



City of Port Colborne
Regular Meeting of Committee of the Whole 26-19
Monday, October 28, 2019 – 6:30 p.m.
Council Chambers, 3rd Floor, 66 Charlotte Street

Agenda

1. **Call to Order:** Mayor William C. Steele
2. **National Anthem:**
3. **Introduction of Addendum and Delegation Items:**
4. **Confirmation of Agenda:**
5. **Disclosures of Interest:**
6. **Adoption of Minutes:**
 - (a) Regular meeting of Committee of the Whole 25-19, held on October 15, 2019
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**

Nil.
10. **Delegations (10 Minutes Maximum):**
 - (a) Janet Handy, Executive Director of the Kristen French Child Advocacy Centre
Niagara Re: Information about the Kristen French Advocacy Centre and what the Centre is looking to for the Future (Page No. 7)
11. **Mayor's Report:**
12. **Regional Councillor's Report:**
13. **Councillors' Items:**
 - (a) Councillors' Issues/Enquiries
 - (b) Staff Responses to Previous Councillors' Enquiries
14. **Consideration of Items Requiring Separate Discussion:**
15. **Notice of Motion:**
16. **Adjournment:**

Upcoming Committee of the Whole and Council Meetings

Tuesday, November 12, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, November 25, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, December 9, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, December 16, 2019	Special Committee of the Whole – 6:30 P.M. 2020 Budget Overview

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

Committee Items:

Notes	Item	Description / Recommendation	Page
WCS MB EB RB GB FD AD DK HW	1.	<p>Chief Administrative Officer Department, Report 2019-160, Subject: Memorandum of Understanding – Procurement of Goods and Services</p> <hr/> <p>That Council ratify the Memorandum of Understanding attached as Appendix “A” to Chief Administrative Officer’s Department Report 2019-160.</p>	17
WCS MB EB RB GB FD AD DK HW	2.	<p>Engineering and Operations Department, Engineering Division, Report 2019-142, Subject: Oil Mill Creek Municipal Drain – Appointment of Engineer</p> <hr/> <p>That the Council of the City of Port Colborne receives Report 2019-142 with respect to the Oil Mill Creek Drain Engineer Appointment as information; and</p> <p>That Paul Marsh P. Eng. of EWA Engineering Ltd. be appointed under Section 8 of the Drainage Act, Chapter D.17 R.S.O. 1990 for the preparation of a new engineer’s report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Oil Mill Creek Drain.</p>	21
WCS MB EB RB GB FD AD DK HW	3.	<p>Engineering and Operations Department, Engineering Division, Report 2019-143, Subject: Point Abino Municipal Drain – Appointment of Engineer</p> <hr/> <p>That the Council of the City of Port Colborne receives Report 2019-143 with respect to the Point Abino Drain Engineer Appointment as information; and</p> <p>That Paul Marsh P. Eng. of EWA Engineering Ltd. be appointed under Section 8 of the Drainage Act, R.S.O. 1990 for the preparation of a new engineer’s report under Section 78 of the Drainage Act, R.S.O. 1990, related to the Point Abino Municipal Drain.</p>	25

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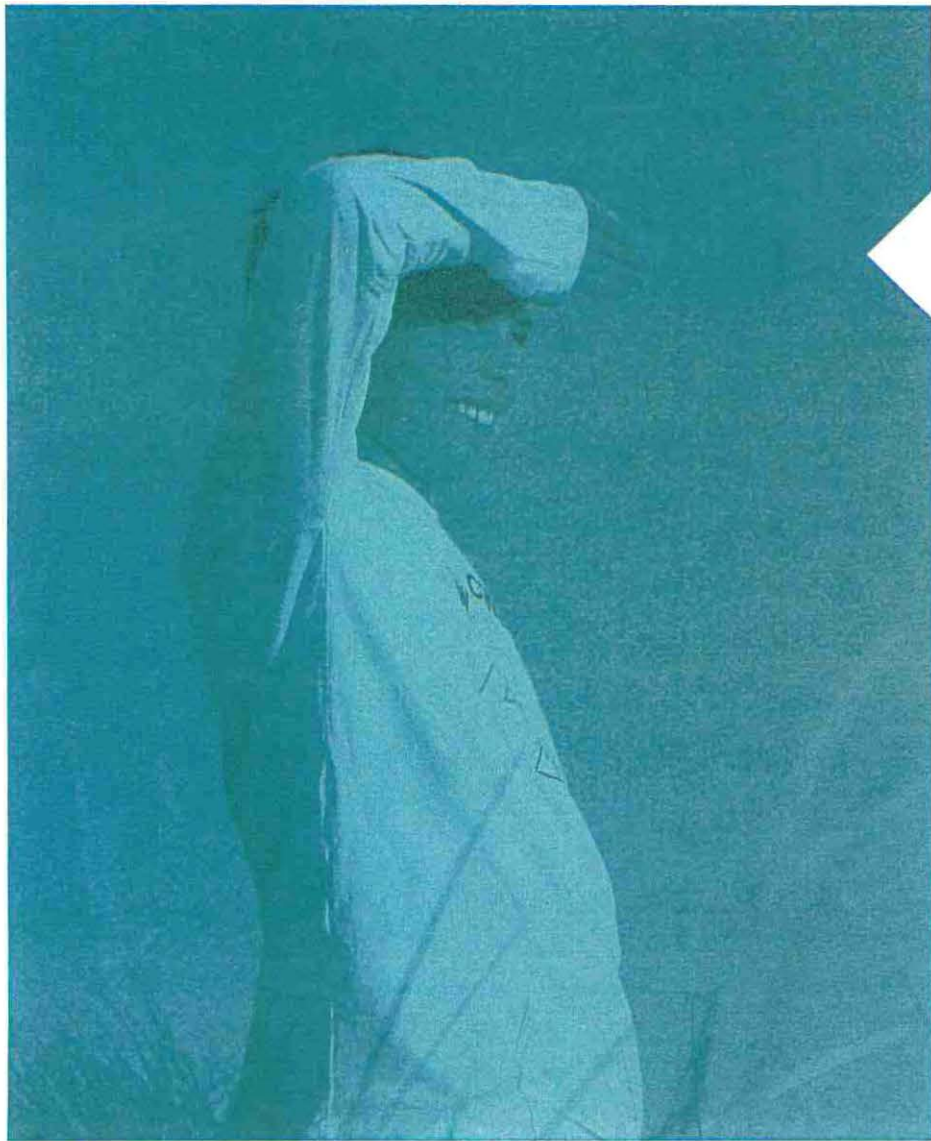
WCS RB AD	MB GB DK	EB FD HW	4.	<p><u>Engineering and Operations Department, Engineering Division, Report 2019-156, Subject: Biederman Municipal Drain – Appointment of Engineer</u></p> <p>That the Council of the City of Port Colborne receives Report 2019-156 with respect to the Biederman Drain Engineer Appointment as information; and</p> <p>That Brandon Widner, P. Eng. of Spriet Associates Engineers & Architects be appointed under Section 8 of the Drainage Act, R.S.O. 1990 for the preparation of a new engineer’s report under Section 78 of the Drainage Act, R.S.O. 1990, related to the Biederman Municipal Drain.</p>	29
WCS RB AD	MB GB DK	EB FD HW	5.	<p><u>Planning and Development Department, Report 2019-155, Subject: Planning Budget Tasks</u></p> <p>That Council authorize \$75,000 to be allocated to the Planning and Development Department for Consulting Services and included in the 2020 budget process.</p>	33
WCS RB AD	MB GB DK	EB FD HW	6.	<p><u>Planning and Development Department, Report 2019-146, Subject: Background Study and Development Charges By-law Update</u></p> <p>That Council approve Option 1 as described in Planning and Development Department Report 2019-146; and</p> <p>That the proposed Development Charges By-law attached as Appendix C to Planning and Development Department Report 2019-146 be brought forward for approval; and</p> <p>That staff be directed to prepare the Notice of passing in accordance with the <i>Development Charges Act</i>.</p>	35

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Miscellaneous Correspondence						
WCS	MB	EB	7.	<p><u>Memorandum from the Economic Development Advisory Committee Re: Development Charges</u></p> <p>That the memorandum received from the Economic Development Advisory Committee Re: Development Charges be received for information; and</p> <p>That the following motion be considered by Council when reviewing the Development Charges Bylaw:</p> <p>That the Economic Development Advisory Committee recommends to the Council of The Corporation of the City of Port Colborne that Development Charges be implemented as follows:</p> <ol style="list-style-type: none"> 1. Infill housing – deferral of all development charges for 5 years. 2. Multiple unit residential (including condominiums) – no development charges for the first 3 years; year 4 50%; year 5 100%. 3. Sub-division/new development – 20% of development charges in first year; 40% year 2; 60% year 3; 80% year 4; 100% year 5. 4. Commercial and Industrial- no development charges for the first 3 years; year 4 50%; year 5 100%. 5. Brownfield Development – deferral of all development charges for 5 years. <p>That the City impose a vacancy tax on land that is approved for development which remains undeveloped for a period as recommended by city staff.</p>		273
RB	GB	FD				
AD	DK	HW				
WCS	MB	EB	8.	<p><u>Pierre Ranger, Chair of the Let’s Remember Adam- STOP FOR THE SCHOOL BUS Committee Re: National School Bus Safety Week and Stop Arm Cameras</u></p> <p>That the correspondence received from Pierre Ranger, Chair of the Let’s Remember Adam – STOP FOR THE SCHOOL BUS Committee Re: National School Bus Safety Week and Stop Arm Cameras, be received for information.</p>		275
RB	GB	FD				
AD	DK	HW				
Outside Resolutions – Requests for Endorsement						
WCS	MB	EB	9.	<p><u>City of St. Catharines Re: Menstrual Products in City Facilities</u></p> <p>That the resolution received from the City of St. Catharines Re: Menstrual Products in City Facilities, be received for information.</p>		277
RB	GB	FD				
AD	DK	HW				
Responses to City of Port Colborne Resolutions – NIL.						

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BUT MOST IMPORTANTLY...

Report Child Abuse

Help is available 24/7

Family and Children's Services Niagara
905.937.7731 or 1.888.937.7731

Niagara Regional Police Service
905.688.4111

If you or someone you know is in
immediate danger, **CALL 911**



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FUNDING

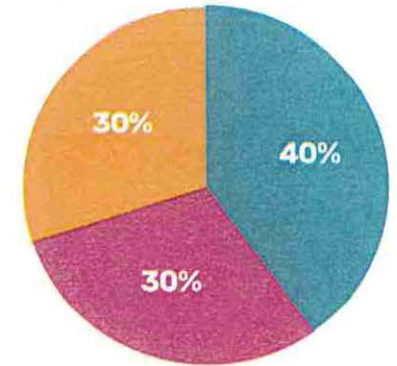
We have no core funding from the Government.

Our funding sources are based on the tireless fundraising by volunteers and staff and partner support.

We receive/raise funds from three areas:

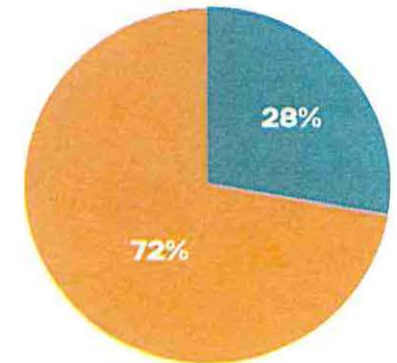
- 1 Events/Campaigns/Planned Giving \$162,544**
 - 5 fundraising events (sponsors and participants)
 - 3rd party events
 - Campaigns: annual holiday campaign Kristen's Helpers
 - Donor: Individual, corporate donors, Planned giving partners
 - Miscellaneous funding sources (one time funders or unexpected support)
- 2 Partner Support: = NRPS/FACS \$125,000**
- 3 Grants, Foundations, Service Clubs \$123,912**
(time-limited and program/project specific/ summer students)

REVENUE SOURCES



Events/campaigns/ planned giving
Partner support: = NRPS/FACS
Grants, Foundations, Service Clubs

EXPENSES



● Administration Operations
● Program

YOUTH PROGRAMMING

Teen Connect Program

Our goal is to inform Niagara's children and youth in grades 7-9 of the caring support services available to them, or someone they know who may be experiencing abuse or being groomed into human trafficking.

Teen Creative

A free, weekly, artist-lead, two hour education and abuse prevention group for youth ages 12-15, who have completed their investigative process.

Cathy's Kids

A second Creative arts group is also available for ages 9-11.

Youth Advisory Council

Provides youth ages 14-17 years old a voice to share their input and participate in various Centre projects and community involvement opportunities.

OUR
**STRATEGIC
PLAN**
INCLUDES...



COLLABORATION



**OUTREACH
TO YOUTH**



**INTERAGENCY
& COMMUNITY
LEARNING**



**CHILD ABUSE
AWARENESS,
PREVENTION
& RESPONSE**





SINCE **OPENING** IN 2008...

- More than **3000** children & youth have found our **safe place** to disclose abuse
- We have grown from hosting 50 to **340** interviews per year
- Children have come from **every municipality** in the Niagara region for investigation support

BENEFITS

for Children and Families

- ✓ Children report being **less scared**
- ✓ Caregivers are **more satisfied** with procedure and investigation
- ✓ CACs refer more children for both **mental health services** and preventative and injury-related **medical exams**



for Professionals & Community

- ✓ When working as investigation teams, professionals **better understand** each other's team roles, improve team results through **case review & fewer children** fall through the cracks
- ✓ At an estimated **savings of 32%**, CAC coordinated investigations are more cost-effective than non CAC run investigations

ABOUT INVESTIGATION



Kristen French
Child Advocacy
Centre Niagara

PUTTING
NIAGARA'S
CHILDREN
& YOUTH
FIRST



Family and Children's
Services Niagara

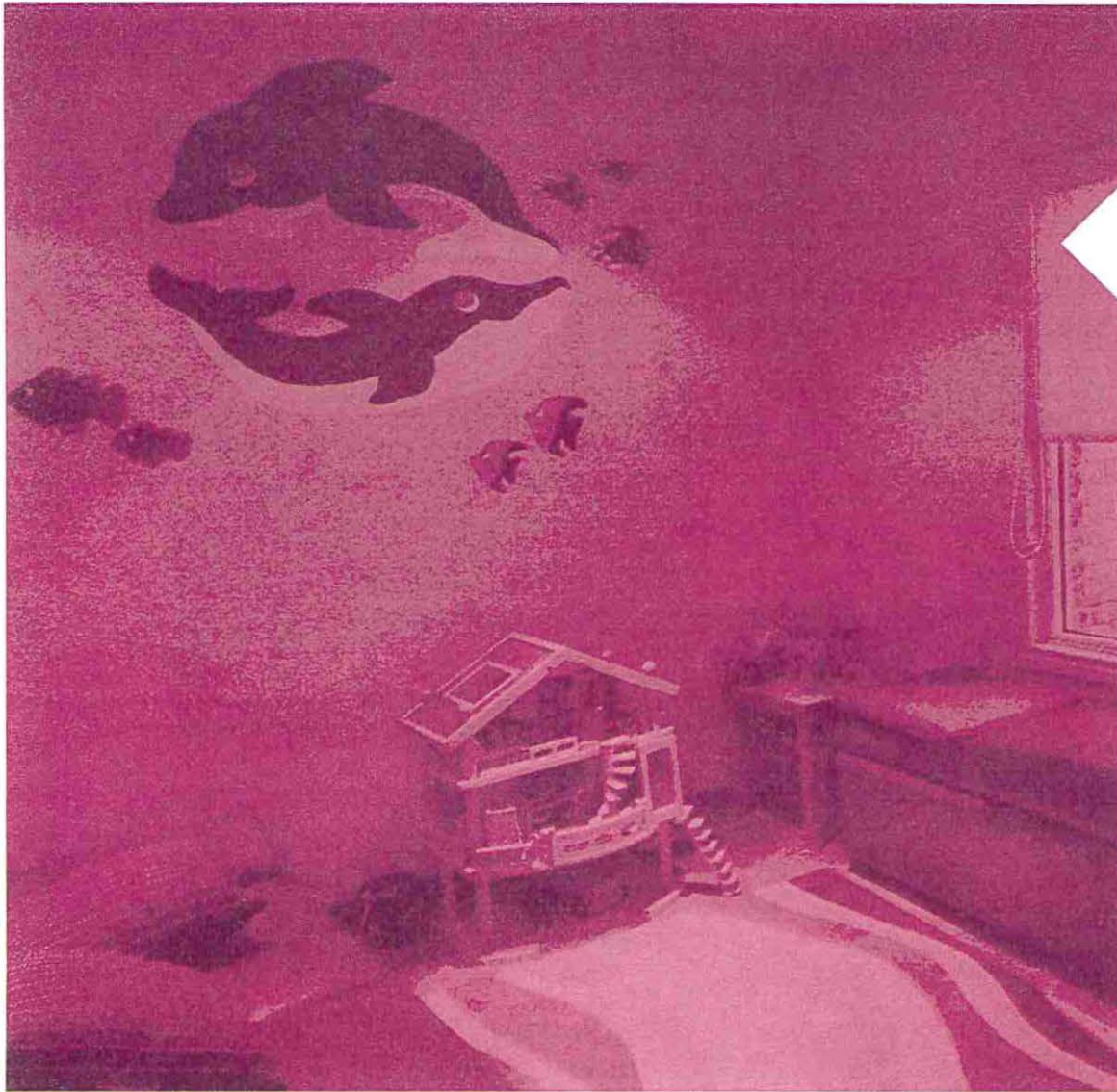
Les Services à la famille
et à l'enfance de Niagara



FCC

Family Counselling
Centre Niagara

Centre de
counseling familial



OUR PURPOSE

- Provide a **non-threatening, child-friendly place** where children and youth feel safe disclosing their abuse experience
- **Minimize the # of times** children must repeat their experience
- To provide a coordinated partners' response that **significantly reduces** the trauma associated with disclosing abuse



Kristen French
Child Advocacy
Centre Niagara

A SAFE PLACE

TO HELP,

HEAL, END

CHILD ABUSE



905.937.5435 / kristenfrenchcacn.org
8 Forster Street, SE, Catharines, ON L2N 1Z9





Report Number: 2019-160

Date: October 28, 2019

Subject: Memorandum of Understanding – Procurement of Goods and Services

1) PURPOSE:

This CAO generated report is prepared to provide Council with an update of the recent Memorandum of Understanding undertaken by the Mayors of Port Colborne, Welland, Thorold, Pelham, and Wainfleet.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

Since the 2018 municipal elections, local Chief Administrative Officers and Mayors have been exploring ways to improve the efficiency and effectiveness of municipal service delivery. Recently, the City of Port Colborne, City of Welland, City of Thorold, Town of Pelham and Township of Wainfleet have entered into a Memorandum of Understanding for the procurement of goods and services.

3) STAFF COMMENTS AND DISCUSSIONS

City staff are charged with the responsibility for administering many programs and services in the most effective and efficient methods possible. To meet that obligation the City can achieve economies of scale by combining purchasing power with other public entities including other municipalities in Niagara. The attached Memorandum of Understanding represents the undertaking of a path forward to explore combined purchasing, joint tenders and requests for proposals, and shared services initiatives. It is hoped that other municipalities in Niagara will join the initial group of municipalities that have entered into this agreement.

Staff will be guided by the Memorandum of Understanding in the execution of their daily duties.

Staff recommend that Council ratify the attached Memorandum of Understanding that has been executed by the Mayors of the municipalities of Port Colborne, Welland, Thorold, Pelham, and Wainfleet.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

Not applicable.

b) Other Options

Not applicable.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Not Applicable.

6) ATTACHMENTS

Appendix "A" – Memorandum of Understanding – Procurement of Goods and Services.

7) RECOMMENDATION

That Council ratify the Memorandum of Understanding attached to this report as Appendix "A".

8) SIGNATURES

Prepared on October 19, 2019 and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

MEMORANDUM OF UNDERSTANDING

BETWEEN

CORPORATION OF CITY OF WELLAND

CITY OF THOROLD

TOWN OF PELHAM

CITY OF PORT COLBORNE

TOWNSHIP OF WAINFLEET

RE. Procurement of Goods and Services.

Welland, Thorold, Pelham, Port Colborne and Wainfleet are members of the Niagara Public Purchasing Committee (NPPC) which is comprised of government, education, and health organizations from across the Niagara Region. The objective of this co-operative purchasing program is to derive the maximum value from each dollar spent, through co-operation and Professional Purchasing Procedures. Co-operative purchasing is a technique whereby a number of authorities agree, jointly, to invite quotations or tenders on selected commodities and services.

Each year, municipalities purchase goods and services such as vehicles, equipment, road salt, copy paper, toner cartridges and computers. As municipal budgets continue to be overextended to fund core programs and services, innovative ways need to be determined to reduce costs and to find savings.

Through this MOU, efforts will be made to jointly procure goods and services where it is mutually beneficial to signing municipalities. The intent is that by combining our requirements we will have enough critical mass to obtain better pricing.

In order to achieve or facilitate this, joint requests for proposals, tendered documents, etc. will be issued when opportunities to do so are appropriate.

Senior staff from the five municipalities will meet and decide on which goods or services to be procured jointly.

Re. Shared Services

Service capacity and demand for services vary from municipality to municipality. Some municipalities do not have sufficient demand to justify staffing to provide a service while other municipalities may have staff capacity and expertise to share.

Through this MOU efforts will be made to identify where opportunities exist to share services. Service capacity and demand amongst municipalities will be analyzed.

MOU is contingent on ratification by our Councils.

Dated this _____ day of _____, 2019

CORPORATION OF CITY OF WELLAND

THE CITY OF THOROLD

TOWN OF PELHAM

CITY OF PORT COLBORNE

TOWNSHIP OF WAINFLEET

Frank Campion, Mayor
City of Welland



Terry Ugolini, Mayor
City of Thorold



Marvin, Junkin, Mayor
Town of Pelham



Bill Steele, Mayor
City of Port Colborne



Kevin Gibson, Mayor
Township of Wainfleet



Report Number: 2019-142

Date: October 28, 2019

SUBJECT: Oil Mill Creek Municipal Drain - Appointment of Engineer

1) PURPOSE

This report prepared by Alana Vander Veen, Drainage Superintendent has been authorized by Chris Lee, Director of Engineering & Operations. The purpose of this report is to provide Council with information related to the appointment of an Engineer and the preparation of a new Engineer's Report, under the Drainage Act R.S.O. 1990, for the repair and improvement of the Oil Mill Creek Municipal Drain, and requisite actions.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

City records indicate the Oil Mill Creek Drain was constructed under a report written by George Ross dating back to May 30, 1888, however, no plans are on record for this report. Through the years, the Oil Mill Creek report has been rewritten several times with the most recent report for this drainage system prepared in 2000 by K. Smart Associates Limited of Kitchener, Ontario. The purpose of that report was an update to correct erosion problems in the area south of Vimy Ridge Road, the original open channel was to be converted to the piped system from the north side of Vimy Ridge Road south to the termination of that pipe at the lakefront. The 2000 report also incorporated the revisions to the current assessment schedules.

3) STAFF COMMENTS AND DISCUSSIONS

Over the past number of years and with the recent increase in water levels in Lake Erie it is becoming increasingly difficult to drain the watershed of the Oil Mill Creek. Staff contracted a cleaning of the main branch, the west branch as well as branch E1, E2 and E3 this past winter and portions of this have yet to be completed. Although this maintenance has provided great relief to many areas of the watershed, it still does not provide enough outlet for the remainder of the watershed. The subdivision in the upper watershed has great difficulties draining. It is noted by viewing the plan and profiles that greater slopes can be achieved, or a potential new location for some of the branches to be redirected south rather than west, which could offer assistance to the low-lying lands along Vimy Ridge Road and potentially eliminating a great deal of flooding the existing flooding in this area.

The City of Port Colborne owns the largest piece of land within this watershed and, due to the size of this parcel known as Centennial Park, there is plenty of land that avails itself to allow for the creation of wet lands that would not only provide a water quality feature but also provide for storage of run off during high flows of snow melt and rain.

In addition to the design of the drain, there have been a number of severances since the most recent report. These have been accounted for under a Drainage Apportionment Agreements, Section 65(5) of the Drainage Act R.S.O. 1990, however these were done by the Drainage Superintendent, not an Engineer of record.

In viewing the outlet structure of the drain, it lends itself to the idea that a pump was once operational to assist the low-lying lands of the drain. When the gate is maintained by the clearing of the sands from prevailing wind storms, the system acts as a closed system preventing the watershed from the rising waters; however, there is no protection for the watershed should it experience a great deal of rain. It is a request of staff that the appointed Engineer review the requirement/necessity for the reimplementation of a gauge and pumping system.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

The possibility of using the existing report is viable and Council may choose to turn down this proposal and continue to operate/maintain the drain under the conditions and detail found in the existing report.

b) Other Options

Proceed forward with the appointment of a new Engineer to investigate other avenues of drainage and water quality with this system. An up to date report provides for an effective drain maintenance and roadside ditching program, which in turn will reduce overall costs, providing ratepayers with a reasonable level of service.

At this stage the City will be expected to finance the engineering fees. These fees will be held by the City until the time of completion of the Engineer's report and completion of construction. At that time, the expenses can be invoiced to properties in the watershed according to the adopted assessment schedules. Like all Municipal Drains, there will be an assessment to the City of Port Colborne for the proportionate share of roads and any City-owned properties.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Municipal Drain Maintenance Strategic Planning is currently under review. This project is in compliance with all City legislative requirements.

6) ATTACHMENTS

Attachment A - Plan of Oil Mill Creek Municipal Drain.

7) RECOMMENDATION

That the Council of the City of Port Colborne receives Report 2019-142 with respect to the Oil Mill Creek Drain Engineer Appointment as information; and

That Paul Marsh P. Eng. of EWA Engineering Ltd. be appointed under Section 8 of the Drainage Act, Chapter D.17 R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Oil Mill Creek Drain.

