice Chair

33. Salutation:	34. First Name:	35. Last Name:	36. Title: Other2
37. Phone Number (Work):		38. Phone Number (Mobile):	39. Email Address:

40. Signing Authority (Does this person have signing authority for your organization?)

Section E - Grant Payment Information

Should your application be successful, this information will be used to make payments.

Payment Address:

Please select your organization's payment address from the drop-down list below. Once selected, the payment address fields below will be populated with the information related to the selected address. If your organization's payment address does not appear in the drop-down list, please complete the fields below manually.

1. Payment Organization:

2. * Payment Organization Name (maximum 100 characters)

3. * Street Address 1:

4. Street Address 2:

5. * City:

6. * Province:

7. * Postal Code

<input type="text"/>	<input type="text"/>	<input type="text"/>
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Ontario

Payment Contact:

Individual who should be contacted for clarifications about banking information or financial matters

8. * Salutation:	9. * First Name:	10. * Last Name:	11. * Title:
12. * Phone Number (Work):		13. Phone Number (Mobile):	14. Fax Number:
15. * Email Address:			

16. * Method Of Payment

Section F - Application Contact information

This is the person who will be the sole contact responsible for all communication with the Ministry in regard to this application.

1. * Salutation:	2. * First Name:	3. * Last Name:	4. * Title:
5. * Phone Number (Work):		6. Phone Number (Mobile):	7. Fax Number:
8. * Email Address:			

Section G2 - Additional Questions

1. Provide a brief description of the need and vision for market rental housing in your community, and any alignment with your municipality's land use planning and housing policies. (maximum 4,900 characters)

2. Describe how the Development Charges Rebate Program will help increase rental housing in your municipality and or what public good will be created. (maximum 4,900 characters)

3. a. Describe your municipality's capacity to administer the program, along with ongoing monitoring and reporting. (maximum 4,900 characters)

3. b. Do you intend to designate your housing Service Manager as the administrator of the Program, and also submit an EOI on your behalf? If yes, please attach the documentation as required in the Program Guidelines. (maximum 4,900 characters)

SAMPLE

4. Describe any current incentives or programs your municipality provides to encourage construction of market rental housing in your community. (maximum 4,900 characters)

5. What incentives would your municipality be willing to apply to market rental developments and units receiving provincial rebate under the program? (maximum 4,900 characters)

6. Provide examples of potential market rental developments or units expected to qualify for funding, in your municipality, over the five years, if possible. (maximum 4,900 characters)

7. Indicate if your municipality would be setting a lower AMR threshold for non-luxury market rental units different from the provincial threshold of 175% AMR. (maximum 4,900 characters)

8. Would your municipality provide rebates covering the full amount of the development charges collected or partial rebates? Would the amount of the rebates vary on a site-by-site basis? (maximum 4,900 characters)

SAMPLE

9. Provide information on current and proposed mechanisms (e.g., bylaws restricting conversions) that your municipality would use to ensure that developments and units receiving rebates under the program remains rental. (maximum 4,900 characters)

10. How much funding would your municipality need on an annual basis for each of the five fiscal years, starting 2018-19 (you can choose to identify funding requirements only for certain years)? (maximum 4,900 characters)

Section Z - Declaration / Signing

Applicants are expected to comply with the *Ontario Human Rights Code* (the "Code") and all other applicable laws (<http://www.ohrc.on.ca/en/ontario-human-rights-code>). Failure to comply with the letter and spirit of the Code will render the applicant ineligible for a grant and, in the event a grant is made, liable to repay the grant in its entirety at the request of the Ministry.

Applicants should be aware that Government of Ontario institutions are bound by the *Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.F.31* (<http://www.ipc.on.ca/index.asp?navid=73>), as amended from time to time, and that any information provided to them in connection with this application may be subject to disclosure in accordance with that Act. Applicants are advised that the names and addresses of organizations receiving grants, the amount of the grant awards, and the purpose for which grants are awarded is information made available to the public.

Declaration

The Applicant hereby certifies as follows:

- (a) the information provided in this application is true, correct and complete in every respect;
- (b) the Applicant understands any funding commitment will be provided by way of an approval letter signed by the responsible Minister and will be subject to any conditions included in such a letter. Conditions of funding may include the requirement for a funding agreement obligating the funding recipient to report on how the funding was spent and other accountability requirements;
- (c) the Applicant has read and understands the information contained in the Application Form;
- (d) the Applicant is aware that the information contained herein can be used for the assessment of grant eligibility and for statistical reporting;
- (e) the applicant understands that it is expected to comply with the *Ontario Human Rights Code* and all other applicable laws;
- (f) the Applicant understands that the information contained in this application or submitted to the Ministry in connection with the grant is subject to disclosure under the *Freedom of Information and Protection of Privacy Act*;
- (g) the Applicant is not in default of the terms and conditions of any grant, loan or transfer payment agreement with any ministry or agency of the Government of Ontario;
- (h) I am an authorized signing officer for the Applicant.

Grant Case # 2017-12-1-708343040

SAMPLE**Additional Signing Authority:**

Salutation:	First Name:	Last Name:	Title:
Phone Number (Work):	Phone Number (Mobile):	Email Address:	

Signature_____
Date/Time Field

2017

Development Charges Rebate Program Program Guidelines

Ontario Ministry of Housing
December 2017

301

TABLE OF CONTENTS

Introduction	1
Fair Housing Plan and Development Charges Rebate Program	1
Program Funding	2
Funding for Program Administration	2
Scope of the Guidelines	2
Municipal Contribution.....	2
Role of Municipalities	3
Rental Housing Developments and Units Eligible to Receive Provincial Rebate Funding ..	4
Starting Rents and Long-Term Affordability Criteria.....	5
Stacking With Other Housing Supply Programs.....	5
Examples of Stacking	5
Program Accountability and Reporting.....	6
Transfer Payment Agreement (TPA)	6
Bi-annual Take-up Plans	6
Payment Process and Schedule	7
Payment Process	7
Payment Schedule	7
Recovery and Reconciliations	7
Indemnification and Repayment	7
Other Reporting Requirements	8
Appendix A: Program Implementation Flow Chart	9
Appendix B: Ministry of Housing Contacts	10

Introduction

It is a provincial interest to have an appropriate mix and range of housing options, including purpose-built rental housing that caters to diverse needs of all ages and incomes.

There are two types of rental housing in Ontario: purpose-built rental housing (which includes market rentals, and social or affordable housing) and the secondary rental market (consisting primarily of individually rented condominiums, singles/semis and basement apartments).

While the secondary rental market is an important part of the overall rental stock, these units may be available in the rental pool one year and not the next. The availability of units in the secondary rental market in any community depends on the owner's decision, which is affected by prevailing economic and real estate conditions, among other factors.

There are many advantages in increasing the supply of purpose-built market rental housing, as it:

- Addresses the need for stable rental housing and better security of tenure for tenants with diverse needs, compared to individually rented homes and condos.
- Caters to older demographics within communities, by offering options for seniors looking to downsize, while enabling them to stay in their communities and age in place.
- Supports and aligns with provincial priorities and goals with respect to growth planning, intensification and the need for more missing middle housing.
- Attracts and retains skilled workers to Ontario and high growth urban areas.
- Increases the province's economic competitiveness and allows for increased mobility of residents, both geographically and within the housing market.

Fair Housing Plan and Development Charges Rebate Program

On April 20, 2017, the government announced its Fair Housing Plan, a comprehensive package of 16 measures to improve housing affordability, address demand, protect renters and buyers, increase the supply of housing, and improve information sharing.

The Development Charges Rebate Program (the "Program") is one of the measures to increase supply of housing, specifically purpose-built market rental development. The Program provides rebates for development charges and aims to reduce the construction costs of building market rental housing, particularly in those communities that are most in need of new purpose-built rental housing.

The Program is in addition to two other initiatives aimed at increasing the supply of purpose-built rental housing:

- A mandatory new multi-residential property tax class, which ensures that municipalities tax new rental apartments at a similar rate as other residential properties. The mandatory new multi-residential property tax class applies to all new rental housing for

which building permits have been issued on or after April 20, 2017.

- A Provincial Affordable Housing Lands Program that leverages surplus provincial land to develop a mix of market housing and new, sustainable affordable housing. Four sites in Toronto have been already announced under the program.

Program Funding

Under the Program, up to a total of \$125 million over five years is available as rebates for development charges, starting with 2018-19. Notional allocations for fiscal years 2018-19, 2019-20, and 2020-21 (\$25 million each year for a total of \$75 million) will be announced in spring 2018 in accordance with provincial accounting and budgetary practices.

Program funding, if approved, will be provided according to the terms and conditions of a Transfer Payment Agreement (TPA) between the Province and the municipality.

Funding for Program Administration

Participating municipalities or their designates such as their Service Managers that administer the program may use up to 5% of allocations to cover administration costs, if needed, as indicated in a municipal take-up plan.

Scope of the Guidelines

The Program Guidelines describe the various program requirements for the Program, including the role of municipalities, long-term affordability requirements for rental developments receiving provincial rebates, rental housing developments and units eligible to receive funding under the program, and accountability and reporting requirements.

Please note that the Program Guidelines may be updated on an as-needed basis and changes will be communicated to municipalities.

Municipal Contribution

There are no requirements for municipalities to contribute to the Program. However, municipalities are encouraged to consider providing municipal incentives, where possible, to purpose-built market rental developments eligible to receive provincial rebates under the program.

The Program cannot be used by municipalities to replace any existing housing programs and incentives that municipalities may already have with respect to affordable (below-market) rental housing. For greater clarity, this Program cannot be used by municipalities to replace or

support a municipal program or any municipal decision relating to deferrals or rebates or exemptions of development charges.

Role of Municipalities

Participating municipalities will administer the Program based on local need, changing rental market conditions, and demand for rental housing in their community.

Under the Program, municipalities have the flexibility to determine:

- The built-form of rental housing developments eligible to receive a development charges rebate (e.g., high-rises, mid-rises, town homes), based on local housing need;
- Unit size configurations in the development, based on local need;
- The amount of development charges rebate provided for eligible rental housing developments and units (e.g., full or partial rebates); and
- The timing of the rebate (e.g., at what point after the development charges are collected would a rebate be made available), within program parameters.

As program administrator, a municipality will:

- Enter into a TPA with the Ministry of Housing (MHO);
- Administer the Program in compliance with the TPA and the Program Guidelines;
- Plan activities related to program delivery, which may include assessing local housing needs and planning processes;
- Identify rental housing developments and units eligible to receive a rebate under the program;
- Determine the amount rebates on a project by project basis;
- Determine key milestones for payment of the rebate;
- Develop and enter into required agreements with developers of rental housing developments and units receiving provincial rebates to set out a procedure to receive provincial rebates and monitor progress;
- Flow provincial rebates to eligible rental housing developments and units;
- Complete and submit take-up plans to MHO, as indicated in the TPA; and
- Monitor progress and provide annual reports to MHO, as indicated in the TPA.

In administering the Program, municipalities are encouraged to work with their housing Service Manager and/or the upper-tier municipality (in case of a two-tier system) to ensure alignment with local planning and housing policies, and coordinate municipal incentives, if provided.

Municipalities have an option to designate their housing Service Manager as the administrator of the Program, and also submit an EOI on their behalf.

If a municipal council designates the housing Service Manager as the program administrator:

- The municipality must submit a copy of the municipal council's decision designating the housing Service Manager as program administrator, directing the Service Manager to submit an EOI to MHO, and authorizing the Service Manager to enter into a Transfer Payment Agreement with MHO on the municipality's behalf.
- The housing Service Manager must provide written confirmation from a person of appropriate authority of its willingness to act as program administrator.

In such cases, the Service Manager should work with the designating lower or single-tier municipality in determining rental housing developments and units that are eligible to receive rebate funding under the program, planning approval timelines, and any municipal incentives that may be available.

Rental Housing Developments and Units Eligible to Receive Provincial Rebate Funding

Under the Program, municipalities have the flexibility to determine the rental housing developments and units that will receive funding through this program based on local need, but within broad provincial program criteria:

- Developments must be consistent with the PPS and conform with the Growth Plan;
- Developments must align with other provincial priorities and lead to net new additional public good (rental housing, family-sized units, senior-friendly, close to transit and transit hubs);
- Developments and units receiving provincial rebates remain rental for a minimum of 20 years;
- Non-luxury rental units, where starting rents do not exceed 175% of AMR as published by Canada Mortgage and Housing Corporation (CMHC). Municipalities have the ability to set a lower threshold based on local circumstances and housing policies.

The following types of developments and units are not eligible under the Program:

- Single and semi-detached homes, duplexes/triplexes, and retirement homes;
- Units already receiving provincial capital subsidies under housing supply programs (e.g., under IAH – Rental Component);
- Luxury market rental units, where starting rents exceed 175% of Average Market Rents, as published by CMHC; and
- Market rental developments receiving a deferral of or exemption from the payment of development charges.

Starting Rents and Long-Term Affordability Criteria

Proposed starting market rents for developments or units receiving development charges rebates cannot exceed 175% of Average Market Rents (AMRs), as published by CMHC, for a given year. In cases, where CMHC does not publish AMRs, municipalities should use AMRs based on local evidence and research (e.g., survey of market rents in the community or municipality), and inform the Ministry of Housing (MHO) accordingly.

Municipalities have the flexibility to target rebates for proposed market rental housing developments or units with starting rents at a percentage of AMR lower than 175%, without any further provincial restrictions. Municipalities also have the flexibility to use AMRs as the neighbourhood level, if available from CMHC.

There are no long-term affordability requirements for units receiving provincial rebates under the program beyond the threshold for starting market rents, subject to the provisions under the Residential Tenancies Act, 2006.

Stacking With Other Housing Supply Programs

Stacking or combining rebate funding under the Program with MHO's other housing supply programs is permitted only if some additional public good is created (e.g., construction of market-rent family-sized units or have market rental units that were not previously planned).

Examples of Stacking

To illustrate potential developments eligible under the program, please see the following examples:

Example #1	Eligibility
The developer would like to add six market rental units to an affordable rental housing development already approved to receive provincial funding under Investment in Affordable Housing – Rental Component to create a mixed-income rental development. Starting rents are at 150% AMR.	Yes. The six market rental units are not receiving provincial funding under Investment in Affordable Housing would be eligible to receive the development charge rebate under the program.
Example #2	Eligibility
The developer would like to add five market rental units to an affordable rental housing development already approved to receive provincial funding under Investment in Affordable Housing – Rental Component to create a mixed-income rental development. Starting rents are at 185% AMR.	No. The five units would not be eligible as they would be considered luxury units as they exceed this programs threshold of 175% of AMR.

Program Accountability and Reporting

Accountability for provincial actions, decisions, and policies with regard to the use of public funds for programs and services is important. The Province has an obligation to demonstrate value for money, and to ensure that funds have been spent appropriately and in a timely manner.

Transfer Payment Agreement (TPA)

The TPA sets out an accountability requirements between the Province (through MHO) and the municipality, and outlines the roles and responsibilities of both parties, as required by the Province's Transfer Payment Accountability Directive.

In case a housing Service Manager has been designated as program administrator, the Province would enter into a TPA with the Service Manager subject to council's authorization.

The TPA will require the municipality to develop formal contribution agreements with any developers who receive provincial rebates for the purpose of meeting program objectives and/or addressing obligations.

Bi-annual Take-up Plans

Based on their notional allocations, participating municipalities will be required to submit a take-up plan in the first quarter of each fiscal year for all years in the program to MHO for approvals.

The take-up plan for a particular fiscal year will be informed by rental housing developments that have come forward for planning approvals and meet program eligibility criteria. A municipality's take-up plan should:

- Provide details of the proposed market rental housing developments and units that meet program and eligibility criteria as laid out in the Program Guidelines;
- Indicate if municipality has set an AMR threshold for non-luxury market rental units that is lower than from provincial threshold of 175% AMR, and what that threshold would be;
- Indicate timing of when the rebate would flow towards the eligible market rental developments after the collection of the development charges;
- Indicate how much of the fiscal year's notional allocation the municipality would need on a quarterly basis, to facilitate transfer of provincial rebates from MHO to municipality;
- Indicate timelines around expected planning approvals and issuance of building permits for the proposed market rental developments specified in the plan;
- Indicate details of any municipal incentives provided; and
- Identify legal mechanisms that would keep proposed developments and units as rental for a minimum of 20 years.

The Province recognizes that the planning approval processes around market rental housing developments can sometimes take few years before a building permit is issued. To accommodate for any delays in the planning approval processes for developments and units proposed in the initial take-up plans, municipalities will have two years to rebate eligible developments. The two years start at the beginning of each fiscal year, when municipalities receive MHO approval on their initial (first quarter) spending plans. For example, for allocations made in fiscal year 2018-19, municipalities will have up until March 31, 2020 to make the rebates.

Payment Process and Schedule

Payment Process

The Ministry will advance funding directly to municipalities (or designated Service Managers), who will be responsible for rebating development charges for eligible developments and units. Municipalities (or designated housing Service Managers) will provide rebates for eligible developments based on a schedule as determined by the municipality, and in compliance with the program requirements.

Payment Schedule

MHO will provide quarterly funding to municipalities, based on MHO approved first quarter take-up plans.

Recovery and Reconciliations

MHO will also undertake reconciliations through adjusted municipal take-up plans submitted every six months to assess if the provincial rebates are being provided in accordance with program criteria and initial first quarter take-up plan.

If a municipality reports back that it is unable to rebate its allocation for that fiscal year, MHO would either reconcile unspent funding or re-allocate the funding to another municipality. Reallocation would be based on capacity of other municipalities to rebate development charges as reflected in their take-up plans. This would be determined through discussions between MHO and municipalities around proposed rental developments and units that would be eligible to receive provincial development charges rebates, and anticipated timelines these developments/units would be in a position to receive a building permit and make development charges payments within the given time frames.

Indemnification and Repayment

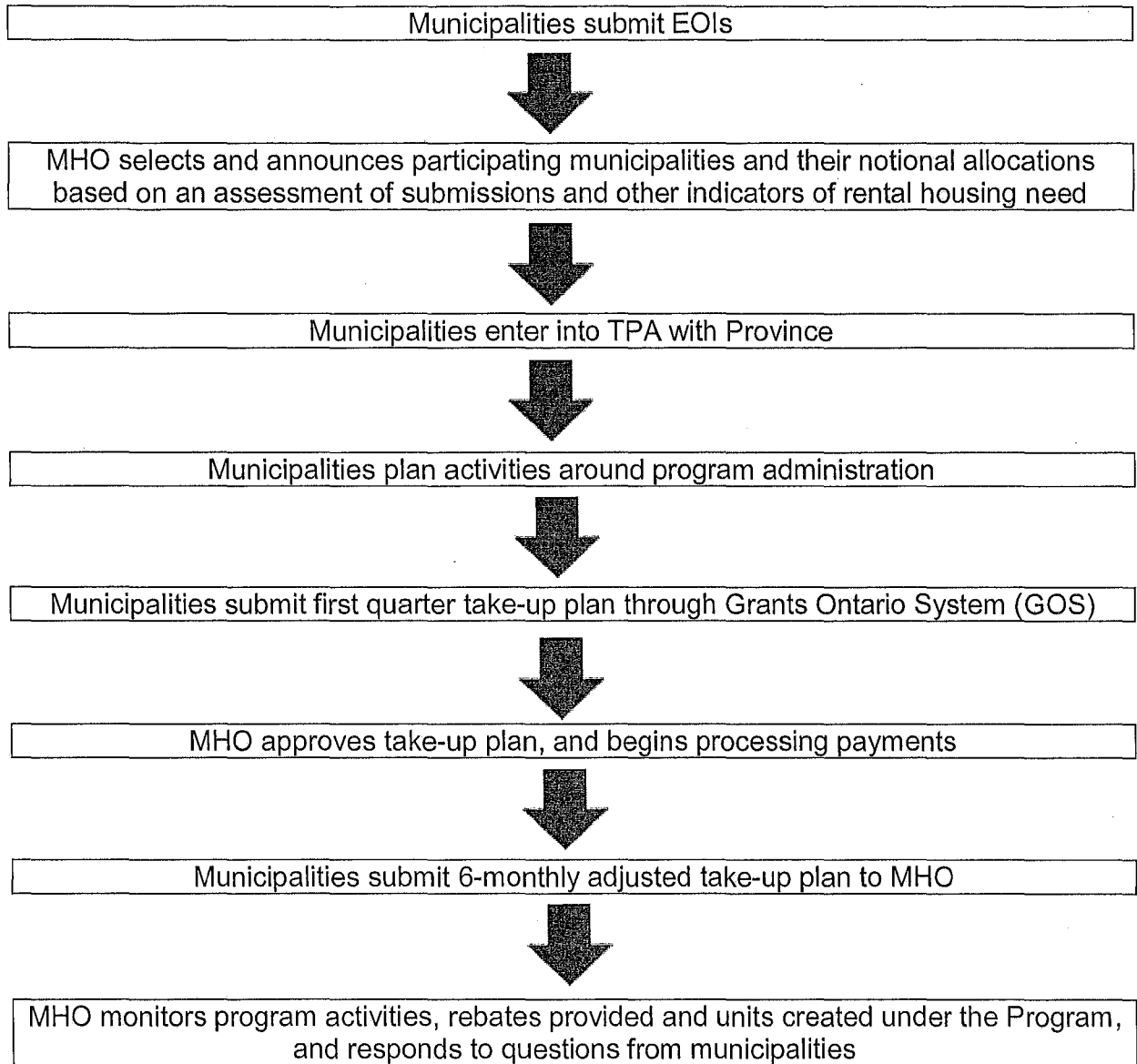
There are obligations for all Program recipients with regard to the indemnification and recovery of provincial government funding. The TPAs will contain specific obligations and provisions relating to indemnification and recovery of provincial funding.

