



**City of Port Colborne  
Special Council Meeting 13-18 – Public Hearing  
Monday, June 11, 2018 – 6:30 p.m.  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor John Maloney
- 2. National Anthem:** Joel Longfellow
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Public Hearing Under the Municipal Act:**

Planning and Development, Report No. 2018-72, Subject: Stopping Up and Closing a Part of Empire and Michael Roads

- (i) Purpose of Meeting:
- (ii) Method of Notice:
- (iii) Explanation of Procedure to be Followed:
- (iv) Presentation of Planning and Development, Report, No 2018-72, Subject: Stopping Up and Closing a Part of Empire and Michael Roads:
- (v) Questions of Clarification to Staff:
- (vi) Oral Presentations and/or Questions from the Public:
- (vii) Explanation of Future Meetings for the Proposed Closure:

- 6. Adjournment:**

This page intentionally left blank.



Report Number: 2018-72

Date: June 11, 2018

**SUBJECT: Stopping up and closing a part of Empire and Michael Roads**

**1) PURPOSE**

The purpose of this report is to inform the public of a proposal to stop up and close a part of Empire and Michael Roads.

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

Empire Road is a 66' wide travelled road that begins at Highway 3 and ends at the entrance to Sherkston Shores Resort that is maintained by the City. The Empire Road road allowance continues through the resort but is not maintained by the City and ends at the Lake Erie shoreline.

Michael Road is a 66' wide road that begins at Sherkston Road and ends at the Lake Erie shoreline. It is a gravel road that is maintained by the City up to a certain point. The road allowance continues southerly and unmaintained to the Lake Erie shoreline and bisects Sherkston Shores resort.

As per City policy, notice of tonight's meeting was advertised for four consecutive weeks in the Niagara this Week beginning on May 17, 2018. It was also advertised on the City's website.

**3) STAFF COMMENTS AND DISCUSSIONS**

The portion of the Empire Road road allowance proposed to be closed is known as Part 1 on Plan 59R-16102. The portion of the Michael Road road allowance proposed to be closed is known as Part 1 on Plan 59R-16103. An air photo of the proposed road closures is attached to this report.

The public will first have an opportunity to voice any objections to the proposed closures prior to Council's future consideration. No Council decision will occur at the conclusion of the public meeting.

Thus far a May 16, 2018 letter was received from Cindy Mitchell indicating her intent to speak at the public meeting and raising that Sherkston Shores has enjoyed the use of the roads for financial gain and unrestricted access while the community has not.

The public will have the opportunity to make comment to be included and addressed in a future recommendation report on the proposed closures for Council's consideration.

**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**

Appendix A – Map of Empire and Michael Road road allowances proposed to be closed  
Appendix B – Letter from Cindy Mitchell

**7) RECOMMENDATION**

That Planning and Development Department, Planning Division Report No. 2018-72 with respect to stopping up and closing a part of Empire and Michael Roads, be received for information.

**8) SIGNATURES**

Prepared on May 23, 2018 by:



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

Reviewed and respectfully submitted  
by:



C. Scott Luey  
Chief Administrative Officer





May 14, 2018

TO: DAN Aquilina

DIRECTOR OF PLANNING & DEVELOPMENT

RE: PROPOSED BY-LAW TO CLOSE EMPIRE & MICHAEL ROAD ALLOWANCES

Please ~~accept~~ accept this note as my request to make oral comments regarding the by-law to close the road allowances of Empire Road and Michael Road during the public meeting to be held on June 11, 2018 at 6:30 pm in Council Chambers.

As a taxpayer and lifelong resident of the community of Sherkston I am interested in learning about how this by-law/closure of roads would benefit our community/city. After all, for many years (decades); Sherkston Shores (resorts) has enjoyed the use of these lands (road allowances) for financial gain and unrestricted access of public property; while our community/city has not.

While your public notice in the newspaper of the proposed by-law does not clarify whether or not a person ~~engage~~ engages actively at the public meeting defines whether or not they may engage in any future consultations/meetings/notification's etc.

Pg 202  
May 16/18

Therefore, I am submitting these comments with an intention to make oral comments @ a public meeting that is understood to occur on June 11/18 to ensure I have met any possible requirements to engage in future consultation on this matter.

Should you have any questions and/or any advice, please contact me at:

cell #  
email

I apologize for my informal note to your office; however, I have little time right now (and my printer has broke).

Thank you for your time.

Sincerely,

Cindy Mitchell (aka Cosby)

C.C. BARBARA BUTTERS

This page intentionally left blank.



**City of Port Colborne  
Regular Meeting of Committee of the Whole 13-18  
Monday, June 11, 2018  
following the Special Meeting of Council  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor John Maloney
- 2. Introduction of Addendum and Delegation Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
  - (a) Regular meeting of Committee of the Whole 12-18, held on May 14, 2018.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Presentations:**
  - (a) Deborah Rollo, Health Services Coordinator regarding Rural Ontario Medical Program Week Activities (ROMP)
- 9. Delegations (10 Minutes Maximum):**
  - (a) Linda Kramer on behalf of residents of Lakeshore Road East, concerning property located at 709 Lakeshore Road East (Page No. 21)
- 10. Mayor's Report:**
- 11. Regional Councillor's Report:**
- 12. Councillors' Items:**
  - (a) Councillors' Issues/Enquiries
  - (b) Staff Responses to Previous Councillors' Enquiries
- 13. Consideration of Items Requiring Separate Discussion:**
- 14. Notice of Motion:**
- 15. Adjournment:**

**Upcoming Committee of the Whole and Council Meetings**

Monday, June 25, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, July 9, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, July 23, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, August 13, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, August 27, 2018	Committee of the Whole/Council – 6:30 P.M.

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

## Committee Items:

Notes	Item	Description / Recommendation	Page
JDM BB RB AD FD YD DE BK JM	1.	<p><b><u>Planning and Development, Planning Division, Report No. 2018-69, Subject: Easement to Bell Canada – Killaly Street West</u></b></p> <p>That an easement over Part 1 &amp; 2 on Plan 59R-14504 and Direction Authorizing Registration be approved for Bell Canada.</p> <p>That the Mayor and Clerk be authorized to sign and execute any and all documents respecting the easement registration.</p>	23
JDM BB RB AD FD YD DE BK JM	2.	<p><b><u>Planning and Development, Planning Division, Report No. 2018-73, Subject: Chippawa Estates Draft Plan of Subdivision</u></b></p> <p>That By-law 5806/61/12 be amended and that the by-law setting an expiration date of June 11, 2019 for the Chippawa Estates Draft Plan of Subdivision be approved.</p>	27
JDM BB RB AD FD YD DE BK JM	3.	<p><b><u>Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives, Report No. 2018-83, Subject: Strategic Planning exercise results from Strategic Planning Meetings held on April 20 and 21, 2018</u></b></p> <p>That the Strategic Directions document attached as Appendix 1 to Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives Division report 2018-83 be approved.</p>	29
JDM BB RB AD FD YD DE BK JM	4.	<p><b><u>Corporate Services, Finance Division, Report No. 2018-80, Subject: Niagara Regional Housing Property Tax Exemption Analysis</u></b></p> <p>That staff be directed to notify the Niagara Region that the Council of the City of Port Colborne supports Scenario 1 being the status quo in keeping the Niagara Regional Housing properties taxable.</p>	45

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	5.	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-75, Subject: <u>Canada Day – 2018 Optimist Day in the Park &amp; Canada Day Fireworks Road Closure</u></b></p> <p>That staff issue the appropriate permits for Canada Day – ‘Optimist Day in the Park’ at H.H. Knoll Lakeview Park, and;</p> <p>That the temporary road closures be approved for the purpose of hosting Canada Day fireworks beginning at 9:00 p.m. until 11:00 p.m., Saturday, July 1, 2018. Temporary barricade road closures at the following intersections to restrict traffic onto: West Street from the Southern limit of Charlotte Street to the Southern limit of the former Public Works Yard (11 King Street) property including closure of the intersections of Kent Street, Victoria Street, Adelaide Street, and Sugarloaf Street at West Street for the purpose of controlling traffic for the Canada Day Fireworks and prohibiting general vehicular traffic and parking by the public, and:</p> <p>That City sponsorship of the 2018 Optimist Day in the Park be approved, with sponsorship to be provided as follows:</p> <ol style="list-style-type: none"> <li>a. Waiving of permit fees for the use of H.H. Knoll Lakeview Park;</li> <li>b. Waiving of permit fees for the use of the pavilion at the Bandshell;</li> <li>c. Provision and installation of snow fencing, and waiving of associated fees;</li> <li>d. Waiving of the Noise Variance Fee;</li> <li>e. Provision of portable washroom facilities and waiving of associated fees;</li> <li>f. Waiving of the parking fees in the gravel lot for the duration of the event;</li> <li>g. City assistance with event promotion and marketing on social media.</li> </ol>	77
JDM	BB	RB	6.	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-76, Subject: <u>40<sup>th</sup> Annual Canal Days Festival Request for Road Closures, Parking Restrictions &amp; Patio Extensions</u></b></p> <ol style="list-style-type: none"> <li>1. That the closure to through traffic and street parking be approved and authorized for the following roads beginning at 5:00 p.m. Thursday, August 2, 2018 and ending at 6:00 a.m. on Tuesday, August 7, 2018:</li> </ol>	83

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.



		<ul style="list-style-type: none"> <li>• West Street from the northern limit of Adelaide Street to the southern limit of Sugarloaf Street and;</li> </ul> <p>2. That the closure to through traffic and street parking be approved and authorized for the following roads beginning at 4:00 a.m. Friday, August 3, 2018 ending at 6:00 a.m. on Tuesday, August 7, 2018.</p> <ul style="list-style-type: none"> <li>• West Street from the northern limit of Princess Street to the southern limit of Sugarloaf Street;</li> <li>• Princess Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Park Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Charlotte Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Kent Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Victoria Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Adelaide Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Sugarloaf Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Clarence Street from the eastern limit of King Street to the western limit of Welland Street;</li> <li>• Municipal Parking Lot located west of King Street, east of Catharine Street and south of Princess Street.</li> </ul> <p>3. In addition, the following areas be closed to street parking beginning at 4:00 a.m. on Friday, August 4, 2018 and ending at 6:00 p.m. on Monday, August 7, 2018:</p> <ul style="list-style-type: none"> <li>• Northside of Kent Street between the western limit of Catharine Street and the eastern limit of Elm Street.</li> </ul>	
--	--	--	--

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.

		<ul style="list-style-type: none"> <li>• The thirteen (13) parking spaces on the west side of King Street from Sugarloaf Street to Charlotte Street;</li> <li>• The two (2) parking spaces on both east and west sides of King Street, north of the Charlotte Street limit, be closed to parking to allow for the shuttle bus stops,</li> <li>• The three (3) parking spaces on the south side of Clarence Street in front of the Breakwall Brewery.</li> </ul> <p>4. That the closure to street parking and through traffic be approved and authorized for the following street beginning at 6:00 p.m. on Friday, August 3, 2018 and ending at 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Historical &amp; Marine Museum Canal Days Events.</p> <ul style="list-style-type: none"> <li>• Princess Street from the western limit of King Street to the eastern limit of Catharine Street.</li> </ul> <p>5. That the closure to street parking and through traffic be approved and authorized for following roads beginning at 4:00 p.m. to 12:00 a.m. on Friday, August 3 &amp; Saturday, August 4, 2018 for the purpose of hosting the Canal Days concert.</p> <ul style="list-style-type: none"> <li>• Steele Street from the southern limit of Steele Street at Sugarloaf Street;</li> <li>• Steele Street from the eastern limit at Steele Street at Sugarloaf Street;</li> <li>• Isabel Street from the southern limit of Isabel Street at Sugarloaf Street;</li> <li>• Fielden Avenue from the northern limit of Fielden Avenue at Sugarloaf Street;</li> <li>• Fielden Avenue from the southern limit at Sugarloaf Street;</li> <li>• Lighthouse Lane from the southern limit at Sugarloaf Street;</li> <li>• Elm Street from the southern limit of Elm Street at Sugarloaf;</li> </ul>	
--	--	--	--

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.

- H.H. Knoll Lakeview Parking lot south of Dawg's Burgers to Fielden Avenue.
6. That there is no objection by the Corporation of the City of Port Colborne to the application by Eh Amigos Cantina to the AGCO for a Special Occasion Permit / Liquor License Extension; and
  7. That there is no objection by the Corporation of the City of Port Colborne to the application by The Lock 8 to the AGCO for a Special Occasion Permit / Liquor License Extension; and
  8. That there is no objection by the Corporation of the City of Port Colborne to the application by Breakwall Brewery to the AGCO for a Special Occasion Permit / Liquor License Extension; and
  9. That there is no objection by the Corporation of the City of Port Colborne to the application by Canadian Corps Association to the AGCO for a Special Occasion Permit/Liquor License Extension; and
  10. That the following conditions will apply to Eh Amigos Cantina and The Lock, on Clarence Street:
    - a) That on Friday, August 3, 2018 the selling and serving of alcoholic beverages to the said licensed outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 3, 2018;
    - b) That on Saturday, August 4, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 4, 2018;
    - c) That on Sunday, August 5, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 5, 2018;
    - d) That on Monday, August 6, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 5:00 p.m., and the outdoor area shall be cleared of patrons by 5:30 p.m. on August 6, 2018;

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>e) That, notwithstanding clause a, b, c and d above, the occupancy of the said outdoor licensed area shall be open only when Clarence Street is closed in accordance with City by-law;</p> <p>f) That the applicant shall not block or occupy any street with equipment relating to the Canal Days festival &amp; events or patio before 9:00 a.m. on Friday, August 3, 2018 and must have all equipment and supplies related to the patio extension cleared from the streets no later than 7:00 p.m. Monday, August 6, 2018; and</p> <p>11. That there is no objection by the Corporation of the City of Port Colborne to the application by Canalside Restaurant Inn and Walters and Neptunes to the AGCO for a Special Occasion Permit/Liquor License Extension. That Canalside Restaurant and Walters and Neptunes be approved to maintain the existing patio for the 2018 Canal Days Marine Heritage Festival; and</p> <p>12. That the six (6) applicants shall provide a Certificate of Insurance (COI) with no less than \$5,000,000 general liability naming the Corporation of the City of Port Colborne as additional insured, and listing The St. Lawrence Seaway Management Corporation, Her Majesty the Queen in Right of Canada, Transport Canada, as an additional insured in accordance with the City's Festivals &amp; Events Insurance Requirements.</p> <p>13. That Council of the Corporation of the City of Port Colborne exempt the participants of and the Canal Days Marine Heritage Festival from the Noise By-law #4588/119/04 and not be required to apply for the variance in accordance with Section 4(3) Schedule 2(2).</p> <p>14. That the appropriate by-law be prepared, authorizing the Mayor and City Clerk to execute and sign the Ontario Transfer Payment Agreement for the Celebrate Ontario 2018 Grant on behalf of the Corporation of the City of Port Colborne.</p>	
JDM	BB	RB	7.	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-77, Subject: <u>2018 Canal Days Car Parade Request for Road Closures and Parking Restrictions</u></b></p> <p>That the prohibition of street parking be approved for purpose of hosting the Canal Days Car Parade route beginning at 6:00 p.m. until 7:30 p.m., Saturday, August 4, 2018 to allow for safe viewing of the parade along:</p>	95
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.

		<ol style="list-style-type: none"> <li>1. Clarence Street from the western limit of Steele Street to the eastern limit of West Street;</li> <li>2. West Street from the northern limit of Clarence Street to the southern limit of Charlotte Street; and</li> <li>3. Charlotte Street from the western limit of Elm Street to the eastern limit of King Street.</li> </ol> <p>That the temporary road intersection closures be approved for the purpose of hosting the Canal Days Car Parade route beginning at 6:30 p.m. until 7:30 p.m., Saturday, August 4, 2018. Temporary barricade road closures at the following intersections to restrict through traffic onto the parade route.</p> <ol style="list-style-type: none"> <li>1. West and south intersections of Steele Street and Clarence Street</li> <li>2. North and south intersections of Fielden Avenue at Clarence Street</li> <li>3. North and south intersections of Elm Street at Clarence Street</li> <li>4. North and south intersections of Catharine Street at Clarence Street</li> <li>5. North and south intersections of King Street at Clarence Street</li> </ol>	
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>8.</p>	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-82, Subject: Rose City Triathlon Road Closure Request</b></p> <hr/> <p>That the road closures necessary for the 2018 Rose City Triathlon event on June 23, 2018, as requested by Mr. Chris Pickering, and outlined in Community and Economic Development, Parks and Recreation Division Report No. 2018-82, be approved;</p> <p>That the following road be closed to general vehicular traffic and parking from 7:30 a.m. to 12:00 p.m.:</p> <ul style="list-style-type: none"> <li>• Elm Street at Stonebridge Drive for northbound traffic;</li> </ul> <p>That emergency service vehicles, including ambulance, police and fire, as well as public works and public utility vehicles, be exempt from the above noted closures;</p>	<p>99</p>

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>That members, qualified participants, and participants of the Rose City Triathlon, be exempt from the above noted closures, through the issuance of an authorized permit;</p> <p>That the Rose City Triathlon be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the event;</p> <p>That traffic barricades be supplied by Public Works staff, on June 23, 2018 to, and delivered before the start of the race at the predetermined location requiring barricades; and</p> <p>That the appropriate by-law be presented for approval.</p>	
<b>Miscellaneous Correspondence</b>					
JDM	BB	RB	9.	<p><b><u>St. John Bosco Catholic Elementary School Re : Request for Use of Picnic Tables for a School Event to be held on June 15, 2018</u></b></p> <p>That the correspondence from St. John Bosco Catholic Elementary School requesting the use of City picnic tables for a School Event to be held on June 15, 2018 be received; and</p> <p>That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of St. John Bosco Catholic Elementary School.</p>	103
AD	FD	YD			
DE	BK	JM			
JDM	BB	RB	10.	<p><b><u>Canadian Pacific Railway (CP) Re: Canadian Pacific 2018 Vegetation Control Program</u></b></p> <p>That the correspondence received from Geoff Gordon, Vegetation Management Specialist, Canadian Pacific Railway Re: Canadian Pacific 2018 Vegetation Control Program, be received for information.</p>	105
AD	FD	YD			
DE	BK	JM			
JDM	BB	RB	11.	<p><b><u>Karen Usick, Community Coordinator, Mental Health &amp; Addictions – Hepatitis C Care Clinic, Niagara Health Re: Request for Proclamation of World Hepatitis Day, July 28, 2018</u></b></p> <p>That July 28, 2018 be proclaimed as “World Hepatitis Day” in the City of Port Colborne in accordance with the request received from Karen Usick, Community Coordinator, Mental Health &amp; Addictions – Hepatitis C Care Clinic, Niagara Health.</p>	107
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	12.	<b><u>Region of Niagara Re: Agriculture – Project Framework (PDS Report 17-2018)</u></b>	113
AD	FD	YD			
DE	BK	JM		That the correspondence received from the Region of Niagara Re: Agriculture – Project Framework (PDS Report 17-2018), be received for information.	
JDM	BB	RB	13.	<b><u>Region of Niagara Re: Natural Environment – Project Framework (PDS Report 18-2018)</u></b>	121
AD	FD	YD			
DE	BK	JM		That the correspondence received from the Region of Niagara Re: Natural Environment – Project Framework (PDS Report 18-2018), be received for information.	
JDM	BB	RB	14.	<b><u>Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (January 1 to March 31, 2018)</u></b>	131
AD	FD	YD			
DE	BK	JM		That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (January 1 to March 31, 2018), be received for information.	
<b>Outside Resolutions – Requests for Endorsement</b>					
JDM	BB	RB	15.	<b><u>Township of Wainfleet Re: Lakewood Beach Property</u></b>	145
AD	FD	YD			
DE	BK	JM		That the resolution received from the Township of Wainfleet Re: Lakewood Beach Property, be received for information.	
JDM	BB	RB	16.	<b><u>Town of Pelham Re: Ministry of Transportation – Local Transit Project</u></b>	147
AD	FD	YD			
DE	BK	JM		That the resolution received from the Town of Pelham Re: Ministry of Transportation – Local Transit Project, be received for information.	
JDM	BB	RB	17.	<b><u>Town of Pelham Re: Ministry of Municipal Affairs – Local Request for Provincial Municipal Audit</u></b>	149
AD	FD	YD			
DE	BK	JM		That the resolution received from the Town of Pelham Re: Ministry of Municipal Affairs – Local Request for Provincial Municipal Audit, be received for information.	

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	18.	<b>Town of Pelham Re: Ombudsman Investigation Report Re: September 5, 2017</b>	151
AD	FD	YD			
DE	BK	JM		That the resolution received from the Town of Pelham Re: Ombudsman Investigation Report (Paul Dubé, Ombudsman of Ontario) Re: September 5, 2017, be received for information.	
<b>Responses to City of Port Colborne Resolutions</b>					
<b>Nil.</b>					

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.



From: "Linda Kramer" <[REDACTED]>  
To: cityclerk@portcolborne.ca  
Cc: "Linda Kramer" <[REDACTED]>  
Date: 2018-06-06 02:22 PM  
Subject: Request for Delegation Appearance on June 11 at Council Meeting

Good Afternoon Amber,

Further to our telephone conversation yesterday, I confirm that our delegation on behalf of the group of neighbours on Lakeshore Road East would like to be placed on the agenda for the City Council Meeting upcoming on June 11 in conjunction with their ongoing concerns regarding the state of the property located at 709 Lakeshore Road East.

I expect that as coordinators of the group effort, myself, Candace Colling and Harvey Snider will be in attendance and that one or all of us may speak on behalf of the neighbourhood group.

As discussed, our group is aware that the situation is being monitored by City staff and our focus at this point is to provide ongoing confirmation that the neighbours remain greatly concerned until a full resolution of the situation is achieved.

Thanking you in advance for accommodating our request to appear before Council.

Warm Regards,

*Linda Kramer*

Broker  
D.W. Howard Realty Ltd. Brokerage

Direct 905.933.5353

*With You Every Step Of The Way*

This page intentionally left blank.



Report Number: 2018-69

Date: June 11, 2018

**SUBJECT: Easement to Bell Canada - Killaly Street West**

**1) PURPOSE:**

The purpose of this report is to obtain Council's approval to grant an easement to Bell Canada to access municipal property for maintenance.

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

The Region of Niagara's road work completed on Killaly Street West created the requirement for Bell Canada to need an easement on City land (Lion's Field). Previously, Canadian Niagara Power (Fortis) obtained an easement on the Lion's Field for new hydro poles and guy wires due to the Region's road work.

**3) STAFF COMMENTS AND DISCUSSIONS**

As the City does not have in house legal counsel, the Region of Niagara has provided the necessary documentation and has agreed to the registration at no cost. The requested Bell Canada easement is on Part 1 & 2 on Plan 59R-15404 as shown on Appendix B. Attached as Appendix A is a document that would provide approval for the Niagara Region register the easement on behalf of the City.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

No financial impact as the Region of Niagara is covering all legal costs to complete.

**a) Do nothing.**

N/A.

**b) Other Options**

N/A

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A

**6) ATTACHMENTS**

Appendix A - Direction Authorizing Registration  
Appendix B - Reference Plan 59R-15404

**7) RECOMMENDATION**

That an easement over Part 1 & 2 on Plan 59R-14504 and Direction Authorizing Registration be approved for Bell Canada.

That the Mayor and Clerk be authorized to sign and execute any and all documents respecting the easement registration.

**8) SIGNATURES**

Prepared on May 22, 2018 by:

Reviewed and respectfully submitted by:



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



C. Scott Luey  
Chief Administrative Officer

## DIRECTION

TO: The Regional Municipality of Niagara ("Niagara Region")  
AND TO: H. Sterling Wood  
RE: The Corporation of the City of Port Colborne transfer of easement to Bell Canada, Parts 1 and 2 on Reference Plan 59R-15404  
Lions Park, Elm Street at Killaly Street, Port Colborne

---

Niagara Region has prepared a Transfer Easement whereby an easement is being granted by The Corporation of the City of Port Colborne to Bell Canada, over Part of Lot 29, Concession 1, Humberstone, now City of Port Colborne, designated as Parts 1 and 2 on 59R-15404.

The Corporation of the City of Port Colborne hereby acknowledges that Niagara Region has agreed to register the easement on their behalf.

The Corporation of the City of Port Colborne hereby further acknowledges that Niagara Region is acting as registering agent only, and is not providing any legal advice whatsoever with respect to the transaction or the form and content of the Transfer Easement document.

The Corporation of the City of Port Colborne hereby authorizes and directs Niagara Region or its agent to sign and register electronically the Transfer Easement on behalf of The Corporation of the City of Port Colborne and to make any changes that may be necessary to affect registration.

DATED at the City of Port Colborne this            day of            , 2018.

**The Corporation of the City of Port Colborne**

Per: \_\_\_\_\_

Name:

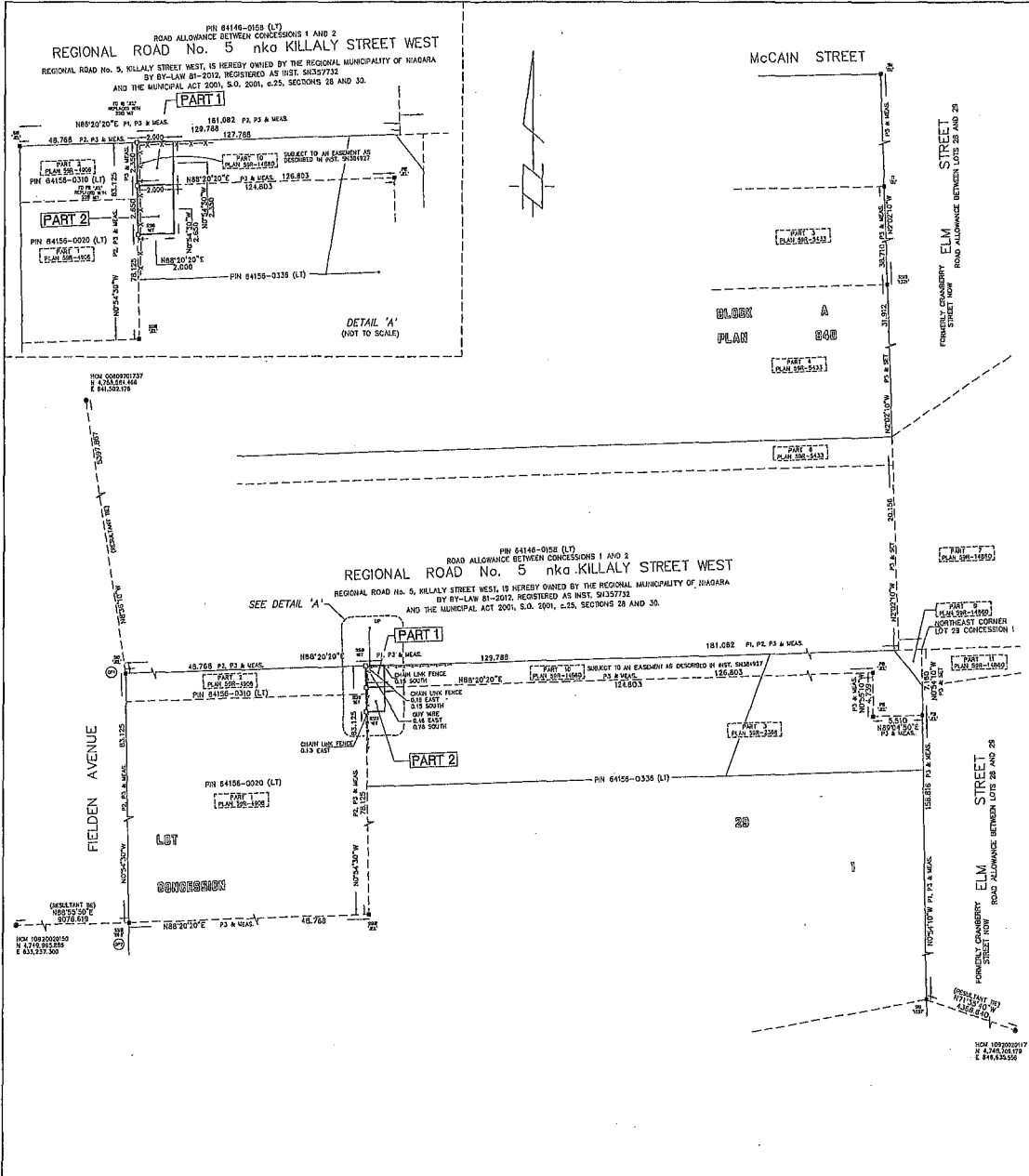
Title:

Per: \_\_\_\_\_

Name:

Title:

I /We have the authority to bind the corporation



**1. REVIEW THIS PLAN TO BE**  
 APPROVED FROM THE  
 LAND TILES ACT.

DATE: JULY 16, 2015

**PLAN 58R-15404**

RECEIVED AND REGISTERED  
 DATE: Aug. 12, 2015

*R. Jant*  
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR  
 THE LAND TILES DIVISION OF  
 NIAGARA COUNTY (S)

**SCHEDULE**

PART	LOT	CONCESSION	PIN	GRANTEE	AREA
1	PART OF LOT 29	CONCESSION 1	6416-2018 (L1)	THE CORPORATION CITY OF PORT COLBORNE	6.7 HECTARES

PART 1 IS SUBJECT TO AN EASEMENT AS DESCRIBED IN NOTE 50324137

**PLAN OF SURVEY OF**  
**PART OF LOT 29**  
**CONCESSION 1**  
 GEOGRAPHIC TOWNSHIP OF HUMBERSTONE, NOW ALL BY THE  
**CITY OF PORT COLBORNE**  
**REGIONAL MUNICIPALITY OF NIAGARA**

SCALE 1:200

LEITCH & OLMORE SURVEYING LTD.  
 2015

**LEGEND**

<ul style="list-style-type: none"> <li>MONUMENT SURVEY MONUMENT FOUND</li> <li>STANDARD IRON BAR</li> <li>SHORT STANDARD IRON BAR</li> <li>ROUND IRON BAR</li> <li>IRON PIPE</li> <li>ALUMINUM BAR</li> <li>CUT CORNER</li> <li>WOOD MONUMENT</li> <li>STONE MONUMENT</li> <li>WOOD MONUMENT</li> </ul>	<ul style="list-style-type: none"> <li>2015 MONUMENTS</li> <li>S. &amp; L. LAND, CO.</li> <li>R. LANDON, C.S.</li> <li>B.R. BACON, C.S.</li> <li>S.E. HART, C.S.</li> <li>PLAN 59R-2158</li> <li>PLAN 58R-15404</li> <li>PLAN 58R-15404</li> <li>HORIZONTAL CONTROL MONUMENT</li> </ul>
---	---

THE LOCATION OF FOUND MONUMENTS HAS NOT BEEN VERIFIED

**INTEGRATION DATA**

COORDINATES ARE OBTAINED FROM SPECIFIC CONTROL POINTS (2015), 1985/2011 AND 1985/2011 TIME ZONE 17, NAD 83 (ORIGINAL)

OBSERVED POINTS (S): UTM ZONE 17, NAD83 (ORIGINAL)

POINT ID	NORTHING	EASTING
008190737	4,258,284.168	641,592.178
100200209	4,249,983.510	632,537.300
1002002017	4,248,709.110	643,533.538
OP 1	4,250,248.17	643,502.39
OP 2	4,250,165.18	643,704.11

**CAUTION**  
 COORDINATES CANNOT BE INTERPOLATED, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**BEARING NOTE**  
 BEARINGS SHOWN HEREON ARE WITH GRID BEARINGS AND WERE DERIVED FROM SPECIFIC CONTROL POINT 008190737, 100200209 AND 1002002017 UTM ZONE 17, NAD 83 (ORIGINAL).

**NOTE**  
 A CONVERSION OF 1" = 20' AT A CORNER CLOCK-WISE CORRECTION HAS BEEN APPLIED TO BEARINGS ON PLAN 58R-1908 TO ACCOUNT FOR THE DIFFERENT REFERENCE MERIDIANS.  
 A CONVERSION OF 1" = 40' AT A CORNER CLOCK-WISE CORRECTION HAS BEEN APPLIED TO BEARINGS ON PLAN 58R-2336 TO ACCOUNT FOR THE DIFFERENT REFERENCE MERIDIANS.

**METRIC NOTE**  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**NOTE**  
 DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES AND CAN BE USED TO COMPUTE GRID COORDINATES BY MULTIPLYING THE DISTANCES BY A CORRECTED SCALE FACTOR OF 0.99999294.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THE SURVEY AND PLAN ARE CONDUCTED AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEY ACT AND THE LAND TILES ACT AND THE REGULATIONS MADE THERE UNDER.
- THE SURVEY WAS COMPLETED ON JULY 16, 2015.

DATE: JULY 16, 2015

*M. Jant*  
 MARIO OLMORE  
 ONTARIO LAND SURVEYOR

LEITCH & OLMORE SURVEYING LTD.  
 1710 CLARKE ST. PORT COLBORNE, ONT. (M9) 509-5077

SCALE: 1:200 OR BY THE SURVEYOR'S JEL FILE: 21-472 RECORD FILE: LS-15-032 F-1031

Report Number: 2018-73

Date: June 11, 2018

**SUBJECT: Chippawa Estates Draft Plan of Subdivision**

**1) PURPOSE**

The purpose of this report is to request Council's approval to set a new lapsing date for the Chippawa Estates Draft Plan of Subdivision.

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

On July 12, 2010, Council approved By-law 5494/91/10 for the Chippawa Estates Draft Plan of Subdivision. The Draft Plan of Subdivision proposed 19 single detached residential lots on 1.96 hectares.

Council's 2010 approval did not include a lapsing date in order to clear conditions. In May of 2012 a report was brought forward to then set a lapsing date for July 12, 2014.

**3) STAFF COMMENTS AND DISCUSSIONS**

Upon review of the file, Planning Staff has concerns that the owner of the property may not have been notified of the lapsing date.

To be on the safe side, Council's approval to set a new lapsing date to June 11, 2019 is recommended. If there are any changes to the draft plan of subdivision or a request for an extension would require Council's approval.

**a) Do nothing.**

N/A

**b) Other Options**

Although not recommended, Council could set a further lapsing date.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A

**6) ATTACHMENTS**

None.

**7) RECOMMENDATION**

That By-law 5806/61/12 be amended and that the by-law setting an expiration date of June 11, 2019 for the Chippawa Estates Draft Plan of Subdivision be approved.

**8) SIGNATURES**

Prepared on May 24, 2018 by:



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

Reviewed and respectfully submitted by:



C. Scott Luey,  
Chief Administrative Officer





**Chief Administrative Officer  
Special Projects and Corporate Strategic Initiatives  
Division**

**Report Number: 2018-83**

**Date: June 11, 2018**

**SUBJECT: Strategic Planning exercise results from Strategic Planning meetings held on April 20 and 21, 2018**

**1) PURPOSE**

To provide Council with the final results including minutes of the meetings held to consider Strategic Planning initiatives for the City of Port Colborne.

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

Council approved conducting a mid-term strategic planning session to provide additional review of issues and opportunities that could be worked on, both in this term as well as generate additional analysis of potential projects for the new 2018–2022 Council to consider.

Council budgeted for a new Economic Development Strategy Planning Exercise (EDSPE) as requested by the City's Economic Development Advisory Committee (EDAC) in its 2017 budget. A contract was awarded for this to MDB Insight in September 2017. A final report was received by Council and approved in March 2018.

In addition, in early 2017 City Council approved at the request of CAO Luey funding to complete an independent Port Colborne Organizational Review (PCOR), of the City's current corporate structure. CAO Luey along with StrategyCorp completed this major review in August of 2017. With final Council approval of the recommendations contained in the report, CAO Luey implemented the organizational changes over the next four months. These changes involved restructuring of assignment of several City departments, reassignment of reporting roles and several new management positions being recruited.

It was recommended by the Manager of Strategic Projects that the strategic planning session originally planned to be conducted in mid-2017 be delayed until after the results of the EDSPE was received and available for discussion during the strategic planning exercise. In addition, with the corporate structural changes resulting from the implementation of the PCOR, this delay provided senior staff the time to become more familiar with their new departments and the issues they were working on as well as the challenges that needed additional work.

A survey was conducted along with one on one interviews with all members of Council and senior staff and this survey is attached for background and information to this report. A summary of all Council and staff comments/additions was then used to facilitate the discussions at the strategic planning sessions held on April 20 and 21, 2018. It is important to note that all comments/items were not assigned to their presenters but

represented the totality of all Council and staff input on a confidential basis, to avoid any possible bias. (Attachment 3)

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

The strategic planning session was open to the public and members of the public were invited by the facilitator at the beginning of the session to offer any items they wished for discussion during the session. Several members of the public took an opportunity to do so and also offered comments during the session as it proceeded.

Based upon the recorded minutes of the discussions, as facilitator, Mr. Vincent prepared a Strategic Plan Directions Document, (SPDD). The preparation of the document also engaged senior staff who participated in the SPDD in vetting the conclusions reached by the facilitator and it is with this process completed the 2018 Strategic Plan Directions Document is being submitted to City Council for final review and approval.

### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

#### **a) Do nothing.**

Not recommended.

#### **b) Other Options**

Approve the SPDD as an outline of issues additional research that will enable the 2019 Budget process as well as other identified strategic initiatives to be worked on by staff and possible final submission to the 2018-2022 Council for consideration and/or amendment.

### **5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Completion of a Strategic Plan to assist and guide Council and staff in the future delivery of City services is a vital asset in the successful completion of goal.

### **6) ATTACHMENTS**

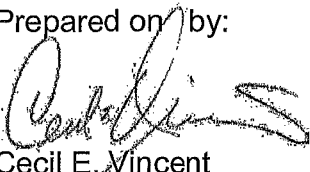
1. Strategic Directions Final Document
2. Other issues for future Council direction.
3. Original Strategic Planning Survey Document sent to Council and Staff
4. Summary of response from Council and staff used to create agenda for April 20/21 2018 Strategic Planning Session.

### **7) RECOMMENDATION**

That the Strategic Directions document attached to Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives Division report 2018-83 be approved.

8) SIGNATURES

Prepared on by:



Cecil E. Vincent  
Manager of Special Projects  
and Corporate Strategic Initiatives.

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer



PORT COLBORNE

## 2018 STRATEGIC PLAN DIRECTIONS

## SUGARLOAF MARINA (SM)

#	Direction	Responsible Dept.
SM 1	Staff directed to issue a Request for Proposal (RFP) for professional engineering services to manage the Sugarloaf Marina dredging project. (A budget of \$300,000 is allocated to the project. Staff are currently in the process of preparing the RFP, and it is expected to be issued in May of 2018.)	Community and Economic Development
SM 2	Staff directed to evaluate options to use existing City owned lands north of lands leased to ADM. (Initial investigation indicates that approximately 15% or 24 boats are on trailers that could be moved down the street to a storage lot on King Street. This would free up some storage area in our parking lot and storage compound for sailboats and larger boats. Temporary fencing would be needed for the first year before investing in permanent fence. We might have to purchase more fencing and potentially another security camera for this venture. Final staff report required.)	Community and Economic Development
SM 3	Staff directed to complete legal notice documents with solicitor and to bring to Council recommendations and a policy for amendments to Boat Storage Policy to provide legal basis for designation of and disposal of "abandoned boats", including legally based amendments to storage agreements which provide marina with signatures and approval from boat owners to those conditions prior to this winter's storage season. Staff directed, with advice of legal Counsel, to implement disposal process on any such designated boats as soon as possible. Further, that staff incorporate into Marina agreement the stipulation that boats must be kept in good working order and condition.	Community and Economic Development
SM 4	Staff directed to show all surplus revenues in 2018 as a contribution to Capital Reserves for future marina maintenance and capital replacements.	Corporate Services and Community and Economic Development
SM 5	Staff directed to identify the process to see the creation of a Master Plan to guide future development and investment in Sugarloaf Marina, and that the Director of Community & Economic Development be directed to prepare a report	Community and Economic Development

#	Direction	Responsible Dept.
	respecting same prior to 2019 budget deliberations. Further, that the Condition Assessment Report of Marina Docks be presented to Council and referred to 2019 budget deliberations.	
SM 6	Staff directed to prepare detailed method to collect and assess Sugarloaf Marina user suggestions, concerns and improvement ideas for annual review by marina staff where appropriate, and that the Director of Community & Economic Development be directed to prepare a report for Council outlining the process.	Community and Economic Development
SM 7	That the direction to investigate the feasibility and associated financial impact of constructing a pedestrian walkway, including possible access to the berm, as an attractive amenity for non-boaters, be examined during the development of the Sugarloaf Marina Master Plan.	Community and Economic Development
SM 8	Staff to prepare a formal cost estimate for a backdrop photo area at marina for use in promoting various activities that use the marina including fishing charters, fishing contests and non-boater fishing activities by the public. Staff will investigate further opportunities to access Niagara South Coast Tourism Association involvement in the promotion of the marina as a tourist attraction.	Community and Economic Development

#### **CANAL DAYS (CD)**

#	Direction	Responsible Dept.
CD 1	Staff directed to initiate a consultation process following the conclusion of the 2018 Canal Days festival, to solicit input from the Downtown BIA, Main Street BIA, Council, sponsors, citizens, and other stakeholders, to examine methods by which to strengthen the financial, business, and tourism impacts of the festival, with a report to Council for deliberation during 2019 Budget process.	Community and Economic Development
CD 2	Staff directed to initiate discussions with St. Lawrence Seaway Management Corporation and Federal Ministry of Transportation to address loss of canal wall infrastructure, the need to put in place a definitive repair and maintenance plan to mitigate the negative economic impacts that current policy is having on City and the Region of Niagara, and to report on these discussions on an on-going basis to Council.	Chief Administrative Officer
CD 3	Staff directed to prepare a report following the conclusion of the 2018 Canal Days festival regarding the costs/benefits related to in-house versus contracted sponsorship activities and efforts.	Community and Economic Development
CD 4	Staff directed to complete an Economic Impact Study of the 2018 Canal Days festival and prepare a report for Council's consideration respecting same.	Community and Economic Development

**NICKEL BEACH (NB)**

#	Direction	Responsible Dept.
NB 1	Staff directed to work toward finalizing the development of a new lease arrangement with Vale respecting Nickel Beach before 2019 budget deliberations, to include efforts to secure Vale's support (financially and otherwise) for the City to undertake various improvements to the property, including investigating the construction of additional parking space and security at Nickel Beach.  Further, that improved parking and other beach amenities be included in the Parks and Recreation Master Plan.	Chief Administrative Officer and Community and Economic Development
NB 2	Staff directed to include in the Parks and Recreation Master Plan the issue of potential options to complete the improved parking at Nickel Beach, including financing options for the improvements and annual operating cost recoveries for new services.	Community and Economic Development
NB 3	Staff directed to prepare a report to Council with detailed recommendations for a new and improved method for a city-wide promotion of attractions such as our beaches, bike trails, marina, Roselawn, etc.	Chief Administrative Officer and Community and Economic Development

**ROSELAWN CENTRE FOR THE ARTS (RC)**

#	Direction	Responsible Dept.
RC 1	Staff directed to complete an interior assessment of Roselawn Centre for the Arts to develop an interior capital improvement plan and provide this plan with associated costing as a part of the 2019 City budget process.	Engineering and Operations
RC 2	Staff directed to prepare a report for Council prior to 2019 budget deliberations detailing the process and estimated costs to retain a consultant to prepare a master plan and business plan to maximize the use of the complete Roselawn Centre and achieve financial self-sufficiency.	Community and Economic Development

**VALE HEALTH & WELLNESS CENTRE (VC)**

#	Direction	Responsible Dept.
VC 1	Staff directed to investigate options/costs to retrofit the existing exit door at north corner of the lobby of the Vale Health & Wellness Centre into an entrance/exit that is accessible to persons with disabilities, and prepare a report to Council.	Engineering and Operations
VC 2	Staff directed to continue efforts within budget to improve issues related to noise reduction in the Golden Puck Community Room at the Vale Health & Wellness Centre.	Engineering and Operations

## PARKS AND RECREATION MASTER PLAN (PRMP)

#	Direction	Responsible Dept.
PRMP 1	<p>Staff directed to complete RFP for the development of a Recreation Master Plan with the following items to be included for study:</p> <ul style="list-style-type: none"> <li>• Welland Canal and Friendship Trail visioning exercise.</li> <li>• Future Development of Humberstone Centennial Park and Beach</li> <li>• Pleasant Beach access and Parking</li> <li>• Potential for a Recreational Waterway in Port Colborne, (Forks Road to West Side?)</li> <li>• Future status/improvements of City owned Community Centres.</li> </ul>	Community and Economic Development
PRMP 2	<p>Staff directed to continue the City efforts to see the successful Implementation of new wayfinding signage on City Bike routes and follow the standardized format under the Niagara Region Route Identification and Destination Wayfinding Signage for Cyclists.</p> <p>Staff are continuing to work with the Active Transportation Advisory Committee in exploring available funding sources to support the development of an Active Transportation Master Plan to guide the City's development as it relates to cycling and active transportation initiatives and investments into the future.</p>	Community and Economic Development

## ECONOMIC DEVELOPMENT DIVISION (ED)

#	Direction	Responsible Dept.
ED 1	Staff directed to develop strategies and actions geared at making Port Colborne an "investment-ready community".	Community and Economic Development
ED 2	Staff directed to develop an implementation work-plan and schedule based on the strategies outlined in the Economic Development Strategic Plan, for review by the Economic Development Advisory Committee, and presentation to Council.	Community and Economic Development
ED 3	Staff directed to develop programs to promote Port Colborne arts, culture and heritage.	Community and Economic Development
ED 4	Staff directed to develop a public art policy and plan.	Community and Economic Development
ED 5	Staff directed to develop a tourism development strategy and action plan.	Community and Economic Development

ED 6	Staff directed to undertake new tourism marketing and branding exercise.	Community and Economic Development
ED 7	Staff directed to develop a business visitation program (and include a welcome to Port Colborne element for new businesses) to facilitate business retention and expansion.	Community and Economic Development
ED 8	Staff directed to develop sector development strategies.	Community and Economic Development
ED 9	Staff directed to investigate methods by which to collect and analyze data to quantify the impact that City events, sport and recreation activities, have on the City's economy and tourism, and to incorporate this analysis into staff reports presented to Council respecting same, on a go-forward basis.	Community and Economic Development
ED 10	Staff directed to consult and develop a plan regarding business retention during the construction of the Downtown Community Improvement Plan.	Community and Economic Development

### HEALTH SERVICES (HS)

#	Direction	Responsible Dept.
HS 1	Medical Education, Recruitment and Health Services Committee is requested to consider holding a Strategic Planning session with doctors and community partners to solicit input regarding health care in the community and ways to attract new physicians.	Community and Economic Development

### CITY GRAIN ELEVATOR (CGE)

#	Direction	Responsible Dept.
CGE 1	Staff directed to present as a part of 2019 budget information, a detailed analysis of the current final demolition deficit and need for Council direction/action on financing the deficit.	Corporate Services
CGE 2	Staff directed to conduct a Strategic Planning session on future potential uses of the site post operations as a grain elevator, to include commercial and residential redevelopment opportunities.	Chief Administrative Officer

### OTHER: STORM SEWER FINANCING STRATEGY

#	Direction	Responsible Dept.
SSFS 1	Staff directed to prepare a report for Council/Public input to outline the options to create a storm sewer annual fee schedule which would finance ongoing storm sewer upgrades in the urban area and schedule appropriate public consultations to obtain citizen input prior to a 2019 final decision by Council.	Corporate Services and Engineering and Operations



## Attachment (2)

### 2018 STRATEGIC PLAN

#### Items for future Council direction.

1. Need a stronger effort to create poverty reduction strategies.
2. Pleasant Beach access and parking needs addressing and solving. Create a parking lot for beach.
3. Physician Recruitment, need to review and update funding commitments, staffing and possible committee expansion.
4. Urgent Care Centre in Port Colborne must remain a 24-hour operation. What do we have in commitments on this? We need to become a strong advocate for our urgent care centre, and that its role be expanded.
5. Continuing growing need for new doctors with more doctor retirees imminent.
6. Consider getting rid of ward system so that a more Citywide approach to government is the result.
7. We need a plan for our budget that limits the budget increases to COLA as a way to limited negative impacts on those whose incomes are so controlled.
8. A tiered City fee structure to assist those on low and fixed incomes to stay in tier homes.
9. More responsive snow removal in downtown core.
10. Biggest issue is greenhouse and grow-ops, private license, time for a comprehensive review of local ability to license and provide direct inspection an oversight. Inspection by City staff and non-compliance with approved number of plants would result in license cancellation
11. "Paraphernalia" stores must be located in a zone other than residential or perhaps in industrial zones in rural wards.