8) SIGNATURES

Prepared on October 18, 2019

Reviewed by:



Alana Vander Veen
Drainage Superintendent

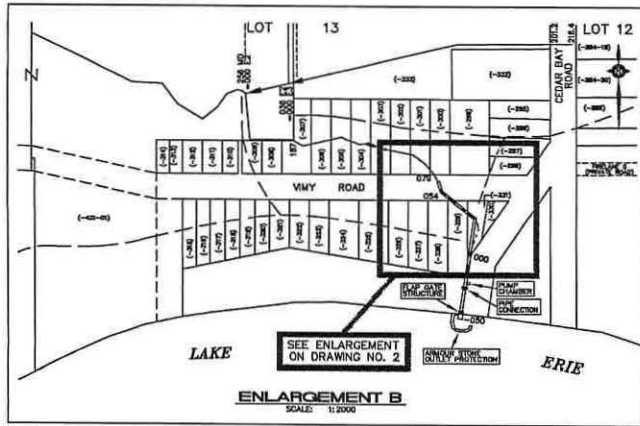


Chris Lee
Director, Engineering & Operations

Reviewed and respectfully submitted by:

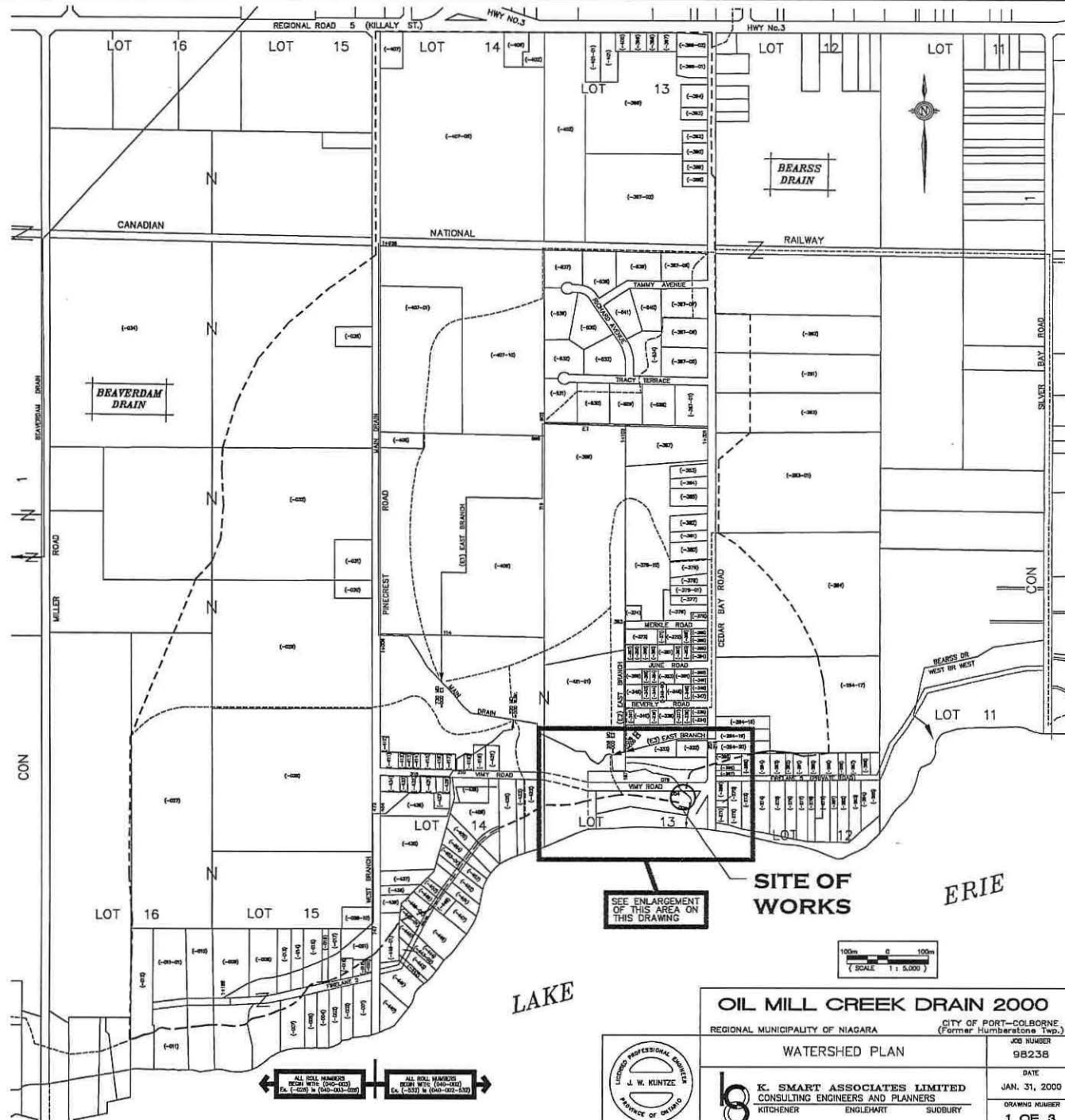


C. Scott Luey
Chief Administrative Officer



PLAN LEGEND

- MAJOR WATERSHED
- - - INTERMEDIATE WATERSHED
- - - PROPOSED DRAIN WORK
- - - OTHER DRAIN
- BUSH
- DENOTES PROPERTY OWNERSHIP ON BOTH SIDES OF LOT LINE
- ① APPROPRIATE RECTANGLES BY WATERSHED
- (040-000-40) ASSESSMENT ROLL NUMBER
- ACCESS



OIL MILL CREEK DRAIN 2000
REGIONAL MUNICIPALITY OF NIAGARA
CITY OF PORT-COLBORNE (Former Humbertons Twp.)
JOB NUMBER 98238
DATE JAN. 31, 2000
DRAWING NUMBER 1 OF 3

WATERSHED PLAN

K. SMART ASSOCIATES LIMITED
CONSULTING ENGINEERS AND PLANNERS
KITCHENER ENGLEHART SUDBURY

J. W. KUNTZE
LICENSED PROFESSIONAL SURVEYOR
PROVINCE OF ONTARIO

Report Number: 2019-143

Date: October 28, 2019

SUBJECT: Point Abino Municipal Drain - Appointment of Engineer

1) PURPOSE

This report prepared by Alana Vander Veen, Drainage Superintendent has been authorized by Chris Lee, Director of Engineering & Operations. The purpose of this report is to provide Council with information related to the appointment of an Engineer and the preparation of a new Engineer's Report, under Section 78 of the Drainage Act R.S.O. 1990, for the repair and improvement of the Point Abino Municipal Drain, and requisite actions.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The Point Abino Municipal Drain is characterized as a slow system with percentage slope ranging from flat or below lake level to its greatest slope of 0.12%. The drain is approximately 4728 m long, servicing an area of approximately 741 ha of which approximately 280 ha of this is within the boundary of City of Port Colborne with the remainder of the watershed in the Town of Fort Erie where the drain outlets in Abino Bay of Lake Erie.

The oldest records on the existence of the Point Abino Drain in Port Colborne date back to 1892. Over the years the drain has changed configuration, has experimented with a number of different outlets, some of which have failed due to placement location on Lake Erie or due to other levels of government, eliminating what was believed to be a roadside ditch. Other significant changes to this water shed include the alteration of the watershed limit and the largest factor being the development from passive land to active residential.

This watershed has undergone several reports with the most recent report completed by Planco Engineering Limited in May of 1996 and adopted under By-law 3369/99/96. This report looked specifically at the implementation of a proposed pumping station at Point Abino Road however, this pump station was either never installed, or has since been removed. Although the 1996 Report is the current report, it was not a complete report including neither full assessment schedules nor drawings. Those items can be found in an earlier 1980 report by C. J. Clarke, which included detailed field investigation, allowing for the preparation of all necessary plans, profiles, assessments, etc.

According to existing records, a tender was issued for the cleaning of the drain in 1997 and spot maintenance has occurred since then. In the spring of 2019, the City of Port Colborne section of the drain from Pleasant Beach Road easterly to Holloway Bay Road underwent maintenance that included the removal of fallen trees and obvious blockages however no additional maintenance took place.

3) STAFF COMMENTS AND DISCUSSIONS

Prior to 2007, the requirement for a new report on this drainage system was acknowledged. Several discussions between the Town of Fort Erie and the City of Port Colborne's Drainage Superintendents took place, yet there has been no action to date.

As stated above, previous outlets for this drain, since removed from the system, have affected the amount and efficiency of runoff from the watershed. One of these outlets was located just east of Holloway Bay Road through what is now known as Marcy's Woods. This outlet installed by hand in the 1920's was damaged severely in the first couple of years of existence. The Outlet was on the westerly side of the point into the lake, which is also the worst side for prevailing winds. Another outlet still in existence is that which is located on the south limit of the property known as 634 Point Abino Road, The pipe is still intact and is visible at the lake's edge in aerial photography. The issue with this location is the runoff cannot get to the outlet. Other forces filled in the channel upstream of this culvert some time ago. What was once a large open channel running on the west side of Point Abino Road is now nonexistent.

Another requirement for the updating of this report is the assessment schedule. The original assessment schedule became out of date and ineffective through the development and creation of every severed parcel. This development has not only affected the assessments but it has also affected the amount of runoff experienced on the drain.

Over the last few years, there have been several enquiries, from the residents of the watershed in both the Town of Fort Erie and the City of Port Colborne. The concerns expressed are as follows; the lack of maintenance on the entirety of the drainage system, the defunct flap gate at the outlet, the amount of beaver dams that are stopping flow, and the water quality. In the most recent months, residents have experienced localized flooding in the lower reaches of the drain because of the recent high lake levels. It is recognized by several of these owners that their parcels are at or below lake level however due to development of these areas, it is the duty of staff both in Fort Erie and Port Colborne to ensure that the these lands be protected through the Drainage Act.

On September 9, 2019, issued to the Town of Fort Erie was a Notice of Request for Drain Maintenance and/or Repair through Section 79(1) of the Drainage Act. Section 78(2) of the Act states that an Engineer shall not be appointed until 30 days after a notice advising of the proposed drainage works has been sent to each Conservation Authority that has jurisdiction over any of the lands what would be affected. On September 12, 2019, a letter was sent to the appropriate authorities of the intent to move forward with this appointment.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

For this particular municipal drain, this is not a possibility.

b) Other Options

Proceed with the appointment of a new Engineer to investigate other avenues of drainage and water quality with this system. An up to date report provides for an effective drain maintenance and roadside ditching program, which in turn will reduce overall costs, providing ratepayers with a reasonable level of service.

At this stage the City will be expected to finance the Engineering Fees. These fees will be held by the City until the time of completion of the Engineer's report and completion of construction. At that time, the expenses can be invoiced to the properties within the watershed according to the adopted assessment schedules. Like all Municipal Drains, there will be an assessment to the City of Port Colborne for the proportionate share of roads and any City-owned properties.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Municipal Drain Maintenance Strategic Planning is currently under review. This project complies with all City legislative requirements.

6) ATTACHMENTS

Attachment A - Plan of Point Abino Municipal Drain and Watershed.

7) RECOMMENDATION

That the Council of the City of Port Colborne receives Report 2019-143 with respect to the Point Abino Drain Engineer Appointment as information; and

That Paul Marsh P. Eng. of EWA Engineering Ltd. be appointed under Section 8 of the Drainage Act, R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, R.S.O. 1990, related to the Point Abino Municipal Drain.

8) SIGNATURES

Prepared on October 18, 2019



Alana Vander Veen
Drainage Superintendent

Reviewed by:

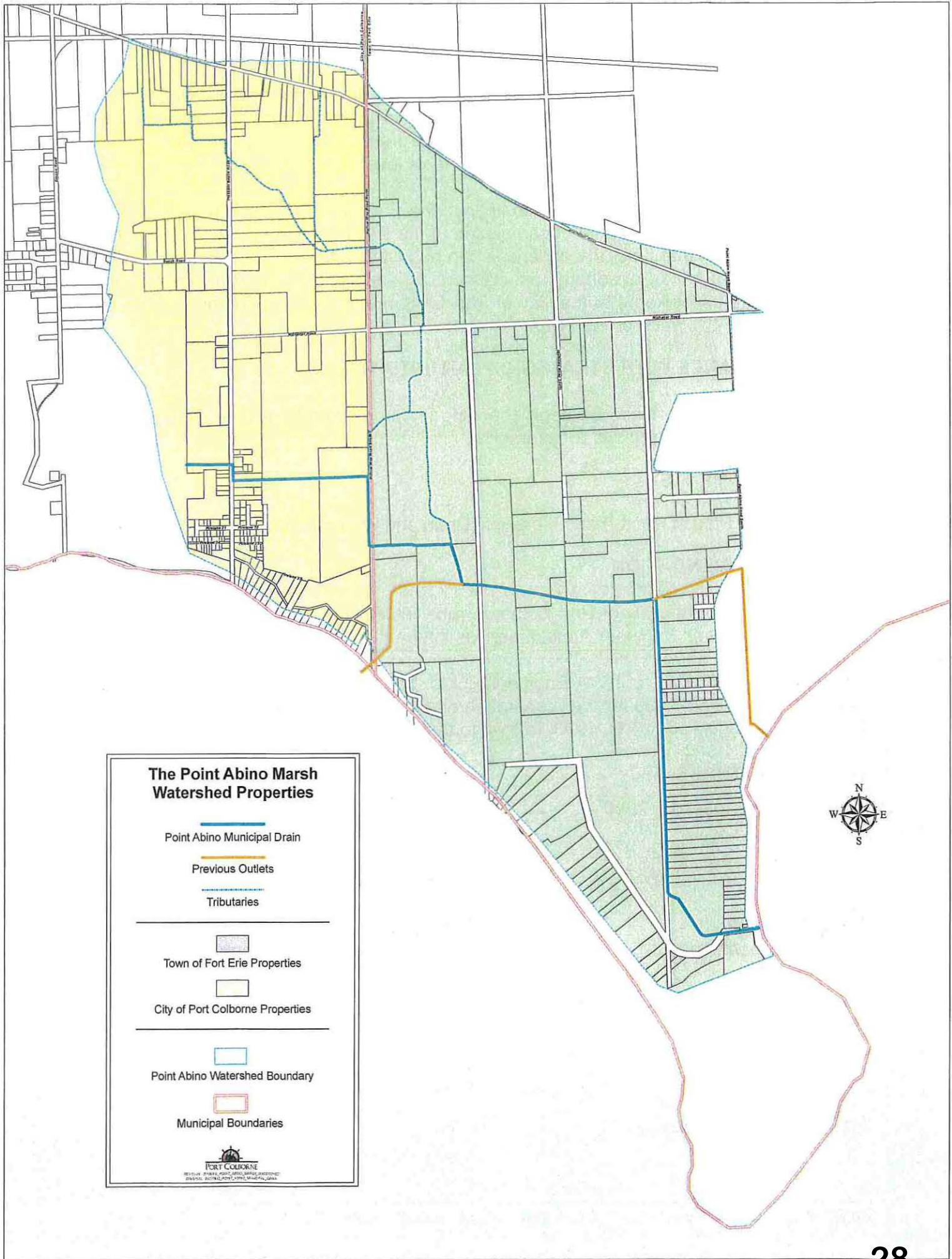


Chris Lee
Director, Engineering & Operations




Reviewed and respectfully submitted by:







C. Scott Luey
Chief Administrative Officer




The Point Abino Marsh Watershed Properties

-  Point Abino Municipal Drain
-  Previous Outlets
-  Tributaries

-  Town of Fort Erie Properties
-  City of Port Colborne Properties

-  Point Abino Watershed Boundary
-  Municipal Boundaries


 PORT COLBORNE
 REGION OF BRANT, BRANT COUNTY, BRANT PARISH, BRANT COUNTY
 BRANT COUNTY, BRANT COUNTY, BRANT COUNTY, BRANT COUNTY

Report Number: 2019-156

Date: October 28, 2019

SUBJECT: Biederman Municipal Drain - Appointment of Engineer

1) PURPOSE

This report prepared by Alana Vander Veen, Drainage Superintendent has been authorized by Chris Lee, Director of Engineering & Operations. The purpose of this report is to provide Council with information related to the appointment of an Engineer and the preparation of a new Engineer's Report, under Section 78 of the Drainage Act R.S.O. 1990, for the repair and improvement of the Biederman Municipal Drain, and requisite actions.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES

The Beiderman Municipal Drain is characterized as a slow system with percentage slope on average of 0.054%. The drain, according to the current report, is approximately 6700 m long, and services an undeterminable area. Although this is a shared drainage system with Wainfleet, the outlet of the drain is the Welland Canal.

The oldest records on the existence of the Biederman Drain in Port Colborne date back to 1901. Over the years, the drain has changed configuration and has appeared to have moved its outlet further to the south than shown on original drawings. Another significant change to this watershed includes the development of the subdivision known as Meadow Heights.

This watershed has undergone a few new reports with the most recent report completed by R. V. Anderson Associates Limited in March of 1979 and adopted under By-law 950/21/80. This report looked specifically at the inclusion of an area of land that previously drained to the Eagle Marsh Drain and another area north of Barrick Road and west of Elm Street.

Spot cleaning and removal of nuisance animals has occurred on this drain however, there are no indications that the drain has undergone a complete maintenance since the last report and subsequent construction.

3) STAFF COMMENTS AND DISCUSSIONS

Although a relatively large watershed, there are very few concerns with the overall functionality of the Biederman Drain. The outlet of the drain lies within the inactive section of the Welland Canal and due to the depth of the drain and the constant flow from the Wainfleet Bog the drain is always flowing and has relatively consistent water levels that extend back to the bog.

In the beginning of the 1980s, the subdivision currently know as Meadow Heights was developed. A portion of this development took place within the watershed limit and

under this development the requirement for a new report was imminent. A report under Section 76 of the Drainage Act should have taken place to implement these changes however, this was never done and assessments, although minimal, for this watershed have not been charged properly since.

Waterford Sand and Gravel Quarry in Wainfleet is an active quarry and over the duration and expansion of the quarry operations the excavation has changed the limit of the watershed again necessitating the requirement for a new report. Currently all the runoff within the quarry is pumped from the south limit of quarry and flows to the Eagle Marsh Drain. Due to the existing pumping scheme of the Eagle Marsh Drain and the impact of the quarry being pumped to the north, the Biederman Drain will be studied to see if this is viable. Financially this makes sense as this will eliminate the necessity to pump the water twice.

To be effective in drain maintenance, a full up-to-date report is required. The current report does not offer details such as working sides of the drain nor the access routes to maintain this drain. The benefits to establishing a work side of a drain minimizes the conflict between staff and property owner making for a better working relationship.

On September 12, 2019, a letter was sent to the appropriate authorities of the intent to move forward with this appointment as a requirement of Section 6 of the Act.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

a) Do nothing.

For this municipal drain, this is a possibility, however not the recommendation as it is a requirement of Ontario Municipal Agriculture and Rural Affairs (OMAFRA) to keep up to date reports.

b) Other Options

Proceed forward with the appointment of a new Engineer to define the watershed limits of this drain and prepare a new report complete with assessment schedules. An up to date report provides for an effective drain maintenance and roadside ditching program, which in turn will reduce overall costs, providing ratepayers with a reasonable level of service.

At this stage the City will be expected to finance the Engineering Fees. These fees will be held by the City until the time of completion of the Engineer's report and completion of construction. At that time, the expenses can be invoiced to properties in the watershed according to the adopted assessment schedules. Like all Municipal Drains, there will be an assessment to the City of Port Colborne for the proportionate share of roads and any City-owned properties.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

Municipal Drain Maintenance Strategic Planning is currently under review. This project complies with all City legislative requirements.

6) ATTACHMENTS

7) RECOMMENDATION

That the Council of the City of Port Colborne receives Report 2019-156 with respect to the Biederman Drain Engineer Appointment as information; and

That Brandon Widner, P. Eng. of Spriet Associates Engineers & Architects be appointed under Section 8 of the Drainage Act, R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, R.S.O. 1990, related to the Biederman Municipal Drain.

8) SIGNATURES

Prepared on October 18, 2019

Reviewed by:



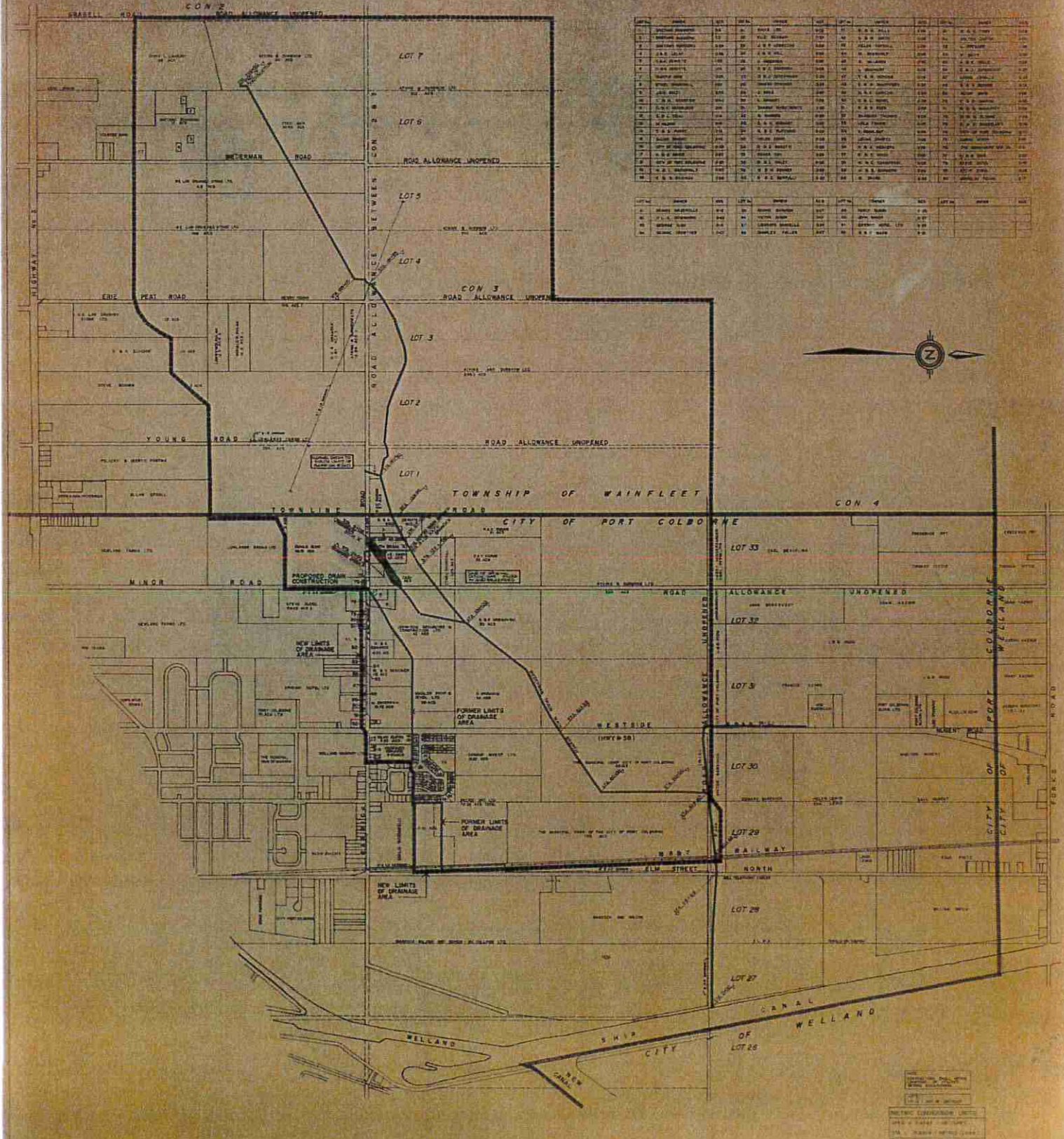
Alana Vander Veen
Drainage Superintendent

Chris Lee
Director, Engineering & Operations

Reviewed and respectfully submitted by:



C. Scott Luey
Chief Administrative Officer



LOT#	OWNER	ACRES	AREA	OWNER	ACRES	AREA	OWNER	ACRES	AREA		
1	BRIDGEMAN	2.5	105,000	2	BRIDGEMAN	2.5	105,000	3	BRIDGEMAN	2.5	105,000
4	BRIDGEMAN	2.5	105,000	5	BRIDGEMAN	2.5	105,000	6	BRIDGEMAN	2.5	105,000
7	BRIDGEMAN	2.5	105,000	8	BRIDGEMAN	2.5	105,000	9	BRIDGEMAN	2.5	105,000
10	BRIDGEMAN	2.5	105,000	11	BRIDGEMAN	2.5	105,000	12	BRIDGEMAN	2.5	105,000
13	BRIDGEMAN	2.5	105,000	14	BRIDGEMAN	2.5	105,000	15	BRIDGEMAN	2.5	105,000
16	BRIDGEMAN	2.5	105,000	17	BRIDGEMAN	2.5	105,000	18	BRIDGEMAN	2.5	105,000
19	BRIDGEMAN	2.5	105,000	20	BRIDGEMAN	2.5	105,000	21	BRIDGEMAN	2.5	105,000
22	BRIDGEMAN	2.5	105,000	23	BRIDGEMAN	2.5	105,000	24	BRIDGEMAN	2.5	105,000
25	BRIDGEMAN	2.5	105,000	26	BRIDGEMAN	2.5	105,000	27	BRIDGEMAN	2.5	105,000
28	BRIDGEMAN	2.5	105,000	29	BRIDGEMAN	2.5	105,000	30	BRIDGEMAN	2.5	105,000
31	BRIDGEMAN	2.5	105,000	32	BRIDGEMAN	2.5	105,000	33	BRIDGEMAN	2.5	105,000

LOT#	OWNER	ACRES	AREA	OWNER	ACRES	AREA	OWNER	ACRES	AREA		
1	BRIDGEMAN	2.5	105,000	2	BRIDGEMAN	2.5	105,000	3	BRIDGEMAN	2.5	105,000
4	BRIDGEMAN	2.5	105,000	5	BRIDGEMAN	2.5	105,000	6	BRIDGEMAN	2.5	105,000
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10	BRIDGEMAN	2.5	105,000	11	BRIDGEMAN	2.5	105,000	12	BRIDGEMAN	2.5	105,000
13	BRIDGEMAN	2.5	105,000	14	BRIDGEMAN	2.5	105,000	15	BRIDGEMAN	2.5	105,000
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19	BRIDGEMAN	2.5	105,000	20	BRIDGEMAN	2.5	105,000	21	BRIDGEMAN	2.5	105,000
22	BRIDGEMAN	2.5	105,000	23	BRIDGEMAN	2.5	105,000	24	BRIDGEMAN	2.5	105,000
25	BRIDGEMAN	2.5	105,000	26	BRIDGEMAN	2.5	105,000	27	BRIDGEMAN	2.5	105,000
28	BRIDGEMAN	2.5	105,000	29	BRIDGEMAN	2.5	105,000	30	BRIDGEMAN	2.5	105,000
31	BRIDGEMAN	2.5	105,000	32	BRIDGEMAN	2.5	105,000	33	BRIDGEMAN	2.5	105,000



MD 18

MD-18

ANDERSON ASSOCIATES

32

Report Number: 2019-155

Date: October 28, 2019

SUBJECT: Planning Budget Tasks

1) PURPOSE:

The purpose of this report to have Council consider planning consultation.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES:

On July 22, 2019, following a motion by Councillor Wells for a review of the Removal of Topsoil and Placement of Fill By-law, Council resolved the following:

“That the Director of Planning and Development be directed to update By-Law No. 5528/125/10 a by-law to prohibit or regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land within the city of Port Colborne; and

That the review includes the new provincial regulations, recent issues with fill sites, state of the art fill sites, best practices of site alteration techniques and processes and realistic fee structures proportional to the complexity of the application and conditions related to the size and nature of the site in question, and duration of the alteration; and

That staff report back to Council with a recommendation in the winter of 2019; and

That the Director of Planning and Development report back to Council in August 2019 regarding funding availability for consulting services for special projects within the department.”