Other Reporting Requirements

Through their adjusted spending plans, municipalities will report back on a bi-annual basis on the following:

- Adjusted forecasted and actual rebates made to date;
- Details of the developments receiving rebates (address of site, total number of units in the development, if there are units in the development receiving capital subsidies through another provincial program such as IAH);
- Total and per unit provincial rebates provided to eligible developments or units on a site-by-site basis (until fully transferred);
- Details of any municipal incentives provided to the eligible developments or units on a site-by-site basis;
- Total number of market rental units receiving rebates by bedroom type and unit size;
- Expected or actual starting market rents by bedroom type and comparison against AMR threshold; and
- Expected or actual occupancy date for the development/units.

Appendix A: Program Implementation Flow Chart



Appendix B: Ministry of Housing Contacts

Municipal Services Office – Central

777 Bay Street 13th Floor
Toronto, ON, M5G 2E5
General Inquiry: 416-585-6226
Toll Free: 1-800-668-0230
Fax: 416-585-6882

Contact: Ian Russell, Team Lead, Regional Housing Services
Tel: 416-585-6965
Email: ian.russell@ontario.ca

Serving: Durham, Halton, Hamilton, Niagara, Muskoka, Peel, Simcoe, York

Municipal Services Office – Eastern

8 Estate Lane, Rockwood House
Kingston, ON, K7M 9A8
General Inquiry: 613-545-2100
Toll Free: 1-800-267-9438
Fax: 613-548-6822

Contact: Mila Kolokolnikova, Team Lead, Regional Housing Services
Tel: 613-545-2123
Email: mila.kolokolnikova@ontario.ca

Serving: Cornwall, Hastings, Kawartha Lakes, Kingston, Lanark, Leeds and Grenville,
Lennox and Addington, Northumberland, Ottawa, Peterborough, Prescott and
Russell, Renfrew

Municipal Services Office – Western

659 Exeter Road, 2nd Floor
London, ON, N6E 1L3
General Inquiry: 519-873-4020
Toll Free: 1-800-265-4736
Fax: 519-873-4018

Contact: Pearl Dougall, Senior Housing Advisor,
Tel: 519-873-4521
Email: pearl.dougall@ontario.ca

Cynthia Cabral, Senior Housing Advisor,
Tel: 519-873-4520
Email: cynthia.cabral@ontario.ca

Serving: Brantford, Bruce, Chatham-Kent, Dufferin, Grey, Huron, Lambton, London, Norfolk, Oxford, St. Thomas, Stratford, Waterloo, Wellington, Windsor

Municipal Services Office – Northeastern

159 Cedar Street, Suite 401
Sudbury, ON, P3E 6A5
General Inquiry: 705-564-0120
Toll Free: 1-800-461-1193
Fax: 705-564-6863

Contact: Cindy Couillard, Team Lead, Regional Housing Services
Tel: 705-564-6808
Email: cindy.couillard@ontario.ca

Serving: Algoma, Cochrane, Greater Sudbury, Manitoulin-Sudbury, Nipissing, Parry Sound, Sault Ste. Marie, Timiskaming

Municipal Services Office – Northwestern

435 James Street, Suite 223
Thunder Bay, ON, P7E 6S7
General Inquiry: 807-475-1651
Toll Free: 1-800-465-5027
Fax: 807-475-1196

Contact: Peter Boban, Team Lead, Regional Housing Services
Tel: 807-473-3017
Email: peter.boban@ontario.ca

Serving: Kenora, Rainy River, Thunder Bay

Housing Programs Branch - Toronto

777 Bay Street, 14th Floor
Toronto, ON, M5G 2E5
Fax: 416-585-7003

Contact: Walter Battello, Account Manager, Regional Services Delivery Unit
Tel: 416-585-6480
Email: walter.battello@ontario.ca

Serving: Toronto

2017

Development Charges Rebate Program

Expression of Interest
Ontario Ministry of Housing
December 2017

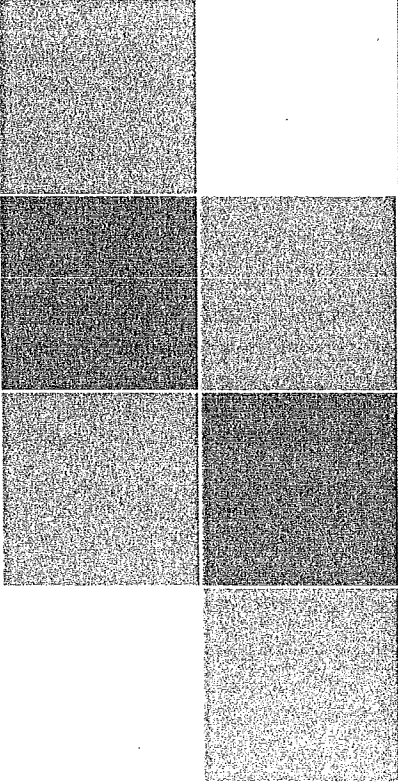


TABLE OF CONTENTS

Purpose.....	1
About the Development Charges Rebate Program.....	1
Program Design.....	1
Program Funding.....	1
Municipalities Selected to Participate in the Program.....	2
Municipalities Invited to Participate in the EOI Process.....	2
Submitting an Expression of Interest and Important Timelines.....	3
MHO Supports during EOI Process.....	4
Acknowledgement.....	4
Important Timelines.....	5
Appendix A: List of Municipalities Invited to Express Interest.....	6
Appendix B: Ministry of Housing Contacts.....	9
Appendix C: Applying Through Grants Ontario - Step-By-Step Instructions.....	12

Purpose

The purpose of this Expression of Interest (EOI), issued by the Ministry of Housing (MHO), is to invite municipalities to indicate their interest in participating in the Development Charges Rebate Program.

About the Development Charges Rebate Program

The Ontario Development Charges Rebate Program is one of the initiatives under the Fair Housing Plan to increase supply of housing – specifically of purpose-built market rental housing. Under the program, eligible market rental housing developments would receive a rebate of development charges collected by municipalities. The program would be administered by municipalities and target priority projects in those communities that are most in need of new purpose-built rental housing.

Program Design

Further details on the program design can be found in the Program Guidelines accompanying this Expression of Interest (EOI). Municipalities are strongly encouraged to review the Program Guidelines prior to submitting an EOI, to ensure that their submissions comply with the Program Guidelines and criteria.

The Program Guidelines outline the policy context for the program, provincial criteria on types of market rental housing developments and units eligible for funding under the program, reporting requirements, and other required information for municipalities.

Municipalities approved for program funding will have the final decision-making authority for eligible developments and are accountable to MHO under a Transfer Payment Agreement for all monies, project components and completion, and reporting requirements.

Program Funding

Under the Development Charges Rebate Program, up to a total of \$125 million over five years is available to municipalities, starting with \$25 million in 2018-19.

MHO cannot guarantee funding to all municipalities that make a submission expressing interest or allocate all funding requested by municipalities through the EOI process. Both successful and unsuccessful municipalities will be notified by MHO.

Program funding, if approved, will be provided subject to the terms and conditions of a Transfer Payment Agreement between the Province and the municipality.

MHO, at its sole discretion, reserves the right to reallocate funds to another municipality in instances where allocations may not be fully used within a fiscal year.

Municipalities Selected to Participate in the Program

The Development Charges Rebate Program has a one-stage selection process. MHO is inviting municipalities identified as being most in need of rental housing to express their interest in participating in the program, through an EOI process.

MHO will assess the municipal submissions, using consistent criteria, to ensure alignment with the provincial requirements under the Development Charges Rebate Program. Selection of municipalities will be based on this assessment, as well as rental housing need in the municipality.

Notional allocations will be announced in spring 2018 in accordance with provincial accounting and budgetary practices, starting with fiscal years 2018-19, 2019-20, and 2020-21.

Municipalities Invited to Participate in the EOI Process

To participate in the Development Charges Program, MHO is inviting municipalities who charge multi-unit development charges¹ and have been identified as being in need of new purpose-built market rental housing to submit an EOI. This includes municipalities that have:

- A vacancy rate of 3% or less², or
- High tenant population³ (i.e. 20% or more of all households are rental households).

Additionally, municipalities with opportunities to approve rental housing developments within an approximate 500-800 metre radius of a major transit station area (MTSA) are also being invited to participate in the program. For the purposes of the program, MTSA includes commuter rail (i.e. GO Transit), subway, light rail or bus rapid transit.

See Appendix A for a list of municipalities being invited to submit an EOI.

¹ Based on 2015 Financial information Return as submitted to the Ministry of Municipal Affairs

² Based on Canada Mortgage and Housing Corporation's 2017 Rental Market Housing

³ Based on 2016 Census

Submitting an Expression of Interest and Important Timelines

In their EOI submissions, municipalities will identify, and provide information on, the following:

- Need and vision for market rental housing in their communities, and any alignment with municipality's land use planning and housing policies;
- How the Development Charges Rebate Program will help increase rental housing in their communities and/or what public good will be created;
- Capacity to administer the program, along with ongoing monitoring and reporting, and whether there is an intention to designate program administration to a housing Service Manager, to submit an EOI and administer the program on the municipality's behalf;
- Any current incentives the municipality provides to encourage construction of market rental housing in their communities;
- Incentives the municipality is willing to apply to market rental developments and units receiving provincial rebates under the program;
- Examples of potential purpose-built market rental developments or units expected to qualify for funding over the five years, if possible;
- Indicate if the municipality would be setting a lower AMR threshold for non-luxury market rental units different from provincial threshold of 175% AMR
- Whether the municipality plans to use the funding to provide rebates covering the full amount of the development charges they collect or partial rebates, as well if these would vary on a site-by-site basis;
- Current and proposed mechanisms (e.g., bylaws restricting conversions) that the municipality would use to ensure that a development receiving rebate funding under the program remains rental; and
- How much funding municipalities anticipate would be needed for this program on an annual basis for each of the five fiscal years, starting in 2018-19 (municipalities can choose to identify funding requirements only for certain years).

Municipalities must submit their completed Expression of Interest through the Grants Ontario System (GOS) **no later than 1:00 p.m. Eastern Standard Time (EST) on March 2, 2018** to be considered for funding under the Development Charges Rebate Program. Municipalities will receive an acknowledgement of their submission, via an electronic receipt.

Municipalities intending to submit an Expression of Interest must begin to draft their submission through the Grants Ontario System (GOS) on or before **February 16, 2018 at 5:00 p.m. Eastern Standard Time (EST)**. This will confirm their intention to submit an Expression of Interest before the deadline.

Submissions received after March 2, 2018 will not be accepted as part of the Expression of Interest process. Further, incomplete submissions will not be assessed or considered in selecting municipalities to participate in the program.

Municipalities are encouraged to make use of the EOI period to review the form and Program Guidelines, draft responses, and use the EOI supports available through MHO.

MHO Supports during EOI Process

To assist municipalities, and respond to questions about the Development Charges Rebate Program and EOI process, MHO will host two half-hour informational teleconferences with municipalities in mid-January, 2018. Details about the teleconferences will be distributed through the Ministry's Municipal Services Offices (MSO) Regional Housing Team Leads.

Additionally, municipal staff are also encouraged to reach out to MHO staff and/or their respective MSO Regional Housing Team Leads with specific questions about the Development Charges Rebate Program or the EOI submission process. Contact information is included in Appendix C.

For assistance or questions regarding GOS, please contact the Grants Ontario Customer Service at 416-325-6691 or toll free at 1-855-216-3090 or email: GrantsOntarioCS@Ontario.ca Monday to Friday from 8:30 a.m. to 5:00 p.m. Eastern Standard Time. TTY/Teletypewriter (for the hearing impaired): 416-325-3408 / Toll-free: 1-800-268-7095.

Acknowledgement

In submitting an EOI, the municipality is deemed to have acknowledged that MHO may, at its discretion:

- Communicate directly with any municipality;
- Verify with any municipality any information set out in an EOI;
- Adjust criteria for the selection of municipalities based on take up and interest.
- Cancel this EOI process or evaluation process; and
- Reject any or all EOIs.

The municipality is deemed to have further acknowledged that MHO shall not be responsible for any costs or expenses incurred by any municipality associated with preparing and submitting responses to this EOI.

Important Timelines

Activity	Date
Invite select municipalities to EOI process	December 20, 2017
Municipalities intending to submit an EOI must begin to draft their submission through GOS	By 5 p.m. EST February 16, 2018
EOI submissions due to MHO	By 1 p.m. EST March 2, 2018
MHO reviews municipal submissions, selects municipalities, and develops allocation model	March-April, 2018
MHO announces participating municipalities and their notional allocations	Early-Spring 2018
MHO and municipalities sign Transfer Payment Agreements	Early Spring 2018
Municipalities submit 2018-19 initial Spending Plan	Late Spring or Summer 2018

Appendix A: List of Municipalities Invited to Express Interest

Municipality	Has a GOS Account	Housing Service Manager
Town of Saugeen Shores	✓	Bruce County
Municipality of Kincardine	✓	Bruce County
City of Brantford	✓	City of Brantford
City of Greater Sudbury	✓	City of Greater Sudbury
City of Hamilton	✓	City of Hamilton
City of Kingston	✓	City of Kingston
City of London	✓	City of London
Municipality of Strathroy-Caradoc	✓	City of London
City of Ottawa	✓	City of Ottawa
City of Peterborough	✓	City of Peterborough
City of St. Thomas	✓	City of St. Thomas
City of Stratford	✓	City of Stratford
Municipality of North Perth	✓	City of Stratford
City of Toronto	✓	City of Toronto
City of Windsor	✓	City of Windsor
Municipality of Leamington	✓	City of Windsor
Town of Lakeshore	✓	City of Windsor
Town of Tecumseh	✓	City of Windsor
Town of Amherstburg	✓	City of Windsor
Town of Orangeville	✓	County of Dufferin
City of Owen Sound	✓	County of Grey
Municipality of Meaford	✓	County of Grey
City of Belleville	✓	County of Hastings
City of Quinte West	✓	County of Hastings
City of Sarnia	✓	County of Lambton
Town of Carleton Place	✓	County of Lanark
Norfolk County	✓	County of Norfolk
Haldimand County	✓	County of Norfolk
Town of Cobourg	✓	County of Northumberland
Municipality of Port Hope	✓	County of Northumberland
City of Woodstock	✓	County of Oxford
Town of Ingersoll	✓	County of Oxford
Town of Tillsonburg	✓	County of Oxford
Town of Petawawa	✓	County of Renfrew
City of Barrie	✓	County of Simcoe
Town of Innisfil	✓	County of Simcoe
Town of Bradford-West Gwillimbury	✓	County of Simcoe
City of Orillia	✓	County of Simcoe

Municipality	Has a GOS Account	Housing Service Manager
Town of Collingwood	✓	County of Simcoe
Town of Midland	✓	County of Simcoe
City of Guelph	✓	County of Wellington
Township of Centre Wellington	✓	County of Wellington
Township of Wellington North	✓	County of Wellington
Town of Huntsville	✓	District Municipality of Muskoka
Town of Bracebridge	✓	District Municipality of Muskoka
Town of Gravenhurst	✓	District Municipality of Muskoka
City of Kawartha Lakes	✓	City of Kawartha Lakes
Town of Greater Napanee	✓	Counties of Lennox and Addington
City of North Bay	✓	Nipissing DSSAB
City of Oshawa	✓	Regional Municipality of Durham
Town of Whitby	✓	Regional Municipality of Durham
Town of Ajax	✓	Regional Municipality of Durham
Municipality of Clarington	✓	Regional Municipality of Durham
City of Pickering	✓	Regional Municipality of Durham
Township of Uxbridge	✓	Regional Municipality of Durham
Town of Oakville	✓	Regional Municipality of Halton
City of Burlington	✓	Regional Municipality of Halton
Town of Milton	✓	Regional Municipality of Halton
Town of Halton Hills	✓	Regional Municipality of Halton
City of St. Catharines	✓	Regional Municipality of Niagara
Town of Fort Erie	✓	Regional Municipality of Niagara
City of Niagara Falls	✓	Regional Municipality of Niagara
City of Welland	✓	Regional Municipality of Niagara
City of Port Colborne	✓	Regional Municipality of Niagara
Town of Grimsby	✓	Regional Municipality of Niagara
Town of Lincoln	✓	Regional Municipality of Niagara
City of Thorold	✓	Regional Municipality of Niagara
City of Mississauga	✓	Regional Municipality of Peel
City of Brampton	✓	Regional Municipality of Peel
City of Kitchener	✓	Regional Municipality of Waterloo
City of Cambridge	✓	Regional Municipality of Waterloo
City of Waterloo	✓	Regional Municipality of Waterloo
Township of Woolwich	✓	Regional Municipality of Waterloo
Township of Wilmot	✓	Regional Municipality of Waterloo
City of Markham	✓	Regional Municipality of York
City of Vaughan	✓	Regional Municipality of York
Town of Richmond Hill	✓	Regional Municipality of York
Town of Whitchurch-Stouffville	✓	Regional Municipality of York
Town of Newmarket	✓	Regional Municipality of York

Municipality	Has a GOS Account	Housing Service Manager
Town of Aurora	✓	Regional Municipality of York
Township of King	✓	Regional Municipality of York
Town of East Gwillimbury	✓	Regional Municipality of York
City of Brockville	✓	United Counties of Leeds and Grenville

Appendix B: Ministry of Housing Contacts

Municipal Services Office – Central

777 Bay Street 13th Floor
 Toronto, ON, M5G 2E5
 General Inquiry: 416-585-6226
 Toll Free: 1-800-668-0230
 Fax: 416-585-6882

Contact: Ian Russell, Team Lead, Regional Housing Services
 Tel: 416-585-6965
 Email: ian.russell@ontario.ca
 Serving: Durham, Halton, Hamilton, Niagara, Muskoka, Peel, Simcoe, York

Municipal Services Office – Eastern

8 Estate Lane, Rockwood House
 Kingston, ON, K7M 9A8
 General Inquiry: 613-545-2100
 Toll Free: 1-800-267-9438
 Fax: 613-548-6822

Contact: Mila Kolokolnikova, Team Lead, Regional Housing Services
 Tel: 613-545-2123
 Email: mila.kolokolnikova@ontario.ca
 Serving: Cornwall, Hastings, Kawartha Lakes, Kingston, Lanark, Leeds and Grenville, Lennox and Addington, Northumberland, Ottawa, Peterborough, Prescott and Russell, Renfrew

Municipal Services Office – Western

659 Exeter Road, 2nd Floor
 London, ON, N6E 1L3
 General Inquiry: 519-873-4020
 Toll Free: 1-800-265-4736
 Fax: 519-873-4018

Contact: Pearl Dougall, Senior Housing Advisor,
 Tel: 519-873-4521
 Email: pearl.dougall@ontario.ca

 Cynthia Cabral, Senior Housing Advisor,
 Tel: 519-873-4520
 Email: cynthia.cabral@ontario.ca

Serving: Brantford, Bruce, Chatham-Kent, Dufferin, Grey, Huron, Lambton, London, Norfolk, Oxford, St. Thomas, Stratford, Waterloo, Wellington, Windsor

Municipal Services Office – Northeastern

159 Cedar Street, Suite 401
Sudbury, ON, P3E 6A5
General Inquiry: 705-564-0120
Toll Free: 1-800-461-1193
Fax: 705-564-6863

Contact: Cindy Couillard, Team Lead, Regional Housing Services
Tel: 705-564-6808
Email: cindy.couillard@ontario.ca

Serving: Algoma, Cochrane, Greater Sudbury, Manitoulin-Sudbury, Nipissing, Parry Sound, Sault Ste. Marie, Timiskaming

Municipal Services Office – Northwestern

435 James Street, Suite 223
Thunder Bay, ON, P7E 6S7
General Inquiry: 807-475-1651
Toll Free: 1-800-465-5027
Fax: 807-475-1196

Contact: Peter Boban, Team Lead, Regional Housing Services
Tel: 807-473-3017
Email: peter.boban@ontario.ca

Serving: Kenora, Rainy River, Thunder Bay

Housing Programs Branch - Toronto

777 Bay Street, 14th Floor
Toronto, ON, M5G 2E5
Fax: 416-585-7003

Contact: Walter Battello, Account Manager, Regional Services Delivery Unit
Tel: 416-585-6480
Email: walter.battello@ontario.ca

Serving: Toronto

Market Housing Branch

777 Bay Street 14th Floor

Toronto, ON, M5G 2E5

General Inquiry: 416-585-5872

Fax: 416-585-7607

Contact: Madhavi Patel
Tel: 416-585-6838
Email: madhavi.patel@ontario.ca

Carly Steinman
Tel: 416-585-7638
Email: carly.steinman@ontario.ca

Appendix C: Applying Through Grants Ontario - Step-By-Step Instructions

All applications must be submitted electronically through Grants Ontario at www.grants.gov.on.ca.