## **Attachment (3)**

### **Original Council Staff Strategic Planning Survey Document.**

#### **Strategic Plan Questions for Council and Staff Interviews**

With all members of Council having been engaged in several Strategic Planning processes over the past number of terms, I would like to engage Council and staff in a more directed approach to the upcoming Strategic Planning exercise.

Council and senior staff have been very engaged in substantial efforts to review several key issues to improve the City's delivery of services and its long term planning to sustain its ability to deliver its mandated services to its citizens.

The recently completed and Council approved Corporate Organizational Review by Strategy Corp., when completely implemented, will result in a renewed focus of service delivery and planning under an updated departmental reporting structure and direct reports of same to the Chief Administrative Officer.

The final implementation of all the recommendations will be completed in early 2018 and will require staff responsibility changes and additions of new staff to address both recent departures but also new job responsibilities.

Work is currently ongoing by MDB Insight consultants to develop a new Economic Development Strategy for the City. MDB has engaged senior staff and the Council appointed EDAC committee in facilitating and providing detailed input into the best economic development strategy for the City to pursue over the next 5/10 plus years, subject to adjustment as required.

This effort includes outreaches to the broader community including four focus group meetings and a direct interview with approximately 20 of our local/regional business leaders. The process also involves a public focus group and a telephone survey to validate the issues being suggested for inclusion into the long-term economic planning objectives for the City.

This report is scheduled to be presented to Council in late January and its recommendations will be used as a key item for Council review and possible inclusion in the Strategic Plan.

At the upcoming Strategic Planning session, Council will receive updates on the City financial/debt position, current status on planned capital works and CIP initiatives. Further direction on these items will be sought at that meeting.

The series of questions which follow are intended to attempt to identify and focus on issues other than those being addressed in the above and pending staff Strategic

Planning presentations. It is my request that both members of Council and identified senior staff consider the questions in a completely unencumbered basis (Please say what is on your mind!). No one response will be identified as coming from a specific responder but will be grouped under similar areas of response to permit full discussion at our 2018 Strategic Planning session in February.

I would like to arrange for in-person interviews with members of Council and staff at a time convenient to you between Monday November 6 and Wednesday November 15. If members of Council could provide the best day and time for that period, I will do my best to arrange to meet those times. I will contact responders to arrange a suitable location for the meeting. I will meet with staff at work when they can provide the time to do so.

Thank you for your consideration of this request.

Cecil Vincent  
Manager of Special Projects and Strategic Initiatives

#### Council responses to Questions

As a member of Council or senior staff, you bring a unique view to the services that the City of Port Colborne provides to its citizens and its visitors both seasonal, event based, and the facilities that the City maintains and, in some cases, operates directly. Are their specific concerns, changes in current operations/ownership that you would ask this planning process to highlight for further review and report on change options to Council?

#### Sugarloaf Marina

- Dredging of Marina a priority, when will this be undertaken?
- Weed growth in mid-season a restriction on ease of use of Marina, solutions?
- Parking and winter storage need expansion
- Create a pedestrian bridge / walkway from western entrance to Marina to berm / break wall and a walkway along top of break wall surrounding the small boat loading area. Need to attract non-boating public to use the area fishing off walkway example of this potential.
- Marina maintenance an issue need more dedicated evaluation and promotion of use of facilities for non-boating uses by general public, family barbecues etc. Promote as a community asset.
- A number of boats have been in storage for an extended period of time without using the Marina, what is status of these, are they abandoned, can City dispose of same and / or collect fees and free up storage area. (registration number should identify owners)
- Is Marina being property maintained? Where is study of needed investments to maintain the Marina properly?
- Want a fully transparent accounting of costs for the Marina, a business based Profit & Loss based statement. What do we do in off-season, re: maintenance and permanent staff assignments?

- Stay in City hands, but consider setting up as a independent City owned corporation
- Develop a business plan for next five plus years, capital needs, involve users in future of Marina.
- Not for sale. Needs improvements in weed harvesting, and should possibly revisit users committee.
- Need a fishing Pier to expand Citizen / non-boater access to our marina asset.
- Maintenance of Marina needs more / quicker attention.
- Keep in City hands a true Community asset.
- Must remain in City hands but a long-term growth strategy is needed. Also, need to ensure accountability measures are followed when evaluating progress.
- Like progress, it is making.
- Need new fishing tournament to add to promotion of Marina and public access to Lake Erie.

#### Roselawn Centre

- Tremendous Asset that needs a committed Council initiative to fund and complete structural changes and repairs.
- Need to bring more private sector use into the Centre
- Needs fixing up and structural study findings need to be addressed starting now.
- Consult with user groups for their input and ideas on expanding opportunities to expand use especially those that promote tourism and Citizen use of facility.
- Strongly supportive of City ownership. City needs to get more aggressive in its efforts to grow the Centre and its use by all citizens.
- Explore possible lease options as a way to grow the center.
- Council needs to move faster and address issues with physical facility and promotion of a wider use of the facility for all the Community.
- We need a long-term growth vision strategy, Strategic plan session.
- Keep in City Hands. Continue to expand and develop it use.
- Engage private sector partners, rehab building and grounds. More attention needed to ensure sidewalks; roads and property's surrounding facility are kept up to standards.
- Need a master Plan for its development and engagement of private sector partners.
- Possible use for some residential uses?
- Need a business model to identify more revenue generating options.

#### Nickel Beach

- Needs additional parking outside beach area
- Follow up on fence repairs along north side of sand dunes, (Vale Inco?)
- Need for better and more signage to direct people to the Beach.
- Need to work on improving streetscape, property standards enforcement on road to Nickel Beach.
- Beach is not promoted properly, it is a great asset

- Need to address parking, without same access is made more difficult.
- Need services at beach, private sector, Not City financed.
- Tie in to Bike tourism and market beach as a part of overall tourism attractions.
- Need to improve washrooms and parking. Try to collaborate with Vale Inco on renewed vision use of Beach.
- Need to get final legal control over beach and to get serious about improvements needed to change the beach from a sandy area to an attraction for not only Port residents but also all Niagara!
- Keep in City Hands.
- Currently Nickle Beach lacks a Vision; need update on status of lease agreement between City and Vale. No parking on Beach should be permitted, a new parking area adjacent to beach entrance needs to be built.

#### Canal Days

- Can we get more tall ships as part of Canal Days, need to re-enforce our marine heritage as focus of Canal Days.
- Needs a reboot, consider less days, possibly a two day festival. Possible additional private sector driven changes?
- Seems to be some disagreement within current users / participants on how Canal Days should evolve.
- How do we grow and expand its positive impacts on the City as a whole.
- Need a specific strategic planning session on this event to gather all possible ideas.
- Sponsorship needs renewed efforts. Promote its uniqueness.
- Try to identify additional Crowd-pleasing events and efforts to ensure access to events at many locations as possible.
- Need to get better control over our budgeting efforts, overspending and overestimating revenues seems to be a consistent problem. Should it be reporting to a Council committee?
- Working pretty well but sponsorship has weakened. Need focus staff to re energize this effort.
- What is true cost of it and can economic impacts of events be spread to other commercial sectors of community.
- Possibly smaller events with a one day focus.

#### Vale Health & Wellness Centre

- More Handicap parking needed on south side nearer soccer fields
- Roof leaking needs a final fix
- Community room noise issues need resolution but overall a great facility
- Problem with leaks continue but overall well received as a new city asset.
- Centre attracts people to Port and is now a marketing tool for the City.
- Fix leaking roof and improve acoustics in Community room.

#### City Grain Elevator (Leased to P&H)

- Quarantine wall appears to be failing, what are options for repair / maintenance.

- Investigate in the longer term what are the possibilities of conversion post commercial operations for a residential location.
- Need to review future-status under this Strategic planning session. Future of site, other uses etc.
- Site for a light show on side to attract visitors to HH Knoll Park / Marina area.
- No Issues

#### City-owned rail lines

- Road crossing maintenance still an issue that needs to be addressed on an expedited basis.
- Update for Council on any issues related to City ownership of east side and west side rail lines.
- Need Crossing issues update from staff.
- Improve crossings

#### Other

- Industrial land servicing on East side planned but unlikely until 2019. Need to work aggressively with Region to make this a priority.
- Residential land development needs to become a primary focus for growth of City.
- Cross walks at Catherine and Clarence
- Need for Residential land
- Consider getting rid of ward system so that a more Citywide approach to government is the result.
- Move on CIP downtown
- Pleasant Beach access and parking needs addressing and solving. Create a parking lot for beach.
- Final resolution to garbage pick up at Pleasant Beach needs to be finalized and enforced.
- Build a fishing Pier at marina area.
- Humberstone Centennial Park needs a visioning document to guide future uses and growth of this facility.
- Welland Canal Trail and Friendship Trail would benefit from a Visioning exercise.
- A Recreational waterway in Port Colborne should be put to a Visioning exercise to identify potential for it. Possible from Forks Road to West side?
- CIP downtown needs to move ahead.

Municipal government is the closest to the citizens that it services, and as a member of Council or senior staff, you may have been approached with suggestions that the presenter believes needs to be addressed and, if corrected, would be a benefit to the City as a whole.

Can you provide any questions/suggestions that you would like to see included in the upcoming Strategic Planning session for discussion and possible forwarding to staff for additional study and action?

- Bike Paths, need to identify and signage for bike paths within City / downtown etc.

- City openness and promotion of “Tiny Houses” as a possible empowerment for addressing some of our poverty based issues. Possible partnership with organizations or private sector to promote it.
- Perception that Property standards are not being enforced consistently and that some of our bylaws are now antiquated. How do we address both issues? More staff, new by-laws etc.
- Modular housing, container housing, tiny housing. Where do we as a City stand on this?
- Canal Lands clean up. Need to force clean up as the Canal Lands are an attraction for City to market.
- Promote little houses as a way to address lack of affordable housing for low-income seniors and singles.
- Storm Sewer funding. Can we use similar approach as in rural areas with a special assessment to benefiting properties?
- We need a plan for our budget that limits the budget increases to COLA as a way to limited negative impacts on those whose incomes are so controlled.
- More attention to safe road crossings (for pedestrian traffic), seniors.
- We need a stronger focus on Tourism as a tool for economic development and expanding residential development.
- A tiered City fee structure to assist those on low and fixed incomes to stay in tier homes.
- More responsive snow removal in downtown core.

While most City services provided are the result of the Ontario Municipal Act, many communities also have involved themselves in non-mandated areas of concern to their citizens. The City of Port Colborne has been an active defender, advocate for several issues in the past, and continues in a somewhat reduced form now such as saving locally provided hospital services and funding physician recruitment efforts, to name two. Are there any issues, services that the City should review for its current level of involvement in or that we should possibly consider engaging more directly in?

- Physician Recruitment, need to review and update funding commitments, staffing and possible committee expansion.
- Urgent Care Centre in Port Colborne must remain a 24 hr operation. What do we have in commitments on this?
- Continuing growing need for new Drs. in Port with more doctor retirees imminent.
- We need to become a strong advocate for our urgent care centre, and that its role be expanded
- NSCTA need renewed membership commitment, City needs a tourism focus; expand our waterfront access, possible fishing charters development.
- Need access by foot to break wall.
- Biggest issue is greenhouse and grow-ops, private license, time for a comprehensive review of local ability to license and provide direct inspection an oversight. Inspection by City staff and non-compliance with approved number of plants would result in license cancellation.

- Highlight Lighthouse for promotion of City Marine heritage. Solar based lighting of lighthouse exterior.
- “Paraphernalia” stores must be located in a zone other than residential or perhaps in industrial zones in rural wards.
- City could be the driver of “Tiny” house development by providing lands, waiving fees, providing staff supports and entering into partnerships with the private sector and colleges, universities and other public sector members.
- Need a stronger effort to create poverty reduction strategies.

Any other issue/item that you would like to see added to the Strategic Planning session? Any Ward specific issues?

- When is the Wellington watershed issue going to be addressed?
- Storm water management in general, where are we as a City in dealing with this in the long term?
- What is status of zoning and compliance of quarry operations in City, particularly in rural ward.
- Centennial Park needs a refresh.
- Community Centers need a refresh.
- Parks and Recreation master plan is needed.





Report Number: 2018-80

Date: June 11, 2018

**SUBJECT: Niagara Regional Housing Property Tax Exemption Analysis**

**1) PURPOSE**

To request that Council provide a response to the Niagara Region's request to provide input on a possible Niagara Regional Housing (NRH) property tax exemption as presented in Niagara Region Report (CSD 36-2016) as attached.

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

The Municipal Treasurers in Niagara have been requested to bring forward to their respective Councils input regarding Regional Correspondence "Niagara Regional Housing Property Tax Exemption Analysis" included with the Niagara Region Report (Appendix "1"). The recommendation to be circulated "to Lower-tier Area Municipalities (LAM) Councils for input and a willingness to participate" in the tax exemption policy.

The Region's purpose of the analysis "was to respond to Council enquiry on ways in which NRH owned units' property taxation could be eliminated. The objective of eliminating or reducing NRH's operating budget used to pay property taxes is that it could be repurposed to other service requirements." This would be accomplished by designating the properties as municipal capital facilities and exempt them from all Regional (General Levy and Waste), City and Provincial Education taxes.

NRH operates and manages more than 2,600 public housing units in high-rise, low-rise, townhouse and detached houses for families, adults and seniors in Niagara. These units include both affordable housing as well as Rent-Geared-to-Income units where rents are limited to 30% of household income. NRH also provides legislative oversight to non-profit and cooperative social housing providers and has agreements with private landlords to provide rent supplements.

The NRH taxes by municipality were listed in Table 1 to the Regional Report using 2016 assessments and rates, with total taxes paid of \$4.8 million. Port Colborne properties were assessed at \$4.5 million and paid a total of \$138,441 in residential or multi-residential property taxes, broken down as follows:

City	\$70,038
Regional Levy	51,495
Regional Waste	8,362
Education	<u>8,546</u>
Total	<u>\$138,441</u>

If NRH properties were tax exempt under Section 110 of the Municipal Act, the City will have a shift in taxes to make up for the shortfall in revenue lost amounting to approximately \$70,000 or 0.46% tax rate increase.

The five scenarios are identified in the Region's report as follows:

Scenario 1: Status quo, which keeps the NRH properties taxable and maintains the existing NRH and Region levy budgets.

Scenario 2: Exempt NRH properties from tax and remove associated NRH tax expense from the NRH and subsequent Region levy amounts. The net levy savings from reducing the NRH budget by an equivalent amount are returned to Regional taxpayers but the LAM revenue shortfall would require an increase to LAM taxes. This does not provide any additional funding to NRH.

Scenario 3: Exempt NRH properties from tax, maintain the NRH and Region levy amounts and provide a grant to LAMs to offset tax impacts. The remaining NRH tax budget would be repurposed to the other budget areas by the equivalent of the Regional and Education taxes. This would provide an additional \$2.65 million to NRH.

Scenario 4: Do not exempt NRH properties, but rather increase NRH and Region levies by an amount equal to the tax rate increase under Scenario 3. This scenario compares the impact on the NRH budget that could be provided without having to go through the process of designating properties as municipal capital facilities. This scenario provides \$2.02 million in additional NRH funding but requires increased Regional tax rates.

Scenario 5: Exempt NRH properties, provide a grant to LAMs to offset the tax impacts, and reduce the NRH and Region levy to an amount that would maintain the existing tax rate. NRH would get additional service budget space equal to the waste and education property taxes and the impact on property owners in the Region would be a small increase in waste taxes with minimal impact on Region or LAM taxes. This would provide \$0.6 million in additional NRH funding.

### 3) STAFF COMMENTS AND DISCUSSIONS

Table 4 of the Regional report summarizes the total typical household tax annual impacts of the scenarios of all municipalities. Appendix 1 on page 18 of the Regional Report estimates the impacts for Port Colborne for a typical household (assessed at \$175,485) as follows:

Scenario	\$ Change from Status Quo	% Change from Status Quo	\$ Total Levy
1	0	0	2,904.23
2	(1.64)	(0.06)	2,902.60
3	7.21	0.25	2,911.44
4	6.45	0.22	2,910.68
5	0.76	0.03	2,904.99

Scenario 2 shows a decrease in total taxes but an increase to Port Colborne's taxes and no new funding is added to the NRH budget.

Scenarios 3 to 5 show an increase in tax ranging from 0.03% to 0.25% per household.

The estimated impact of increased NRH budget with increased units and reduced wait lists is summarized on pages 7 to 10 of the Regional report. Should Council wish to provide assistance to NRH budgets to enhance affordable housing options, the lowest impact to taxpayers is Scenario 5 with a \$0.76 annual increase to Port Colborne households, however, it provides for a grant to the municipality to offset the tax impact which could be phased out or eliminated by the Region in the future.

Other municipalities have considered additional alternatives, including a phase-out of the offsetting Regional grant (Scenario 3) over four years (St. Catharines), a request for the development of a 'White Paper' regarding property taxation of NRH properties with broad consultation of all stakeholders (Welland) and Scenario 5 providing some additional funding for affordable housing with the lowest impact on taxpayers (Fort Erie).

As the City does provide various municipal services for residents of these properties which are paid for through property taxes and other private providers may seek relief from property taxation similar to the NRH, staff supports Scenario 1 which is the status quo of the NRH properties remaining taxable. In addition, it is stated that there is "limited precedent in Ontario for exempting affordable housing from taxation".

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing.**

This is not recommended as the Region is looking for Council's input regarding this matter.

**b) Other options**

Council can choose to support any of the above noted Scenarios.

Staff recommend the status quo scenario which is Scenario 1 as exempting the properties may have a 0.46% impact on the taxpayer and other granting scenarios to the municipalities could be phased out or eliminated by the Region in the future having a tax rate impact to the City.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not applicable.

**6) ATTACHMENTS**

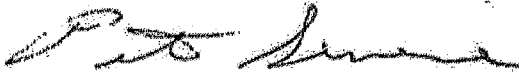
Appendix 1 – Niagara Region Report CSD 36-2016 RE: Niagara Regional Housing Property Tax Exemption Analysis and correspondence.

**7) RECOMMENDATION**

That staff be directed to notify the Niagara Region that the Council of the City of Port Colborne supports Scenario 1 being the status quo in keeping the Niagara Regional Housing properties taxable.

**8) SIGNATURES**

Prepared on May 30, 2018 by:



Peter Senese  
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

March 5, 2018

CL 3-2018, March 1, 2018  
CSC 2-2018, January 31, 2018  
Correspondence CSC-4 5-2018

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Niagara Regional Housing Property Tax Exemption Analysis  
**CSC-C 4-2018**

Regional Council, at its meeting of January 31, 2018, approved the following recommendation of its Corporate Services Committee:

That Correspondence Item CSC-C 4-2018, being a memorandum from H. Chamberlain, Director, Financial Management & Planning/ Deputy Treasurer, dated January 31, 2018, respecting Niagara Regional Housing Property Tax Exemption Analysis, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Report CSD 36-2016, dated October 19, 2016, respecting Niagara Regional Housing Property Tax Exemption Analysis **BE CIRCULATED** to Local Area Municipal (LAM) Councils for input and a willingness to participate to be provided by March 31, 2018; and
2. That Report CSD 36-2016 **BE FORWARDED** to the Niagara Regional Housing Board of Directors and the Social Housing Alternative Service Delivery Task Force for information.

A copy of Correspondence Item CSC-C 4-2018 and Report CSD 36-2018 is attached for your information.

Yours truly,



Ann-Marie Norio  
Deputy Regional Clerk

CLK-C 2018-42

cc: Niagara Regional Housing Board of Directors  
Niagara Region Social Housing Alternative Service Delivery Task Force  
H. Chamberlain, Director, Financial Management/Deputy Treasurer  
J. Burgess, Acting Commissioner, Enterprise Resource Management Services  
M. Montague, Executive Assistant to the Commissioner, Enterprise Resource Management Services

---

## MEMORANDUM

CSC-C 4-2018

**Subject:** Niagara Regional Housing Property Tax Exemption Analysis

**Date:** January 31, 2018

**To:** Corporate Services Committee

**From:** Helen Chamberlain, Director Financial Management & Planning/ Deputy Treasurer

---

On the January 31, 2018 Corporate Service Committee (CSC) is considering CSD 36-2016, Niagara Regional Housing Property Tax Exemption Analysis. The report was previously considered by CSC On October 19, 2016 with the decision of Committee as follows:

*"That Report CSD 36-2016, dated October 19, 2016, respecting Niagara Regional Housing (NRH) Property Tax Exemption Analysis BE DEFERRED to be back at the discretion of the Chief Administrative Officer"*

The purpose of the report was to respond to Council enquiry on ways in which NRH owned units' property taxation could be eliminated. The objective of eliminating or reducing NRH's operating budget used to pay property taxes is that it could be repurposed to other service requirements.

The report explains that the elimination of taxes on NRH owned units can only be accomplished through approving the properties as municipal capital facilities which would exempt them from Regional (General Levy and Waste), Municipal and Provincial Education taxes. Important impacts (exclusive of the waste management tax rate impacts) of this decision are as follows based on the 2016 budget and assessment data used in the report:

- Exempting the properties but continuing to provide the \$4.8 million in budget dollars to NRH will increase Regional tax rate by 0.63%.
- Exempting the properties will increase municipal tax rates as \$2.2 million of the \$4.8 million is for local area municipalities (LAM) which will be redistributed to non-exempt properties (estimates are provided in Table 4 of CSD 36-2016)
- Exempting the properties and budgeting \$2.2 million of transitional grant funding to the municipalities to mitigate the impact on municipal tax rates and \$2.6 million for NRH services has the same 0.63% increase on Regional tax rates.
- Exempting the properties but continuing with \$2.6 million in the operating budget for NRH services and zero in grant funding to the LAM has 0% increase in Regional tax rates (i.e. all local, waste and provincial taxes paid by NRH repurposed for NRH service costs)

- Not exempting the properties and providing additional \$2 million for NRH services would have the same effect of increasing Niagara Region's tax rate by 0.63% and not affect the local municipal tax rates at all.

The first recommendation of CSD 36-2016 is that the report be circulated to the local area municipalities for input to be provided to the Region by January 31, 2017. However given the deferral it would be appropriate, if the report is approved, to amend that date to March 31, 2018.

It should also be noted that the Alternative Service Delivery report on Social Housing which is anticipated to come to Council this spring, will contain options or recommendations that could potentially impact how NRH owns properties as well as other suggestions on the use of incremental property revenue to fund social housing programs.

Respectfully submitted and signed by

---

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



---

**REPORT TO:** Corporate Services Committee  
**MEETING DATE:** Wednesday, October 19, 2016  
**SUBJECT:** Niagara Regional Housing Property Tax Exemption Analysis

---

**RECOMMENDATIONS**

1. That this report **BE CIRCULATED** to Local Area Municipal (LAM) Councils for input to be provided by January 31, 2017; and
2. That this report **BE FORWARDED** to the Niagara Regional Housing Board of Directors for information.

**KEY FACTS**

- A motion directing staff to bring forward a report on ways to eliminate property taxes on Niagara Regional Housing (NRH) owned units was passed at the Corporate Services Committee on January 14, 2016
- On April 20, 2016, report CSD 12-2016 was brought forward to Corporate Services Committee in order to confirm the scope of research and work to be undertaken and included in the report
- NRH Governance was addressed separately through CSD 11-2016 on September 7, 2016
- While this report provides potential outcomes that could result from additional budget for NRH, it is understood that these outcomes will be guided and further informed by the NRH alternative service delivery review to be reported to Council
- An exemption of NRH properties would result in a redistribution of taxes among the rest of the tax base, impacting all property owners and the local area municipalities

**CONSIDERATIONS**

**Financial**

The financial implications for various options relating to the exemption of property taxes and other funding impacts for NRH are noted in the Analysis section.

### **Corporate**

Staff from Finance, Legal and Court Services and Niagara Regional Housing have contributed to this report. The purpose of this work is to explore alternatives to increase funding for affordable housing, and is consistent with Regional Council's goal of reducing social housing waitlists.

### **Governmental Partners**

On June 21, 2016, the Province announced that over the next two years more than \$640 million in funding would be jointly invested by the Federal and Provincial governments to support the housing needs of Ontarians. Niagara Region has been allocated \$15.5 million including \$9,462,700 from the Social Infrastructure Fund (SIF) for a two-year period (April 2016 – March 2018) and \$6,079,500 from the Social Housing Improvement Program (SHIP) for a one-year period (April 2016 – March 2017). As this funding is short-term, and not sustainable, it will not have a long-term impact on the waitlist.

This recent funding is in addition to the 2015 funding announcement which allocated \$23.9 million in funding to NRH for the period 2014 to 2020. This funding was allocated as per NRH 2-2015 which invested in rent supplement/housing allowance programs and new development being provided by both existing housing providers as well as the NRH new build in St. Catharines.

Initial discussions regarding the exemption of NRH properties from property taxation have occurred with the area treasurers. Concerns have been expressed regarding the local tax impacts, therefore it is strongly encouraged that no action be taken by the Region without the input of local area municipal Councils.

### **Public and/or Service Users**

Additional funding for NRH would create opportunities to support the creation of new/additional affordable housing units. Increasing the number of units should have the effect of reducing the social housing waitlist in Niagara.

An exemption of NRH properties from property taxes would result in a shift of taxes on to the remainder of the tax base. The impact on individual property owners will vary depending on which municipality their property is located in.

## **ANALYSIS**

NRH operates and manages more than 2,600 public housing units in high-rise, low-rise, townhouse and detached houses for families, adults and seniors. These units include both affordable housing as well as Rent-Geared-to-Income (RGI) units where rents are limited to 30% of household income.

NRH provides legislative oversight to non-profit and cooperative social housing providers across Niagara, who own over 3,900 rental units which include a mix of RGI, affordable housing and market rent units. In addition, NRH has agreements with private landlords to provide rent supplements for approximately 1,000 units that are filled from the centralized waiting list.

NRH also has a housing allowance program (ending March 2020) which provides a supplemental payment to landlords in order to provide temporary assistance to households while they remain on the waiting list for a permanent RGI unit.

### Introduction

At the January 14, 2016, meeting of the Corporate Services Committee, staff was directed to report back to Council on ways to exempt NRH properties from paying property taxes as a means to increase the service budget for NRH.

The approved 2016 NRH budget was a gross expenditure of \$54.4 million and net expenditure of \$26.7 million to the general levy. Included in the gross expenditure is \$4.8 million annually in property taxes for NRH's 2,600 public housing units. NRH has two properties that are taxed at the New Multi-Residential tax rate, which reduces taxes to the single residential tax rate as opposed to the normal multi-residential tax rate.

Currently NRH pays property taxes as follows:

Table 1:

Municipality	Taxation Source				
	LAM	Waste	Region	Education	Total
Fort Erie	99,576	10,820	88,930	17,527	216,853
Grimsbey	16,537	3,109	37,730	5,967	63,343
Lincoln	29,133	3,542	41,296	6,531	80,502
Niagara Falls	629,921	68,196	664,527	118,934	1,481,578
NOTL	10,661	N/A	26,663	4,217	41,541
Pelham	0	0	0	0	0
Port Colborne	70,038	8,362	51,495	8,546	138,441
St Catharines	919,475	101,983	833,412	144,591	1,999,461
Thorold	24,122	2,409	21,551	3,408	51,490
Wainfleet	0	0	0	0	0
Welland	356,246	40,869	275,980	62,457	735,552
West Lincoln	0	0	0	0	0
<b>Total</b>	<b>2,155,709</b>	<b>239,290</b>	<b>2,041,584</b>	<b>372,178</b>	<b>4,808,761</b>

**Exempting NRH Properties from Property Taxes**

The purpose of this report was to look at the option of an exemption from property taxation as a means to provide sustainable incremental funding for NRH. The Region has the ability through section 110 of the *Municipal Act* to enter into agreements for municipal capital facilities, including housing capital facilities, which would provide exemptions from all property taxation (Regional, LAM and Education).

If NRH properties were exempt, they would not pay any of these taxes. Absent any corresponding budget reductions, there would be tax shifts of Regional controlled taxes on to all other property owners in the region. Additionally, there would be a shift of taxes to the local area municipalities (LAM), as they would need to make up for shortfalls in revenue lost from NRH properties. A detailed by-LAM-breakdown of the tax rate impacts, including the impact on the typical household, is included in Appendix I. The estimated impact on each LAM tax rate of an exemption would be:

Table 2:

Municipality	Estimated % Increase in tax rate
Fort Erie	0.41
Grimsby	0.17
Lincoln	0.22
Niagara Falls	1.15
Niagara-on-the-Lake	0.12
Pelham	0.00
Port Colborne	0.46
St. Catharines	1.10
Thorold	0.19
Wainfleet	0.00
Welland	1.02
West Lincoln	0.00

Items requiring consideration by Regional Council, if decided to provide a tax exemption to NRH properties, are included below:

Feedback from LAMs

This report has impact on municipal taxation therefore feedback from LAMs is required. Consideration may be given to a phased approach of implementing exemptions by municipality based on their willingness or readiness to participate. Further analysis of these impacts and opportunities would be required.

The contents of the report have been shared and discussed with municipal treasurers. Feedback to date requested analysis of the combined municipal impact which has been provided below in Table 4. Additionally, the City of St Catharines staff has been

directed by their Council to report back on the potential to exempt St. Catharines-specific properties from taxation. Regional staff has shared the contents of this report and assisted with providing requested information on this subject.

#### Grants to LAMs

In order to limit the impact of the tax exemption on the LAMs, a grant in lieu of property taxes could be provided. The ability to provide grants to the LAMs can be found in Section 107 of the *Municipal Act*. These grants would be recommended as a transitional measure which could be reduced/phased out over time to provide additional funding for the NRH service budget. Decisions respecting grants should consider feedback from the LAMs.

#### Timing

Given the discussion that would need to occur with the LAMs and preparations required for a tax exemption to be implemented, it would be impractical for a property tax exemption to take effect prior to January 1, 2018. This additional time would allow for NRH to develop plans for the additional service budget, and to allow the Region and LAMs to come to agreement on the level and details of grants in lieu of taxes. Further, it would provide time for the Region to advise the Municipal Property Assessment Corporation (MPAC) about the exemption and for them to update the roll to reflect it.

#### **Scenarios Analyzed**

Several scenarios have been developed in order to demonstrate the impact of a range of options using the 2016 assessment values and tax rates. Currently NRH pays approximately \$4,808,761 in property taxes of this amount \$2,280,874 relates to Region taxes, \$2,155,709 relates to LAM taxes and \$372,178 relates to Education taxes. The scenarios where NRH remains taxable are more reflective of the full cost of providing the service, given that clients living in NRH units are users of Local and Regional government services funded through property taxes. In scenarios where NRH is being exempted, costs and revenues are being reallocated within the Region and to the LAMs and Education Boards in order to create budget space for NRH, which is less transparent to the public.

The scenarios analyzed are as follows:

Scenario 1 is based upon the status quo of keeping NRH properties taxable, and maintaining the existing NRH and Region levy budgets. This scenario provides a comparison upon which to base tax and budget impacts of the other options.

Scenario 2 provides the impact of exempting the NRH properties from taxation, and also removing associated NRH tax expense from the NRH and subsequent Region levy amounts. In this scenario, the LAMs would have a revenue shortfall which would need to be made up through higher LAM tax rates. This scenario is essentially exempting the

properties from taxation, and then giving that net levy savings back to taxpayers from the Regional perspective, but requiring an increase to the LAMs levy. This scenario does not provide any additional funding to NRH.

Scenario 3 provides the impact of exempting the NRH properties from taxation, maintaining the NRH and Region levy amounts and providing a grant to the LAMs to offset their tax impacts resulting from the exemption. Under this scenario, NRH's tax budget remaining after the grant to the LAMs would be repurposed to the service budget by the equivalent of the Regional taxes (general and waste levies) and Education taxes. This scenario would provide \$2,653,052 of additional funding for NRH.

Scenario 4 provides the impact of not exempting the NRH properties, but instead increasing the NRH and Region levys by an amount equal to the tax rate increase under scenario 3. The purpose of this scenario is to compare impact on the NRH budget that could be provided without having to go through the process of designating properties under the municipal capital facilities section of the *Municipal Act*, and the associated discussions required with LAMs about the impacts on their budgets. This scenario would provide \$2,024,041 in additional funding for NRH.

Scenario 5 provides the impact of exempting the NRH properties, providing a grant to the LAMs to offset their tax impacts, and reducing the NRH and Region levy to an amount that would maintain the existing tax rate. In this scenario, NRH would get additional service budget space equal to the waste and education property taxes it pays, and the impact on property owners in the Region would be a small increase in their waste taxes, with no impact on the Region's general levy taxes or LAM taxes. This scenario would provide \$611,468 in additional funding for NRH.

The following table outlines the scenarios described above:

Table 3:

Scenario	NRH Tax Expense	NRH Service Budget	Grant to LAMs	Region Levy	Regional Res Tax Rate	% Change in tax rate
1	0	0	0	325,108,233	.00581564	0.00
2	(4,808,761)	0	0	320,299,472	.00576583	-0.86
3	(4,808,761)	2,653,052	2,155,709	325,108,233	.00585239	0.63
4	30,450	2,024,041	0	327,162,724	.00585239	0.63
5	(4,808,761)	611,468	2,155,709	323,066,726	.00581564	0.00

The total typical household tax annual impact for each municipality (LAM, Region, Waste and Education) of these scenarios compared to the status quo (scenario 1) are provided in Appendix I and summarized in the following table:

Table 4:

Municipality	Scenario 2		Scenario 3		Scenario 4		Scenario 5	
	\$	%	\$	%	\$	%	\$	%
Fort Erie	(4.04)	-0.14	7.74	0.27	7.17	0.25	0.56	0.02
Grimsby	(15.52)	-0.42	13.01	0.35	12.73	0.34	0.28	0.01
Lincoln	(13.11)	-0.32	12.50	0.31	12.13	0.30	0.37	0.01
Niagara Falls	2.39	0.08	9.61	0.31	8.28	0.27	1.33	0.04
NOTL	(20.48)	-0.48	15.81	0.37	15.81	0.37	0.00	0.00
Pelham	(17.19)	-0.41	12.64	0.30	12.64	0.30	0.00	0.00
Port Colborne	(1.64)	-0.06	7.21	0.25	6.45	0.22	0.76	0.03
St Catharines	3.72	0.11	9.60	0.29	8.12	0.25	1.47	0.04
Thorold	(8.58)	-0.26	8.55	0.25	8.30	0.25	0.25	0.01
Wainfleet	(12.35)	0.35	9.08	0.26	9.08	0.26	0.00	0.00
Welland	6.99	0.22	8.94	0.28	7.21	0.23	1.73	0.05
West Lincoln	(15.25)	-0.42	11.21	0.31	11.21	0.31	0.00	0.00

#### Additional Service Budget for NRH

The additional NRH service budget that may be created under scenarios 3 (\$2,653,052), 4 (\$2,024,041) and 5 (\$611,468) could be used to provide direct Rent-Geared-to-Income (RGI) subsidy or housing allowances, or the creation of new NRH or private provider units.

The optimal model for investment is the subject of NRH's strategic plan and the alternative service delivery review, therefore it is recommended that any use of additional budget be deferred until the results of this study are known and can be appropriately leveraged.

However, an estimate of the impact of alternative investments based on historical practices has been identified below in order to provide an order of magnitude.

#### Direct RGI Subsidy

The following table provides the estimated number of (people/families) that could be reduced from the housing waitlist by providing direct RGI subsidy through the additional service budget under scenarios 3, 4 and 5. RGI units ensure that tenants pay 30 per cent of their income towards housing costs, with the difference between that and market rent covered by a subsidy through NRH. The risk with this option is that it assumes there are a sufficient number of existing willing providers available to create new units. It

is possible that the alternative service delivery could look at options such as a portable RGI subsidy, which would avoid the requirement for willing providers.

Table 5:

Scenario	NRH Service Budget	Waitlist Impact
3	2,653,052	442
4	2,024,041	337
5	611,468	101

New Development Opportunities

The following estimates are based on the assumption of creating 1-2 bedroom apartments at a cost of \$160,000 -170,000 per unit, which is in line with past practice. This funding could also be used towards other affordable housing incentives. Again, the ongoing alternative service delivery review is being undertaken to identify the optimal model for these investments.

a) Creation of Private Units

With the creation of privately owned units, there is an agreement with the NRH that the units remain used for affordable housing for a period of time (minimum 20 years, but usually longer). During the period of the agreement, NRH has a responsibility to ensure these privately owned buildings and units maintain a state of good repair, creating some long-term financial risk similar to that of direct ownership. Once the agreement expires, the owner is able to convert those units to market rent units. Additionally, the agreements to provide affordable units with private providers have resulted in some issues and consternation when sales/changes in ownership have occurred, as prospective/new owners do not always want to honour these agreements. Finally, private providers may provide affordable units without providing any RGI units.

NRH experience with the 2015 RFP for use of IAH funding allocated to private affordable housing units required 25 per cent cost sharing from the private sector in order to provide the estimated units in the table below. Additionally, the private sector models did not provide for any RGI units. Should RGI units be made available with this model it would also require additional operating budget to accommodate the RGI subsidy (approximately \$500/month or \$6,000/year per unit).

Using the 2015 RFP results, it is estimated that if the additional NRH service budget was used to support the creation of units through private providers, it could support the creation of the following number of private units annually:



Table 6:

Scenario	NRH Service Budget	# of Households	Waitlist Impact
3	2,653,052	21 to 22	0
4	2,024,041	16 to 17	0
5	611,468	4 to 5	0

b) Creation of NRH-Owned Units

Recent NRH builds have included market, affordable and RGI units in order for new builds to be sustainable and not have a net operating budget impact. As a result, the waitlist reduction is lower than the number of units that could be created.

If the additional NRH service budget was used to create new NRH owned units, the additional funding could be placed into a capital reserve and used for pay-as-you-go capital. The following table provides the number of 1-2 bedroom apartments that the annual funding could support under each scenario on a pay-as-you-go capital basis:

Table 7:

Scenario	NRH Capital Investment	# of Households	Estimated Waitlist Impact
3	2,653,052	15 to 16	4
4	2,024,041	11 to 12	3
5	611,468	3 to 4	1

The additional NRH service budget could also be used to support debt charges. Any debt issued for the creation of new owned NRH units would increase the Region's ARL and S&P ratio's, moving the Region closer to the thresholds that have the potential to impact the Region's credit rating. This would also impact the Region's ability to fund other infrastructure with consideration to the 10-year capital forecast funding gap and any additional funding requirements that may be identified as the Region's asset management plans are refined and consolidated. If 30-year debt was issued to build new NRH owned units, the number of 1-2 bedroom apartment units that could be supported using the additional service budget is estimated at:

Table 8:

Scenario	NRH Debt Charges	30-Year Debt	# of Households	Estimated Waitlist Impact
3	2,653,052	48,795,108	287 to 304	80 to 85
4	2,024,041	37,226,254	218 to 232	61 to 65
5	611,468	11,247,619	66 to 70	18 to 19

Housing Allowance

The following table provides the estimated number of households that could be assisted by providing a housing allowance to assist with their existing housing costs while they remain on the affordable housing waitlist. While the housing allowance allows NRH to assist more families, it does not result in more permanent affordable housing units, nor does it reduce the waitlist.

Table 9:

Scenario	NRH Service Budget	# of Households
3	2,653,052	736 to 884
4	2,024,041	562 to 674
5	611,468	169 to 203

**Other Considerations**

Precedent

There is currently limited precedent in Ontario for exempting affordable housing (either municipally owned or privately owned) from taxation. Some single tier examples are Toronto, which provides new affordable housing (can be private) with a 20-year property tax holiday subject to meeting conditions, and both Ottawa and Chatham-Kent which provide exemptions for municipally-owned properties. In two-tier municipalities, no examples of tax exemptions or tax holidays could be found, due in part to the tax implications that would be placed on the local municipalities. There are examples, such as Peel, in two-tier municipalities of providing tax differential grants to providers receiving provincial funding for construction of new units, in order for those new units to be taxed at the residential rate.

How the Region chooses to move forward is likely to be watched closely by both the Province and municipalities as a potential model for other jurisdictions facing similar challenges.

Requests from Private Providers

Some non-profit affordable housing providers have provided comment that other public housing providers should also be considered for the property tax exemption. If a property tax exemption was considered for all existing providers, there would be complicating factors (such as many properties having a mix of market rent and affordable units) and more significant financial impacts on both the Region and LAM's as there are more privately owned and operated units than NRH owned units. In addition, if those private providers were exempted from property taxes, it would result in a reduction in their operating subsidy, and therefore may not provide the level of benefit they expect.

## **ALTERNATIVES REVIEWED**

A number of options are outlined in this report; however, it is recommended that no decision be made by Regional Council until the Councils of the LAMs have had an opportunity to provide comment.

## **ORIGIN OF REPORT**

Motion of the Committee made at its January 14, 2016, meeting.