3) STAFF COMMENTS AND DISCUSSIONS:

The Director of Planning and Development is presently completing the following tasks:

New regulations in the Zoning By-law and policies in the Official Plan regarding Cannabis Production Facilities in response to the Interim Control By-law placed (freeze).

Site alteration permit application by Port Colborne Quarries.

New Development Charges By-law.

Sale of municipal lands.

Meadow Heights Plan of Subdivision Amendment.

Chippawa Estates Plan of Subdivision red line revision.

Department annual activity report.

2020 Department budget proposal.

CIP financial incentive application review.

Earlier this year, Council had directed that an Affordable Housing Strategy be completed for the City and referred its completion to the Director of Planning and

Development.

There were no consulting monies budgeted as part of the 2019 budget process that could have been used to expedite completion of any task.

The Manager of By-law Enforcement was directed to review and update of the Removal of Topsoil and Placement of Fill By-law before the end of the year.

The following estimates are provided for completion:

Affordable Housing Strategy - \$50,000

Review and update to the Removal of Topsoil and Placement of Fill By-law - \$10,000

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

Council can decide not to approve any funding prior to 2020 budget deliberations, increase the consulting amount or decrease it.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES:

N/A

6) ATTACHMENTS:

NA

7) RECOMMENDATION:

That Council authorize \$75,000 to be allocated to the Planning and Development Department for Consulting Services and included in the 2020 budget process.

8) SIGNATURES:

Prepared on October 18, 2019 by:



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

Approved & respectfully submitted by:



C. Scott Luey
Chief Administrative Officer

Report Number: 2019-146

Date: October 28, 2019

SUBJECT: Recommendation Report – Background Study and Development Charges By-law Update

1) PURPOSE:

The purpose of this report is to provide Council and the public with a recommendation regarding the mandatory 5-year update to the Development Charges By-law and underlying background study.

2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES:

The *Development Charges Act* requires municipalities to update their Development Charge By-law every 5 years including a background study and the creation of a new by-law. In April of this year, staff working with the consulting company Watson and Associates began the process of updating the Development Charge By-law and preparing the required Background Study.

The Statutory Public Meeting was held on August 26, 2019. This meeting was advertised in the Leader on July 25, 2019. There was one member of the public who spoke to the Draft Background Study and By-law. Minutes of the Public Meeting are attached as Appendix A to this report.

3) STAFF COMMENTS AND DISCUSSIONS:

Development charges provide for the recovery of growth-related capital expenditures from new development. The *Development Charges Act* (DCA) is the statutory basis to recover these charges. Working with Watson and Associates the Background Study (attached hereto as Appendix B) which includes a draft by-law, has been prepared to satisfy the statutory requirements of the *Development Charges Act, 1997*.

The background study includes the following:

- Overview of the legislative requirements of the Act;
- Review of present development charge policies;
- Summary of the residential and non-residential growth forecasts;
- Approach to calculating the development charge;
- Review of historic service standards and identification of future capital requirements to service growth and related deductions and allocations;
- Calculation of the development charges;
- Development charge policy recommendations and rules; and
- By-law implementation.

Below is a simplified summary of the methodology used in the background study to calculate the development charge:

- 1) Identify amount, type and location of growth;
- 2) Identify servicing needs to accommodate growth;
- 3) Identify capital costs to provide services to meet the needs;
- 4) Deduct:
 - Grants, subsidies and other contributions;
 - Benefit to existing development;
 - Statutory 10% deduction (soft services);
 - Amounts in excess of 10-year historical service calculation;
 - D.C. reserve funds (where applicable).
- 5) Net costs are then allocated between residential and non-residential benefit; and
- 6) Net costs divided by growth to provide the development charge.

The City's Development Charges are currently waived, but would have still equaled \$9,910 (indexed to 2019) for single detached dwelling units for full services and non-residential charges are \$3.65 (indexed to 2019) per sq.ft.

The background study has undertaken a recalculation of the charge based on future identified needs for residential and non-residential. Charges have been provided on a City-wide basis for all services except water and wastewater services, which are provided for urban development. The corresponding single detached unit charge is \$11,419 for full services. The non-residential charge is \$4.10 per square foot of building area for full services. These rates are submitted to Council for consideration.

The DCA requires a summary be provided of the gross capital costs and the net costs to be recovered over the life of the by-law. This calculation is provided by service and a summary of these costs are provided below:

Total gross expenditures planned over the next five years	\$ 6,764,006
Less:	
Benefit to existing development	\$ 5,376,929
Post planning period benefit	\$ 582,528
Ineligible re: Level of Service	\$ -
Mandatory 10% deduction for certain services	\$ 13,350
Grants, subsidies and other contributions	\$ -
Net Costs to be recovered from development charges	\$ 791,199

This suggests that for the non-Development Charge cost (benefit to existing development, mandatory 10% deduction, and the grants, subsidies and other contributions), \$5.39 million (or an annual amount of \$1.08 million) will need to be contributed from taxes and rates, or other sources. With respect to the post period benefit amount of \$0.58 million, it

will be included in subsequent Development Charge study updates to reflect the portion of capital that benefits growth in the post period Development Charge forecasts.

Based on the above table, the City plans to spend \$6.76 million over the next five years, of which \$0.79 million (12%) is recoverable from Development Charges. Of this net amount, \$0.57 million is recoverable from residential development and \$0.22 million from non-residential development. It is noted also that any exemptions or reductions in the charges would reduce this recovery further.

The following City-wide services are calculated based on a long-term (2019-2031) forecast:

- Services Related to a Highway; and
- Fire Protection Services.

All other services are calculated based on a 10-year forecast. These include:

- Outdoor Recreation Services;
- Indoor Recreation Services;
- Library Services;
- Administration – Engineering Studies; and
- Administration – Community Based Studies.

The following are the proposed calculated development charges:

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
City-Wide Services:						
Services Related to a Highway	2,160	1,595	1,557	952	862	1.10
Fire Protection Services	155	114	112	68	62	0.08
Outdoor Recreation Services	305	225	220	134	122	0.02
Indoor Recreation Services	2,999	2,214	2,162	1,322	1,197	0.21
Library Services	163	120	118	72	65	0.01
Engineering Related Studies	267	197	192	118	107	0.13
Community Based Studies	89	66	64	39	36	0.04
Total City-Wide Services	6,138	4,531	4,425	2,705	2,451	1.59
Urban Services						
Wastewater Services	1,593	1,176	1,149	702	636	0.76
Water Services	3,688	2,723	2,659	1,626	1,472	1.75
Total Urban Services	5,281	3,899	3,808	2,328	2,108	2.51
GRAND TOTAL CITY-WIDE	6,138	4,531	4,425	2,705	2,451	1.59
GRAND TOTAL CITY-WIDE + URBAN SERVICES	11,419	8,430	8,233	5,033	4,559	4.10

Public Comments

Heather McDougall of 5474 Firelane 22 addressed Council inquiring whether development charges would affect the water/wastewater services for the rural areas. Mrs. McDougall was advised that evening that they would not be as there are no services in that area of the City.

4) OPTIONS AND FINANCIAL CONSIDERATIONS:

b) Other Options

Council has the following options when it comes to the new Development Charge By-law:

Option 1

Council can choose to phase in the development charge at 20% for each calendar year for the 5 years of the by-law.

Recommended by Senior Staff so the municipality does not have to continue to rely on the overall tax base to provide for the recovery of growth-related capital expenditures from new development. An affordable housing incentive can be considered upon completion of an affordable housing strategy.

Option 2

Council can choose to phase in the development charge at any other percentage for each calendar year for the 5 years of the by-law.

Option 3

Council can choose to waive all development charges for up to a period of 1 to 5 years.

Option 4

Council can choose to waive only residential development charges for up to a period of 1 to 5 years.

Option 5

Council can choose to waive only non-residential development charges for up to a period of 1 to 5 years.

Please note that any changes made to the proposed by-law will require modification from Staff prior to formal approval by Council.

5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES:

Not applicable.

6) ATTACHMENTS:

- Appendix A: Public Meeting Minutes
- Appendix B: Background Study
- Appendix C: Proposed Development Charge By-law

7) RECOMMENDATION:

That Council approve Option 1 as described in Planning and Development Department Report 2019-146; and

That the proposed Development Charges By-law attached as Appendix C to Planning and Development Department Report 2019-146 be brought forward for approval; and

That Staff be directed to prepare the Notice of Passing in accordance with the *Development Charges Act*.

8) SIGNATURES:

Prepared on October 18, 2019 by:



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

Reviewed and Respectfully Submitted:



Scott Luey
Chief Administrative Officer

Reviewed by:



Ashley Grigg
Director of Community and Economic
Development

Reviewed by:



Susan Therrien
Director of Library Services

**City of Port Colborne
Special Council Meeting 24-19
Minutes**

- Date:** August 26, 2019
- Time:** 7:00 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
R. Bodner, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
- Staff Present:** T. Cartwright, Fire Chief
B. Garrett, Director of Corporate Services
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Director of Engineering & Operations
S. Luey, Chief Administrative Officer
H. Mahon, Planning Technician/Clerk (minutes)
C. McIntosh, Deputy Clerk
T. Rogers, Acting Director Planning & Development

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. National Anthem:

Those in attendance stood for O Canada.

3. Confirmation of Agenda:

No. Moved by Councillor R. Bodner
Seconded by Councillor M. Bagu

That the agenda dated August 26, 2019 be confirmed, as circulated or as amended.
CARRIED.

4. Disclosures of Interest:

Nil.

5. Public Hearing Under the Development Charges Act:

- (a) Planning and Development Department, Planning Division, Report 2019-132, Subject: Public Hearing Report – Background Study and Development Charges By-law Update

(i) PURPOSE OF MEETING

Todd Rogers advised that the purpose of this meeting, pursuant to the provisions of Section 12 of the *Development Charges Act*, R.S.O., 1997 is being held to present and obtain public input on the City's proposed Development Charges By-law and underlying background study. The *Development Charges Act* requires municipalities to update their Development Charge By-law every 5 years, including a background study and creation of a new by-law.

(ii) METHOD OF NOTICE

Mr. Rogers advised that Notice of the Public Meeting was administered in accordance with Section 12 of the Development Charges Act R.S.O. 1997.

The Notice of Public Meeting was posted on the City's website and appeared in The Leader on July 25, 2019.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Rogers advised that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2019-132, to receive questions of clarification from Council to the applicant or Planning Staff, to open the meeting to the public for comments and questions, to announce the requirements under the Development Charges Act for written notice of passage of the proposed Background Study and Development Charges By-law update, and to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF BACKGROUND STUDY AND DEVELOPMENT CHARGES

Mr. Rogers introduced Byron Tan, consultant from Watson and Associates Economists Ltd. to provide the Background Study and Development Charges presentation.

Mr. Tan outlined the purpose for the public meeting, format, the study process and timelines through a power point presentation. He noted that the purpose of the development charges is to recover the capital costs associated with residential and non-residential growth within a municipality. Mr. Tan also outlined the limitations on services and provided the methodology for identification applicable to the development charges. Mr. Tan noted the impact of Bill 73 on Port Colborne. He then advised of both mandatory and discretionary exemptions as well as local service policies. He briefly described the relationship between the need to service growth vs. funding and provided a growth forecast and services summary. Mr. Tan also provided illustrated Charts on the current and calculated development charges as well as comparisons between residential and non-residential charges. Mr. Tan then spoke on Bill 108: "More Homes, More Choice: Ontario's Housing Supply Action Plan" and provided a brief overview of the changes to the Development Charges Act. Mr. Tan advised that the next step is the passage of the By-law, which is scheduled for September 23, 2019.

(v) QUESTIONS OF CLARIFICATION TO PLANNING CONSULTANTS

Following Mr. Tan's presentation, Mr. Rogers asked Council if there any questions of clarification to the consultant.

Councillor Bruno questioned Mr. Tan on whether development charges would pertain to the Vale Centre. He questioned how the development charges review affects paid debentures. Mr. Tan spoke of Bill 73 and recommended that Council consider development charges to benefit certain areas such as for water/wastewater/storm rather than for a recreational centre.

Councillor Bruno also questioned Mr. Tan on how the development charges can affect affordable housing. Mr. Tan noted that development charges can be provided for any residential class. Council could choose to exempt certain areas if desired. Exemptions can be done anytime during the 5 year period through a by-law amendment if needed. There was a brief discussion concerning the waiving and phasing in of development charges. Mr. Tan noted that this could be done at Council's discretion such as by 20% over a 5 year period. It was further noted that the by-law amendment could be done internally by staff.

Councillor Beauregard questioned Mr. Tan on how the designated areas were determined. Mr. Tan advised that this had been done in co-ordination

with Planning staff who provided the mapping areas. Councillor Beauregard questioned how it would affect development charges if the growth forecast is incorrect. Mr. Tan responded that if that were the case then the development charges should be revisited. Councillor Beauregard noted that it appears that municipalities with development charges show more growth and questioned whether municipalities without development charges are losing out. Mr. Tan responded that high growth areas could be due to other factors such as proximity to highway corridors or greater hubs. Housing prices could also be a factor. There is not a direct correlation between development charges and growth factor.

Councillor Kalalief questioned Mr. Tan on whether the costs of development charges revert back to the ratepayers if not covered by developers. She noted that some developers profit off the sale of the land without having to absorb the development charges. Mr. Tan advised that the development charges are carried forward to whoever develops the land. Discussion commenced on new builds and infills. Mr. Tan advised that development charges pertain to city-wide areas such as CIP areas and not specific infills. Council could look into this further but it would require some rationale.

(vi) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

Before opening the meeting to the public Mr. Rogers read the following cautionary statements:

“If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Background Study and Development Charges By-law Update is passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to the Local Planning Appeal Tribunal. “

And;

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

Mr. Rogers also advised for any interested members of the public that there is a sign-in sheet to request future notices regarding this application.

At this time Mr. Rogers invited any members of the public who wish to speak to the applications to do so.

Heather McDougall of 5474 Firelane 22 addressed Council. Ms. McDougall questioned whether the development charges would affect the water/wastewater services for the Rural areas. Mr. Tan advised that this would not be included.

(vii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF

Mr. Rogers advised that if anyone wishes "to be notified of the approval of the Background Study and Development Charges By-law Update they must make a written request to the clerk. Only those persons and public bodies that give the clerk a written request for the notice of the adoption and passing of a Background Study and Development Charges By-law Update will be given notice."

(ix) EXPLANATION OF FUTURE MEETINGS -

Mr. Rogers advised that this concludes the PUBLIC HEARING UNDER THE DEVELOPMENT CHARGES ACT. The proposed Background Study and Development Charges By-law Update will be placed on Council's agenda at a future meeting.

6. Adjournment:

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

That the Council meeting be adjourned at approximately 7:50 p.m.
CARRIED.

William C. Steele
Mayor

Amber LaPointe
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm



 **Watson
& Associates**
ECONOMISTS LTD.

Development Charges Background Study

City of Port Colborne

July 24, 2019

Watson & Associates Economists Ltd.
905-272-3600
info@watsonecon.ca

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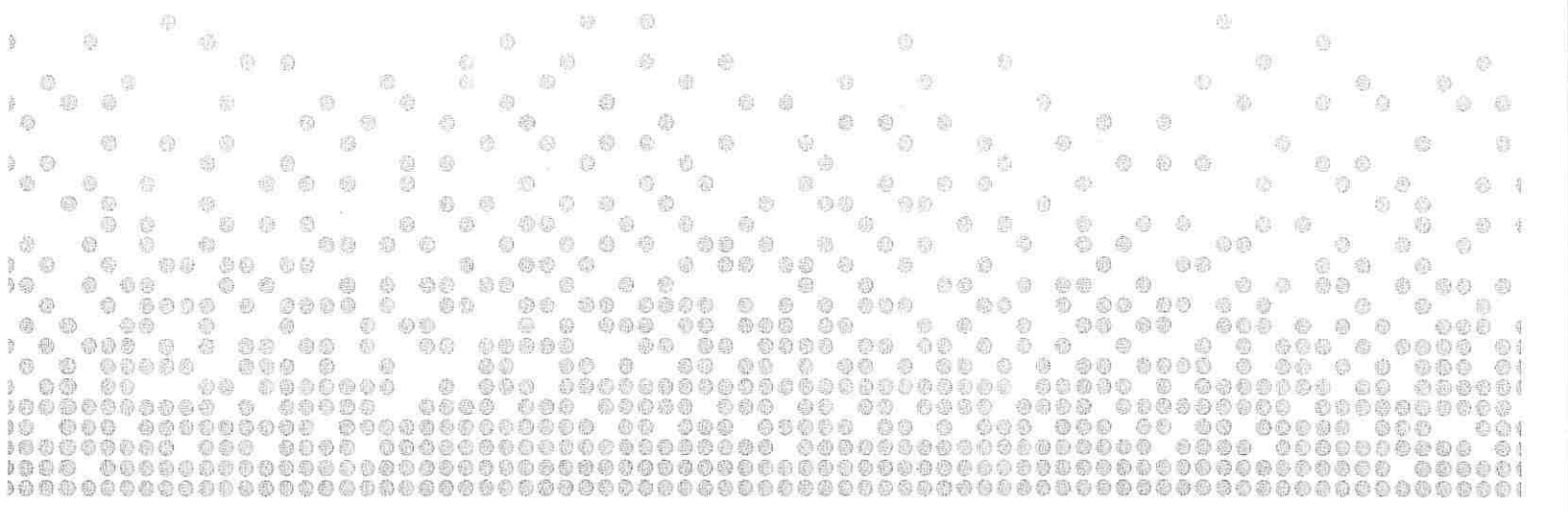
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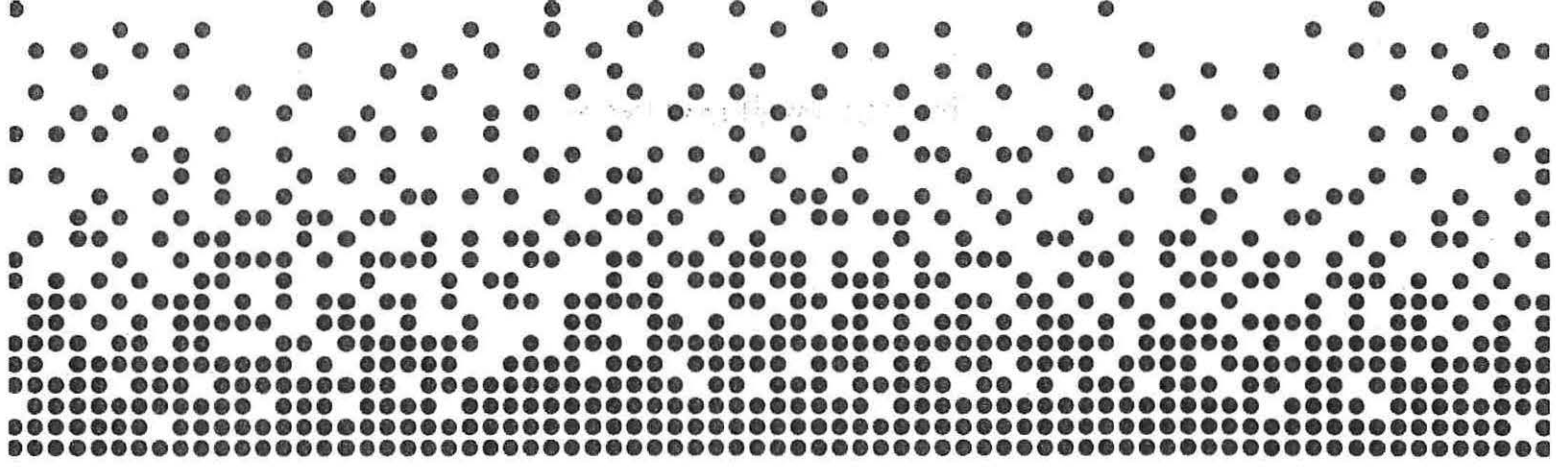
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List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
D.C.	Development charge
D.C.A.	Development Charges Act, 1997, as amended
F.I.R.	Financial Information Return
G.F.A.	Gross floor area
I.J.P.A.	Infrastructure for Jobs and Prosperity Act
L.P.A.T.	Local Planning Appeal Tribunal
N.F.P.O.W.	No Fixed Place of Work
O.M.B.	Ontario Municipal Board
O.P.A.	Official Plan Amendment
O.Reg.	Ontario Regulation
P.O.A.	Provincial Offences Act
P.P.U.	Persons per unit
S.D.E.	Single detached equivalent
S.D.U.	Single detached unit
s.s.	Subsection
S.W.M.	Stormwater management
sq.ft.	square foot
sq.m.	square metre

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Executive Summary

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Executive Summary

1. The report provided herein represents the Development Charges (D.C.) Background Study for the City of Port Colborne required by the Development Charges Act, 1997 (D.C.A.). This report has been prepared in accordance with the methodology required under the D.C.A. The contents include the following:

- Chapter 1 – Overview of the legislative requirements of the Act;
- Chapter 2 – Review of present D.C. policies of the City
- Chapter 3 – Summary of the residential and non-residential growth forecasts for the City;
- Chapter 4 – Approach to calculating the D.C.;
- Chapter 5 – Review of historic service standards and identification of future capital requirements to service growth and related deductions and allocations;
- Chapter 6 – Calculation of the D.C.s;
- Chapter 7 – D.C. policy recommendations and rules; and
- Chapter 8 – By-law implementation.

2. D.C.s provide for the recovery of growth-related capital expenditures from new development. The D.C.A. is the statutory basis to recover these charges. The methodology is detailed in Chapter 4; a simplified summary is provided below:

- 1) Identify amount, type and location of growth;
- 2) Identify servicing needs to accommodate growth;
- 3) Identify capital costs to provide services to meet the needs;
- 4) Deduct:
 - Grants, subsidies and other contributions;
 - Benefit to existing development;
 - Statutory 10% deduction (soft services);
 - Amounts in excess of 10-year historical service calculation;
 - D.C. reserve funds (where applicable);



- 5) Net costs are then allocated between residential and non-residential benefit; and
 - 6) Net costs divided by growth to provide the D.C. charge.
3. A number of changes to the D.C. process need to be addressed as a result of the *Smart Growth for our Communities Act, 2015* (Bill 73). These changes have been incorporated throughout the report and in the updated draft by-law, as necessary. These items include:
- a. Area-rating: Council must consider the use of area-specific charges.
 - b. Asset Management Plan for New Infrastructure: The D.C. background study must include an asset management plan that deals with all assets proposed to be funded, in whole or in part, by D.C.s. The asset management plan must show that the assets are financially sustainable over their full lifecycle.
 - c. 60-day Circulation Period: The D.C. background study must be released to the public at least 60-days prior to passage of the D.C. by-law.
 - d. Timing of Collection of Development Charges: The D.C.A. now requires D.C.s to be collected at the time of the first building permit.
4. The growth forecast (Chapter 3) on which the City-wide D.C. is based, projects the following population, housing and non-residential floor area for the 10-year (2019 to 2028), long-term (2019 to 2031), and urban long-term (2019 to urban 2031) periods.

Measure	10 Year	2031 Forecast	Urban 2031 Forecast
	2019-2028	2019-2031	2019-Urban 2031
(Net) Population Increase	842	1,032	874
Residential Unit Increase	446	540	423
Non-Residential Gross Floor Area Increase (ft ²)	326,900	387,000	369,400

Source: Watson & Associates Economists Ltd. Forecast 2019



5. On September 8, 2014, the City of Port Colborne passed By-law 6131/97/14 under the D.C.A. The by-law imposes D.C.s on residential and non-residential uses and will expire on September 9, 2019. The by-law was later amended on January 26, 2015 to waive all D.C.s within the City. The City is undertaking a D.C. public process and anticipates passing a new by-law, with a mandatory public meeting has been set for August 26, 2019 with adoption of the by-law on September 23, 2019.
6. The City's D.C.s are currently waived, but would have still equaled to \$9,910 (indexed to 2019\$) for single detached dwelling units for full services and non-residential charges are \$3.65 (indexed to 2019\$) per sq.ft. This report has undertaken a recalculation of the charge based on future identified needs (presented in Schedule ES-1 for residential and non-residential). Charges have been provided on a City-wide basis for all services except water and wastewater services, which are provided for urban development. The corresponding single detached unit charge is \$11,419 for full services. The non-residential charge is \$4.10 per square foot of building area for full services. These rates are submitted to Council for its consideration.
7. The D.C.A. requires a summary be provided of the gross capital costs and the net costs to be recovered over the life of the by-law. This calculation is provided by service and is presented in Table 6-5. A summary of these costs is provided below:

Total gross expenditures planned over the next five years	\$ 6,764,006
Less:	
Benefit to existing development	\$ 5,376,929
Post planning period benefit	\$ 582,528
Ineligible re: Level of Service	\$ -
Mandatory 10% deduction for certain services	\$ 13,350
Grants, subsidies and other contributions	\$ -
Net Costs to be recovered from development charges	\$ 791,199

This suggest that for the non-D.C. cost (benefit to existing development, mandatory 10% deduction, and the grants, subsidies and other contributions), \$5.39 million (or an annual amount of \$1.08 million) will need to be contributed from taxes and rates, or other sources. With respect to the post period benefit amount of \$0.58 million, it will be included in subsequent D.C. study updates to reflect the portion of capital that benefits growth in the post period D.C. forecasts.