If your municipality has a Grants Ontario account, please request the administrator of the account in your municipality to provide access to your municipality's account. You can contact Grants Ontario Customer Service at 416-325-6691 or toll free at 1-855-216-3090 or email: GrantsOntarioCS@Ontario.ca to obtain your municipality's GOS administrator contact information.

If your municipality does not have a Grants Ontario account, you can create one by following these steps:

- **Create a ONE-key account** at <https://www.iaa.gov.on.ca/iaalogin/IAALogin.jsp>. ONE-key provides secure access to Ontario government programs and services, including the Transfer Payment Common Registration (TPCR) system.
- **Access the TPCR system to register.** For instructions, please refer to the user guides at <http://www.grants.gov.on.ca/GrantsPortal/en/TransferPaymentCommonRegistration/HowtoRegister/index.htm>.
- **Request enrollment to the Grants Ontario System (GOS).** For assistance, please refer to "How to Access Grants Ontario from the Transfer Payment Common Registration System" at <http://www.grants.gov.on.ca/GrantsPortal/en/OntarioGrants/HowtoApply/index.htm>. Please allow sufficient time as confirmation of GOS access may take up to two business days. The grant application form can only be accessed once GOS confirmation is complete.

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ST. J&B

PORT COLBORNE

The Heartbeat of the City

January 17, 2018

Donna Abbott
30 Ridgewood Ave.
Port Colborne, ON
L3K 5N6

City of Port Colborne
RECEIVED

JAN 18 2018

CORPORATE SERVICES
DEPARTMENT

Dear Donna

I am confirming that we at St. James and St. Brendan are pleased to be a sponsor of the International Women's Day event that you initiate each year.

The hall use has been set aside for the date of March 7, 2018.

We understand that any proceeds, if any, will be donated to the city food bank.

We hope that the event is a success and are pleased that we could contribute to the event through the use of the parish hall.

If we can be of assistance, please contact the St J&B office at 905-834-3184.

Respectfully

Pat Davis

Office Manager and Rental Coordinator



**CELEBRATING 100 YEARS OF
"THE WOMEN OF PORT COLBORNE"**

MARCH 7, 2018 5:00 P.M. – 10:00 P.M.

GUILD HALL, 72 CHARLOTTE ST.

PORT COLBORNE

TICKETS \$30.00 – DONNA 905-835-2536

ANDIE'S BOUTIQUE & GALLERY - WEST ST.

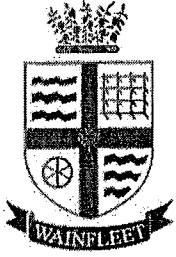
JB FASHIONS – CLARENCE ST.



GUEST SPEAKER – CHCH'S ANNETTE HAMM

CASH WINE BAR 5:00 P.M.

DINNER 6:00 P.M.



Township of Wainfleet

"Wainfleet - find your country side!"

City of Port Colborne
RECEIVED
DEC 15 2017
CORPORATE SERVICES
DEPARTMENT

December 15, 2017

SENT ELECTRONICALLY

Regional Municipality of Niagara
1815 Sir Issac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

ATTN: Frank Fabiano, Acting Regional Clerk

**Re: Notice of Passing of By-law to Increase Composition of Regional Council
Addition of Member for Township of West Lincoln
Triple Majority Requirement**

Dear Mr. Fabiano:

Please be advised that Council of the Corporation of the Township of Wainfleet at its Special Meeting held on December 15, 2017, supported the following resolution:

Resolution No. C-365-2017

Moved by Richard Dykstra
Seconded by Ted Hessles

"THAT the Council of the Township of Wainfleet consents to the passage of By-law No. 2017-108 of the Regional Municipality of Niagara, being a by-law to increase the composition of Regional Council by adding an additional Councillor for the Township of West Lincoln."

CARRIED

If you have any questions, please do not hesitate to contact the undersigned.

Regards,

Meredith Ciuffetelli
Deputy Clerk

cc: Niagara Region
Area Municipalities

TOWN OF GRIMSBY

City of Port Colborne
RECEIVED

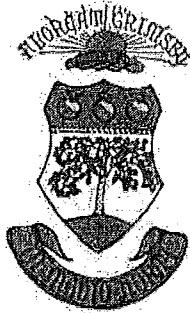
DEC 21 2017

CORPORATE SERVICES
TELEPHONE: (905) 945-9634
DEPARTMENT FAX: (905) 945-5010
www.town.grimsby.on.ca

160 LIVINGSTON AVENUE
P.O. BOX 159
GRIMSBY, ONTARIO
L3M 4G3

PLEASE REFER TO FILE NO

C10



OFFICE OF THE CLERK
HAZEL SOADY-EASTON, CMO

December 21, 2017

Mr. F. Fabiano
Acting Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way
Thorold, Ontario
L2V 4T7
Frank.Fabiano@niagararegion.ca – sent via email

Dear Mr. Fabiano:

The Council of the Town of Grimsby considered your correspondence of December 8, 2018 at the Council meeting on December 18, 2017 and passed the following Resolution:

Resolved that the Council of the Town of Grimsby consent to the passage of By-law 2017-108 of the Regional Municipality of Niagara, being a By-law to increase the composition of Regional Council by adding an additional councillor for the Township of West Lincoln.

If you have questions with regard to the foregoing, please do not hesitate to contact me.

Yours truly,

A handwritten signature in cursive script that reads 'H. Soady-Easton'.

H. Soady-Easton
Town Clerk

Cc: Local Area Municipalities

December 19, 2017

Regional Municipality of Niagara
Office of the Regional Clerk
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, Ontario
L2V 4T7

Dear Mr. Fabiano,

Re: By-law to Amend Composition of Regional Council

Please be advised that, at its meeting of December 18, 2017, the Council of the Corporation of the Town of Lincoln enacted the following motion:

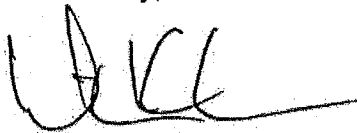
THAT correspondence from Niagara Region dated December 8, 2017, regarding a notice of passing of a by-law to increase the composition of Regional Council and request for consideration of the triple majority requirement be received;

AND THAT the Council of the Corporation of the Town of Lincoln consents to the passage of By-law No. 2017-108 of the Regional Municipality of Niagara, being a by-law to increase the composition of Regional Council by adding an additional Councillor for the Township of West Lincoln.

CARRIED

Would you please ensure that this information is appropriately communicated to give consideration to the Town's position? If you should have any questions, please do not hesitate to contact me.

Yours Truly,



William J. Kolasa
Director of Corporate & Legislative Services/Clerk

Cc: Niagara Area Municipalities (via email)

DEC 19 2017
CORPORATE SERVICES
DEPARTMENT



Vibrant · Creative · Caring

December 19, 2017

Mr. Frank Fabiano
Acting Regional Clerk
1815 Sir Isaac Brock Way
PO Box 1042
Thorold ON L2V 4T7

Dear Mr. Fabiano:

**Proposed Increase in Composition of Regional Council – Addition of Member for
Township of West Lincoln**

At their regular meeting of December 18th, 2017, Council of the Town of Pelham received your correspondence, dated December 8, 2017 and considered the following resolution:

BE IT RESOLVED THAT the Municipal Council of the Town of Pelham consents to the passage of By-law No. 2017-108 of the Regional Municipality of Niagara, being a by-law to increase the composition of Regional Council by adding an additional Councillor of the Township of West Lincoln.

Please be advised that the motion was **DEFEATED**. On behalf of Council, I trust this is satisfactory.

Yours very truly,

A handwritten signature in black ink, appearing to read "Nancy J. Bozzato", written over a faint circular stamp or watermark.

(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*
Town Clerk

/js

From the Clerk's Department





City of Welland
Legislative Services
Office of the City Clerk
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2159 | Fax: 905-732-1919
Email: clerk@welland.ca | www.welland.ca

City of Port Colborne
RECEIVED

DEC 22 2017

CORPORATE SERVICES
DEPARTMENT

December 22, 2017

File No. 02-160

Niagara Region
Office of the Regional Clerk
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Attention: Frank Fabiano, Acting Regional Clerk

Dear Mr. Fabiano:

Re: December 19, 2017 – WELLAND CITY COUNCIL

At its meeting of December 19, 2017, Welland City Council declined the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter dated December 8, 2017 regarding the Notice of Passing of By-law to increase the composition of the Niagara Regional Council to add one member of the Township of West Lincoln GM 10-2017; and further

THAT Welland City Council consents to the passage of By-law No. 2017-10810 of the Regional Municipality of Niagara being a By-law to increase of the composition of the Niagara Regional Council to add an additional Councillor for the Township of West Lincoln.

That the motion was lost by a recorded vote.”

Yours truly,

Carmen Radice
Acting City Clerk

CR:kl

RE:

December 22, 2017

c.c. Niagara Area Municipalities



Community Services

Legislative Services

City of Port Colborne
RECEIVED

DEC 12 2017

CORPORATE SERVICES
DEPARTMENT

December 12, 2017

Sent via email:

ithomson@niagaraparks.com

Janice Thomson, Chair
The Niagara Parks Commission
7400 Portage Road South
Niagara Falls, ON, L2E 6T2
Canada

Dear Chair Thomson:

Re: Niagara Parks Commission's Proposed Expansion and Enhancement - Marina and Resort Development at Miller's Creek

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of December 11, 2017 passed the following resolution:

Whereas the Niagara Parks Commission ("NPC") considered options for the operation or closing of its marina on the Niagara River in Fort Erie, near Miller's Creek, and

Whereas in 2005, the NPC agreed to work with the Town of Fort Erie to permit the Fort Erie Economic Development & Tourism Corporation ("EDTC") to undertake a Request for Proposals process for the expansion and enhancement of the marina and potential development of the lands between the Niagara Parkway and Cairns Crescent, and

Whereas as a result of the cooperative efforts of the NPC, Town of Fort Erie and the EDTC, the submission of a successful proponent for expansion and enhancement of the marina and the development of a resort on the adjacent lands was accepted by the NPC and a Memorandum of Understanding ("MOU") was executed by the NPC and Warren DAC Investments Limited ("WDAC") on February 18, 2007, and

Whereas over the next 4 years, WDAC fulfilled its responsibilities pursuant to the MOU, including operating the marina, obtaining appropriate land use approvals and in-water engineering works, and

.../2

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6
Phone: (905) 871-1600 FAX: (905) 871-4022

Office Hours 8:30 a.m. to 5:00 p.m.

Web-site: www.forterie.ca

339

Whereas since 2012, the NPC has embarked on a number of processes with a view to proceed with a marina/resort development at the Miller's Creek Marina, and

Whereas over the next 4 years, WDAC fulfilled its responsibilities pursuant to the MOU, including operating the marina, obtaining appropriate land use approvals and in-water engineering works, and

Whereas the NPC did not extend the MOU, which it has claimed expired on or about January 26, 2012, despite WDAC's desire to continue with the MOU and the development of the marina and adjacent land; and

Whereas since 2012, the NPC has embarked on a number of processes with a view to proceed with a marina/resort development at the Miller's Creek Marina, and

Whereas the NPC's most recent initiative resulted at the end of August 2017 in no proponent submitting a response to the NPC's Request for Proposals for development at the marina, and

Whereas the NPC maintains that it continues to be committed to marina enhancements and development on the adjacent lands, but there seems to be no forward progress in that direction, and

Whereas the Council of the Town of Fort Erie understands that WDAC remains interested in proceeding to develop the marina and adjacent lands at Miller's Creek Marina.

Now therefore be it resolved,

That: Council of the Town of Fort Erie reiterates its continuing support for the expansion and enhancement of the marina and a resort development on the adjacent lands at the NPC's Miller's Creek Marina, and further

That: Council urges the NPC to engage with WDAC to move forward with the marina and resort development at the Miller's Creek Marina without any further delays, and further

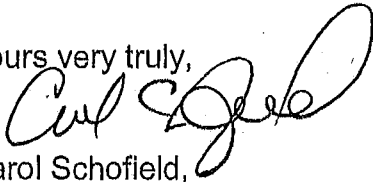
That: A copy of this resolution be forwarded to the Chair of the NPC for action, and further

That: A copy of this resolution be forwarded to the Premier of the Province of Ontario, the Minister of Tourism, Culture and Sport, the Minister of Infrastructure, the Chair of the Region of Niagara, the M.P.P.'s in Niagara, the Honourable Rob Nicholson, M.P., and Warren DAC Investments Limited, and further

That: A copy of this resolution be circulated to the mayors of the local municipalities in Niagara for their support.

We thank you for your attention to this very important matter.

Yours very truly,



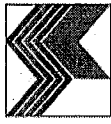
Carol Schofield,
Interim Manager, Legislative Services/Clerk

cschofield@forterie.ca

CS:dlk

cc: The Honourable Kathleen Wynne, Premier of Ontario, *Sent via email:* kwynne.mpp@liberal.ola.org/premier@ontario.ca
The Honourable Eleanor McMahon, Minister of Tourism, Culture and Sport *Sent via email:* eleanor.mcmahon@ontario.ca
The Honourable Bob Chiarelli, Minister of Infrastructure *Sent Via Email:* bob.chiarelli@ontario.ca
Alan Caslin, Chair, Niagara Region *Sent via email:* Alan.caslin@niagararegion.ca
Mr. Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario *Sent via email:* wgates-co@ndp.on.ca
Ms. Cindy Forster, MPP-Niagara Centre, Legislative Assembly of Ontario *Sent via email:* cforster-qp@ndp.on.ca
Mr. Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario *Sent via email:* sam.oosterhoff@pc.ola.org
Mr. James Bradley, MPP-St. Catharines, Legislative Assembly of Ontario *Sent via email:* jbradley.mpp.co@liberal.ola.org
Mr. Rob Nicholson, MP-Niagara Falls, Parliament of Canada *Sent via email:* rob.nicholson@parl.gc.ca
Bob, O'Dell, Warren DAC Investments Limited *Sent via email:* bob@robertodell.com
Niagara Area Mayors *Sent via email*

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CITY OF
ST. CATHARINES

Legal and Clerks Services

Office of the City Clerk
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905.688.5600
Fax: 905.682.3631
TTY: 905.688.4TTY (4889)

City of Port Colborne
RECEIVED

JAN 02 2018

CO-ORDINATE SERVICES
DEPARTMENT

January 2, 2018

Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, ON
L3C 3W2
sent via email: mbrickell@npca.ca

Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs

Please be advised that the City of St. Catharines Council, at its meeting of December 11, 2017, passed the following resolution:

WHEREAS on November 23, 2017, Judge James Ramsay dismissed the NPCA's \$100,000 lawsuits against retired Air Force major Ed Smith and, in his ruling, Judge Ramsay stated the NPCA, as a government agency, had no right to sue a citizen for criticizing it; and

WHEREAS the NPCA, citing attorney-client privilege, has refused to disclose the amount incurred in legal costs for suing Ed Smith and for other related costs; and

WHEREAS although the details of legal invoices, accounts, dates and specific work performed is subject to solicitor-client privilege, the total amount is not privileged; and

WHEREAS with an annual contribution of approximately \$1.7 million, the residents of the City of St. Catharines are the largest Niagara Region contributors of public funds to the Niagara Peninsula Conservation Authority's funding;

THEREFORE BE IT RESOLVED that Council request that the NPCA Board disclose the total amounts spent on the lawsuits, including the suit by the NPCA's then CAO, which the NPCA also funded; and

BE IT FURTHER RESOLVED that the Regional Municipality of Niagara, all Niagara municipalities, all Niagara Members of Provincial Parliament, the City of Hamilton, Haldimand County, the Premier, the Minister of Natural Resources and Forestry, the Auditor General, and the Ombudsman be notified of Council's request.

Should you have any questions, please do not hesitate to contact the Office of the City Clerk at Extension 1506.



Bonnie Nistico-Dunk
City Clerk

cc: Premier of Ontario
Minister of Natural Resources and Forestry
Auditor General of Ontario
Ombudsman
MPP Jim Bradley
MPP Cindy Forster
MPP Wayne Gates
MPP Sam Oosterhoff
City of Hamilton
Haldimand County
Region of Niagara
Local Area Municipalities



CITY OF
ST. CATHARINES

Legal and Clerks Services

City of Port Colborne
RECEIVED

Office of the City Clerk
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905.688.5600
Fax: 905.682.3631
TTY: 905.688.4TTY (4889)
CORPORATE SERVICES DEPARTMENT

January 2, 2018

Kathleen Wynne, Premier
Legislative Building
Queen's Park
Toronto ON M7A 1A1
Sent via email: premier@ontario.ca

Re: Niagara Peninsula Conservation Authority – Appointment of Supervisor

Please be advised that the City of St. Catharines Council, at its meeting of December 18, 2017, passed the following resolution:

“That the City of St. Catharines respectfully requests the Premier of Ontario to immediately appoint a Supervisor to take over the operations of the Niagara Peninsula Conservation Authority; and

That the Regional Municipality of Niagara Council and Niagara Peninsula Conservation Authority Board be asked to address the issue of one of their members providing misleading information to this Council; and

That the Niagara Peninsula Conservation Authority, all Niagara municipalities, all Niagara MPPs, the City of Hamilton, Haldimand County, Minister McGarry of the Ministry of Natural Resources and Forestry, the Auditor General, and the Ombudsman be notified of this motion.”

Separate correspondence has been sent to the Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara in regards to the second clause of this resolution.

Should you have any questions, please do not hesitate to contact the Office of the City Clerk at Extension 1506.

Bonnie Nistico-Dunk
City Clerk

- cc: Minister of Natural Resources and Forestry
- Auditor General of Ontario
- Ombudsman
- MPP Jim Bradley, MPP Cindy Forster, MPP Wayne Gates, MPP Sam Oosterhoff
- NPCA – Mark Brickell
- City of Hamilton – Clerk
- Haldimand County – Clerk
- Local Area Clerks
- Niagara Region

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CITY OF
ST. CATHARINES

Legal and Clerks Services

Office of the City Clerk
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905.688.5600
Fax: 905.682.3631
TTY: 905.688.4TTY (4889)

City of Port Colborne
RECEIVED

JAN 09 2018

CORPORATE SERVICES

January 9, 2018

To the Regional and Area Municipal Clerks
For the Attention of the Regional and Municipal Councils
(sent via email)

Re: Resolution - Women in Local Government Our File No. 35.2.2

Please be advised that the Council of the City of St. Catharines, at its meeting held on November 27, 2017, unanimously passed the following resolution, which was moved by Councillor Britton and Seconded by Councillor Bellows:

WHEREAS women make up more than 50% of the Canadian population but only 26% of all Canadian Politicians and only 15% of St. Catharines City Council are women;

WHEREAS The United Nations defines 30% female representation as the minimal percentage required for a governmental body to reflect women's concerns;

WHEREAS the Federation of Canadian Municipalities (FCM) - a group which St. Catharines is a part of - has launched a national campaign to increase women's participation in Canadian municipal government to 30% by 2026;

WHEREAS groups and individuals in Niagara and St. Catharines have been working to increase female representation for many years;

THEREFORE BE IT RESOLVED that the City of St. Catharines endorses the goals of the FCM campaign for Women in Local Government to ensure women make up 30% of Canadian municipal councils by 2026, and set that as a goal for our City as well; and

BE IT FURTHER RESOLVED that the City of St. Catharines make a formal request to FCM to be a participating municipality in their current and future programs related to increasing female representation in government; and

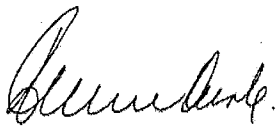
BE IT FURTHER RESOLVED that staff work with existing groups, being Women in Niagara and Niagara Women in Politics, that are attempting to address this problem and issue a joint report on what the municipality can do to remove barriers to women's participation in local government; and

BE IT FURTHER RESOLVED that the City issue a joint communication with the aforementioned groups to announce the adoption of this resolution by press release to the news media and the FCM; and

BE IT FURTHER RESOLVED that the staff report include adoption of policy and procedures for committees of council and advisory committees for consideration of gender balance and diversity that would take effect with the start of the next term of council; and

BE IT FURTHER RESOLVED that staff send notification to other area municipalities and the Region of Niagara and encourage them to follow suit.