## **OTHER PERTINENT REPORTS**

CSD 12-2016 – Niagara Regional Housing Property Tax Exemption Scope of Review, April 20, 2016

CSD 11-2016 – Niagara Regional Housing Governance Review, September 7, 2016

---

### **SUBMITTED BY:**

Jason Burgess  
Acting Commissioner Corporate  
Services

---

### **APPROVED BY:**

Maurice (Mo) Lewis  
Acting Chief Administrative Officer

*This report was prepared by Adam Smith, Senior Tax & Revenue Analyst, in consultation with Donna Woiceshyn, Acting CEO, NRH, and Sterling Wood, Legal Counsel, and reviewed by Helen Chamberlain, Director Financial Management & Planning/Deputy Treasurer.*

## **APPENDICES**

Appendix I      Impacts of Tax Exemption on LAM's

Page 12

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Fort Erie

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase In Tax Rate
Residential	3,053,039,253	3,049,433,253	(3,606,000)	(23,481.55)	0.00002643	0.00653823	0.41%
New Multi-Residential	35,000	35,000	-	-	0.00002643	0.00653823	0.41%
Multi-Residential	48,904,065	43,187,065	(5,717,000)	(76,093.96)	0.00005402	0.01336414	0.41%
Farm	49,829,754	49,829,754	-	-	0.00000661	0.00163456	0.41%
Managed Forest	1,053,564	1,053,564	-	-	0.00000661	0.00163456	0.41%
Commercial	236,397,068	236,397,068	-	-	0.00004648	0.01149813	0.41%
Commercial Vacant	17,012,400	17,012,400	-	-	0.00003254	0.00804869	0.41%
Commercial Excess	7,030,534	7,030,534	-	-	0.00003254	0.00804869	0.41%
Industrial	54,108,134	54,108,134	-	-	0.00006951	0.01719554	0.41%
Industrial Vacant	2,554,100	2,554,100	-	-	0.00004518	0.01117710	0.41%
Industrial Excess	725,200	725,200	-	-	0.00004518	0.01117710	0.41%
Pipeline	13,627,000	13,627,000	-	-	0.00004499	0.01112872	0.41%
<b>Total</b>	<b>3,484,316,072</b>	<b>3,474,993,072</b>	<b>(9,323,000)</b>	<b>(99,575.51)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$195,236) in Fort Erie**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,135.42	138.15	1,271.34	367.04	2,911.95	-	0.00%
2	1,125.66	138.71	1,276.50	367.04	2,907.91	(4.04)	-0.14%
3	1,142.60	138.71	1,271.34	367.04	2,919.69	7.74	0.27%
4	1,142.60	138.15	1,271.34	367.04	2,919.13	7.17	0.25%
5	1,135.42	138.71	1,271.34	367.04	2,912.51	0.56	0.02%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Grimsby

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	3,171,541,589	3,171,541,589	-	-	0.00000438	0.00255330	0.17%
New Multi-Residential	-	-	-	-	0.00000438	0.00255330	0.17%
Multi-Residential	24,624,000	21,450,000	(3,174,000)	(16,536.51)	0.00000895	0.00521894	0.17%
Farm	65,119,400	65,119,400	-	-	0.0000011	0.00063833	0.17%
Managed Forest	613,300	613,300	-	-	0.0000011	0.00063833	0.17%
Commercial	231,042,840	231,042,840	-	-	0.0000077	0.00449023	0.17%
Commercial Vacant	9,958,500	9,958,500	-	-	0.00000539	0.00314316	0.17%
Commercial Excess	9,208,500	9,208,500	-	-	0.00000539	0.00314316	0.17%
Industrial	36,622,470	36,622,470	-	-	0.00001152	0.00671518	0.17%
Industrial Vacant	2,226,000	2,226,000	-	-	0.00000749	0.00436487	0.17%
Industrial Excess	2,531,500	2,531,500	-	-	0.00000749	0.00436487	0.17%
Pipeline	7,133,000	7,133,000	-	-	0.00000746	0.00434598	0.17%
<b>Total</b>	<b>3,560,621,099</b>	<b>3,557,447,099</b>	<b>(3,174,000)</b>	<b>(16,536.51)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$346,396) in Grimsby**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	2,014.51	165.99	882.94	651.22	3,714.66	-	0.00%
2	1,997.20	166.27	884.45	651.22	3,699.15	(15.52)	-0.42%
3	2,027.24	166.27	882.94	651.22	3,727.68	13.01	0.35%
4	2,027.24	165.99	882.94	651.22	3,727.39	12.73	0.34%
5	2,014.51	166.27	882.94	651.22	3,714.95	0.28	0.01%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Lincoln

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	2,460,520,863	2,460,520,863	-	-	0.00000916	0.00411193	0.22%
New Multi-Residential	-	-	-	-	0.00000916	0.00412109	0.22%
Multi-Residential	20,426,300	16,952,300	(3,474,000)	(29,133.17)	0.00001872	0.008423505	0.22%
Farm	367,683,584	367,683,584	-	-	0.00000229	0.001030273	0.22%
Managed Forest	754,100	754,100	-	-	0.00000229	0.001030273	0.22%
Commercial	169,389,665	169,389,665	-	-	0.00001611	0.00724735	0.22%
Commercial Vacant	9,071,000	9,071,000	-	-	0.00001128	0.005073145	0.22%
Commercial Excess	6,648,000	6,648,000	-	-	0.00001128	0.005073145	0.22%
Industrial	87,997,556	87,997,556	-	-	0.00002409	0.010838466	0.22%
Industrial Vacant	6,143,000	6,143,000	-	-	0.00001566	0.007045003	0.22%
Industrial Excess	2,377,000	2,377,000	-	-	0.00001566	0.007045003	0.22%
Pipeline	18,202,000	18,202,000	-	-	0.00001559	0.007014506	0.22%
<b>Total</b>	<b>3,149,213,068</b>	<b>3,145,739,068</b>	<b>(3,474,000)</b>	<b>(29,133.17)</b>			

<sup>1</sup> Includes any special area charges that could be applicable

<sup>2</sup> Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$330,116) in Lincoln**

Scenario	Region General Levy	Region WM Levy	LAMI Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,919.84	164.68	1,354.39	620.62	4,059.53	-	0.00%
2	1,903.33	165.05	1,357.41	620.62	4,046.41	(13.11)	-0.32%
3	1,931.97	165.05	1,354.39	620.62	4,072.02	12.50	0.31%
4	1,931.97	164.68	1,354.39	620.62	4,071.66	12.13	0.30%
5	1,919.84	165.05	1,354.39	620.62	4,059.89	0.37	0.01%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Niagara Falls							
Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	6,809,452,673	6,799,569,673	(9,883,000)	(54,482.80)	0.00005469	0.00480329	1.15%
New Multi-Residential	9,013,140	4,486,140	(4,527,000)	(24,956.36)	0.00005469	0.00480329	1.15%
Multi-Residential	266,526,160	217,673,160	(48,853,000)	(550,481.47)	0.00011179	0.00981793	1.15%
Farm	57,099,104	57,099,104	-	-	0.00001367	0.00120082	1.15%
Managed Forest	967,800	967,800	-	-	0.00001367	0.00120082	1.15%
Commercial	2,086,325,462	2,086,325,462	-	-	0.00008618	0.00844707	1.15%
Commercial Vacant	149,165,700	149,165,700	-	-	0.00006733	0.00591295	1.15%
Commercial Excess	41,102,342	41,102,342	-	-	0.00006733	0.00591295	1.15%
Industrial	96,166,829	96,166,829	-	-	0.00014383	0.01263265	1.15%
Industrial Vacant	14,347,400	14,347,400	-	-	0.00009349	0.00821122	1.15%
Industrial Excess	4,518,300	4,518,300	-	-	0.00009349	0.00821122	1.15%
Pipeline	39,625,000	39,625,000	-	-	0.00009309	0.00817568	1.15%
<b>Total</b>	<b>9,574,309,910</b>	<b>9,511,046,910</b>	<b>(63,263,000)</b>	<b>(629,920.63)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$225,289) in Niagara Falls**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,310.20	134.46	1,241.97	423.54	3,110.17	-	0.00%
2	1,298.94	135.79	1,254.29	423.54	3,112.56	2.39	0.08%
3	1,318.48	135.79	1,241.97	423.54	3,119.78	9.61	0.31%
4	1,318.48	134.46	1,241.97	423.54	3,118.45	8.28	0.27%
5	1,310.20	135.79	1,241.97	423.54	3,111.50	1.33	0.04%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Niagara-on-the-Lake

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	3,241,162,167	3,241,162,167	-	-	0.00000235	0.00203978	0.12%
New Multi-Residential	-	-	-	-	0.00000235	0.00203978	0.12%
Multi-Residential	15,706,000	13,463,000	(2,243,000)	(10,661.38)	0.0000048	0.00416931	0.12%
Farm	333,741,525	333,741,525	-	-	0.00000059	0.00050995	0.12%
Managed Forest	541,800	541,800	-	-	0.00000059	0.00050995	0.12%
Commercial	591,854,359	591,854,359	-	-	0.00000413	0.00358715	0.12%
Commercial Vacant	6,754,000	6,754,000	-	-	0.00000289	0.00251101	0.12%
Commercial Excess	11,402,708	11,402,708	-	-	0.00000289	0.00251101	0.12%
Industrial	27,636,808	27,636,808	-	-	0.00000618	0.00536462	0.12%
Industrial Vacant	10,731,000	10,731,000	-	-	0.00000402	0.00348700	0.12%
Industrial Excess	92,000	92,000	-	-	0.00000402	0.00348700	0.12%
Pipeline	16,111,000	16,111,000	-	-	0.000004	0.00347191	0.12%
<b>Total</b>	<b>4,255,733,367</b>	<b>4,253,490,367</b>	<b>(2,243,000)</b>	<b>(10,661.38)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$430,157) in Niagara-on-the-Lake**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	2,501.64	-	1,000.30	808.70	4,310.63	-	0.00%
2	2,480.13	-	1,001.31	808.70	4,290.14	(20.49)	-0.48%
3	2,517.45	-	1,000.30	808.70	4,326.44	15.81	0.37%
4	2,517.45	-	1,000.30	808.70	4,326.44	15.81	0.37%
5	2,501.64	-	1,000.30	808.70	4,310.63	-	0.00%



**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Pelham

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	2,068,323,217	2,068,323,217	-	-	0	0.00481491	0.00%
New Multi-Residential	-	-	-	-	0	0.00481491	0.00%
Multi-Residential	18,609,000	18,609,000	-	-	0	0.00984168	0.00%
Farm	124,200,753	124,200,753	-	-	0	0.00120373	0.00%
Managed Forest	1,748,200	1,748,200	-	-	0	0.00120373	0.00%
Commercial	67,849,061	67,849,061	-	-	0	0.00846750	0.00%
Commercial Vacant	3,735,000	3,735,000	-	-	0	0.00592725	0.00%
Commercial Excess	647,972	647,972	-	-	0	0.00592725	0.00%
Industrial	3,663,597	3,663,597	-	-	0	0.01266321	0.00%
Industrial Vacant	51,000	51,000	-	-	0	0.00823109	0.00%
Industrial Excess	42,000	42,000	-	-	0	0.00823109	0.00%
Pipeline	14,900,000	14,900,000	-	-	0	0.00819546	0.00%
<b>Total</b>	<b>2,303,769,800</b>	<b>2,303,769,800</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, Including special area charges

**Combined Impact on Typical Household (\$343,833) in Pelham**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,999.61	177.08	1,403.61	646.41	4,226.70	-	0.00%
2	1,982.42	177.08	1,403.61	646.41	4,209.52	(17.19)	-0.41%
3	2,012.24	177.08	1,403.61	646.41	4,239.34	12.64	0.30%
4	2,012.24	177.08	1,403.61	646.41	4,239.34	12.64	0.30%
5	1,999.61	177.08	1,403.61	646.41	4,226.70	-	0.00%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	1,427,938,386	1,427,519,386	(419,000)	(3,314.19)	0.00003633	0.00794609	0.46%
New Multi-Residential	-	-	-	-	0.00003633	0.00794609	0.46%
Multi-Residential	46,207,500	42,080,500	(4,127,000)	(66,723.48)	0.00007426	0.01624181	0.46%
Farm	44,776,900	44,776,900	-	-	0.00000908	0.00198652	0.46%
Managed Forest	801,400	801,400	-	-	0.00000908	0.00198652	0.46%
Commercial	108,603,787	108,603,787	-	-	0.00006389	0.01397399	0.46%
Commercial Vacant	2,113,500	2,113,500	-	-	0.00004472	0.00978180	0.46%
Commercial Excess	228,500	228,500	-	-	0.00004472	0.00978180	0.46%
Industrial	68,590,988	68,590,988	-	-	0.00009555	0.02089822	0.46%
Industrial Vacant	4,965,500	4,965,500	-	-	0.00006211	0.01358384	0.46%
Industrial Excess	2,318,075	2,318,075	-	-	0.00006211	0.01358384	0.46%
Pipeline	9,554,000	9,554,000	-	-	0.00006184	0.01352504	0.46%
<b>Total</b>	<b>1,716,098,536</b>	<b>1,711,552,536</b>	<b>(4,546,000)</b>	<b>(70,037.67)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, Including special area charges

**Combined Impact on Typical Household (\$175,485) in Port Colborne**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,020.56	165.72	1,388.04	329.91	2,904.23	-	0.00%
2	1,011.79	166.48	1,394.42	329.91	2,902.60	(1.64)	-0.06%
3	1,027.01	166.48	1,388.04	329.91	2,911.44	7.21	0.25%
4	1,027.01	165.72	1,388.04	329.91	2,910.68	6.45	0.22%
5	1,020.56	166.48	1,388.04	329.91	2,904.99	0.76	0.03%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

St Catharines

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	10,478,469,280	10,465,156,280	(13,313,000)	(85,418.87)	0.00006015	0.0055402	1.10%
New Multi-Residential	27,047,160	27,047,160	-	-	0.00006015	0.00554020	1.10%
Multi-Residential	674,929,131	611,332,131	(63,597,000)	(834,056.21)	0.00012295	0.01132417	1.10%
Farm	99,825,600	99,825,600	-	-	0.00001504	0.00138505	1.10%
Managed Forest	-	-	-	-	0.00001504	0.00138505	1.10%
Commercial	1,659,398,293	1,659,398,293	-	-	0.00010578	0.00974300	1.10%
Commercial Vacant	18,634,800	18,634,800	-	-	0.00007405	0.00682010	1.10%
Commercial Excess	12,329,285	12,329,285	-	-	0.00007405	0.00682010	1.10%
Industrial	179,357,837	179,357,837	-	-	0.00015819	0.01457072	1.10%
Industrial Vacant	20,565,000	20,565,000	-	-	0.00010282	0.00947097	1.10%
Industrial Excess	4,730,894	4,730,894	-	-	0.00010282	0.00947097	1.10%
Pipeline	28,309,000	28,309,000	-	-	0.00010238	0.00942997	1.10%
<b>Total</b>	<b>13,203,596,280</b>	<b>13,126,686,280</b>	<b>(76,910,000)</b>	<b>(919,475.08)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$221,000) in St Catharines**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,285.26	157.27	1,417.98	415.48	3,275.99	-	0.00%
2	1,274.21	158.75	1,431.27	415.48	3,279.71	3.72	0.11%
3	1,293.38	158.75	1,417.98	415.48	3,285.59	9.60	0.29%
4	1,293.38	157.27	1,417.98	415.48	3,284.11	8.12	0.25%
5	1,285.26	158.75	1,417.98	415.48	3,277.47	1.47	0.04%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Thorold

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	1,560,310,377	1,560,310,377	-	-	0.00001093	0.00572106	0.19%
New Multi-Residential	57,221,000	57,221,000	-	-	0.00001093	0.00572106	0.19%
Multi-Residential	39,459,780	37,646,780	(1,813,000)	(24,122.24)	0.00002234	0.01169385	0.19%
Farm	45,755,200	45,755,200	-	-	0.00000273	0.00143026	0.19%
Managed Forest	533,800	533,800	-	-	0.00000273	0.00143026	0.19%
Commercial	151,806,677	151,806,677	-	-	0.00001922	0.01006105	0.19%
Commercial Vacant	4,979,500	4,979,500	-	-	0.00001345	0.00704274	0.19%
Commercial Excess	3,675,230	3,675,230	-	-	0.00001345	0.00704274	0.19%
Industrial	58,663,377	58,663,377	-	-	0.00002875	0.01504639	0.19%
Industrial Vacant	14,169,000	14,169,000	-	-	0.00001869	0.00978015	0.19%
Industrial Excess	3,729,769	3,729,769	-	-	0.00001869	0.00978015	0.19%
Pipeline	22,508,000	22,508,000	-	-	0.0000186	0.00973781	0.19%
<b>Total</b>	<b>1,962,811,710</b>	<b>1,960,998,710</b>	<b>(1,813,000)</b>	<b>(24,122.24)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$225,942) in Thorold**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,314.00	146.86	1,470.74	424.77	3,356.37	-	0.00%
2	1,302.70	147.10	1,473.21	424.77	3,347.79	(8.58)	-0.26%
3	1,322.30	147.10	1,470.74	424.77	3,364.92	8.55	0.25%
4	1,322.30	146.86	1,470.74	424.77	3,364.67	8.30	0.25%
5	1,314.00	147.10	1,470.74	424.77	3,356.61	0.25	0.01%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

**Wainfleet**

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	754,583,700	754,583,700	-	-	0	0.00595788	0.00%
New Multi-Residential	-	-	-	-	0	0.00595788	0.00%
Multi-Residential	456,000	456,000	-	-	0	0.01217791	0.00%
Farm	116,317,500	116,317,500	-	-	0	0.00148947	0.00%
Managed Forest	961,000	961,000	-	-	0	0.00148947	0.00%
Commercial	15,791,131	15,791,131	-	-	0	0.01047753	0.00%
Commercial Vacant	210,700	210,700	-	-	0	0.00733427	0.00%
Commercial Excess	666,769	666,769	-	-	0	0.00733427	0.00%
Industrial	3,254,600	3,254,600	-	-	0	0.01566922	0.00%
Industrial Vacant	70,000	70,000	-	-	0	0.01018500	0.00%
Industrial Excess	112,500	112,500	-	-	0	0.01018500	0.00%
Pipeline	4,721,000	4,721,000	-	-	0	0.01014091	0.00%
<b>Total</b>	<b>897,144,900</b>	<b>897,144,900</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$247,103) in Wainfleet**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,437.06	165.09	1,472.21	464.55	3,538.92	-	0.00%
2	1,424.71	165.09	1,472.21	464.55	3,526.57	(12.35)	-0.35%
3	1,446.14	165.09	1,472.21	464.55	3,548.00	9.08	0.26%
4	1,446.14	165.09	1,472.21	464.55	3,548.00	9.08	0.26%
5	1,437.06	165.09	1,472.21	464.55	3,538.92	-	0.00%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

Welland

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	3,544,555,699	3,528,773,699	(15,782,000)	(118,476.42)	0.00007676	0.00758382	1.02%
New Multi-Residential	7,060,000	3,253,000	(3,807,000)	(28,579.38)	0.00007676	0.00758382	1.02%
Multi-Residential	163,994,500	150,361,500	(13,633,000)	(209,190.61)	0.00015669	0.01550133	1.02%
Farm	13,903,400	13,903,400	-	-	0.00001919	0.00189596	1.02%
Managed Forest	652,900	652,900	-	-	0.00001919	0.00189596	1.02%
Commercial	323,591,300	323,591,300	-	-	0.00013499	0.01333691	1.02%
Commercial Vacant	12,698,400	12,698,400	-	-	0.00009449	0.00933583	1.02%
Commercial Excess	5,061,790	5,061,790	-	-	0.00009449	0.00933583	1.02%
Industrial	63,384,800	63,384,800	-	-	0.00020188	0.01994545	1.02%
Industrial Vacant	2,996,600	2,996,600	-	-	0.00013122	0.01296454	1.02%
Industrial Excess	1,985,300	1,985,300	-	-	0.00013122	0.01296454	1.02%
Pipeline	18,827,000	18,827,000	-	-	0.00013065	0.01290842	1.02%
<b>Total</b>	<b>4,158,711,689</b>	<b>4,125,489,689</b>	<b>(33,222,000)</b>	<b>(356,246.41)</b>			

1 Includes any special area charges that could be applicable

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$196,325) in Welland**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,141.76	169.08	1,473.82	369.09	3,153.75	-	0.00%
2	1,131.94	170.81	1,488.89	369.09	3,160.74	6.99	0.22%
3	1,148.97	170.81	1,473.82	369.09	3,162.70	8.94	0.28%
4	1,148.97	169.08	1,473.82	369.09	3,160.97	7.21	0.23%
5	1,141.76	170.81	1,473.82	369.09	3,155.48	1.73	0.05%

**Appendix I - Estimated Impacts of NRH Exemption on LAM Taxation**

West Lincoln

Property Class	Assessment w/ NRH Taxable	Assessment w/ NRH Exempt	Difference	Revenue Shortfall <sup>1</sup>	Increase to GL Rate Required	Resulting GL Tax Rate <sup>2</sup>	Estimated % Increase in Tax Rate
Residential	1,289,450,000	1,289,450,000	-	-	0	0.00351143	0.00%
New Multi-Residential	-	-	-	-	0	0.00351143	0.00%
Multi-Residential	6,431,500	6,431,500	-	-	0	0.00717736	0.00%
Farm	261,247,200	261,247,200	-	-	0	0.00087786	0.00%
Managed Forest	1,194,400	1,194,400	-	-	0	0.00087786	0.00%
Commercial	62,172,238	62,172,238	-	-	0	0.00617520	0.00%
Commercial Vacant	1,165,000	1,165,000	-	-	0	0.00432264	0.00%
Commercial Excess	1,176,967	1,176,967	-	-	0	0.00432264	0.00%
Industrial	22,347,795	22,347,795	-	-	0	0.00923506	0.00%
Industrial Vacant	595,300	595,300	-	-	0	0.00600279	0.00%
Industrial Excess	419,000	419,000	-	-	0	0.00600279	0.00%
Pipeline	25,003,000	25,003,000	-	-	0	0.00597681	0.00%
<b>Total</b>	<b>1,671,202,400</b>	<b>1,671,202,400</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

1 Includes any special area charges that could be applicable.

2 Based on GL Tax Rate w/NRH Taxable + Increase to GL Rate Required w/NRH Exempt, including special area charges

**Combined Impact on Typical Household (\$305,117) in West Lincoln**

Scenario	Region General Levy	Region WM Levy	LAM Levy	Education Levy	Total Levy	\$ Change from Status Quo	% Change from Status Quo
1	1,774.45	160.58	1,140.57	573.62	3,649.22	-	0.00%
2	1,759.20	160.58	1,140.57	573.62	3,633.96	(15.25)	-0.42%
3	1,785.66	160.58	1,140.57	573.62	3,660.43	11.21	0.31%
4	1,785.66	160.58	1,140.57	573.62	3,660.43	11.21	0.31%
5	1,774.45	160.58	1,140.57	573.62	3,649.22	-	0.00%







Community and Economic Development Department  
Parks and Recreation Division

Report Number: 2018-75

Date: June 11, 2018

**SUBJECT: Canada Day-2018 Optimist Day in the Park & Canada Day Fireworks Road Closure**

**1) PURPOSE**

The purpose of this report is to provide Council with information and a recommendation regarding 'Optimist Day in the Park' & Canada Day fireworks road closure on Sunday, July 1, 2018 for Canada's Birthday Celebration.

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

This report is provided as information regarding the annual 'Optimist Day in the Park' at H.H. Knoll Lakeview Park, which is facilitated by Optimist Club of Port Colborne serving to provide the community a fun-filled day of family activities. This event is deemed to be a significant event for the City of Port Colborne and is recognized in the maintenance standards for Municipal Parks under section 8.2 Special Events – subsection 8.2.1 – Regionally Significant Events.

The Optimist Club's mandate is to help youth in the area and they are involved in various youth projects with the money they raise going back to the youth in the community. The Optimist Club accomplishes this goal by supporting events such as: annual elementary school spelling bee, high school scholarships, youth appreciation dinner, respect for law award, bike safety, school breakfast club, sport sponsorships - girls hockey, football, basketball, soccer, baseball, etc. They also provide support for the kids' fishing derby, children cancer foundation, leadership seminars, assist with the Terry Fox Run and a variety of other fundraisers.

Community Services Events provides guidelines for assisting local service organizations planning to conduct special events in/on municipal property. In order to manage municipal expenditures for such events, and as per the City's User Pay Policy, User Groups/Event Organizers can request to borrow certain City-owned equipment and materials such as picnic tables, garbage cans, snow/steel fencing and traffic barriers, provided the User Group/Event Organizer pays for any actual and additional costs incurred by the City for the transportation of materials, staff and equipment time for the event.

In addition, the Optimist Club will have to supply a certificate of insurance in accordance with City of Port Colborne requirements in the amount of \$2,000,000 naming the City of Port Colborne as an additional insured.

In order to facilitate the Canada Day Fireworks, a portion of West Street from the southern limit of Charlotte Street to the to the southern limit of the former Public Works Yards (11 King Street) will also have to be closed prohibiting general vehicular traffic and parking by the public (Appendix A).

### 3) STAFF COMMENTS AND DISCUSSIONS

The Optimist Club of Port Colborne will be hosting their annual 'Optimist Day in the Park' event in conjunction with Canada Day, on Saturday, July 1, 2018 starting at 10:00 a.m. through to 6:00 p.m. The Mayor or designate will also be on hand to address the crowd as well as cut the annual Canada Day cake at approximately 1:00 p.m.

'Optimist Day in the Park' is a family oriented community event complete with food, retail vendors, crafters, penny sale, community organizations and children's activities. The Optimist Club will be opening the day at 10:00 a.m. with the singing of the Canadian National Anthem. The afternoon will feature various singers and performances. In addition, the Optimist Club is seeking young local bands to perform throughout the mid-afternoon and other entertaining activities will include Birds of Prey, Alpaca Lore, face painting, magic show, dancers and inflatable bouncy castles.

Following 'Optimist Day in the Park', Community Services requests Council grant permission to allow for road closures to allow for the safe viewing area along West Street. This area is for pedestrians to view the Canada Day Fireworks that will occur over the Welland Canal beginning at approximately 10:00 p.m. This request is for the closure of West Street from the Southern limit of Charlotte Street to the Southern limit of the former Public Works Yard (11 King Street) property, including closure of the intersections of Kent Street, Victoria Street, Adelaide Street, and Sugarloaf Street at West Street respectively, for the purpose of controlling traffic for the Canada Day Fireworks and prohibiting general vehicular traffic and parking by the public, with the exemption of: EMS, police or fire department vehicles or any other vehicles required in the case of an emergency, public works vehicles, public utility vehicles or vehicles authorized by permit only between 9:00 p.m. and ending at 11:00 p.m. on Saturday, July 1, 2018.

#### **Summary of Sponsorship and Associated Costs:**

The following is a summary of the requested sponsorship and the City costs associated with the provision of same:

<b>Sponsorship Type</b>	<b>Approximate Value (\$)</b>
Waive Park Permit and Camping Permit Fees (H.H. Knoll Lakeview Park)	150
Waive Pavilion Permit Fee (Bandshell)	150
Snow Fencing and Install	400
Noise Variance Fee	100
Portable Washrooms	180
Picnic Tables (12)	36
Waive parking fees in the municipal gravel lot	66
Promotion on Social Media	Staff time

## **Staff Comments:**

### **By-law Enforcement Division**

The By-law Enforcement Division has no objections to the waiving of fees or the event. By-law Enforcement has not been requested to enforce or control the parking for the event.

### **Fire Department**

No concerns with this report.

#### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

##### **a) Do Nothing**

Council could deny the request for assistance and choose not to permit the Canada Day 'Optimist Day in the Park'; however, this would present a hardship for the event organizers and past precedent has provided a level of support from City Council for this annual celebration. This option is not recommended.

Securing the grounds surrounding the fireworks provides for a safe pedestrian zone and viewing area. Managing the control of motor vehicle traffic leads to the successful execution of the event and mitigates accident/injury. To do nothing is not a recommended option.

#### **5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Culture and Economy. The promotion of culture activities and events that contribute towards the health and prosperity of all communities in Port Colborne. Engaging community organizations and supporting Regionally Significant Events.

#### **6) ATTACHMENTS**

Appendix A – 2018 Canada Day Fireworks Road Closure Map

#### **7) RECOMMENDATION**

That staff issue the appropriate permits for Canada Day – 'Optimist Day in the Park' at H.H. Knoll Lakeview Park, and;

That the temporary road closures be approved for the purpose of hosting Canada Day fireworks beginning at 9:00 p.m. until 11:00 p.m., Saturday, July 1, 2018. Temporary barricade road closures at the following intersections to restrict traffic onto: West Street from the Southern limit of Charlotte Street to the Southern limit of the former Public Works Yard (11 King Street) property including closure of the intersections of Kent Street, Victoria Street, Adelaide Street, and Sugarloaf Street at West Street for the purpose of controlling traffic for the Canada Day Fireworks and prohibiting general vehicular traffic and parking by the public, and:

That City sponsorship of the 2018 Optimist Day in the Park be approved, with sponsorship to be provided as follows:

- a. Waving of permit fees for the use of H.H. Knoll Lakeview Park;
- b. Waiving of permit fees for the use of the pavilion at the Bandshell;
- c. Provision and installation of snow fencing, and waiving of associated fees;
- d. Waiving of the Noise Variance Fee;
- e. Provision of portable washroom facilities and waiving of associated fees;
- f. Waiving of the parking fees in the gravel lot for the duration of the event;
- g. City assistance with event promotion and marketing on social media.

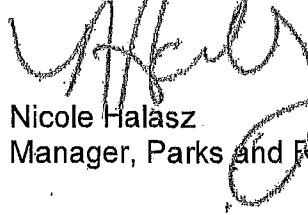
**8) SIGNATURES**

Prepared on May 4, 2018 by:



Gina Tartaglia  
Event Coordinator

Reviewed by:



Nicole Halasz  
Manager, Parks and Recreation

Reviewed by:



Ashley Grigg  
Director, Community and Economic  
Development

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

# 2018 Canada Day Fireworks Road Closure



NOTES  
Green-Closure Points  
Red-Length of Closure



© 2017 - The Regional Municipality of Niagara and its suppliers. All Rights Reserved. Produced (in part) under license from: © 2017 OF THE QUEEN'S PRINTER FOR ONTARIO. ALL RIGHTS RESERVED; © Teranet Enterprises Inc. and its suppliers. All rights reserved. Not a plan of survey, 2006 Air Photos courtesy of First Base Solutions Inc., 1934 Air Photos courtesy of Brock University.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This map is not to be used for navigation.



This page intentionally left blank.



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

**Report Number: 2018-76**

**Date: June 11, 2018**

**SUBJECT: 40<sup>th</sup> Annual Canal Days Festival Request for Road Closures, Parking Restrictions & Patio Extensions**

**1) PURPOSE**

The purpose of this report is to recommend road/parking closures for the 40<sup>th</sup> Annual Canal Days Festival. The road closures will help manage vehicular traffic flow and allow for the safe passage of all pedestrian movement throughout the designated festival grounds for the duration of the 40<sup>th</sup> Annual Canal Days Marine Heritage Festival.

In addition, local restaurants are requesting endorsements and letters of non-objection to apply for a special occasion permit/liquor license/patio extensions to the Alcohol and Gaming Commission Ontario (AGCO) for the Canal Days Marine Heritage Festival. These restaurants include; Eh Amigos Cantina, The Lock on Clarence Street, Breakwall Brewery, Canalside Restaurant Inn, Walters and Neptunes, and the Canadian Corps Association on West Street. The City of Port Colborne will also be requesting an extension to the City's license for the Patio on West and the H.H. Knoll Lakeview Park Concert Series.

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

Requests for municipal road/parking closures are generally approved by City Council. Council's past practice is to support its own community wide festivals and events by approving the road/parking closures from August 3 – August 6, 2018 for the 40<sup>th</sup> Annual Canal Days Marine Heritage Festival (Canal Days).

Council has approved past Liquor License and Patio Extension applications and letters of non-objection during the Canal Days Festival. Council's past practice has been to support festivals and events.

**3) STAFF COMMENTS AND DISCUSSIONS**

Community Services staff are requesting City Council approve the closure of the streets listed below and parking restrictions for Canal Days. Prohibiting general vehicular traffic, restricting parking from the general public and limiting access to bicycles, will allow the designated festival grounds become a much safer and more conducive venue to host Canal Days. The only consideration to this road/parking closure/restriction will be the exemption of the following emergency services: Ambulance (EMS), police and fire department vehicles or any other vehicles required in the case of an emergency/service that may include public works, public utility or authorized vehicles by permit only. Additionally, legislative requirements of the Accessibility to Ontarians Disability Act (AODA) apply to all festivals and events in Ontario and working service animals will be permitted on festival and event grounds during the 2018 Canal Days Marine Heritage Festival. These service animals must be clearly identified and tethered at all times.

## Canal Days General Festival: Schedule A, B & C to By-law

Staff requests that the following areas be closed/restricted to street parking and through traffic, for the setup of the Patio on West and Bass Pro, beginning at 5:00 p.m. Thursday, August 2, 2018 and ending at 6:00 a.m. on Tuesday, August 7, 2018:

- West Street from the northern limit of Adelaide Street to the southern limit of Sugarloaf Street.

Staff requests that the following areas be closed/restricted to street parking and through traffic beginning at 4:00 a.m. Friday, August 3, 2018 and ending at 6:00 a.m. on Tuesday, August 7, 2018:

- West Street from the northern limit of Princess Street to the southern limit of Sugarloaf Street;
- Princess Street from the eastern limit of King Street to the eastern limit of West Street;
- Park Street from the eastern limit of King Street to the eastern limit of West Street;
- Charlotte Street from the eastern limit of King Street to the eastern limit of West Street;
- Kent Street from the eastern limit of King Street to the eastern limit of West Street;
- Victoria Street from the eastern limit of King Street to the eastern limit of West Street;
- Adelaide Street from the eastern limit of King Street to the eastern limit of West Street;
- Sugarloaf Street from the eastern limit of King Street to the eastern limit of West Street;
- Clarence Street from the eastern limit of King Street to the western limit of Welland Street;
- Municipal Parking Lot located west of King Street, east of Catharine Street and south of Princess Street.

In addition, the following areas be closed/restricted to street parking beginning at 4:00 a.m. on Friday, August 3, 2018 and ending at 6:00 p.m. on Monday, August 6, 2018:

- Northside of Kent Street between the western limit of Catharine Street and the eastern limit of Elm Street.



- The thirteen (13) parking spaces on the west side of King Street from Sugarloaf Street to Charlotte Street;
- The two (2) parking spaces on both east and west sides of King Street, north of the Charlotte Street limit, be closed to parking to allow for the shuttle bus stops; and
- The three (3) parking spaces on the south side of Clarence Street in front of the Breakwall Brewery.

**Port Colborne Historical & Marine Museum Canal Days Events: Schedule D to By-law**

Staff also requests that the following areas be closed/restricted to through traffic and street parking beginning at 6:00 p.m. on Friday, August 3, 2018 and ending at 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Museum's Canal Days events:

- Princess Street from the western limit of King Street to the eastern limit of Catharine Street.

**Canal Days Concert at H.H. Knoll Lakeview Park: Schedule E to By-law**

Staff also requests that the following areas be closed/restricted to through traffic and street parking beginning at 4:00 p.m. to 12:00 a.m. on Friday, August 3, & Saturday, August 4, 2018 for the purpose of Concerts: (Appendix C)

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

**Patio Extensions**

In order to enhance the festival on Clarence Street and West Street, local restaurants are requesting endorsements to apply for a special occasion permit to the AGCO for the Canal Days Marine Heritage Festival. These restaurants include Eh Amigos Cantina and The Lock, on Clarence Street, Breakwall Brewery, Canalside Restaurant Inn, Walters and Neptunes, and the Canadian Corps Association on West Street. The City of

Port Colborne will also be requesting an extension to the City's license for the Patio on West and the Concerts at H.H. Knoll Lakeview Park.

Community Services respectfully requests Council not object to the application letters to the AGCO for a Liquor License Extension. The applicants shall provide a Certificate of Insurance (COI) with no less than \$5,000,000 general liability naming the Corporation of the City of Port Colborne as additional insured, and listing The St. Lawrence Seaway Management Corporation, Her Majesty the Queen in Right of Canada, and Transport Canada, as additional insured parties in accordance with the Festivals & Events Insurance Requirements as listed in Appendix B.

Canalside and Walters and Neptunes are to maintain the patio during Canal Days with the same stipulations for pedestrian movements on the sidewalk, as utilized during the summer season.

In addition, the following conditions will apply to Eh Amigos Cantina, The Lock and Breakwall Brewery on Clarence Street:

- a) That on Friday, August 3, 2018 the selling and serving of alcoholic beverages to the said licensed outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 3, 2018;
- b) That on Saturday, August 4, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 4, 2018;
- c) That on Sunday, August 5, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 5, 2018;
- d) That on Monday, August 6, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 5:00 p.m., and the outdoor area shall be cleared of patrons by 5:30 p.m. on August 6, 2018;
- e) That, notwithstanding clause a, b, c and d above, the occupancy of the said outdoor licensed area shall be open only when Clarence Street is closed in accordance with City by-law;
- f) That the applicant shall not block or occupy any street with equipment relating to the Canal Days festival & events or patio before 9:00 a.m. on Friday, August 3, 2018 and must have all equipment and supplies related to the patio extension cleared from the streets no later than 7:00 p.m. Monday, August 6, 2018;

### **Celebrate Ontario 2018 Grant**

Community Services Event staff applied for and received funding through the Celebrate Ontario 2018 Grant in the amount of \$84,700 for the Canal Days Festival. The City has received the Ontario Transfer Payment Agreement requiring the Mayor and City Clerk to execute and sign the agreement. A by-law will be prepared to authorize the execution of the agreement.

## **Fire and Emergency Services**

Having reviewed the proposed changes as well as the report, the Fire and Emergency Services Department has no objections with the understanding that traffic flows will not be impeded on Clarence Street West of King.

## **Engineering and Operations**

It is requested that demands for staffing are addressed based on the timing of the closures and that sufficient signage and barricades are available to delineate all locations.

### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

#### **a) Do Nothing**

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

By not approving the non-objection request, Eh Amigos Cantina, The Lock on Clarence Street, Breakwall Brewery, and Canadian Corps Association on West Street would not be granted a permit by the AGCO to serve alcohol in their proposed patio extension. This option is not recommended.

Due to terms of the City Encroachment Agreement with Canalside Restaurant and Walters and Neptunes, approval is required for the existing patio to remain during this major event. By not approving the request, the patio would be dismantled for the Canal Days weekend and the business liquor license would be jeopardized. By not approving the non-objection request, Canalside Restaurant and Walters and Neptunes would not be granted a permit by the AGCO to serve alcohol in their proposed patio. Staff does not recommend this option.

#### **b) Other Options**

##### **Approve Requested Road/Parking Closures**

Staff recommends approval of requested road/parking closures to ensure the safety of staff and participants for the 2018 Canal Days Marine Heritage Festival and to assist with care and control movement of pedestrians and motorized vehicles in and around festival grounds, ensuring the delivery and provision of a safe festival.

##### **Approve Requested Non-Objection to a Liquor License Extension and Patio Extension**

Staff recommends approval for a letter of non-objection to Eh Amigos Cantina, The Lock, Breakwall Brewery, Canadian Corps Association, Walters and Neptunes, and Canalside Restaurant's application letter for a Liquor License Extension. Approval will provide AGCO compliance and ensure a quality area for festival entertainment and enjoyment by residents and tourists alike throughout the 2018 Canal Days Marine Heritage Festival.

Staff also recommends that the request to maintain the existing patio for Canalside Restaurant and Walters and Neptunes be approved.

In addition, staff recommends that the City of Port Colborne's request to extend to the City's license for the Patio on West and the Concerts at H.H. Knoll Lakeview Park be approved.

## **5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Engaged and vibrant community organizations contributing to the overall health and well-being of the community and showcases the City of Port Colborne's Cultural Heritage.

Supporting local business and providing assistance towards enterprising festivals and events in collaboration with the City of Port Colborne.

## **6) ATTACHMENTS**

Appendix A – Canal Days 2018 Master Site Plan  
Appendix B – Canal Days Concert Road Closures

## **7) RECOMMENDATION**

1. "That the closure to through traffic and street parking be approved and authorized for the following roads beginning at 5:00 p.m. Thursday, August 2, 2018 and ending at 6:00 a.m. on Tuesday, August 7, 2018:
  - West Street from the northern limit of Adelaide Street to the southern limit of Sugarloaf Street and;
  
2. "That the closure to through traffic and street parking be approved and authorized for the following roads beginning at 4:00 a.m. Friday, August 3, 2018 ending at 6:00 a.m. on Tuesday, August 7, 2018."
  - West Street from the northern limit of Princess Street to the southern limit of Sugarloaf Street;
  - Princess Street from the eastern limit of King Street to the eastern limit of West Street;
  - Park Street from the eastern limit of King Street to the eastern limit of West Street;
  - Charlotte Street from the eastern limit of King Street to the eastern limit of West Street;
  - Kent Street from the eastern limit of King Street to the eastern limit of West Street;
  - Victoria Street from the eastern limit of King Street to the eastern limit of West Street;

- Adelaide Street from the eastern limit of King Street to the eastern limit of West Street;
  - Sugarloaf Street from the eastern limit of King Street to the eastern limit of West Street;
  - Clarence Street from the eastern limit of King Street to the western limit of Welland Street;
  - Municipal Parking Lot located west of King Street, east of Catharine Street and south of Princess Street.
3. In addition, the following areas be closed to street parking beginning at 4:00 a.m. on Friday, August 4, 2018 and ending at 6:00 p.m. on Monday, August 7, 2018:
- Northside of Kent Street between the western limit of Catharine Street and the eastern limit of Elm Street.
  - The thirteen (13) parking spaces on the west side of King Street from Sugarloaf Street to Charlotte Street;
  - The two (2) parking spaces on both east and west sides of King Street, north of the Charlotte Street limit, be closed to parking to allow for the shuttle bus stops,
  - The three (3) parking spaces on the south side of Clarence Street in front of the Breakwall Brewery.
4. "That the closure to street parking and through traffic be approved and authorized for the following street beginning at 6:00 p.m. on Friday, August 3, 2018 and ending at 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Historical & Marine Museum Canal Days Events."
- Princess Street from the western limit of King Street to the eastern limit of Catharine Street.
5. "That the closure to street parking and through traffic be approved and authorized for following roads beginning at 4:00 p.m. to 12:00 a.m. on Friday, August 3 & Saturday, August 4, 2018 for the purpose of hosting the Canal Days concert."
- Steele Street from the southern limit of Steele Street at Sugarloaf Street;
  - Steele Street from the eastern limit at Steele Street at Sugarloaf Street;
  - Isabel Street from the southern limit of Isabel Street at Sugarloaf Street;
  - Fielden Avenue from the northern limit of Fielden Avenue at Sugarloaf Street;

- Fielden Avenue from the southern limit at Sugarloaf Street;
  - Lighthouse Lane from the southern limit at Sugarloaf Street;
  - Elm Street from the southern limit of Elm Street at Sugarloaf;
  - H.H. Knoll Lakeview Parking lot south of Dawg's Burgers to Fielden Avenue.
6. That there is no objection by the Corporation of the City of Port Colborne to the application by Eh Amigos Cantina to the AGCO for a Special Occasion Permit / Liquor License Extension; and
  7. That there is no objection by the Corporation of the City of Port Colborne to the application by The Lock 8 to the AGCO for a Special Occasion Permit / Liquor License Extension; and
  8. That there is no objection by the Corporation of the City of Port Colborne to the application by Breakwall Brewery to the AGCO for a Special Occasion Permit / Liquor License Extension; and
  9. That there is no objection by the Corporation of the City of Port Colborne to the application by Canadian Corps Association to the AGCO for a Special Occasion Permit/Liquor License Extension; and
  10. That the following conditions will apply to Eh Amigos Cantina and The Lock, on Clarence Street:
    - a) That on Friday, August 3, 2018 the selling and serving of alcoholic beverages to the said licensed outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 3, 2018;
    - b) That on Saturday, August 4, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 4, 2018;
    - c) That on Sunday, August 5, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 5, 2018;
    - d) That on Monday, August 6, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 5:00 p.m., and the outdoor area shall be cleared of patrons by 5:30 p.m. on August 6, 2018;
    - e) That, notwithstanding clause a, b, c and d above, the occupancy of the said outdoor licensed area shall be open only when Clarence Street is closed in accordance with City by-law;

f) That the applicant shall not block or occupy any street with equipment relating to the Canal Days festival & events or patio before 9:00 a.m. on Friday, August 3, 2018 and must have all equipment and supplies related to the patio extension cleared from the streets no later than 7:00 p.m. Monday, August 6, 2018; and

11. That there is no objection by the Corporation of the City of Port Colborne to the application by Canalside Restaurant Inn and Walters and Neptunes to the AGCO for a Special Occasion Permit/Liquor License Extension. That Canalside Restaurant and Walters and Neptunes be approved to maintain the existing patio for the 2018 Canal Days Marine Heritage Festival; and
12. That the six (6) applicants shall provide a Certificate of Insurance (COI) with no less than \$5,000,000 general liability naming the Corporation of the City of Port Colborne as additional insured, and listing The St. Lawrence Seaway Management Corporation, Her Majesty the Queen in Right of Canada, Transport Canada, as an additional insured in accordance with the City's Festivals & Events Insurance Requirements.
13. That Council of the Corporation of the City of Port Colborne exempt the participants of and the Canal Days Marine Heritage Festival from the Noise By-law #4588/119/04 and not be required to apply for the variance in accordance with Section 4(3) Schedule 2(2).
14. That the appropriate by-law be prepared, authorizing the Mayor and City Clerk to execute and sign the Ontario Transfer Payment Agreement for the Celebrate Ontario 2018 Grant on behalf of the Corporation of the City of Port Colborne.