Based on the above table, the City plans to spend \$6.76 million over the next five years, of which \$0.79 million (12%) is recoverable from D.C.s. Of this net amount, \$0.57 million is recoverable from residential development and \$0.22 million from non-residential development. It is noted also that any exemptions or reductions in the charges would reduce this recovery further.

8. Considerations by Council – The background study represents the service needs arising from residential and non-residential growth over the forecast periods.

The following services are calculated based on an urban long-term (2019-2031) forecast:

- Wastewater Services; and
- Water Services.

The following City-wide services are calculated based on a long-term (2019-2031) forecast;

- Services Related to a Highway; and
- Fire Protection Services.

All other services are calculated based on a 10-year forecast. These include:

- Outdoor Recreation Services;
- Indoor Recreation Services;
- Library Services;
- Administration – Engineering Studies; and
- Administration – Community Based Studies.

Council will consider the findings and recommendations provided in the report and, in conjunction with public input, approve such policies and rates it deems appropriate. These directions will refine the draft D.C. by-law which is appended in Appendix G. These decisions may include:

- adopting the charges and policies recommended herein;
- considering additional exemptions to the by-law;

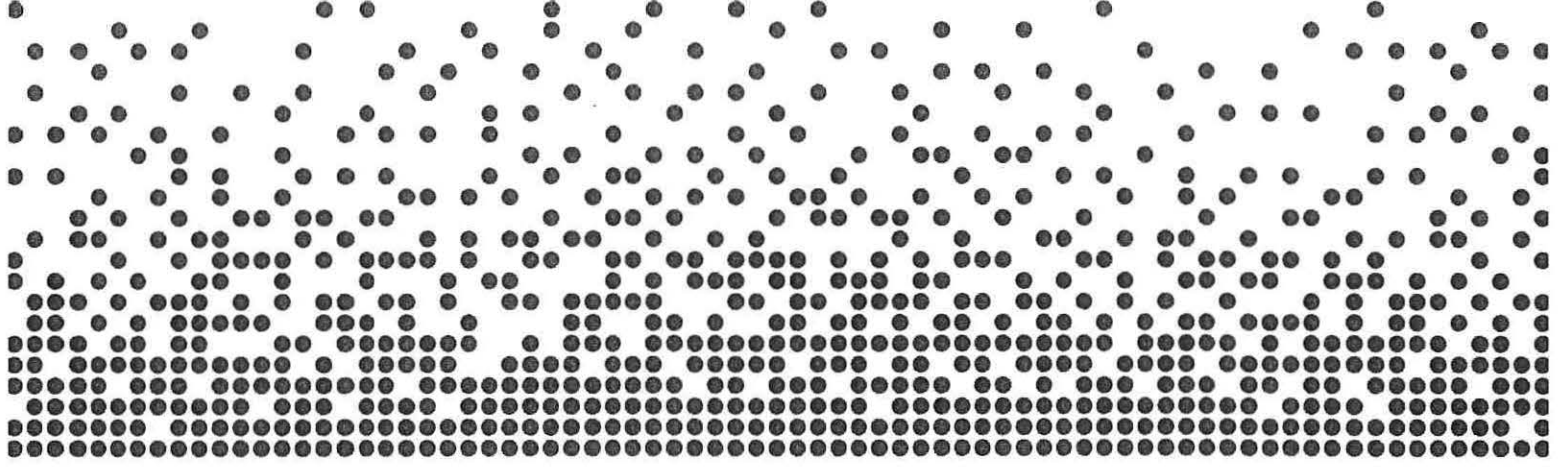


- considering reductions in the charge by class of development (obtained by removing certain services on which the charge is based and/or by a general reduction in the charge); and
- considering phasing in of the charges.



Table ES-1
Schedule of Development Charges

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
City-Wide Services:						
Services Related to a Highway	2,160	1,595	1,557	952	862	1.10
Fire Protection Services	155	114	112	68	62	0.08
Outdoor Recreation Services	305	225	220	134	122	0.02
Indoor Recreation Services	2,999	2,214	2,162	1,322	1,197	0.21
Library Services	163	120	118	72	65	0.01
Engineering Related Studies	267	197	192	118	107	0.13
Community Based Studies	89	66	64	39	36	0.04
Total City-Wide Services	6,138	4,531	4,425	2,705	2,451	1.59
Urban Services						
Wastewater Services	1,593	1,176	1,149	702	636	0.76
Water Services	3,688	2,723	2,659	1,626	1,472	1.75
Total Urban Services	5,281	3,899	3,808	2,328	2,108	2.51
GRAND TOTAL CITY-WIDE	6,138	4,531	4,425	2,705	2,451	1.59
GRAND TOTAL CITY-WIDE + URBAN SERVICES	11,419	8,430	8,233	5,033	4,559	4.10



Report

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Chapter 1

Introduction

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1. Introduction

1.1 Purpose of this Document

This background study has been prepared pursuant to the requirements of the D.C.A. (s.10) and, accordingly, recommends new D.C.s and policies for the City of Port Colborne.

The City retained Watson & Associates Economists Ltd. (Watson), to undertake the D.C.s (D.C.) study process throughout mid 2018 to 2019. Watson worked with City staff in preparing the D.C. analysis and policy recommendations.

This D.C. background study, containing the proposed D.C. by-law, will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the study's recommendations and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the City's D.C. background study, as summarized in Chapter 4. It also addresses the requirement for "rules" (contained in Chapter 7) and the proposed by-law to be made available as part of the approval process (included as Appendix G).

In addition, the report is designed to set out sufficient background on the legislation (Chapter 4), Port Colborne's current D.C. policies (Chapter 2) and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved.

Finally, it addresses post-adoption implementation requirements (Chapter 8) which are critical to the successful application of the new policy.

The Chapters in the report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge. A full discussion of the statutory requirements for the preparation of a background study and calculation of a D.C. is provided herein.



1.2 Summary of the Process

The public meeting required under Section 12 of the D.C.A., has been scheduled for August 26, 2019. Its purpose is to present the study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology and the proposed modifications to the City's D.C.s.

In accordance with the legislation, the background study and proposed D.C. by-law will be available for public review on July 24, 2019.

The process to be followed in finalizing the report and recommendations includes:

- consideration of responses received prior to, at, or immediately following the Public Meeting; and
- finalization of the report and Council consideration of the by-law subsequent to the public meeting.

Figure 1-1 outlines the proposed schedule to be followed with respect to the D.C. by-law adoption process.

Figure 1-1
Schedule of Key D.C. Process Dates for the City of Port Colborne

1. Data collection, staff review, engineering work, D.C. calculations and policy work	July 2018 to May 2019
2. Background study and proposed by-law available to public	July 24, 2019
3. Public meeting advertisement placed in newspaper(s)	No later than August 5, 2019
4. Public meeting of Council	August 26, 2019
5. Council considers adoption of background study and passage of by-law	September 23, 2019
6. Newspaper notice given of by-law passage	By 20 days after passage
7. Last day for by-law appeal	40 days after passage
8. City makes pamphlet available (where by-law not appealed)	By 60 days after in force date



1.3 Changes to the D.C.A.: *Smart Growth for our Communities Act, 2015 (Bill 73)*

With the amendment of the D.C.A. (as a result of Bill 73 and O.Reg. 428/15), there are a number of areas that must be addressed to ensure that the City is in compliance with the D.C.A., as amended. The following provides an explanation of the changes to the Act that affect the City's Background Study and how they have been dealt with to ensure compliance with the amended legislation.

1.3.1 *Area Rating*

Bill 73 has introduced two new sections where Council must consider the use of area-specific charges:

- 1) Section 2(9) of the Act now requires a municipality to implement area-specific D.C.s for either specific services which are prescribed and/or for specific municipalities which are to be regulated. (Note that at this time, no municipalities or services are prescribed by the Regulations.)
- 2) Section 10(2)c.1 of the D.C.A. requires that, "the development charges background study shall include consideration of the use of more than one development charge by-law to reflect different needs for services in different areas."

In regard to the first item, there are no services or specific municipalities identified in the regulations which must be area-rated. The second item requires Council to consider the use of area rating.

1.3.2 *Asset Management Plan for New Infrastructure*

The new legislation now requires that a D.C. background study must include an Asset Management Plan (s.10 (2) c.2). The asset management plan must deal with all assets that are proposed to be funded, in whole or in part, by D.C.s. The current regulations provide very extensive and specific requirements for the asset management plan related to transit services; however, they are silent with respect to how the asset management plan is to be provided for all other services. As part of any asset management plan, the examination should be consistent with the municipality's existing assumptions, approaches and policies on asset management planning. This



examination may include both qualitative and quantitative measures such as examining the annual future lifecycle contributions needs (discussed further in Appendix F of this report).

1.3.3 60-Day Circulation of D.C. Background Study

Previously the legislation required that a D.C. background study be made available to the public at least two weeks prior to the public meeting. The amended legislation now provides that the D.C. background study must be made available to the public (including posting on the municipal website) at least 60 days prior to passage of the D.C. by-law. No other changes were made to timing requirements for such things as notice of the public meeting and notice of by-law passage.

This D.C. study is being provided to the public on July 24, 2019 to ensure the new requirements for release of the study is met.

1.3.4 Timing of Collection of D.C.s

The D.C.A. has been refined by Bill 73 to require that D.C.s are collected at the time of the first building permit. For the majority of development, this will not impact the City's present process. There may be instances, however, where several building permits are to be issued and either the size of the development or the uses will not be definable at the time of the first building permit. In these instances, the City may enter into a delayed payment agreement in order to capture the full development.

1.3.5 Other Changes

It is also noted that a number of other changes were made through Bill 73 and O.Reg. 428/15 including changes to the way in which Transit D.C. service standards are calculated, the inclusion of Waste Diversion and the inability for collection of additional levies.



1.4 Proposed Changes to the D.C.A.: Bill 108 – An Act to Amend Various Statutes with Respect to Housing, Other Development and Various Other Matters

On May 2, 2019, the Province introduced Bill 108 which proposes changes to the Development Charges Act. The Bill has been introduced as part of the Province's "*More Homes, More Choice: Ontario's Housing Supply Action Plan*". The Bill was given first reading and is expected to be debated over the coming months.

The Act proposes that any Development Charge (D.C.) by-laws passed after May 2, 2019 will be affected by these proposed changes. Any by-laws which were passed prior to this date will remain in effect until it is either repealed or expires. A summary of the proposed changes to the Development Charges Act (D.C.A.) is provided below:

Changes to Eligible Services – the Bill will remove "Soft Services" from the D.C.A. These services will be considered as part of a new Community Benefit Charge (discussed below) imposed under the Planning Act. Eligible services which will remain under the D.C.A. are as follows:

- Water supply services, including distribution and treatment services;
- Wastewater services, including sewers and treatment services;
- Storm water drainage and control services;
- Services related to a highway as defined in subsection 1 (1) of the Municipal Act, 2001 or subsection 3 (1) of the City of Toronto Act, 2006, as the case may be;
- Electrical power services;
- Policing services;
- Fire protection services;
- Toronto-York subway extension, as defined in subsection 5.1 (1);
- Transit services other than the Toronto-York subway extension;
- Waste diversion services; and
- Other services as prescribed.

Waste Diversion – the Bill will remove the mandatory 10% deduction for this service.

Payment in Installments over Six Years – the Bill proposes that Rental Housing, Non-Profit Housing and Commercial/Industrial/Institutional developments pay their



development charges in six equal annual payments commencing the earlier of the date of issuance of a building permit or occupancy. If payments are not made, interest may be charged (at a prescribed rate) and may be added to the property and collected as taxes.

When D.C. Amount is Determined – the Bill proposes that the D.C. amount for all developments proceeding by Site Plan or requiring a zoning amendment, shall be determined based on the D.C. charge in effect on the day of the application for Site Plan or zoning amendment. If the development is not proceeding via these planning approvals then the amount is determined the earlier of the date of issuance of a building permit or occupancy.

Soft Services to be Included in a new Community Benefit Charge under the Planning Act – it is proposed that a municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. These services may not include services authorized by the D.C.A. Various provisions are provided as follows:

- Before passing a community benefits charge by-law, the municipality shall prepare a community benefits charge strategy that, (a) identifies the facilities, services and matters that will be funded with community benefits charges and (b) complies with any prescribed requirements;
- The amount of a community benefits charge payable shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date;
- The valuation date is the day before building permit issuance;
- Valuations will be based on appraised value of land. Various requirements are set out in this regard;
- All money received by the municipality under a community benefits charge by-law shall be paid into a special account;
- In each calendar year, a municipality shall spend or allocate at least 60 percent of the monies that are in the special account at the beginning of the year;
- Requirements for annual reporting shall be prescribed; and

Transitional provisions are set out regarding the D.C. reserve funds and D.C. credits.



Chapter 2

Current City of Port Colborne Policy

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2. Current City of Port Colborne Policy

2.1 Schedule of Charges

On September 8, 2014, the City of Port Colborne passed By-law 6131/97/14. This by-law was amended on January 26, 2015 via By-law 5182/08/15 under the D.C.A. to waive D.C. collection.

Assuming the D.C. rates were indexed to 2019\$, the table below provides the rates that would have been in effect.

Table 2-1
City of Port Colborne
D.C. Rates (Indexed to 2019\$)

Service	Residential				Non-Residential (per sq.ft.)
	Single & Semi Detached	Multiples	Apartments with >= 2 Bedrooms	Apartments with < 2 Bedrooms	
City-Wide Services					
Services Related to a Highway	1,973	1,305	1,254	846	1.13
Fire Protection Services	308	204	196	133	0.17
Outdoor Recreation Services	1,766	1,168	1,122	757	0.10
Indoor Recreation Services	1,731	1,145	1,100	743	0.10
Library Services	617	409	392	265	0.03
Administration	317	210	202	136	0.21
Subtotal City-Wide	6,713	4,441	4,267	2,881	1.75
Urban Services					
Wastewater Services	642	425	407	276	0.38
Water Services	2,555	1,690	1,624	1,096	1.51
Subtotal Urban Services	3,197	2,114	2,031	1,372	1.89
Total	9,910	6,555	6,298	4,253	3.65

2.2 Services Covered

The following services are covered under By-law 6131/97/14:

- City-wide services:
 - Roads Services and Public Works (now referred to as Services Related to a Highway);
 - Fire Protection Services;
 - Outdoor Recreation Services;
 - Indoor Recreation Services;
 - Library Services; and



- Administration
- Urban Area services:
 - Wastewater Services; and
 - Water Services.

2.3 Timing of D.C. Calculation and Payment

D.C.s are calculated, payable, and collected upon issuance of a building permit with respect to each dwelling unit, building or structure.

Council from time to time, and at any time, may enter into agreements providing for all or any part of a D.C. to be paid before or after it would otherwise be payable, in accordance with Section 27 of the Act.

2.4 Indexing

Rates shall be indexed on the anniversary date of the by-law of each year by the percentage change recorded in the average annual Non-Residential Building Construction Price Index produced by Statistics Canada.

2.5 Redevelopment Allowance

As a result of the redevelopment of land, a building or structure existing on the same land within 12 months prior to the date of payment of D.C.s in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the D.C.s otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable D.C. under subsections 3.11 of the by-law by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or



structure, an amount calculated by multiplying the applicable D.C.s under subsection 3.12 of the by-law by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the D.C.s otherwise payable with respect to the redevelopment.

2.6 Exemptions

The following non-statutory exemptions are provided under By-law 6131/97/14:

- Non-residential farm buildings;
- Downtown core areas;
- Industrial development shall be exempt from payment of D.C.s on any square footage of gross floor area constructed over 5,000 sq.ft.;
- Partial exemption requiring the payment of only the roads and fire protection components of the charge for all residential unit types constructed within the Sherkston Secondary Plan Area;
- Partial exemption of up to 70% of the payable D.C.s for development of Brownfield properties under the City of Port Colborne Brownfield Community Improvement Plan, which have an approved application and agreement under the Brownfield Rehabilitation Grant Program; and
- Partial exemption for certain Community Improvement Plan areas based upon specific policies approved by Council.

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Chapter 3

Anticipated Development in the City of Port Colborne

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3. Anticipated Development in the City of Port Colborne

3.1 Requirement of the Act

The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the City of Port Colborne will be required to provide services, over a 10-year (mid-2019 to mid-2029) and a long term (mid-2019 to mid-2031) time horizon.

Chapter 4 provides the methodology for calculating a D.C. as per the D.C.A. Figure 4-1 presents this methodology graphically. It is noted in the first box of the schematic that in order to determine the D.C. that may be imposed, it is a requirement of Section 5 (1) of the D.C.A. that “the anticipated amount, type and location of development, for which development charges can be imposed, must be estimated.”

3.2 Basis of Population, Household and Non-Residential Gross Floor Area Forecast

The D.C. growth forecast has been derived from the Niagara Region Municipal Comprehensive Review – Phase 4 Draft Updated Forecasts and Local Growth Allocations, July 2018, Hemson Consulting Ltd. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the City of Port Colborne over the forecast period, including:

- City of Port Colborne Development Charges Background Study, Watson & Associates Economists Ltd., July 14, 2014;
- City of Port Colborne Official Plan, as approved by the Ontario Municipal Board on November 25, 2013, and updated September 5, 2017;
- 2006, 2011 and 2016 population, household and employment Census data;
- Historical residential and non-residential building permit data over the 2008 to 2018 period, received from the City of Port Colborne;



- Residential supply opportunities (in the development process and other designated residential lands) as provided by the City of Port Colborne;
- Non-residential land supply opportunities as provided by the City of Port Colborne; and
- Discussions with planning staff regarding potential residential and non-residential development opportunities for the City of Port Colborne.

3.3 Summary of Growth Forecast

A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 3-1. The discussion provided herein summarizes the anticipated growth for the City and describes the basis for the forecast. The results of the residential growth forecast analysis are summarized in Table 3-1 below, and *Schedule 1* in Appendix A.

As identified in Table 3-1 and Appendix A, *Schedule 1*, the City's population is anticipated to reach approximately 19,360 by mid-2029 and 19,550 by mid-2031, resulting in an increase of approximately 840 and 1,030 persons, respectively, over the 10-year and long term forecast periods.¹

¹ The population figures used in the calculation of the 2019 D.C. exclude the net Census undercount, which is estimated at approximately 2.7%.



Figure 3-1
Population and Household Forecast Model

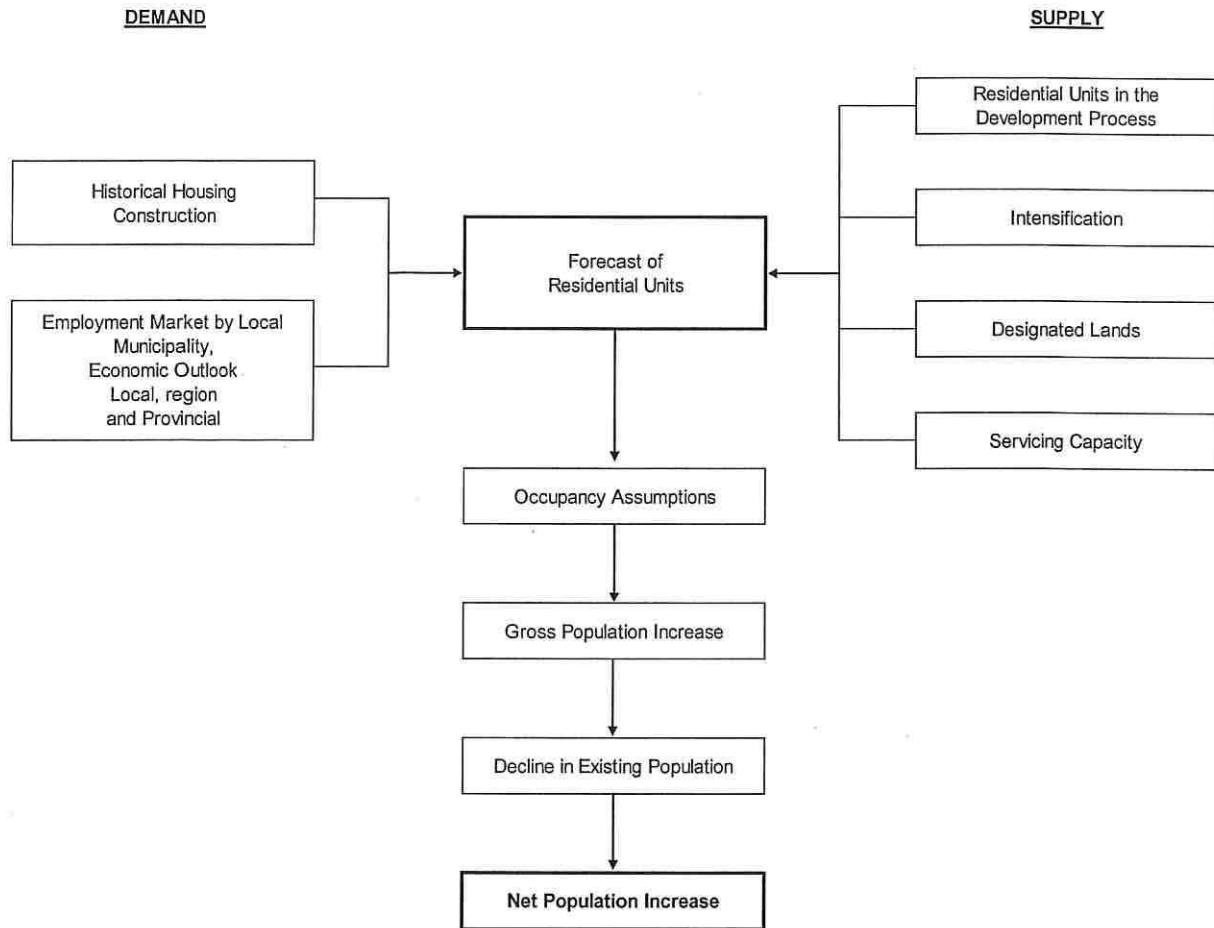




Table 3-1
City of Port Colborne
Residential Growth Forecast Summary

	Year	Excluding Census Undercount				Housing Units				Person Per Unit (P.P.U.): Total Population/ Total Households		
		Population (Including Census Undercount) ¹	Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi-Detached	Multiple Dwellings ²	Apartments ³	Other		Total Households	Equivalent Institutional Households
Historical	Mid 2006	19,100	18,599	479	18,120	5,900	610	1,230	55	7,795	435	2.386
	Mid 2011	18,920	18,424	449	17,975	6,050	600	1,161	95	7,906	408	2.330
	Mid 2016	18,800	18,306	441	17,865	6,005	670	1,210	135	8,020	401	2.283
Forecast	Mid 2019	19,020	18,517	447	18,070	6,105	670	1,242	135	8,152	406	2.271
	Mid 2029	19,880	19,360	467	18,893	6,455	704	1,304	135	8,598	425	2.252
	Mid 2031	20,080	19,549	471	19,078	6,525	713	1,319	135	8,692	428	2.249
Incremental	Mid 2006 - Mid 2011	-180	-175	-30	-145	150	-10	-69	40	111	-27	
	Mid 2011 - Mid 2016	-120	-118	-8	-110	-45	70	49	40	114	-7	
	Mid 2016 - Mid 2019	220	211	6	205	100	0	32	0	132	5	
	Mid 2019 - Mid 2029	860	843	20	823	350	34	62	0	446	19	
	Mid 2019 - Mid 2031	1,060	1,032	24	1,008	420	43	77	0	540	22	

Source: Derived from the Draft Niagara Region Municipal Comprehensive Review Phase 4 Forecast Update, July 2018, for the City of Port Colborne by Watson & Associates Economists Ltd., 2019.