Please be guided by the resolution. If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk

cc Federation of Canadian Municipalities
Julie Rorison, Chief of Staff, Mayor's Office
Evan McGinty, Manager (Acting), Corporate Communications



Legal and Clerks Services

Office of the City Clerk
PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

Phone: 905.688.5600
Fax: 905.682.3631
TTY: 905.688.4TTY (4889)

City of Port Colborne
RECEIVED

JAN 04 2018

January 4, 2018

The Honourable Maryam Monsef
Minister of Status of Women
P.O. Box 8097, Station T CSC
Ottawa, ON
K1G 3H6
sent electronically:
minister-ministre@swc-cfc.gc.ca

The Honourable Indira Naidoo-Harris
Ministry of the Status of Women
80 Grosvenor Street
Toronto, ON
M7A 1E9
sent electronically:
inaidoo-harris.mpp.co@liberal.ola.org

Re: Gillian's Place and National Day of Action on Violence Against Women

Please be advised that the City of St. Catharines Council, at its meeting of December 11, 2017, passed the following resolution:

WHEREAS December 6 is the National Day of Remembrance and Action on Violence against Women in Canada, established by the Parliament of Canada in 1991 to mark the anniversary of the murders of 14 young women at l'École Polytechnique de Montréal in 1989; and

WHEREAS violence against women remains a plight on society in 2017, where ½ of all Canadian women have experienced physical or sexual violence by the age of 16; and

WHEREAS every 6 days a woman in Canada is killed by her intimate partner and since 2014 there have been at least 7 women and children in St. Catharines alone whose lives were lost from domestic violence; and

WHEREAS Gillian's Place in St. Catharines, is one of Ontario's first shelters for abused women and children, providing safe refuge and non-residential programs for women and children to break the cycle of violence for 40 years; and

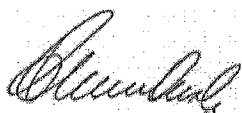
WHEREAS more than 40,000 women and children have found safe emergency shelter and support services at Gillian's Place since 1977 and the centre operates with funding from the Province of Ontario to support women who have already experienced violence, but with little to no increase in base funding for several years and no funding to address the root causes and therefore the prevention of gender-based violence; and

WHEREAS research shows that violence prevention programs are highly effective to prevent domestic violence and violence against women and to reduce the economic and social costs of violence, treatment and counselling for victims; and WHEREAS Canadians spend \$7.4 billion to deal with the aftermath of spousal violence each year;

THEREFORE BE IT RESOLVED that the Council of the City of St. Catharines calls on the federal and provincial governments to increase funding to violence against women shelters to support the prevention of gender-based violence; and

BE IT FURTHER RESOLVED that the Council resolution be shared with St. Catharines' Members of Provincial Parliament and Members of Parliament, the Regional Municipality of Niagara, and all Niagara municipalities.

Should you have any questions, please do not hesitate to contact the Office of the City Clerk at Extension 1506.



Bonnie Nistico-Dunk
City Clerk

cc: MPP Jim Bradley
MP Chris Bittle
MP Vance Badawey
Local Area Clerks
Niagara Region



Township of Wainfleet

"Wainfleet - find your country side!"

City of Port Colborne
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DEC 15 2017
CORPORATE SERVICES
DEPARTMENT

December 11, 2017

Mr. Keith Currie, President
Ontario Federation of Agriculture
100 Stone Road West, Suite 206
Guelph ON N1G 5L3

RE: Resolution of Support – Federal Changes to the Municipal Councillor Taxation on Income

Dear Mr. Currie,

Please be advised that Council for the Township of Wainfleet, at its meeting held on December 5, 2017 passed the following resolution:

Resolution No. C-358-2017

**Moved By Ted Hessels
Seconded By Richard Dykstra**

Regarding Federal Changes to Municipal Councillor Taxation on Income

WHEREAS in the 2017 Federal budget the one-third tax exemption for municipal Councillors which was originally designed to offset expenses incurred in the discharge of their duties was removed; and

WHEREAS the assumption by the Federal government in doing so was that municipalities would increase the salaries of their Municipal Councillors, or leave the salary the same and have the Councillor personally absorb this change; and

WHEREAS rural Municipalities are already cash strapped and rural Councillors are already underpaid for the amount of work that they do; and

WHEREAS increasing of salaries will likely result in less spending on rural infrastructure; or forcing Councillors to absorb this change will result in fewer candidates running for election in 2018 and we need more farmers at the decision-making table—not less; and

WHEREAS OFA should be working with our rural Municipalities to address downloading to ensure strong communities in order for our members to operate their businesses effectively,

THEREFORE BE IT RESOLVED THAT the Ontario Federation of Agriculture lobby the Federal government to have one-third tax exemption for municipal Councillors reinstated.

Carried

If you have any questions, please don't hesitate to contact the undersigned.

Regards,

Meredith Ciuffetelli

Meredith Ciuffetelli
Deputy Clerk

CC: Local Area Municipalities
Cheryl Gallant, M.P. Renfrew-Nipissing-Pembroke



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City of Port Colborne
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DEC 08 2017
CORPORATE SERVICES
DEPARTMENT

December 6, 2017

Frank Fabiano
Regional Clerk
1815 Sir Isaac Brock Way
PO Box 1042
Thorold ON L2V 4T7

Dear Mr. Fabiano:

Town of Pelham's Response to Regional Audit Committee Resolution

At their regular meeting of December 4th, 2017, Council of the Town of Pelham endorsed the following:

BE IT RESOLVED THAT Council for the Town of Pelham receive the correspondence from the Region of Niagara dated November 20, 2017, containing the approved Audit Committee recommendations; and

THAT the following resolution be forwarded to the Region of Niagara:

WHEREAS the Town of Pelham commissioned KPMG Forensic to investigate matters related to public concern over the East Fonthill Development Project transactions; and

WHEREAS the KPMG findings were known to be scheduled for a Special Meeting of Council which was convened on November 29, 2017; and

WHEREAS the Region of Niagara was made aware of this fact by Mayor/Regional Councillor Augustyn at the Regional Council meeting of November 19th wherein the Regional Council was requested to postpone consideration of the Audit Committee recommendations until after the KPMG presentation was made and the results known; and

WHEREAS the Council of the Region of Niagara proceeded to adopt the recommendations of the Audit Committee which were based on speculation and inaccurate information and as such, the resolution was premature; and

WHEREAS the Town of Pelham has continuously acted in good faith and in the best interests of the community, and in compliance with all legislative requirements; and

From the Clerk's Department



353



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WHEREAS the findings of the KPMG Forensic report, as presented in a public format on November 29th, 2017, have concluded that there has not been a material change in the Town's financial position as suggested in the Regional resolution and further that there have been no misstatements in the Town of Pelham financial statements;

NOW THEREFORE BE IT RESOLVED THAT the Town of Pelham REQUESTS the Region of Niagara to RESCIND the November 16, 2017 Audit Committee Recommendations; and

THAT the Town REQUESTS that any actions taken to put into effect the matters contained in the recommendations, including but not limited to correspondence from the Niagara Region that was provided in response to Recommendation #2 be recalled and/or retracted; and

THAT the Town REQUESTS the Region to provide written confirmation that such has occurred; and

THAT this resolution be circulated to Niagara's local area municipalities, Niagara MPPs, the Ontario Ombudsman, the Minister of Municipal Affairs, the Auditor General and the Town of Pelham's lenders.

On behalf of Council, thank you for your correspondence.

Yours very truly,

A handwritten signature in black ink, appearing to read "Nancy J. Bozzato".

(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*
Town Clerk

/js

Cc: Infrastructure Ontario, customer.relations@infrastructureontario.ca
Niagara local area municipalities
Niagara MPPs
Ontario Ombudsman
Minister of Municipal Affairs
Auditor General

From the Clerk's Department



November 28, 2017

DISTRIBUTION LIST

**RE: Audit Committee Minutes
Minute Item 11.7, CL 16-2017, November 16, 2017**

Regional Council at its meeting held on November 16, 2017 approved the following recommendation of its Audit Committee:

1. That Niagara Region **EXPRESS CONCERN** that the Town of Pelham has not advised the Niagara Region of a potential material change in the Town's financial position;
2. That the Niagara Region **NOTIFY** relevant lenders that there may be a material change in the Town of Pelham's financial position;
3. That the Niagara Region **REQUESTS** the Town of Pelham share the summer 2017 KPMG audit and allow Regional audit staff to discuss the audit report with KPMG directly;
4. That Regional staff **PREPARE** a report outlining options to strengthen Regional review and approval of local area municipal debenture requests;
5. That the Niagara Region **DEFER** consideration of any future bylaws pertaining to additional Town of Pelham debt until such time that the summer 2017 KPMG audit and other relevant material is shared and reviewed with Regional audit staff;
6. That this resolution **BE CIRCULATED** to Niagara's local area municipalities, Niagara MPPs, and the Ontario Ombudsman and Auditor General; and
7. That the Town of Pelham **BE REQUESTED** to hold a public meeting with two weeks notice prior to any decision to divest land.

Yours truly,



Frank Fabiano
Regional Clerk
:amn

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December 20, 2017

Ms. Carrie McIntosh, Deputy Clerk
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear Ms. McIntosh

At their regular meeting of December 18, 2017, Council for the Town of Pelham received the City of Port Colborne correspondence regarding the Region of Niagara Audit Committee Recommendation respecting the Town of Pelham. At this meeting, Pelham Council resolved to provide an official letter of appreciation to the City of Port Colborne.

Council for the City of Port Colborne, by voicing a strong opposition to the Regional resolution and by returning the resolution to the Region, shows support for what Pelham has been assuring all stakeholders throughout the past several months and the position of the City is appreciated.

It may interest you to know that the final KPMG report was received on December 18th which confirmed that questions related to allegations of fraud, misconduct or wrongdoing have been answered and proven false and validate these facts. We have attached a press release in this regard.

We look forward to working together with all Niagara municipalities as we focus on governance and ensuring that our communities continue to thrive.

Please provide a copy of this correspondence, along with our sincere appreciation, to the Council of the City of Port Colborne.

Yours very truly,



Nancy J. Bozzato, *Dipl.M.M., AMCT*
Town Clerk

Encl.

From the Clerk's Department



**Administration
Services**

Pelham Council Focused on Governing After KPMG Report

FOR IMMEDIATE RELEASE

December 19, 2017

Pelham, ON – Questions related to allegations of fraud, misconduct, misrepresentation, or wrongdoing have been answered and proven false through an exhaustive 100-page final report by KPMG. As a result, Pelham Town Council determined there is no need for an additional public meeting.

Questions and concerns regarding other Town business will continue to be answered through usual channels.

Since March 2017, Pelham Council and staff have provided documentation (330+ page response document), held meetings (evening with the experts), and complied with a financial investigation (KPMG audit) in response to initial allegations by a member of Niagara Regional Council.

"For nearly 10 months our responses to the ongoing allegations have been consistent, and KPMG has validated these facts in their final report: there is no unreported debt, the Town is within its annual debt repayment limit, transactions in East Fonthill were done according to the Acts and by laws, and no financial statements have been misstated," said Mayor Dave Augustyn. "Our default is to always be as open, transparent, and accommodating to the public as possible. If there are questions, we listen to them and we answer them – it is what we have done since March. The final report closes the door on these allegations."

As part of the KPMG audit, the public had an opportunity to submit questions directly to the auditor. Of the 17,000-plus residents and hundreds of Pelham businesses, a total of 160 questions were submitted from 50 email addresses.

The KPMG report addressed the questions and the themes generated therein.

With the release of the full KPMG report, Town Council says they are ready to move forward and get back to governing.

"Enough is enough, it's time for us to move on," said Councillor Catherine King.

Councillor Gary Accursi, who presented the motion to forgo an additional meeting, says that the Town has done everything possible to address the myriad of allegations.

"We brought in the experts who advised us as we moved through the myriad of legislation," he said. "Pelham has taken unprecedented steps for a municipality in our effort to be open and transparent. It is time to move forward with the governance of this municipality."

The full KPMG report, including a forensic review of Town finances from 2008-2017, and the presentations from Nov. 29, can be found on the Town's website

- 30 -

For more information, please contact:

Marc MacDonald
PR & Marketing Specialist
905-892-2607 x309
mmacdonald@pelham.ca



Township of Wainfleet

"Wainfleet - find your country side!"

City of Port Colborne
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DEC 15 2017
CORPORATE SERVICES
DEPARTMENT

December 12, 2017

Ashley Grigg, City Clerk
City of Port Colborne
66 Charlotte Street
Port Colborne ON L3K 3C8

VIA EMAIL: ashleygrigg@portcolborne.ca

**RE: Resolution of Support – Region to Continue to Financially Support
Community Improvement Program**

Dear Ms. Grigg,

Thank you for your recent correspondence, received by our office on November 17, 2017. Please be advised that Council for the Township of Wainfleet, at its meeting held on December 5, 2017 passed the following resolution:

Resolution No. C-357-2017

Moved By Betty Konc
Seconded By Richard Dykstra

"THAT correspondence received from the City of Port Colborne Re:
Resolution of Support – Region to Continue to Financially Support
Community Improvement Plan be supported."

Carried

If you have any questions, please don't hesitate to contact the undersigned.

Regards,

Meredith Ciuffetelli
Deputy Clerk

CC: Local Area Municipalities

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**City of Port Colborne
Regular Committee of the Whole Meeting 26-17
Minutes**

Date: December 11, 2017

Time: 6:30 p.m.

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

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor
B. Kenny, Councillor (left at 8:32 p.m. due to illness)
J. Maloney, Mayor (presiding officer)
J. Mayne, Councillor

Staff Present: D. Aquilina, Director of Planning & Development
M. Bendia, Deputy Fire Chief (for the presentations)
T. Cartwright, Fire Chief
D. D'Innocenzo, Licensing Clerk (minutes)
N. Giles, Executive Assistant to the Mayor (for the National Anthem and presentations)
A. Grigg, City Clerk
S. Lawson, Fire Prevention Officer (for the presentations)
C. Lee, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk
P. Senese, Director of Community & Corporate Services

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

1. Call to Order:

Mayor Maloney called the meeting to order.

2. National Anthem:

St. John Bosco School Choir sang O' Canada and three Christmas carols.

3. Introduction of Addendum Items:

Addition:

The addition of item 20, Region of Niagara Re: Notice of Passing of By-law to Increase Composition of Regional Council - Addition of Member for Township of West Lincoln - Triple Majority Requirement (Report GM 10-2017, December 7, 2017). This item was circulated via addendum on December 8, 2017.

4. Confirmation of Agenda:

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

That the agenda dated December 11, 2017 be confirmed, as amended.
CARRIED.

5. Disclosures of Interest:

Councillor Doucet declared an indirect pecuniary interest with regard to item 19, Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marihuana Grow Operations. Councillor Doucet refrained from discussing or voting on this item.

6. Adoption of Minutes:**(a) Regular meeting of Committee of the Whole 25-17, held on November 27, 2017.**

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

(a) That the minutes of the regular meeting of Committee of the Whole 25-17, held on November 27, 2017, be approved as presented.
CARRIED.

7. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 2, 3, 11, 16, 17, 18 19 and 20.

By general consensus Items Requiring Separate Discussion were considered in the following order: 1, 11, 3, 2, 16, 17, 18, 19 and 20. The minutes reflect the order of the agenda.

8. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor A. Desmarais
Seconded by Councillor J. Mayne

That Items 1 to 20 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. Community and Corporate Services, Corporate Services Division, Report 2017-183, Subject: Port Colborne – Welland LINK Bus Rate Increase**

Committee of the Whole recommends:

That the Port Colborne Transit Fare Structure attached to Community and Corporate Services Report 2017-183 be approved, effective January 1, 2018.

5. Community and Corporate Services, Corporate Services Division, Report No. 2017-184, Subject: Approval of Spending Limits During the Interval Prior to the Approval of the 2018 Budget Estimates

Committee of the Whole recommends:

1. That City Departments, Boards, and Agencies be allowed to incur operating costs to a level of 50% of the departmental expenditure of the prior year;
2. That new capital items deemed essential by a department be approved by the respective Standing Committee or Board, or

Agency, and the Council of the City of Port Colborne prior to purchase.

3. That this policy be communicated to all Department Directors, Boards, and Agencies.

6. Community and Corporate Services, Corporate Services Division, Report No. 2017-185, Subject: 2018 Borrowing By-law

Committee of the Whole recommends:

That a by-law be adopted to authorize temporary borrowing, as required, of up to \$4,000,000 for operating cash flow to meet the current expenditures of the Corporation until property taxes are billed and collected.

7. Community and Corporate Services, Corporate Services Division, Report No. 2017-186, Subject: Penalty Charges and Interest Rates for 2018

Committee of the Whole recommends:

That the Penalty Charges and Interest Charges by-law be adopted to establish the 2018 late payment charges on payments due to the municipality.

8. Community and Corporate Services, Corporate Services Division, Report No. 2017-187, Subject: 2018 Interim Tax Billing

Committee of the Whole recommends:

That a by-law be adopted to authorize the 2018 interim levy of taxes for all property tax classes, from the last revised assessment roll, before the adoption of the estimates for the year and final tax levy rates are established.

9. Community and Corporate Services, Corporate Services Division, Report No. 2017-190, Subject: Development Charge Reserve Funds – January 1, 2016 to December 31, 2016

Committee of the Whole recommends:

That Community and Corporate Services Report 2017-190 with respect to Development Charge Reserve Funds January 1, 2016 to December 31, 2016, be received for information purposes.

10. Community and Corporate Services, Corporate Services Division, Report No. 2017-192, Subject: Procurement Policy

Committee of the Whole recommends:

That the Procurement Policy with respect to the City's procurement of goods and services be adopted;

That a by-law respecting the procurement of goods and services, being the Procurement Policy, be prepared for execution by the Mayor and City Clerk and that By-law No. 4613/144/04 be repealed.

Miscellaneous Correspondence**12. National Eating Disorder Information Centre Re: Request for Proclamation of Eating Disorder Awareness Week – February 1 to 7, 2018 and the Illumination of the Roselawn Centre**

Committee of the Whole recommends:

That the week of February 1 to 7, 2018 be proclaimed as "Eating Disorder Awareness Week" in the City of Port Colborne, in accordance with the request from Alicia Pinelli, Outreach and Education Team Member.

That the request for Roselawn Centre to be illuminated in purple during Eating Disorder Awareness Week, be referred to the Director of Engineering and Operations for response.

13. Bill Mauro, Minister, Ministry of Municipal Affairs, Re: Tax on Transient Accommodation

Committee of the Whole recommends:

That the correspondence received from Bill Mauro, Minister, Ministry of Municipal Affairs, Re: Tax on Transient Accommodation, be received for information.

14. Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (July 1 to September 30, 2017)

Committee of the Whole recommends:

That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (July 1 to September 30, 2017), be received for information.

15. Niagara Region Re: Metrolinx – Draft 2041 Regional Transportation Plan Review (PDS Report 45-2017)

Committee of the Whole recommends:

That the correspondence received from the Niagara Region Re: Metrolinx – Draft 2041 Regional Transportation Plan Review (PDS Report 45-2017), be received for information.

CARRIED.

9. Presentations:**(a) Representatives of Tim Hortons presenting a cheque to the Fire and Emergency Services Department in support of the Fire Safety Program.**

Representatives of Tim Hortons presented the Fire Chief with a cheque in the amount of \$8,295 in support of the fire safety program.

(b) Presentation of the 2017 Christmas Card Contest Winners:

The Mayor announced the winners of the Christmas card design contest. A copy of the presentation is attached.

❖ Danielle Adam
❖ Kristen Reed
❖ Emma Croteau

❖ Ryen Lacroix
❖ Mya Shambrook

10. Delegations:

By general consensus, item 1 under "Consideration of Items Requiring Separate Discussion" was brought forward for consideration under the "Delegations" section of the agenda. The minutes reflect the order of the agenda.

11. Mayor's Report:

A copy of the Mayor's Report is attached.

12. Regional Councillor's Report:

Regional Councillor Barrick advised that the Region's 2018 budget was approved by Regional Council with a total combined increase of 2%. Regional Councillor Barrick advised that the budget focuses on the continued delivery of programs and services, as well as funding to maintain infrastructure and assets.

The Regional Councillor advised that the Region of Niagara has received a grade of "A-" from C.D. Howe Institute for their 2017 budgetary practices.

The Regional Councillor informed that Regional Council has approved the 2018 Internal Audit Plan.

13. Councillors' Items:**(a) Renaming of "Vimy Road" (Bodner)**

Councillor Bodner advised that "Vimy Road" was renamed "Vimy Ridge Road" after the Battle of Vimy Ridge. The Director of Engineering & Operations advised that staff communicated the change to Emergency Services.

(b) Light Pole on Main Street West (Danch)

Councillor Danch advised that a light pole on Main Street West was repaired following a recent motor vehicle accident.

(c) Installation of a Stop Sign at Oakwood Street and Highland Avenue (Danch)

In response to a question from Councillor Danch, the Director of Engineering & Operations advised that a report addressing installation of a stop sign at Oakwood Street and Highland Avenue will be presented at the next Council meeting.

(d) Light Pole at Clarence and Elm Streets (Desmarais)

Councillor Desmarais advised that she received a concern from a resident regarding a sheared pole at the intersection of Clarence and Elm Streets adjacent to the 7-11 convenience store. The Director of Engineering & Operations advised that staff would investigate.