#### 8) SIGNATURES

Prepared on May 7, 2018 by:



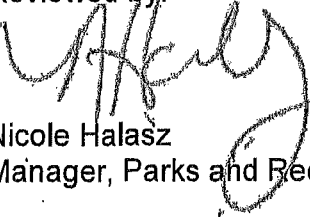
Gina Tartaglia  
Event Coordinator

Reviewed by:



Ashley Grigg  
Director, Community and Economic  
Development

Reviewed by:



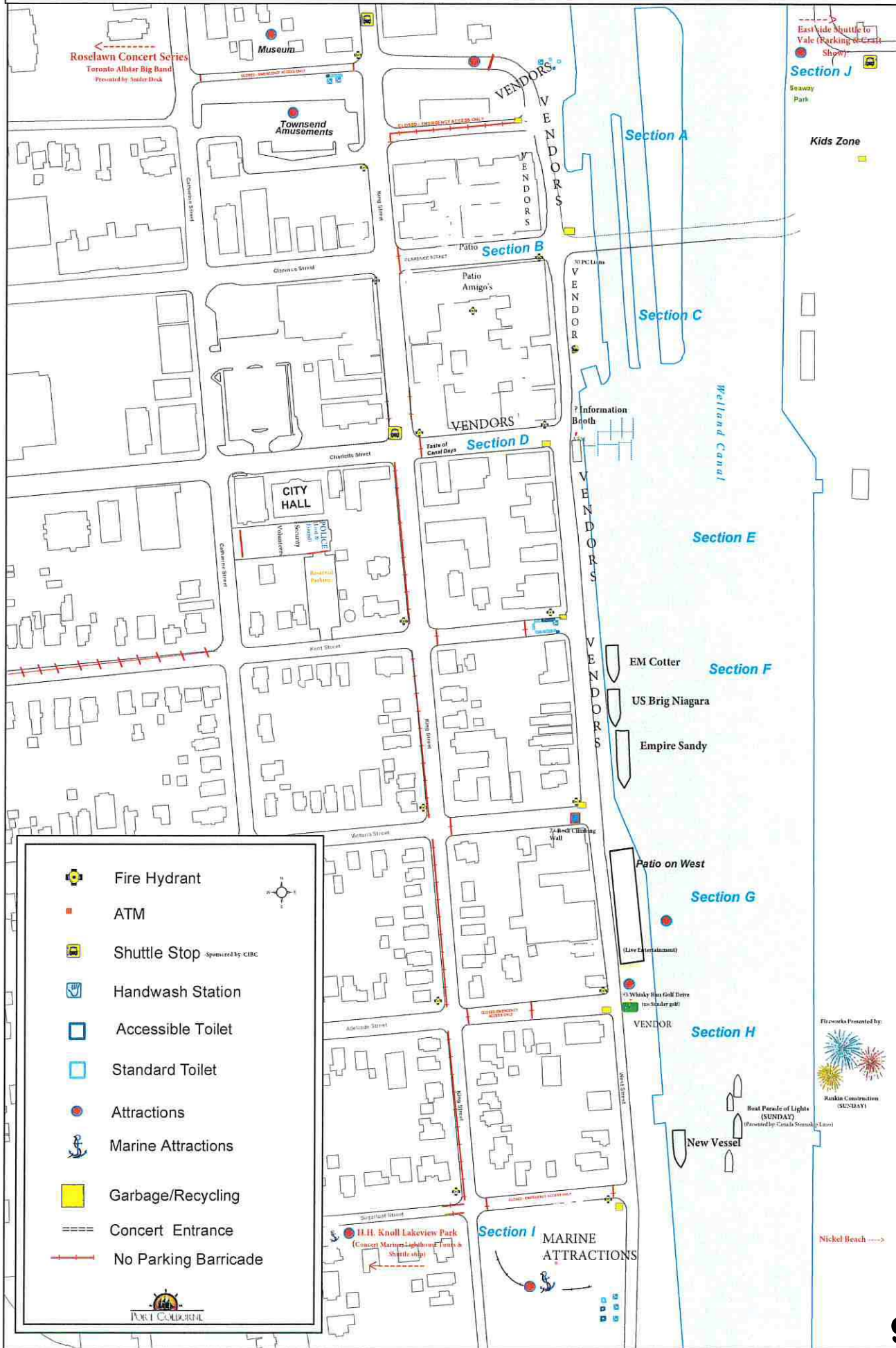
Nicole Halasz  
Manager, Parks and Recreation

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

# Canal Days 2018 Overview



	Fire Hydrant
	ATM
	Shuttle Stop <small>Sponsored by CIBC</small>
	Handwash Station
	Accessible Toilet
	Standard Toilet
	Attractions
	Marine Attractions
	Garbage/Recycling
	Concert Entrance
	No Parking Barricade

PORT HOPE ONTARIO

Fireworks Presented by:  
  
 Rankin Construction  
 (SUNDAY!)

Boat Parade of Lights  
 (SUNDAY)  
 (Presented by: Canal Steamship Lines)

Nickel Beach →





2015 Aerial

This page intentionally left blank.



Report Number: 2018-77

Date: June 11, 2018

**SUBJECT: 2018 Canal Days Car Parade Request for Road Closures and Parking Restrictions**

**1) PURPOSE**

The purpose of this report is to recommend road closures for the management and control of motor vehicle traffic for the annual 2018 Canal Days Car Parade to be held on Saturday, August 4, 2018.

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

Council's past practice has been to support its own annual festivals and events by approving the road closures as necessary. The Canal Days Car show has been a significant event for the community and continues to be a highlight for the community as one of the only night parades in Niagara and attracts visitors from across the region and beyond.

**3) STAFF COMMENTS AND DISCUSSIONS**

Community Services Events requests Council's approval authorizing the closure of the following streets for the return of the Canal Days Car Parade by prohibiting/regulating general vehicular traffic and parking by the public, with the exemption of: ambulance, police and/or fire services vehicles or any other vehicles required in the case of an emergency, which may include public works and public utility vehicles or vehicles authorized by permit only.

Additionally, staff request that the following areas be closed to street parking from 6:00 p.m. until 7:30 p.m., Saturday, August 4, 2018 to allow for safe pedestrian viewing of the parade from boulevards/sidewalks. The City's roads crew will block off all parking stalls along the route and provide garbage cans along the parade route.

1. Clarence Street from the western limit of Steele Street to the eastern limit of King Street;

Throughout the parade route, there will be temporary barricade road closures at the following intersections to restrict through traffic onto the parade route as set out in Appendix A – 2018 Canal Days Car Parade Route:

1. West and south intersections of Steele Street and Clarence Street
2. North and south intersections of Fielden Avenue at Clarence Street
3. North and south intersections of Elm Street at Clarence Street
4. North and south intersections of Catharine Street at Clarence Street
5. North and south intersections of King Street at Clarence Street

The parade is scheduled to begin at 6:30 p.m., leaving Killaly Street West at Steele Street and continue south on Steele Street. The parade will then turn left onto Clarence Street as the cars travel east to King Street where the parade route will turn left onto King Street and travel north down King Street to Killaly Street West where the parade entries will disperse.

The parade route, shown in Appendix A, and traffic will be regulated with the assistance of Canal Days Car Show as a rolling closure, and once the last car has passed, each temporary barricade will be removed by the City's roads crew. A media notice will be prepared and distributed via various media outlets notifying the community (residents and businesses) and ensuring an understanding that road access and parking restrictions along the parade route will be affected beginning on August 4, 2018 from 6:00 p.m. until 7:30 p.m.

### **Fire and Emergency Services**

Having reviewed the report Fire and Emergency Services Department advises that during the course of this event (parade in particular) access must be maintained for Emergency vehicles at all times.

### **Engineering and Operations**

It is recommended that staff revisit the time frame for the parking restrictions. With the present timing it is going to be difficult logistically for staff to close down/barricade the proposed areas for the parade route given that people will be parking in those areas all through the day Saturday, to then attempt to try and locate/remove vehicles from the restricted areas that have come for the day and subsequently park and left their vehicle, may prove difficult to move once 6:00 p.m. arrives. Staff wonder if a longer duration for the restrictions would be appropriate.

Also a longer duration may assist staff in barricade deployment. Staff assignments are already heavy regarding Canal Days and to have to pull staff off other duties in the middle of one of the busiest times during the Festival may prove difficult.

## **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

### **a) Do Nothing**

By not securing the surrounding grounds and parade route, the risk of an accident and/or injury is higher. The road closure and restricted parking of vehicle traffic along the parade route facilitates the cars of the parade and is required for a risk management practice that heightens safety and mitigates liability. To do nothing is not recommended.

### **b) Other Options**

Approval of requested road closures and parking restrictions provides for the safety of staff and parade participants, and ensures the successful execution of the return of the Canal Days Car Parade.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Culture and Economy. The promotion of culture activities and events that contribute towards the health and prosperity of all communities in Port Colborne.

**6) ATTACHMENTS**

Appendix A – 2018 Canal Days Parade Route

**7) RECOMMENDATION**

That the prohibition of street parking be approved for purpose of hosting the Canal Days Car Parade route beginning at 6:00 p.m. until 7:30 p.m., Saturday, August 4, 2018 to allow for safe viewing of the parade along:

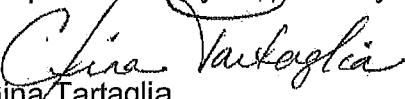
1. Clarence Street from the western limit of Steele Street to the eastern limit of West Street;
2. West Street from the northern limit of Clarence Street to the southern limit of Charlotte Street; and
3. Charlotte Street from the western limit of Elm Street to the eastern limit of King Street.

That the temporary road intersection closures be approved for the purpose of hosting the Canal Days Car Parade route beginning at 6:30 p.m. until 7:30 p.m., Saturday, August 4, 2018. Temporary barricade road closures at the following intersections to restrict through traffic onto the parade route.

1. West and south intersections of Steele Street and Clarence Street
2. North and south intersections of Fielden Avenue at Clarence Street
3. North and south intersections of Elm Street at Clarence Street
4. North and south intersections of Catharine Street at Clarence Street
5. North and south intersections of King Street at Clarence Street

**8) SIGNATURES**


Prepared on May 28, 2018 by:

  
Gina Tartaglia  
Event Coordinator

Reviewed by:

  
Nicole Halasz  
Manger, Parks and Recreation

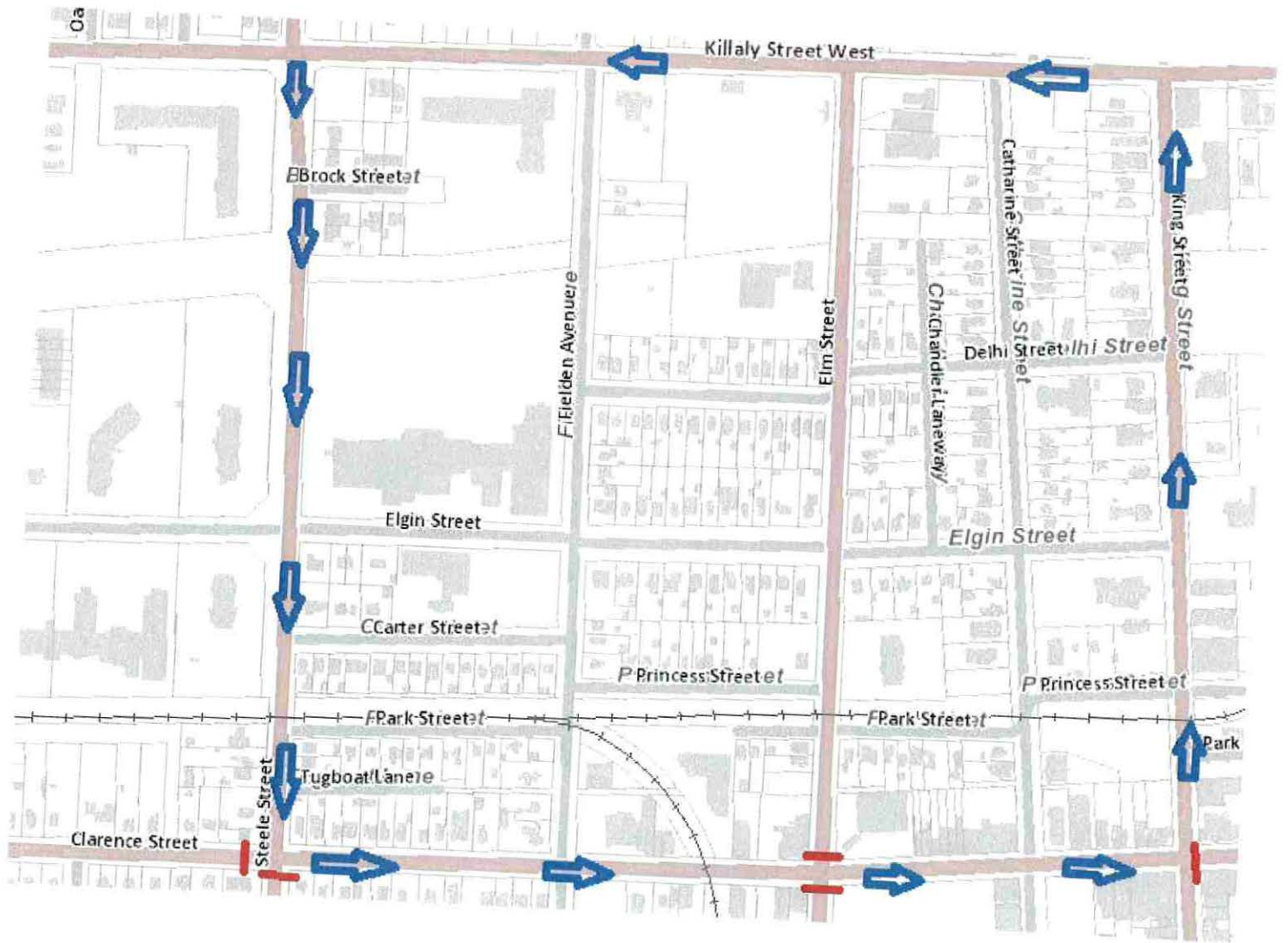
Reviewed by:

  
Ashley Grigg  
Director, Community and Economic  
Development

Reviewed and respectfully submitted by:

  
C. Scott Luey  
Chief Administrative Officer







Report Number: 2018-82

Date: June 11, 2018

**SUBJECT: Rose City Triathlon Road Closure Request**

**1) PURPOSE**

The purpose of this report is to present a request from Mr. Chris Pickering with Multisport Canada. The Rose City Triathlon will be going through a portion of Port Colborne. The request is for the temporary closure of City roads in order to host the 2018 Rose City Triathlon on June 23, 2018 beginning at 7:30 a.m. until 12:00 p.m. along Elm Street at Stonebridge Drive for northbound traffic.

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

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

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

**3) STAFF COMMENTS AND DISCUSSIONS**

The Community and Economic Development Department is in support of this request, and recommends temporary road closure approvals, as follows:

- Elm Street at Stonebridge Drive for northbound traffic;

The proposed road closure map, as submitted by Mr. Chris Pickering, is attached as Appendix "A". Emergency vehicles, including ambulance, police and fire, as well as public works and public utility vehicles, will be exempt from the closures. Further, members and qualified volunteers of the Rose City Triathlon, and registered participants, will also be exempt from the closures.

As in the past with multiple events, City staff will deliver road closure barricades at the predetermined intersection.

#### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

##### **a) Do Nothing**

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

##### **b) Other Options**

Approval of requested road closures provides for the safety of participants.

#### **5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

This initiative supports the City's strategic goal of developing collaborative partnerships and engaging community groups to host events that benefit the local economy, as outlined in the City's Strategic Plan.

#### **6) ATTACHMENTS**

Appendix "A" – Rose City Triathlon Route Map

#### **7) RECOMMENDATION**

That the road closures necessary for the 2018 Rose City Triathlon event on June 23, 2018, as requested by Mr. Chris Pickering, and outlined in Community and Economic Development, Parks and Recreation Division Report No. 2018-82, be approved;

That the following road be closed to general vehicular traffic and parking from 7:30 a.m. to 12:00 p.m.:

- Elm Street at Stonebridge Drive for northbound traffic;

That emergency service vehicles, including ambulance, police and fire, as well as public works and public utility vehicles, be exempt from the above noted closures;

That members, qualified participants, and participants of the Rose City Triathlon, be exempt from the above noted closures, through the issuance of an authorized permit;

That the Rose City Triathlon be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the event;

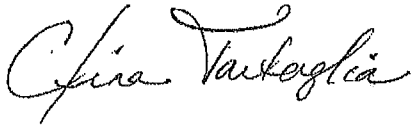
That traffic barricades be supplied by Public Works staff, on June 23, 2018 to, and delivered before the start of the race at the predetermined location requiring barricades; and

That the appropriate by-law be presented for approval.



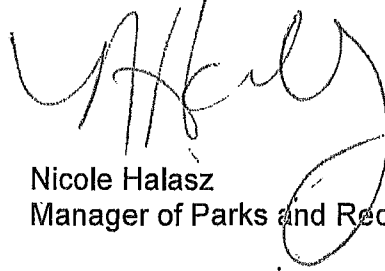
8) SIGNATURES

Prepared on June 4, 2018 by:



Gina Tartaglia  
Event Coordinator

Reviewed by:



Nicole Halasz  
Manager of Parks and Recreation

Reviewed by:



Ashley Grigg  
Director of Community and Economic  
Development

Reviewed and respectfully submitted by:



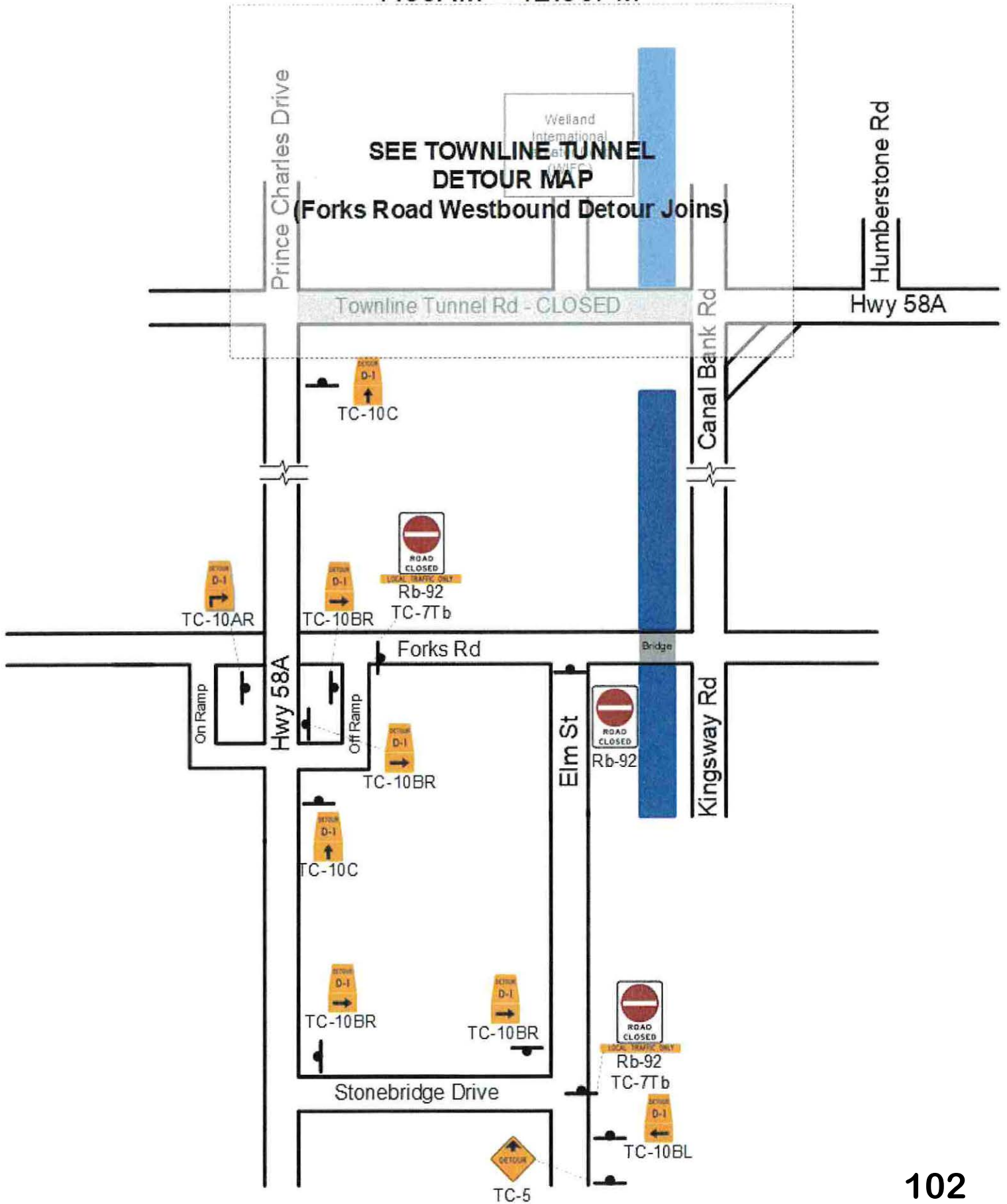
C. Scott Luey  
Chief Administrative Officer

# ROSE CITY (WELLAND) TRIATHLON

## Traffic Management Plan Overview

Proposed for Saturday June 23, 2018 – Detour Map 2

7:30AM – 12:00PM





# ST. JOHN BOSCO CATHOLIC ELEMENTARY SCHOOL

May 30, 2018

City of Port Colborne  
**RECEIVED**

**MAY 30 2018**

CORPORATE SERVICES  
DEPARTMENT

To Amber LaPointe,

I am the principal from St. John Bosco Catholic School. We are having our annual fun night on Friday June 15, 2018 from 5 to 7:00. We are hoping that the city of Port Colborne would provide us with picnic tables for that evening. We are hoping for 15 picnic tables.

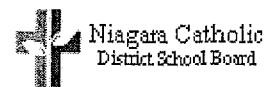
Many thanks in advance for giving our request consideration. If you have any questions or concerns, please contact me at the school at 905 835 1930.

Sincerely,

Mary Kay Kalagian – Principal of St. John Bosco Catholic School

---

191 Highland Avenue, Port Colborne Ontario L3K 3S7  
(Phone: 905 835 1930 Fax: 905 835 1275)



This page intentionally left blank.

APR 26 2018

CORPORATE SERVICES  
DEPARTMENT

April 18, 2018

City of PORT COLBORNE  
66 CHARLOTTE ST.  
Port Colborne (ON)  
L3K 3C8

**Subject: Canadian Pacific 2018 Vegetation Control Program**

Dear Madam:

Dear Sir:

Please be advised that Canadian Pacific Railway (CP) will be carrying out its 2018 annual vegetation control program within your city limits. This program will be confined to CP's right-of-way, part of this program will consist of grass and weed control using herbicides on the ballast (gravelled section) and the second part (if needed) will take care of the brush on selected rail lines. The rail ballast portion of the program will take place within your municipality between May 7<sup>th</sup> and August 31<sup>st</sup>, as for the brush control, if needed, will be between May 7<sup>th</sup> and August 31<sup>st</sup>. Some manual brush control involving stump treatment may occur from May 7<sup>th</sup> until December 15.

This program is necessary to eliminate brush and weeds which constitute a hazard to the public and to CP's employees as well. If left uncontrolled, vegetation contributes to trackside fires, impairs visibility of train signals, impairs sight lines at railway crossings, impairs proper inspection of track infrastructure, etc. This is all in accordance with Ontario *Regulation 63/09*, which grants public works the right to use herbicides when it comes to the safety of their infrastructure. All applications will be carried out by qualified operators in conformity with current federal and provincial regulations. This program will also be subject to all habitation and aquatic setbacks listed on the products' label. All herbicides are registered under the PMRA and they are all biodegradable.

We invite you to visit CP's web site at [www.cpr.ca](http://www.cpr.ca), where a detailed schedule of our herbicides operations is posted. Move your cursor over "Community" (just above the main banner), a menu will open and then select the item "Living Near the Railway". Once on that page, click on "Ontario Spray Schedules" item listed on the far left of the screen and then click on "Ontario Spray Schedules", to see the actual schedule (it will open a pdf document). You can also use the following address with your browser: <http://www.cpr.ca/en/community/living-near-the-railway/ontario-spray-schedules>.

We also have a 24/7, toll-free service called Community Connect dedicated in providing answers to any question related to CP's railway operations and can be reached at 1-800-766-7912. You can also send them an online form or an email. You can find all this information by simply scrolling down while on "Ontario Spray Schedules" webpage.

We invite you to communicate this information to your citizens as well. We would like also to take this opportunity to remind you that, as per Transport Canada "*Railway Safety Act*", it is illegal to be on any railway property without lawful authorization.

Yours truly,

*Geoff Gordon*

Geoff Gordon  
Vegetation Management Specialist  
Canadian Pacific

c.c.: Ministry of the Environment and Climate Change of Ontario



**Fw: Mayors Invitation and Proclamation Request - World Hepatitis Day 2018**

John Maloney to: Amber LaPointe, Brenda Heidebrecht  
Sent by: Nancy Giles

06/05/2018 08:36 AM

please put this on an upcoming council agenda.

Mayor John Maloney  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8  
905-835-2900 Ext 302  
mayor@portcolborne.ca

City of Port Colborne  
**RECEIVED**

**JUN 05 2018**

CORPORATE SERVICES  
DEPARTMENT

----- Forwarded by Nancy Giles/Port\_Notes on 06/05/2018 08:35 AM -----

From: "Usick,Karen" <Karen.Usick@niagarahealth.on.ca>  
To:  
Date: 06/04/2018 04:53 PM  
Subject: Mayors Invitation and Proclamation Request - World Hepatitis Day 2018

---

## Greetings

Wow.....where has this year gone! It is time to announce our 2018 World Hepatitis Day community awareness event. On Friday July 27, 2018 the NHS - Hepatitis C Care Clinic will be joining our Global Partners to recognize World Hepatitis Day. This year we will align with the World Hepatitis Alliance Global theme to "Find the Missing Millions". It is so very important to Get Tested...Get Treated...Get Cured. On behalf of our program I would like to invite you to partner with us in helping to raise awareness of World Hepatitis Day 2018. As with previous years; I apply to all of the municipalities throughout Niagara on behalf of our Hepatitis C Care Clinic Program to have each municipality proclaim World Hepatitis Day on July 28<sup>th</sup>. I am aware that some of the municipalities do not provide proclamations.....but if you would please recognize our event at one of the city council meetings I would be truly appreciative. ☺ At this time I would also like to invite you to attend our World Hepatitis Day Community Awareness event. Our Hepatitis C Care Clinic program provides regional services and we are excited to share with you about our program and the care and services of our community partners. The event will be held on Friday July 27, 2018 from 11:00 am to 3:00 p.m. at Montebello Park in St. Catharines. Opening ceremony will be at 11:30 a.m. and you are welcome to join the other dignitaries with your message of support. ☺

The Hepatitis C Care Clinic, which is part of the Niagara Health - Mental Health and Addictions Program, is funded through the Ministry of Health, Hepatitis C Secretariat. The program mandate is to provide care to the marginalized population, which may "fall between the cracks" of the health care and social services systems to provide a "safety net" to ensure everyone receives the care they need when they need it. This is why we feel our World Hepatitis Day community events are so important each year to bring a street-based health and

social services fair to the residents of Niagara that may not know where to look for the care they need. Each year the number of community partners continues to grow; in 2017 at our community event we had over 40 service providers that joined us to bring their care and program to the residents of Niagara.

Hepatitis B and C are two life-threatening liver diseases. One in 12 people around the world are living with hepatitis B or C – including 600,000 Canadians. Both viruses are transmitted through blood-to-blood contact.

Hepatitis C, in particular, has a low diagnosis rate, and the Public Health Agency of Canada now estimates that 44% of Canadians living with the disease do not know they have it. That is why we recognize that a key goal of each year's World Hepatitis Day event is to encourage Niagara residents to get tested and know their status, especially because of the new, highly effective and tolerable therapies for Hepatitis C that are now available.

On July 28, 2016 the World Hepatitis Alliance launched the "NOhep" campaign, which will be the first global movement that will work towards the elimination of viral hepatitis as a public health threat by 2030. Our World Hepatitis Day activities allow us to join our Global partners lead by the World Hepatitis Alliance and we also join our global partners by illuminating notable landmarks here in Niagara with the colour green, which represents the "NOhep" campaign. Notable landmarks to be illuminated again this year are: Canadian and USA Falls, Skylon Tower, Welland Historic Lift Bridge, Peace Bridge and the Pelham Arches.

To confirm your attendance or if you have any questions, please do not hesitate to contact me.

Thank you for your consideration and review of our World Hepatitis Day Proclamation request!

Hope you have a great day!

Warm regards,

*Karen*

Karen Usick | Community Coordinator

Mental Health & Addictions | Hepatitis C Care Clinic

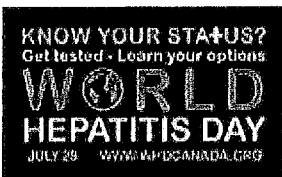
[Karen.Usick@NiagaraHealth.on.ca](mailto:Karen.Usick@NiagaraHealth.on.ca)

W: 905-378-4647 x32555 | C: 289-696-2523

260 Sugarloaf Street, Port Colborne, ON L3K 2N7

HCCC Website Address - [www.niagarahealth.on.ca/services/hepatitis-c-care](http://www.niagarahealth.on.ca/services/hepatitis-c-care)

NHS Addiction Services - [www.niagarahealth.on.ca/services/addiction-recovery](http://www.niagarahealth.on.ca/services/addiction-recovery)



niagarahealth





“Education is the most powerful way to change the World”

Nelson Mandela

[www.nohep.org/learn-more](http://www.nohep.org/learn-more)

[www.nohep.org/about](http://www.nohep.org/about)

## ELIMINATE HEPATITIS

CONFIDENTIALITY NOTICE: This electronic communication and attached material is intended for the use of the individual or institution to which it is addressed and may not be distributed, copied or disclosed to any unauthorized persons. This communication may contain confidential or personal information that may be subject to the provisions of the Freedom of Information and Protection of Privacy Act or the Personal Health Information Protection Act. If you have received this communication in error, please return this communication to the sender and permanently delete the original and any copy of it from your computer system. Thank you for



your co-operation and assistance. WHD 2018 Proclamation - Fort Erie.pdf



WHD 2018 Proclamation - Grimbsy.pdf WHD 2018 Proclamation - Lincoln.pdf



WHD 2018 Proclamation - Niagara Falls.pdf WHD 2018 Proclamation - Niagara -On-The-Lake.pdf



WHD 2018 Proclamation - Pelham.pdf WHD 2018 Proclamation - Port Colborne.pdf



WHD 2018 Proclamation - St. Catharines.pdf WHD 2018 Proclamation - Thorold.pdf



WHD 2018 Proclamation - Wainfleet.pdf WHD 2018 Proclamation - Welland.pdf



WHD 2018 Proclamation - West Lincoln.pdf WHD - 2018 ( Outreach Promo Flyer).jpg

## WORLD HEPATITIS DAY

July 28<sup>th</sup>, 2018

**WHEREAS**, an estimate of about 600,000 Canadians living with hepatitis B or C can potentially develop cirrhosis, liver failure, liver cancer and related illnesses;

**WHEREAS**, Ontario has over 110,000 people living with hepatitis B or C, both of which are slow and progressive diseases; and

**WHEREAS**, there are vaccines available for Hepatitis A and B; emerging Hepatitis C treatment therapies can cure nearly 95% of cases; and

**WHEREAS**, World Hepatitis Day provides an opportunity to reach out to millions of Canadians and encourage hepatitis testing, provide treatment and care for those affected while paving the way towards elimination of hepatitis as a public health concern in Canada by 2030;

**THEREFORE**, I, John Maloney, Mayor of the City of Port Colborne, do hereby proclaim **July 28<sup>th</sup>, 2018 Hepatitis Awareness Day** in Port Colborne.

## JOURNÉE DE SENSIBILISATION À L'HÉPATITE

Le 28 juillet 2018

**ATTENDU QU'**on estime à 600 000 le nombre de Canadiennes et de Canadiens vivant avec l'hépatite B ou C qui risquent de développer une cirrhose, une insuffisance hépatique, un cancer du foie et des maladies connexes;

**ATTENDU QUE** l'Ontario compte plus de 110 000 personnes vivant avec l'hépatite B ou C, deux maladies lentes et progressives; et

**ATTENDU QU'**il existe des vaccins pour protéger contre l'hépatite A et B et que de nouvelles thérapies de traitement de l'hépatite C peuvent guérir près de 95 % des cas; et

**ATTENDU QUE** la Journée mondiale de l'hépatite est une occasion de joindre des millions de Canadiennes et de Canadiens, d'encourager le dépistage de l'hépatite et de fournir traitements et soins aux personnes touchées tout en ouvrant la voie vers l'élimination de l'hépatite en tant que problème de santé publique au Canada d'ici 2030;

**PAR CONSÉQUENT**, je, John Maloney, maire de la Ville de Port Colborne, proclame par la présente le **28 juillet 2018 Journée de sensibilisation à l'hépatite** à Port Colborne.

John Maloney  
Mayor / Maire

**KNOW YOUR STATUS?**  
Get tested - Learn your options

**WORLD**

**HEPATITIS DAY**

**JULY 28**

**WWW.WHDCANADA.ORG**

**Free Food & Refreshments  
Live Music & Entertainment  
Private Testing & Health Teaching  
Community Health Fair - Information Displays**

**Montebello Park – St. Catharines  
64 Ontario Street  
Friday July 27, 2018  
11:00 a.m. to 3:00 p.m.**

**Hepatitis C Care Clinic at  
905-378-4647 Ext 32554 or  
HCCC@NiagaraHealth.on.ca**

niagarahealth



**ELIMINATE HEPATITIS**

This page intentionally left blank.

May 11, 2018

**CL 6-2018, May 3, 2018**  
**PEDC 6-2018, April 25, 2018**  
**Report PDS 17-2018**

***DISTRIBUTION LIST***

***SENT ELECTRONICALLY***

Agriculture – Project Framework  
**PDS 17-2018**

Regional Council, at its meeting of May 3, 2018, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 17-2018, dated April 25, 2018, respecting Agriculture – Project Framework, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the project framework and work program contained within Report PDS 17-2018 for the agricultural component of the new Regional Official Plan **BE ENDORSED**; and,
2. That a copy of Report PDS 17-2018 **BE CIRCULATED** to the Local Area Municipalities, Niagara Home Builders' Association, the Agricultural Policy and Action Committee, the North and South Federations of Agriculture, the Grape Growers of Ontario, the Wine Council of Ontario, and the Preservation of Agricultural Lands Society.

A copy of Report PDS 17-2018 is attached for your information.

Yours truly,



Ann-Marie Norio  
Acting Regional Clerk

:jg

CLK-C 2018-64

Distribution List:

Local Area Municipalities  
Niagara Home Builders' Association  
Agricultural Policy and Action Committee  
North and South Federations of Agriculture  
Grape Growers of Ontario  
Wine Council of Ontario  
Preservation of Agricultural Lands Society

cc: L. Savage, Planner, Planning and Development Services  
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services  
R. Mostacci, Commissioner, Planning and Development Services

---

**Subject:** Agriculture – Project Framework

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, April 25, 2018

---

## **Recommendations**

1. That the project framework and work program contained within Report PDS 17-2018 for the agricultural component of the new Regional Official Plan **BE ENDORSED**; and,
2. That a copy of Report PDS 17-2018 **BE CIRCULATED** to the Local Area Municipalities, Niagara Home Builders' Association, the Agricultural Policy and Action Committee, and the North and South Federations of Agriculture.

## **Key Facts**

- The purpose of this report is to seek Council's endorsement of the work program for the agricultural component of the new Regional Official Plan.
- The Agricultural Project Initiation Report (PDS 7-2018) presented to the Planning and Economic Development Committee on January 31, 2018 provided an overview the agriculture framework and sought direction to consult with the Area Planners group and local municipal planning staff toward the development of a detailed work program. These discussions have taken place and the input received has been considered and reflected in the work program.
- Agricultural system planning and natural environment planning are highly integrated. The required work to support the new Regional Official Plan in each of these areas will be completed concurrently and will have regard for each other. PDS 18-2018 provides the framework for the natural environment work program.

## **Financial Considerations**

The completion of the agricultural work program for the new Regional Official Plan will require staff resources, and may also require consulting resources. These costs can be accommodated within the Council approved Regional Official Plan Project budget.

## Analysis

### Consultation on PDS 7-2018

The Agricultural Project Initiation Report (PDS 7-2018) presented to the Planning and Economic Development Committee on January 31, 2018 provided an overview the agriculture framework and sought direction to consult with the Area Planners Group and local municipal planning staff toward the development of a detailed work program. Individual one-on-one meetings were held with the Local Area Municipalities between February 1 and 21, 2018. Presentations were also made to the Area Planners Group on January 26 and March 16, 2018. The meetings and presentations included a range of topic areas related to the new Regional Official Plan. The input received related to the agricultural work program centred on the following themes:

- Improving the viability of certain lands designated for agriculture (e.g. parcels that may have limitations due to size, location, soil health, water issues, etc.)
- Examining the Province's mapping of an Agricultural System for the Greater Golden Horseshoe, including potential opportunities for refinement
- Examining how wineries are addressed in the Niagara Escarpment Plan and the Province's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas
- The importance of Agricultural Impact Assessment and corresponding guidance material released by the Province
- The importance of compatibility between the Regional Natural Heritage System and Agricultural System
- Consideration for the legalization of recreational cannabis and interactions with the Agricultural System

The input received from the Area Planners Group and the one-on-one meetings provided valuable insight into the key issues of importance to the local municipalities. The discussions helped to confirm that the agricultural work program is appropriately scoped to address issues of both regional and local importance. The issues raised will be considered in the development of Terms of Reference for the agricultural background study and the overall implementation of the work program.

The issue of agricultural viability was raised frequently in the one-on-one meetings and will be examined as part of the work program, potentially through a separate discussion paper. This includes lands that fall within the "Specialty Crop Area" designation of the Greenbelt Plan, 2017 that were previously developed for non-agricultural uses. Examination of this issue will include a legislative and policy review as well as discussions with the Province regarding any possible approaches.



### Purpose of the Agricultural Work Program

The Region's current agricultural policies recognize the importance of protecting the agricultural land base and supporting the agricultural economy. Policies introduced through ROPA 6-2009 were the first of their kind in Ontario – encouraging a wide range of farm diversification uses that contribute to long-term farm viability.

Since their introduction, the Province has released a new policy framework for agricultural uses in Ontario. In addition, discussions with the Area Planners Group and the Local Area Municipalities highlighted that there are opportunities to further strengthen the Region's Agricultural System and corresponding policy framework.

The agricultural work program will support the Region's continued leadership in agricultural policy development and ensure consistency with provincial policy. It will include undertaking research, analysis and consultation to develop an Agricultural System comprised of both mapping and policies in the new Regional Official Plan. More specifically, the agricultural work program will include:

1. An agricultural background study, which includes a review of the Province's agricultural system mapping;
2. Identifying and evaluating options for the Agricultural System;
3. Developing an Agricultural System;
4. Developing agricultural policies and schedules for the Official Plan; and
5. Considering policies and other tools to implement the Agricultural System.

### Framework for Agricultural Work Program

The agricultural work program for the new Regional Official Plan comprises nine phases:

#### *Phase 1 - Project Initiation*

- Prepare overview and detailed work program and consult
- Prepare terms of reference and form working group

#### *Phase 2 - Background Study*

- Prepare comprehensive background study
- Review provincial mapping

#### *Phase 3 - 1st Point of Engagement: Inform on Background Study*

- Consult with full range of stakeholders on background study (additional details below)
- Present to Local Councils

*Phase 4 - Develop Options for the Agricultural System*

- Develop and evaluate options for the agricultural system
- Identify preliminary preferred option

*Phase 5 - 2nd Point of Engagement: Consultation on Options for the Agricultural System*

- Consult with full range of stakeholders on preliminary preferred option (additional details below)
- Select preferred option
- Present preferred option to Committee and Council for endorsement

*Phase 6 - Develop Regional Agricultural System*

- Expand on preferred option to develop details of system
- Develop detailed recommendations to support implementation

*Phase 7 - Develop Official Plan Policies & Finalize Mapping*

- Develop Official Plan policies and finalize mapping/schedules
- Prepare implementation framework

*Phase 8 - 3rd Point of Engagement: Draft OP Polices and Schedules*

- Consult with full range of stakeholders on draft Official Plan polices and schedules

*Phase 9 – Other Implementation Tools*

- Finalize tools that are required for implementation

Following the completion of the agricultural work program there will be a process to ensure alignment across all sections of the new Regional Official Plan. Then there will be a statutory public meeting, and the Official Plan will be brought to Council for adoption as a single comprehensive document.

Reporting to Committee and Council

The following is a proposed schedule for reporting to Committee and Council as per the phases listed above.

<b>Phase</b>	<b>Reports to Committee and Council*</b>
1	1. Project Initiation Report ✓ 2. Detailed Framework for Endorsement
3	3. Inform on Background Report
5	4. Preliminary Preferred Option and Direction to Consult 5. Preferred Option for Endorsement
6	6. Details of Regional Agricultural System for Endorsement

---

8	7. Draft Official Plan Policies and Schedules for Endorsement
9	TBD

\*The formal reporting to Committee/Council is identified. However, additional memos and correspondence may be provided to Committee to provide updates on key issues as the work program progresses. A memo will be provided to Committee early in Q1 2019 to provide an update on the status of the project.

### Consultation and Engagement

The agricultural work program will be supported by ongoing consultation and engagement activities.

An Agriculture Working Group will be established comprised of planners from the Region and Local Area Municipalities. Representatives from the Province will also be invited to participate in the Agriculture Working Group. A mandate and Terms of Reference (ToR) for the Working Group will be developed as part of the Phase 1 work. The Area Planners Group will be consulted on the ToR before the group is formed.

Formal consultation and engagement for the work program will be completed during Phases 3, 5 and 8 of the work program. A range of partners and stakeholders will be engaged during these phases, including but not limited to:

- Committee and Council
- Planning Advisory Committee (PAC)
- Area Planners Group
- Agricultural Policy and Action Committee (APAC)
- Agricultural Stakeholders
- Environmental Stakeholders
- Development Community
- The Public

An Indigenous engagement strategy for the Official Plan work program is currently being developed. Consultation and engagement for the agricultural work program will be consistent with the overall strategy.

In addition, it is anticipated that a presentation would be made to each of the Local Councils following the completion of the background study. The purpose of the presentation would be to inform on the basis and need for agricultural system planning, present the results of the background study, and seek input towards the development of options in the next phase. This presentation may be stand-alone, a joint presentation with the natural environment background study, or as part of a presentation on the overall Regional Official Plan work program.

## **Alternatives Reviewed**

The alternative would be for Committee and Council to not endorse the agricultural work program. This is not recommended as agricultural planning is a critical component of the Regional Official Plan, which has implications for the regional economy.

## **Relationship to Council Strategic Priorities**

The agricultural work program is part of the new Regional Official Plan which will assist in implementing Council's Strategic Priority of Innovation, Investment, & Entrepreneurship.

## **Other Pertinent Reports**

- PDS 7-2018 Agricultural Project Initiation Report
- PDS 3-2018 New Official Plan Update
- PDS 41-2017 High Level Official Plan Process Framework
- PDS 20-2016 Regional Official Plan Update

---

### **Prepared by:**

Lindsey Savage, MCIP, RPP  
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 Danielle De Fields, MCIP, RPP, Manager, Community Planning and Doug Giles, Director, Community and Long Range Planning*

MAY 11 2018

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

CORPORATE SERVICES  
DEPARTMENT

May 9, 2018

CL 6-2018, May 3, 2018

PEDC 6-2018, April 25, 2018

Report PDS 18-2018

**DISTRIBUTION LIST****SENT ELECTRONICALLY**Natural Environment – Project Framework**PDS 18-2018**

Regional Council, at its meeting of May 3, 2018, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 18-2018, dated April 25, 2018, respecting Natural Environment - Project Framework, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the project framework and work program contained within Report PDS 18-2018 for the natural environment component of the new Regional Official Plan **BE ENDORSED**; and,
2. That a copy of Report PDS 18-2018 **BE CIRCULATED** to the Local Area Municipalities, the Niagara Peninsula Conservation Authority, the North and South Federations of Agriculture, the Agricultural Policy and Action Committee, the Niagara Home Builders Association, and the Niagara Industrial Association.

A copy of Report PDS 18-2018 is attached for your information.

Yours truly,



Ann-Marie Norio  
Acting Regional Clerk

:jg

CLK-C 2018-63

Distribution List:

Local Area Municipalities  
Niagara Peninsula Conservation Authority  
North and South Federations of Agriculture  
Agricultural Policy and Action Committee  
Niagara Home Builders Association  
Niagara Industrial Association

cc: S. Norman, Senior Planner, Planning and Development Services  
N. Oakes, Executive Assistant to the Commissioner, Planning and Development Services  
R. Mostacci, Commissioner, Planning and Development Services

---

**Subject:** Natural Environment – Project Framework

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, April 25, 2018

---

## Recommendations

1. That the project framework and work program contained within Report PDS 18-2018 for the natural environment component of the new Regional Official Plan **BE ENDORSED**; and,
2. That a copy of Report PDS 18-2018 **BE CIRCULATED** to the Local Area Municipalities, the Niagara Peninsula Conservation Authority, the North and South Federations of Agriculture, the Agricultural Policy and Action Committee, the Niagara Home Builders Association, and the Niagara Industrial Association.

## Key Facts

- The purpose of this report is to seek Council's endorsement of the project framework and work program for the natural environment component of the new Regional Official Plan.
- PDS 6-2018 which was presented to Planning and Economic Development Committee on January 31, 2018 provided an overview of the natural environment work program and sought direction to consult with the Area Planners group and local municipal planning staff. The engagement process has been completed and input received has been incorporated into the framework and work program.
- The work program has been designed with several points of decision making and consultation and engagement along the way, this will give Committee and Council the opportunity to participate and provide direction throughout.
- Natural environment planning is a complex and evolving science. There is a wide range of Provincial requirements, guidance, and direction; scientific and technical requirements; industry best practices; and local context that must be taken into consideration.
- Natural environment planning and agricultural system planning are highly integrated. The required work to support the new Regional Official Plan in each of these areas will be completed concurrently and will have regard for each other. PDS 17-2018 provides the framework for the agricultural work program.

## **Financial Considerations**

The completion of the natural environment work program for the new Regional Official Plan will require staff and consulting resources. These costs can be accommodated within the Council approved Regional Official Plan Project budget.

## **Analysis**

### Purpose of the Natural Environment Work Program

Early consultation with Local Area Municipalities and other stakeholders identified that the current Regional Natural Heritage System is out-of-date and difficult to use. New natural environment policies as part of the new Regional Official Plan are required.

The purpose of this work program is to research, analyze, and develop new environmental policies and schedules as a component of the new Regional Official Plan. As first presented in PDS 6-2018 the following major tasks are required:

- 1) The undertaking of a natural environment background study including discussion papers on the high-priority areas of mapping and watershed planning;
- 2) The identification and evaluation of options for one or more Regional natural system(s);
- 3) The development (and mapping) of Regional natural system(s);
- 4) The development of environmental policies and schedules for the new Regional Official Plan; and
- 5) The consideration of tools and policies that will be required for implementation of the Regional natural system(s).

Any previous regionally initiated Regional Official Plan Amendments (ROPAs) related to the natural environment will be considered through the work program. For example we will not be moving forward with ROPA 12 which was related to watercourse mapping. Work completed to date on the identification of watercourses will be considered in this work program.