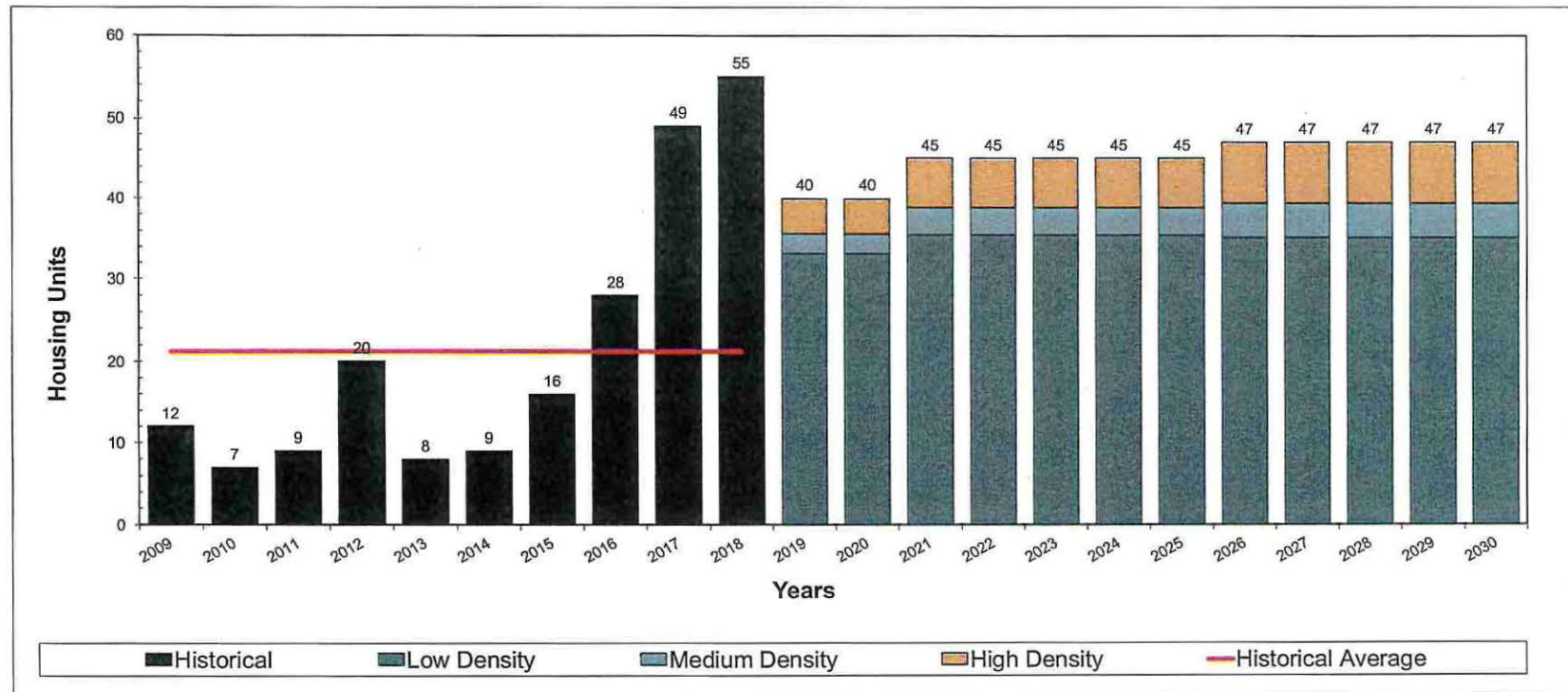
¹ Census undercount estimated at approximately 2.7%. Note: Population including the undercount has been rounded.

² Includes townhouses and apartments in duplexes.

³ Includes bachelor, 1-bedroom and 2-bedroom+ apartments.



Figure 3-2
City of Port Colborne
Annual Housing Forecast



Source: Historical housing activity derived from City of Port Colborne Planning and Development Department, 2009 to 2018.

1. Growth forecast represents calendar year.



Provided below is a summary of the key assumptions and findings regarding the City of Port Colborne D.C. growth forecast.

1. Housing Unit Mix (Appendix A – Schedules 1, 6 and 7)

- The housing unit mix for the City was derived from a detailed review of historical development activity (as per Schedule 7), as well as active residential development applications (as per Schedule 6), and discussions with City staff regarding anticipated development trends for Port Colborne.
- Based on the above indicators, the 2019 to 2031 household growth forecast is comprised of a unit mix of 78% low density (single detached and semi-detached), 8% medium density (multiples except apartments) and 14% high density (bachelor, 1-bedroom and 2-bedroom apartments).

2. Geographic Location of Residential Development (Appendix A – Schedule 2)

- Schedule 2 summarizes the anticipated amount, type and location of development for the City of Port Colborne by urban area and the rural area.
- In accordance with forecast demand and available land supply, the percentage of forecast housing growth between 2019 and 2031 by development location is summarized below.

Development Location	Percentage of Housing Growth, 2019 to 2031
Urban	78%
Rural	22%
<i>City-Wide Total</i>	<i>100%</i>

3. Planning Period

- Short and long-term time horizons are required for the D.C. process. The D.C.A. limits the planning horizon for certain services, such as parks, recreation and libraries, to a 10-year planning horizon. Services related to



a highway, public works, fire, police, stormwater, water and wastewater services can utilize a longer planning period.

4. Population in New Housing Units (Appendix A - Schedules 3, 4 and 5)

- The number of housing units to be constructed in the City of Port Colborne during the short- and long-term periods is presented on Figure 3-2. Over the 2019 to 2031 forecast period, the City is anticipated to average approximately 45 new housing units per year.
- Institutional population¹ is anticipated to grow modestly by approximately 25 persons between 2019 to 2031.
- Population in new units is derived from Schedules 3, 4 and 5, which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 8a summarizes the average P.P.U. assumed for the new housing units by age and type of dwelling based on a 2016 custom Census data. Due to data limitations, medium and high density PPU's were derived from Niagara Region as outlined in Schedule 8b. The total calculated P.P.U. for all density types has been adjusted downward to account for the P.P.U. trends which has been recently experienced in both new and older units. Forecasted 15-year average P.P.U.s by dwelling type are as follows:
 - Low density: 2.756
 - Medium density: 2.035
 - High density²: 1.702

5. Existing Units and Population Change (Appendix A - Schedules 3, 4 and 5)

- Existing households for mid-2019 are based on the 2016 Census households, plus estimated residential units constructed between 2016

¹ Institutional includes special care facilities such as nursing home or residences for senior citizens. A P.P.U. of 1.100 depicts 1-bedroom and 2 or more bedroom units in these special care facilities.

² Includes bachelor, 1-bedroom and 2 or more bedroom apartments



and 2018 assuming a 6-month lag between construction and occupancy (see Schedule 3).

- The decline in average occupancy levels for existing housing units is calculated in Schedules 3 through 5, by aging the existing population over the forecast period. The forecast population decline in existing households over the 2019 to 2031 forecast period is approximately 370.

6. Employment (Appendix A, Schedules 10a, 10b, 10c, 11 and 12)

- Employment projections are largely based on the activity rate method, which is defined as the number of jobs in a municipality divided by the number of residents. Key employment sectors include primary, industrial, commercial/ population-related, institutional, and work at home, which are considered individually below.
- 2016 employment data¹ (place of work) for the City of Port Colborne is outlined in Schedule 10a. The 2016 employment base is comprised of the following sectors:
 - 125 primary (2%);
 - 535 work at home employment (10%);
 - 1,518 industrial (28%);
 - 2,053 commercial/population related (38%); and
 - 1,175 institutional (22%).
- The 2016 employment by usual place of work, including work at home, is approximately 5,410. An additional 790 employees have been identified for the City in 2016 that have no fixed place of work (N.F.P.O.W.).² The 2016 employment base, including N.F.P.O.W., totals approximately 6,200.
- Total employment, including work at home and N.F.P.O.W. for the City of Port Colborne is anticipated to reach approximately 6,690 by mid-2029

¹ 2016 employment is based on Statistics Canada 2016 Place of Work Employment dataset by Watson & Associates Economists Ltd.

² Statistics Canada defines "No Fixed Place of Work" (N.F.P.O.W.) employees as, "persons who do not go from home to the same work place location at the beginning of each shift. Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc."



and 6,780 by 2031. This represents an employment increase of 420 for the 10-year forecast period and 510 for the 12-year forecast.

- Schedule 10b, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the D.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e. employment and gross floor area generated from N.F.P.O.W. construction employment). Furthermore, since these employees have no fixed work address, they cannot be captured in the non-residential gross floor area (G.F.A.) calculation.
- Total employment for the City of Port Colborne (excluding work at home and N.F.P.O.W. employment) is anticipated to reach approximately 5,270 by mid-2029 and 5,350 by mid-2031. This represents an employment increase of 350 and 420 over the 10-year and 12-year forecast periods, respectively.¹

7. Non-Residential Sq.ft. Estimates (Gross Floor Area (G.F.A.), Appendix A, Schedule 10b)

- Square footage estimates were calculated in Schedule 10b based on the following employee density assumptions:
 - 1,400 sq.ft. per employee for industrial;
 - 550 sq.ft. per employee for commercial/population-related; and
 - 658 sq.ft. per employee for institutional employment.
- The City-wide incremental Gross Floor Area (G.F.A.) is anticipated to increase by approximately 327,000 sq.ft. over the 10-year forecast period and 387,000 sq.ft. over the 12-year forecast period.²

¹ Total employment growth in Schedule 10b (excluding work at home and N.F.P.O.W. employment) has been downwardly adjusted to account for institutional employment associated with special care facilities. Total employment in Schedule 10b is anticipated to reach approximately 5,260 by mid-2029 and 5,340 by mid-2031.

² Forecast growth in institutional G.F.A. has been downwardly adjusted to account for institutional development associated with special care facilities



- In terms of percentage growth, the 2019 to 2031 incremental G.F.A. forecast by sector is broken down as follows:
 1. industrial – 68%;
 2. commercial/population-related – 26%; and
 3. institutional – 6%.

8. Geographic Location of Non-Residential Development (Appendix A, Schedule 10c)

- Schedule 10c summarizes the anticipated amount, type and location of non-residential development for the City of Port Colborne by area.
- In accordance with forecast demand and available land supply, the percentage of forecast total non-residential growth between 2019 and 2031 by development location is summarized below.

Development Location	Percentage of Non-Residential G.F.A., 2019 to 2031
Urban	95%
Rural	5%
<i>City-Wide Total</i>	<i>100%</i>



Chapter 4

The Approach to the Calculation of the Charge

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4. The Approach to the Calculation of the Charge

4.1 Introduction

This chapter addresses the requirements of s.s.5(1) of the D.C.A. with respect to the establishment of the need for service which underpins the D.C. calculation. These requirements are illustrated schematically in Figure 4-1.

4.2 Services Potentially Involved

Table 4-1 lists the full range of municipal service categories which are provided within the City.

A number of these services are defined in s.s.2(4) of the D.C.A. as being ineligible for inclusion in D.C.s. These are shown as “ineligible” on Table 4-1. Two ineligible costs defined in s.s.5(3) of the D.C.A. are “computer equipment” and “rolling stock with an estimated useful life of (less than) seven years...” In addition, local roads are covered separately under subdivision agreements and related means (as are other local services). Services which are potentially eligible for inclusion in the City’s D.C. are indicated with a “Yes.”

4.3 Increase in the Need for Service

The D.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for each service to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could conceivably be expressed generally in terms of units of capacity, s.s.5(1)3, which requires that City Council indicate that it intends to ensure that such an increase in need will be met, suggests that a project-specific expression of need would be most appropriate.



Figure 4-1
The Process of Calculating a Development Charge under the Act
that must be followed

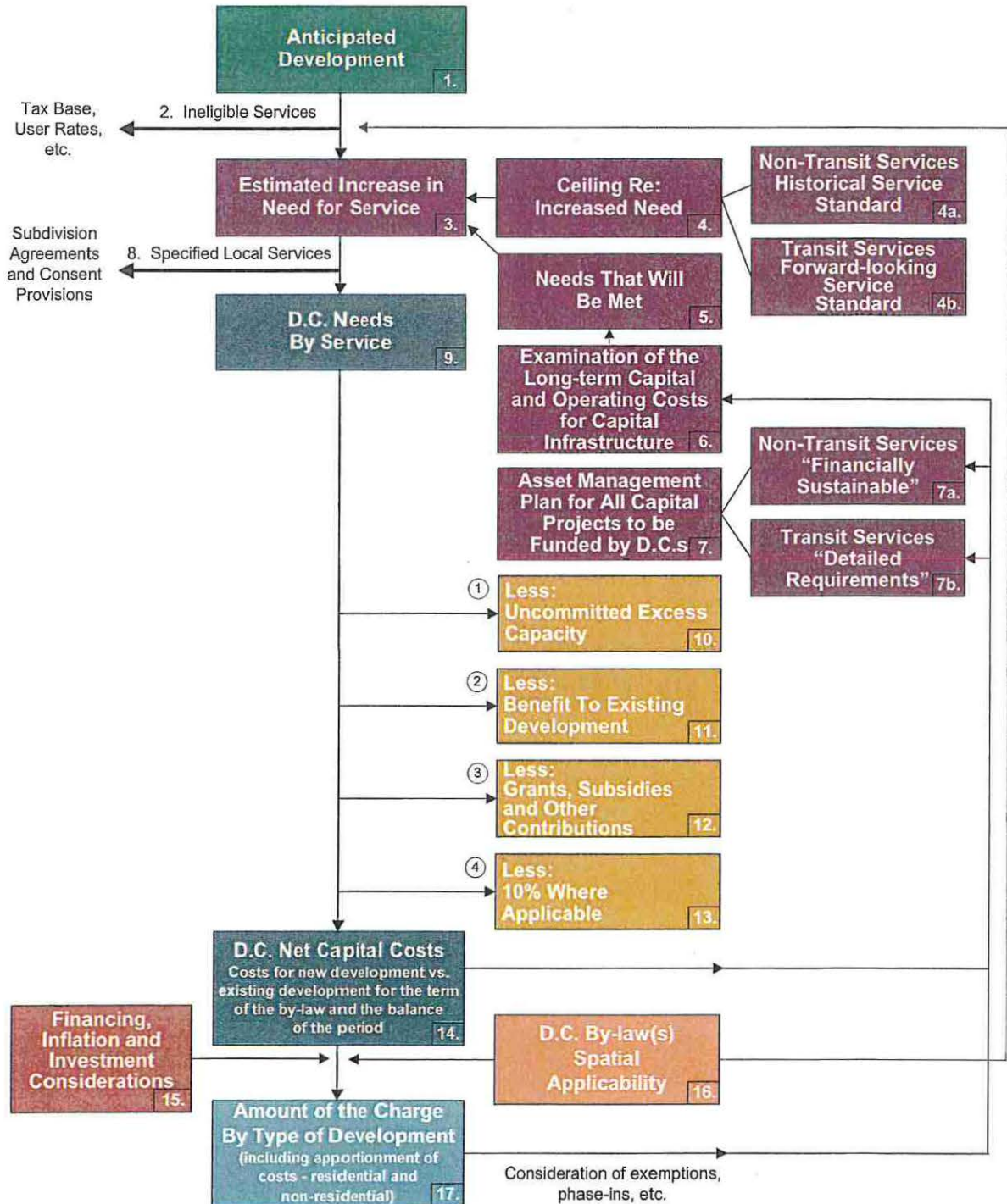




Table 4-1
Categories of Municipal Services to be Addressed as Part of the Calculation

Eligibility for Inclusion in the D.C. Calculation	Description
Yes	Municipality provides the service – service has been included in the D.C. calculation.
No	Municipality provides the service – service has not been included in the D.C. calculation.
n/a	Municipality does not provide the service.
Ineligible	Service is ineligible for inclusion in the D.C. calculation.

Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
1. Services Related to a Highway	Yes	1.1 Arterial roads	100
	Yes	1.2 Collector roads	100
	Yes	1.3 Bridges, Culverts and Roundabouts	100
	No	1.4 Local municipal roads	0
	No	1.5 Traffic signals	100
	Yes	1.6 Sidewalks and streetlights	100
	Yes	1.7 Active Transportation	100
2. Other Transportation Services	n/a	2.1 Transit vehicles ¹ & facilities	100
	n/a	2.2 Other transit infrastructure	100
	n/a	2.3 Municipal parking spaces - indoor	90
	No	2.4 Municipal parking spaces - outdoor	90
	Yes	2.5 Works Yards	100
	Yes	2.6 Rolling stock ¹	100
	n/a	2.7 Ferries	90
	n/a	2.8 Airport	90

¹with 7+ year life time

*same percentage as service component to which it pertains
computer equipment excluded throughout



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
3. Stormwater Drainage and Control Services	No	3.1 Main channels and drainage trunks	100
	No	3.2 Channel connections	100
	No	3.3 Retention/detention ponds	100
4. Fire Protection Services	Yes	4.1 Fire stations	100
	Yes	4.2 Fire pumpers, aerials and rescue vehicles ¹	100
	Yes	4.3 Small equipment and gear	100
5. Outdoor Recreation Services (i.e. Parks and Open Space)	Ineligible	5.1 Acquisition of land for parks, woodlots and E.S.A.s	0
	Yes	5.2 Development of area municipal parks	90
	Yes	5.3 Development of district parks	90
	Yes	5.4 Development of municipal-wide parks	90
	Yes	5.5 Development of special purpose parks	90
	Yes	5.6 Parks rolling stock ¹ and yards	90
6. Indoor Recreation Services	Yes	6.1 Arenas, indoor pools, fitness facilities, community centres, etc. (including land)	90
	Yes	6.2 Recreation vehicles and equipment ¹	90
7. Library Services	Yes	7.1 Public library space (incl. furniture and equipment)	90
	n/a	7.2 Library vehicles ¹	90
	Yes	7.3 Library materials	90
8. Electrical Power Services	Ineligible	8.1 Electrical substations	0
	Ineligible	8.2 Electrical distribution system	0
	Ineligible	8.3 Electrical system rolling stock	0

¹with 7+ year life time



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
9. Provision of Cultural, Entertainment and Tourism Facilities and Convention Centres	Ineligible	9.1 Cultural space (e.g. art galleries, museums and theatres)	0
	Ineligible	9.2 Tourism facilities and convention centres	0
10. Wastewater Services	n/a	10.1 Treatment plants	100
	Yes	10.2 Sewage trunks	100
	No	10.3 Local systems	0
	Yes	10.4 Vehicles and equipment ¹	100
11. Water Supply Services	n/a	11.1 Treatment plants	100
	Yes	11.2 Distribution systems	100
	No	11.3 Local systems	0
	Yes	11.4 Vehicles and equipment ¹	100
12. Waste Management Services	Ineligible	12.1 Landfill collection, transfer vehicles and equipment	0
	Ineligible	12.2 Landfills and other disposal facilities	0
	n/a	12.3 Waste diversion facilities	90
	n/a	12.4 Waste diversion vehicles and equipment ¹	90
13. Police Services	n/a	13.1 Police detachments	100
	n/a	13.2 Police rolling stock ¹	100
	n/a	13.3 Small equipment and gear	100
14. Homes for the Aged	n/a	14.1 Homes for the aged space	90
	n/a	14.2 Vehicles ¹	90
15. Child Care	n/a	15.1 Child care space	90
	n/a	15.2 Vehicles ¹	90
16. Health	n/a	16.1 Health department space	90
	n/a	16.2 Health department vehicles ¹	90
17. Social Housing	n/a	17.1 Social Housing space	90
18. Provincial Offences Act (P.O.A.)	n/a	18.1 P.O.A. space	90
19. Social Services	n/a	19.1 Social service space	90

¹with 7+ year life time



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
20. Ambulance	n/a	20.1 Ambulance station space	90
	n/a	20.2 Vehicles ¹	90
21. Hospital Provision	Ineligible	21.1 Hospital capital contributions	0
22. Provision of Headquarters for the General Administration of Municipalities and Area Municipal Boards	Ineligible	22.1 Office space	0
	Ineligible	22.2 Office furniture	0
	Ineligible	22.3 Computer equipment	0
23. Other Services	Yes	23.1 Studies in connection with acquiring buildings, rolling stock, materials and equipment, and improving land ² and facilities, including the D.C. background study cost	0-100
	Yes	23.2 Interest on money borrowed to pay for growth-related capital	0-100

¹with a 7+ year life time

²same percentage as service component to which it pertains

4.4 Local Service Policy

Some of the need for services generated by additional development consists of local services related to a plan of subdivision. As such, they will be required as a condition of subdivision agreements or consent conditions.



4.5 Capital Forecast

Paragraph 7 of s.s.5(1) of the D.C.A. requires that “the capital costs necessary to provide the increased services must be estimated.” The Act goes on to require two potential cost reductions and the Regulation sets out the way in which such costs are to be presented. These requirements are outlined below.

These estimates involve capital costing of the increased services discussed above. This entails costing actual projects or the provision of service units, depending on how each service has been addressed.

The capital costs include:

- a) costs to acquire land or an interest therein (including a leasehold interest);
- b) costs to improve land;
- c) costs to acquire, lease, construct or improve buildings and structures;
- d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference or information purposes;
- e) interest on money borrowed to pay for the above-referenced costs;
- f) costs to undertake studies in connection with the above-referenced matters; and
- g) costs of the D.C. background study.

In order for an increase in need for service to be included in the D.C. calculation, City Council must indicate “...that it intends to ensure that such an increase in need will be met” (s.s.5 (1)3). This can be done if the increase in service forms part of a Council-approved Official Plan, capital forecast or similar expression of the intention of Council (O.Reg. 82/98 s.3). The capital program contained herein reflects the City’s approved and proposed capital budgets and master servicing/needs studies.

4.6 Treatment of Credits

Section 8, paragraph 5, of O.Reg. 82/98 indicates that a D.C. background study must set out “the estimated value of credits that are being carried forward relating to the service.” Subsection 17, paragraph 4, of the same Regulation indicates that “...the



value of the credit cannot be recovered from future D.C.s,” if the credit pertains to an ineligible service. This implies that a credit for eligible services can be recovered from future D.C.s. As a result, this provision should be made in the calculation, in order to avoid a funding shortfall with respect to future service needs.

4.7 Existing Reserve Funds

Section 35 of the D.C.A. states that:

“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 8 of subsection 5(1).”

There is no explicit requirement under the D.C.A. calculation method set out in s.s.5(1) to net the outstanding reserve fund balance as part of making the D.C. calculation; however, s.35 does restrict the way in which the funds are used in future.

For services which are subject to a per capita based, service level “cap,” the reserve fund balance should be applied against the development-related costs for which the charge was imposed once the project is constructed (i.e. the needs of recent growth). This cost component is distinct from the development-related costs for the next 10-year period, which underlie the D.C. calculation herein.

The alternative would involve the City spending all reserve fund monies prior to renewing each by-law, which would not be a sound basis for capital budgeting. Thus, the City will use these reserve funds for the City’s cost share of applicable development-related projects, which are required but have not yet been undertaken, as a way of directing the funds to the benefit of the development which contributed them (rather than to future development, which will generate the need for additional facilities directly proportionate to future growth).

The City’s D.C. reserve fund balance by service at December 31, 2018 is shown below:



Service	Totals
Services Related to a Highway	\$76,695
Fire Protection Services	\$36,932
Outdoor Recreation Services	\$159,078
Indoor Recreation Services	\$31,552
Library Services	\$968
Adminstration	\$0
Wastewater Services	\$6,638
Water Services	\$62,177
Total	\$374,040

4.8 Deductions

The D.C.A. potentially requires that five deductions be made to the increase in the need for service. These relate to:

- the level of service ceiling;
- uncommitted excess capacity;
- benefit to existing development;
- anticipated grants, subsidies and other contributions; and
- 10% reduction for certain services.

The requirements behind each of these reductions are addressed as follows:

4.8.1 Reduction Required by Level of Service Ceiling

This is designed to ensure that the increase in need included in 4.3 does "...not include an increase that would result in the level of service (for the additional development increment) exceeding the average level of the service provided in the Municipality over the 10-year period immediately preceding the preparation of the background study..." O.Reg. 82.98 (s.4) goes further to indicate that "...both the quantity and quality of a service shall be taken into account in determining the level of service and the average level of service."

In many cases, this can be done by establishing a quantity measure in terms of units as floor area, land area or road length per capita and a quality measure, in terms of the average cost of providing such units based on replacement costs, engineering standards or recognized performance measurement systems, depending on circumstances. When the quantity and quality factor are multiplied together, they



produce a measure of the level of service, which meets the requirements of the Act, i.e. cost per unit.

With respect to transit services, the changes to the Act as a result of Bill 73 have provided for an alternative method for calculating the services standard ceiling. Transit services must now utilize a forward-looking service standard analysis, described later in this section.

The average service level calculation sheets for each service component in the D.C. calculation are set out in Appendix B.

4.8.2 Reduction for Uncommitted Excess Capacity

Paragraph 5 of s.s.5(1) requires a deduction from the increase in the need for service attributable to the anticipated development that can be met using the City's "excess capacity," other than excess capacity which is "committed."

"Excess capacity" is undefined, but in this case must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of uncommitted excess capacity from the future increase in the need for service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g. if a road widening to accommodate increased traffic is not required because sufficient excess capacity is already available, then widening would not be included as an increase in need, in the first instance.

4.8.3 Reduction for Benefit to Existing Development

Section 5(1)6 of the D.C.A. provides that, "The increase in the need for service must be reduced by the extent to which an increase in service to meet the increased need would benefit existing development." The general guidelines used to consider benefit to existing development included the following:

- the repair or unexpanded replacement of existing assets that are in need of repair;
- an increase in average service level of quantity or quality (compare water as an example);
- the elimination of a chronic servicing problem not created by growth; and



- providing services where none previously existed (generally considered for water or wastewater services).

This step involves a further reduction in the need, by the extent to which such an increase in service would benefit existing development. The level of services cap in 4.4 is related but is not the identical requirement. Sanitary, storm and water trunks are highly localized to growth areas and can be more readily allocated in this regard than other services such as services related to a highway, which do not have a fixed service area.

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing library facilities simply replicates what existing residents are receiving, they receive very limited (or no) benefit as a result. On the other hand, where a clear existing service problem is to be remedied, a deduction should be made accordingly.

In the case of services such as recreation facilities, community parks, libraries, etc., the service is typically provided on a City-wide system basis. For example, facilities of the same type may provide different services (i.e. leisure pool vs. competitive pool), different programs (i.e. hockey vs. figure skating) and different time availability for the same service (i.e. leisure skating available on Wednesday in one arena and Thursday in another). As a result, residents will travel to different facilities to access the services they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

4.8.4 Reduction for Anticipated Grants, Subsidies and Other Contributions

This step involves reducing the capital costs necessary to provide the increased services by capital grants, subsidies and other contributions (including direct developer contributions required due to the local service policy) made or anticipated by Council and in accordance with various rules such as the attribution between the share related



to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes (O.Reg. 82.98 s.6).

4.8.5 The 10% Reduction

Paragraph 8 of s.s. (1) of the D.C.A. requires that, “the capital costs must be reduced by 10 percent.” This paragraph does not apply to water supply services, wastewater services, storm water drainage and control services, services related to a highway, police and fire protection services. The primary services to which the 10% reduction does apply include services such as parks, recreation, libraries, childcare/social services, the Provincial Offences Act, ambulance, homes for the aged, and health.

The 10% is to be netted from the capital costs necessary to provide the increased services, once the other deductions have been made, as per the infrastructure costs sheets in Chapter 5.

4.9 Municipal-wide vs. Area Rating

This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. Under the amended D.C.A., it is now mandatory to “consider” area-rating of services (providing charges for specific areas and services), however, it is not mandatory to implement area-rating. Further discussion is provided in section 7.4.4.

4.10 Allocation of Development

This step involves relating the costs involved to anticipated development for each period under consideration and using allocations between residential and non-residential development and between one type of development and another, to arrive at a schedule of charges.