(e) Nickel Street Storm Sewer Project (Desmarais)

Councillor Desmarais enquired about the timeline for completion of construction in the East Village as a result of the storm sewer project. The Director of Engineering & Operations advised that all underground work is complete and the contractor is completing the sidewalk reinstatement and road surface to allow for snow plowing.

(f) Intersection of Clarence Street and Cement Road (Elliott)

Councillor Elliott enquired about the realignment of the intersection of Clarence Street and Cement Road. The Director of Engineering & Operations advised that there will be a report with respect to realigning the intersection once the first phase of construction is closer to completion.

- (g) **Sidewalk Repair Update (Mayne)**
Councillor Mayne requested an update regarding properties to which repair is outstanding as a result of damage during reinstatement of water services. The Director of Engineering & Operations advised that all concrete repair is scheduled for completion the week of December 11, 2017.
- (h) **Staff Grant Writer (Mayne)**
Councillor Mayne enquired whether the City employs a grant writer. The Chief Administrative Officer advised that the newly created Marketing position will be responsible for grant writing whereas in the past grants were prepared departmentally.
- (i) **Power Outage Concerns (Mayne)**
Councillor Mayne expressed concern regarding the number of power outages in the city. The Chief Administrative Officer advised that he met with staff from Canadian Niagara Power (CNP) with respect to the maintenance of infrastructure. The CAO informed that he would invite representatives from CNP to a future council meeting.
- (j) **Niagara Peninsula Conservation Authority (Butters)**
Councillor Butters enquired if a focus on conservation will be applied to the duties the Niagara Region staff is assuming from the NPCA. Mayor Maloney advised that he has not discussed this with the Region.

Staff Responses to Previous Councillors' Enquiries:

- (a) **Toy Drive (Cartwright)**
The Fire Chief expressed his appreciation.
- (b) **Renaming of Streets (Cartwright)**
The Fire Chief advised that a verification process with 911 Emergency Services must be undertaken when a street name is changed.
- (c) **Fatal Fire – December 2016 (Cartwright)**
The Fire Chief advised that members of the Port Colborne Fire and Emergency Services department were offered mental health services after the incident and training with regard to Post-Traumatic Stress Disorder (PTSD) will be offered in the new year to fire fighters and their family members.
- (d) **Vigil for Victims of Fatal Fire (Aquilina)**
The Director of Planning & Development advised that family members of the victims of the fatal fire of December 2016 requested to hold a vigil at Overholt cemetery on December 14, 2017 at 7:00 p.m. The Director informed that Council approval is required due to the by-law restricting vigils after 6:00 p.m.

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

That the requirements prescribed under By-law 5840/94/12, Being a By-law to Establish Rules, Regulations and Provisions For the Management of Cemeteries of the City of Port Colborne, be waived to accommodate a memorial service on Thursday, December 14, 2017 beginning at 7:00 p.m.

CARRIED.

14. Consideration of Items Requiring Separate Discussion:**1. Engineering and Operations, Engineering Division, Report No. 2017-177, Subject: Request for Pedestrian Crossing on Clarence Street at Catharine Street**

Marilyn Corey, resident, was in attendance and noted preference for an Intersection Pedestrian Signal (IPS) similar to the installation on Main Street East.

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

That Council direct staff to implement Option 2 (ii) – budget for the construction of a Level 2 Pedestrian Crossover in 2018 on Clarence Street west of Catharine Street, including curb and sidewalk improvements.

CARRIED.

2. Engineering and Operations, Engineering Division, Report No. 2017-188, Subject: Information Report – Steele Street and Elgin Street Four-Way Stop

Moved by Councillor J. Mayne
Seconded by Councillor A. Desmarais

That Council direct staff to implement Option 2 (ii) – budget for the installation of a Level 2 Pedestrian Crossover (\$30,000) during the 2018 budget deliberations for the intersection of Steele Street at Elgin Street.

LOST.

3. Community and Corporate Services, Corporate Services Division, Report No. 2017-191, Subject: Property and Liability Insurance Policy Renewal

Tim McAvoy, President, McAvoy, Belan & Campbell Insurance Ltd. was in attendance and advised that the initial recommendation is to increase liability insurance.

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

1. That coverage with Frank Cowan Company be approved to provide the City's comprehensive property and liability insurance program for the next eighteen months to June 30, 2019, as outlined and recommended in this report;
2. That increased coverage be approved for Liability for General, Errors and Omissions & Fleet to a total of \$50 million for a premium of \$5,000 annually;
3. That the addition be approved for Fraudulently Induced Transfer Coverage of \$50,000 with a \$5,000 deductible and an estimated premium of \$200;
4. That the addition be approved for Volunteers' Accidental Death and Dismemberment Coverage with an estimated premium of \$300; and
5. That staff direction be provided to the addition of any type of coverage for Terrorism related activities.

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

That the main motion be amended replacing paragraph 5 with the following: "That coverage for Terrorism related activities not be pursued at this time."

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

1. That coverage with Frank Cowan Company be approved to provide the City's comprehensive property and liability insurance program for the next eighteen months to June 30, 2019, as outlined and recommended in this report;
2. That increased coverage be approved for Liability for General, Errors and Omissions & Fleet to a total of \$50 million for a premium of \$5,000 annually;
3. That the addition be approved for Fraudulently Induced Transfer Coverage of \$50,000 with a \$5,000 deductible and an estimated premium of \$200; and
4. That the addition be approved for Volunteers' Accidental Death and Dismemberment Coverage with an estimated premium of \$300.
5. That coverage for Terrorism related activities not be pursued at this time.

CARRIED.

11. Planning and Development, Report No. 2017-168, Subject: Port Colborne Quarries Site Plan Agreement Status Report

Jack Hellinga, resident, was in attendance and provided a presentation concerning the staff report. A copy of the presentation is attached.

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

That Planning and Development Report 2017-168 with respect to the Port Colborne Quarries Site Plan Agreement Status, be received for information purposes.

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

That Planning and Development Report 2017-168 with respect to the Port Colborne Quarries Site Plan Agreement Status, be referred to the Director of Planning & Development for the preparation of a report based upon legal counsel's review of the Agreement in light of the information provided Mr. Hellinga.

CARRIED.

16. Niagara Region Re: Regional Council Approval of Audit Committee Recommendation Respecting the Town of Pelham

Moved by Councillor D. Elliott
 Seconded by Councillor Y. Doucet

That the correspondence received from the Niagara Region Re: Regional Council approval of Audit Committee recommendation respecting the Town of Pelham, be received for information.

Moved in amendment by Councillor D. Elliott
Seconded by Councillor Y. Doucet

That the main motion be amended by striking out "That the correspondence received from the Niagara Region Re: Regional Council approval of Audit Committee recommendation respecting the Town of Pelham, be received for information." and adding thereto the following:

That the Council of the Corporation of the City of Port Colborne is strongly opposed to the resolution approved by Niagara Regional Council respecting the financial position of the Town of Pelham;

That the correspondence informing of the above noted resolution be hereby returned to the Niagara Region; and

That this resolution be circulated to Local Area Municipalities, local MPPs, the Office of the Ontario Ombudsman and the Auditor General.

CARRIED.

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

That the Council of the Corporation of the City of Port Colborne is strongly opposed to the resolution approved by Niagara Regional Council respecting the financial position of the Town of Pelham;

That the correspondence informing of the above noted resolution be hereby returned to the Niagara Region; and

That this resolution be circulated to Local Area Municipalities, local MPPs, the Office of the Ontario Ombudsman and the Auditor General.

CARRIED.

17. Mayor Mike Bradley, City of Sarnia Re: Letter to Catherine McKenna, Minister of Environment and Climate Change, Re: Ontario Power Generation's Proposed Deep Geologic Repository

Moved by Councillor A. Desmarais
Seconded by Councillor Y. Doucet

That the correspondence received from Mayor Mike Bradley, City of Sarnia Re: Letter to Catherine McKenna, Minister of Environment and Climate Change, Re: Ontario Power Generation's proposed Deep Geologic Repository, be received for information.

The following was accepted as a friendly amendment:

That the main motion be amended by striking out "be received for information" and replacing it with "be supported."

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

That the correspondence received from Mayor Mike Bradley, City of Sarnia Re: Letter to Catherine McKenna, Minister of Environment and Climate Change, Re: Ontario Power Generation's proposed Deep Geologic Repository, be supported.

CARRIED.

18. Town of Fort Erie Re: Health Care Services in the Niagara Region

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

That the resolution received from the Town of Fort Erie Re: Health Care Services in the Niagara Region, be received for information.

Moved in referral by Councillor A. Desmarais
Seconded by Councillor B. Butters

That Town of Fort Erie resolution with respect to Health Care Services in the Niagara Region be referred to the Port Colborne Medical Education, Recruitment and Health Services Committee for review and recommendation to Council.

CARRIED.

19. Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marihuana Grow Operations

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

That the correspondence received from Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marihuana Grow Operations, be received for information.

The following was accepted as a friendly amendment:

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

That the Chief Administrative Officer appoint a member of staff to monitor, research and gather information from other municipalities to develop a best practice for the City.

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

That the correspondence received from Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marihuana Grow Operations, be received for information.

That the Chief Administrative Officer appoint a member of staff to monitor, research and gather information from other municipalities to develop a best practice for the City.

CARRIED.

Addendum Item

20. Region of Niagara Re: Notice of Passing of By-law to Increase Composition of Regional Council - Addition of Member for Township of West Lincoln - Triple Majority Requirement (Report GM 10-2017, December 7, 2017)

Mayor Maloney read an email from Township of West Lincoln Mayor Doug Joyner. A copy of the email is attached.

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

That the Council of the City of Port Colborne consents to the passage of By-law No. 2017-108 of the Regional Municipality of Niagara, being a by-law to increase the composition of Regional Council by adding an additional Councillor for The Township of West Lincoln.
CARRIED.

15. **Notice of Motion:**

Nil.

16. **Adjournment:**

Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That the Committee of the Whole meeting be adjourned at approximately 9:44 p.m.
CARRIED.

AG/dd

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Christmas Card Contest

I would like to thank all of the children of the city for sending me their drawings for consideration in our Christmas Card Contest.

Tonight as you can see by these poster boards, we have some great artists among us.

Their drawings were blown up and put on these poster boards and displayed on our float for the Santa Claus parade.

Each of you will get to take home your upsized drawing.

We also have a framed copy of the card for each of you.

For the front of the card, we choose a drawing by Danielle Adam, a grade 8 student at Oakwood Public School.

Her drawing shows the Clarence Street bridge with City Hall and the Museum.

Danielle included bright, vivid colours and lots of detail.

Danielle, can you please come up.

Danielle comes up.

We are presenting each of the winners with a framed copy of the card.

Danielle if you could just stand in front while I call up the other children, and then we will take a group photo.

Next, we have Kristen Reed, a grade 4 student at St. John Bosco Catholic School, who provided us with a drawing of a boat at Christmas time.

Kristen, can you please come up.

Kristen comes up. Present frame.

Ryen Lacroix is a grade 5 student at St. John Bosco Catholic School.

He drew a picture of a ship pulling Santa on a boogie board, passing under the Clarence Street bridge.

Ryen can you please come up.

Ryen comes up. Present frame.

Next, we have Emma Croteau, another grade 7 student at Oakwood Public School.

Emma's picture is the entrance lighthouses to the Welland Canal.

Emma, can you please come up.

Emma comes up. Present frame.

And finally, we have Mya Shambrook, a grade 4 student at St. John Bosco Catholic School.

Mya gave us a drawing of children enjoying themselves in the snow at H.H. Knoll Lakeview Park.

Mya, can you please come up.

Mya comes up. Present frame.

We will now do a group photo if the parents want to get ready.



PORT COLBORNE

Mayor's Report to the

December 11, 2017 Council Meeting

Ashley Grigg and Carrie McIntosh

You are all familiar with Ashley Grigg, our City Clerk who has been guiding us through our Council meetings since 2010.

I am sad to say that Ashley will no longer be guiding us through our meetings, however, she will be joining us at the staff table as our new Director of Community Services and Economic Development.

Ashley, we wish you all the best in your new role and know you will bring your same professionalism and enthusiasm to this new role as you did as our City Clerk.

Recruitment is now under way for a replacement. These are big shoes to fill.

I would also like to welcome Carrie McIntosh who has assumed her new role as Deputy Clerk.

We will be seeing a lot more of Carrie here in the council chambers.

Santa Claus Parade

Thank you to the businesses, organizations and individuals who took the time to decorate their floats, cars, trucks, motorcycles, four-wheelers, musical instruments, pets and themselves to bring life and light to our annual Santa Claus Parade.

Judging by the crowds on the streets, it was very much appreciated.

New Year's Eve

Celebrations to bring in 2018 will start at the Vale Health and Wellness Centre on Sunday, December 31st at 1:00 p.m. ending with fireworks at 6:00 p.m.

Bring out the whole family for fun, games, swimming, skating and lots more.

New Year's Levee

I will be hosting my annual New Year's Levee on Monday, January 1st from 1 – 3 p.m. at City Hall. Please stop by to say hello.

Free Family Skates over the holidays

Tim Horton's will be sponsoring Free Family Skates at the Vale Health & Wellness Centre on December 23 and 30 at 7 pm and January 2 and 5 at 1:30 pm. Come out with the family and PORTicipate.

USS Little Rock

The USS Little Rock, a new Freedom-Class littoral combat ship (that means it operates close to shore) of the US Navy is being commissioned on Saturday, December 16th in Buffalo Harbour. We have unconfirmed reports that she will then travel through the Welland Canal some time between December 17 and 19. Watch for posts on our facebook and twitter accounts and come out and greet her as she passes through.

Nov 20

Regional Government Composition – Dec. 2017

Good Evening Mayor Maloney, Councillors, staff,

My name is Douglas Joyner and I am the Mayor of West Lincoln, and thank you for considering this change to the Regional Government Composition for the term 2018 - 2022!

Thank you for allowing this letter to be read into the record tonight on increasing the composition of Regional Government.

I want to make it very clear that this process that West Lincoln council is embarking on, alongside with our Regional Local Area Municipality partners, is not just about more governance but rather it's about increasing the level of service for a municipality experiencing tremendous growth, starting in the year 2018.

West Lincoln Council's request to add a Regional Councillor is a directive of my Council and the constituents we represent. Adding a Regional Councillor will benefit the residents of West Lincoln, as it will provide the required

representation at Regional Council to properly address West Lincoln issues and properly represent our constituents.

The Township of West Lincoln will be facing tremendous growth during the 2018 – 2022 term of council, right through to 2041 with a projected growth of 29,460 and almost 10,000 new jobs.

Economic Development, Planning & Development, Water & Sewer infrastructure, building of Roads & Bridges and the creation of a complete sustainable community is top of mind in West Lincoln and requires adequate representation to properly address all of these issues.

The Greater Niagara Chamber of Commerce has indicated that a complete review should be undertaken and I agree with that.

However, I do not agree that there should be a delay in providing West Lincoln with the appropriate representation and, actually the GNCC's letter has stated the same, and I quote:

“We understand Mayor Joyner's request to add a Regional councillor to help him represent his

constituency at Council, and we note that to do so would bring West Lincoln's representation in line with what would be expected given the relative size of their population"

In short, adding another elected representative from West Lincoln absolutely 100% does equal better governance around the horseshoe, simply because there will be another set of eyes and ears at all committee and Council meetings to digest the volume of material.

I defy any Mayor from Thorold, Lincoln, Grimsby, Port Colborne, Niagara on the Lake, Pelham, or Fort Erie to stand up and say that the additional Regional Councillor is not beneficial to the constituents of their prospective communities – quite simply, the workload and reading is simply just too much for one Regional representative.

I know, I personally see the volumes of reading material that Regional Councillors have to consume in a three week period – these Regional Councillors input is in invaluable.

As the GNCC letter states "West Lincoln is right to explore a governance structure that best supports

the ambitious goals of this Council and the Council of West Lincoln”

Councillors, at this time, you can help West Lincoln achieve its goals and become more efficient in their deliverance of responsible government by approving this by-law tonight.

Port Colborne Councillors and the GNCC, we give you our word that West Lincoln will show leadership by asking for a change in the composition of Regional Government in the term of 2018 – 2022,

But right now, we need your help, and in West Lincoln, we see the addition of one (1) Regional representative as a start in the right direction.

Let’s work together as a family!

Thank you!

Mayor Douglas Joyner

From: Jack Hellinga <[REDACTED]>
To: barbarabutters@portcolborne.ca, ronbodner@portcolborne.ca,
"<angiedesmarais@portcolborne.ca>" <angiedesmarais@portcolborne.ca>, Yvon Doucet
<yvondoucet@portcolborne.ca>, beakenny@portcolborne.ca, cao@portcolborne.ca,
danaquilina@portcolborne.ca, daveelliott@portcolborne.ca, frankdanch@portcolborne.ca,
johnmayne@portcolborne.ca, mayoradmin@portcolborne.ca, planner@portcolborne.ca,
ashleygrigg@portcolborne.ca
Cc: Harry Wells <[REDACTED]>, Mary and Joe Van Ruyven <[REDACTED]>,
Betty Konc <[REDACTED]>
Date: 12/07/17 05:14 PM
Subject: Re: Check item #11 on council agenda for Monday

Councillors, Mayor, and Staff,

I have read and respond herewith on Item 11 of the Agenda for December 11, 2017 - Planning Department Report No. 2017-168, which is being submitted to Council for Information Purposes.

I request permission to speak to this item at the Council Meeting on December 11, 2017, based on the following:

On Page 132 of the Councillor Package, Certain Requirements of Note for the 1981 SPA, last bullet:

- " A passive recreational lake for Pits 2 and 3. This is not a requirement for Pit 1, as confirmed by legal counsel."

I would draw your attention to Page 148 of the same Councillor Package, 1981 SPA, Clause 23:

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

For clarification, Part of Lots 23 and 24, Concession 2 is referred to as Pit 1, as per STAFF COMMENTS AND DISCUSSION.

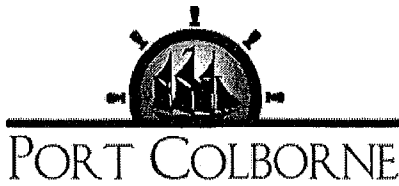
Also for clarification, on Page 147, Clause 14 states:

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

If Clause 14 contains Certain Requirements of Note for the 1981 SPA pertaining to Pits 2 and 3, then Clause 23 contains Certain Requirements of Note for the 1981 SPA pertaining to Pit 1.

On this basis, I respectfully request that Planning Department Report No. 2017-168 be referred back to Staff for further consultation and revision.

Respectfully Submitted,
JACK S HELLINGA



**City of Port Colborne
Regular Meeting of Council 02-18
Monday, January 22, 2018
following Committee of the Whole Meeting
Council Chambers, 3rd Floor, 66 Charlotte Street**

Agenda

1. **Call to Order:** Mayor John Maloney
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **Adoption of Minutes:**
 - (a) Regular meeting of Council 11-17, held on December 11, 2017.
 - (b) Special meeting of Council 38-17, held on December 18, 2017.
6. **Determination of Items Requiring Separate Discussion:**
7. **Approval of Items Not Requiring Separate Discussion:**
8. **Consideration of Items Requiring Separate Discussion:**
9. **Proclamations:**
 - (a) Fresh Air Fund Day, March 20, 2018
10. **Minutes of Boards, Commissions & Committees:**
 - (a) Minutes of the Port Colborne Public Library Board Meeting of November 7, 2017 and December 12, 2017
 - (b) Minutes of the Environmental Advisory Committee Meeting of September 13, 2017 and November 8, 2017
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):
 - (c) Planning and Development Report No. 2018-09, regarding the potential sale of City owned land, pursuant to the Municipal Act, 2001, Subsection

239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

(ii) Disclosures of Interest (closed session agenda):

(iii) Consideration of Closed Session Items:

(iv) Motion to Rise With Report:

13. Disclosures of Interest Arising From Closed Session:

14. Report/Motions Arising From Closed Session:

15. Adjournment:

Note: Due to potential time constraints, item (c) of the closed session items listed for consideration during the special council meeting also appears on the closed session portion of agenda for the regular meeting. A closed session meeting will not be required after the regular meeting if consideration of closed session items is concluded during the special meeting.