### Consultation on PDS 6-2018

At the Planning and Economic Development Committee on January 31, 2018 staff presented PDS 6-2018 which provided an overview of the natural environment work program and sought direction to consult with the Area Planners group and local municipal planning staff.

1-on-1 meetings with local municipal planning staff and staff from the NPCA occurred between February 1<sup>st</sup> and February 21, 2018. Presentations were made to the Area Planners group on January 26<sup>th</sup> and March 16, 2018. The meetings and presentations



included a range topic areas related to the new Regional Official Plan. The following is a summary of the input received related to the natural environment work program and the changes that are proposed to the work program.

Input Received	Proposed Change
<ul style="list-style-type: none"> <li>Mapping was identified as an important issue for all. There were a range of concerns identified – most related to the age and accuracy of the mapping. It was identified that there is a need to have reliable mapping to support local planning and for the Region to consider a range of mapping options through the Official Plan process. There were also requests to have flexibility in the policy to allow refinements to boundaries based on field verification.</li> </ul>	<ul style="list-style-type: none"> <li>Mapping options will be considered as a high-priority first component of the work program. A discussion paper considering a range of mapping issues will be prepared in advance of the comprehensive natural environment background study.</li> </ul>
<ul style="list-style-type: none"> <li>The interconnectedness between natural environment and watershed planning was discussed, as was the inclusion of watershed planning in the work program instead of a stand-alone item.</li> </ul>	<ul style="list-style-type: none"> <li>Watershed planning will be added to the scope of work and identified as a high-priority consideration. A discussion paper will be prepared in advance of the comprehensive natural environment background study.</li> </ul>
<ul style="list-style-type: none"> <li>Woodlands were identified as an important issue for many. Specific input ranged, but included the process to determine significance; illegal cutting and private tree removal; and die-off from emerald ash borer.</li> </ul>	<ul style="list-style-type: none"> <li>Importance of analysis and options for identifying and mapping woodlands will be highlighted in the work program.</li> </ul>
<ul style="list-style-type: none"> <li>Specific topics for inclusion in the work program were requested including offsetting, shorelines, and watercourse identification. Invasive species and climate change were also discussed.</li> </ul>	<ul style="list-style-type: none"> <li>Offsetting, invasive species, shorelines, and watercourse identification will be specifically identified for inclusion in the background study and work program. A separate work program to address climate change is currently being prepared.</li> </ul>

Input Received	Proposed Change
<ul style="list-style-type: none"> <li>Education on a range of natural environment topics was identified as priority component of the consultation and engagement process</li> </ul>	<ul style="list-style-type: none"> <li>The importance of education will be identified in the consultation and engagement program. The first major point of engagement will primarily be an education exercise</li> </ul>

Framework for Natural Environment Work Program

The natural environment work program for the new Regional Official Plan is proposed to be undertaken as follows. As it is proposed that a consultant will be retained to undertake Phase 2-6 and to support Region staff with Phase 7 and 8; some aspects of the work program may be refined further through the procurement process and once the consultant is retained. Phase 9, which is the development of other implementation tools (e.g. updated EIS guidelines, etc.) is outside of this work program and will be considered once the Official Plan policies have been developed and endorsed.

*Phase 1- Project Initiation and Procurement*

- Prepare overview and detailed work programs and consult
- Prepare terms of reference and form Technical Advisory Group (TAG)
- Complete procurement process and retain consultant

*Phase 2 - Background Study and Discussion Papers for Mapping and Watershed Planning Priority Areas*

- Prepare mapping discussion paper
- Prepare watershed planning discussion paper
- Prepare comprehensive background study

*Phase 3 - 1st Point of Engagement: Inform on Background Study*

- Consult with full range of stakeholders on background study (additional detail below)
- Present to Local Councils

*Phase 4 - Develop Options for the Natural System(s)*

- Develop options/frameworks/methodologies for system development
- Evaluate options
- Identify preliminary preferred option

*Phase 5 - 2nd Point of Engagement: Consultation on Options for the Natural System(s)*

- Consult with full range of stakeholders on preliminary preferred option (additional detail below)

- Select preferred option
- Present preferred option to Committee and Council for endorsement

*Phase 6 - Develop Regional Natural System(s)*

- Expand on preferred option to develop details of system
- Develop detailed recommendations to support implementation

*Phase 7 - Develop Official Plan Policies & Finalize Mapping*

- Develop Official Plan policies and finalize mapping/schedules
- Prepare implementation framework

*Phase 8 - 3rd Point of Engagement: Draft OP Polices and Schedules*

- Consult with full range of stakeholders on draft Official Plan polices and schedules

*Phase 9 – Other Implementation Tools*

- Finalize tools that are required for implementation (e.g. updated EIS Guidelines, etc.)

Following the completion of the natural environment work program there will be a process to ensure alignment across all sections of the new Regional Official Plan. Then there will be a statutory public meeting, and the Official Plan will be brought to Council for adoption as a single comprehensive document.

Reporting to Committee and Council

The following is proposed schedule for reporting to Committee and Council as per the phases listed above.

Phase	Reports to Committee and Council*
1	1. Project Initiation Report✓ 2. Detailed Framework for Endorsement
3	3. Inform on Background Report
5	4. Preliminary Preferred Option and Direction to Consult 5. Preferred Option for Endorsement
6	6. Details of Regional Natural System(s) for Endorsement
8	7. Draft Official Plan Policies and Schedules for Endorsement
9	TBD

\*The formal reporting to Committee/Council is identified. However, it is assumed that additional memos and correspondence may be provided to Committee to provide

updates on key issues as we move forward through the work program. A memo will be provided to Committee early in Q1 2019 to provide an update on the status of the project.

### Consultation and Engagement

It is anticipated that there will be ongoing consultation and engagement throughout the work program. Through the 1-on-1 meetings with local municipal planning staff the importance of focusing on education early in the engagement program was highlighted. A Technical Advisory Group (TAG) of local municipal planners will be formed to support the work program, representatives from the NPCA and Province will also be invited to participate in the TAG. A mandate and terms of reference (ToR) will be developed as part of Phase 1 work. The Area Planners group will be presented the ToR before the group is formed.

Formal consultation and engagement for the work program will be completed in three phases as identified in the table above. The full range of stakeholders including the following will be consulted during each of these phases:

- Committee and Council
- Technical Advisory Group (TAG)
- Planning Advisory Committee (PAC)
- Area Planners group
- Agricultural Policy and Action Committee (APAC)
- Agricultural Stakeholders
- Development Community
- Environmental Stakeholder
- Public

An indigenous engagement strategy for the Official Plan work program is currently being developed. Consultation and engagement for the natural environment work program will be consistent with the overall strategy.

In addition, it is anticipated that a presentation would be made to each of the Local Councils following the completion of the background study. The purpose of the presentation would be to inform on the basis and need for natural environment planning, present the results of the background study, and then seek input towards the development of options in the next phase. This presentation may be stand-alone, a joint presentation with the agricultural background study, or as part of a presentation on the overall Official Plan work program.

### **Alternatives Reviewed**

The alternative would be for Committee and Council to not endorse the natural environment work program. This is not recommended as natural environment and watershed planning are important components which are required to inform most other aspects of the new Regional Official Plan work program.

## Relationship to Council Strategic Priorities

The natural environment work program is part of the new Regional Official Plan which will assist in implementing Council's Strategic Priority of Innovation, Investment, & Entrepreneurship.

## Other Pertinent Reports

- PDS 41-2017 High Level Official Plan Process Framework
- PDS 20-2016 Regional Official Plan Update
- PDS 6-2018 Natural Environment Project Initiation Report

---

### 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 reviewed by Danielle De Fields, MCIP, RPP, Manager, Community Planning and Doug Giles, Director, Community and Long Range Planning*



JUN 06 2018

CORPORATE SERVICES  
DEPARTMENT



## Q1 (January 1 to March 31, 2018) to Board of Directors

### Recommendation:

**That Niagara Regional Housing Quarterly Report January 1 to March 31, 2018 be APPROVED and FORWARDED to the Public Health and Social Services Committee and subsequently to Regional and Municipal Councils for information.**

Submitted by:

A handwritten signature in cursive script, appearing to read 'Donna Woiceshyn', written over a horizontal line.

Donna Woiceshyn  
Interim Chief Executive Officer

Approved by:

A handwritten signature in cursive script, appearing to read 'Henry D'Angela', written over a horizontal line.

Henry D'Angela  
Chair

### Directors:

**Henry D'Angela, Chair**  
Regional Councillor  
Thorold

**Betty Ann Baker - Secretary**  
Community Director  
St. Catharines

**Walter Sendzik**  
Regional Councillor  
St. Catharines

**James Hyatt, Vice-Chair**  
Stakeholder  
St. Catharines

**Paul Grenier**  
Regional Councillor  
Welland

**Selina Volpatti**  
Regional Councillor  
Niagara Falls

**Karen Blackley, Treasurer**  
Stakeholder  
Thorold

**Tim Rigby**  
Regional Councillor  
St. Catharines

**HIGHLIGHTS:**

**Application Activity**

**670** received & processed



**Capital Program**

8 jobs/projects ongoing  
4 public tenders closed  
37 contract orders issued



**Community Resources & Partnerships**

offered supports to

**305**

new referrals



**44**

partners

**Rent Supplement / Housing Allowance**

**1,273** units



**Welcome Home Niagara**

**5** homeowners received assistance



**Appeals**

**= 19**

11 upheld  
7 overturned  
2 deferred



**Work Orders**

**2,566** issued



**Rent Arrears**

**= \$48,660.91**

or

**4.17%** of the monthly rent charges



**Non-Profit Housing Programs**

**66%** deemed HEALTHY



**Niagara Renovates**

• inspections for 2018-2019 funding are now underway



**Housing First Project**

**17** individuals / families housed



**New Development**

Carlton Street, St. Catharines

• approx. 50% complete





***VISION***

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

***MISSION***

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

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

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

**1. Public Housing (NRH Owned Units)**

**DAY-TO-DAY MAINTENANCE:**

In Q1, **2,566 work orders** were issued, representing \$1,140,348.20. \$30,146 of this amount was charged back to tenants who were held responsible for damages.

	2017-Q1	2017-Q2	2017-Q3	2017-Q4	2018-Q1
<b># of work orders issued</b>	1,761	1,951	3,263	2,993	2,566

Q1 saw a decrease in the number of work orders issued which may be because there were fewer vacancies. The level of work involved and costs associated with repairs/maintenance depends on the length of time the household has lived in the unit and the level of care invested by them.

### Capital Program:

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

In Q1, 37 contract orders were issued, four public tenders closed and purchase orders issued \$1,382,685.

The Capital Program was responsible for five capital jobs valued at \$1,400,000 and three Social Housing Apartment Improvement Program (SHAIP) Capital projects valued at \$600,000 including:

- Parking lot replacement - one project
- Roof replacements - two projects
- Furnace replacements - one project
- Design and preparation of tender for kitchen replacements - one project
- Design and preparation of tender for parking lot replacement - one project
- Design and preparation of tender for foundation repair and dam proofing - 10 projects
- Installation of a heat control system - two projects
- Domestic hot water replacement - one project

As of March 31, 2018, \$1,400,000 of the \$7,000,000 budgeted (excluding emergency) has been committed and or actually spent (20%).

All assets are now populated in the new asset management software (VFA) and staff are updating capital jobs from 2016 and 2017.

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

### TENANT MOVE OUTS:

#### Move Outs By Reason

Health	7
Long Term Care Facility	6
Deceased	17
Private Rental	3
Voluntarily Left Under Notice	2
Eviction – Tribunal	5

NRH Transfer	10
Moved to Coop or Non-Profit	1
Bought a House	2
Left Without Notice	1
Other/None Given	12
Cease to Qualify	1
<b>TOTAL</b>	<b>67</b>

In Q1, there were **67 move outs**. Three involved eviction orders granted under the Ontario Landlord Tenant Board (LTB) for Arrears. All of the evictions were enforced by the Sheriff.

	2017-Q1	2017-Q2	2017-Q3	2017-Q4	2018-Q1
# of move outs	80	76	75	81	67

## Q1 (January 1 to March 31, 2018)

### ARREARS:

Although NRH Housing Operations actively works to reduce rent arrears, there was a steady increase throughout 2017. Reasons for this may include:

1. A few tenants with substantial arrears entered into mediated repayment agreements at the Landlord Tenant Board (LTB) – it will take many months for them to clear the arrears or falter on the agreement (which will result in eviction)
2. It has been taking six to eight weeks to get a hearing date at the LTB which allows arrears to grow

	Mar 31, 2017	Jun 30, 2017	Sept 30, 2017	Dec 31, 2017	Mar 31, 2018
<b>Rent charges for the month</b>	\$1,099,834.60	\$1,109,091.38	\$1,122,027.00	\$1,150,372.27	\$1,167,751.69
<b>Accumulated rent arrears</b>	\$34,724.50	\$43,629.27	\$44,326.67	\$49,045.27	\$48,660.91
<b>Arrears %</b>	3.16%	3.93%	3.95%	4.26%	4.17%

### INSURANCE:

In Q1, one claim was settled.

### COMMUNITY RESOURCES AND PARTNERSHIPS:

In Q1, we had partnerships with **44 community agencies** across Niagara. As a result of these partnerships, more than 200 support and enrichment activities were offered to tenants at NRH sites. Each partnership contributes to tenant lives and, in turn, the success of the Public Housing community as a whole:

- Faith Welland has been delivering support and programs in NRH's McLaughlin Street family community since it was identified as "stressed and requiring attention" in 2006. Programming has expanded and now includes NRH senior communities on Fitch and Elmview Streets and the Roach Street family community. Faith Welland and their many partners and volunteers provide activities and events that range from cooking and gardening for adults and homework help, after school programs and summer camps for children to community dinners and parties for all ages. Their work helps build community pride, develop individual skills and self-esteem and enhance tenants' physical and mental health.

Also during Q1, NRH Community Programs Coordinators (CPCs) offered support to more than **305 new referrals of tenants in need of assistance**. Of those new referrals, **51% were considered medium-high need**. In particular, there was an increase in the number of tenants needing help resolving social issues with fellow tenants as well as private neighbours.

## 2. Non-Profit Housing Programs

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

	2017-Q1	2017-Q2	2017-Q3	2017-Q4	2018-Q1
<b>Healthy</b>	44	43	42	43	41
<b>Routine Monitoring</b>	18	18	18	18	18
<b>Intensive Monitoring</b>	1	2	2	1	1
<b>Pre-PID (Project in Difficulty)</b>	1	1	1	1	1
<b>PID (Project in Difficulty)</b>	1	1	1	1	1
<b>TOTAL</b>	<b>65</b>	<b>65</b>	<b>64</b>	<b>64</b>	<b>62</b>

By the end of 2017, four former federally funded projects came to the end of their operating agreements. NRH was able to preserve 39 Rent-Geared-to-Income units through the successful negotiation of Rent Supplement agreements with three of the Non-Profit Housing Programs. NRH Housing Programs will continue to work with former Federal Non-Profit Housing Programs as they near the expiry of their operating agreements.

## 3. Rent Supplement Program

In Q1, there were **1,273 Rent Supplement/Housing Allowance units** across Niagara. In the Rent Supplement program, tenants pay 30% of their gross monthly income directly to the private landlord and NRH subsidizes the difference up to the market rent for the unit. The Housing Allowance program is a short term program that provides a set allowance to help applicants on the wait list.

	2017-Q1	2017-Q2	2017-Q3	2017-Q4	2018-Q1
<b>Fort Erie</b>	23	24	26	26	27
<b>Grimsby</b>	24	24	25	26	26
<b>Lincoln (Beamsville)</b>	2	2	2	2	13
<b>Niagara Falls</b>	177	183	200	219	228
<b>Niagara-on-the-Lake</b>	--	--	--	-	-
<b>Pelham</b>	28	26	24	24	23
<b>Port Colborne</b>	34	40	44	47	51
<b>St. Catharines</b>	513	525	567	600	657
<b>Thorold</b>	20	21	24	29	32
<b>Welland</b>	183	181	189	199	202
<b>West Lincoln</b>	15	15	15	14	14
<b>TOTAL</b>	<b>1,019</b>	<b>1,041</b>	<b>1,116</b>	<b>1,186</b>	<b>1,273</b>

Variations in the number of Rent Supplement/Housing Allowance units reflects the general management of the program and required take-up/deletion of units due to End of Operating Agreements (EOA), move out of tenants, and/or new units/landlords. Totals will be increasing in the future as some Non-Profit Housing Programs transition into a Rent Supplement agreement upon expiry of their operating agreement. It is unknown which areas will be affected.

## 4. Affordable Housing Program

### **NIAGARA RENOVATES PROGRAM:**

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

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

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

### **HOMEOWNERSHIP PROGRAM – “WELCOME HOME NIAGARA”:**

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

In Q1, **five homeowners** received assistance through Welcome Home Niagara. **One of these was an NRH tenant.**

### **HOUSING FIRST PROGRAM:**

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

In Q1, **17 individuals/families** were housed through the Housing First program.

	<b>2017- Q1</b>	<b>2017- Q2</b>	<b>2017- Q3</b>	<b>2017- Q4</b>	<b>2018- Q1</b>
<b># individuals/families housed</b>	13	15	10	22	17
<b># of Housing First units (at quarter end)</b>	116	136	131	148	165

Since 2012, Housing First has helped 321 individuals/families.

**RENTAL HOUSING (NEW DEVELOPMENT):**

**NRH New Development**

<b>Carlton Street, St. Catharines</b>	<b>Amount</b>	<b>Units</b>
Investment in Affordable Housing-Extension (IAH-E), Year 3	\$5,806,000	45
Investment in Affordable Housing-Extension (IAH-E), Year 4	\$2,387,817	17
Social Infrastructure Fund (SIF), Year 1	\$2,888,000	23
<b>TOTAL</b>	<b>\$11,081,817</b>	<b>85</b>

At the end of Q1:

- Site services – transformer installed, main gas line installation scheduled this month
- Superstructure – 100% complete, Mechanical Penthouse is framed, cladding is outstanding
- Masonry structural walls – 100% complete, exterior envelope installation underway
- Interior and exterior steel stud framing – 95% complete
- Electrical rough-in in progress on all five floors
- Above ground mechanical rough-in in progress on 1st to 3rd floor
- Fire sprinkler system rough-in in progress on 1st to 5th floor
- Overall progress – approximately 50% complete

**Additional New Development**

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

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

At the end of Q1:

- Gateway Residence of Niagara – complete and operational.
- Thorold Municipal Non-Profit – complete and operational.
- Stamford Kiwanis – construction is still on hold pending financing. Financing is delayed pending further discussion with financial institution. Project is approximately 60% complete.

## 5. Service Manager Responsibilities

### APPEALS:

In Q1, **19 appeals** were heard. This is more than two and a half times the number heard in 2017-Q1.

Breakdown:

- Seven related to ongoing RGI eligibility
  - Six for failure to provide information – one deferred, five overturned (two with conditions)
  - One for overhoused household failure to accept final offer – overhoused status returned, loss of subsidy overturned
- One related to review of overhoused status for NRH tenant – deferred
- 11 for decisions made by Housing Access (e.g. requests for priority status or an additional bedroom) – ten upheld, one overturned

	2017-Q1	2017-Q2	2017-Q3	2017-Q4	2018-Q1
# of appeals	7	15	15	9	19

### INVESTMENTS:

See Appendix A – Investment Report

## 6. Housing Access Centre & Centralized Waiting List

### APPLICATION ACTIVITY:

# of Applications Received & Processed	670	# of Eligible Applications	643
# of Special Provincial Priority Status Applications	75	# of Ineligible Applications	27
# of Urgent Status Applications	113	# of Cancelled Applications	609
# of Homeless Status Applications	149	# of Applicants Housed	121

In Q1, **636 households were removed** from the Centralized Waiting List because they were no longer eligible, they found alternate housing or we were unable to make contact.

## CENTRALIZED WAITING LIST:

		2017-Q1	2017-Q2	2017-Q3	2017-Q4	2018-Q1
		# of households				
<b>A</b>	<b>Rent-Geared-to-Income (RGI) waiting list:</b>					
	Niagara resident RGI waiting list	4,067	4,226	4,282	4,344	4,287
	Applicants from outside of Niagara	584	603	641	657	639
	<b>TOTAL RGI waiting list:</b>	<b>4,651</b>	<b>4,829</b>	<b>4,923</b>	<b>5,001</b>	<b>4,926</b>
	<b>Housing Allowance:</b> a set allowance to help applicants on the waiting list with affordability in the private market until housed in an RGI unit	311	344	428	505	569
<b>A1</b>	<b>RGI waiting list demographics:</b>					
	Seniors	1,924	1,973	2,038	2,061	2,064
	Adults no dependents	1,619	1,614	1,652	1,703	1,630
	Adults with dependents	1,108	1,242	1,233	1,237	1,232
<b>A2</b>	<b>RGI list further segmented (#'s included in A &amp; A1):</b>					
	<b>SPP – Special Provincial Priority (Ministry Priority):</b> helps victims of violence separate permanently from their abuser	100	115	114	101	122
	<b>URG – Urgent (Local Priority):</b> for applicants with mobility barriers and/or extreme hardship where their current accommodation puts them at extreme risk and/or causes hardship	93	98	105	99	104
	<b>HML – Homeless (Local Priority):</b> provides increased opportunity for placement to homeless households	653	748	821	832	842
	<b>SUP – Supportive/Transitional:</b> provides targeted, provisional services to assist individuals to transition beyond basic needs to more permanent housing	31	29	26	19	17
<b>B</b>	<b>In addition, NRH manages:</b>					
	<b>Overhoused:</b> households who are living in subsidized accommodation with more bedrooms than they are eligible for	126	133	111	143	152
	<b>Transfer:</b> households who are currently living in subsidized accommodation and have requested a transfer to another provider	434	437	499	513	518
	<b>TOTAL RGI households on waiting list managed by NRH:</b>	<b>5,211</b>	<b>5,399</b>	<b>5,533</b>	<b>5,657</b>	<b>5,596</b>
<b>C</b>	<b>NRH maintains a waiting list for market rent units (62 Non-Profit Housing Programs):</b>					
	<b>Market:</b> applicants who have applied for a market rent unit in the Non-Profit Housing Programs portfolio	546	569	592	591	578
	<b>TOTAL households on waiting list managed by NRH:</b>	<b>5,757</b>	<b>5,968</b>	<b>6,125</b>	<b>6,248</b>	<b>6,174</b>
	<b>TOTAL individuals on waiting list managed by NRH:</b>	<b>9,602</b>	<b>10,031</b>	<b>10,217</b>	<b>10,449</b>	<b>10,380</b>

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



**ESTIMATED WAIT TIMES:**

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

- no units of this size available in this community

January 2018

Please note:

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

Quarterly Report on Cash / Investments / Reserves for Period Ending March 31, 2018

NRH 9-2018  
Appendix A

	This Quarter Balance	Last Quarter Balance	Variance \$	Variance %	Comments
<b>BANK ACCOUNTS</b>					
<b>Current Bank Account:</b> Royal Bank account used for day-to-day operations for the owned units. Also to cash flow various short terms programs funded by Prov and Fed gov't usch as development, homeownership and capital repair programs.	\$13,487,684.91	11,755,485.79	1,732,199.12	14.74%	Since the February 2016 transition to PeopleSoft, day-to-day accounts payable transactions are paid by the Region through PeopleSoft. Reconciliation of the due to the Region account will be performed on a regular basis to transfer amounts due to the Region.
<b>Investment Bank Account:</b> Used to hold funds "In Trust" for designated Housing Providers for capital work.					Interest earned at a rate of RBC Prime minus 1.70% on balances in bank and investment accounts.
A CMHA: Reserves held for CMHA Units.	4,592.36	4,592.36	-	0.00%	
B Ganawageh Capital Fund:	97,971.49	97,971.49	-	0.00%	Withdrawals are made in accordance with approved procedures. Current quarter interest.
C Due (From) Current Account	272,283.64	270,813.58	1,470.06	0.54%	
<b>Total Investment Bank Accounts</b>	<b>374,847.49</b>	<b>373,377.43</b>	<b>1,470.06</b>	<b>0.39%</b>	



Quarterly Report on Cash / Investments / Reserves for Period Ending March 31, 2018

NRH 9-2018 Appendix A

	This Quarter Balance	Last Quarter Balance	Variance \$	Variance %	Comments
<b>INVESTMENT VEHICLES - FUND ACCOUNTING</b>					
Various investment vehicles are used to protect and optimize the cash that is held for specified purposes. Investments are both short-term and long-term in nature. These funds are intended to ensure continued growth without capital erosion by inflation.					
Current Instruments:					2 Year GIC, \$521,565; due date is 05/16/2019; interest rate of 1.26% to 1.63%
RBC Investment Savings = \$4,392,252.01					2 Year GIC, \$802,567; due date is 08/17/2018; interest rate of 1.45% to 1.65%
					1 Year GIC, \$497,000; due date is 08/15/2017; interest rate of 1.65% to 1.71%. These were renewed on 08/15/2017 at an interest rate of 1.45% to 2.25%; due date is 08/15/2019
<b>1 PASS THROUGH FEDERAL/PROVINCIAL PROGRAM FUNDING</b>					
A AHP - New Development	65,375.90	65,375.90	-	0.00%	
<b>2 ADMINISTRATION FUNDING</b>					
B Affordable Housing Prog & Housing Allowance Prog	-	823.39	(823.39)	-100.00%	
C IAH - Admin Fee	21,135.86	44,574.48	(23,438.62)	-52.58%	
<b>3 RECONCILIATION</b>					
D Due (From) Current Account	6,158,777.14	6,096,934.16	61,842.98	1.01%	Due to current account
<b>Total</b>	<b>6,245,288.90</b>	<b>6,207,707.93</b>	<b>37,580.97</b>	<b>0.61%</b>	

Quarterly Report on Reserves for Period Ending March 31, 2018

NRH 9-2018  
App A

Description	Balances at December 31, 2017	Quarter 1 Net Transfers from (to) Operating	Quarter 1 Capital Transfers	Balances at March 31, 2018	Net Transfers Forecast from (to) Operating*	Capital Commitments	Forecasted Balance at December 31, 2018
NRH Owned Units Public/Local Housing Corp:	\$ 4,327,035	\$ 97,446	\$ (609,279)	\$ 3,815,202	\$ 292,337	\$ -	\$ 4,107,539
Niagara Regional Housing:							
Emergency Capital Funding for Housing Providers	1,924,871			1,924,871			1,924,871
Title Normalization for NRH Owned Units	712,381			712,381			712,381
New Initiatives, other social housing purposes and any new deposits are added to this category	4,513,047	-	(1,110,000)	3,403,047	-	-	3,403,047
<b>Total NRH Capital Reserves</b>	<b>\$ 11,477,334</b>	<b>\$ 97,446</b>	<b>\$ (1,719,279)</b>	<b>\$ 9,855,501</b>	<b>\$ 292,337</b>	<b>\$ -</b>	<b>\$ 10,147,838</b>
NRH Rent Supplement:	\$ 302,301	\$ (6,000)		296,301	(18,000)		278,301
<b>Total NRH Stabilization Reserves</b>	<b>\$ 302,301</b>	<b>\$ (6,000)</b>	<b>\$ -</b>	<b>\$ 296,301</b>	<b>\$ (18,000)</b>	<b>\$ -</b>	<b>\$ 278,301</b>
NRH Employee Future Benefits:	\$ 792,733	\$ -	\$ -	792,733	-	-	792,733
<b>Total Future Liability Reserves</b>	<b>\$ 792,733</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 792,733</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 792,733</b>
<b>Total</b>	<b>\$ 12,572,368</b>	<b>\$ 91,446</b>	<b>\$ (1,719,279)</b>	<b>\$ 10,944,535</b>	<b>\$ 274,337</b>	<b>\$ -</b>	<b>\$ 11,218,872</b>

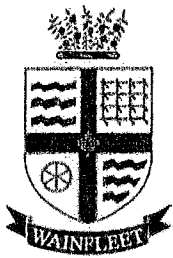
\* 2018 Budget amounts

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

NRH Owned Units Public/Local Housing Corp:  
This reserve was set-up by the Board of Directors as a Reserve Fund in September 2004 for capital expenses related to the NRH owned units.

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

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



# Township of Wainfleet

*"Wainfleet - find your country side!"*

City of Port Colborne  
**RECEIVED**

**MAY 14 2018**

CORPORATE SERVICES  
DEPARTMENT

May 14, 2018

Ann-Marie Norio  
Acting Regional Clerk  
1815 Sir Isaac Brock Way  
PO Box 1042  
Thorold ON L2V 4T7  
[ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Lisa McManus, CMM II  
Clerk to the Authority  
Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland ON L3C 3W2  
[lmcmamus@npca.ca](mailto:lmcmamus@npca.ca)

SENT VIA EMAIL

**RE: Resolution - Lakewood Beach Property**

Dear Ms. Norio and Ms. McManus,

Please be advised that Council for the Township of Wainfleet, at its regular meeting held on May 8, 2018, passed the following resolution:

**Resolution No. C-129-2018**

**Moved By** Richard Dykstra  
**Seconded By** Terry Gilmore

**"WHEREAS** the location of the former Easter Seals Summer Camp in Wainfleet, consisting of approximately 14.3 hectares (35.3 acres) of land located on the shoreline of Lake Erie, east of Side Road 18 and west of Belleview Beach Road, and known as the Lakewood Beach Property, is currently vacant and awaiting development pursuant to applications for Zoning By-law Amendment (File No. Z08-2014) and Draft Plan of Condominium (File No. P01-2014);

**AND WHEREAS** during the consideration of the said Zoning By-law Amendment and Draft Plan of Condominium applications, public consultation identified public beach access and the acquisition of the lands for public purposes as being desirable and advantageous to the citizens of Wainfleet and to the entirety of Niagara Region;

**AND WHEREAS** in 2014 the Township of Wainfleet did work cooperatively and partner with the Niagara Peninsula Conservation Authority to acquire a approximately 6 hectares (15 acres) of the subject lands to create a public park in Wainfleet, now known as the Lakewood Conservation Area, and having approximately 170 metres of shoreline frontage;

**AND WHEREAS**, at its meeting of May 8, 2018, the Council of the Corporation of the Township of Wainfleet received a delegation from the public suggesting the opportunity of either the Regional Municipality of Niagara or the Niagara Peninsula Conservation Authority purchasing the remaining Lakewood Beach Property as a benefit to all of the people of Niagara and based upon information presented by Niagara Regional Chair Alan Caslin at a community forum held in Wainfleet on Monday, April 23, 2018;

**AND WHEREAS** Niagara Region does maintain a Waterfront Investment Program that includes a goal of improving public access to both the Lake Ontario and Lake Erie shorelines, including a goal of bringing more beaches into the public realm;

**AND WHEREAS** the remaining Lakewood Beach Property is one of Niagara's only enduring and substantial parcels of undeveloped land on Lake Erie with approximately 540 metres of shoreline frontage;

**AND WHEREAS** the public acquisition of this site would represent a tangible public investment opportunity that would afford the citizens of Niagara Region opportunities for an improved quality of life, improved recreational and educational amenities and improved public access to Lake Erie, now and for generations to come;

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet hereby encourages and petitions the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority to acquire the remaining Lakewood Beach Property for the purpose of improving public access to the Lake Erie Shoreline and for enhancing opportunities for the public to experience the lakefront in meaningful ways."

**Carried**

The Council of the Township of Wainfleet would respectfully request your consideration of this resolution. If you have any questions, please do not hesitate to contact the undersigned.

Regards,



William J. Kolasa  
Chief Administrative Officer/ Clerk

CC: Terry Maxner  
Local Area Municipalities  
Council for the Township of Wainfleet

May 9, 2018

Honourable Cathryn McGarry  
Ministry of Transportation  
Ferguson Block, 3<sup>rd</sup> Floor 77 Wellesley St. West  
Toronto ON M7A 1Z8

Dear Hon. McGarry:

**Ministry of Transportation – Local Transit Project**

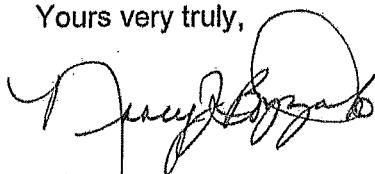
At their regular meeting of May 7, 2018, Council of the Town of Pelham received your correspondence and considered the following resolution:

**BE IT RESOLVED THAT Council receive Communication Item #9.5.2, being correspondence from the Ministry of Transportation, dated April 30, 2018 regarding a confirmation of eligibility for the Local Transit Project; and**

**THAT a copy be sent to the Region of Niagara and to the Transportation Strategy Committee and appropriate local municipal partners.**

On behalf of Council, thank you for your correspondence.

Yours very truly,



(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*  
Town Clerk

/js

Cc: Region of Niagara  
Transportation Strategy Committee, Town of Pelham  
Niagara Regional Mayors  
Niagara Regional CAOs

From the Clerk's Department



**Administrative  
Services**

Ministry of  
Transportation

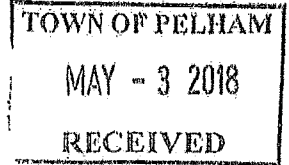
Office of the Minister

Ferguson Block, 3<sup>rd</sup> Floor  
77 Wellesley St. West  
Toronto ON M7A 1Z8  
416 327-9200  
www.ontario.ca/transportation

Ministère des  
Transports

Bureau de la ministre

Édifice Ferguson, 3<sup>e</sup> étage  
77, rue Wellesley Ouest  
Toronto ON M7A 1Z8  
416 327-9200  
www.ontario.ca/transports



APR 3 0 2018

His Worship Dave Augustyn  
Mayor  
Town of Pelham  
20 Pelham Town Square, PO Box 400  
Fonthill, ON L0S 1E0

Dear Mayor Augustyn:

I am pleased to write to you to confirm the eligibility of the Local Transit Project that the Town of Pelham submitted for funding under the province's Community Transportation Grant Program ("CT Program"). Based on the ministry's review of the municipality's application for the Project and subject to the conditions set out below, the funding amount approved for the Project is up to \$500,000.

The CT Program will support the government's commitment to assist municipalities throughout the province to provide better transportation options in areas that are currently not served or underserved by public transit and intercommunity bus service.

Before funds are disbursed to the municipality for the Project, the municipality will be required to enter into a transfer payment agreement ("TPA") with the Ministry of Transportation. The TPA will set out the terms and conditions upon which the ministry will provide the funds to the municipality. Please note that non-capital costs incurred on the Project will be eligible for reimbursement as of the date of this letter. Capital costs will be eligible for reimbursement as of the effective date of the TPA. Please refer to the Program Guidelines for further information.

Ministry officials will contact your staff regarding next steps associated with the CT Program and the TPA. In the meantime, should you have questions, please contact Vinay Sharda, Executive Director, Transit Policy and Programs Group, at [Vinay.Sharda@ontario.ca](mailto:Vinay.Sharda@ontario.ca) or at 416-585-7347.

I want to thank you in advance for your commitment to the successful delivery of your project(s), and look forward to seeing the results.

Sincerely,

Kathryn McGarry  
Minister

TOWN OF PELHAM  
Mayor's Office

- Council Meeting
- Councillor Mailbox
- CAO
- Clerk
- Marketing & Communication
- Corporate Services
- Public Works
- Facilities
- Planning
- Building
- Recreation, Culture
- Fire

FOR:  
 Action  Resolution  
 Information  Report  
 Note

148



May 9, 2018

Honourable Bill Mauro  
Minister of Municipal Affairs  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto, ON M5G 2E5

Dear Hon. Mauro:

**Ministry of Municipal Affairs – Local Request for Provincial Municipal Audit**

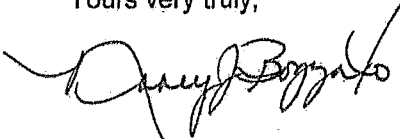
At their regular meeting of May 7, 2018, Council of the Town of Pelham received your correspondence and considered the following resolution:

**BE IT RESOLVED THAT Council receive correspondence from the Minister of Municipal Affairs dated April 23, 2018, regarding the local request for a provincial municipal audit; and**

**THAT staff be requested to forward a copy of the correspondence to the Council of the Region of Niagara, Local Area Municipal Councils, the Ontario Ombudsman, and all Niagara MPPs.**

On behalf of Council, thank you for your correspondence.

Yours very truly,



(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*  
Town Clerk

/js

Cc: Region of Niagara  
Local Municipalities  
Ontario Ombudsman  
Niagara MPPs

From the Clerk's Department



**Administrative  
Services**

Ministry of  
Municipal Affairs

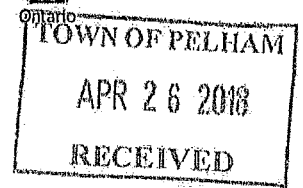
Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel.: 416 585-7000  
Fax: 416 585-6470

Ministère des  
Affaires municipales

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto (Ontario) M5G 2E5  
Tél. : 416 585-7000  
Télééc. : 416 585-6470



APR 23 2018

18-76109

Your Worship  
Mayor Dave Augustyn  
Town of Pelham  
PO Box 400  
Pelham Municipal Building  
200 Pelham Town Square  
Fonthill ON L0S1E0

Dear Mayor Augustyn:

Thank you for your letter regarding a local request for a provincial municipal audit.

The provincial government recognizes municipalities as responsible and accountable governments, with the authority to make decisions on matters within their own jurisdictions, including management of their finances. As such, the Ministry will not be proceeding with a provincial municipal audit.

I encourage both the Town of Pelham and the Niagara Regional Council to work together to address these issues locally. I will also be sending a similar letter to Niagara Region advising them of my decision.

Once again, thank you for bringing your concerns to my attention. Please accept my best wishes.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bill Mauro".

Bill Mauro  
Minister

May 9, 2018

Paul Dubé  
Ombudsman of Ontario  
483 Bay Street, 10<sup>th</sup> Floor, South Tower  
Toronto, ON M5G 2C9

Dear Mr. Dubé:

**Ombudsman Investigation Report re: September 5, 2017**

At their regular meeting of May 7, 2018, Council of the Town of Pelham received your correspondence and considered the following resolution:

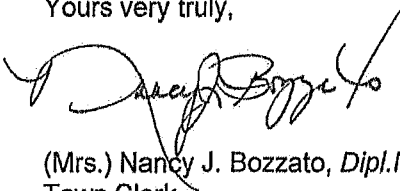
**BE IT RESOLVED THAT Council receive correspondence from Paul Dubé, Ombudsman of Ontario, Report - Office of the Ontario Ombudsman regarding an investigation into whether the Town of Pelham held an improper closed meeting and an illegal informal gathering on September 5, 2017; and**

**THAT staff be requested to forward a copy of the Ombudsman's Report to the Council of the Region of Niagara, Local Area Municipal Councils, the Minister of Municipal Affairs, all Niagara MPPs, and to Infrastructure Ontario; and**

**THAT a copy be posted to the Town of Pelham website.**

On behalf of Council, thank you for your correspondence.

Yours very truly,



(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*  
Town Clerk

/js

Cc: Region of Niagara  
Local Municipalities  
Minister of Municipal Affairs,  
Niagara MPPs  
Infrastructure Ontario

From the Clerk's Department



**Administrative  
Services**

J. Paul Dubé, Ombudsman

April 19, 2018

Via email

**Mayor Dave Augustyn**  
Pelham Town Hall  
20 Pelham Town Square  
P.O. Box 400  
Fonthill, ON L0S 1E0

Dear Mayor Augustyn,

**Re: Report – Office of the Ontario Ombudsman**

I have completed my investigation into whether council for the Town of Pelham held an improper closed meeting and an illegal informal gathering on September 5, 2017. Please find my final report enclosed. We ask that you distribute the enclosed report to council.

In accordance with section 14.1 (8) of the *Ombudsman Act*, the town should make my report available to the public, and we ask that this be done no later than the next council meeting. Pursuant to section 14.1 (9) of the *Ombudsman Act*, I will also post a copy of the report on my website at [www.ombudsman.on.ca](http://www.ombudsman.on.ca).

Yours truly,



Paul Dubé  
Ombudsman of Ontario

CC: Clerk, Nancy Bozzato

Bell Trinity Square  
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9  
483, rue Bay, 10<sup>e</sup> étage, Tour sud, Toronto (Ontario) M5G 2C9  
Tel / Tél 416-586-3347  
Facsimile / Télécopieur 416-586-9659 TTY / ATS 1-866-411-4211

[www.ombudsman.on.ca](http://www.ombudsman.on.ca)



## **Ombudsman Report**

**Investigation into complaints about a meeting and an informal gathering held by council for the Town of Pelham on September 5, 2017**

**Paul Dubé  
Ombudsman of Ontario  
April 2018**

## Complaints

- 1 In November 2017, my Office received complaints that a closed meeting held by council for the Town of Pelham did not comply with the open meeting rules in the *Municipal Act, 2001* (the "Act").
- 2 The complaints alleged that a closed session discussion on September 5, 2017, about town finances did not fit within any of the exceptions set out in the Act.
- 3 My Office also received a complaint alleging that following the September 5, 2017 council meeting, members of council held a gathering at a local establishment that did not comply with the open meeting provisions in the Act.

## Ombudsman jurisdiction

- 4 Under the Act, all meetings of council, local boards and committees of each of them must be open to the public unless they fall within the prescribed exceptions.
- 5 As of January 1, 2008, the Act gives citizens the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 6 The Ombudsman is the closed meeting investigator for the Town of Pelham.
- 7 In investigating closed meeting complaints, we consider whether the open meeting requirements in the Act and the municipality's procedure by-law have been observed.

## Investigative process

- 8 On November 21, 2017, we advised the municipality of our intent to investigate these complaints.
- 9 My Office reviewed the city's procedure by-law and relevant portions of the Act. We reviewed the meeting records from the open and closed portions of the September 5, 2017 meeting, as well as supporting documentation. We interviewed the town's Clerk, all individuals who were members of council on

September 5, 2017, and spoke with lawyers retained by the town.

- 10 We also listened to an audio recording of the meeting provided by the town, which provided an accurate record of what transpired and greatly assisted us in completing our investigation.
- 11 The municipality was given the opportunity to review a preliminary version of this report and provide comments to our Office. Comments received were considered in the preparation of this final report.
- 12 My Office received full co-operation in this matter.

### **Council meeting on September 5, 2017**

- 13 Council for the Town of Pelham met in council chambers at 4:00 p.m. on September 5, 2017, for a special meeting.
- 14 Council passed a resolution to move into closed session to discuss two items. The first discussion item was the subject of the complaints to my Office.
- 15 According to the audio recording of the meeting, council cited the exceptions for labour relations and for solicitor-client privilege in the resolution with respect to the first discussion item. The minutes, however, only record the exception for solicitor-client privilege.
- 16 In the closed session, the town's Chief Administrative Officer provided some background information and context for the matters to be discussed. He introduced the town's external lawyers, who were present in the room. One of the town's lawyers then introduced an external consultant retained by the lawyers on behalf of the town.
- 17 The external consultant presented a report that had been commissioned by the town's lawyers concerning financial information provided by the town, as well as the conduct and performance of an individual in the context of employment with the town. Councillors asked questions throughout the presentation, which the consultant answered.
- 18 Following the consultant's presentation, one of the town's lawyers provided legal advice to council regarding an employment matter. Council members asked questions, which the lawyer answered, with respect to the legal advice.

- 19 After the town's lawyer finished her presentation, the Mayor introduced the town's Treasurer. ~~The Treasurer presented information to council and answered questions about that information.~~
- 20 Following the Treasurer's presentation, council members discussed and asked questions about the information presented at the beginning of the meeting with respect to legal advice and the consultant's report.
- 21 Council rose from the in camera session with no report. The special meeting adjourned at 6:21 p.m.

## Analysis

### Discussion of the external consultant's report

- 22 During the first portion of the closed meeting, the external consultant presented a report to council regarding financial information provided by the town, as well as the conduct and performance of an individual in the context of employment with the town.

### *Applicability of the exception for labour relations or employee negotiations*

- 23 Council cited the exception for labour relations or employee negotiations in the resolution to go into closed session.
- 24 While decisions of the Ontario Information and Privacy Commissioner are not binding on my Office, they are often informative with respect to the applicability of the exceptions in the Act. The Information and Privacy Commissioner has found that the term "labour relations" refers to the collective bargaining relationship between an institution and its employees, as governed by collective bargaining legislation, or to analogous relationships.<sup>1</sup>
- 25 My Office has found that this exception may also include discussions involving staff compensation or vacation; the hiring or firing of staff or disciplinary

---

<sup>1</sup> IPC Order MO-2352 (see also order PO-2613) Appeal MA07-409 (City of Elliot Lake)



proceedings; grievances under a collective agreement; a voluntary exit program; or a review of staff workload and working relationships.<sup>2</sup>

- 26 In the closed meeting on September 5, 2017, council for the town discussed an individual's conduct and performance with respect to employment. The discussion fit within the exception for labour relations and employee negotiations in section 239(2)(d) of the Act.

***Applicability of the exception for advice subject to solicitor-client privilege***

- 27 The town cited the exception for advice subject to solicitor-client privilege to receive and discuss the consultant's report in camera. The consultant was retained by the town's lawyers to review and interpret financial information provided by the town. The town's lawyers told us that the consultant's report formed the basis for the legal advice provided to the town.
- 28 The courts have found that the exception for advice subject to solicitor-client privilege is applicable "where legal advice of any kind is sought from a professional legal advisor in his capacity as such" and includes communications necessary for that purpose.<sup>3</sup> As the Information and Privacy Commissioner set out in Order 49, in order for the privilege to apply:
- There must be written or oral communication,
  - The communication must be of a confidential nature,
  - The communication must be between a client (or his agent) and a legal advisor, and
  - The communication must be directly related to seeking, formulating or giving legal advice.<sup>4</sup>
- 29 The courts have examined the function of third party communications, like reports from a consultant, to determine if they are protected by solicitor-client privilege.
- 30 The courts have emphasized the distinction between solicitor-client privilege and litigation privilege. In *General Accident Assurance Co. v. Chrusz*, the Ontario Court of Appeal explained that not all material deemed useful to a lawyer to properly

---

<sup>2</sup> Ontario Ombudsman, "Investigation into a complaint about a meeting held by Council for the City of Sault Ste. Marie on October 13, 2015" (August 2016) online: <<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/municipal-meetings/2016/city-of-sault-ste-marie>>.