4.11 Asset Management

The new legislation now requires that a D.C. Background Study must include an Asset Management Plan (s. 10 (2)c.2). The asset management plan must deal with all assets



that are proposed to be funded, in whole or in part, by D.C.s. The current regulations provide very extensive and specific requirements for the asset management plan related to transit services (as noted in the subsequent subsection); however, they are silent with respect to how the asset management plan is to be provided for all other services. As part of any asset management plan, the examination should be consistent with the municipality's existing assumptions, approaches and policies on the asset management planning. This examination has been included in Appendix F.

4.12 Transit

The most significant changes to the Act relate to the transit service. These changes relate to four areas of the calculations, as follows:

- A. Transit no longer requires the statutory 10% mandatory deduction from the net capital cost (section 5.2(i) of the D.C.A.).
- B. The Background Study requires the following in regard to transit costs (as per section 8(2) of the Regulations):
 1. The calculations that were used to prepare the estimate for the planned level of service for the transit services, as mentioned in subsection 5.2(3) of the Act.
 2. An identification of the portion of the total estimated capital cost relating to the transit services that would benefit,
 - i. the anticipated development over the 10-year period immediately following the preparation of the background study, or
 - ii. the anticipated development after the 10-year period immediately following the preparation of the background study.
 3. An identification of the anticipated excess capacity that would exist at the end of the 10-year period immediately following the preparation of the background study.
 4. An assessment of ridership forecasts for all modes of transit services proposed to be funded by the development charge over the 10-year period immediately following the preparation of the background study, categorized



by development types, and whether the forecasted ridership will be from existing or planned development.

5. An assessment of the ridership capacity for all modes of transit services proposed to be funded by the development charge over the 10-year period immediately following the preparation of the background study.

C. A new forward-looking service standard (as per 6.1(2) of the Regulations):

1. The service is a discrete service.
2. No portion of the service that is intended to benefit anticipated development after the 10-year period immediately following the preparation of the background study may be included in the estimate.
3. No portion of the service that is anticipated to exist as excess capacity at the end of the 10-year period immediately following the preparation of the background study may be included in the estimate.

D. A very detailed asset management strategy and reporting requirements (section 6.1(3) of the Regulation) that includes lifecycle costs, action plans that will enable the assets to be sustainable, summary of how to achieve the proposed level of service, discussion on procurement measures and risk.

The City does not currently have any expansionary needs for transit services. Therefore, the above calculations and reporting requirements are not required.



Chapter 5

D.C.-Eligible Cost Analysis by Service

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5. D.C.-Eligible Cost Analysis by Service

5.1 Introduction

This chapter outlines the basis for calculating eligible costs for the D.C.s to be applied on a uniform basis. In each case, the required calculation process set out in s.5(1) paragraphs 2 to 8 in the D.C.A. and described in Chapter 4, was followed in determining D.C. eligible costs.

The nature of the capital projects and timing identified in the Chapter reflects Council's current intention. However, over time, City projects and Council priorities change and accordingly, Council's intentions may alter and different capital projects (and timing) may be required to meet the need for services required by new growth.

5.2 Service Levels and 10-Year Capital Costs for D.C. Calculation

This section evaluates the development-related capital requirements for all of the "softer" services over a 10-year planning period. Each service component is evaluated on two format sheets: the average historical 10-year level of service calculation (see Appendix B), which "caps" the D.C. amounts; and, the infrastructure cost calculation, which determines the potential D.C. recoverable cost.

5.2.1 Outdoor Recreation Services

The City currently has 247.4 acres of parkland within its jurisdiction. These parks consist of various sized active and passive parks. The City has sustained the current level of service over the historical 10-year period (2009-2018), with an average of 13.5 acres of parkland per 1,000 population. The City also provides 2.6 amenity items, 1,114.1 metres of park trails, and 1.3 park vehicles per 1,000 population. Including parkland, parkland amenities (e.g. tennis courts, playground equipment, soccer fields, etc.) trails, and vehicles, the level of service provided is approximately \$1,957 per capita. When applied over the forecast period, this average level of service translates into a D.C.-eligible amount of \$1,647,701.



Based on the projected growth over the 10-year forecast period, the City has identified a provision of \$150,000 in future growth capital costs to service the forecasted population. The net growth capital cost, after the mandatory 10% deduction, is \$135,000 and has been included in the D.C.

As the predominant users of outdoor recreation tend to be residents of the City, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential.



5.2.2 Indoor Recreation Services

The City currently provides a total of 159,897 sq.ft. of recreation related space. The average historical level of service for the previous ten years has been approximately 6.8 sq.ft. of space per capita or an investment of \$1,900 per capita. Based on this service standard, the City would be eligible to collect \$1,599,952 from D.C.s for recreation facility space.

The City has identified the recovery of the growth-portion of the debenture related to Vale Health & Wellness Centre, totalling \$1,359,685 (principal and discounted interest). A deduction of \$31,552 has been made to recognize the existing reserve fund balance surplus. Therefore, the net growth capital cost of \$1,328,134 has been included in the D.C. calculations.

As the predominant users of indoor recreation tend to be residents of the City, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential.



5.2.3 Administration Studies

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the City's capital works program. The City has made provision for the inclusion of new studies undertaken to facilitate this D.C. process, as well as other studies which benefit growth (in whole or in part). As discussed in section 1.4 of this D.C. study, Bill 108 proposes to remove the "soft" services from the D.C.A. and move it as part of a new Community Benefit Charge. In anticipation of this change, administration studies have been separated in two categories, Engineering Studies and Community Based Studies.

5.2.3.1 Engineering Studies

The list of engineering studies includes such studies as the following:

- D.C. Studies;
- Water Master Plan; and
- Fire Master Plan.

The cost of these studies is \$251,000. A deduction in the amount of \$87,500 has been made to recognize existing benefit. Therefore, the net growth-related capital cost, after the mandatory 10% deduction, is \$155,900, and has been included in the D.C.

These costs have been allocated 72% residential and 28% non-residential based on the incremental growth in population to employment for the 10-year forecast period.



Infrastructure Costs Included in the Development Charges Calculation

City of Port Colborne
Service: Engineering Studies

Table with columns: Prj.No, Increased Service Needs Attributable to Anticipated Development, Timing (year), Gross Capital Cost Estimate (2019\$), Post Period Benefit, Other Deductions, Net Capital Cost, Less: Benefit to Existing Development, Less: Grants, Subsidies and Other Contributions Attributable to New Development, Subtotal, Less: Other (e.g. 10% Statutory Deduction), Total, Potential D.C. Recoverable Cost (Residential Share 72%, Non-Residential Share 28%). Rows include Development Charges Study (2019), Water Master Plan (2024), and Fire Master Plan (2024), ending with a Total row.



5.2.3.2 *Community Based Studies*

The list of community based studies includes such studies as the following:

- Parks and Recreation Master Plan; and
- Library Master Plan.

The cost of these studies is \$85,000. A deduction in the amount of \$27,500 has been made to recognize existing benefit. Therefore, the net growth-related capital cost, after the mandatory 10% deduction, is \$51,750, and has been included in the D.C

These costs have been allocated 72% residential and 28% non-residential based on the incremental growth in population to employment for the 10-year forecast period.



Infrastructure Costs Included in the Development Charges Calculation

City of Port Colborne
Service: Community Based Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Subtotal	Less:		Potential D.C. Recoverable Cost	
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development		Other (e.g. 10% Statutory Deduction)	Total	Residential Share	Non-Residential Share
2019-2028												72%	28%
1	Parks and Recreation Master Plan	2019	60,000	-		60,000	15,000		45,000	4,500	40,500	29,160	11,340
2	Library Master Plan	2021-2023	25,000	-		25,000	12,500		12,500	1,250	11,250	8,100	3,150
	Total		85,000	-	-	85,000	27,500	-	57,500	5,750	51,750	37,260	14,490



5.2.4 Library Services

The City currently provides its library services out of 23,116 sq.ft. of facility space. The average historical level of service for the previous ten years has been approximately 1.3 sq.ft. of space per capita or an investment of \$339 per capita. Based on this service standard, the City would be eligible to collect \$285,598 from D.C.s for library facility space.

The City has an inventory of 47,823 library collection materials. These collection materials include various materials including books, audio visual materials, electronic resources, eBooks, as well as subscriptions, etc., all of which have a total value of approximately \$1.38 million. Over the past ten years, the average level of service was 3.49 collection items per capita or an investment of \$96 per capita. Based on this service standard, the City would be eligible to collect approximately \$80,874 from D.C.s for library collection materials (over the 10-year period).

Therefore, the total D.C. eligible amount is \$366,472.

To support the forecast population, a provision for expansion to the City's library collection materials has been identified for future capital totalling \$80,000. After the mandatory 10% deduction, the net growth-related capital cost to be included in the D.C. is \$72,000.

While library usage is predominately residential based, there is some use of the facilities by non-residential users, for the purpose of research. To acknowledge this use, the growth-related capital costs have been allocated 95% residential and 5% non-residential.



Infrastructure Costs Included in the Development Charges Calculation

City of Port Colborne
 Service: Library Collection Materials

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Subtotal	Less:		Potential D.C. Recoverable Cost	
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development		Other (e.g. 10% Statutory Deduction)	Total	Residential Share	Non-Residential Share
2019-2028												95%	5%
1	Provision for Future Library Collections	2019-2028	80,000	-		80,000	-		80,000	8,000	72,000	68,400	3,600
	Total		80,000	-	-	80,000	-	-	80,000	8,000	72,000	68,400	3,600



5.3 Service Levels and Long-Term (2019-2031) Capital Costs for Port Colborne's D.C. Calculation

This section evaluates the development-related capital requirements for those services with long-term (2019-2031) capital costs.

5.3.1 Services Related to a Highway

5.3.1.1 Roads

Port Colborne owns and maintains 163 km of urban, semi-urban, and rural roads. This provides an average level of investment of \$9,378 per capita, resulting in a D.C.-eligible recovery amount of \$9,677,993 million over the 2031 forecast period.

With respect to future needs, the identified services related to highway – roads program are updated carryovers from the 2014 D.C. study and totals \$14,556,400. The capital projects include various road works and other road related projects. Deductions for existing benefit and post period benefit have been made totalling \$11,055,700 and \$2,501,100, respectively. An additional deduction in the amount of \$76,695 has been made to recognize the reserve fund surplus. Therefore, the net D.C. eligible amount of \$922,905 is to be recovered over the long-term forecast period (2019-2031).

5.3.1.2 Public Works – Facilities

The City's public works staff operate out of 47,603 sq.ft. of facility space. Based on the historical 10-year average level of service of \$273 per capita, the total D.C.-eligible amount for public works facilities is \$281,695.

The City has identified the recovery of the growth-portion of the debenture related to Operations Centre, totalling \$8,668,897 (principal and discounted interest). Of this amount, \$8,330,800 has been allocated to the post period. Therefore, the net growth recovery of \$338,097 has been included in the D.C. calculations (note: \$60,756 of the \$338,097 is related to the discounted interest portion of the debenture, which is not subject to the service standard ceiling).



5.3.1.3 *Public Works – Vehicles and Equipment*

The City's public works staff maintains and operates an inventory of 36 vehicles and equipment. Based on the historical 10-year average level of service of \$257 per capita, the total D.C.-eligible amount for public works vehicles and equipment is \$265,214.

To support the projected growth within the City, an additional snow plow has been identified, with a capital cost of \$375,000. Of this amount, \$112,500 has been allocated to the post period. Therefore, the net capital cost of \$262,500 has been included in the D.C.

The residential/non-residential allocation for all services related to a highway is 72% residential and 28% non-residential based on the incremental growth in population to employment, for the long-term (2031) forecast period.



Infrastructure Costs Included in the Development Charges Calculation

City of Port Colborne

Service: Public Works - Facilities

Prj .No	Increased Service Needs Attributable to Anticipated Development 2019-2031	Timing (year)	Gross Capital Cost Estimate (2019\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Benefit to Existing Development	Less:	Potential D.C. Recoverable Cost		
								Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 72%	Non-Residential Share 28%
1	Operations Centre Growth-Related Debt - Principal	2019-2047	7,111,041	6,833,700		277,341	-		277,341	199,686	77,655
2	Operations Centre Growth-Related Debt - Discounted Interest	2019-2047	1,557,856	1,497,100		60,756	-		60,756	43,745	17,012
	Total		8,668,897	8,330,800	-	338,097	-	-	338,097	243,430	94,667



Infrastructure Costs Included in the Development Charges Calculation

City of Port Colborne

Service: Public Works - Vehicles and Equipment

Prj .No	Increased Service Needs Attributable to Anticipated Development 2019-2031	Timing (year)	Gross Capital Cost Estimate (2019\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Benefit to Existing Development	Less:	Potential D.C. Recoverable Cost		
								Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 72%	Non-Residential Share 28%
1	Snow Plow	2021-2024	375,000	112,500		262,500	-		262,500	189,000	73,500
	Total		375,000	112,500	-	262,500	-	-	262,500	189,000	73,500



5.3.2 Fire Protection Services

The City of Port Colborne's Fire Department currently operates out of 17,600 sq.ft. of facility space, providing for a per capita average level of service of 0.96 sq.ft. per capita or \$340 per capita. This level of service provides the City with a maximum D.C.-eligible amount for recovery over the forecast period of \$350,416 for fire facilities.

The fire department has a current inventory of 9 vehicles equaling a historical 10-year average level of service of \$197 per capita. The total D.C.-eligible amount calculated for fire vehicles over the forecast period is \$203,717.

The fire department also maintains small equipment and gear totalling 209 items for its fire fighters. This results in a calculated average level of service for the historical 10-year period of \$48 per capita, providing for a D.C.-eligible amount over the forecast period of \$49,433 for small equipment and gear.

Therefore, the total D.C.-eligible amount is \$603,566.

Based on the growth forecast to 2031, the City has identified \$2,047,900 in growth-related capital for the fire protection services. These capital projects include a new training centre, provision for new vehicles, and a provision for new equipment to service growth over the forecast period to 2031. Deductions in the amounts of \$1,844,360 to recognize benefit existing development and \$57,120 to allocate a portion to post period growth. A further deduction in the amount of \$36,932 has been made to account for the reserve fund balance. Therefore, the net amount to be included in the D.C. is \$109,488.

These costs are shared between residential and non-residential based on the population to employment ratio over the long-term forecast period to 2031, resulting in 72% being allocated to residential development and 28% being allocated to non-residential development.



5.4 Service Levels and Urban Long-Term (2019-2031) Capital Costs for Port Colborne's D.C. Calculation

This section evaluates the development-related capital requirements for those services with urban long-term (2019-2031) capital costs.

5.4.1 Water Services

For water services, the capital program identified by the City includes updated carryover projects from the 2014 D.C. study and one additional project (Main Street East to Urban Service Area) identified by staff. The gross cost of these capital works is \$8,305,200. Deductions resulting from the benefit to existing development totalling \$484,473 have been made, along with \$5,672,000 to recognize the benefit to post period growth. A further deduction of \$62,177 has been made to account for the reserve fund balance. Therefore, the net growth-related cost of \$2,086,550 has been included in the D.C. calculations.

The growth-related costs have been allocated between residential and non-residential development based on incremental growth in population to employment over the urban long-term (2019-2031 forecast period). This split results in an 69% allocation to residential and a 31% allocation to non-residential.



Infrastructure Costs Included in the Development Charges Calculation

City of Port Colborne
 Service: Water Distribution

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2019\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Benefit to Existing Development	Less: Grants, Subsidies and Other Contributions Attributable to New Development	Potential D.C. Recoverable Cost		
									Total	Residential Share 69%	Non-Residential Share 31%
2019-Urban 2031											
1	Minor to Merritt Parkway	2024-2029	341,600	94,400		247,200	147,913		99,287	68,508	30,779
2	Westside to the West Boundary	2025-2031	498,500	221,900		276,600	116,101		160,499	110,745	49,755
3	Industrial Site #5A	2024-2029	432,800	298,200		134,600	-		134,600	92,874	41,726
4	Industrial Site #2A	2024-2029	4,477,700	3,085,100		1,392,600	-		1,392,600	960,894	431,706
5	Watermain (Chippawa Road to Third Concession) - Site 4 - Phase 1	2024-2025	1,858,000	1,413,000		445,000	185,800		259,200	178,848	80,352
6	Engineering, Administration and Contingencies (for Prj No. 4 and 5)	2024	346,600	263,600		83,000	34,660		48,340	33,355	14,985
7	Main Street East to Urban Service Area	2020-2024	350,000	295,800		54,200	-		54,200	37,398	16,802
8	Reserve Fund Adjustment	Reserve	-	-		-	62,177		(62,177)	(42,902)	(19,275)
	Total		8,305,200	5,672,000	-	2,633,200	546,650	-	2,086,550	1,439,719	646,830



5.4.2 Wastewater Services

Similar to water services, the wastewater services capital program identified by the City includes updated carryover projects from the 2014 D.C. study and an additional project (Main Street East to Urban Service Area) identified by staff. The gross cost of these capital works is \$90,007,971. The gross cost of these capital works is \$5,787,200. Deductions resulting from the benefit to existing development totalling \$1,725,000 have been made, along with \$3,154,000 to recognize the benefit to post period growth. A further deduction of \$6,638 has been made to account for the reserve fund balance. Therefore, the net growth-related cost of \$901,562 has been included in the D.C. calculations.

The growth-related costs have been allocated between residential and non-residential development based on incremental growth in population to employment over the urban long-term (2019-2031) forecast period. This split results in an 69% allocation to residential and a 31% allocation to non-residential.



Chapter 6

D.C. Calculation

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6. D.C. Calculation

Table 6-1 calculates the proposed uniform D.C. to be imposed for wastewater and water services on anticipated development in the City based upon an urban long-term (2031) horizon. Table 6-2 calculates the proposed uniform D.C. to be imposed on anticipated development in the City for City-wide services over a long-term (2031) planning horizon. Table 6-3 calculates the proposed uniform D.C. to be imposed on anticipated development in the City for City-wide services over a 10-year planning horizon.

The calculation for residential development is generated on a per capita basis and is based upon five forms of housing types (single and semi-detached, multiples, apartments 2+ bedrooms, apartment's bachelor and 1 bedroom, and special care/special dwellings). The non-residential D.C. has been calculated on a per sq.ft. of gross floor area basis for all types of non-residential development (industrial, commercial and institutional).

The D.C.-eligible costs for each service component were developed in Chapter 5 for all City services, based on their proposed capital programs.

For the residential calculations, the total cost is divided by the "gross" (new resident) population to determine the per capita amount. The eligible D.C. cost calculations set out in Chapter 5 are based on the net anticipated population increase (the forecast new unit population less the anticipated decline in existing units). The cost per capita is then multiplied by the average occupancy of the new units (Appendix A, Schedule 5) to calculate the charge in Tables 6-1, through 6-3.

With respect to non-residential development, the total costs in the uniform charge allocated to non-residential development (based on need for service) have been divided by the anticipated development over the planning period to calculate a cost per sq.ft. of gross floor area.

Table 6-4 summarizes the total D.C. that is applicable for City-wide services and Table 6-5 summarizes the gross capital expenditures and sources of revenue for works to be undertaken during the 5-year life of the by-law.



Table 6-1
 City of Port Colborne
 Development Charge Calculation
 City Wide Urban Services
 Urban Long-Term (2031)

SERVICE	2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
1. <u>Wastewater Services</u>				
1.1 Sewers	622,078	279,484	1,593	0.76
	622,078	279,484	1,593	0.76
2. <u>Water Services</u>				
2.1 Distribution systems	1,439,719	646,830	3,688	1.75
	1,439,719	646,830	3,688	1.75
TOTAL	\$2,061,797	\$926,315	\$5,281	2.51
D.C.-Eligible Capital Cost	\$2,061,797	\$926,315		
Urban 2031 Gross Population/GFA Growth (sq.ft.)	1,076	369,400		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$1,916.17	\$2.51		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	2.756	\$5,281		
Apartments - 2 Bedrooms +	1.987	\$3,807		
Apartments - Bachelor and 1 Bedroom	1.215	\$2,328		
Other Multiples	2.035	\$3,899		
Special Care/Special Dwelling Units	1.100	\$2,108		



Table 6-2
 City of Port Colborne
 Development Charge Calculation
 City Wide
 2019-2031

SERVICE	2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq. ft.
	\$	\$	\$	\$
3. Services Related to a Highway				
3.1 Roads	664,492	258,413	1,309	0.67
3.2 Depots and Domes	243,430	94,667	479	0.24
3.3 PW Rolling Stock	189,000	73,500	372	0.19
	1,096,922	426,581	2,160	1.10
4. Fire Protection Services				
4.1 Fire facilities, vehicles, small equipment and gear	78,831	30,657	155	0.08
	78,831	30,657	155	0.08
TOTAL	\$1,175,753	\$457,237	\$2,315	\$1.18
D.C.-Eligible Capital Cost	\$1,175,753	\$457,237		
2031-Year Gross Population/GFA Growth (sq. ft.)	1,400	387,000		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$839.82	\$1.18		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	2.756	\$2,315		
Apartments - 2 Bedrooms +	1.987	\$1,669		
Apartments - Bachelor and 1 Bedroom	1.215	\$1,020		
Other Multiples	2.035	\$1,709		
Special Care/Special Dwelling Units	1.100	\$924		



Table 6-3
City of Port Colborne
Development Charge Calculation
City Wide Services
2019-2028

SERVICE	2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
5. <u>Outdoor Recreation Services</u>				
5.1 Parkland development, vehicles, amenities & trails	128,250	6,750	305	0.02
	128,250	6,750	305	0.02
6. <u>Indoor Recreation Services</u>				
6.1 Recreation facilities	1,261,727	66,407	2,999	0.21
	1,261,727	66,407	2,999	0.21
7. <u>Library Services</u>				
7.1 Library facilities	-	-	-	-
7.2 Library materials	68,400	3,600	163	0.01
	68,400	3,600	163	0.01
8. <u>Administration</u>				
8.1 Engineering Related Studies	112,248	43,652	267	0.13
8.2 Community Based Studies	37,260	14,490	89	0.04
	149,508	58,142	356	0.17
TOTAL	\$1,607,885	\$134,899	\$3,823	\$0.41
D.C.-Eligible Capital Cost	\$1,607,885	\$134,899		
10-Year Gross Population/GFA Growth (sq.ft.)	1,159	326,900		
Cost Per Capita/Non-Residential GFA (sq.ft.)	\$1,387.30	\$0.41		
By Residential Unit Type	P.P.U.			
Single and Semi-Detached Dwelling	2.756	\$3,823		
Apartments - 2 Bedrooms +	1.987	\$2,757		
Apartments - Bachelor and 1 Bedroom	1.215	\$1,686		
Other Multiples	2.035	\$2,823		
Special Care/Special Dwelling Units	1.100	\$1,526		



Table 6-4
City of Port Colborne
Development Charge Calculation
Total All Services

	2019\$ D.C.-Eligible Cost		2019\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
Urban-wide Services 2031	2,061,797	926,315	5,281	2.51
Municipal-wide Services 2031	1,175,753	457,237	2,315	1.18
Municipal-wide Services 10 Year	1,607,885	134,899	3,823	0.41
TOTAL	4,845,435	1,518,451	11,419	4.10



Table 6-5
City of Port Colborne
Gross Expenditure and Sources of Revenue Summary for Costs to be Incurred over the Life of the By-law

Service	Total Gross Cost	Sources of Financing						D.C. Reserve Fund	
		Other Deductions	Tax Base or Other Non-D.C. Source Benefit to Existing	Other Funding	Legislated Reduction	Post D.C. Period Benefit	Residential	Non-Residential	
1. Wastewater Services									
1.1 Sewers	1,423,333	0	1,195,583	0	0	67,667	110,458	49,626	
2. Water Services									
2.1 Distribution systems	280,000	0	0	0	0	236,640	29,918	13,442	
3. Services Related to a Highway									
3.1 Roads	4,615,385	0	4,153,846	0	0	193,846	192,738	74,954	
3.2 Depots and Domes	0	0	0	0	0	0	0	0	
3.3 PW Rolling Stock	281,250	0	0	0	0	84,375	141,750	55,125	
4. Fire Protection Services									
4.1 Fire facilities, vehicles, small equipment and gear	3,038	0	0	0	0	0	2,188	851	
5. Outdoor Recreation Services									
5.1 Parkland development, vehicles, amenities & trails	0	0	0	0	0	0	0	0	
6. Indoor Recreation Services									
6.1 Recreation facilities	0	0	0	0	0	0	0	0	
7. Library Services									
7.1 Library facilities	0	0	0	0	0	0	0	0	
7.2 Library materials	40,000	0	0	0	4,000	0	34,200	1,800	
8. Administration									
8.1 Engineering Related Studies	36,000	0	0	0	3,600	0	23,328	9,072	
8.2 Community Based Studies	85,000	0	27,500	0	5,750	0	37,260	14,490	
Total Expenditures & Revenues	\$6,764,006	\$0	\$5,376,929	\$0	\$13,350	\$582,528	\$571,840	\$219,359	



Chapter 7

D.C. Policy Recommendations and D.C. By-law Rules

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7. D.C. Policy Recommendations and D.C. By-law Rules

7.1 Introduction

s.s.5(1)9 states that rules must be developed:

“...to determine if a development charge is payable in any particular case and to determine the amount of the charge, subject to the limitations set out in subsection 6.”

Paragraph 10 of the section goes on to state that the rules may provide for exemptions, phasing in and/or indexing of D.C.s.

s.s.5(6) establishes the following restrictions on the rules:

- the total of all D.C.s that would be imposed on anticipated development must not exceed the capital costs determined under 5(1) 2-8 for all services involved;
- if the rules expressly identify a type of development, they must not provide for it to pay D.C.s that exceed the capital costs that arise from the increase in the need for service for that type of development; however, this requirement does not relate to any particular development; and
- if the rules provide for a type of development to have a lower D.C. than is allowed, the rules for determining D.C.s may not provide for any resulting shortfall to be made up via other development.

With respect to “the rules,” Section 6 states that a D.C. by-law must expressly address the matters referred to above re s.s.5(1) paragraphs 9 and 10, as well as how the rules apply to the redevelopment of land.