Council Items:

Notes	Item	Description / Recommendation
JDM BB RB AD FD YD DE BK JM	1.	<p>Chief Administrative Officer, Report No. 2018-12, Subject: <u>Unattached Patient List</u></p> <p>That staff be directed to transition the patients on the unattached patient list to Health Care Connect and cease maintaining a list of unattached patients.</p>
JDM BB RB AD FD YD DE BK JM	2.	<p>Fire and Emergency Services Department, Report No. 2018-11, Subject: <u>Port Colborne Operatic Society Pyrotechnics</u></p> <p>That By-law No. 4989/45/07 Being a By-law for Prohibiting and Regulating the Sale of Fireworks and Setting Off Fireworks in the City of Port Colborne be waived for the Port Colborne Operatic Society for their 2018 production, and further;</p> <p>That the Port Colborne Operatic Society ensure it meets all of the requirements as set out in Fire and Emergency Services Report 2018-11 as well as any other requirements that may be required to ensure public safety.</p>
JDM BB RB AD FD YD DE BK JM	3.	<p>Planning and Development Department, Planning Division, Report No. 2018-04, Subject: <u>Stopping Up and Closing of Part of Victoria Street</u></p> <p>That Planning and Development Department, Planning Division, Report 2018-04 with respect to Stopping Up and Closing of Part of Victoria Street be received for information.</p>
JDM BB RB AD FD YD DE BK JM	4.	<p>Planning and Development Department, Planning Division, Report No. 2018-05, Subject: <u>Affordability/Financial Hardship and Planning Application Fees</u></p> <p>That Planning and Development Department, Planning Division, Report 2018-05 with respect to Affordability/Financial Hardship and Planning Application Fees be received for information.</p>

<p>JDM BB RB AD FD YD DE BK JM</p>	<p>5.</p>	<p>Engineering and Operations Department, Engineering Division, Report No. 2018-01, Subject: Project No.: 2017-02, Municipal Drain Maintenance 2018</p> <hr/> <p>That Project 2017-02, Municipal Drain Maintenance and Cleaning, be awarded to Anthony's Excavating Central Inc., of Wellandport, Ontario, for the total tendered price of \$396,258.90, plus applicable taxes. Staff is directed to utilise the bid items as listed within the awarded Tender Document, in such a manner as to complete all works as may be required.</p> <p>That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared.</p> <p>That funding for Project 2017-02 be financed on an interim basis, under GL Accounts 3-560-33226-1510, 3-560-33210-1510, 3-560-33236-1510, 3-560-33217-1510, 3-560-33206-1510, 3-560-33220-1510, 3-560-33221-1510, 3-560-33218-1510 and that staff be authorized to initiate billings back to each Municipal Drain's Watershed at the completion of each Watershed's works and upon receipt of the 1/3 Grant from OMAFRA.</p>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>6.</p>	<p>Engineering and Operations, Operations Division, Report No. 2018-03, Subject: Request for Proposal 2017-14: Playground Replacement – Rose Shymansky Memorial Park & Sunset Park</p> <hr/> <p>That Contract 2017-14, Playground Replacement at Rose Shymansky Memorial Park and Sunset Park be awarded to PlayPower LT Canada Inc. of Paris, Ontario, for the total tendered price of \$138,563.42; applicable taxes not included; and</p> <p>That the Director of Engineering and Operations be authorized to issue a purchase order to PlayPower LT Canada Inc.; and</p> <p>That the appropriate by-law be prepared and submitted for execution by the Mayor and City Clerk.</p>

JDM AD DE	BB FD BK	RB YD JM	7.	<p>Engineering and Operations, Engineering Division, Report No. 2018-07, Subject: Request for Installation of a Flashing “Children Crossing” Light on Fielden Avenue Near Franklin</p> <hr/> <p>That staff be directed to proceed with the installation of a new Playground Ahead warning sign including a signpost and amber flashing beacon on Fielden Avenue approximately 40 metres north of Franklin Avenue and a new Playground Ahead warning sign including a signpost on Fielden Avenue approximately 90 metres south of the Reservoir Park entrance; and</p> <p>That the approximate cost of \$3,000 for this work be drawn from the 2018 Operating Budget GL 0-500-74220-3215.</p>
JDM AD DE	BB FD BK	RB YD JM	8.	<p>Engineering and Operations, Engineering Division, Report No. 2018-08, Subject: Request for Stop Sign Installation – Knoll Street at Highland Avenue</p> <hr/> <p>That staff be directed to proceed with the issuance of a Request for Quotation for vehicle and pedestrian counts including recommendations at the intersection of Knoll and Highland for an approximate cost of \$5,000; and</p> <p>That the approximate cost of \$5,000 for this work be drawn from the 2018 Budget GL 0-540-74610-3205.</p>
JDM AD DE	BB FD BK	RB YD JM	9.	<p>Engineering and Operations, Engineering Division, Report No. 2018-10, Subject: Port Colborne Operations Centre Equipment Purchase: Mobile Column Lifts</p> <hr/> <p>That Quotation 2017–07, the supply of Six Mobile Column Lifts be awarded to ISN Canada Group Inc., for the total quoted price of \$72,000 (plus any applicable taxes); and</p> <p>That funding for the equipment be financed under Account 3-500-33593-3401, Port Colborne Operations Centre Capital Expenditures; and</p> <p>That staff be authorized to issue a Purchase Order to ISN Canada Group Inc. for \$72,000.00 (plus any applicable taxes).</p>

<p>JDM BB RB AD FD YD DE BK JM</p>	<p>10.</p>	<p>Community and Economic Development Department, Report No. 2018-02, Subject: Franchise Agreement Renewal – Enbridge Gas Distribution Inc.</p> <hr/> <p>That the Council of The Corporation of the City of Port Colborne (“Council”) approves the form of the draft by-law (including the Franchise Agreement forming part thereof), attached hereto, and authorizes the submission thereof to the Ontario Energy Board for approval, pursuant to the provisions of Section 9 of the <i>Municipal Franchises Act</i>;</p> <p>That Council requests the Ontario Energy Board to make an order dispensing with the assent of the municipal electors of the attached draft by-law (including the franchise agreement forming part thereof), pursuant to the provisions of Section 9(4) of the <i>Municipal Franchises Act</i>; and</p> <p>That By-law 733/50/78 and By-law 3665/91/98 be repealed.</p>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>11.</p>	<p>Corporate Services Department, Clerk’s Division, Report No. 2018-13, Subject: Appointments to Boards and Committees</p> <hr/> <p>Canal Days Advisory Committee: That Betty Konc be appointed to the Canal Days Advisory Committee for a term ending December 31, 2020.</p> <p>East Village Neighbourhood Improvement Task Force: That Neal Schoen be appointed to the East Village Neighbourhood Improvement Task Force for a term ending December 31, 2020.</p> <p>Economic Development Advisory Committee: That Kate Ostryhon-Lumsden be appointed to the Economic Development Advisory Committee for a term ending December 31, 2020.</p> <p>Environmental Advisory Committee: That Beth Palma, Ryan Waines and Tim Hoyle be appointed to the Environmental Advisory Committee for a term ending December 31, 2020.</p> <p>Port Colborne Historical & Marine Museum: That the following persons be appointed to the Port Colborne Historical & Marine Museum Board:</p> <ol style="list-style-type: none"> 1. Amanda Emery for a term ending December 31, 2019; 2. Claudia Brema for a term ending December 31, 2019;

			<p>3. Bert Murphy for a term ending December 31, 2019; 4. Brian Heaslip for a term ending December 31, 2021; 5. Cheryl MacMillan for a term ending December 31, 2021; 6. Pamela Koudijs for a term ending December 31, 2021.</p> <p>Port Colborne Medical Education, Recruitment and Health Services Committee: That Connie Butler be appointed to the Port Colborne, Medical Education, Recruitment and Health Services Committee for a term ending December 31, 2020.</p> <p>Senior Citizen Advisory Council: That Judy Wade, Valerie King and Susan Brown be appointed to the Senior Citizen Advisory Council for a term ending December 31, 2020.</p> <p>That the Clerk be directed to bring forward the necessary by-law for approval.</p>
JDM AD DE	BB FD BK	RB YD JM	<p>12. <u>Corporate Services Department, Corporate Services Division, Report No. 2018-06, Subject: 2016 Audited Financial Statements</u></p> <p>That the 2016 draft audited Financial Report for the year ended December 31, 2016 be approved.</p>
Miscellaneous Correspondence			
JDM AD DE	BB FD BK	RB YD JM	<p>13. <u>Region of Niagara Re: Commercial and Industrial Sub Class Tax Rate Reductions and Rebates (CSD Report 77-2017)</u></p> <p>That the correspondence received from the Region of Niagara Re: Commercial and Industrial Sub Class Tax Rate Reductions and Rebates (CSD Report 77-2017), be received for information.</p> <p>Note: The appendices can be found at the following link: https://www.niagararegion.ca/council/Council%20Documents/2017/csc-agenda-nov-29-2017.pdf</p>
JDM AD DE	BB FD BK	RB YD JM	<p>14. <u>Region of Niagara Re: High Level Official Plan Process Framework (PDS Report 41-2017)</u></p> <p>That the correspondence received from the Region of Niagara Re: High Level Official Plan Process Framework (PDS Report 41-2017), be received for information.</p>

JDM AD DE	BB FD BK	RB YD JM	15.	<p>Region of Niagara Re: Niagara Peninsula Conservation Authority “The Living Landscape” Draft Policy Document Review (PDS Report 47-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Niagara Peninsula Conservation Authority “The Living Landscape” Draft Policy Document Review (PDS Report 47-2017), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	16.	<p>Region of Niagara Re: Niagara Region Mid-Year 2017 Growth Monitoring Report (PDS Report 48-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Niagara Region Mid-Year 2017 Growth Monitoring Report (PDS Report 48-2017), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	17.	<p>Region of Niagara Re: Public Meeting Report – Regional Official Plan Amendment No. 13 (ROPA 13) – Transportation Policies (PDS Report 50-2017)</p> <hr/> <p>That the correspondence received for the Region of Niagara Re: Public Meeting Report – Regional Official Plan Amendment No. 13 (ROPA 13) – Transportation Policies (PDS Report 50-2017), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	18.	<p>Region of Niagara Re: Opioid Update: Local Opioid Work (PHD Report 26-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Opioid Update: Local Opioid Work (PHD Report 26-2017), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	19.	<p>Region of Niagara Re: Proposed Operating Budget Niagara Regional Police Service and Police Services Board (BRC-C Report 04-2017)</p> <hr/> <p>That the correspondence received from the Region of Niagara Re: Proposed Operating Budget Niagara Regional Police Service and Police Services Board (BRC-C Report 04-2017), be received for information.</p>

JDM AD DE	BB FD BK	RB YD JM	20.	<p><u>Ministry of Municipal Affairs Re: Update of Bill 59, Consumers First Act (Consumer Protection Statute Law Amendment)</u></p> <p>That the correspondence received from the Ministry of Municipal Affairs Re: Update of Bill 59, Consumers First Act (Consumer Protection Statute Law Amendment, to allow municipalities to regulate the location and number of payday loan establishments, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	21.	<p><u>Charles Sousa, Minister, Ministry of Finance Re: Federal Legalization -A Framework to Govern the Lawful Use and Retail Distribution of Cannabis within the Province</u></p> <p>That the correspondence received from Charles Sousa, Minister, Ministry of Finance Re: Federal Legalization – A Framework to Govern the Lawful Use and Retail Distribution of Cannabis within the Province, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	22.	<p><u>Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Smart Cities Challenge</u></p> <p>That the memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Smart Cities Challenge be referred to the 2018 Strategic Planning Session.</p>
JDM AD DE	BB FD BK	RB YD JM	23.	<p><u>Memorandum from Carrie McIntosh, Executive Assistant to the CAO on behalf of the Social Determinants of Health Advisory Committee – Everyone Matters Re: City of St. Catharines’ Housing Action Plan 2017</u></p> <p>That the Memorandum from Carrie McIntosh, Executive Assistant to the CAO on behalf of the Social Determinants of Health Advisory Committee – Everyone Matters Re: City of St. Catharines’ Housing Action Plan 2017, be received for information;</p> <p>That staff be directed to invite a representative from the City of St. Catharines to present its Housing Action Plan 2017 at a future meeting of Port Colborne City Council; and</p> <p>That staff be directed to review the City of St. Catharines’ Housing Action Plan and develop a plan to suit the needs of Port Colborne.</p>

JDM	BB	RB	24.	<p><u>Sherkston Shores – 490 Empire Road, Port Colborne Re: Request to Hold Weekly Fireworks Display Events for 2018</u></p> <p>That pursuant to section 6.1.1 of By-law 4989/45/07, the Council of The Corporation of the City of Port Colborne authorize Sherkston Shores to hold display fireworks events on the following dates:</p> <ul style="list-style-type: none"> • Saturday, June 16th, 2018 • Saturday, June 23rd, 2018 • Saturday, June 30th, 2018 • Saturday, July 7th, 2018 • Saturday, July 14th, 2018 • Saturday, July, 21st, 2018 • Saturday, July 28th, 2018 • Saturday, August 4th, 2018 • Saturday, August 11th, 2018 • Saturday, August 18th, 2018 • Saturday, August 25th, 2018 • Saturday, September 1st, 2018 <p>That such approval be conditional on the issuance of a permit by the Fire Chief, in compliance with By-law 4989/45/07 and payment of the applicable fees;</p> <p>That the following information be submitted to the Port Colborne Fire and Emergency Services Department for review a minimum of two weeks prior to the holding of the first event:</p> <ul style="list-style-type: none"> • A fireworks site plan but not limited to, separation distances to the public and vulnerable areas, location from where the fireworks are being fired, fallout zone, and direction of firing. • Information concerning the floating platform from which the fireworks are to be fired, including the platform size. • Event description information is required including description of fireworks, type, size and quantity. <ul style="list-style-type: none"> - firing procedures, manual or electric - emergency procedures - traffic control plans • A copy of the Fireworks Operator Certificate with Endorsements. <p>That Sherkston Shores be advised that as the Authority Having Jurisdiction, the Port Colborne Fire and Emergency Services Department will conduct spot site inspections and may revoke approval for any violation of the <i>Ontario Fire Code</i> or the <i>Explosives Act</i> prior to or during any one of the scheduled events.</p>
AD	FD	YD		
DE	BK	JM		

JDM AD DE	BB FD BK	RB YD JM	25.	<p><u>Nancy Salvage and Fatima Shama, Executive Director, The Fresh Air Fund Re: Request for Proclamation of Fresh Air Fund Day, March 20, 2018</u></p> <p>That March 20th, 2018 be proclaimed as “Fresh Air Fund Day” in the City of Port Colborne in accordance with the request received from Nancy Salvage and Fatima Sham, Executive Director, The Fresh Air Fund.</p>
JDM AD DE	BB FD BK	RB YD JM	26.	<p><u>Janet Hope, Assistant Deputy Minister, Ministry of Housing Re: Development Charges Rebate Program</u></p> <p>That the correspondence received from Janet Hope, Assistant Deputy Minister, Ministry of Housing Re: Development Charges Rebate Program, be referred to the Director of Planning and Development.</p>
JDM AD DE	BB FD BK	RB YD JM	27.	<p><u>St. James and St. Brendan Church, Port Colborne Re: International Women’s Day, March 7, 2018 - Guild Hall, 72 Charlotte Street, Port Colborne</u></p> <p>That the International Women’s Day Event to be held at the Guild Hall, 72 Charlotte Street, Port Colborne on March 7, 2018, is hereby declared a municipally significant event in accordance with the Municipal Alcohol Management Policy.</p>
Outside Resolutions – Requests for Endorsement				
JDM AD DE	BB FD BK	RB YD JM	28.	<p><u>Township of Wainfleet, Town of Grimsby, Town of Lincoln, Town of Pelham and City of Welland Re: Notice of Passing of By-law to Increase Composition of Regional Council – Addition of Member for Township of West Lincoln</u></p> <p>That the resolutions received from the Township of Wainfleet, Town of Grimsby, Town of Lincoln, Town of Pelham and City of Welland regarding the passing of By-law No. 2017-108 of the Regional Municipality of Niagara, being a By-law to Increase the Composition of Regional Council by Adding an Additional Councillor for the Township of West Lincoln, be received for information.</p> <p>Note: At its meeting of December 11, 2017 Council supported the passing of By-law No. 2017-108.</p>

JDM AD DE	BB FD BK	RB YD JM	29.	<p><u>Town of Fort Erie Re: Niagara Parks Commission’s Proposed Expansion and Enhancement – Marina and Resort Development at Miller’s Creek</u></p> <p>That the resolution received from the Town of Fort Erie Re: Niagara Parks Commission’s Proposed Expansion and Enhancement – Marina and Resort Development at Miller’s Creek, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	30.	<p><u>City of St. Catharines Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs</u></p> <p>That the resolution received from the City of St. Catharines Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs, be supported.</p>
JDM AD DE	BB FD BK	RB YD JM	31.	<p><u>City of St. Catharines Re: Niagara Peninsula Conservation Authority Requesting the Appointment of a Supervisor</u></p> <p>That the resolution received from the City of St. Catharines Re: Niagara Peninsula Conservation Authority requesting the Appointment of a Supervisor, be received for information.</p> <p>Note: At its meeting of November 27, 2017 Council passed its own resolution requesting the Premier of Ontario to immediately appoint a Supervisor to take over the operations of the NPCA.</p>
JDM AD DE	BB FD BK	RB YD JM	32.	<p><u>City of St. Catharines Re: Women in Local Government</u></p> <p>That the resolution received from the City of St. Catharines Re: Women in Local Government, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	33.	<p><u>City of St. Catharines Re: Gillian’s Place and National Day of Action on Violence Against Women</u></p> <p>That the correspondence received from the City of St. Catharines Re: Gillian’s Place and National Day of Action on Violence Against Women, be received for information.</p>

JDM	BB	RB	34.	<p><u>Township of Wainfleet Re: Federal Changes to the Municipal Councillor Taxation on Income – Request for Support</u></p> <p>That the resolution received from the Township of Wainfleet Re: Federal Changes to the Municipal Councillor Taxation on Income, be supported.</p>
AD	FD	YD		
DE	BK	JM		
JDM	BB	RB	35.	<p><u>Town of Pelham Re: Town of Pelham’s Response to Regional Audit Committee Resolution</u></p> <p>That the resolution received from the Town of Pelham Re: Town of Pelham’s response to Regional Audit Committee resolution, be received for information.</p>
AD	FD	YD		
DE	BK	JM		
Responses to City of Port Colborne Resolutions				
JDM	BB	RB	36.	<p><u>Town of Pelham in support of City of Port Colborne’s Resolution regarding The Region of Niagara Audit Committee recommendation respecting the Town of Pelham</u></p> <p>That the correspondence received from the Town of Pelham regarding the position of the City of Port Colborne regarding the Region of Niagara Audit Committee recommendation respecting the Town of Pelham, be received for information.</p>
AD	FD	YD		
DE	BK	JM		
JDM	BB	RB	37.	<p><u>Township of Wainfleet in support of the City of Port Colborne’s Resolution regarding the Region to Continue to Financially Support Community Improvement Program</u></p> <p>That the resolution received from the Township of Wainfleet in support of the City of Port Colborne’s resolution regarding the Region to Continue to Financially Support Community Improvement Plan, be received for information.</p>
AD	FD	YD		
DE	BK	JM		

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

By-law No.	Title
6546/01/18	Being a By-Law to Authorize Entering Into a Contract Agreement with Anthony's Excavating Central Inc. Re: Tender 2017-02, Municipal Drain Maintenance
6547/02/18	Being a By-Law to Authorize Entering Into a Contract Agreement with PlayPower LT Canada Inc. Re: Tender 2017-14, Playground Replacement Rose Shymansky Memorial Park and Sunset Park
6548/03/18	Being a By-Law to Confirm Appointments to Various Agencies, Boards & Committees
6549/04/18	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special and Regular Meetings of January 22, 2018

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

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THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

**BEING A BY-LAW TO AUTHORIZE ENTERING INTO A CONTRACT AGREEMENT
WITH ANTHONY'S EXCAVATING CENTRAL INC.
RE: TENDER 2017-02, MUNICIPAL DRAIN MAINTENANCE**

WHEREAS at its meeting of January 22, 2018 the Council of The Corporation of the City of Port Colborne approved the recommendations of the Department of Engineering and Operations, Engineering Division, Report No. 2018-01, Subject: Contract 2017-02, Municipal Drain Maintenance.

AND WHEREAS the Council of The Corporation of the City of Port Colborne is desirous of entering into a contract agreement with Anthony's Excavating Central Inc. regarding Tender 2017-02, Municipal Drain Maintenance.

**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 Anthony's Excavating Central Inc. regarding Tender 2017-02, Municipal Drain Maintenance.
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 22ND DAY OF JANUARY, 2018.

John Maloney
MAYOR

Carrie McIntosh
DEPUTY CLERK

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

BEING A BY-LAW TO AUTHORIZE ENTERING INTO A CONTRACT AGREEMENT
WITH PLAYPOWER LT CANADA INC.

RE: TENDER 2017-14, PLAYGROUND REPLACEMENT
ROSE SHYMANSKY MEMORIAL PARK AND SUNSET PARK

WHEREAS at its meeting of January 22, 2018 the Council of The Corporation of the City of Port Colborne approved the recommendations of the Department of Engineering and Operations, Engineering Division, Report No. 2018-03, Subject: Contract No. 2017-14, Playground Replacement Rose Shymansky Memorial Park and Sunset Park;

AND WHEREAS the Council of The Corporation of the City of Port Colborne is desirous of entering into a contract agreement with Playpower LT Canada Inc. regarding Tender 2017-14, Playground Replacement Rose Shymansky Memorial Park and Sunset Park.