<sup>3</sup> *Descôteaux et al. v. Mierzwinski*, [1982] 1 SCR 860.

<sup>4</sup> Order 49 [1989] O.I.P.C. No. 13.

advise a client is protected by solicitor-client privilege; it must be essential to the operation of the solicitor-client relationship.<sup>5</sup>

- 31 In that case, the court found that where a third party acts as a conduit for information between a client and solicitor, like a translator or messenger, privilege will apply. The court explained that communications with an expert like a doctor or psychiatrist retained by a lawyer will be privileged where the expert is acting as a translator to interpret the medical evidence, allowing the lawyer to “understand that information and assess its significance to the legal issues that the solicitor must address”.<sup>6</sup>
- 32 The court explained that this can also apply to an expert like an accountant, who interprets financial data provided by a client to allow the lawyer to understand the information relevant to formulating their advice.<sup>7</sup>
- 33 The consultant retained by the town’s lawyers acted as a translator, interpreting the financial information provided by the town and explaining it to the lawyers to allow them to formulate legal advice. The discussion in camera about the consultant’s report fit within the exception for solicitor-client privilege.

#### Discussion of legal advice provided by external counsel

- 34 During the second portion of the in camera discussion, the town’s lawyer provided council with legal advice and answered questions about that advice.

#### ***Applicability of the exception for advice subject to solicitor-client privilege***

- 35 As set out above, the courts have found that the exception for advice subject to solicitor-client privilege is applicable “where legal advice of any kind is sought from a professional legal advisor in his [sic] capacity as such” and includes communications necessary for that purpose.<sup>8</sup>
- 36 During the closed meeting, the town’s external counsel communicated confidential information to council for the purpose of providing legal guidance.
- 37 This portion of the meeting fit within the exception for solicitor-client privilege.

---

<sup>5</sup> *General Accident Assurance Co. v. Chrusz* (1999), 1999 CanLII 7320 (ON CA), 45 O.R. (3d) 321 (C.A.)

<sup>6</sup> *General Accident Assurance, supra*, explaining *Smith v Jones* [1999] 1 SCR 455.

<sup>7</sup> *Susan Hosiery Ltd. v. M.N.R.*, [1969] 2 Ex. C.R. 27, as cited in *General Accident Assurance, supra*.

<sup>8</sup> *Descôteaux et al. v. Mierzwinski*, [1982] 1 SCR 860.

## Discussion of town finances moving forward

- 38 Following the discussion about legal advice, the town's Treasurer presented information to council about the town's financial status.

### ***Applicability of the exception for advice subject to solicitor-client privilege***

- 39 The town cited the exception for advice subject to solicitor-client privilege to discuss how the town should proceed with respect to its finances.
- 40 As discussed above, this exception is applicable "where legal advice of any kind is sought from a professional legal advisor in his capacity as such" and includes communications necessary for that purpose.<sup>9</sup>
- 41 In most cases, information provided to council by staff about a municipality's finances would not fit within any of the exceptions to the open meeting rules and should be discussed in open session. Governments are entrusted with the management of public funds, and information about the state of those funds should be public to ensure financial accountability at the local level.
- 42 However, in this case, the town's solicitor submitted that the information presented by the Treasurer was necessary to fully explore the issues covered by the legal advice provided to council. As with the third party expert's report discussed above, the information provided by the Treasurer was provided to allow the lawyers to understand the financial information, in order to provide legal advice to the town.
- 43 Having considered the solicitor's comments, including in response to our preliminary report, and a thorough review of the audio recording of the closed meeting, I have determined that the discussions on September 5 were properly held in camera, as the information provided by the Treasurer was sufficiently necessary to fully explore the issues covered by the legal advice to fall within the exception for solicitor-client privilege. I commend the town once again for audio recording its meetings, as the record was particularly helpful in this case.

---

<sup>9</sup> *Descôteaux et al. v. Mierzwinski*, [1982] 1 SCR 860.

## Procedural matters

### *Procedure by-law*

- 44 The township's procedure by-law states that all council and committee meetings shall be open to the public, except in accordance with the exceptions in the *Municipal Act, 2001*.
- 45 The by-law closely mirrors the exceptions set out in the Act, except for the exception set out in section 239(3)(b) for discussions about an ongoing investigation by the Ontario Ombudsman, an appointed ombudsman, or an appointed closed meeting investigator.
- 46 In response to my preliminary report, town staff have recommended that council update the town's procedure by-law to reflect all of the exceptions to the open meeting rule set out in the Act.

### *Minutes*

- 47 The Act requires that council record, without note or comment, all resolutions, decisions, and other proceedings at its meetings.
- 48 In the meeting minutes from the closed session on September 5, 2017, the only exception listed for discussing the first matter in closed session is the solicitor-client privilege exception. However, on the audio recording, the Mayor can be heard passing a resolution to discuss that matter in closed session under both the solicitor-client privilege exception and the labour relations or employee negotiations exception.
- 49 In this case, the minutes did not capture the full proceedings of council. After receiving my preliminary report, council directed staff to correct the meeting minutes for September 5 to reflect both exceptions cited to close the meeting, noting that one exception was omitted in error.

## **Informal gathering on September 5, 2017**

- 50 In addition to the complaints reviewed above about the town's September 5, 2017 closed council meeting, my Office received a complaint that members of council gathered at a local establishment called the Mouse Trap following the meeting on September 5, 2017, in violation of the open meeting provisions of the *Municipal Act*.

### ***Regular informal gatherings of council members***

- 51 In interviews, council members told my Office that it is a regular practice for members of council to meet for a social gathering after council meetings. They told us that the purpose of the gatherings is to allow council members to get to know one another more personally.
- 52 Councillors told my Office that after every council meeting, they go to the Mouse Trap for some food and drinks. We were told that councillors generally go straight to the Mouse Trap following the meeting, while the Mayor arrives about 30 minutes later because he stays to help staff clear up council chambers and to shut down his computer. Council members told us they usually sit at one of two spots in the restaurant.
- 53 Council members recalled being cautioned by town staff to take care not to discuss or advance council business during an informal gathering. Some councillors specifically mentioned that they know not to advance the business of council and, in the past, members have reminded one another not to discuss something if a matter related to council business comes up during a gathering.

### ***Gathering on September 5, 2017***

- 54 On September 5, 2017 council members told my Office they gathered in the middle section in the Mouse Trap at standing tables. We were told that no one other than council members was at their table for the gathering, but that other individuals in the restaurant might have stopped by to say hello and briefly chat.
- 55 Some members of council recalled council members expressing their reactions to the discussion at that night's council meeting during the gathering that evening. They told us the discussion did not include anything specific about the content of the meeting and was not a continuation of the meeting's discussions.
- 56 Three council members did not recall the council meeting being discussed at all while at the Mouse Trap.
- 57 Council members told us the remainder of the conversation at the Mouse Trap on September 5, 2017 was about matters unrelated to council business. They suggested it was about their lives, including vacation plans, real estate, or sports games, though no members of council could recall specifically what was discussed that night. All council members agreed the purpose of the gathering was social in nature.

## Analysis

58 At the time of the September 5, 2017 gathering, the term "meeting" was defined in section 238 of the Act as "any regular, special or other meeting of a council, of a local board or of a committee of either of them."

59 My Office has developed a working definition of "meeting":

Members of council (or a committee) must come together for the purpose of exercising the power or authority of the council (or committee), or for the purpose of doing the groundwork necessary to exercise that power or authority.<sup>10</sup>

60 The *Municipal Act, 2001* does not prevent council members from meeting informally or socially outside of council chambers. My Office found that a social gathering of council members in Owen Sound did not contravene the Act, as members did not discuss council business during the gathering.<sup>11</sup> However, in my Office's report regarding a private breakfast meeting in the City of Hamilton, we noted that it can be challenging to assure the public that no improper discussions have taken place when councillors or committee members meet informally.<sup>12</sup>

61 In the present case, members of council from the Town of Pelham gathered socially at a local restaurant surrounded by other tables. No council business was discussed and council members did not lay the groundwork for any future council decisions.

62 This type of social gathering is not a "meeting" for the purposes of the Act's open meeting requirements. However, such gatherings run the risk of undermining public confidence and engendering suspicion, particularly if concern or opinions about council business are expressed during the gathering. Council should keep in

---

<sup>10</sup> Amendments to the *Municipal Act, 2001* came into force on January 1, 2018, which included a new definition of "meeting" for purposes of section 239 of the Act. These amendments were not in force at the time of the September 5, 2017 meeting.

<sup>11</sup> Ombudsman of Ontario, *Investigation into the City of Owen Sound's alleged violations of the Municipal Act, 2001 on April 27, May 25 and June 15, 2015* (November 2015) online: <<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/municipal-meetings/2015/city-of-owen-sound>>.

<sup>12</sup> Ombudsman of Ontario, *Investigation into whether the City of Hamilton's NHL Proposal Sub-Committee held an improperly closed meeting* (February 2012) at para 24, online: <<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/municipal-meetings/2012/city-of-hamilton-en>>.

mind the perception by the public that decisions might be made during these gatherings, even if the gathering is intended to be social in nature.<sup>13</sup>

63 We recognize, as council members noted in their interviews, that such gatherings, when limited to purely social events, can help council establish stronger working relationships. However, we encourage all members of council to be vigilant in ensuring that their actions fulfil not only the requirements of the Act, but also its spirit.

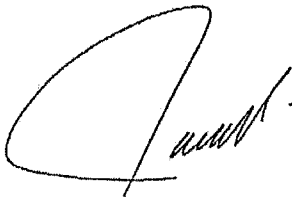
## Opinion

64 Council for the Town of Pelham did not contravene the *Municipal Act, 2001* on September 5, 2017, when it discussed a consultant's report, received legal advice, and received a presentation from staff in camera.

65 Council for the Town of Pelham also did not contravene the *Municipal Act, 2001* when its members met informally following the September 5, 2017, council meeting.

## Report

66 My report should be shared with council and made available to the public as soon as possible, and no later than the next council meeting.



---

Paul Dubé  
Ombudsman of Ontario

---

<sup>13</sup> Local Authority Services, *A Report to the corporation of the Township of Carling* (March 2015) at 7, online: <<http://www.agavel.com/wp-content/uploads/2013/09/Carling-Investigation-Report-Final-March-2015.docx>>.

This page intentionally left blank.



**City of Port Colborne  
Regular Committee of the Whole Meeting 12-18  
Minutes**

**Date:** May 14, 2018  
**Time:** 6:30 p.m.  
**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

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

**Absent:** B. Butters, Councillor (due to illness)  
Y. Doucet, Councillor (due to vacation)

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

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

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. National Anthem:**

Joel Longfellow sang O Canada.

**3. Introduction of Addendum Items:**

Nil.

**4. Confirmation of Agenda:**

Moved by Councillor A. Desmarais  
Seconded by Councillor J. Mayne

That the agenda dated May 14, 2018 be confirmed, as circulated or as amended.

CARRIED.

**5. Disclosures of Interest:**

Nil.

**6. Adoption of Minutes:**

- (a) **Special meeting of Committee of the Whole 07-18, held on March 14, 2018.**
- (b) **Special meeting of Committee of the Whole 10-18, held on April 20 and 21, 2018.**
- (c) **Regular meeting of Committee of the Whole 11-18, held on April 23, 2018.**

Moved by Councillor J. Mayne  
Seconded by Councillor B. Kenny

- (a) That the minutes of the special meeting of the Committee of the Whole 07-18, held on March 14, 2018, be approved as presented.
- (b) That the minutes of the special meeting of the Committee of the Whole 10-18, held on April 20 and 21, 2018, be approved as presented.
- (c) That the minutes of the regular meeting of the Committee of the Whole 11-18, held on April 23, 2018, be approved as presented.

CARRIED.

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

The following items were identified for separate discussion:

Items 1, 2, 5, 7.

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

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

That Items 1 to 27 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Items:****3. Corporate Services, Finance Division, Report No. 2018-60, Subject: 2018 Final Tax Rates**

Committee of the Whole recommends:

That the rates of taxation for the year 2018 be approved and the tax rate by-law be executed by the Mayor and City Clerk.

That the 2018 final billing for the residential, multi-residential, commercial, industrial, pipeline, farmland, managed forest and farmland awaiting development tax classes have a demand (mailing) date of June 12, 2018 with due dates of July 3 and October 1, 2018.

**4. Fire and Emergency Services, Report No. 2018-64, Subject: Emergency Call Summary 2017**

Committee of the Whole recommends:

That Fire and Emergency Services Department Report No. 2018-64 with respect to the 2017 emergency call summary be received for information purposes.

**6. Community and Economic Development, Parks and Recreation Division, Report No. 2018-66, Subject: Summary of Comments and Changes – Updated Municipal Alcohol Management Policy**

Committee of the Whole recommends:

That the revised Municipal Alcohol Management Policy, attached as Appendix "A" to Community and Economic Development Department, Parks and Recreation Division Report No. 2018-66, Subject: Summary of Comments and Changes - Updated Municipal Alcohol Management Policy, be approved; and

That the appropriate by-law be presented for approval.

**8. Community and Economic Development, Parks and Recreation Division, Report No. 2018-63, Eighth Annual Port Colborne Art Crawl**

Committee of the Whole recommends:

That the request to host the eighth annual Port Colborne Art Crawl on Saturday June 23, 2018 from 11:00 a.m. to 11:00 p.m., as submitted by the Port Colborne Art Crawl Committee, and outlined in Community and Economic Development, Parks and Recreation Division Report No. 2018-63, be approved;

That the following roads be closed to general vehicular traffic and parking on Saturday, June 23, 2018 from 10:30 a.m. to 11:00 p.m.:

- West Street, from the southern limit of Clarence Street to the northern limit of Kent Street;
- Clarence Street, from the eastern limit of King Street to the western limit of West Street;
- Charlotte Street, from the eastern limit of King Street (with signage indicating "local traffic only") to the western limit of West Street;

That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closures;

That qualified participants of the Event be exempt from the above noted closures through the issuance of an authorized permits;

That the Engineering and Operations Department install and retrieve road closure barricades at the predetermined locations requiring same;

That the Community and Economic Development Department install and retrieve picnic tables at the predetermined locations requiring same;

That the Event Organizer be responsible for installing appropriate signage at the predetermined locations stating "Art Crawl Clarence Street Temporarily Closed – 10:30 a.m. to 11:00 p.m.;"

That the Event Organizer be responsible for ensuring road closure barricades are promptly removed and returned to the retrieval points at the conclusion of the event;

That the restrooms at the Harbourmaster Building remain open until 11:00 p.m. for the Event;

That a site plan be prepared and submitted to the Community and Economic Development Department for distribution to emergency services and appropriate City departments;

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

That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived.

That the appropriate by-law be presented for approval.

**9. Memorandum from Gina Tartaglia, Event Coordinator Re: Canal Days 2018 (Designation of Canal Days Marine Heritage Festival as a Municipally Significant Event)**

---

Committee of the Whole recommends:

That the Council of The Corporation of the City of Port Colborne hereby deems the annual Canal Days Marine Heritage Festival as a municipally significant event and supports the application to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit.

**10. Memorandum from Janice Peyton, Recording Secretary, Environmental Advisory Committee Re: Letter of Support – Niagara Coastal Community Collaborative**

---

Committee of the Whole recommends:

That the Council of The Corporation of the City of Port Colborne endorses the letter written by the Environmental Advisory Committee setting out the goals and actions being undertaken by the newly formed Niagara Coastal Community Collaborative (NCCC), in an effort to improve the near shore water quality along the northern shore of Lake Erie.

**11. Memorandum from Janice Peyton, Executive Assistance, DEO Re: Transit Advisory Committee – Support of Increase in Port Colborne Community Bus Fares**

---

Committee of the Whole recommends:

That the Memorandum received from Janice Peyton, Executive Assistance, DEO on behalf of the Transit Advisory Committee Re: Transit Advisory Committee – Support of Increase in Port Colborne Community Bus Fares, be received for information.

**12. Ed Dujlovic, President, Ontario Chapter, Canadian Public Works Association, Director of Infrastructure and Development Services, City of Stratford Re: Request for Proclamation of National Public Works Week, May 20 - 26, 2018**

---

Committee of the Whole recommends:

That the week of May 20 – 26, 2018 be proclaimed as “National Public Works Week” in the City of Port Colborne in accordance with the request received from Ed Dujlovic, President, Ontario Chapter, Canadian Public Works Association, Director of Infrastructure and Development, City of Stratford.

**13. Steve Bowering, VP Sales, snapd Re: Request for Proclamation of June is Seniors Month**

---

Committee of the Whole recommends:

That June 1 – 30, 2018 be proclaimed as “Seniors Month” in the City of Port Colborne in accordance with the request received from Steve Bowering, VP Sales, snapd.

**14. Justin Bergamini, Administrative Support Assistance, Office of the Senator, Nancy Greene Raine Re: Request for Proclamation of National Health and Fitness Day 2018**

---

Committee of the Whole recommends:

That the first Saturday in June be proclaimed as “National Health and Fitness Day” in the City of Port Colborne in accordance with the request received from Justin Bergamini, Administrative Support Assistance, Office of the Senator, Nancy Greene Raine.

**15. Dewitt Carter Public School Re: Request for Use of Picnic Tables for a School Event to be Held on June 7, 2018**

---

Committee of the Whole recommends:

That the correspondence from Dewitt Carter Public School requesting the use of City picnic tables for a School Event to be held on June 7, 2018 be received, and;

That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of Dewitt Carter Public School.

**16. Region of Niagara Re: Review and Comments on Watershed Planning in Ontario – Guidance for Land-Use Planning Authorities (PDS Report 14-2018)**

---

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Review and Comments on Watershed Planning in Ontario – Guidance for Land-Use Planning Authorities, be received for information.

**17. Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada’s Long-Term Infrastructure Plan**

---

Committee of the Whole recommends:

That the Memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada's Long-Term Infrastructure Plan, be received for information.

**18. Richard Rybiak, Chair Niagara Central Airport Commission Re: Niagara Central Dorothy Rungeling Airport (NCDRA): Position regarding Niagara Region Uptake of Control and Governance of NCDRA and NDA**

---

Committee of the Whole recommends:

That the following Motion be adopted by City Council:

Whereas the Regional Municipality of Niagara at its Regional Council meeting on September 22, 2016 approved a motion and direction to staff from the Transportation Steering Committee;

Whereas *The Welland-Port Colborne Airport Act* was assented to on May 7, 2006 and this act contains the following applicable section;

Under Schedule B section 2 subsection 2 (b)

That the Commission shall not sell or otherwise dispose of the said airport Provided however, that the Commission may in its sole discretion sell, lease or otherwise dispose of the buildings on the said airport as the Commission may consider advisable and for sole benefit of the Commission;

And further under Schedule b subsection 2 (c)

That the Commission shall not use or permit to be used the said airport for purposes other than airport purposes and shall maintain and operate said airport as a public airport.

Whereas Schedule A of *The Welland-Port Colborne Airport Act* provides the following clauses governing the ongoing activities of the Commission as follows:

“And whereas pursuant to the provisions of the *Municipal Act* R.S.O. 1970 chapter 284, section 352, paragraph 9, bylaws may be passed for the establishment, operation, maintenance of air harbours or landing grounds, together with such other rights and powers as are contained therein;

Whereas section 254 of the *Municipal Act*, R.S.O 1970 chapter 284 provides for the passing of by-laws by a municipality for entering into and performing any agreement with any other Council for fulfilling, executing and completing at their joint expense and for their joint benefit, any undertaking or work within the jurisdiction of the Council;

Whereas the Niagara Region is currently considering the longer-term opportunities to grow the economic impacts of these airports as Regionally managed and operated airports;"

Whereas the Regional Municipality of Niagara (Niagara Region) has two municipally supported and funded airports, the Niagara District Airport and the Niagara Central Dorothy Rungeling Airport;

Whereas the Niagara Central Dorothy Rungeling Airport has completed the terms of section 2, notably, "That, subject to completion of a phase 2 environmental assessment paid for by the current owners/operators, Regional staff be authorized to initiate detailed negotiations with the current funding partners of both the NDA and the NCDRA to transition responsibility to Niagara Region;

Whereas there must be formal discussions between stakeholder municipalities and Niagara Region;

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

That representatives of the Niagara District Airport (NDA) and Niagara Central Dorothy Rungeling Airport (NCDA), stakeholder municipalities and the Region of Niagara commence formal discussions to finalize the assumption of the management/operational responsibilities of the NDA and NCDRA; and,

That by all stakeholder municipalities of NCDRA adopting this resolution, the stakeholder municipalities of the NCDRA approve the formal discussions with the Region of Niagara and the NDA to see both airports managed and operated as Regional airport facilities and that the, "**Framework for the Memorandum of Understanding**" attached to this motion be the basis of NCDRA stakeholder municipalities terms of reference for these discussions.

**19. Town of Niagara-on-the-Lake Re: Funding for Local Public Libraries**

Committee of the Whole recommends:

That the resolution received from the Town of Niagara-on-the-Lake Re: Funding for Local Public Libraries, be supported.

**20. City of Thorold Re: Regarding Municipal Authority over Land Fill Projects in or Adjacent to their Municipality**

Committee of the Whole recommends:



That the resolution received from the City of Thorold in support of Municipal Authority over Land Fill Projects in or Adjacent to their Municipality, be received for information.

**21. City of St. Catharines Re: Safe Drinking Water Training – Elected Municipal Officials (Resolution from Niagara Regional Council)**

Committee of the Whole recommends:

That the resolution received from the City of St. Catharines in support of a resolution passed by Niagara Regional Council regarding Safe Drinking Water Training – Elected Municipal Officials, be supported.

**22. City of Toronto Re: Province of Ontario's proposed Inclusionary Zoning Regulation - Request for Support**

Committee of the Whole recommends:

That the resolution received from the City of Toronto Re: Province of Ontario's proposed Inclusionary Zoning Regulation, be supported.

**23. Township of Baldwin Re: Enforcement of Existing Firearms Legislation and Licencing Requirements in Canada (Cancel Bill C-71)**

Committee of the Whole recommends:

That the resolution received from the Township of Baldwin Re: Enforcement of Existing Firearms Legislation and Licencing Requirements in Canada requesting the Government to Cancel Bill C-71, be received for information.

**24. Municipality of East Ferris Re: Prohibited Trapping Areas**

Committee of the Whole recommends:

That the resolution received from the Municipality of East Ferris Re: Prohibited Trapping Areas, be received for information.

**25. Township of Wainfleet, City of Thorold, Town of Pelham Re: City of Port Colborne's Resolution regarding the Niagara Peninsula Conservation Authority Appointment Process**

Committee of the Whole recommends:

That the resolutions received from the Township of Wainfleet, City of Thorold and the Town of Pelham in support of the City of Port Colborne's resolution regarding the request to the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future

Recruitment of Board Members to the NPCA, be received for information.

**26. City of St. Catharines Re: City of Port Colborne's Resolution regarding Calling on Minister of Environment and Climate Change to Accelerate the Application for Review of Municipal Class Environmental Assessment Process**

---

Committee of the Whole recommends:

That the resolution received from the City of St. Catharines in support of the City of Port Colborne's resolution regarding Calling on the Minister of Environment and Climate Change to Accelerate the Application for Review of Municipal Class Environmental Assessment Process, be received for information.

**27. Kathleen Wynne, Premier of Ontario Re: Correspondence regarding the City of Port Colborne's resolution concerning Landfill Projects**

---

Committee of the Whole recommends:

That the correspondence received from Kathleen Wynne, Premier of Ontario regarding the City of Port Colborne's resolution concerning Landfill projects, be received for information.

CARRIED.

**9. Presentations:**

Nil.

**10. Delegations:**

**(a) George Henry, Vice President and Dan Tonello, Board Member, Community Living regarding Community Living Awareness Month**

George Henry, Vice President of Community Living Port Colborne-Wainfleet, spoke with respect to Community Living Awareness Month and the organization's practice and promotion of the values of social inclusion, rights and responsibilities, dignity and respect, individuality and independence. Mr. Henry also thanked the supporters of the organization.

Dan Tonello, Board Member of Community Living Port Colborne-Wainfleet and representative of People Helping People to Achieve, which is a self-advocate group. Mr. Tonello explained that a self-advocate is defined as someone with an intellectual disability who speaks out about issues that affect their life. Mr. Tonello asked the community to support the full inclusion, rights and dignity for all.

**11. Mayor's Report:**

A copy of the Mayor's Report is attached.

In response to an inquiry from Councillor Desmarais, the Chief Administrative Officer advised that he has not yet received an answer from the Regional Chief Administrative Officer with respect to who paid for the flyer distributed by Regional Councillor Barrick in the Niagara this Week.

Upon request from the Mayor, the Director of Corporate Services provided an explanation of the information in the flyer. The Director of Corporate Services advised that the flyer contains an unfair comparison between the public debt increase of Port Colborne to that of the Niagara Region. The Director advised that there are good reasons for debt increases that are due to increases in services provided by the City including the replacement of the Nickel Street area storm sewer, water meter replacements, the Lakeshore Road watermains and construction of the Engineering and Operations Centre. The Director further advised that the City took measures such as spreading debenturing over a four year period to mitigate the amount of debt increase.

The Director of Corporate Services also explained that the \$850 per person increase noted in the flyer is based on the principal amount of the debt and the increase is actually an approximate annual increase of \$71 per person for debt repayment through property taxes which is only 9% of the City's budget.

The Director of Corporate Services provided comment with respect to the information in the flyer with respect to the property levy tax increase, advising that the increases are different for each municipality and comparing the Region to the City is unfair as the Region has the ability to raise revenues based on the property assessments of 12 municipalities but the City can only base its property taxes on the property assessments of one municipality. The Director explained that when there is growth in other municipalities such as Grimsby or Niagara Falls, the Region has the benefit of the revenue that is generated from the assessment growth where Port Colborne does not have that opportunity and the City's assessment growth is not as high as some municipalities. The Director further explained that Region has the opportunity to keep tax increases lower because of the generation of more revenue from the combination of assessments from municipalities in the Region and Port Colborne does not have that ability.

The Director of Corporate Services advised that Port Colborne's Council took advantage of the fact that the Region and Province used the assessment growth to provide lower tax rates and decided to use the tax room created and determined what the cost of the blended rate would cost the Port Colborne tax payer. The Director listed the blended tax rate increases between 2015-2018 as: 2015 - .88% or \$25 to the average homeowner; 2016 - 1.79% or \$51 to the average homeowner; 2017 - 2.99% or \$87 to the average homeowner; and 2018 - 2.69% or \$81 to the average homeowner. The Director explained that the percentages can appear high but the bottom line is the actual cost of what the ratepayers are paying in dollars rather than percentages.

The Director of Corporate Services summarized that the City was able to increase services provided, minimize tax increases and was able to do a lot with a little bit of money.

The Director of Corporate Services also addressed the water and wastewater billing, advising that like tax billing, the percentages appear high but the dollars are not as the average yearly increase in water and wastewater billing was approximately \$80 per year over the last four years while, at the same time, the City completed \$15 million worth of infrastructure improvement projects, with the assistance of grants. The Director noted that the City's expenditure \$15 million in infrastructure improvements is great as compared to the Region's \$40 million investment in Port Colborne.

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

Nil.

**13. Councillors' Items:**

**(a) Hydro Outages (Danch)**

Councillor Danch commented that in light of the recent hydro outages, better hydro service is required from the service provider, Canadian Niagara Power.

**(b) Sherkston Community Centre (Bodner)**

In response to an inquiry from Bodner, the Director of Engineering and Operations advised that staff are meeting to develop a communications protocol with the volunteer group who runs the Sherkston Community Centre.

**(c) Abandoned water equipment, Wyldewood Road (Bodner)**

In response to an inquiry from Councillor Bodner, the Director of Engineering and Operations advised that staff has contracted for equipment with a long arm in order to meet provincial restrictions to accessing the abandoned water equipment and providing clean up.

**(d) Dead ash trees (Bodner)**

In response to an inquiry from Councillor Bodner, the Director of Planning and Development advised that residents with dead ash trees need to make complaint to the By-law Enforcement Division which will determine if the tree is on public or private property and then issue notice to the property owner. The Director further advised that if the property owner does not comply with the notice, the City can complete the removal and charge back to the property owner.

**(e) Policing of scrap yards (Mayne)**

Councillor Mayne inquired with respect to whether increased monitoring of scrap yards can be done by the Niagara Regional Police in light of the recent increase in theft of copper wires and air conditioners and other such items that can be taken to the scrap yard in exchange for cash. The Mayor advised that he would

bring the issue to the attention of Regional Council and the Niagara Regional Police Services Board.

**(f) Main Street West Railway Crossing (Kenny)**

In response to an inquiry from Councillor Kenny with respect to the railway crossing on Main Street West, the Director of Engineering and Operations advised that staff is attempting to expedite repair with Trillium Railway and the Region with respect to the Main Street and two other problem railway crossings.

**(g) Community Safety Day (Desmarais)**

Councillor Desmarais announced that May 26, 2018 is Community Safety Day at the Fire Station on Killaly Street from 11 a.m. until 2 p.m. to promote safety and fire prevention.

**(h) Transport truck parking on Janet Street (Desmarais)**

Councillor Desmarais advised that from time to time, complaints are received with respect to a transport truck parking on Janet Street and inquired whether enforcement could be proactive with this issue. The Director of Planning and Development advised that he would speak to the Supervisor of the By-law Enforcement Division.

**(i) Ponding water on Killaly Street East (Desmarais)**

In response to a concern from Councillor Desmarais, the Director of Engineering and Operations advised that stone can be placed and the area graded where water is ponding on Killaly Street east in front of St. Jean de Brébeuf.

**(i) Pedestrian crossing at Wellington Street and Main Street East (Desmarais)**

In response to a concern from Councillor Desmarais with respect to a pile of rubble at the new pedestrian crossing at Wellington Street and Main Street East, the Mayor advised that he would address the issue with the Region.

**(j) Nickel Street Storm Sewer Project (Desmarais)**

In response to a request from Councillor Desmarais for an update about the construction in the East Village due to the Nickel Street Storm Sewer Project, the Director of Engineering and Operations advised that the asphalt is almost complete, sodding and topsoil has been delayed due to lack of sod and there are still a few hookups required and being completed by a plumber.

**(k) Public meeting about Sunset Park (Elliott)**

In response to an inquiry from Councillor Elliott, the Director of Engineering and Operations advised that he would inquire with staff if the area residents abutting

Sunset Park were notified of the public meeting with respect to the park being held on May 16 from 6 – 8 p.m. in the Council Chambers.

**(l) Winter snow clearing operations (Elliott)**

In response to an inquiry from Councillor Elliott with respect to the amount of sand that is still left over from winter snow clearing operations, the Director of Engineering and Operations advised that although there were not a lot of big snow events over the winter, there were a lot of continuous events that contributed to the amount of sand used and the City follow provincial minimum maintenance standards with respect to when, where and how to provide snow clearing operations.

**(m) Road line painting (Elliott)**

In response to an inquiry from Councillor Elliott, the Director of Engineering and Operations advised that line painting should begin by next week and a second application will be applied in early October.

**(n) Speeding in the area of Knoll Street and Highland Avenue**

In response to an inquiry from Councillor Danch, the Mayor advised that he would contact the Niagara Regional Police with respect to speeding in the area of Knoll Street and Highland Avenue.

**(o) Pleasant Beach Parking (Bodner)**

In response to an inquiry from Councillor Bodner about parking at the end of Pleasant Beach Road, the Director of Engineering and Operations advised the staff can paint the angled parking lines in-house and the Director of Planning and Development advised that a proposal for timed parking can be brought forward in the future after inquiring with the restaurant located on Pleasant Beach.

**(p) Loose stone on the intersection of Highway 3 and Empire Road (Bodner)**

In response to a safety concern from Councillor Bodner with respect to loose stone transferring from the road shoulder on to the road and the hazard it is creating particularly for motorcycles, the Director of Engineering and Operations advised that staff has been communicating with the Ministry of Transportation and has requested diligence with respect to clean up of the stone.

**(q) Westwood Estates Phase II sidewalk (Elliott)**

Councillor Elliott inquired about the sidewalk proposed on Renfield Street by the developer, the Director of Planning and Development advised that a future report will be provided to Council for consideration.

**Staff Responses to Previous Councillor Enquiries:****(a) Introduction of the Manager of Parks and Recreation**

The Director of Community and Economic Development introduced Nicole Halasz, the City's new Manager of Parks and Recreation.

**(b) Door-to-door smoke alarm campaign (Cartwright)**

The Fire Chief advised that the door-to-door smoke alarm inspection campaign is expanding to the rural areas of the City as soon as weather permits.

The Fire Chief also advised that Fire Services has the right of entry to properties under the Ontario Fire Code but if entry is refused, a warrant would need to be obtained.

The Fire Chief further advised that the replacement of electrical smoke alarms must by another electrical smoke alarm as a battery operated alarm is not suitable as the Fire Code does not allow lesser protection.

**14. Consideration of Items Requiring Separate Discussion:****1. Fire and Emergency Services, Report No. 2018-48, Subject: Fire Marque Indemnification Technology®**

Bill Steele, President, C.M. Steele Insurance Brokers Ltd. spoke on behalf of Zach Bull, President of the Niagara South Insurance Brokers Association. Mr. Steele expressed concern with the claim by Fire Marque Indemnification Technology that insurance rates would not be negatively affected by the introduction by the municipality of cost recovery of fire department charges. Mr. Steele expressed further concern that the City only considered the services of one company that recovers expenses for the municipality and inquired if the City could investigate the by-laws of other municipalities and consider other options for recovery including providing the service in-house.

Tim McAvoy of McAvoy, Belan & Campbell, the City's insurance broker, advised that the trend in the insurance market is to provide comprehensive coverage policies with a basket of coverage including charges such as those by the fire department under one big limit. Mr. McAvoy also advised that he would have to investigate further to provide Council with an opinion about the potential affect fire department expense recovery could have on individual insurance policy rates and coverage.

Mr. Carrier of Fire Marque Indemnification Technology stated the recovery of fire department expenses is already covered within insurance policies and that losses are incorporated by insurance companies into their risk management expectations and policy holders do not pay out of pocket for the cost recovery by fire departments.

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

That the Fire Chief be directed to further investigate and to provide a report to Council detailing cost recovery options for the provision of fire services including the use of available service providers, use of the City's insurer and providing the service in-house.

CARRIED.

**2. Corporate Services, Finance Division, Report No. 2018-68, Subject: Port Colborne Community Bus Rate Increase**

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

That the Port Colborne Transit Fare Structure attached to Corporate Services Department, Finance Division Report No. 2018-68, be approved, effective July 1, 2018.

CARRIED.

**5. Planning and Development, Planning Division, Report No. 2018-67, Subject: Site Plan Control Handbook**

Moved by Councillor D. Elliott  
Seconded by Councillor J. Mayne

That the Site Plan Control Handbook attached to Planning and Development Department, Planning Division Report No. 2018-67 be approved.

CARRIED.

**7. Community and Economic Development, Parks and Recreation Division, Report No. 2018-65, Subject: Review of Retail Pro Shop Services at the Vale Health & Wellness Centre**

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

That the City assume the operation of pro shop services at the Vale Health & Wellness Centre; and

That the vacated premises (the area previously occupied by the pro shop) be utilized for City purposes, the use of which shall be determined after the Director of Community and Economic Development has completed a review of operational needs at the Vale Health & Wellness Centre.

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  
8:39 p.m.  
CARRIED.

AL/cm



**Mayor's Report to the  
May 14, 2018 Council Meeting**

**Canadian Niagara Power Inc.**

I met with representatives of Canadian Niagara Power Inc. last week to discuss our concerns about the recent and frequent power outages in the city.

A letter explaining the recent outages has been received and will be posted on our website.

**Profanity on the approach to the former train bridge**

Many thanks to the St. Lawrence Seaway Management Corporation for painting over the profanity in a prompt fashion and for Director Chris Lee on pursuing the matter with the Seaway.

**Doctor's Day**

I participated in a short video acknowledging Doctor's Day. Similarly, the Physician Recruitment Committee will be hosting first year medical students from the University of Ottawa in Port Colborne to introduce them to what practicing in a smaller community is like.

**Medical Education, Recruitment and Health Services Committee Educational Award**

Are you a resident of Port Colborne graduating high school this year? Are you entering post-secondary studies related to a health/medical care field? You could apply for one of two \$250 awards from the Medical Education, Recruitment and Health Services Committee. Please contact your guidance department for more information.

**National Day of Mourning**

On Saturday, April 28<sup>th</sup> I attended at the memorial at H.H. Knoll Lakeview Park in recognition of the National Day of Mourning to honour those workers in Canada who have been killed, injured or disabled on the job, or who suffer from occupational diseases.

## **Museum News**

I also attended at the Museum Members Reception as the Museum opened for the season. May is Museum Month - celebrate with Port Colborne Historical & Marine Museum this Friday, May 18 from 12-5 p.m.

Arabella's Pie Social and History Fair is May 27 12 - 4 p.m.

And starting June 1 - Arabella's Tea Room opens daily for the season from 2 - 4 p.m. Tea from June 1 -9 is '2 for 1' to celebrate Arabella's 40th Anniversary.

## **Upcoming Events:**

There is Public Meeting for Sunset Park this Wednesday May 16 from 6 - 8 p.m. in Council Chambers.

We will be holding our 24<sup>th</sup> annual Community Safety Day at the Port Colborne Fire Hall May 26 11 a.m. - 2 p.m.

There will be a Dedication Ceremony for the new gazebo at the Port Colborne Public Library - May 27 2 p.m.

Join us for Community Planting Day at the Community Garden May 27 3 - 5 p.m.

This page intentionally left blank.



**City of Port Colborne  
Regular Meeting of Council 14-18  
Monday, June 11, 2018  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor John Maloney
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **Adoption of Minutes**
  - (a) Regular meeting of Council 11-18, held on May 14, 2018.
  - (b) Special meeting of Council 12-18 held on May 23, 2018.
6. **Determination of Items Requiring Separate Discussion:**
7. **Approval of Items Not Requiring Separate Discussion:**
8. **Consideration of Items Requiring Separate Discussion:**
9. **Proclamations:**
  - (a) World Hepatitis Day, July 28, 2018
10. **Minutes of Boards, Commissions & Committees:**
  - (a) Minutes of the Port Colborne Public Library Board meeting of April 3, 2018
  - (b) Minutes of the Environmental Advisory Committee meeting of March 21, 2018
  - (c) Minutes of the Port Colborne Historical & Marine Museum Board of Management meeting of April 17, 2018
11. **Consideration of By-laws:**
12. **Council in Closed Session:**
  - (i) Motion to go into Closed Session  
  
That Council do now proceed into closed session in order to address the following matter(s):
    - (a) Minutes of the closed session portion of the following Council meetings:  
May 14, 2018.