**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 Playpower LT Canada Inc. regarding Tender 2017-14, Playground Replacement Rose Shymansky Memorial Park and Sunset Park.
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 22ND DAY OF JANUARY, 2018.

John Maloney
MAYOR

Carrie McIntosh
DEPUTY CLERK

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

BEING A BY-LAW TO CONFIRM APPOINTMENTS TO VARIOUS AGENCIES,
BOARDS & COMMITTEES

WHEREAS at the meeting of January 22, 2018, the Council of The Corporation of the City of Port Colborne approved the recommendations of the Corporate Services, Clerk's Division, Report No. 2018-13, Subject: Appointments to Boards and Committees.

AND WHEREAS Council is desirous of appointing members of the public as representatives on various boards and committees.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE ENACTS AS FOLLOWS:

1. That Council hereby confirms the appointment of Betty Konc to the Canal Days Advisory Committee for a term ending December 31, 2020.
2. That Council hereby confirms the appointment of Neal Schoen to the East Village Neighbourhood Improvement Task Force for a term ending December 31, 2020.
3. That Council hereby confirms the appointment of Kate Ostryhon-Lumsden to the Economic Development Advisory Committee for a term ending December 31, 2020.
4. That Council hereby confirms the following appointments to the Environmental Advisory Committee:
 - Beth Palma for a term ending December 31, 2020;
 - Ryan Waines for a term ending December 31, 2020;
 - Tim Hoyle for a term ending December 31, 2020.
5. That Council hereby confirms the following appointments to the Port Colborne Historical & Marine Museum Board:
 - Amanda Emery for a term ending December 31, 2019;
 - Claudia Brema for a term ending December 31, 2019;
 - Bert Murphy for a term ending December 31, 2019;
 - Brian Heaslip for a term ending December 31, 2021;
 - Cheryl MacMillan for a term ending December 31, 2021;
 - Pamela Koudijs for a term ending December 31, 2021.
6. That Council hereby confirms the appointment of Connie Butler to the Port Colborne Medical Education, Recruitment and Health Services Committee for a term ending December 31, 2020.
7. That Council hereby confirms the following appointments to the Senior Citizens Advisory Council:
 - Judy Wade for a term ending December 31, 2020;
 - Valerie King for a term ending December 31, 2020;
 - Susan Brown for a term ending December 31, 2020.

ENACTED AND PASSED THIS 22ND DAY OF JANUARY, 2018.

John Maloney
MAYOR

Carrie McIntosh
DEPUTY CLERK

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

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 JANUARY 22, 2018.

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

AND WHEREAS Section 5(3) of the *Municipal Act, 2001* provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE ENACTS AS FOLLOWS:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Special and Regular Meetings of January 22, 2018 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof except where the approval of the Ontario Municipal Board is required, in which case the effective date shall be the day after the approval of the Ontario Municipal Board is obtained or such other day as the Ontario Municipal Board may order; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

ENACTED AND PASSED THIS 22ND DAY OF JANUARY, 2018.

John Maloney
MAYOR

Carrie McIntosh
DEPUTY CLERK

City of Port Colborne

DATE: January 22, 2018

MOVED BY COUNCILLOR

SECONDED BY COUNCILLOR

WHEREAS The Fresh Air Fund provides free summer experiences to thousands of children from New York City's low-income communities each summer;

AND WHEREAS The Fresh Air Fund allows children from New York City to visit the homes of volunteer host families along the East Coast and Southern Canada;

AND WHEREAS Port Colborne families have been participating in The Fresh Air Fund's Friendly Towns Program for over 140 years;

AND WHEREAS The Fresh Air Fund allows children from New York City to enjoy Port Colborne backyards, parks, and wide open spaces;

AND WHEREAS The Fresh Air Fund is celebrating its 142nd summer;

NOW THEREFORE, I, Mayor, John Maloney, proclaim March 20th, 2018 as "**FRESH AIR FUND DAY**" in the City of Port Colborne in recognition of the transformative opportunities that inspire new dreams and new perspectives provided by The Fresh Air Fund.

Mayor

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**City of Port Colborne
Regular Council Meeting 37-17
Minutes**

Date: December 11, 2017
Time: 9:44 p.m.
Place: Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

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

Absent: B. Kenny, Councillor (left during deliberation of the Committee of the Whole due to illness)

Staff Present: D. Aquilina, Director of Planning & Development
T. Cartwright, Fire Chief
D. D'Innocenzo, Licensing Clerk (minutes)
A. Grigg, City Clerk
C. Lee, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk
P. Senese, Director of Community & Corporate Services

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

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Addition:

The addition of item 20, Region of Niagara Re: Notice of Passing of By-law to Increase Composition of Regional Council - Addition of Member for Township of West Lincoln - Triple Majority Requirement (Report GM 10-2017, December 7, 2017). This item was circulated via addendum on December 8, 2017.

3. Confirmation of Agenda:

No. 223 Moved by Councillor R. Bodner
Seconded by Councillor J. Mayne

That the agenda dated December 11, 2017 be confirmed, as amended.
CARRIED.

4. Disclosures of Interest:

Councillor Doucet declared an indirect pecuniary interest with regard to item 19, Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marijuana Grow Operations. Councillor Doucet refrained from discussing or voting on this item.

5. Adoption of Minutes:

- (a)
- Regular meeting of Council 35-17, held on November 27, 2017.**

No. 224 Moved by Councillor A. Desmarais
Seconded by Councillor B. Butters

- (a) That the minutes of the regular meeting of Council 35-17, held on November 27, 2017, be approved as presented.
-
- CARRIED.

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

19.

7. Approval of Items Not Requiring Separate Discussion:**No. 225** Moved by Councillor D. Elliott
Seconded by Councillor B. Butters

That Items 1 to 20 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.

Motion Arising from Committee of the Whole Meeting Councillors' Items:**Waiving of Regulations For the Management of Cemeteries of the City of Port Colborne to Allow For a Memorial Service**

Council resolved:

That the requirements prescribed under By-law 5840/94/12, Being a By-law to Establish Rules, Regulations and Provisions For the Management of Cemeteries of the City of Port Colborne, be waived to accommodate a memorial service on Thursday, December 14, 2017 beginning at 7:00 p.m.

Items:

- 1. Engineering and Operations, Engineering Division, Report No. 2017-177, Subject: Request for Pedestrian Crossing on Clarence Street at Catharine Street**

Council resolved:

That Council direct staff to implement Option 2 (ii) – budget for the construction of a Level 2 Pedestrian Crossover in 2018 on Clarence Street west of Catharine Street, including curb and sidewalk improvements.

- 2. Engineering and Operations, Engineering Division, Report No. 2017-188, Subject: Information Report – Steele Street and Elgin Street Four-Way Stop**

Note: The motion to direct staff to budget for the installation of a Level 2 Pedestrian Crossover during the 2018 budget deliberations for the intersection of Steele Street at Elgin Street was lost during the Committee of the Whole meeting. No further action taken.

3. Community and Corporate Services, Corporate Services Division, Report No. 2017-191, Subject: Property and Liability Insurance Policy Renewal

Council resolved:

1. That coverage with Frank Cowan Company be approved to provide the City's comprehensive property and liability insurance program for the next eighteen months to June 30, 2019, as outlined and recommended in this report;
 2. That increased coverage be approved for Liability for General, Errors and Omissions & Fleet to a total of \$50 million for a premium of \$5,000 annually;
 3. That the addition be approved for Fraudulently Induced Transfer Coverage of \$50,000 with a \$5,000 deductible and an estimated premium of \$200; and
 4. That the addition be approved for Volunteers' Accidental Death and Dismemberment Coverage with an estimated premium of \$300.
 5. That coverage for Terrorism related activities not be pursued at this time.
- 4. Community and Corporate Services, Corporate Services Division, Report 2017-183, Subject: Port Colborne – Welland LINK Bus Rate Increase**
-

Council resolved:

That the Port Colborne Transit Fare Structure attached to Community and Corporate Services Report 2017-183 be approved, effective January 1, 2018.

5. Community and Corporate Services, Corporate Services Division, Report No. 2017-184, Subject: Approval of Spending Limits During the Interval Prior to the Approval of the 2018 Budget Estimates

Council resolved:

1. That City Departments, Boards, and Agencies be allowed to incur operating costs to a level of 50% of the departmental expenditure of the prior year.
 2. That new capital items deemed essential by a department be approved by the respective Standing Committee or Board, or Agency, and the Council of the City of Port Colborne prior to purchase.
 3. That this policy be communicated to all Department Directors, Boards, and Agencies.
- 6. Community and Corporate Services, Corporate Services Division, Report No. 2017-185, Subject: 2018 Borrowing By-law**
-

Council resolved:

That a by-law be adopted to authorize temporary borrowing, as required, of up to \$4,000,000 for operating cash flow to meet the current expenditures of the Corporation until property taxes are billed and collected.

7. Community and Corporate Services, Corporate Services Division, Report No. 2017-186, Subject: Penalty Charges and Interest Rates for 2018

Council resolved:

That the Penalty Charges and Interest Charges by-law be adopted to establish the 2018 late payment charges on payments due to the municipality.

8. Community and Corporate Services, Corporate Services Division, Report No. 2017-187, Subject: 2018 Interim Tax Billing

Council resolved:

That a by-law be adopted to authorize the 2018 interim levy of taxes for all property tax classes, from the last revised assessment roll, before the adoption of the estimates for the year and final tax levy rates are established.

9. Community and Corporate Services, Corporate Services Division, Report No. 2017-190, Subject: Development Charge Reserve Funds – January 1, 2016 to December 31, 2016

Council resolved:

That Community and Corporate Services Report 2017-190 with respect to Development Charge Reserve Funds January 1, 2016 to December 31, 2016, be received for information purposes.

10. Community and Corporate Services, Corporate Services Division, Report No. 2017-192, Subject: Procurement Policy

Council resolved:

That the Procurement Policy with respect to the City's procurement of goods and services be adopted;

That a by-law respecting the procurement of goods and services, being the Procurement Policy, be prepared for execution by the Mayor and City Clerk and that By-law No. 4613/144/04 be repealed.

11. Planning and Development, Report No. 2017-168, Subject: Port Colborne Quarries Site Plan Agreement Status Report

Council resolved:

That Planning and Development Report 2017-168 with respect to the Port Colborne Quarries Site Plan Agreement Status, be referred to the Director of Planning & Development for the preparation of a report based upon legal counsel's review of the Agreement in light of the information provided Mr. Hellinga.

Miscellaneous Correspondence

12. National Eating Disorder Information Centre Re: Request for Proclamation of Eating Disorder Awareness Week – February 1 to 7, 2018 and the Illumination of the Roselawn Centre

Council resolved:

That the week of February 1 to 7, 2018 be proclaimed as "Eating Disorder Awareness Week" in the City of Port Colborne, in accordance with the request from Alicia Pinelli, Outreach and Education Team Member.

That the request for Roselawn Centre to be illuminated in purple during Eating Disorder Awareness Week, be referred to the Director of Engineering and Operations for response.

13. Bill Mauro, Minister, Ministry of Municipal Affairs, Re: Tax on Transient Accommodation

Council resolved:

That the correspondence received from Bill Mauro, Minister, Ministry of Municipal Affairs, Re: Tax on Transient Accommodation, be received for information.

14. Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (July 1 to September 30, 2017)

Council resolved:

That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (July 1 to September 30, 2017), be received for information.

15. Niagara Region Re: Metrolinx – Draft 2041 Regional Transportation Plan Review (PDS Report 45-2017)

Council resolved:

That the correspondence received from the Niagara Region Re: Metrolinx – Draft 2041 Regional Transportation Plan Review (PDS Report 45-2017), be received for information.

16. Niagara Region Re: Regional Council Approval of Audit Committee Recommendation Respecting the Town of Pelham

Council resolved:

That the Council of the Corporation of the City of Port Colborne is strongly opposed to the resolution approved by Niagara Regional Council respecting the financial position of the Town of Pelham;

That the correspondence informing of the above noted resolution be hereby returned to the Niagara Region; and

That this resolution be circulated to Local Area Municipalities, local MPPs, the Office of the Ontario Ombudsman and the Auditor General.

17. Mayor Mike Bradley, City of Sarnia Re: Letter to Catherine McKenna, Minister of Environment and Climate Change, Re: Ontario Power Generation's Proposed Deep Geologic Repository

Council resolved:

That the correspondence received from Mayor Mike Bradley, City of Sarnia Re: Letter to Catherine McKenna, Minister of Environment and Climate Change, Re: Ontario Power Generation's proposed Deep Geologic Repository, be supported.

Outside Resolutions – Requests for Endorsement**18. Town of Fort Erie Re: Health Care Services in the Niagara Region**

Council resolved:

That Town of Fort Erie resolution with respect to Health Care Services in the Niagara Region be referred to the Port Colborne Medical Education, Recruitment and Health Services Committee for review and recommendation to Council.

Addendum Item**20. Region of Niagara Re: Notice of Passing of By-law to Increase Composition of Regional Council - Addition of Member for Township of West Lincoln - Triple Majority Requirement (Report GM 10-2017, December 7, 2017)**

Council resolved:

That the Council of the City of Port Colborne consents to the passage of By-law No. 2017-108 of the Regional Municipality of Niagara, being a by-law to increase the composition of Regional Council by adding an additional Councillor for The Township of West Lincoln.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:**19. Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marijuana Grow Operations**

No. 226 Moved by Councillor R. Bodner
Seconded by Councillor B. Butters

That the correspondence received from Ralph Goodale, Minister of Public Safety and Emergency Preparedness, Re: City of Port Colborne's resolution regarding Medical Marijuana Grow Operations, be received for information.

That the Chief Administrative Officer appoint a member of staff to monitor, research and gather information from other municipalities to develop a best practice for the City.

CARRIED.

9. Proclamations:**(a) Eating Disorder Awareness Week, February 1 to 7, 2018**

No. 227 Moved by Councillor A. Desmarais
Seconded by Councillor Y. Doucet

WHEREAS Eating disorders have the highest mortality rate among all psychiatric illnesses and can develop in anyone, regardless of age, ethno-racial background, socioeconomic status, gender or ability;

AND WHEREAS stigma, secrecy and stereotypes still surround eating disorders, causing many people who are suffering to refrain from seeking help;

AND WHEREAS open supportive dialogue can help break the shame and silence that affect nearly 1 million Canadians living with diagnosable eating disorders and the millions of others who are struggling with food and weight preoccupation;

AND WHEREAS Eating Disorder Awareness Week (EDAW) seeks to raise awareness of eating disorders, shed light on dangerous and pervasive myths, and promote prevention. It is also a time of year for Canadians to learn about available resources and appropriate services for themselves and/or loved ones;

AND WHEREAS The National Eating Disorder Information Centre (NEDIC) is Canada's only national organization dedicated to helping those with eating disorder, food and weight preoccupation and related issues. NEDIC provides information, education, resources and referrals to individuals with eating disorders, their families, friends, and health care professionals.

NOW THEREFORE, I, Mayor, John Maloney, hereby proclaim February 1 to 7, 2018 as "**Eating Disorder Awareness Week**" in the City of Port Colborne, and the Roselawn Centre shall be illuminated in purple during that time in recognition of same.

CARRIED.

10. Minutes of Boards, Commissions & Committees:

Nil.

11. Consideration of By-laws:

No. 228 Moved by Councillor J. Mayne
Seconded by Councillor B. Butters

That the following by-laws be enacted and passed:

- 6539/106/17 Being a By-law to Authorize the Temporary Borrowing of \$4,000,000.00 for 2018
- 6540/107/17 Being a By-law to Establish Penalty and Interest Charges on Payments Due to the Municipality for 2018
- 6541/108/17 Being a By-law to Provide for an Interim Tax Levy for 2018
- 6542/109/17 Being a By-law to Adopt and Maintain a Policy Concerning the Procurement of Goods and Services for the City of Port Colborne, and to Repeal By-law 4613/144/04
- 6543/110/17 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 December 11, 2017

CARRIED.

12. Council in Closed Session:

Motion to go into Closed Session – 9:49 p.m.:

No. 229 Moved by Councillor A. Desmarais
Seconded by Councillor F. Danch

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: June 12, July 24, August 28, September 11, September 25, October 10, October 23, October 17, November 14, and November 27, 2017.
- (b) Planning and Development Report No. 2017-189, regarding the potential sale 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.

- (c) Community and Corporate Services, Clerk's Division Report No. 2017-193, Subject: Appointment 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.

Motion to Rise With Report:

No. 230 Moved by Councillor J. Mayne
Seconded by Councillor Y. Doucet

That Council do now rise from closed session with report at approximately 10:14 p.m.
CARRIED.

13. Disclosures of Interest Arising From Closed Session:

Nil.

14. Report/Motions Arising From Closed Session:

- (b) **Planning and Development Report No. 2017-189, regarding the potential sale 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 given to staff during closed session in accordance with the *Municipal Act, 2001*.

- (c) **Community and Corporate Services, Clerk's Division Report No. 2017-193, Subject: Appointment 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.**

The City Clerk reported that the following direction was given to staff during closed session in accordance with the Municipal Act, 2001:

That the City Clerk be directed to bring forward a report in open session with respect to appointments to boards and committees recommended by Council, as follows:

Canal Days Committee:

That Betty Konc be appointed to the Canal Days Committee for a term ending December 31, 2020.

East Village Neighbourhood Improvement Task Force:

That Neal Schoen be appointed to the East Village Neighbourhood Improvement Task Force for a term ending December 31, 2020.

Economic Development Advisory Committee:

That Kate Ostryhon-Lumsden be appointed to the Economic Development Advisory Committee for a term ending December 31, 2020.

Environmental Advisory Committee:

That Beth Palma, Ryan Waines and Tim Hoyle be appointed to the Environmental Advisory Committee for a term ending December 31, 2020.

Port Colborne Historical & Marine Museum

That the following persons be appointed to the Port Colborne Historical & Marine Museum Board:

1. Amanda Emery for a term ending December 31, 2019;
2. Claudia Brema for a term ending December 31, 2019;
3. Bert Murphy for a term ending December 31, 2019;
4. Brian Heaslip for a term ending December 31, 2021;
5. Cheryl MacMillan for a term ending December 31, 2021;
6. Pamela Koudijs for a term ending December 31, 2021.

Port Colborne Medical Education, Recruitment and Health Services Committee:

That Connie Butler be appointed to the Port Colborne, Medical Education, Recruitment and Health Services Committee for a term ending December 31, 2020.

Senior Citizen Advisory Council:

That Judy Wade, Valerie King and Susan Brown be appointed to the Senior Citizen Advisory Council for a term ending December 31, 2020.

That the Clerk be directed to bring forward the necessary by-law for approval.

15. **Adjournment:**

No. 231 Moved by Councillor A. Desmarais
Seconded by Councillor B. Butters

That the Council meeting be adjourned at approximately 10:15 p.m.
CARRIED.

John Maloney
Mayor

Ashley Grigg
City Clerk

AG/dd

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**City of Port Colborne
Special Council Meeting 38-17
Minutes**

Date: December 18, 2017

Time: 6:01 p.m.

Place: Committee Room 3, Municipal Offices, 66 Charlotte Street, Port Colborne

Members Present: R. Bodner, Councillor
B. Butters, Councillor
F. Danch, Councillor (arrived at 6:04 p.m.)
A. Desmarais, Councillor
Y. Doucet, Councillor
D. Elliott, Councillor (arrived at 6:23 p.m.)
B. Kenny, Councillor
J. Maloney, Mayor (presiding officer)
J. Mayne, Councillor

Staff Present: S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
Italia Reeves, Health & Safety Coordinator

Guest: S. Luther, Presenter, Workplace Resolutions

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 232 Moved by Councillor J. Mayne
Seconded by Councillor R. Bodner

That the agenda dated December 18, 2017 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Nil.

5. Council in Closed Session:

Motion to go into Closed Session – 6:04 p.m.:

No. 233 Moved by Councillor J. Mayne
Seconded by Councillor A. Desmarais

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

- (a) Presentation regarding Human Rights Education for Council, pursuant to the *Municipal Act, 2001*, Subsection 239(3.1), for the purpose of educating or training the members.

Note: Sara Luther, Presenter, Workplace Resolutions will be in attendance to speak to the above item.

Note: in accordance with the *Municipal Act, 2001* the above item will be presented for training/educational purposes only. During this portion of the meeting no member may discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board, or committee.

CARRIED.

Motion to Rise With Report:

No. 234 Moved by Councillor B. Butters
Seconded by Councillor J. Mayne

That Council do now rise from closed session with report at approximately 9:16 p.m.
CARRIED.

6. Disclosures of Interest Arising From Closed Session:

Nil.

7. Report/Motions Arising From Closed Session:

- (a) **Presentation regarding Human Rights Education for Council, pursuant to the Municipal Act, 2001, Subsection 239(3.1), for the purpose of educating or training the members.**

S. Luey reported that Council received the presentation from Sara Luther for information purposes in accordance with the *Municipal Act, 2001*.

8. Consideration of By-laws:

No. 235 Moved by Councillor R. Bodner
Seconded by Councillor B. Kenny

That the following by-laws be enacted and passed:

- 6544/111/17 A By-law to Appoint a Deputy Clerk (Carrie McIntosh)
- 6545/112/17 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Special Meeting of December 18, 2017

9. Adjournment:

No. 236 Moved by Councillor F. Danch
Seconded by Councillor B. Kenny

That the Council meeting be adjourned at approximately 9:18 p.m.
CARRIED.

John Maloney
Mayor

C. Scott Luey
Deputy Clerk

MINUTES

9th Regular Board Meeting
Tuesday, November 7, 2017, 6:00 p.m.
Port Colborne Public Library, Auditorium
310 King St., Port Colborne, ON

Present: Michael Cooper (*Chair*), Valerie Catton (*Vice Chair*), William Higgins, Bryan Ingram, Ann Kennerly, Councilor John Mayne
Staff: Susan Therrien, Rachel Tkachuk
Regrets: Harmony Cooper, Jeanette Frenette, Scott Luey

- 1) Mr. Cooper called the meeting to order at 6:10 p.m. and the invocation was read by A. Kennerly.
- 2) Mr. Cooper welcomed the Board members and introduced Librarian Rachel Tkachuk to the Board.
- 3) **Approval of the Agenda**

Moved by V. Catton,
Seconded by A. Kennerly,
That the agenda be adopted as circulated.
CARRIED.
- 4) **Declaration of Conflict of Interest**

None.
- 5) **Delegations**

None.
- 6) **Minutes of the Previous Meeting of Tuesday, October 3, 2017**

Moved by Councilor Mayne,



Port Colborne Public Library Board

Seconded by C. MacMillan,

That the minutes of the October 3, 2017 meeting be adopted as circulated.

CARRIED.

7) Business Arising from the Minutes

None.

8) Agenda Items

i. Risk Assessment of Library Facility

The Director presented the initial findings and recommendations made by Rob Andrews from A.C.T. Tactical Training Systems, Inc. to make the library building a safer and more secure place for both staff and the public. She reported on actions taken to date. The complete report will follow and will be reviewed in consultation with City staff for further action.

ii. Draft 2018 Capital Budget

Moved by A. Kennerly,

Seconded by C. MacMillan,

That Accessibility and Security be identified as priorities; and, that the capital budget be adjusted to add \$5,000 for Accessibility and \$10,000 for Health and Safety.

Moved by A. Kennerly,

Seconded by V. Catton,

That the Capital Budget be amended for submission to Peter Senese, City Treasurer.

iii. Submission of Annual Survey, PLOG, Grants

The Director reported on the successful completion of the *Annual Survey of Public Libraries* and included a copy of the submission in the Board Package. She also reported on the *Public Library Operating Grant*, the *Internet Connectivity Grant*, and the new *2017-18 Improving Library Digital Services (ILDS) Fund*.



iv. Strategic Planning Session

The Board discussed the upcoming Strategic Planning Session and finalized the meeting date to December 9, 2017.

v. PC Lions Outdoor Seating Area

The Director reported that a Request for Proposals for the project was issued by the City. The bids will be publicly opened after 2:15:00 p.m. local time on Monday, November 20, 2017.

vi. Pop-Up Library

Librarian Rachel Tkachuk presented information on the planning stages of the Pop-Up Library including an expense report. She announced that there will be a soft launch of the Pop-Up Library on December 31, 2017, at the City's New Year's Eve Family Celebration held at the Vale Centre. Board members were invited to attend.

vii. Holiday Hours

The library will be closed to the public from December 25 to 27, 2017, and January 1, 2018, in observance of statutory holidays and days provided for by the *Collective Agreement*. The library will also be closed for one hour on December 4, 2017, 12:00 – 1:00 p.m. for library staff to attend the Mayor's Holiday luncheon.

viii. Upcoming and Outstanding Agenda Items

The Director reviewed the status of outstanding agenda items.

Committee Reports

None.

Accessibility Committee Report

None.



10) ADMINISTRATIVE BUSINESS

Correspondence

None.

Public Relations Report

- i. Librarian Rachel Tkacuk reported on activities held during Canadian Public Library Month and Ontario Public Library Week, and thanked Sobey's for providing a cake for the library's annual Patron Appreciation Day.
- ii. Ms. Tkachuk also discussed new programmes highlighted in the library's November/December 2017 newsletter including a family escape room and the "Wreck this Book" journaling program for teens and adults.

Moved by A. Kennerly,

Seconded by C. MacMillan,

That the Public Relations Report be received for information purposes.

CARRIED.

Chief Executive Officer's Report

None.

Treasurer's Report

None.

Director's Report

- i. Co-op Student

The Director reported on the excellent work done by Port Colborne High School co-op student Kaylah Benner.

- ii. Suggestions and Complaints letter



Port Colborne Public Library Board

The Board reviewed a letter submitted by a patron containing suggestions regarding accessibility and library services. The Director identified key points arising from the letter. The Board discussed current procedures and ways to help reduce barriers to service.

iii. Report on Conferences/Meetings

The Director presented information on conferences and meetings attended by library staff including: "Youth Job Connection" meeting at Port Cares, "Regional Adult Services" meeting at the Welland Public Library, and the "Social Determinants of Health Committee" meeting at the City of Port Colborne.

iv. Health and Safety

- a. The Director reported that library staff completed First Aid training; two for new certification, and four for re-certification.

Moved by C. MacMillan,
Seconded by A. Kennerly,

That the Director's Report be received for information purposes.

CARRIED.

Circulation Report

Moved by C. MacMillan,
Seconded by W. Higgins,

That the 3rd Quarterly Report for 2017 be received for information purposes.

CARRIED.

11) Board Members' Items

None.

12) Notices of Motion

None.



13) Date of the Next Meeting

Tuesday, December 12, 2017, 6:00-7:00 p.m.
Port Colborne Public Library Auditorium
310 King St., Port Colborne, ON

Followed by: Port Colborne Historical and Marine Museum's Annual Christmas Party
and Appreciation Night, starting at 7:00 p.m.

14) Adjournment

MOVED by Councilor Mayne,
Seconded by A. Kennerly,
THAT THE MEETING BE ADJOURNED.



Port Colborne Public Library Board

City of Port Colborne
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JAN 12 2018
CORPORATE SERVICES
DEPARTMENT

MINUTES

10th Regular Board Meeting
Tuesday, December 12, 2017, 6:00 p.m.
Port Colborne Public Library, Auditorium
310 King St., Port Colborne, ON

Present: Valerie Catton (*Vice Chair*), William Higgins, Ann Kennerly, Harmony Cooper, Jeanette Frenette, Cheryl MacMillan
Staff: Susan Therrien, Rachel Tkachuk, Stacey Hol
Regrets: Michael Cooper (*Chair*), Bryan Ingram, Scott Luey, Councilor John Mayne

- 1) Vice-Chair Valerie Catton called the meeting to order at 6:15 p.m. and the invocation was read by A. Kennerly.
- 2) Ms. Catton welcomed the Board members.
- 3) **Approval of the Agenda**

Moved by W. Higgins,
Seconded by A. Kennerly,
That the agenda be adopted as circulated.
CARRIED.
- 4) **Declaration of Conflict of Interest**

None.
- 5) **Delegations**

None.
- 6) **Minutes of the Previous Meeting of Tuesday, November 7, 2017**

Moved by A. Kennerly,
Seconded by C. MacMillan,
That the minutes of the November 7, 2017 meeting be adopted as circulated.
CARRIED.



7) **Business Arising from the Minutes**

None.

8) **Agenda Items**

i. **Strategic Plan**

Board members reviewed the *Strategic Planning Meeting* held December 9, 2017.

ii. **PC Lions Outdoor Seating Area**

Sealed bids for the project were opened on December 4, 2017. The Director has arranged to meet with City staff to discuss options. The Director reported that the Port Colborne Lions Club Lions donated \$1000.00 to be used toward family programming in 2018.

iii. **Annual Report**

The upcoming Annual Report will be published in pamphlet form for distribution.

Committee Reports

None.

10) **ADMINISTRATIVE BUSINESS**

Correspondence

None.

Public Relations Report

i. **Pop Up Library**

Librarian Rachel Tkachuk reported on implementation of the Pop Up Library and presented a financial report on costs to date. The soft launch is scheduled on



Port Colborne Public Library Board

December 31, 2017, at the City of Port Colborne's New Year's Eve Family Fun Celebration at the Vale Health & Wellness Centre. Board members were invited to attend.

ii. Parent Voice Project

Librarian Rachel Tkachuk reported on the library's participation in the Parent Voice Project focus group conducted by the Niagara Community Foundation to assist families with young children in the Niagara Region.

iii. Highlight Filming

The Board previewed a clip from the City's year-end video compilation featuring the Port Colborne Library with Librarian Rachel Tkachuk and Assistant Librarian Stacey Hol.

iv. Programming: "Holiday Hits" with Gary Smith

Librarian Rachel Tkachuk reported on the 3rd annual holiday music concert.

v. NCDSB Special Event, December 7, 2017, at Heartland Forest, Nature Centre

Librarian Rachel Tkachuk and Assistant Librarian Christine Tice attended. The event featured presentations by 18 Canadian authors and illustrators.

Chief Executive Officer's Report

None.

Treasurer's Report

None.

Director's Report

i. Staff Performance Appraisals

The Director announced that performance appraisals have been completed for both full-time and part-time staff.



ii. **Report on Conferences/Meetings/Workshops**

The Director reported on staff participation in the following:

- a. *Incident/Accident Investigation Workshop*, November 14, 2017, Port Colborne Operations Centre
- b. *Strategic Planning*, Library Staff Meeting November 15, 2017, Port Colborne Public Library

iii. **Canadian Federation of University Women's Sponsorship of March Break Children's Author Presentation**

The Director reported that the CFUW Welland & District will once again sponsor a Canadian children's author to visit the Welland, Pelham, and Port Colborne libraries during March Break. Librarian Rachel Tkachuk will assist in arranging the event.

iv. **Healthy Kids Community Challenge Niagara: Power Off and Play**

The Director reported that the library will participate in a series of collaborative planning sessions in partnership with Niagara's Public Libraries and the Niagara Healthy Kids Community Challenge (NHKCC) Steering Committee. The project seeks to improve the health of kids in Niagara. The Director will attend the first planning session on January 10, 2018. Funding will be available.

Moved by C. MacMillan,
Seconded by A. Kennerly,

That the Director's Report be received for information purposes.

CARRIED.

Circulation Report

None.

11) **Board Members' Items**

None.



12) Notices of Motion

None.

13) Date of the Next Meeting

Tuesday, January 9, 2018, 6:00-7:00 p.m.
Port Colborne Public Library Auditorium
310 King St., Port Colborne, ON

14) Adjournment

MOVED by V. Catton,
Seconded by W. Higgins,
That the meeting be adjourned.
CARRIED.

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PORT COLBORNE

**Meeting
Environmental Advisory Committee
September 13, 2017, 6:00 p.m.**

The following were in attendance:

Council: Angie Desmarais

Staff: Derek Hemauer
Janice Peyton

Public Members: George McKibbin
Beth Palma
Ryan Waines
Patti Stirling
Jack Hellinga

Regrets: Chris Lee
Barbara Butters
Yvon Doucet
Paul Ruzycki
Tim Hoyle
Kerry Royer

1. Call to Order

Chair Beth Palma called the meeting to order at 6:05 p.m.

2. Adoption of the Agenda

Moved by Patti Stirling
Seconded by Angie Desmarais

That the agenda dated September 13, 2017 be accepted as circulated.
CARRIED.

3. Disclosures of Interest

Nil.

4. Approval / Review of Previous Meeting Minutes

Moved by Beth Palma
Seconded by Angie Desmarais

That the minutes of March 8, 2017 be accepted as presented.
CARRIED.

5. Items Arising from Previous Minutes

a) Recycle Bins

Locations for additional recycling bins were discussed. Derek will work on two suggested locations; the corner of West Street and Charlotte Street (towards the South of this corner if necessary) and the Library/Museum block (staff will be consulted as to the best location on the block). Should the recycling bins prove to work well; the committee will ask that the City continue with this initiative by installing additional bins at locations throughout the City.

b) “No Littering” signs on trails

A sample of the Regional “Illegal Dumping” sign and the costs to purchase were provided. Committee members would like to see the amount of the fine stated on the sign. Derek explained that the signs must be posted on municipal property. The committee discussed suitable locations for the signs; the gates near the old Robin Hood and the Eastern end of the trail near Reuter Road were suggested. Derek will inquire about the installation costs (material & time) and about common dumping locations throughout the City. Patti raised the issue of the lighting at Weir Road where dumping occurs, Derek will check this location to be sure there is sufficient lighting.

c) Boulevard Trees

The committee feels that the next step in this process is to meet with staff. Derek will arrange for a technical meeting. Angie will speak to Planning regarding new development and the requirement to plant a specific number of trees.

d) Community Shred-it Day/E Waste Day

Patti has found two businesses that have expressed interest in working with the committee on a free shredding event in exchange for a food donation for a local charity. The committee agreed that both businesses could be given the opportunity to provide the shredding service, one at the PCOC open house (Derek will speak to the CAO for approval to coordinate with the open house), and one on the East side of the City in coordination with Earth Day events.

e) Air Quality

George advised that he has not had a chance to speak to Dan Dobrin regarding the letter of request for air quality monitoring that the EAC sent to the MOE. George has made contact with someone from Environment Hamilton, a company that has similar monitoring systems that the public can use for a reasonable cost, as Environment Hamilton is not for profit. George will inquire about obtaining a machine. Beth asked the process should a bad reading be taken. Angie advised that information regarding an unfavourable reading could be brought to the City to be compared to monitoring that was taken in 2000/2001. Suggested locations for monitoring were along West Street (because of ship exhaust) and North of the quarry on Second Concession (because of quarry dust).

f) 2017 Budget

Moved by Jack Hellinga
Seconded by Patti Sterling

That \$4500.00 of 2017 environmental initiative funds be reserved for toilet rebates.
CARRIED.

At the next meeting, 2018 budget items will be discussed.

g) Seeds

The remaining seed packets will be kept for future use.

h) NPCA Questions

No comments received back from NPCA regarding original EAC questions posted in 2016 – Biodiversity Offsetting. Kerry is working on obtaining answers.

Jack commented on the City of Port Colborne Official Plan Amendment #4.

i) Canal Days Green Team Update

Angie advised that the Eco Defenders were not able to attend Canal Days this year because of lack of volunteers. Jack advised that the Eco Defenders were in attendance at Marshville and they did a great job of recycling. Plastic cutlery was an issue. Jack suggested notifying Canal Days food vendors that plastics are not allowed. Beth was concerned about discouraging potential vendors with higher costs. Possibly vendors could be given an incentive to go green and this could be kicked off next year with the 40th anniversary

of Canal Days. Angie suggested some EAC members come onto the Canal Days 40th Anniversary Committee as a green team. Patti will look into the difference in costs of plastics and the alternatives.

6. New/Other Business

a) Quorum for Meetings

Derek reminded members to send regrets in a timely manner so that we are sure to have quorum. Without quorum, the meeting will be cancelled.

7. Next Meeting/Adjourn

The next meeting will be on Nov 8, 2017 at 6:00 pm.

With no further business to discuss, the meeting was adjourned at 7:30 p.m.



City of Port Colborne
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JAN 12 2018
CORPORATE SERVICES
DEPARTMENT

**Meeting
Environmental Advisory Committee
November 8, 2017, 6:00 p.m.**

The following were in attendance:

Council: Angie Desmarais
Yvon Doucet

Staff: Derek Hemauer
Janice Peyton

Public Members: George McKibbin
Beth Palma
Ryan Waines
Patti Stirling
Jack Hellinga
Tim Hoyle
Paul Ruzycki
Kerry Royer

1. Call to Order

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

2. Adoption of the Agenda

Moved by Yvon Doucet
Seconded by Tim Hoyle

That the agenda dated November 8, 2017 be accepted as circulated.
CARRIED.

3. Disclosures of Interest

Nil.

4. Approval / Review of Previous Meeting Minutes

Moved by Jack Hellinga
Seconded by Angie Desmarais

That the minutes of September 13, 2017 be accepted as presented.

CARRIED.

5. Items Arising from Previous Minutes

a) **Recycle Bins**

Derek advised that Chris Lee is in agreement with the proposed West Street locations for recycle bins, near the Pilot House and closer to the Clarence Street Bridge. The Library can be considered as a location for recycling bins after construction improvements are completed. Angie advised that the Active Transportation Committee will choose a site for a bike repair station and committee members thought coordinating the recycle bin location with the repair station would be wise. Derek will work on timelines; most preferred location is the corner of West Street at the bridge. Angie suggested the recycling bin for the Library be considered during the design phase of the Library improvements.

b) **“No Littering” signs on trails**

Derek is waiting on pricing for smaller signs, similar to the signs the Region has installed. Angie suggested signage be coordinated with the Active Transportation Committee. Angie will advise Derek of the next Active Transportation Committee meeting. Illegal dumping should be reported when it is witnessed. Derek advised that the light at the entrance to Derek’s Point is now working as Patti was concerned that the light was out, as there is a lot of littering at this location.

c) **Boulevard Trees**

Kerry advised that she cannot find any other Municipality that has a “no planting on the boulevard by-law”. Kerry will obtain a list of trees from the City of Welland and from Oakville also, as suggested by Jack. Angie will raise the issue of boulevard trees (needed to beautify the City) at the upcoming Strategic Planning sessions. Committee members gave the following priorities to Angie, for the strategic planning session.

- Bike paths
- Recycle bins
- Trees (repeal the boulevard tree bylaw)
- Waterfront beautification
- Boat Nerds (the Elliot property could be enhanced for tourists)
- The ship in the canal that is to be dismantled could be made into a floating B&B. (Angie did not think permission would be granted for this)

d) Community Shred-it Day/E Waste Day

This item will be deferred until Earth Day discussions. Patti has two company's that are interested in providing this service.

e) Air Quality

George advised that he has obtained access to the loan of a machine complete with the instructions for use. Once information is gathered it can be mapped out for us by the MOE. George would like to take the training instructions for operation of the machine, along with a couple of other committee members. Angie thought that July would be a good time for testing, George would like to do some testing now. Patti would like to see some testing take place while the ships are running. Jack offered to take the training with George. The committee will decide later on a donation, as this machine is being provided to the committee free of charge. The committee briefly discussed the odour caused by the marijuana grow-ops.

f) NPCA Questions

Kerry advised that she is still waiting on answers to the questions the committee sent to the NPCA in 2016.

The Wetland Protection and Biodiversity Offsetting paper that was presented to Council at the January 23rd, 2017 meeting was referred to the Planning Department, however Planning has not yet reported back on this item. Angie will talk to the Director of Planning early in 2018. Jack advised that he has been approached by a Mayor of another municipality that is interested in the details of the response form the Planning department. Jack also advised that a response was submitted to the NPCA regarding the Sourcewater Protection Plan and that there has not been a reply as of yet. Kerry will follow up on this.

6. New/Other Business

a) 2018 Budget

The committee decided on the following items for the 2018 Environmental Initiatives budget.

- Toilet Rebate \$4500.00, with changes to the toilet rebate program of 2 per household (currently 3 per household) and flush capacity of 4L or less (currently 6L or less)
Note: this item to be discussed further at the next meeting
- Community Green Art Show \$250.00
- Up to \$2000 to maintain recycle bins currently in place

b) Drain Improvements

Jack and Beth attended an Environment and Climate Change Canada Drain Improvements meeting. Jack gave a synopsis of the meeting. Jack advised that there is a push to change the drainage act to reduce impacts on the drain outlets. Currently there are no controls on the natural filtration from the farmland to municipal drains. The committee thought that it would be beneficial to invite the Drainage Superintendent to one of the EAC meetings to discuss this topic. George asked that Jack record his comments and forward them to Environment Canada and to the Drainage Superintendent. Derek advised that he spoke to the Drainage Superintendent regarding this item and that the response was that we need the funding to do the improvements, not for additional studies.

c) Wyldewood Road Drainage

Paul advised that he has been asked by area neighbours about the lack of drainage on Wyldewood Road and that there are a lot of dead trees that are in the drains that are likely contributing to the poor drainage in that area. Derek will advise staff and have them look into this.

d) EAC Comments on City Developments

Jack raised the issue of the EAC committee providing comments on planning proposals for developments within the city. George feels that the committee does not have the technical expertise to comment on planning items, that it is not the mandate of this committee and that the committee takes on a lot of responsibility if they are obligated to make comment. Further discussion is required.

e) Eco - Tourism

Kerry suggested that the committee consider becoming involved in eco-tourism, birding tourism for example. Patti commented that in Port Colborne hunting is allowed in some bird watching areas.

7. Next Meeting/Adjourn

The next meeting will be on January 10, 2018 at 6:00 pm.

With no further business to discuss, the meeting adjourned at 7:45 p.m.