- (b) Planning and Development Department, Planning Division Report 2018-73, concerning 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 Economic Development Department, Economic Development Division Report 2018-84, concerning the potential acquisition of land by the municipality, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.
  - (e) Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives Division Report 2018-85, concerning the Nyon Energy Lands and the Nyon Tank Farm property, pursuant to *Municipal Act, 2001*, Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
  - (f) Planning and Development Department, By-law Enforcement Division Report 2018-86, concerning an update with respect to ongoing property investigations, pursuant to *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- (ii) Disclosures of Interest (closed session agenda):
  - (iii) Consideration of Closed Session Items:
  - (iv) Motion to Rise With Report:

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

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

**15. Adjournment:**

## Council Items:

Notes	Item	Description / Recommendation
JDM BB RB AD FD YD DE BK JM	1.	<p><b><u>Planning and Development, Planning Division, Report No. 2018-69, Subject: Easement to Bell Canada – Killaly Street West</u></b></p> <p>That an easement over Part 1 &amp; 2 on Plan 59R-14504 and Direction Authorizing Registration be approved for Bell Canada.</p> <p>That the Mayor and Clerk be authorized to sign and execute any and all documents respecting the easement registration.</p>
JDM BB RB AD FD YD DE BK JM	2.	<p><b><u>Planning and Development, Planning Division, Report No. 2018-73, Subject: Chippawa Estates Draft Plan of Subdivision</u></b></p> <p>That By-law 5806/61/12 be amended and that the by-law setting an expiration date of June 11, 2019 for the Chippawa Estates Draft Plan of Subdivision be approved.</p>
JDM BB RB AD FD YD DE BK JM	3.	<p><b><u>Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives, Report No. 2018-83, Subject: Strategic Planning exercise results from Strategic Planning Meetings held on April 20 and 21, 2018</u></b></p> <p>That the Strategic Directions document attached as Appendix 1 to Chief Administrative Officer, Special Projects and Corporate Strategic Initiatives Division report 2018-83 be approved.</p>
JDM BB RB AD FD YD DE BK JM	4.	<p><b><u>Corporate Services, Finance Division, Report No. 2018-80, Subject: Niagara Regional Housing Property Tax Exemption Analysis</u></b></p> <p>That staff be directed to notify the Niagara Region that the Council of the City of Port Colborne supports Scenario 1 being the status quo in keeping the Niagara Regional Housing properties taxable.</p>

<p>JDM BB RB AD FD YD DE BK JM</p>	<p>5.</p>	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-75, Subject: <u>Canada Day – 2018 Optimist Day in the Park &amp; Canada Day Fireworks Road Closure</u></b></p> <p>That staff issue the appropriate permits for Canada Day – ‘Optimist Day in the Park’ at H.H. Knoll Lakeview Park, and;</p> <p>That the temporary road closures be approved for the purpose of hosting Canada Day fireworks beginning at 9:00 p.m. until 11:00 p.m., Saturday, July 1, 2018. Temporary barricade road closures at the following intersections to restrict traffic onto: West Street from the Southern limit of Charlotte Street to the Southern limit of the former Public Works Yard (11 King Street) property including closure of the intersections of Kent Street, Victoria Street, Adelaide Street, and Sugarloaf Street at West Street for the purpose of controlling traffic for the Canada Day Fireworks and prohibiting general vehicular traffic and parking by the public, and:</p> <p>That City sponsorship of the 2018 Optimist Day in the Park be approved, with sponsorship to be provided as follows:</p> <ol style="list-style-type: none"> <li>a. Waving of permit fees for the use of H.H. Knoll Lakeview Park;</li> <li>b. Waiving of permit fees for the use of the pavilion at the Bandshell;</li> <li>c. Provision and installation of snow fencing, and waiving of associated fees;</li> <li>d. Waiving of the Noise Variance Fee;</li> <li>e. Provision of portable washroom facilities and waiving of associated fees;</li> <li>f. Waiving of the parking fees in the gravel lot for the duration of the event;</li> <li>g. City assistance with event promotion and marketing on social media.</li> </ol>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>6.</p>	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-76, Subject: <u>40<sup>th</sup> Annual Canal Days Festival Request for Road Closures, Parking Restrictions &amp; Patio Extensions</u></b></p> <ol style="list-style-type: none"> <li>1. That the closure to through traffic and street parking be approved and authorized for the following roads beginning at 5:00 p.m. Thursday, August 2, 2018 and ending at 6:00 a.m. on Tuesday, August 7, 2018:</li> </ol>



	<ul style="list-style-type: none"> <li>• West Street from the northern limit of Adelaide Street to the southern limit of Sugarloaf Street and;</li> </ul> <p>2. That the closure to through traffic and street parking be approved and authorized for the following roads beginning at 4:00 a.m. Friday, August 3, 2018 ending at 6:00 a.m. on Tuesday, August 7, 2018.</p> <ul style="list-style-type: none"> <li>• West Street from the northern limit of Princess Street to the southern limit of Sugarloaf Street;</li> <li>• Princess Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Park Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Charlotte Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Kent Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Victoria Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Adelaide Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Sugarloaf Street from the eastern limit of King Street to the eastern limit of West Street;</li> <li>• Clarence Street from the eastern limit of King Street to the western limit of Welland Street;</li> <li>• Municipal Parking Lot located west of King Street, east of Catharine Street and south of Princess Street.</li> </ul> <p>3. In addition, the following areas be closed to street parking beginning at 4:00 a.m. on Friday, August 4, 2018 and ending at 6:00 p.m. on Monday, August 7, 2018:</p> <ul style="list-style-type: none"> <li>• Northside of Kent Street between the western limit of Catharine Street and the eastern limit of Elm Street.</li> </ul>
--	--

	<ul style="list-style-type: none"> <li>• The thirteen (13) parking spaces on the west side of King Street from Sugarloaf Street to Charlotte Street;</li> <li>• The two (2) parking spaces on both east and west sides of King Street, north of the Charlotte Street limit, be closed to parking to allow for the shuttle bus stops,</li> <li>• The three (3) parking spaces on the south side of Clarence Street in front of the Breakwall Brewery.</li> </ul> <p>4. That the closure to street parking and through traffic be approved and authorized for the following street beginning at 6:00 p.m. on Friday, August 3, 2018 and ending at 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Historical &amp; Marine Museum Canal Days Events.</p> <ul style="list-style-type: none"> <li>• Princess Street from the western limit of King Street to the eastern limit of Catharine Street.</li> </ul> <p>5. That the closure to street parking and through traffic be approved and authorized for following roads beginning at 4:00 p.m. to 12:00 a.m. on Friday, August 3 &amp; Saturday, August 4, 2018 for the purpose of hosting the Canal Days concert.</p> <ul style="list-style-type: none"> <li>• Steele Street from the southern limit of Steele Street at Sugarloaf Street;</li> <li>• Steele Street from the eastern limit at Steele Street at Sugarloaf Street;</li> <li>• Isabel Street from the southern limit of Isabel Street at Sugarloaf Street;</li> <li>• Fielden Avenue from the northern limit of Fielden Avenue at Sugarloaf Street;</li> <li>• Fielden Avenue from the southern limit at Sugarloaf Street;</li> <li>• Lighthouse Lane from the southern limit at Sugarloaf Street;</li> <li>• Elm Street from the southern limit of Elm Street at Sugarloaf;</li> </ul>
--	--

	<ul style="list-style-type: none"> <li>• H.H. Knoll Lakeview Parking lot south of Dawg's Burgers to Fielden Avenue.</li> </ul> <ol style="list-style-type: none"> <li>6. That there is no objection by the Corporation of the City of Port Colborne to the application by Eh Amigos Cantina to the AGCO for a Special Occasion Permit / Liquor License Extension; and</li> <li>7. That there is no objection by the Corporation of the City of Port Colborne to the application by The Lock 8 to the AGCO for a Special Occasion Permit / Liquor License Extension; and</li> <li>8. That there is no objection by the Corporation of the City of Port Colborne to the application by Breakwall Brewery to the AGCO for a Special Occasion Permit / Liquor License Extension; and</li> <li>9. That there is no objection by the Corporation of the City of Port Colborne to the application by Canadian Corps Association to the AGCO for a Special Occasion Permit/Liquor License Extension; and</li> <li>10. That the following conditions will apply to Eh Amigos Cantina and The Lock, on Clarence Street:             <ol style="list-style-type: none"> <li>a) That on Friday, August 3, 2018 the selling and serving of alcoholic beverages to the said licensed outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 3, 2018;</li> <li>b) That on Saturday, August 4, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 4, 2018;</li> <li>c) That on Sunday, August 5, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 11:00 p.m., and the outdoor area shall be cleared of patrons by 11:30 p.m. on August 5, 2018;</li> <li>d) That on Monday, August 6, 2018 the selling and serving of alcoholic beverages to the said outdoor area shall occur only between the hours of 11:00 a.m. and 5:00 p.m., and the outdoor area shall be cleared of patrons by 5:30 p.m. on August 6, 2018;</li> </ol> </li> </ol>
--	---

		<p>e) That, notwithstanding clause a, b, c and d above, the occupancy of the said outdoor licensed area shall be open only when Clarence Street is closed in accordance with City by-law;</p> <p>f) That the applicant shall not block or occupy any street with equipment relating to the Canal Days festival &amp; events or patio before 9:00 a.m. on Friday, August 3, 2018 and must have all equipment and supplies related to the patio extension cleared from the streets no later than 7:00 p.m. Monday, August 6, 2018; and</p> <p>11. That there is no objection by the Corporation of the City of Port Colborne to the application by Canalside Restaurant Inn and Walters and Neptunes to the AGCO for a Special Occasion Permit/Liquor License Extension. That Canalside Restaurant and Walters and Neptunes be approved to maintain the existing patio for the 2018 Canal Days Marine Heritage Festival; and</p> <p>12. That the six (6) applicants shall provide a Certificate of Insurance (COI) with no less than \$5,000,000 general liability naming the Corporation of the City of Port Colborne as additional insured, and listing The St. Lawrence Seaway Management Corporation, Her Majesty the Queen in Right of Canada, Transport Canada, as an additional insured in accordance with the City's Festivals &amp; Events Insurance Requirements.</p> <p>13. That Council of the Corporation of the City of Port Colborne exempt the participants of and the Canal Days Marine Heritage Festival from the Noise By-law #4588/119/04 and not be required to apply for the variance in accordance with Section 4(3) Schedule 2(2).</p> <p>14. That the appropriate by-law be prepared, authorizing the Mayor and City Clerk to execute and sign the Ontario Transfer Payment Agreement for the Celebrate Ontario 2018 Grant on behalf of the Corporation of the City of Port Colborne.</p>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>7.</p>	<p><b>Community and Economic Development, Parks and Recreation Division, Report No. 2018-77, Subject: 2018 Canal Days Car Parade Request for Road Closures and Parking Restrictions</b></p> <p>That the prohibition of street parking be approved for purpose of hosting the Canal Days Car Parade route beginning at 6:00 p.m. until 7:30 p.m., Saturday, August 4, 2018 to allow for safe viewing of the parade along:</p>

		<ol style="list-style-type: none"> <li>1. Clarence Street from the western limit of Steele Street to the eastern limit of West Street;</li> <li>2. West Street from the northern limit of Clarence Street to the southern limit of Charlotte Street; and</li> <li>3. Charlotte Street from the western limit of Elm Street to the eastern limit of King Street.</li> </ol> <p>That the temporary road intersection closures be approved for the purpose of hosting the Canal Days Car Parade route beginning at 6:30 p.m. until 7:30 p.m., Saturday, August 4, 2018. Temporary barricade road closures at the following intersections to restrict through traffic onto the parade route.</p> <ol style="list-style-type: none"> <li>1. West and south intersections of Steele Street and Clarence Street</li> <li>2. North and south intersections of Fielden Avenue at Clarence Street</li> <li>3. North and south intersections of Elm Street at Clarence Street</li> <li>4. North and south intersections of Catharine Street at Clarence Street</li> <li>5. North and south intersections of King Street at Clarence Street</li> </ol>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>8.</p>	<p><b><u>Community and Economic Development, Parks and Recreation Division, Report No. 2018-82, Subject: Rose City Triathlon Road Closure Request</u></b></p> <p>That the road closures necessary for the 2018 Rose City Triathlon event on June 23, 2018, as requested by Mr. Chris Pickering, and outlined in Community and Economic Development, Parks and Recreation Division Report No. 2018-82, be approved;</p> <p>That the following road be closed to general vehicular traffic and parking from 7:30 a.m. to 12:00 p.m.:</p> <ul style="list-style-type: none"> <li>• Elm Street at Stonebridge Drive for northbound traffic;</li> </ul> <p>That emergency service vehicles, including ambulance, police and fire, as well as public works and public utility vehicles, be exempt from the above noted closures;</p>

			<p>That members, qualified participants, and participants of the Rose City Triathlon, be exempt from the above noted closures, through the issuance of an authorized permit;</p> <p>That the Rose City Triathlon be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the event;</p> <p>That traffic barricades be supplied by Public Works staff, on June 23, 2018 to, and delivered before the start of the race at the predetermined location requiring barricades; and</p> <p>That the appropriate by-law be presented for approval.</p>
<b>Miscellaneous Correspondence</b>			
JDM AD DE	BB FD BK	RB YD JM	<p>9. <b><u>St. John Bosco Catholic Elementary School Re : Request for Use of Picnic Tables for a School Event to be held on June 15, 2018</u></b></p> <p>That the correspondence from St. John Bosco Catholic Elementary School requesting the use of City picnic tables for a School Event to be held on June 15, 2018 be received; and</p> <p>That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of St. John Bosco Catholic Elementary School.</p>
JDM AD DE	BB FD BK	RB YD JM	<p>10. <b><u>Canadian Pacific Railway (CP) Re: Canadian Pacific 2018 Vegetation Control Program</u></b></p> <p>That the correspondence received from Geoff Gordon, Vegetation Management Specialist, Canadian Pacific Railway Re: Canadian Pacific 2018 Vegetation Control Program, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	<p>11. <b><u>Karen Usick, Community Coordinator, Mental Health &amp; Addictions – Hepatitis C Care Clinic, Niagara Health Re: Request for Proclamation of World Hepatitis Day, July 28, 2018</u></b></p> <p>That July 28, 2018 be proclaimed as “World Hepatitis Day” in the City of Port Colborne in accordance with the request received from Karen Usick, Community Coordinator, Mental Health &amp; Addictions – Hepatitis C Care Clinic, Niagara Health.</p>

JDM AD DE	BB FD BK	RB YD JM	12.	<p><b><u>Region of Niagara Re: Agriculture – Project Framework (PDS Report 17-2018)</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Agriculture – Project Framework (PDS Report 17-2018), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	13.	<p><b><u>Region of Niagara Re: Natural Environment – Project Framework (PDS Report 18-2018)</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Natural Environment – Project Framework (PDS Report 18-2018), be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	14.	<p><b><u>Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (January 1 to March 31, 2018)</u></b></p> <p>That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report (January 1 to March 31, 2018), be received for information.</p>
<b>Outside Resolutions – Requests for Endorsement</b>				
JDM AD DE	BB FD BK	RB YD JM	15.	<p><b><u>Township of Wainfleet Re: Lakewood Beach Property</u></b></p> <p>That the resolution received from the Township of Wainfleet Re: Lakewood Beach Property, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	16.	<p><b><u>Town of Pelham Re: Ministry of Transportation – Local Transit Project</u></b></p> <p>That the resolution received from the Town of Pelham Re: Ministry of Transportation – Local Transit Project, be received for information.</p>
JDM AD DE	BB FD BK	RB YD JM	17.	<p><b><u>Town of Pelham Re: Ministry of Municipal Affairs – Local Request for Provincial Municipal Audit</u></b></p> <p>That the resolution received from the Town of Pelham Re: Ministry of Municipal Affairs – Local Request for Provincial Municipal Audit, be received for information.</p>

JDM	BB	RB	18.	<p><b>Town of Pelham Re: Ombudsman Investigation Report Re: September 5, 2017</b></p> <hr/> <p>That the resolution received from the Town of Pelham Re: Ombudsman Investigation Report (Paul Dubé, Ombudsman of Ontario) Re: September 5, 2017, be received for information.</p>
AD	FD	YD		
DE	BK	JM		
<b>Responses to City of Port Colborne Resolutions</b>				
Nil.				



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

<b>By-law No.</b>	<b>Title</b>
6585/40/18	Being a By-law to Appoint a Deputy Clerk (Commissioner for Taking Affidavits)
6586/41/18	Being a By-law to Appoint a Deputy Clerk (Commissioner for Taking Affidavits)
6587/42/18	Being a By-law to Authorize Entering Into an Easement with Bell Canada over Parts 1 & 2 on Plan 59R-14504
6588/43/18	Being a By-law to Amend By-law 5806/61/12, Being a By-law to Approve a Draft Plan of Subdivision, Known as Chippawa Estates
6589/44/18	Being a By-law to Temporarily close Sections to Various Streets to Vehicular Traffic for the Purpose of the Canada Day Fireworks
6590/45/18	Being a By-law to Temporarily close Sections of Various Streets to Vehicular Traffic for the Purpose of the 40 <sup>th</sup> Annual Canal Days Festival
6591/46/18	Being a By-law to Authorize the Execution of a Transfer Payment Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Minister of Tourism, Culture and Sport respecting the Celebrate Ontario 2017 Grant
6592/47/18	Being a By-law to Temporarily close Sections of Various Streets to Vehicular Traffic for the Purpose of the 2018 Canal Days Car Parade
6593/48/18	Being a by-law to Temporarily close Sections of Various Streets to Vehicular Traffic for the Purpose of the Rose City Triathlon
6594/49/18	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 June 11, 2018

This page intentionally left blank.

The Corporation of the City of Port Colborne

By-law no. 6585/40/18

Being a by-law to appoint a Deputy Clerk  
(Commissioner for taking affidavits)

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

Whereas through the enactment of By-law 6553/08/18, the Council of The Corporation of the City of Port Colborne appointed Amber LaPointe as the City Clerk, effective February 26, 2018;

Whereas Subsection 228(1) of the *Municipal Act, 2001* provides that the municipality shall appoint a Clerk;

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

Whereas Subsection 1(1) of *Ontario Regulation 386/12* provides that clerks, deputy clerks, treasurers, and deputy treasurers of municipalities are, by virtue of office, commissioners for taking affidavits in Ontario;

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

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

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

1. That Brenda Heidebrecht (the "appointee") is hereby appointed as a Deputy Clerk for The Corporation of the City of Port Colborne, solely for the purpose of acting as a Commissioner for taking Affidavits;
2. That this by-law shall come into force and take effect on the day of passing;
3. That this appointment shall expire on the date the appointee ceases to be an employee of the City of Port Colborne Clerk's Division.

Enacted and passed this 11th day of June, 2018.

---

John Maloney  
Mayor

---

Carrie McIntosh  
Deputy Clerk

The Corporation of the City of Port Colborne

By-law no. 6586/41/18

Being a by-law to appoint a Deputy Clerk  
(Commissioner for taking affidavits)

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

Whereas through the enactment of By-law 6553/08/18, the Council of The Corporation of the City of Port Colborne appointed Amber LaPointe as the City Clerk, effective February 26, 2018;

Whereas Subsection 228(1) of the *Municipal Act, 2001* provides that the municipality shall appoint a Clerk;

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

Whereas Subsection 1(1) of *Ontario Regulation 386/12* provides that clerks, deputy clerks, treasurers, and deputy treasurers of municipalities are, by virtue of office, commissioners for taking affidavits in Ontario;

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

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

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

1. That Amy Dayboll (the "appointee") is hereby appointed as a Deputy Clerk for The Corporation of the City of Port Colborne, solely for the purpose of acting as a Commissioner for taking Affidavits in connection with the business of The Corporation of the City of Port Colborne (applications for zoning amendments, official plan amendments, committee of adjustment applications and other related planning matters).
2. That this by-law shall come into force and take effect on the day of passing;
3. That this appointment shall expire on the date the appointee ceases to be an employee of the City of Port Colborne Planning Division.

Enacted and passed this 11th day of June, 2018.

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

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

The Corporation of The City Of Port Colborne

By-Law No. 6587/42/18

Being a by-law to authorize entering into an easement with Bell Canada over Parts 1 & 2 on Plan 59R-14504

Whereas on June 11, 2018, the Council of The Corporation of the City of Port Colborne approved the recommendations of Planning and Development Department, Planning Division Report 2018-69, Subject: Easement to Bell Canada - Killaly Street West, and Council is desirous of entering into an easement with Bell Canada over Part 1 & 2 on Plan 59R-14504;

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

1. That the Council of the Corporation of the City of Port Colborne hereby authorizes the granting of an easement between The Corporation of the City of Port Colborne (the "owner") and Bell Canada for those lands located on Part 1 and 2 on Plan 59R-14504.
2. That the Mayor and the Clerk be authorized to sign the Direction Authorizing Registration and any documents necessary to complete the registration.

Enacted and passed this 11th day of June, 2018.

---

John Maloney  
Mayor

---

Carrie McIntosh  
Deputy Clerk

The Corporation of The City of Port Colborne

By-law no. 6588/43/18

Being a by-law to amend By-law 5806/61/12,  
being a by-law to approve a draft Plan of Subdivision,  
known as Chippawa Estates

Whereas the Council of The Corporation of the City of Port Colborne passed By-law 5494/91/10 that approved the Draft Plan of Subdivision for Chippawa Estates;

Whereas the Council of The Corporation of the City of Port Colborne passed By-law 5806/61/12 to give Draft Plan approval to July 12, 2014;

Whereas the Council of The Corporation of the City of Port Colborne is desirous of amending By-law 5806/61/12, in accordance with the recommendations of Planning and Development Department, Planning Division Report 2018-73, Subject: Chippawa Estates Draft Plan of Subdivision;

Now therefore the Council of The Corporation of the City of Port Colborne hereby enacts that By-law 5806/61/12 be amended by adding thereto the following:

1. That draft approval be extended one year to June 11, 2019 after which approval will lapse unless an extension is requested by the developer and subject to review is granted by Council.

Enacted and passed this 11th day of June, 2018.

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

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

The Corporation of the City of Port Colborne

By-law no. 6589/44/18

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the Canada Day fireworks

Whereas at its meeting of June 11, 2018, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-75, Subject: Canada Day-2018 Optimist Day in the Park & Canada Day Fireworks;

Whereas the municipality has jurisdiction, as defined in Section 28 of the *Municipal Act, 2001, S.O. 2001, c.25*, over the highway known as West Street;

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

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the Canada Day Fireworks;

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

1. That in this by-law "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this by-law at any time during the hours of 9:00 p.m. to 11:00 p.m. on Sunday, July 1st, 2018.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 9:00 p.m. to 11:00 p.m. on Sunday, July 1st, 2018.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours of 9:00 p.m. to 11:00 p.m. on Sunday, July 1st, 2018.
5. The provisions of this by-law shall not apply to ambulances, police or fire service vehicles or public utility emergency vehicles, authorized event vehicles, or any other vehicles required in the case of emergency.
6. Any person violating the provisions this by-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.
7. This by-law shall take effect on the date and times prescribed and on the placing of proper barricades and signs.

Enacted and passed this 11th day of June, 2018.

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

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

Schedule "A" to By-law No. 6589/44/18

Highway	From	To
West Street	Southern limit Charlotte Street	Southern limit of the former Public Works Yard Property (11 King Street)
Intersection	Kent Street	At West Street
Intersection	Victoria Street	At West Street
Intersection	Adelaide Street	At West Street
Intersection	Sugarloaf Street	At West Street



The Corporation of the City of Port Colborne

By-law no. 6590/45/18

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the 40th Annual Canal Days Festival

Whereas at its meeting of June 11, 2018, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-76, Subject: 40th Annual Canal Days Festival Request for Road Closures, Parking Restrictions & Patio Extensions;

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

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

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the 40th Annual Canal Days Festival;

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

1. That in this by-law "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this by-law at any time during the hours of 5:00 p.m. on Thursday, August 2, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 5:00 p.m. on Thursday, August 2, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours of 5:00 p.m. on Thursday, August 2, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
5. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "B" attached hereto and made part of this by-law at any time during the hours of 4:00 a.m., Friday, August 3, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
6. The highways or portions thereof as set out on Schedule "B" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 4:00 a.m., Friday, August 3, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
7. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "B" attached hereto and made part of

this by-law during the hours of 4:00 a.m., Friday, August 3, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.

8. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "C" attached hereto and made part of this by-law at any time during the hours of 4:00 a.m., Friday, August 3, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
9. The highways or portions thereof as set out on Schedule "C" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 4:00 a.m., Friday, August 3, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
10. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "C" attached hereto and made part of this by-law during the hours of 4:00 a.m., Friday, August 3, 2018 and ending 6:00 a.m. on Tuesday, August 7, 2018.
11. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "D" attached hereto and made part of this by-law at any time during the hours of 6:00 p.m., Friday, August 3, 2018 and ending 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Museum's Canal Days events.
12. The highways or portions thereof as set out on Schedule "D" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 6:00 p.m., Friday, August 3, 2018 and ending 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Museum's Canal Days events.
13. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "D" attached hereto and made part of this by-law during the hours of 6:00 p.m., Friday, August 3, 2018 and ending 5:00 p.m. on Monday, August 6, 2018 for the purpose of hosting the Museum's Canal Days events.
14. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "E" attached hereto and made part of this by-law at any time during the hours of 5:00 p.m. to 12 a.m. on Friday, August 3 and Saturday, August 4, 2018 for the purpose of concerts.
15. The highways or portions thereof as set out on Schedule "E" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 5:00 p.m. to 12 a.m. on Friday, August 3 and Saturday, August 4, 2018 for the purpose of concerts.
16. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "E" attached hereto and made part of this by-law during the hours of 5:00 p.m. to 12 a.m. on Friday, August 3 and Saturday, August 4, 2018 for the purpose of concerts.
17. The provisions of this by-law shall not apply to ambulances, police or fire service vehicles or public utility emergency vehicles, authorized event vehicles, or any other vehicles required in the case of emergency.
18. Any person violating the provisions this by-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.
19. No person, being the owner of any dog (animal), shall permit any such dog (animal) to be on any street, square or parking lot closed under the authority of this by-law.

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

Enacted and passed this 11th day of June, 2018.

---

John Maloney  
Mayor

---

Carrie McIntosh  
Deputy Clerk

Schedule "A" to By-law No. 6590/45/18

Highway	From	To
West Street	Northern limit of Adelaide Street	Southern limit of Sugarloaf Street

Schedule "B" to By-law No. 6590/45/18

Highway	From	To
West Street	Northern limit of Princess Street	Southern limit of Sugarloaf Street
Princess Street	Eastern limit of King Street	Eastern limit of West Street
Park Street	Eastern limit of King Street	Eastern limit of West Street
Charlotte Street	Eastern limit of King Street	Eastern limit of West Street
Kent Street	Eastern limit of King Street	Eastern limit of West Street
Victoria Street	Eastern limit of King Street	Eastern limit of West Street
Adelaide Street	Eastern limit of King Street	Eastern limit of West Street
Sugarloaf Street	Eastern limit of King Street	Eastern limit of West Street
Clarence Street	Eastern limit of King Street	Western limit of West Street
Municipal Parking lot	West of King Street	East of Catharine Street and south of Princess Street

Schedule "C" to By-law No. 6590/45/18

- Northside of Kent Street between the western limit of Catharine Street and the eastern limit of Elm Street.
- The thirteen (13) parking spaces on the west side of King Street from Sugarloaf Street to Charlotte Street;
- The two (2) parking spaces on both east and west sides of King Street, north of the Charlotte Street limit, be closed to parking to allow for the shuttle bus stops; and
- The three (3) parking spaces on the south side of Clarence Street in front of the Breakwall Brewery.

Schedule "D" to By-law No. 6590/45/18

Highway	From	To
Princess Street	Western limit of King Street	Eastern limit of Catharine Street

Schedule "E" to By-law No. 6590/45/18

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



The Corporation of the City of Port Colborne

By-law no. 6591/46/18

Being a by-law to authorize the execution of a transfer payment agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Tourism, Culture and Sport respecting the Celebrate Ontario 2017 grant

Whereas at its meeting of June 11, 2018, the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendation of Community and Economic Development Department, Parks and Recreation Division Report 2018-76 Subject: 40th Annual Canal Days Days Festival Request for Road Closures, Parking Restrictions and Patio Extensions;

Whereas Council is desirous of entering into a transfer payment agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Tourism, Culture and Sport, respecting the Celebrate Ontario 2018 Grant.

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 transfer payment agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Tourism, Culture and Sport, respecting the Celebrate Ontario 2018 Grant, attached hereto as Schedule "A".
2. That the Mayor and the Clerk be and each of them is hereby authorized and directed to sign said agreement, together with any documents necessary to complete the conditions of said agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.
3. That this by-law shall come into force and take effect on the date of passing.

Enacted and passed this 11th day of June, 2018.

---

John Maloney  
Mayor

---

Carrie McIntosh  
Deputy Clerk

This page intentionally left blank.

**THE AGREEMENT**, effective as of the 01 day of April, 2018 (the “Effective Date”)

**B E T W E E N :**

**Her Majesty the Queen in right of Ontario**  
**as represented by the Minister of Tourism, Culture and Sport**

(the “Province”)

- and -

**The Corporation of The City of Port Colborne**

(the “Recipient”)

**CONSIDERATION**

In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

**1.0 ENTIRE AGREEMENT**

1.1 The agreement, together with:

Schedule “A” - General Terms and Conditions  
Schedule “B” - Project Specific Information and Additional Provisions  
Schedule “C” - Project  
Schedule “D” - Budget  
Schedule “E” - Payment Plan  
Schedule “F” - Reports, and  
any amending agreement entered into as provided for in section 4.1,

constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

**2.0 CONFLICT OR INCONSISTENCY**

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and

- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule "A", the Additional Provisions will prevail over the provisions in Schedule "A" to the extent of the inconsistency.

### 3.0 COUNTERPARTS

- 3.1 The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

### 4.0 AMENDING THE AGREEMENT

- 4.1 The Agreement may only be amended by a written agreement duly executed by the Parties.

### 5.0 ACKNOWLEDGEMENT

- 5.1 The Recipient acknowledges that:
  - (a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);
  - (b) Her Majesty the Queen in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);
  - (c) the Funds are:
    - (i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
    - (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);
  - (d) the Province is not responsible for carrying out the Project; and
  - (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF  
ONTARIO as represented by the Minister of  
Tourism, Culture and Sport**

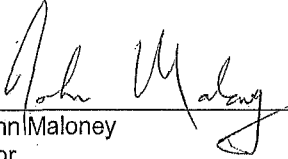
\_\_\_\_\_  
Date

\_\_\_\_\_  
Name: Debbie Jewell  
Title: Director  
Investment and Development Office

Authorized Signing Officer

**The Corporation of The City of Port Colborne**

March 23, 2018  
Date

  
\_\_\_\_\_  
Name: John Maloney  
Title: Mayor

I have authority to bind the Recipient.

**A1.0 INTERPRETATION AND DEFINITIONS**

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

**"Additional Provisions"** means the terms and conditions set out in Schedule "B".

**"Agreement"** means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

**"Budget"** means the budget attached to the Agreement as Schedule "D".

**"Business Day"** means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

**"Effective Date"** means the date set out at the top of the Agreement.

**"Event of Default"** has the meaning ascribed to it in section A13.1.

**"Expiry Date"** means the expiry date set out in Schedule "B".

**"Funding Year"** means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the

period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

**“Funds”** means the money the Province provides to the Recipient pursuant to the Agreement.

**“Indemnified Parties”** means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees, and employees.

**“Maximum Funds”** means the maximum Funds set out in Schedule “B”.

**“Notice”** means any communication given or required to be given pursuant to the Agreement.

**“Notice Period”** means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A13.4.

**“Parties”** means the Province and the Recipient.

**“Party”** means either the Province or the Recipient.

**“Project”** means the undertaking described in Schedule “C”.

**“Reports”** means the reports described in Schedule “F”.

## **A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS**

**A2.1 General.** The Recipient represents, warrants, and covenants that:

- (a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;
- (b) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (c) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

**A2.2 Execution of Agreement.** The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement.

A2.3 **Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
- (b) procedures to enable the Recipient's ongoing effective functioning;
- (c) decision-making mechanisms for the Recipient;
- (d) procedures to enable the Recipient to manage Funds prudently and effectively;
- (e) procedures to enable the Recipient to complete the Project successfully;
- (f) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (g) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (h) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

### A3.0 TERM OF THE AGREEMENT

A3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0, Article A12.0, or Article A13.0.

### A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 **Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule "E"; and
- (c) deposit the Funds into an account designated by the Recipient provided



that the account:

- (i) resides at a Canadian financial institution; and
- (ii) is in the name of the Recipient.

**A4.2 Limitation on Payment of Funds.** Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;
- (c) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province's assessment of the information the Recipient provides to the Province pursuant to section A7.1; or
- (d) if, pursuant to the *Financial Administration Act* (Ontario), the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
  - (i) reduce the amount of Funds and, in consultation with the Recipient, change the Project; or
  - (ii) terminate the Agreement pursuant to section A12.1.

**A4.3 Use of Funds and Carry Out the Project.** The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

**A4.4 Interest Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

**A4.5 Interest.** If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
  - (b) demand from the Recipient the payment of an amount equal to the interest.
- A4.6 **Rebates, Credits, and Refunds.** The Ministry will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

**A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS**

- A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will:
- (a) do so through a process that promotes the best value for money; and
  - (b) comply with the *Broader Public Sector Accountability Act, 2010* (Ontario), including any procurement directive issued thereunder, to the extent applicable.
- A5.2 **Disposal.** The Recipient will not, without the Province's prior written consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

**A6.0 CONFLICT OF INTEREST**

- A6.1 **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest.
- A6.2 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:
- (a) the Recipient; or
  - (b) any person who has the capacity to influence the Recipient's decisions, has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

- A6.3 **Disclosure to Province.** The Recipient will:
- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and

- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

## **A7.0 REPORTS, ACCOUNTING, AND REVIEW**

### **A7.1 Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1, all Reports in accordance with the timelines and content requirements as provided for in Schedule "F", or in a form as specified by the Province from time to time;
- (b) submit to the Province at the address referred to in section A17.1, any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that all Reports and other reports are completed to the satisfaction of the Province; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by an authorized signing officer.

### **A7.2 Record Maintenance.** The Recipient will keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

### **A7.3 Inspection.** The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to review the progress of the Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, any authorized representative, or any independent auditor identified by the Province may take one or more of the following actions:

- (a) inspect and copy the records and documents referred to in section A7.2;
- (b) remove any copies made pursuant to section A7.3(a) from the Recipient's premises; and
- (c) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project, or both.

### **A7.4 Disclosure.** To assist in respect of the rights provided for in section A7.3, the Recipient will disclose any information requested by the Province, any

authorized representatives, or any independent auditor identified by the Province, and will do so in the form requested by the Province, any authorized representative, or any independent auditor identified by the Province, as the case may be.

- A7.5 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.
- A7.6 **Auditor General.** The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

#### A8.0 COMMUNICATIONS REQUIREMENTS

- A8.1 **Acknowledge Support.** Unless otherwise directed by the Province, the Recipient will:
- (a) acknowledge the support of the Province for the Project; and
  - (b) ensure that the acknowledgement referred to in section A8.1(a) is in a form and manner as directed by the Province.
- A8.2 **Publication.** The Recipient will indicate, in any of its Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

#### A9.0 INDEMNITY

- A9.1 **Indemnification.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages, and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits, or other proceedings, by whomever made, sustained, incurred, brought, or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

#### A10.0 INSURANCE

- A10.1 **Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence. The insurance policy will include the following:
- (a) the Indemnified Parties as additional insureds with respect to liability

arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;

- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

**A10.2 Proof of Insurance.** The Recipient will:

- (a) provide to the Province, either:
  - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
  - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) upon the request of the Province, provide to the Province a copy of any insurance policy.

**A11.0 TERMINATION ON NOTICE**

**A11.1 Termination on Notice.** The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

**A11.2 Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
  - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
  - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

**A12.0 TERMINATION WHERE NO APPROPRIATION**

**A12.1 Termination Where No Appropriation.** If, as provided for in section A4.2(d), the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to the

Agreement, the Province may terminate the Agreement immediately without liability, penalty, or costs by giving Notice to the Recipient.

**A12.2 Consequences of Termination Where No Appropriation.** If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section A12.2(b).

**A12.3 No Additional Funds.** If, pursuant to section A12.2(c), the Province determines that the costs to wind down the Project exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

### **A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT**

**A13.1 Events of Default.** Each of the following events will constitute an Event of Default:

- (a) In the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
  - (i) carry out the Project;
  - (ii) use or spend Funds; or
  - (iii) provide, in accordance with section A7.1, Reports or such other reports as may have been requested pursuant to section A7.1(b);
- (b) the Recipient's operations, its financial condition, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or
- (d) the Recipient ceases to operate.

A13.2 **Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A13.3 **Opportunity to Remedy.** If, in accordance with section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A13.4 **Recipient not Remediating.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A13.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), and (i).

A13.5 **When Termination Effective.** Termination under Article will take effect as provided for in the Notice.

#### A14.0 FUNDS AT THE END OF A FUNDING YEAR

A14.1 **Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A13.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

#### A15.0 FUNDS UPON EXPIRY

A15.1 **Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession or under its control.

#### A16.0 DEBT DUE AND PAYMENT

A16.1 **Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A16.2 **Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amount to the Province immediately, unless the Province directs otherwise.

A16.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.



A16.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B".

A16.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

#### A17.0 NOTICE

A17.1 **Notice in Writing and Addressed.** Notice will be in writing and will be delivered by email, postage-prepaid mail, personal delivery, or fax, and will be addressed to the Province and the Recipient respectively as provided for Schedule "B", or as either Party later designates to the other by Notice.

A17.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of email, personal delivery, or fax, one Business Day after the Notice is delivered.

A17.3 **Postal Disruption.** Despite section A17.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, or fax.

#### A18.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A18.1 **Consent.** When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient will comply with such terms and conditions.

#### A19.0 SEVERABILITY OF PROVISIONS

A19.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision will be deemed to be severed.

#### A20.0 WAIVER

A20.1 **Waiver Request.** Either Party may, in accordance with the Notice provision set out in Article A17.0, ask the other Party to waive an obligation under the

Agreement.

A20.2 **Waiver Applies.** Any waiver a Party grants in response to a request made pursuant to section A20.1 will:

- (a) be valid only if the Party granting the waiver provides it in writing; and
- (b) apply only to the specific obligation referred to in the waiver.

#### A21.0 INDEPENDENT PARTIES

A21.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

#### A22.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A22.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A22.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on the Parties' respective heirs, executors, administrators, successors, and permitted assigns.

#### A23.0 GOVERNING LAW

A23.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

#### A24.0 FURTHER ASSURANCES

A24.1 **Agreement into Effect.** The Recipient will provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains, and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

#### A25.0 JOINT AND SEVERAL LIABILITY

A25.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

## **A26.0 RIGHTS AND REMEDIES CUMULATIVE**

**A26.1 Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

## **A27.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS**

**A27.1 Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a "Failure");
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

## **A28.0 SURVIVAL**

**A28.1 Survival.** The following Articles and sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 3.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.2(d), A4.5, section A5.2, section A7.1 (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), sections A7.2, A7.3, A7.4, A7.5, A7.6, Article A8.0, Article A9.0, section A11.2, sections A12.2, A12.3, sections A13.1, A13.2(d), (e), (f), (g) and (h), Article A15.0, Article A16.0, Article A17.0, Article A19.0, section A22.2, Article A23.0, Article A25.0, Article A26.0, Article A27.0 and Article A28.0.

**- END OF GENERAL TERMS AND CONDITIONS -**

**SCHEDULE "B"**  
**PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS**

<b>Maximum Funds</b>	Total Maximum Funds: \$84,700.00
<b>Expiry Date</b>	January 3 <sup>rd</sup> , 2019
<b>Amount for the purposes of section A5.2 (Disposal) of Schedule "A"</b>	\$1,000
<b>Insurance</b>	\$ 2,000,000
<b>Contact information for the purposes of Notice to the Province</b>	<p><b>Ministry of Tourism, Culture and Sport</b>  4275 King Street East  Kitchener, ON, N2P 2E9</p> <p><b>Attention:</b> Paul Samson, Tourism Industry Advisor</p> <p><b>Email:</b> paul.samson@ontario.ca  <b>Tel:</b> 519 650-2189</p>
<b>Contact information for the purposes of Notice to the Recipient</b>	<p><b>The Corporation of The City of Port Colborne</b>  66 Charlotte Street,  Port Colborne, ON, L3K 3C8</p> <p><b>Attention:</b> Gina Tartaglia, Event Coordinator</p> <p><b>Email:</b> ginatartaglia@portcolborne.ca  <b>Tel:</b> 905-835-2900 ext. 534</p>
<b>Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement</b>	<p><b>Name:</b> Peter M. Senese  <b>Position:</b> Treasurer / Director of Corporate Services</p> <p><b>Address:</b>  Address: 66 Charlotte Street,  Port Colborne, ON, L3K 3C8</p> <p><b>Email:</b> dccc@portcolborne.ca  <b>Tel:</b> 905-835-2900 ext.105</p>

**Additional Provisions:**

None

## **BACKGROUND**

The Province will provide Maximum Funds of up to \$84,700.00 in Enhancement Project support to the Recipient to support the 40th Anniversary of Canal Days Marine Heritage Festival 2018 to be held in Port Colborne.

## **ENHANCEMENT PROJECT OBJECTIVE**

The Recipient anticipates that the Tourism Event will attract 30,294 attendees, including 23,078 tourists with the following geographic origin:

- Other Ontario — 17,308;
- Other Canada — 2,164;
- United States — 2,164; and
- International — 1,442.

## **ENHANCEMENT PROJECT SCOPE**

Canal Days Marine Heritage Festival celebrates the heritage of connections of a working marine community to the Welland Canal. With its 40th Anniversary edition taking place in Port Colborne August 3 to August 6, 2018, it attracts more than 225,000 people each year. This unique event draws a core of family groups with the variety of activities it has to offer: lighthouse tours, museum exhibits and tall ship cruises on the Empire Sandy, including full trips through the Great Lakes lock system connecting Port Dalhousie on Lake Ontario to Port Colborne on Lake Erie that acknowledge its historic derivations. Other activities include annual Car and Craft Shows, music ranging from Jazz at the Roselawn Centre for the Arts to a Kids Zone Stage, and other family-friendly entertainments such as "Ride a Train over the Canal," sawhorse races and the dazzling aerial displays of the International Kite Festival.

The Enhancement Project will have the following components:

- Add a tall ship navigating the Welland Canal system
- Install a temporary stage for a large – 15K – audience, free concert in HH Knoll Lakeview Park, offering a VIP stage-side experience for purchase as a new revenue generator with Blue Rodeo to perform.
- Add VIP experience immediately stage side – Crow's Nest (TBC)
- Detailed Evaluation with technology tools and incentives to increase sample size

## **TIMELINES**

The 40th Anniversary of Canal Days Marine Heritage Festival 2018 will run from 03/08/2018 to 06/08/2018.

**SCHEDULE "D"**  
**BUDGET**

**Enhancement Project Support**

The Ministry of Tourism, Culture and Sport will provide Maximum Funds of up to \$84,700.00 to the Recipient to carry out the 40th Anniversary of Canal Days Marine Heritage Festival 2018's Enhancement Project.

These Funds may be used to support the Tourism Event funded expenses detailed in Table 2.

Maximum Funds will not exceed the lesser of the following:

- 50% of the Enhancement Project cash operating expenses, **OR**
- 25% of Base Tourism Event cash operating expenses, **OR**
- The maximum Tourism Event's program funding category threshold.

The Recipient's Base Tourism Event and Enhancement Project cash revenues are detailed in the Table below:

**TABLE 1: CASH REVENUES**

<b>CONFIRMED CASH REVENUE SOURCES</b> Item Descriptions	<b>BASE TOURISM EVENT CASH REVENUES (\$)</b> (WITHOUT In-Kind Revenues)	<b>ENHANCEMENT PROJECT TOURISM EVENT CASH REVENUES (\$)</b> (WITHOUT In-Kind Revenues)
City of Port Colborne	\$182,200.00	\$0
Sponsors	\$120,000.00	\$15,000.00
Food Vendors	\$47,000.00	\$0
Retail Vendors	\$50,000.00	\$0
Ship Cruises	\$72,000.00	\$0
Bar Sales	\$118,000.00	\$4,500.00
Carnival & Other Revenue	\$11,000.00	\$0
Attraction Revenue	\$25,000.00	\$0
Jazz on the Lawn	\$1,800.00	\$0
Enhancement - Added Ship Sales	\$0	\$45,200.00
Enhancement - VIP Experience Sales	\$0	\$5,000.00
Donations - Pay What You Can (PWYC)	\$0	\$15,000.00
<b>Celebrate Ontario</b>		<b>84,700.00</b>
<b>TOTAL</b>	<b>\$627,000.00</b>	<b>\$169,400.00</b>

The Recipient's Base Tourism Event and Marketing cash operating expenses (without the Enhancement Project) are detailed in the Table below:

**TABLE 2: CASH OPERATING EXPENSES FOR BASE TOURISM EVENT AND MARKETING**

PART 1 BASE TOURISM EVENT Item Descriptions (WITHOUT the Enhancement Project)	BASE TOURISM EVENT CASH EXPENSES (\$) (WITHOUT the Enhancement Project)
Staff Wages / Benefits / Equipment	\$104,000.00
Entertainment	\$141,770.00
Attractions	\$43,950.00
Bar Sales	\$47,200.00
Infrastructure & Equipment Rental	\$108,600.00
Ships	\$106,250.00
Volunteers	\$2,800.00
Sponsorship - Digital Screens	\$7,000.00
Administrative Expenses	\$2,575.00
Miscellaneous (Marketing / Administration / Other)	\$600.00
Sponsorship - Banners & Ad Inserts	\$1,000.00
Sponsorship - Sponsors Lounge	\$2,500.00
<b>Sub Total</b>	<b>\$568,245.00</b>
PART 1 MARKETING ITEM DESCRIPTIONS	MARKETING EXPENSES (\$) (All marketing expenses EXCLUDING Items in Table 2)
Print Media	\$0
Transit/Out-of-Home	\$0
Digital	\$0
Radio	\$0
Television	\$0
Other	\$0
<b>Sub Total</b>	<b>\$0</b>
<b>TOTAL</b>	<b>\$568,245.00</b>

The Recipient's Enhancement Project and Marketing funded expenses are detailed in the Table below:

**TABLE 3: CASH OPERATING EXPENSES AND CELEBRATE ONTARIO FUNDING FOR ENHANCEMENT PROJECT AND MARKETING**

<b>PART 2 ENHANCEMENT PROJECT EXPENSES Item Descriptions</b>	<b>ENHANCEMENT PROJECT CASH EXPENSES (\$)</b>	<b>CELEBRATE ONTARIO FUNDED EXPENSES (\$) <i>Indicate \$0 if not funded by Celebrate Ontario</i></b>
Enhancement - Ship	\$40,000.00	\$20,000.00
Enhancement - Entertainment	\$45,000.00	\$20,000.00
Enhancement - Staging Infrastructure	\$20,000.00	\$5,000.00
Enhancement - Band Requirements	\$5,000.00	\$0
Enhancement - VIP Seating "Crow's Nest" (name TBC)	\$16,225.00	\$5,000.00
Enhancement - AODA - Quiet Space / Rest Area	\$2,000.00	
Enhancement - AODA - HH Knoll Lakeview Park Concert path access and seating	\$4,500.00	\$2,025.00
Detailed Evaluation	\$20,000.00	\$20,000.00
Enhancement - Additional Policing for HH Knoll Lakeview Park Concert only (base event security included in Infrastructure & Equipment Rental line)	\$8,000.00	\$4,000.00
<b>Sub Total</b>	<b>\$160,725.00</b>	<b>\$76,025.00</b>
<b>PART 2 MARKETING EXPENSES ITEM DESCRIPTIONS</b>	<b>MEDIA BUY EXPENSES For out-of-province markets or In-province (Ontario) markets at least 100 km away from the Tourism Event (\$)</b>	<b>CELEBRATE ONTARIO FUNDED EXPENSES (\$) <i>Indicate \$0 if not funded by Celebrate Ontario</i></b>
Print Media	\$5,159.00	\$675.00
Transit/Out-of-Home	\$0	\$0
Digital	\$0	\$0
Radio	\$15,415.00	\$2,000.00
Television	\$46,855.00	\$6,000.00
Other	\$0	\$0
<b>Sub Total</b>	<b>\$67,429.00</b>	<b>\$8,675.00</b>
<b>TOTAL</b>	<b>\$228,154.00</b>	<b>\$84,700.00</b>

As part of the Final Report requirements detailed in Schedule "F", the Recipient is required to report on final total Tourism Event cash operating expenses and revenues, as well as



**NOTE: Any variances to either of the Base Tourism Event cash operating revenues or expenses, or to the Enhancement Project cash operating revenues or expenses may result in an adjustment to the Maximum Funds listed for the Enhancement Project under this Transfer Payment Agreement.**

#### **ENHANCEMENT PROJECT EXPENSES**

Eligible expenses include direct costs incurred for the delivery of the Enhancement Project only, and **must not** include costs that would have otherwise been incurred for the Base Tourism Event or by the organization (e.g., operational costs).

##### **Eligible Enhancement Project expenses include, but are not limited to the following:**

- Fees paid to artists, musicians, performers, celebrities, special guests, and speakers, including travel and accommodation and entertainment agencies.
- Fees paid for new programming.
- Moveable Temporary Assets (see the Definitions section of this Application Guide)
- Fees paid for audio and visual support, technical and stage crews.
- New or improved visitor services (e.g., innovations such as radio frequency identification wristbands).
- Eco-friendly services.
- Improved accessibility services.
- Audience surveys, research or economic impact studies.
- Translation costs.
- Tourism Event mobile application development.
- Site services (e.g., security, shuttle buses, etc.).

##### **Ineligible Enhancement Project Expenses include, but are not limited to the following:**

- Expenses related to the Base Tourism Event are not eligible for program funding.
- Any expense item for which the eligibility, tourism rationale or relevance to the Enhancement Project or New Tourism Event is not clearly demonstrated in your application.
- Core administrative and overhead costs (e.g., rent, telephone and communication lines/services, insurance, computers, utilities, maintenance costs, and any operational expenses related to an organization's ongoing activities).
- Permanent staff salaries and travel costs.
- Legal, audit or interest fees.
- Consulting or other services that support the development of an operations or marketing plan.
- Website development used to create and maintain an online presence.
- Printing of publications, production of television programming, videos, DVDs, compact discs.
- Budget deficits.
- Capital costs related to permanent structures or acquisitions (e.g., materials, labour, motorized vehicles, land acquisition, purchase of equipment for project construction, computers, etc.).
- Harmonized Sales Tax or refundable expenses (e.g., security deposits).
- Competition prizes, prize money, and monies paid to competition participants.
- Alcohol.
- Any costs incurred for events held outside Ontario.
- In-kind contributions.
- Any transaction by organizations directly affiliated with the applicant, or between enterprises under common ownership or control.

#### **MARKETING EXPENSES**

Marketing funding will be provided only for eligible Media Buy activities targeting tourists making overnight stays who are:

- In-province (Ontario) overnight audiences from **at least 100 kilometres** from the Tourism Event, and/or
- Out-of-province overnight audiences beyond Ontario (i.e., other Canada, United States, other international).

**Eligible Marketing Expenses include, but are not limited to the following:**

Eligible marketing costs include, but are not limited to the following:

- Placement of targeted paid advertising (e.g., broadcast, electronic, print).
- Out-of-home ad space (e.g., billboard, transit shelter space purchase).
- Geo-targeted digital and social media advertising.
- Distribution costs for printed materials (printing costs are ineligible).
- Translation costs for advertising materials.

**Ineligible Marketing Expenses include, but are not limited to the following:**

Ineligible marketing costs include, but are not limited to the following:

- Media Buy costs targeting tourists who are in-province (Ontario) overnight audiences of less than 100 kilometres from the Tourism Event.
- Advertising creative, staff or consulting costs.
- Website costs, promotion-based activities, booking and packaging expenses.
- Any transaction by organizations directly affiliated with the applicant or between enterprises under common ownership or control.

**SCHEDULE "E"  
PAYMENT PLAN**

The Province will provide Maximum Funds in up to two installments, as outlined in the following table.

<b>PAYMENT DATE OR MILESTONE</b>	<b>AMOUNT</b>
Upon signature of this Agreement by both parties.	<b>\$59,290.00 (70%)</b>
Upon submission of the Project Final Report by October 5 <sup>th</sup> , 2018, and the Province is satisfied with the elements submitted.	<b>\$25,410.00 (30%)</b>

**SCHEDULE "F"  
REPORTS**

Name of Report	Due Date
Project Final Report	05/10/2018

**FINAL REPORT REQUIREMENTS**

Please ensure that **all required documents** are submitted into the Grants Ontario web portal as follows:

1. **Completed Celebrate Ontario 2018 Final Report Template** – Download it for your individual Case from the Grants Ontario web portal, and upload the completed version back into the System.
2. **Confirmation of Actual Revenues and Expenses (CORE) document** – Complete the "Actual Revenues" and "Actual Expenses" columns. Please sign, scan and attach the form back into the Grants Ontario web portal.
  - All **cash** expenses for the Tourism Event must be reported (including the Base Tourism Event, the Enhancement Project and the Marketing expenses), regardless of whether they were funded or not by the program.
  - Do not include Harmonized Sales Tax (HST).
3. **A summary of all invoices for your funded Tourism Event and Marketing expenses.**
  - The summary should include date, amount, payee and description of expenses. Copies of invoices are not required at this time.
4. **A summary of all Government of Ontario acknowledgements.**
  - The list or samples should include all occasions (e.g., at Tourism Event, audio, radio, television, website, print, etc.) and locations.
5. **Financial Statement** as follows:

Financial Statements must capture expenses incurred in the specified fiscal year (April 1 – March 31) of the Project and report expenses net of rebates, credit and refunds.

- **As a recipient of a Celebrate Ontario grant of \$75,000 or more**, please provide the following financial documents:
  - 1) Audited financial statement or review of engagement report prepared by an independent and qualified third –party accountant, and clearly providing the **expenses and revenues of your Tourism Event, as well as the Enhancement Project's expenses and revenues.**
  - 2) The Auditor must confirm and provide an **opinion** on the Celebrate Ontario funded expenditures, with a statement such as the following:

*"In our opinion, the statement of revenues and expenditures for [Tourism Event name] and including the Project's revenues and expenses, is prepared, in all material aspects, in accordance with the reporting provisions of the Agreement dated [date] between [organization name] and the Ministry of Tourism, Culture and Sport, as represented by Her Majesty the Queen in right of Ontario."*

**If your final financial statements are not ready when filing your Final Report:**

- Please provide a signed letter by your most senior financial officer indicating the date when it they are expected to be submitted to the ministry. The letter should be on your organization's letterhead, signed, scanned as a PDF and attached in the Grants Ontario web portal.

**6. (If applicable) Reports and publication produced as part of your funded New Tourism Event or Enhancement Project, and Marketing expenses**, including media summaries, economic impact studies, visitor surveys, etc.

**7. Any other details or documents** that may be requested by the Province.

Final payments cannot be processed without completion of all of the report back requirements, and a valid Certificate of Insurance on file.

This page intentionally left blank.

The Corporation of the City of Port Colborne

By-law no. 6592/47/18

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the 2018 Canal Days Car Parade

Whereas at its meeting of June 11, 2018, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-77, Subject: 2018 Canal Days Car Parade Request for Road Closures and Parking Restrictions; and

Whereas the municipality has jurisdiction, as defined in Section 28 of the *Municipal Act, 2001, S.O. 2001, c.25*, over the highway known as Clarence Street, West Street, and Charlotte Street; and

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

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the 2018 Canal Days Car Show;

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

1. That in this by-law "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this by-law at any time during the hours of 6:00 p.m. to 7:30 p.m. on Saturday, August 4, 2018.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 6:00 p.m. to 7:30 p.m. on Saturday, August 4, 2018.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours of 6:00 p.m. to 7:30 p.m. on Saturday, August 4, 2018.
5. That there will be temporary barricade road closures at the intersections to restrict through traffic onto the parade route as set out in Schedule "B" attached hereto and made part of this by-law during the hours of 6:00 p.m. to 7:30 p.m. on Saturday, August 4, 2018. That each temporary barricade road closure be removed as the parade passes each of the intersections as set out in Schedule "B".
6. The provisions of this by-law shall not apply to ambulances, police or fire service vehicles or public utility emergency vehicles, authorized event vehicles, or any other vehicles required in the case of emergency.
7. Any person violating the provisions this by-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.

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

Enacted and passed this 11th day of June, 2018.

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

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk



Schedule "A" to By-law No. 6592/47/18

Highway	From	To
Clarence Street	Western Limit of Steele Street	Eastern Limit of West Street
West Street	Northern Limit of Clarence Street	Southern limit of Charlotte Street
Charlotte Street	Western Limit of Elm Street	Eastern Limit of West Street
Clarence Street	Eastern Limit of King Street	Western Limit of West Street

Schedule "B" to By-law No. 6592/47/18

1. West and south intersections of Steele Street and Clarence Street
2. North and south intersections of Fielden Avenue at Clarence Street
3. North and south intersections of Elm Street at Clarence Street
4. North and south intersections of Catharine Street at Clarence Street
5. North and south intersections of King Street at Clarence Street

The Corporation of the City of Port Colborne

By-law no. 6593/48/18

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the Rose City Triathlon

Whereas at its meeting of June 11, 2018, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-82, Subject: Rose City Triathlon Road Closure Request; and

Whereas the municipality has jurisdiction, as defined in Section 28 of the *Municipal Act, 2001, S.O. 2001, c.25*, over the highway known as Elm Street; and

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

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the Rose City Triathlon;

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

1. That in this by-law "vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this by-law at any time during the hours of 7:30 a.m. to 12:00 p.m. on Saturday, July 23, 2018.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 7:30 a.m. to 12:00 p.m. on Saturday, July 23, 2018.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours of 7:30 a.m. to 12:00 p.m. on Saturday, July 23, 2018.
5. The provisions of this by-law shall not apply to ambulances, police or fire service vehicles or public utility emergency vehicles, authorized event vehicles, or any other vehicles required in the case of emergency.
6. Any person violating the provisions this by-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.
7. This by-law shall take effect on the date and times prescribed and on the placing of proper barricades and signs.

Enacted and passed this 11th day of June, 2018.

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

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

Schedule "A" to By-law No. 6593/48/18

- Elm Street at Stonebridge Drive for northbound traffic;

The Corporation of the City of Port Colborne

By-Law No. 6594/49/18

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 June 11, 2018.

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

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

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

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Special and Regular Meetings of June 11, 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 11th day of June, 2018.

---

John Maloney  
Mayor

---

Carrie McIntosh  
Deputy Clerk

This page intentionally left blank.

# City of Port Colborne

DATE: July 28, 2018

**MOVED BY COUNCILLOR**

**SECONDED BY COUNCILLOR**

**WHEREAS** an estimate of about 600,000 Canadians living with hepatitis B or C can potentially develop cirrhosis, liver failure, liver cancer and related illnesses;

**AND WHEREAS** Ontario has over 110,000 people living with hepatitis B or C, both of which are slow and progressive diseases;

**AND WHEREAS** there are vaccines available for Hepatitis A and B; emerging Hepatitis C treatment therapies can cure nearly 95% of cases;

**AND WHEREAS** World Hepatitis Day provides an opportunity to reach out to millions of Canadians and encourage hepatitis testing, provide treatment and care for those affected while paving the way towards elimination of hepatitis as a public health concern in Canada by 2030;

**NOW THEREFORE**, I, Mayor John Maloney, proclaim July 28th, 2018 as “**Hepatitis Awareness Day**” in the City of Port Colborne.

John Maloney (sgd.)

MAYOR

This page intentionally left blank.



**City of Port Colborne  
Regular Council Meeting 11-18  
Minutes**

**Date:** May 14, 2018

**Time:** 8:40 p.m.

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

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

Absent: B. Butters, Councillor (due to illness)  
Y. Doucet, Councillor (due to vacation)

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

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

**1. Call to Order:**

Mayor John Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

Nil.

**3. Confirmation of Agenda:**

**No. 65** Moved by Councillor B. Kenny  
Seconded by Councillor J. Mayne

That the agenda dated May 14, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. **Disclosures of Interest:**

Nil.

5. **Adoption of Minutes:**

**No. 66** Moved by Councillor R. Bodner  
Seconded by Councillor F. Danch

- (a) That the minutes of the special meeting of Council 09-18, April 16, 2018, be approved as presented.
- (b) That the minutes of the regular meeting of Council 10-18, April 23, 2018, be approved as presented.

CARRIED.

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

Nil.

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

**No. 67** Moved by Councillor A. Desmarais  
Seconded by Councillor R. Bodner

That Items 1 to 27 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Items:**

1. **Fire and Emergency Services, Report No. 2018-48, Subject: Fire Marque Indemnification Technology®**

Council resolved:

That the Fire Chief be directed to further investigate and to provide a report to Council detailing cost recovery options for the provision of fire services including the use of available service providers, use of the City's insurer and providing the service in-house.

2. **Corporate Services, Finance Division, Report No. 2018-68, Subject: Port Colborne Community Bus Rate Increase**

Council resolved:

That the Port Colborne Transit Fare Structure attached to Corporate Services Department, Finance Division Report No. 2018-68, be approved, effective July 1, 2018.

**3. Corporate Services, Finance Division, Report No. 2018-60, Subject: 2018 Final Tax Rates**

---

Council resolved:

That the rates of taxation for the year 2018 be approved and the tax rate by-law be executed by the Mayor and City Clerk.

That the 2018 final billing for the residential, multi-residential, commercial, industrial, pipeline, farmland, managed forest and farmland awaiting development tax classes have a demand (mailing) date of June 12, 2018 with due dates of July 3 and October 1, 2018.

**4. Fire and Emergency Services, Report No. 2018-64, Subject: Emergency Call Summary 2017**

---

Council resolved:

That Fire and Emergency Services Department Report No. 2018-64 with respect to the 2017 emergency call summary be received for information purposes.

**5. Planning and Development, Planning Division, Report No. 2018-67, Subject: Site Plan Control Handbook**

---

Council resolved:

That the Site Plan Control Handbook attached to Planning and Development Department, Planning Division Report No. 2018-67 be approved.

**6. Community and Economic Development, Parks and Recreation Division, Report No. 2018-66, Subject: Summary of Comments and Changes – Updated Municipal Alcohol Management Policy**

---

Council resolved:

That the revised Municipal Alcohol Management Policy, attached as Appendix "A" to Community and Economic Development Department, Parks and Recreation Division Report No. 2018-66, Subject: Summary of Comments and Changes - Updated Municipal Alcohol Management Policy, be approved; and

That the appropriate by-law be presented for approval.

**7. Community and Economic Development, Parks and Recreation Division, Report No. 2018-65, Subject: Review of Retail Pro Shop Services at the Vale Health & Wellness Centre**

---

Council resolved:

That the City assume the operation of pro shop services at the Vale Health & Wellness Centre; and

That the vacated premises (the area previously occupied by the pro shop) be utilized for City purposes, the use of which shall be determined after the Director of Community and Economic Development has completed a review of operational needs at the Vale Health & Wellness Centre.

**8. Community and Economic Development, Parks and Recreation Division, Report No. 2018-63, Eighth Annual Port Colborne Art Crawl**

---

Council resolved:

That the request to host the eighth annual Port Colborne Art Crawl on Saturday June 23, 2018 from 11:00 a.m. to 11:00 p.m., as submitted by the Port Colborne Art Crawl Committee, and outlined in Community and Economic Development, Parks and Recreation Division Report No. 2018-63, be approved;

That the following roads be closed to general vehicular traffic and parking on Saturday, June 23, 2018 from 10:30 a.m. to 11:00 p.m.:

- West Street, from the southern limit of Clarence Street to the northern limit of Kent Street;
- Clarence Street, from the eastern limit of King Street to the western limit of West Street;
- Charlotte Street, from the eastern limit of King Street (with signage indicating "local traffic only") to the western limit of West Street;

That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closures;

That qualified participants of the Event be exempt from the above noted closures through the issuance of an authorized permits;

That the Engineering and Operations Department install and retrieve road closure barricades at the predetermined locations requiring same;

That the Community and Economic Development Department install and retrieve picnic tables at the predetermined locations requiring same;

That the Event Organizer be responsible for installing appropriate signage at the predetermined locations stating "Art Crawl Clarence Street Temporarily Closed – 10:30 a.m. to 11:00 p.m.;"

That the Event Organizer be responsible for ensuring road closure barricades are promptly removed and returned to the retrieval points at the conclusion of the event;

That the restrooms at the Harbourmaster Building remain open until 11:00 p.m. for the Event;

That a site plan be prepared and submitted to the Community and Economic Development Department for distribution to emergency services and appropriate City departments;

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

That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived.

That the appropriate by-law be presented for approval.

**9. Memorandum from Gina Tartaglia, Event Coordinator Re: Canal Days 2018 (Designation of Canal Days Marine Heritage Festival as a Municipally Significant Event)**

---

Council resolved:

That the Council of The Corporation of the City of Port Colborne hereby deems the annual Canal Days Marine Heritage Festival as a municipally significant event and supports the application to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit.

**10. Memorandum from Janice Peyton, Recording Secretary, Environmental Advisory Committee Re: Letter of Support – Niagara Coastal Community Collaborative**

---

Council resolved:

That the Council of The Corporation of the City of Port Colborne endorses the letter written by the Environmental Advisory Committee setting out the goals and actions being undertaken by the newly formed Niagara Coastal Community Collaborative (NCCC), in an effort to

improve the near shore water quality along the northern shore of Lake Erie.

**11. Memorandum from Janice Peyton, Executive Assistance, DEO Re: Transit Advisory Committee – Support of Increase in Port Colborne Community Bus Fares**

---

Council resolved:

That the Memorandum received from Janice Peyton, Executive Assistance, DEO on behalf of the Transit Advisory Committee Re: Transit Advisory Committee – Support of Increase in Port Colborne Community Bus Fares, be received for information.

**12. Ed Dujlovic, President, Ontario Chapter, Canadian Public Works Association, Director of Infrastructure and Development Services, City of Stratford Re: Request for Proclamation of National Public Works Week, May 20 - 26, 2018**

---

Council resolved:

That the week of May 20 – 26, 2018 be proclaimed as “National Public Works Week” in the City of Port Colborne in accordance with the request received from Ed Dujlovic, President, Ontario Chapter, Canadian Public Works Association, Director of Infrastructure and Development, City of Stratford.

**13. Steve Bowering, VP Sales, snapd Re: Request for Proclamation of June is Seniors Month**

---

Council resolved:

That June 1 – 30, 2018 be proclaimed as “Seniors Month” in the City of Port Colborne in accordance with the request received from Steve Bowering, VP Sales, snapd.

**14. Justin Bergamini, Administrative Support Assistance, Office of the Senator, Nancy Greene Raine Re: Request for Proclamation of National Health and Fitness Day 2018**

---

Council resolved:

That the first Saturday in June be proclaimed as “National Health and Fitness Day” in the City of Port Colborne in accordance with the request received from Justin Bergamini, Administrative Support Assistance, Office of the Senator, Nancy Greene Raine.

**15. Dewitt Carter Public School Re: Request for Use of Picnic Tables for a School Event to be Held on June 7, 2018**

---

Council resolved:

That the correspondence from Dewitt Carter Public School requesting the use of City picnic tables for a School Event to be held on June 7, 2018 be received, and;

That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of Dewitt Carter Public School.

**16. Region of Niagara Re: Review and Comments on Watershed Planning in Ontario – Guidance for Land-Use Planning Authorities (PDS Report 14-2018)**

---

Council resolved:

That the correspondence received from the Region of Niagara Re: Review and Comments on Watershed Planning in Ontario – Guidance for Land-Use Planning Authorities, be received for information.

**17. Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada's Long-Term Infrastructure Plan**

---

Committee of the Whole recommends:

That the Memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Canada's Long-Term Infrastructure Plan, be received for information.

**18. Richard Rybiak, Chair Niagara Central Airport Commission Re: Niagara Central Dorothy Rungeling Airport (NCDRA): Position regarding Niagara Region Uptake of Control and Governance of NCDRA and NDA**

---

Council resolved:

Whereas the Regional Municipality of Niagara at its Regional Council meeting on September 22, 2016 approved a motion and direction to staff from the Transportation Steering Committee;

Whereas *The Welland-Port Colborne Airport Act* was assented to on May 7, 2006 and this act contains the following applicable section;

Under Schedule B section 2 subsection 2 (b)

That the Commission shall not sell or otherwise dispose of the said airport Provided however, that the Commission may in its sole discretion sell, lease or otherwise dispose of the buildings

on the said airport as the Commission may consider advisable and for sole benefit of the Commission;

And further under Schedule b subsection 2 (c)

That the Commission shall not use or permit to be used the said airport for purposes other than airport purposes and shall maintain and operate said airport as a public airport.

Whereas Schedule A of *The Welland-Port Colborne Airport Act* provides the following clauses governing the ongoing activities of the Commission as follows:

“And whereas pursuant to the provisions of the *Municipal Act* R.S.O. 1970 chapter 284, section 352, paragraph 9, bylaws may be passed for the establishment, operation, maintenance of air harbours or landing grounds, together with such other rights and powers as are contained therein;

Whereas section 254 of the *Municipal Act*, R.S.O 1970 chapter 284 provides for the passing of by-laws by a municipality for entering into and performing any agreement with any other Council for fulfilling, executing and completing at their joint expense and for their joint benefit, any undertaking or work within the jurisdiction of the Council;

Whereas the Niagara Region is currently considering the longer-term opportunities to grow the economic impacts of these airports as Regionally managed and operated airports;”

Whereas the Regional Municipality of Niagara (Niagara Region) has two municipally supported and funded airports, the Niagara District Airport and the Niagara Central Dorothy Rungeling Airport;

Whereas the Niagara Central Dorothy Rungeling Airport has completed the terms of section 2, notably, “That, subject to completion of a phase 2 environmental assessment paid for by the current owners/operators, Regional staff be authorized to initiate detailed negotiations with the current funding partners of both the NDA and the NCDRA to transition responsibility to Niagara Region;

Whereas there must be formal discussions between stakeholder municipalities and Niagara Region;

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

That representatives of the Niagara District Airport (NDA) and Niagara Central Dorothy Rungeling Airport (NCDA), stakeholder municipalities and the Region of Niagara commence formal discussions to finalize the



assumption of the management/operational responsibilities of the NDA and NCDRA; and,

That by all stakeholder municipalities of NCDRA adopting this resolution, the stakeholder municipalities of the NCDRA approve the formal discussions with the Region of Niagara and the NDA to see both airports managed and operated as Regional airport facilities and that the, **“Framework for the Memorandum of Understanding”** attached to this motion be the basis of NCDRA stakeholder municipalities terms of reference for these discussions.

**19. Town of Niagara-on-the-Lake Re: Funding for Local Public Libraries**

Council resolved:

That the resolution received from the Town of Niagara-on-the-Lake Re: Funding for Local Public Libraries, be supported.

**20. City of Thorold Re: Regarding Municipal Authority over Land Fill Projects in or Adjacent to their Municipality**

Council resolved:

That the resolution received from the City of Thorold in support of Municipal Authority over Land Fill Projects in or Adjacent to their Municipality, be received for information.

**21. City of St. Catharines Re: Safe Drinking Water Training – Elected Municipal Officials (Resolution from Niagara Regional Council)**

Council resolved:

That the resolution received from the City of St. Catharines in support of a resolution passed by Niagara Regional Council regarding Safe Drinking Water Training – Elected Municipal Officials, be supported.

**22. City of Toronto Re: Province of Ontario’s proposed Inclusionary Zoning Regulation - Request for Support**

Council resolved:

That the resolution received from the City of Toronto Re: Province of Ontario’s proposed Inclusionary Zoning Regulation, be supported.

**23. Township of Baldwin Re: Enforcement of Existing Firearms Legislation and Licencing Requirements in Canada (Cancel Bill C-71)**

Council resolved:

That the resolution received from the Township of Baldwin Re: Enforcement of Existing Firearms Legislation and Licencing Requirements in Canada requesting the Government to Cancel Bill C-71, be received for information.

**24. Municipality of East Ferris Re: Prohibited Trapping Areas**

Council resolved:

That the resolution received from the Municipality of East Ferris Re: Prohibited Trapping Areas, be received for information.

**25. Township of Wainfleet, City of Thorold, Town of Pelham Re: City of Port Colborne's Resolution regarding the Niagara Peninsula Conservation Authority Appointment Process**

Council resolved:

That the resolutions received from the Township of Wainfleet, City of Thorold and the Town of Pelham in support of the City of Port Colborne's resolution regarding the request to the Region of Niagara to Immediately Replace Board Members and Establish Guidelines for the Future Recruitment of Board Members to the NPCA, be received for information.

**26. City of St. Catharines Re: City of Port Colborne's Resolution regarding Calling on Minister of Environment and Climate Change to Accelerate the Application for Review of Municipal Class Environmental Assessment Process**

Council resolved:

That the resolution received from the City of St. Catharines in support of the City of Port Colborne's resolution regarding Calling on the Minister of Environment and Climate Change to Accelerate the Application for Review of Municipal Class Environmental Assessment Process, be received for information.

**27. Kathleen Wynne, Premier of Ontario Re: Correspondence regarding the City of Port Colborne's resolution concerning Landfill Projects**

Council resolved:

That the correspondence received from Kathleen Wynne, Premier of Ontario regarding the City of Port Colborne's resolution concerning Landfill projects, be received for information.

CARRIED.

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

Nil.

9. **Proclamations:**

(a) **National Public Works Week, May 20-26, 2018**

**No. 68**

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

Whereas public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Ontario;

Whereas these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees from provincial and municipal governments and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens;

Whereas it is in the public interest for the citizens, civic leaders and children in Canada to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities;

Whereas the year 2018 marks the 58th annual National Public Works Week sponsored by the American Public Works Association and Canadian Public Works Association be it now;

Now therefore, I, Mayor, John Maloney, proclaim the week May 20-26, 2018 as "National Public Works Week" in the City of Port Colborne.

I urge all our people to join with representatives of the Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

CARRIED.

**(b) Seniors Month, June 1-30, 2018**

**No. 69** Moved by Councillor B. Kenny  
Seconded by Councillor R. Bodner

Whereas Seniors' Month is an annual province-wide celebration;

Whereas seniors have contributed and continue to contribute immensely to the life and vibrancy of this community;

Whereas seniors continue to serve as leaders, mentors, volunteers and important and active members of this community;

Whereas their contributions past and present warrant appreciation and recognition and their stories deserve to be told;

Whereas the health and well-being of seniors is in the interest of all and further adds to the health and well-being of the community;

Whereas the knowledge and experience seniors pass on to us continues to benefit all;

Now therefore, I, Mayor, John Maloney, proclaim June 1–30, 2018 as "Seniors' Month" in the City of Port Colborne and encourage all citizens to recognize and celebrate the accomplishments of our seniors.

CARRIED.

**(c) National Health and Fitness Day**

**No. 70** Moved by Councillor B. Kenny  
Seconded by Councillor R. Bodner

Whereas the Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and to encourage Canadians to increase their level of physical activity and their participation in recreational sports and fitness activities;

Whereas it is in Canada's interest to improve the health of all Canadians and to reduce the burden of illness on Canadian families and on the Canadian health care system;

Whereas many local governments in Canada have public facilities to promote the health and fitness of their citizens;

Whereas the Government of Canada wishes to encourage local

governments to facilitate Canadian’s participation in healthy physical activities;

Whereas the Government of Canada wishes to encourage the country’s local governments, non-government organizations, the private sector and all Canadians to recognize the first Saturday in June as National Health and Fitness Day and to mark the day with local events and initiatives celebrating and promoting the importance and use of local health, recreational, sports and fitness facilities;

Whereas Canada’s mountains, oceans, lakes, forest, parks and wilderness also offer recreational and fitness opportunities;

Whereas Canadian Environment Week is observed throughout the country in early June, and walking and cycling are great ways to reduce vehicle pollution and improve physical fitness;

Whereas declaring the first Saturday in June to be National Health and Fitness Day will further encourage Canadians to participate in physical activities and contribute to their own health and well-being;

Now therefore, I, Mayor, John Maloney, proclaim the first Saturday in June as “National Health and Fitness Day” in the City of Port Colborne.

CARRIED.

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

**(a) Minutes of the Canal Days Advisory Committee Meeting of March 27, 2018**

**No. 71** Moved by Councillor J. Mayne  
Seconded by Councillor R. Bodner

(a) That the minutes of the Canal Days Advisory Committee meeting of March 27, 2018, be received.

CARRIED.

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

**No. 72** Moved by Councillor J. Mayne  
Seconded by Councillor R. Bodner

That the following by-laws be enacted and passed:

6578/33/18 Being a By-law to Set and Levy the Rates of Taxation for City Purposes for the Year 2018

- 6579/34/18 Being a By-law to Adopt a Municipal Alcohol Management Policy and to Repeal Various By-laws
- 6580/35/18 Being a By-law to Temporarily Close Sections of Various Streets to Vehicular Traffic for the Purpose of the Eighth Annual Port Colborne Art Crawl
- 6581/36/18 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of May 14, 2018

CARRIED.

**12. Council in Closed Session:**

**Motion to go into closed session – 8:45 p.m.**

**No. 73** Moved by Councillor F. Danch  
Seconded by Councillor B. Kenny

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

- (a) Minutes of the closed session portion of the following Council meetings: April 9, 2018
- (b) Planning and Development Department, Planning Division Report. No. 2018-61, concerning the potential disposition of City owned land, pursuant to the Municipal Act, 2001, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED.

**Motion to rise without report – 9:01 p.m.**

**No. 74** Moved by Councillor F. Danch  
Seconded by Councillor B. Kenny

That Council do now rise from closed session with report at approximately 9:01 p.m.

CARRIED.

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

Nil.

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

- (b) **Planning and Development Department, Planning Division Report. No. 2018-61, concerning the potential disposition of City owned land, pursuant to the Municipal Act, 2001, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.**
- 

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

15. **Adjournment:**

**No. 75** Moved by Councillor F. Danch  
Seconded by Councillor D. Elliott

That the Council meeting be adjourned at approximately xxx p.m.  
CARRIED.

---

John Maloney  
Mayor

---

Amber LaPointe  
City Clerk

AL/cm

This page intentionally left blank.



**City of Port Colborne  
Special Council Meeting 12-18  
Minutes**

**Date:** May 23, 2018  
**Time:** 5:00 p.m.  
**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street,  
Port Colborne

**Members Present:** R. Bodner, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
D. Elliott, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)

**Absent:** B. Butters, Councillor (due to illness)  
F. Danch, Councillor (due to work)  
J. Mayne, Councillor (due to vacation)

**Staff Present:** M. Bendia, Deputy Fire Chief  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering & Operations  
S. Luey, Chief Administrative Officer  
S. Hanson, Supervisor of By-law Enforcement

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

Nil.

**3. Confirmation of Agenda:**

**No. 76** Moved by Councillor Y. Doucet  
Seconded by Councillor D. Elliott

That the agenda dated May 23, 2018 be confirmed, as  
circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Nil.

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

**No. 77** Moved by Councillor A. Desmarais  
Seconded by Councillor B. Butters

That Items 1 to 3 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.

1. **Planning and Development, By-Law Enforcement Division, Report No. 2018-71, Subject: By-law Appointment of Municipal Law Enforcement Officers Sawyer Madden, Carter McColl and Evan Acs**

Council resolved:

That Sawyer Madden be appointed as a Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector; and

That Carter McColl be appointed as a Municipal Law Enforcement Officer; and

That Evan Acs be appointed as a Municipal Law Enforcement Officer to enforce the Zoning By-law.

2. **Canadian Corps Association Unit 43, 70 West Street, Port Colborne Re: Request for Temporary Licence Extension for Special Events on June 30 and July 1, 2018 (Canada Day Celebrations)**

Council resolved:

That the Council of The Corporation of the City of Port Colborne does not object to the application for a Temporary Licence Extension to an existing liquor licence held by the Canadian Corps Unit 43, located at 70 West Street, Port Colborne, for special events being held on June 30, 2018 and July 1, 2018 (Canada Day Celebrations), as outlined in the correspondence dated March 7, 2018, subject to the condition that the applicant satisfies and complies with all applicable regulatory requirements, rules and provisions; and

That the request for a Noise By-law Exemption be referred to the By-law Enforcement Division, and that the applicable fee be waived in accordance with the City policy (not-for-profit).

3. **St. Patrick Catholic Elementary School Re: Request for Use of Picnic Tables for a School Event to be held on June 7, 2018**

Council resolved:

That the correspondence from St. Patrick Elementary School requesting the use of City picnic tables for a School Event to be held on June 7, 2018 be received; and

That the picnic tables be made available for their use, with arrangements for pick-up and return to be the responsibility of St. Patrick Catholic Elementary School.

CARRIED.

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

**No. 78** Moved by Councillor Y. Doucet  
Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:

- 6582/37/18 Being a By-law to Appoint Sawyer Madden as a Municipal Law Enforcement Officer, Property Standards Officer and Weed Inspector
- 6583/38/18 Being a By-law to Appoint Evan Acs and Carter McColl as Municipal Law Enforcement Officers
- 6584/39/18 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 Meeting of May 23, 2018

CARRIED.

**7. Adjournment:**

**No. 79** Moved by Councillor Y. Doucet  
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 5:04 p.m.

CARRIED.

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

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

AL/

This page intentionally left blank.



**MINUTES of the 3<sup>rd</sup> Regular Board Meeting of 2018**

Held Tuesday, April 3, 2018, 6:00 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

**Present:** Michael Cooper (Chair), Valerie Catton (Vice Chair), Harmony Cooper, Jeanette Frenette, William Higgins, Bryan Ingram, Ann Kennerly Cheryl MacMillan, Councilor John Mayne

**Staff:** Scott Luey (CEO), Susan Therrien (Director of Library Services), Rachel Tkachuk (Librarian), Italia Reeves (Health and Safety Coordinator)

1. Michael Cooper, Chair, called the meeting to order.

2. The invocation was read.

3. Mr. Cooper welcomed the Board members.

**4. Approval of the Agenda**

Moved by A. Kennerly  
Seconded by H. Cooper

**18:017 That the agenda be adopted as circulated.  
CARRIED.**

5. **Declaration of Conflict of Interest:** None

6. **Delegations:** None

**7. Minutes of the Previous Meeting of Tuesday, February 13, 2018**

Moved by J. Frenette  
Seconded by V. Catton

**18:018 That the minutes of the February 13, 2018 meeting be adopted as circulated.  
CARRIED.**

8. **Business Arising from the Minutes:** None



9. Agenda Items

i. Risk Assessment: Presentation by Italia Reeves, Health and Safety Coordinator

The Health and Safety Coordinator reviewed the recommendations addressed in the Risk Assessment. She presented implementation options for security upgrades (including safety mirrors, cameras, swipe card door entry) and itemized the work done to date.

ii. PC Lions Outdoor Seating Area

The Director reported that the minor variance was approved and the building permit issued. Construction of the shade shelter (gazebo) is set to begin in early April with a completion date of early May. The Groundbreaking Ceremony is scheduled for April 6, 2018, at 12:00 p.m. Exterior lighting will be installed on the north side of the library building for security and safety.

iii. 2018 Budget

City Council approved the following requests from the Library:

- 100 additional hours for part-time staff;
- an additional \$15,000 to be added to the library's 2018 Capital Budget for accessibility and safety projects as highlighted by the Board as priority concerns.

iv. Shelving and Furniture

The Director presented information on the opportunity to purchase shelving and furniture through Ontario Education Collaborative Marketplace (OECM) to assist in procuring quality products efficiently, prudently, and in a timely manner.

Moved by B. Ingram  
Seconded by V. Catton

**18:019 That the Board accepts the Director's recommendation to purchase shelving and furniture through the Ontario Education Collaborative Marketplace.**  
CARRIED.

v. Building Assessment

Jim Huppenen, Manager of Engineering Services & Facility Maintenance, conducted a walk-through of the library facility to check the library for condition, necessary repairs, and compliance. Mr. Huppenen is the City's Facilities Supervisor and leads the existing Building



Maintenance Crew. He is responsible for short, medium, and long-term facility planning and capital asset management planning, reporting and budgeting. His assessments will aid in budgeting for future capital improvements and maintenance.

vi. Accessibility

On April 3, 2018, Mark Shoalts, Engineer, visited the library to assess the public washrooms to create a design for accessibility. The design will be for two single-use washrooms, one of which will become fully accessible.

**Committee Reports: None**

**10. ADMINISTRATIVE BUSINESS**

**Correspondence: None**

**Public Relations Report**

i. Pop-Up Library and Outreach

Librarian Rachel Tkachuk reported on Pop-Up Library outreach and services to local schools and nursing homes. The Pop-Up Library is scheduled to visit Sherkston Shores and the City of Port Colborne Farmers' Market starting in May.

ii. Family Day

In cooperation with the City of Port Colborne, the Library organized a series of fun, free activities on the Saturday of the Family Day weekend. More than a dozen families participated.

iii. Freedom To Read Week

The library held a contest during Freedom to Read Week to make patrons more aware about censorship and banned books. A selection of frequently challenged and banned books was on display in the Library Atrium.

iv. March Break

The Library ran 16 programmes with 440 attendees participating throughout the week. The Canadian Federation of University Women sponsored a visit from children's author Tim Beiser.



## Port Colborne Public Library Board

The Port Colborne Lions Club sponsored a magic show and a music concert.

v. Income Tax Clinic

The library hosted the annual Volunteer Chartered Professional Accountants Tax Clinic. Three volunteer accountants assisted 26 individuals who qualified for assistance in preparing their income tax forms.

vi. Leisure Guide, Spring/Summer 2018

Moved by H. Cooper  
Seconded by C. MacMillan

18:020 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. Library Staff

The library will hire one additional part-time staff due to a resignation.

ii. Public Libraries Funding Announcement: "20-Year Funding Freeze for Ontario Public Libraries Ends"

On March 28, 2018, the Ontario Library Association (OLA) issued a news release announcing that the Ontario government has committed funding to strengthen public libraries. The investment includes: \$51 million over three years in annual increases to public library operating funding and, \$28 million over three years to create a provincial Digital Public Library.

iii. Partnership with John Howard Society of Niagara

The John Howard Society of Niagara submitted a proposal on behalf of the Port Colborne, Welland, Pelham, and Thorold public libraries for the Niagara Prosperity Initiative grant for the Strengthening Families for the Future program to provide funding for a social worker to be onsite at the libraries. The current program has been given a one-month extension and will





## Port Colborne Public Library Board

allow the social worker the opportunity to work at all four libraries and conduct an introduction and needs assessment at each library before the next session starts.

iv. Youth Job Connection Placement

In collaboration with Port Cares and Youth Job Connection, the library offered a temporary paid job placement for a young person aged 15 to 29. The placement ran from January to March 2018 and was paid through Youth Job Connection. The placement was part of a programme aimed at helping youth who experience barriers to employment gain work experience.

v. Niagara Healthy Kids Community Challenge (NHKCC): "Power Off and Play"

The library submitted its final plans for the Niagara Healthy Kids Community Challenge and committed to the following initiatives: a seed library; "Throwback Summer" events (including a Family Fun Day which will coincide with the 40<sup>th</sup> Annual Canal Days celebration); a water fill station; a board game collection and other loanable items such as musical instruments to help children unplug from devices.

vi. Fundraising

Two fundraising initiatives have been started. Promotional buttons and USB drives are on sale.

vii. Meetings and Workshops

The Director reported on meetings and workshops attended in February and March 2018. The next Joint Board Orientation for new and returning Board members is tentatively scheduled to be held in April 2019 in West Lincoln.

viii. Health and Safety

- a. Library staff will receive WHIMIS 2015 training in April.

Moved by H. Cooper  
Seconded by J. Frenette

18:021

**That the Director of Library Services' report be received for information purposes.**  
CARRIED

**Circulation Report: Final Summary for 2017**



Moved by J. Mayne  
Seconded by H. Cooper

18:022 **That the Circulation report be received for information purposes.**  
CARRIED

11) Board Members' Items

12) Notices of Motion

13) **Date of the Next Meeting**

Tuesday, May 10, 2018, 6:00 p.m.  
Port Colborne Public Library, Auditorium  
310 King St., Port Colborne, ON

14) **Adjournment**

**MOVED** by J. Frenette  
Seconded by W. Higgins

18:023 **That the meeting be adjourned.**  
CARRIED.

---

Library Board Chair

---

Secretary



City of Port Colborne  
**RECEIVED**  
MAY 16 2018  
CORPORATE SERVICES  
DEPARTMENT

**Meeting  
Environmental Advisory Committee  
March 21, 2018, 6:00 p.m.**

**The following were in attendance:**

- Council: Yvon Doucet
- Staff: Derek Hemauer  
Janice Peyton
- Public Members: George McKibbon  
Beth Palma  
Jack Hellinga  
Paul Ruzycki  
Kerry Royer  
Ryan Waines
- Guest: Patty Moss

---

**1. Call to Order**

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

**2. Adoption of the Agenda**

Moved by Paul Ruzycki  
Seconded by Jack Hellinga

That the agenda dated March 21, 2018 be accepted as circulated.  
CARRIED.

**3. Disclosures of Interest**

Nil.

**4. Approval / Review of Previous Meeting Minutes**

Moved by George McKibbon  
Seconded by Jack Hellinga

That the minutes of January 10, 2018 be accepted as amended.  
CARRIED.

5. **Patty Moss Roadside Mowing Delay Initiative**

Patty Moss provided a presentation on the roadside mowing delay initiative. A copy of the presentation is attached.

Moved by George McKibbon  
Seconded by Paul Ruzycski

That after receiving the presentation of Patty Moss regarding the roadside mowing delay initiative, that the Council of the City of Port Colborne be notified that the City of Port Colborne Environmental Advisory Committee is unanimously in support of Patty's request for the first mowing to be delayed to start on June 4<sup>th</sup>.  
CARRIED.

Jack Hellinga agreed to be in attendance for Patty's presentation to Council to provide support with any drainage concerns that may be arise.

6. **Items Arising from Previous Minutes**

a) **Recycle Bins**

Derek advised that the recycle bins are on track. Clarence and West Street bins will move forward. Bins for the Library are pending. Discussion took place regarding the location of the second bin and if the bin that has been budgeted for the Library should be placed at HH Knoll Park instead, given the fact that the Canal Days concerts will be held at HH Knoll Park.

Moved by George McKibbon  
Seconded by Jack Hellinga

That City staff will decide the location of the second recycling bin.  
CARRIED.

Jack suggested the Eco-Defenders be requested again this year for Canal Days. Kerry will send information regarding the Eco-Defenders to Janice to be forwarded to the Canal Days Committee.

b) **"No Littering" signs on trails**

Derek advised that he is waiting to hear about other sign size options. Derek advised that he had not yet received an invitation to the Active Transportation Committee meetings. George will notify Derek of meetings in future, there is an open forum next Tuesday March 27<sup>th</sup>. Derek will attend.

**c) Boulevard Trees**

There was no new information reported from committee members on this item.

**d) Community Shred-it Day/Earth Day**

Patti was not in attendance. She indicated in an email that the shredding companies she had been in contact with were booked for Earth Day.

Earth Day at Evergreen was discussed. George will attend on behalf of Council and the Mayor and will say a few words. George will also have some air quality information available. Beth will also attend and will display Patty's photos and will have seed packets, pollinator signs and pledge forms and some general information regarding the EAC.

**e) Air Quality**

George and Jack now have the air quality devices and they gave a brief demonstration. George and Jack will conduct the air quality surveys and bring the results back to the committee.

George provided information on the Upwind Downwind conference that he attended. A copy is attached to the minutes. George referred to an Air Shed Management model and explained that we need to be concerned about tailpipe emissions and brakes and tires, as well as the emissions from industries.

George suggested the committee encourage the City to install charging stations for electric cars. Jack suggested an outlet at the Market Square. Derek will speak to the electrician to see what is required to install a charging station before moving further on this suggestion. Everyone in attendance agreed this is a good idea.

**f) NPCA Questions**

Beth has received a response from the NPCA regarding questions that were sent to Peter Graham in June of 2016. A copy of the letter is attached to the minutes.

Moved by Jack Hellinga  
Seconded by Yvon Doucet

That the letter from Michael Reles, Manager of Communications, NPCA be received for information purposes.  
CARRIED.

**g) Response from Planning Regarding the Wetland Protection and Biodiversity Offsetting Paper**

Jack advised that Planning has submitted a response to the NPCA.

**h) Drain Improvements**

This item was deferred.

**7. New/Other Business**

**a) NPCA Awards Dinner**

Jack and Beth attended the NPCA Awards Dinner and said that the presentation was very good.

**b) Niagara Coastal Community Collaborative Partner Support**

Beth provided notes from the November 22, 2017 meeting. The notes are attached to the minutes. This is a new group regarding preservation of water and there is a large focus on ditching.

Beth advised that the group is seeking support. The committee agreed a letter stating that the EAC and City Council endorses what they are doing should go to Council and be forwarded to the NCCC from Council.

The next meeting is on April 3<sup>rd</sup> at 5:30 at the Crystal Ridge Public Library on Ridge Road. Everyone is welcome to attend.

George questioned the relationship towards this effort and the agreement between Canada and United States. Beth will inquire.

**c) 2018 Budget**

Janice advised that once the 2018 budget is finalized the revisions to the toilet rebate program will be in effect. The dual flush toilet will be added to the eligibility as suggested by Chris Lee and agreed upon by everyone in attendance.

**d) Source Protection Program in Niagara – Jayme Campbell May Presentation**

All in attendance agreed to receive a presentation from Jayme Campbell, coordinator of the Source Protection Program in Niagara, at the next meeting (May 9).

8. Next Meeting/Adjourn

The next meeting will be on May 9, 2018 at 6:00 pm.

With no further business to discuss, the meeting adjourned at 8:00 p.m.

This page intentionally left blank.





Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

CITY OF Port Colborne  
**RECEIVED**

**MAY 30 2018**

CORPORATE SERVICES  
DEPARTMENT

A meeting of the Board of Management of the Port Colborne Historical and Marine Museum was held April 17, 2018 at 7 p.m. at the L.R. Wilson Heritage Research Archives.

Present: Bonnie Johnston, Stephanie Powell Baswick, Marcia Turner, Cheryl MacMillan, Brian Heaslip, Terry Huffman, Donna Abbott, Margaret Tanaszi, Pam Koudjis, Bert Murphy, Claudia Brema, and Abbey Stansfield.

Regrets: Alexander Fazzari, Amanda Emery, Councillor Dave Elliott

Minutes of Last Meetings

Moved by: Claudia Brema

Seconded by: Bonnie Johnston Huffman

To: Approve the Minutes of the Board of Management from March 20, 2018.

Motion Carried.

Business Arising From Minutes:

Nor Report

Correspondence:

Stephanie Powell Baswick has made available newsletters from other societies to which the museum belongs.

Curator Report:

Stephanie Powell Baswick thanked board members for their attendance in the Top Hat Ceremony.

Stephanie reported that she has received notification that the museum had received the Young Canada Works grant that it had applied for. The Young Canada Works position is for a Media and Design Officer.

Interviews for the position of museum custodian are being conducted. The intention is to have a custodian hired before the museum opens May 1.

Stephanie reported that there was a museum walkabout with City Engineering staff concerning items such as the hot water tank and the furnaces.

Stephanie reported that the floor in the Museum gallery has had some health and safety concerns, while staff has been able to ensure precautions have been taken a study of the historic floors and what can be done to properly repair them.

Stephanie reported that a contractor had been asked to quote the cost on the pathways needed to connect the Timber Cabin with the rest of the grounds.

A discussion was undertaken on whether the staff requires more safety training for what to do when they are alone in an uncomfortable situation. Stephanie addressed the concern with the plan to talk to staff and see if they felt they needed more training.



Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

Auxiliary Report:

Bonnie Johnston reported the date for the Auxiliary AGM will be April 23, 2018.

Program Committee Report:

Cheryl MacMillan reported that the committee was coordinating the food and drink being supplied by the board for the Member's Reception and Exhibit Preview. There was a signup sheet for members to sign what they were bringing and Cheryl will arrive early to the reception to coordinate drop off.

Fundraising Committee Report:

No Report

Building and Property Committee Report:

No Report

Finance Committee Report:

Stephanie Powell Baswick reported on the new purchasing procedures for the City. The cost threshold requiring for the three quote system was raised.

Membership Committee Report

Memberships are selling well and there was a discussion on promoting online memberships.

Accession Committee Report:

Terry Huffman reported on the accession meeting that had been held for the first quarter of 2018. Among the items accepted were documents from Doan's Service Centre, a quilt and graft coverlet, some items from the Centennial Pool time capsule and various photographs and documents. Other items and issues discussed included the INCO whistle (to be referred back to the Board for further consideration after the INCO exhibit) and the need for clarification and possible changes to policies regarding bequests of items.

Timber Cabin Committee Report:

Brian Heaslip reported that Rankin Construction came to quote the work for the pathways and the pouring of the cement.

Brian also spoke on the request for a joint committee of Library and Museum board members to discuss matters pertaining to the cultural block.

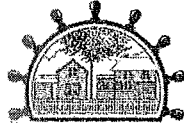
Policy Committee Report:

No Report

New Business:

Moved by: Bonnie Johnston

Seconded by: Donna Abbott



Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

To: To accept the quote from Mark Shoalts of SHOALTS to do a heritage study of the floor buckling in the Williams home and provide recommendations to repair it at a cost of \$1,150.00.  
Motion Carried.

Moved by: Brian Heaslip

Seconded by: Cheryl MacMillan

To: Organize a cultural block committee with the library. Our delegates will be Donna Abbott, Margaret Tanaszi and Stephanie Powell Baswick.

Motion Carried.

Motion to Adjourn: Pam Koudjis

A handwritten signature in black ink, appearing to read 'Pam Koudjis', with a long, sweeping flourish extending to the right.

This page intentionally left blank.