The rules provided are based on the City’s existing policies; however, there are items under consideration at this time and these may be refined prior to adoption of the by-law.



7.2 D.C. By-law Structure

It is recommended that:

- the City uses a uniform City-wide D.C. calculation for all non-urban services;
- urban services be imposed on the urban serviced areas of the City; and
- one Municipal D.C. by-law be used for all services.

7.3 D.C. By-law Rules

The following subsections set out the recommended rules governing the calculation, payment and collection of D.C.s in accordance with Section 6 of the D.C.A.

It is recommended that the following sections provide the basis for the D.C.s:

7.3.1 Payment in any Particular Case

In accordance with the D.C.A., s.2(2), a D.C. be calculated, payable and collected where the development requires one or more of the following:

- a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the Planning Act;
- b) the approval of a minor variance under section 45 of the Planning Act;
- c) a conveyance of land to which a by-law passed under section 50(7) of the Planning Act applies;
- d) the approval of a plan of subdivision under section 51 of the Planning Act;
- e) a consent under section 53 of the Planning Act;
- f) the approval of a description under section 50 of the Condominium Act; or
- g) the issuing of a building permit under the Building Code Act in relation to a building or structure.



7.3.2 Determination of the Amount of the Charge

The following conventions be adopted:

- 1) Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type constructed during the previous decade. Costs allocated to non-residential uses will be assigned based on the amount of square feet of gross floor area constructed for eligible uses (i.e. industrial, commercial and institutional).
- 2) Costs allocated to residential and non-residential uses are based upon a number of conventions, as may be suited to each municipal circumstance, e.g.
 - for Administration (both Engineering and Community Based Services), the costs have been based on a population vs. employment growth ratio (72%/28%) for residential and non-residential, respectively) over the 10-year forecast period;
 - for Indoor Recreation, Outdoor Recreation, and Library services, a 5% non-residential attribution has been made to recognize use by the non-residential sector;
 - for Fire Protection services and Services related to a highway, a 72% residential/28% non-residential attribution has been made based on a population vs. employment growth ratio over the long-term (2031) forecast period; and
 - for Wastewater services and Water services, a 69% residential/31% non-residential allocation has been made based on population vs. employment growth over the urban long-term (2019-2031) forecast period.

7.3.3 Application to Redevelopment of Land (Demolition and Conversion)

As a result of the redevelopment of land, a building or structure existing on the same land within 12 months prior to the date of payment of D.C.s in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the D.C.s otherwise payable with respect to such redevelopment shall be reduced by the following amounts:



- 1) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable D.C. under subsections 3.11 of the by-law by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- 2) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable D.C.s under subsection 3.12 of the by-law by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the D.C.s otherwise payable with respect to the redevelopment.

7.3.4 Exemptions (full or partial)

a) Statutory exemptions

- industrial building additions of up to and including 50% of the existing gross floor area (defined in O.Reg. 82/98, s.1) of the building; for industrial building additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to D.C.s (s.4(3)) of the D.C.A.;
- buildings or structures owned by and used for the purposes of any municipality, local board or Board of Education (s.3);
- residential development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in s.2 of O.Reg. 82/98).

b) Non-statutory exemptions (Current)

- Non-residential farm buildings;
- Downtown core areas;
- Industrial development shall be exempt from payment of D.C.s on any square footage of gross floor area constructed over 5,000 sq.ft.;



- Partial exemption requiring the payment of only the roads and fire protection components of the charge for all residential unit types constructed within the Sherkston Secondary Plan Area;
- Partial exemption of up to 70% of the payable D.C.s for development of Brownfield properties under the City of Port Colborne Brownfield Community Improvement Plan, which have an approved application and agreement under the Brownfield Rehabilitation Grant Program; and
- Partial exemption for certain Community Improvement Plan areas based upon specific policies approved by Council.

These exemptions are proposed to be continued for Council's consideration.

7.3.5 Phasing in

No provisions for phasing in the D.C. are provided in the D.C. by-law.

7.3.6 Timing of Collection

A D.C. that is applicable under Section 5 of the D.C.A. shall be calculated and payable:

- where a permit is required under the Building Code Act in relation to a building or structure, the owner shall pay the D.C. prior to the issuance of a permit of prior to the commencement of development or redevelopment as the case may be; and
- despite the above, Council, from time to time and at any time, may enter into agreements providing for all or any part of a D.C. to be paid before or after it would otherwise be payable.

7.3.7 Indexing

Indexing of the D.C.s shall be implemented on a mandatory basis annually on the anniversary date of the D.C. by-law, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index (Table 18-10-0135-01)¹ for the most recent year-over-year period.

¹ O.Reg. 82/98 referenced "The Statistics Canada Quarterly, Construction Price Statistics, catalogue number 62-007" as the index source. Since implementation, Statistics Canada has modified this index twice and the above-noted index is the most



7.3.8 The Applicable Areas

The charges developed herein provide for varying charges within the City, as follows:

- All City-wide Services – the full residential and non-residential charge will be imposed on all lands within the City; and
- Urban Services – the full residential and non-residential charge will be imposed on the urban service areas of the City.

7.4 Other D.C. By-law Provisions

It is recommended that:

7.4.1 Categories of Services for Reserve Fund and Credit Purposes

The City's D.C. collections are currently reserved in 8 separate reserve funds: Roads and Related (referred herein as Services Related to a Highway), Fire Protection Services, Outdoor Recreation, Indoor Recreation Services, Administration, Wastewater Services, and Water Services. It is recommended that the City separate the administration D.C. reserve fund into engineering studies and community based studies (in anticipation of the upcoming changes from Bill 108, as discussed in sections 1.4 and 5.2.3) under the new 2019 by-law. Appendix D outlines the reserve fund policies that the City is required to follow as per the D.C.A.

7.4.2 By-law In-force Date

A by-law under the D.C.A. comes into force on the day after which the by-law is passed by Council.

7.4.3 Minimum Interest Rate Paid on Refunds and Charged for Inter-Reserve Fund Borrowing

The minimum interest rate is the Bank of Canada rate on the day on which the by-law comes into force (as per s.11 of O.Reg. 82/98).

current. The draft by-law provided herein refers to O.Reg. 82/98 to ensure traceability should this index continue to be modified over time.



7.4.4 Area Rating

As noted earlier, Bill 73 has introduced two new sections where Council must consider the use of area specific charges:

1. Section 2(9) of the Act now requires a municipality to implement area-specific D.C.s for either specific services which are prescribed and/or for specific municipalities which are to be regulated (note that at this time, no municipalities or services are prescribed by the Regulations).
2. Section 10(2)c.1 of the D.C.A. requires that “the development charges background study shall include consideration of the use of more than one development charge by-law to reflect different needs for services in different areas.”

In regard to the first item, there are no services or specific municipalities identified in the regulations which must be area-rated. The second item requires Council to consider the use of area-rating.

At present, the City’s by-law does provide for area-rating with respect to water and wastewater. All other City services are recovered based on a uniform, City-wide basis. There have been several reasons why they have not been imposed including:

1. All City services, with the exception of water and wastewater, require that the average 10-year service standard be calculated. This average service standard multiplied by growth in the City, establishes an upper ceiling on the amount of funds which can be collected from all developing landowners. Section 4(4) of O. Reg. 82/98 provides that “...if a development charge by-law applies to a part of the municipality, the level of service and average level of service cannot exceed that which would be determined if the by-law applied to the whole municipality.” Put in layman terms, the average service standard multiplied by the growth within the specific area, would establish an area specific ceiling which would significantly reduce the total revenue recoverable for the City hence potentially resulting in D.C. revenue shortfalls and impacts on property taxes.
2. Extending on item 1, attempting to impose an area charge potentially causes equity issues in transitioning from a City-wide approach to an area specific approach. For example, if all services were now built (and funded) within area A



(which is 75% built out) and this was funded with some revenues from areas B and C, moving to an area rating approach would see Area A contribute no funds to the costs of services in Areas B & C. The development charges would be lower in Area A (as all services are now funded) and higher in B and C. As well, funding shortfalls may then potentially encourage the municipality to provide less services to B and C due to reduced revenue.

3. Many services which are provided (roads, parks, recreation facilities) are not restricted to one specific area and are often used by all residents. For example, arenas located in different parts of the City will be used by residents from all areas depending on the programming of the facility (i.e. a public skate is available each night, but at a different arena; hence usage of any one facility at any given time is based on programming availability).

For the reasons noted above, it is recommended that Council continue the D.C. approach to calculate the charges on an area specific basis for water and wastewater, while all other services be charged on a uniform City-wide basis.

7.5 Other Recommendations

It is recommended that Council:

“Whenever appropriate, request that grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable;”

“Adopt the assumptions contained herein as an ‘anticipation’ with respect to capital grants, subsidies and other contributions;”

“Continue the D.C. approach to calculate the non-urban charges on a uniform City-wide basis for all services;”

“Continue the D.C. approach of an urban-area charge basis for urban services;”

“Approve the capital project listing set out in Chapter 5 of the D.C.s Background Study dated July 24, 2019, subject to further annual review during the capital budget process;”



"Approve the D.C.s Background Study dated July 24, 2019, as amended (if applicable);"

"Determine that no further public meeting is required;" and

"Approve the D.C. By-law as set out in Appendix G, subject to refinements recommended prior to By-law adoption."

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Chapter 8

By-law Implementation

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8. By-law Implementation

8.1 Public Consultation Process

8.1.1 Introduction

This chapter addresses the mandatory, formal public consultation process (Section 8.1.2), as well as the optional, informal consultation process (Section 8.1.3). The latter is designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Section 8.1.4 addresses the anticipated impact of the D.C. on development from a generic viewpoint.

8.1.2 Public Meeting of Council

Section 12 of the D.C.A. indicates that before passing a D.C. by-law, Council must hold at least one public meeting, giving at least 20 clear days' notice thereof, in accordance with the Regulation. Council must also ensure that the proposed by-law and background report are made available to the public at least two weeks prior to the (first) meeting.

Any person who attends such a meeting may make representations related to the proposed by-law.

If a proposed by-law is changed following such a meeting, Council must determine whether a further meeting (under this section) is necessary (i.e. if the proposed by-law which is proposed for adoption has been changed in any respect, Council should formally consider whether an additional public meeting is required, incorporating this determination as part of the final by-law or associated resolution. It is noted that Council's decision, once made about not requiring a further public meeting, is final and not subject to review by a Court or the Local Planning Appeal Tribunal (L.P.A.T.) (formerly the Ontario Municipal Board (O.M.B.)).

8.1.3 Other Consultation Activity

There are three broad groupings of the public who are generally the most concerned with City D.C. policy:



1. The first grouping is the residential development community, consisting of land developers and builders, who are typically responsible for generating the majority of the D.C. revenues. Others, such as realtors, are directly impacted by D.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the quantum by unit type, projects to be funded by the D.C. and the timing thereof, and City policy with respect to development agreements, D.C. credits and front-ending requirements.
2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the industrial/commercial/institutional development sector, consisting of land developers and major owners or organizations with significant construction plans, such as hotels, entertainment complexes, shopping centres, offices, industrial buildings and institutions. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade and the Economic Development Agencies, who are all potentially interested in City D.C. policy. Their primary concern is frequently with the quantum of the charge, gross floor area exclusions such as basements, mechanical or indoor parking areas, or exemptions and phase-in or capping provisions in order to moderate the impact.

8.2 Anticipated Impact of the Charge on Development

The establishment of sound D.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that high non-residential D.C.s can, to some degree, represent a barrier to increased economic activity and sustained industrial/commercial growth, particularly for capital intensive uses. Also, in many cases, increased residential D.C.s can ultimately be expected to be recovered via higher housing prices and can impact project feasibility in some cases (e.g. rental apartments).

On the other hand, D.C.s or other City capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key initiative in providing adequate service levels and in facilitating strong economic growth, investment and wealth generation.



8.3 Implementation Requirements

8.3.1 Introduction

Once the City has calculated the charge, prepared the complete background study, carried out the public process and passed a new by-law, the emphasis shifts to implementation matters.

These include notices, potential appeals and complaints, credits, front-ending agreements, subdivision agreement conditions and finally the collection of revenues and funding of projects.

The sections which follow overview the requirements in each case.

8.3.2 Notice of Passage

In accordance with s.13 of the D.C.A., when a D.C. by-law is passed, the City Clerk shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e. as of the day of newspaper publication or the mailing of the notice).

Section 10 of O.Reg. 82/98 further defines the notice requirements which are summarized as follows:

- notice may be given by publication in a newspaper which is (in the Clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax or mail to every owner of land in the area to which the by-law relates;
- s.s.10(4) lists the persons/organizations who must be given notice; and
- s.s.10(5) lists the eight items which the notice must cover.

8.3.3 By-law Pamphlet

In addition to the "notice" information, the City must prepare a "pamphlet" explaining each D.C. by-law in force, setting out:

- a description of the general purpose of the D.C.s;



- the “rules” for determining if a charge is payable in a particular case and for determining the amount of the charge;
- the services to which the D.C.s relate; and
- a general description of the general purpose of the Treasurer’s statement and where it may be received by the public.

Where a by-law is not appealed to the L.P.A.T., the pamphlet must be readied within 60 days after the by-law comes into force. Later dates apply to appealed by-laws.

The City must give one copy of the most recent pamphlet without charge, to any person who requests one.

8.3.4 Appeals

Sections 13 to 19 of the D.C.A. set out the requirements relative to making and processing a D.C. by-law appeal and L.P.A.T. Hearing in response to an appeal. Any person or organization may appeal a D.C. by-law to the L.P.A.T. by filing a notice of appeal with the City Clerk, setting out the objection to the by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

The City is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

8.3.5 Complaints

A person required to pay a D.C., or their agent, may complain to the City Council imposing the charge that:

- the amount of the charge was incorrectly determined;
- the reduction to be used against the D.C. was incorrectly determined; or
- there was an error in the application of the D.C.

Sections 20 to 25 of the D.C.A. set out the requirements that exist, including the fact that a complaint may not be made later than 90 days after a D.C. (or any part of it) is payable. A complainant may appeal the decision of City Council to the L.P.A.T.



8.3.6 Credits

Sections 38 to 41 of the D.C.A. set out a number of credit requirements, which apply where a City agrees to allow a person to perform work in the future that relates to a service in the D.C. by-law.

These credits would be used to reduce the amount of D.C.s to be paid. The value of the credit is limited to the reasonable cost of the work which does not exceed the average level of service. The credit applies only to the service to which the work relates, unless the City agrees to expand the credit to other services for which a D.C. is payable.

8.3.7 Front-Ending Agreements

The City and one or more landowners may enter into a front-ending agreement which provides for the costs of a project which will benefit an area in the City to which the D.C. by-law applies. Such an agreement can provide for the costs to be borne by one or more parties to the agreement who are, in turn, reimbursed in future by persons who develop land defined in the agreement.

Part III of the D.C.A. (Sections 44 to 58) addresses front-ending agreements and removes some of the obstacles to their use which were contained in the D.C.A., 1989. Accordingly, the City assesses whether this mechanism is appropriate for its use, as part of funding projects prior to City funds being available.

8.3.8 Severance and Subdivision Agreement Conditions

Section 59 of the D.C.A. prevents a municipality from imposing directly or indirectly, a charge related to development or a requirement to construct a service related to development, by way of a condition or agreement under s.51 or s.53 of the Planning Act, except for:

- "local services, related to a plan of subdivision or within the area to which the plan relates, to be installed or paid for by the owner as a condition of approval under section 51 of the Planning Act;" and
- "local services to be installed or paid for by the owner as a condition of approval under section 53 of the Planning Act."

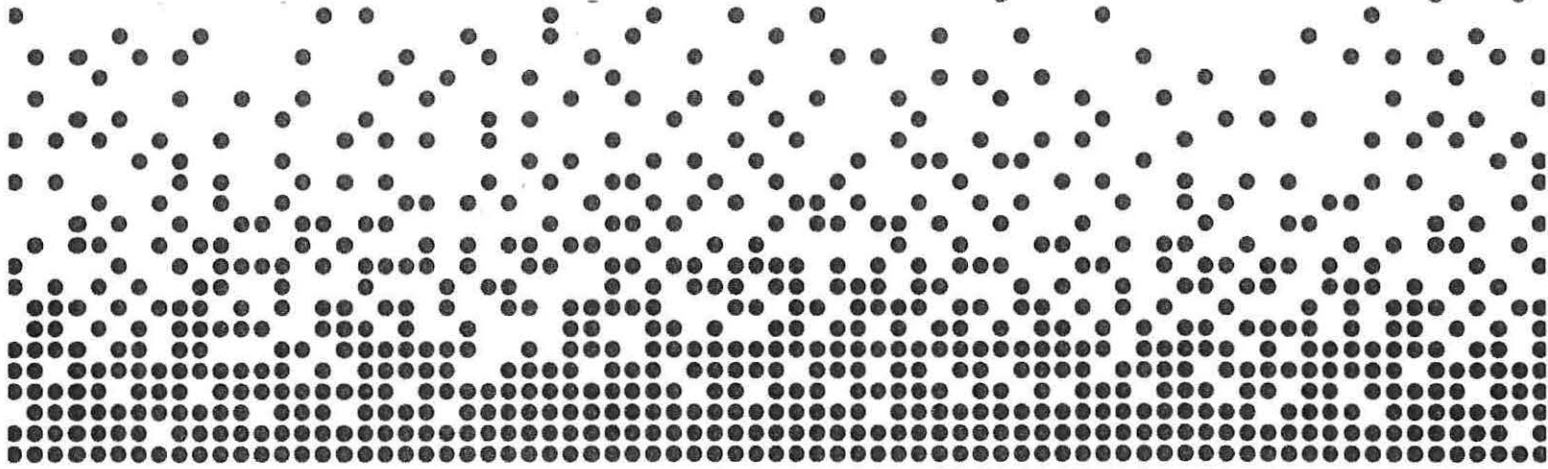


It is also noted that s.s.59(4) of the D.C.A. requires that the municipal approval authority for a draft plan of subdivision under s.s.51(31) of the Planning Act, use its power to impose conditions to ensure that the first purchaser of newly subdivided land is informed of all the D.C.s related to the development, at the time the land is transferred.

In this regard, if the Municipality in question is a commenting agency, in order to comply with subsection 59(4) of the D.C.A. it would need to provide to the approval authority, information regarding the applicable municipal D.C.s related to the site.

If the City is an approval authority for the purposes of section 51 of the Planning Act, it would be responsible to ensure that it collects information from all entities which can impose a D.C.

The most effective way to ensure that purchasers are aware of this condition would be to require it as a provision in a registered subdivision agreement, so that any purchaser of the property would be aware of the charges at the time the title was searched prior to closing a transaction conveying the lands.



Appendices

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Appendix A

Background Information on Residential and Non- Residential Growth Forecast

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**Schedule 1
City of Port Colborne
Residential Growth Forecast Summary**

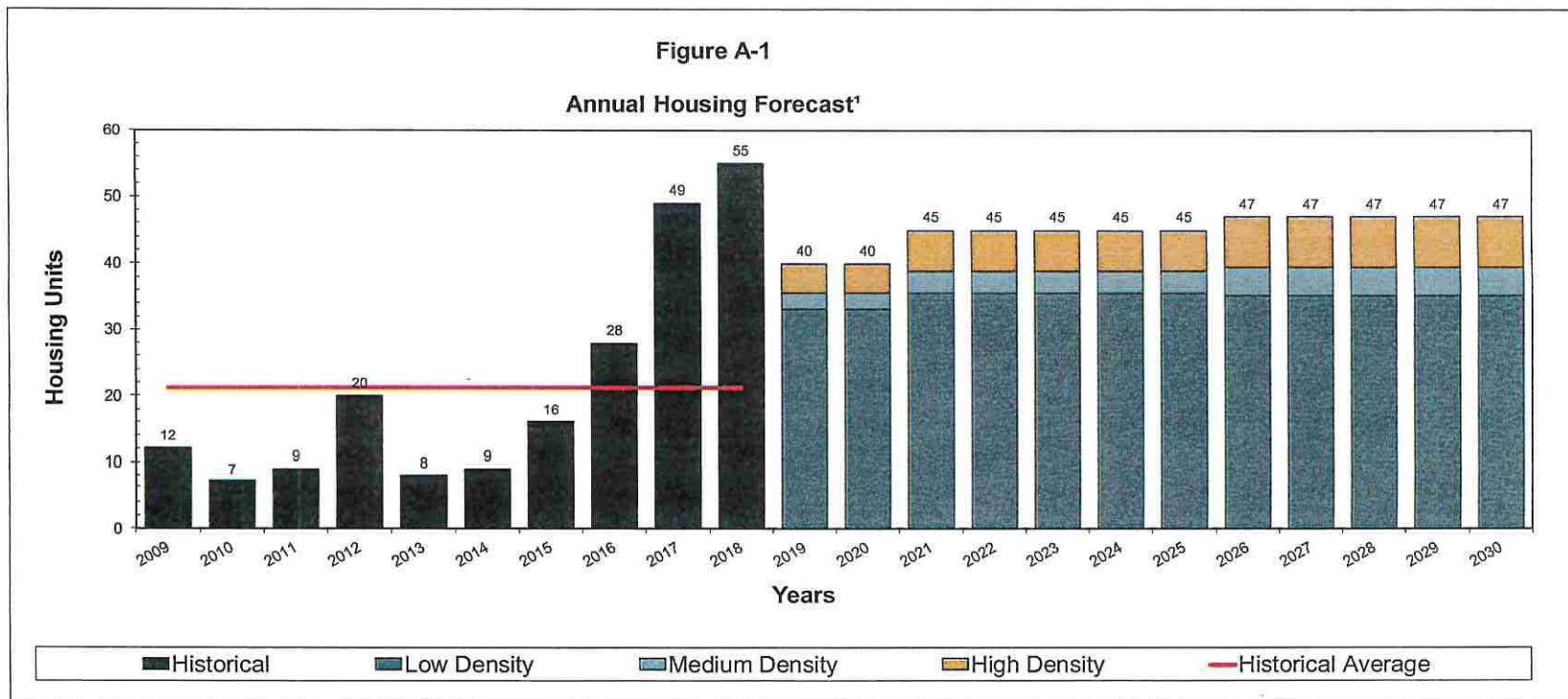
	Year	Population (Including Census Undercount) ¹	Excluding Census Undercount			Housing Units					Person Per Unit (P.P.U.): Total Population/ Total Households	
			Population	Institutional Population	Population Excluding Institutional Population	Singles & Semi- Detached	Multiple Dwellings ²	Apartments ³	Other	Total Households		Equivalent Institutional Households
Historical	Mid 2006	19,100	18,599	479	18,120	5,900	610	1,230	55	7,795	435	2.386
	Mid 2011	18,920	18,424	449	17,975	6,050	600	1,161	95	7,906	408	2.330
	Mid 2016	18,800	18,306	441	17,865	6,005	670	1,210	135	8,020	401	2.283
Forecast	Mid 2019	19,020	18,517	447	18,070	6,105	670	1,242	135	8,152	406	2.271
	Mid 2029	19,880	19,360	467	18,893	6,455	704	1,304	135	8,598	425	2.252
	Mid 2031	20,080	19,549	471	19,078	6,525	713	1,319	135	8,692	428	2.249
Incremental	Mid 2006 - Mid 2011	-180	-175	-30	-145	150	-10	-69	40	111	-27	
	Mid 2011 - Mid 2016	-120	-118	-8	-110	-45	70	49	40	114	-7	
	Mid 2016 - Mid 2019	220	211	6	205	100	0	32	0	132	5	
	Mid 2019 - Mid 2029	860	843	20	823	350	34	62	0	446	19	
	Mid 2019 - Mid 2031	1,060	1,032	24	1,008	420	43	77	0	540	22	

Source: Derived from the Draft Niagara Region Municipal Comprehensive Review Phase 4 Forecast Update, July 2018, for the City of Port Colborne by Watson & Associates Economists Ltd., 2019.

¹ Census undercount estimated at approximately 2.7%. Note: Population including the undercount has been rounded.

² Includes townhouses and apartments in duplexes.

³ Includes bachelor, 1-bedroom and 2-bedroom+ apartments.



Source: Historical housing activity derived from City of Port Colborne Planning and Development Department, 2009 to 2018.

1. Growth forecast represents calendar year.



Schedule 2
City of Port Colborne
Estimate of the Anticipated Amount, Type and Location of
Residential Development for Which Development Charges can be Imposed

Development Location	Timing	Single & Semi-Detached	Multiples ¹	Apartments ²	Total Residential Units	Gross Population In New Units	Existing Unit Population Change	Net Population Increase, Excluding Institutional	Institutional Population	Net Population Including Institutional
Urban	2019 - 2029	252	34	62	348	869	(174)	695	20	715
	2019 - 2031	303	43	77	422	1,052	(202)	850	24	874
Rural	2019 - 2029	98	0	0	98	270	(143)	127	0	127
	2019 - 2031	118	0	0	118	324	(166)	159	0	159
City of Port Colborne	2019 - 2029	350	34	62	446	1,139	(317)	822	20	842
	2019 - 2031	420	43	77	540	1,376	(368)	1,008	24	1,032

Source: Watson & Associates Economists Ltd., 2019.

¹ Includes townhouses and apartments in duplexes.

² Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



**Schedule 3
City of Port Colborne
Current Year Growth Forecast
Mid 2016 to Mid 2019**

		Population
Mid 2016 Population		18,306
Occupants of New Housing Units, Mid 2016 to Mid 2019	<i>Units (2)</i>	132
	<i>multiplied by P.P.U. (3)</i>	2,688
	<i>gross population increase</i>	355
		355
Occupants of New Equivalent Institutional Units, Mid 2016 to Mid 2019	<i>Units</i>	5
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	5
		5
Decline in Housing Unit Occupancy, Mid 2016 to Mid 2019	<i>Units (4)</i>	8,020
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.019
	<i>total decline in population</i>	-149
		-149
Population Estimate to Mid 2019		18,517
Net Population Increase, Mid 2016 to Mid 2019		211

- (1) 2016 population based on Statistics Canada Census unadjusted for Census undercount.
 (2) Estimated residential units constructed, Mid-2016 to the beginning of the growth period assuming a six-month lag between construction and occupancy.
 (3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit ¹ (P.P.U.)	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	2.917	78%	2.288
<i>Multiples (6)</i>	2.189	8%	0.169
<i>Apartments (7)</i>	1.669	14%	0.231
Total		100%	2.688

¹ Based on 2016 Census custom database

² Based on Building permit/completion activity

- (4) 2016 households taken from Statistics Canada Census.
 (5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.
 (6) Includes townhouses and apartments in duplexes.
 (7) Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



**Schedule 4
City of Port Colborne
Ten Year Growth Forecast
Mid 2019 to Mid 2029**

		Population
Mid 2019 Population		18,517
Occupants of New Housing Units, Mid 2019 to Mid 2029	<i>Units (2)</i>	446
	<i>multiplied by P.P.U. (3)</i>	2,554
	<i>gross population increase</i>	1,139
Occupants of New Equivalent Institutional Units, Mid 2019 to Mid 2029	<i>Units</i>	19
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	21
Decline in Housing Unit Occupancy, Mid 2019 to Mid 2029	<i>Units (4)</i>	8,152
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.039
	<i>total decline in population</i>	-317
Population Estimate to Mid 2029		19,360
Net Population Increase, Mid 2019 to Mid 2029		843

(1) Mid 2019 Population based on:

$$2016 \text{ Population } (18,306) + \text{Mid 2016 to Mid 2019 estimated housing units to beginning of forecast period } (132 \times 2.736 = 360) + (5 \times 1.100 = 5) + (8,020 \times -0.019 = -154) = 18,517$$

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (p.p.u.) is assumed to be:

Structural Type	Persons Per Unit ¹ (P.P.U.)	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	2.756	78%	2.162
<i>Multiples (6)</i>	2.035	8%	0.157
<i>Apartments (7)</i>	1.702	14%	0.236
<i>one bedroom or less</i>	1.215		
<i>two bedrooms or more</i>	1.987		
Total		100%	2.554

¹ Persons per unit based on adjusted Statistics Canada Custom 2016 Census database.

² Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2019 households based upon 8,020 (2016 Census) + 132 (Mid 2016 to Mid 2019 unit estimate) = 8,152

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



**Schedule 5
City of Port Colborne
2031 Growth Forecast
Mid 2019 to Mid 2031**

		Population
Mid 2019 Population		18,517
Occupants of New Housing Units, 2019 to Mid 2031	<i>Units (2)</i>	540
	<i>multiplied by P.P.U. (3)</i>	2,549
	<i>gross population increase</i>	1,376
Occupants of New Equivalent Institutional Units, 2019 to Mid 2031	<i>Units</i>	22
	<i>multiplied by P.P.U. (3)</i>	1,100
	<i>gross population increase</i>	24
Decline in Housing Unit Occupancy, 2019 to Mid 2031	<i>Units (4)</i>	8,152
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.045
	<i>total decline in population</i>	-368
Population Estimate to Mid 2031		19,549
Net Population Increase, 2019 to Mid 2031		1,032

(1) Mid 2019 Population based on:

2016 Population (18,306) + Mid 2016 to Mid 2019 estimated housing units to beginning of forecast period (132 x 2.736 = 360) + (5 x 1.100 = 5) + (8,020 x -0.019 = -154) = 18,517

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (p.p.u.) is assumed to be:

Structural Type	Persons Per Unit ¹ (P.P.U.)	% Distribution of Estimated Units ²	Weighted Persons Per Unit Average
<i>Singles & Semi Detached</i>	2.756	78%	2.145
<i>Multiples (6)</i>	2.035	8%	0.161
<i>Apartments (7)</i>	1.702	14%	0.242
<i>one bedroom or less</i>	1.215		
<i>two bedrooms or more</i>	1.987		
Total		100%	2.549

¹ Persons per unit based on adjusted Statistics Canada Custom 2016 Census database.

² Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2019 households based upon 8,020 (2016 Census) + 132 (Mid 2016 to Mid 2019 unit estimate) = 8,152

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Schedule 6
City of Port Colborne
Summary of Housing Units in Active Development Applications as of 2019
City of Port Colborne

Stage of Development	Density Type			
	Singles & Semi-Detached	Multiples ¹	Apartments ²	Total
Registered Not Built	73	0	0	73
<i>% Breakdown</i>	<i>100%</i>	<i>0%</i>	<i>0%</i>	<i>100%</i>
Draft Plans Approved	138	0	57	195
<i>% Breakdown</i>	<i>71%</i>	<i>0%</i>	<i>29%</i>	<i>100%</i>
Application Under Review	0	0	0	0
<i>% Breakdown</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
Total	211	0	57	268
<i>% Breakdown</i>	<i>79%</i>	<i>0%</i>	<i>21%</i>	<i>100%</i>

Source: City of Port Colborne Planning and Development Department, 2019.

¹ Includes townhomes and apartments in duplexes.

² Includes bachelor, 1 bedroom and 2 bedroom+ apartments.



Schedule 7
City of Port Colborne
Historical Residential Building Permits
Years 2009 to 2018

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples ¹	Apartments ²	Total
2009	12	0	0	12
2010	7	0	0	7
2011	9	0	0	9
2012	20	0	0	20
2013	8	0	0	8
Sub-total	56	0	0	56
Average (2009 - 2013)	11	0	0	11
% Breakdown	100.0%	0.0%	0.0%	100.0%
2014	9	0	0	9
2015	8	8	0	16
2016	28	0	0	28
2017	41	0	8	49
2018	31	0	24	55
Sub-total	117	8	32	157
Average (2014 - 2018)	23	2	6	31
% Breakdown	74.5%	5.1%	20.4%	100.0%
2009 - 2018				
Total	173	8	32	213
Average	17	1	3	21
% Breakdown	81.2%	3.8%	15.0%	100.0%

Source: Historical housing activity derived from City of Port Colborne Planning and Development Department, 2009 to 2018.

¹ Includes townhouses and apartments in duplexes.

² Includes bachelor, 1 bedroom and 2 bedroom+ apartments.



**Schedule 8a
City of Port Colborne
Persons Per Unit By Age and Type of Dwelling
(2016 Census)**

Age of Dwelling	Singles and Semi-Detached						15 Year Historic Average	15 Year Forecast ¹
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	-	-	-	2.917		
6-10	-	-	-	3.000	-	2.970		
11-15	-	-	-	2.632	-	2.545	2.811	2.756
16-20	-	-	-	3.000	-	3.037		
20-25	-	-	-	3.000	-	3.030		
25-35	-	-	-	2.871	-	2.654		
35+	-	1.474	1.814	2.403	3.231	2.288		
Total	-	1.304	1.823	2.496	3.150	2.379		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	-	-	-	-	2.563
6-10	-	-	1.857	2.667	-	2.521
11-15	-	-	1.917	2.565	-	2.389
16-20	-	-	1.727	3.000	-	2.628
20-25	-	-	1.643	3.179	-	2.673
25-35	-	1.048	1.750	2.849	-	2.278
35+	-	1.200	1.778	2.440	3.082	2.173
Total	-	1.196	1.784	2.533	3.086	2.228

¹ PPU has been forecasted based on 2001 to 2016 historical trends.

Note: Does not include Statistics Canada data classified as 'Other'

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



**Schedule 8b
Niagara Region
Persons Per Unit By Age and Type of Dwelling
(2016 Census)**

Age of Dwelling	Multiples ¹						15 Year Historic Average	15 Year Forecast ³
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.647	1.726	2.424	-	2.189		
6-10	-	1.231	1.807	2.275	-	1.997		
11-15	-	1.529	1.675	2.432	-	2.111	2.099	2.035
16-20	-	1.500	1.914	2.494	-	2.208		
20-25	-	1.360	1.748	2.726	3.143	2.296		
25-35	-	1.292	2.000	2.640	2.750	2.404		
35+	-	1.216	1.823	2.630	3.407	2.176		
Total	-	1.275	1.814	2.562	3.243	2.197		

Age of Dwelling	Apartments ²						15 Year Historic Average	15 Year Forecast ³
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.317	1.652	2.783	-	1.669		
6-10	-	1.178	1.721	3.067	-	1.685		
11-15	-	1.381	1.865	2.632	-	1.817	1.724	1.702
16-20	-	1.241	1.847	2.652	-	1.686		
20-25	-	1.224	1.780	2.974	-	1.668		
25-35	0.800	1.199	1.729	3.082	-	1.589		
35+	1.085	1.167	1.740	2.616	2.550	1.562		
Total	0.892	1.185	1.746	2.716	2.875	1.589		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.411	1.792	2.879	4.380	2.604
6-10	-	1.337	1.821	2.966	4.291	2.688
11-15	-	1.447	1.836	2.931	4.284	2.745
16-20	-	1.430	1.868	2.895	3.934	2.656
20-25	-	1.253	1.799	2.895	3.934	2.515
25-35	-	1.231	1.818	2.787	3.648	2.497
35+	1.250	1.219	1.790	2.539	3.725	2.272
Total	1.250	1.242	1.800	2.658	3.841	2.383

¹ Includes townhouses and apartments in duplexes.

² Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

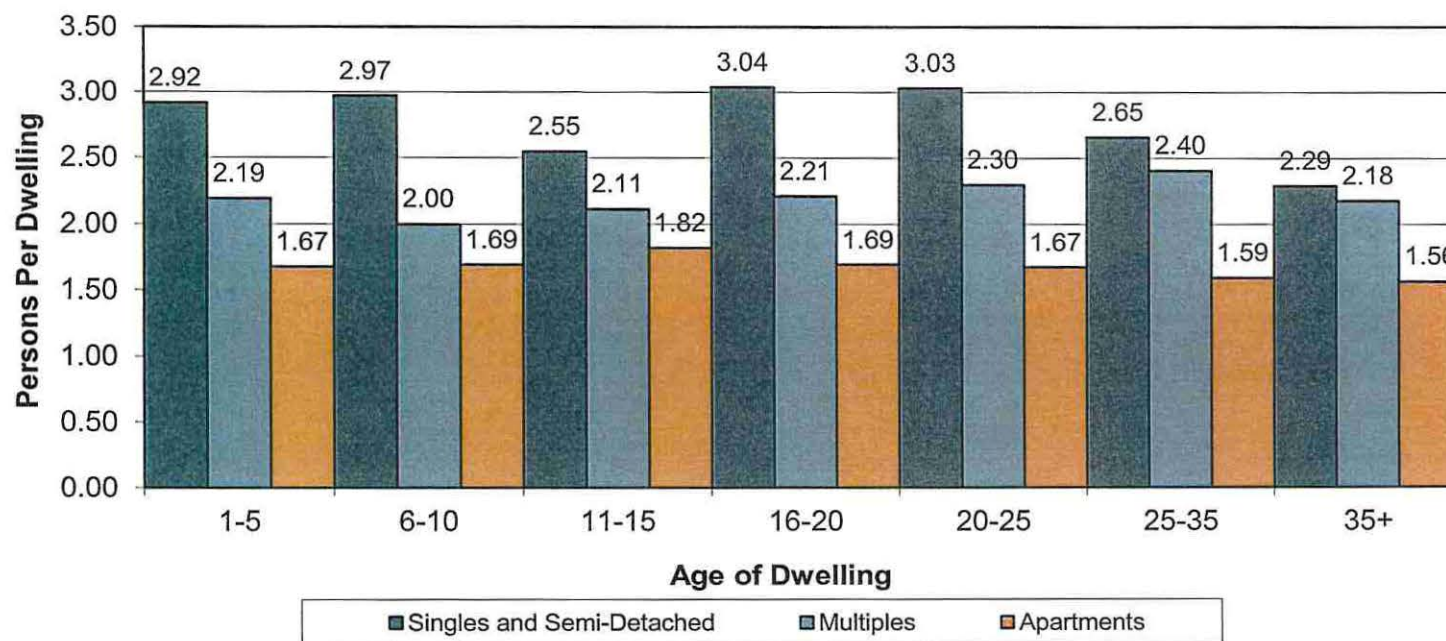
³ PPU has been forecasted based on 2001 to 2016 historical trends.

Note: Does not include Statistics Canada data classified as 'Other'

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



**Schedule 9
City of Port Colborne
Persons Per Unit By Structural Type and Age of Dwelling
(2016 Census)**



Multiple and Apartment P.P.U.s are based on Niagara Region.



**Schedule 10a
City of Port Colborne
Employment Forecast, 2019 to 2031**

Period	Population	Activity Rate							Employment							Employment Total (Excluding Work at Home)		
		Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total	N.F.P.O.W. ¹	Total Including NFPOW	Primary	Work at Home	Industrial	Commercial/ Population Related	Institutional	Total		N.F.P.O.W. ¹	Total Employment (Including N.F.P.O.W.)
Mid 2006	18,599	0.007	0.028	0.101	0.119	0.075	0.330	0.033	0.364	135	515	1,883	2,213	1,400	6,145	620	6,765	5,630
Mid 2011	18,424	0.008	0.015	0.083	0.116	0.065	0.288	0.034	0.322	140	270	1,530	2,165	1,200	5,305	630	5,935	5,035
Mid 2016	18,306	0.007	0.029	0.083	0.112	0.064	0.295	0.043	0.339	125	535	1,518	2,053	1,175	5,405	793	6,198	4,870
Mid 2019	18,517	0.007	0.029	0.083	0.112	0.064	0.295	0.043	0.339	129	541	1,535	2,078	1,183	5,407	802	6,209	4,925
Mid 2029	19,360	0.007	0.030	0.088	0.115	0.063	0.302	0.044	0.345	132	571	1,702	2,217	1,223	5,845	842	6,687	5,274
Mid 2031	19,549	0.007	0.030	0.088	0.116	0.063	0.303	0.044	0.347	133	577	1,724	2,259	1,233	5,926	851	6,777	5,349
Incremental Change																		
Mid 2006 - Mid 2011	-175	0.0003	-0.0130	-0.0182	-0.0014	-0.0101	-0.0425	0.0000	-0.0416	5	-245	-353	-48	-200	-840	10	-830	-595
Mid 2011 - Mid 2016	-118	-0.0008	0.0146	-0.0001	-0.0054	-0.0009	0.0073	0.0091	0.0164	-15	265	-13	-113	-25	100	163	263	-165
Mid 2016 - Mid 2019	211	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	1	6	18	24	14	62	9	71	56
Mid 2019 - Mid 2029	843	0.0000	0.0003	0.0050	0.0024	-0.0010	0.0067	0.0002	0.0069	6	30	167	141	34	378	40	418	348
Mid 2019 - Mid 2031	1,032	0.0000	0.0003	0.0053	0.0034	-0.0011	0.0079	0.0002	0.0081	7	36	189	183	44	459	49	508	423
Annual Average																		
Mid 2006 - Mid 2011	-35	0.0001	-0.0026	-0.0036	-0.0003	-0.0020	-0.0085	0.0002	-0.0083	1	-40	-71	-10	-40	-168	2	-166	-119
Mid 2011 - Mid 2016	-24	-0.0002	0.0029	0.0000	-0.0011	-0.0002	0.0015	0.0018	0.0033	-3	53	-3	-23	-5	20	33	53	-33
Mid 2016 - Mid 2019	70	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0	2	6	8	5	21	3	24	19
Mid 2019 - Mid 2029	84	0.0000	0.0000	0.0005	0.0002	-0.0001	0.0007	0.0000	0.0007	1	3	17	14	3	38	4	42	35
Mid 2019 - Mid 2031	86	0.0000	0.0000	0.0004	0.0003	-0.0001	0.0007	0.0000	0.0007	1	3	16	15	4	38	4	42	35

Source: Watson & Associates Economists Ltd., 2019.

¹ Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as "persons who do not go from home to the same work place location at the beginning of each shift". Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.



Schedule 10b
City of Port Colborne
Employment & Gross Floor Area (G.F.A) Forecast, 2019 to 2031

Period	Population	Employment					Gross Floor Area in Square Feet (Estimated) ¹			
		Primary	Industrial	Commercial/ Population Related	Institutional ²	Total	Industrial	Commercial/ Population Related	Institutional	Total
Mid 2006	18,599	135	1,883	2,213	1,400	5,630				
Mid 2011	18,424	140	1,530	2,165	1,200	5,035				
Mid 2016	18,306	125	1,518	2,053	1,175	4,870				
Mid 2019	18,517	126	1,535	2,076	1,186	4,923				
Mid 2029	19,360	132	1,702	2,217	1,210	5,261				
Mid 2031	19,549	133	1,724	2,259	1,219	5,335				
Incremental Change										
Mid 2006 - Mid 2011	-175	5	-353	-48	-200	-595				
Mid 2011 - Mid 2016	-118	-15	-13	-113	-25	-165				
Mid 2016 - Mid 2019	211	1	18	24	11	53	24,500	12,900	8,100	45,500
Mid 2019 - Mid 2029	843	6	167	141	24	338	233,800	77,600	15,500	326,900
Mid 2019 - Mid 2031	1,032	7	189	183	33	412	264,600	100,700	21,700	387,000
Annual Average										
Mid 2006 - Mid 2011	-35	1	-71	-10	-40	-119				
Mid 2011 - Mid 2016	-24	-3	-3	-23	-5	-33				
Mid 2016 - Mid 2019	70	0	6	8	4	18	8,167	4,300	2,700	15,167
Mid 2019 - Mid 2029	84	1	17	14	2	34	23,380	7,760	1,550	32,690
Mid 2019 - Mid 2031	86	1	16	15	3	34	22,050	8,392	1,808	32,250

Source: Watson & Associates Economists Ltd., 2019.

¹ Square Foot Per Employee Assumptions

Industrial	1,400
Commercial/ Population Related	550
Institutional	658

² Forecast institutional employment and gross floor area has been adjusted downward to account for employment associated with special care units.

* Reflects Mid 2019 to Mid 2031 forecast period

Note: Numbers may not add to totals due to rounding.



Schedule 10c
Estimate of the Anticipated Amount, Type and Location of
Non-Residential Development for Which Development Charges can be Imposed

Development Location	Timing	Industrial G.F.A. S.F. ¹	Commercial G.F.A. S.F. ¹	Institutional G.F.A. S.F. ¹	Total Non- Residential G.F.A. S.F.	Employment Increase ²
Urban	Mid 2019 - Mid 2029	222,600	73,700	15,500	311,800	317
	Mid 2019 - Mid 2031	252,000	95,700	21,700	369,400	387
Rural	Mid 2019 - Mid 2029	11,200	3,900	-	15,100	15
	Mid 2019 - Mid 2031	12,600	5,000	-	17,600	18
City of Port Colborne	Mid 2019 - Mid 2029	233,800	77,600	15,500	326,900	332
	Mid 2019 - Mid 2031	264,600	100,700	21,700	387,000	405

Source: Watson & Associates Economists Ltd., 2019.

¹ Square feet per employee assumptions:

Industrial 1,400

Commercial 550

Institutional 658

² Employment Increase does not include No Fixed Place of Work.

*Reflects Mid 2019 to Mid 2031 forecast period

Note: Numbers may not add to totals due to rounding.



Schedule 11
City of Port Colborne
Non-Residential Construction Value
Years 2007 to 2016
(000's 2018 \$)

YEAR	Industrial				Commercial				Institutional				Total			
	New	Improve	Additions	Total	New	Improve	Additions	Total	New	Improve	Additions	Total	New	Improve	Additions	Total
2007	279	52	582	914	6	3,258	5,471	8,735	23	1,024	0	1,048	308	4,335	6,053	10,696
2008	1,737	365	570	2,672	173	689	0	862	0	188	570	758	1,911	1,241	1,140	4,292
2009	18,001	356	1,356	19,713	0	149	622	771	0	33	0	33	18,001	538	1,978	20,516
2010	710	297	970	1,977	335	4,866	1,455	6,655	112	1,083	0	1,194	1,156	6,245	2,425	9,826
2012	3,765	801	10,173	14,739	0	533	1,260	1,792	107	91	0	198	3,872	1,425	11,433	16,730
2013	4,941	363	947	6,251	507	562	0	1,069	0	300	421	721	5,448	1,225	1,368	8,040
2014	72	338	0	411	1,425	608	0	2,033	0	2,865	4,644	7,509	1,497	3,811	4,644	9,953
2015	743	2,341	0	3,083	1,769	2,440	0	4,209	144	175	0	319	2,655	4,956	0	7,611
2016	4,134	271	0	4,405	4,098	573	0	4,671	0	7	0	7	8,232	851	0	9,082
Subtotal	37,230	7,176	24,717	69,123	40,964	16,018	9,133	66,116	418	6,331	5,635	12,384	78,612	29,526	39,485	147,622
Percent of Total	54%	10%	36%	100%	62%	24%	14%	100%	3%	51%	46%	100%	53%	20%	27%	100%
Average	3,723	718	3,531	6,912	5,120	1,602	1,827	6,612	84	633	1,878	1,238	7,861	2,953	4,936	14,762
2007 - 2011 Period Total				40,233				52,341				3,631				96,206
2007 - 2011 Average				8,047				10,468				726				19,241
% Breakdown				41.8%				54.4%				3.8%				100.0%
2012 - 2016 Period Total				28,889				13,774				8,753				51,416
2012 - 2016 Average				5,778				2,755				1,751				10,283
% Breakdown				56.2%				26.8%				17.0%				100.0%
2007 - 2016 Period Total				69,123				66,116				12,384				147,622
2007 - 2016 Average				6,912				6,612				1,238				14,762
% Breakdown				46.8%				44.8%				8.4%				100.0%

Source: Statistics Canada Publication, 64-001-X1B

Note: Inflated to year-end 2017 (January, 2018) dollars using Reed Construction Cost Index



Schedule 12
City of Port Colborne

Employment to Population Ratio by Major Employment Sector, 2006 to 2016

NAICS		Year			Change			Comments
		2006	2011	2016	96-01	06-11	11-16	
Employment by industry								
Primary Industry Employment								
11	Agriculture, forestry, fishing and hunting	110	45	120		-65	75	Categories which relate to local land-based resources
21	Mining and oil and gas extraction	70	95	75		25	-20	
Sub-total		180	140	195	0	-40	55	
Industrial and Other Employment								
22	Utilities	45	0	15		-45	15	Categories which relate primarily to industrial land supply and demand
23	Construction	240	130	225		-110	95	
31-33	Manufacturing	1,205	1,020	915		-185	-105	
41	Wholesale trade	225	210	140		-15	-70	
48-49	Transportation and warehousing	205	180	245		-25	65	
56	Administrative and support	103	70	95		-33	25	
Sub-total		2,023	1,610	1,635	-103	-413	25	
Population Related Employment								
44-45	Retail trade	800	895	790		95	-105	Categories which relate primarily to population growth within the municipality
51	Information and cultural industries	60	35	65		-25	30	
52	Finance and insurance	110	200	90		90	-110	
53	Real estate and rental and leasing	40	165	70		125	-95	
54	Professional, scientific and technical services	190	225	205		35	-20	
55	Management of companies and enterprises	0	0	10		0	10	
56	Administrative and support	103	70	95		-33	25	
71	Arts, entertainment and recreation	130	90	65		-40	-25	
72	Accommodation and food services	550	445	590		-105	145	
81	Other services (except public administration)	490	210	335		-280	125	
Sub-total		2,473	2,335	2,315	-103	-138	-20	
Institutional								
61	Educational services	365	355	425		-10	70	
62	Health care and social assistance	950	670	605		-280	-65	
91	Public administration	155	195	230		40	35	
Sub-total		1,470	1,220	1,260	0	-250	40	
Total Employment		6,145	5,305	5,405	-205	-840	-100	
Population		18,599	18,424	18,306	149	-175	-118	
Employment to Population Ratio								
Industrial and Other Employment		0.11	0.09	0.09	-0.01	-0.02	0.00	
Population Related Employment		0.13	0.13	0.13	-0.01	-0.01	0.00	
Institutional Employment		0.08	0.07	0.07	0.00	-0.01	0.00	
Primary Industry Employment		0.01	0.01	0.01	0.00	0.00	0.00	
Total		0.33	0.29	0.30	-0.01	-0.04	0.01	

Source: Statistics Canada Employment by Place of Work

Note: 2006-2016 employment figures are classified by North American Industry Classification System (NAICS) Code



Appendix B

Level of Service

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**APPENDIX B - LEVEL OF SERVICE CEILING
CITY OF PORT COLBORNE**

SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED								
Service Category	Sub-Component	10 Year Average Service Standard						Maximum Ceiling LOS
		Cost (per capita)		Quantity (per capita)		Quality (per capita)		
Services related to a Highway	Roads	\$9,377.90	0.0089	km of roadways	1,053,697	per lane km	9,677,993	
	Public Works - Facilities	\$272.96	1.2509	ft ² of building area	218	per sq.ft.	281,695	
	Public Works - Vehicles and Equipment	\$256.99	0.0019	No. of vehicles and equipment	135,258	per vehicle	265,214	
Fire Protection Services	Fire Facilities	\$339.55	0.9565	ft ² of building area	355	per sq.ft.	350,416	
	Fire Vehicles	\$197.40	0.0005	No. of vehicles	394,800	per vehicle	203,717	
	Fire Small Equipment and Gear	\$47.90	0.0114	No. of equipment and gear	4,202	per Firefighter	49,433	
Outdoor Recreation	Parkland Development	\$1,342.08	0.0135	Acres of Parkland	99,413	per acre	1,130,031	
	Parkland Amenities	\$302.56	0.0026	No. of parkland amenities	116,369	per amenity	254,756	
	Parkland Trails	\$256.24	1.1141	Linear Metres of Paths and Trails	230	per lin m.	215,754	
	Parks Vehicles and Equipment	\$56.01	0.0013	No. of vehicles and equipment	43,085	per vehicle	47,160	
Indoor Recreation	Indoor Recreation Facilities	\$1,900.18	6.7689	ft ² of building area	281	per sq.ft.	1,599,952	
Library Services	Library Facilities	\$339.19	1.2563	ft ² of building area	270	per sq.ft.	285,598	
	Library Collection Materials	\$96.05	3.4918	No. of library collection items	28	per collection item	80,874	



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Roads
Unit Measure: km of roadways

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/km)
Rural Sections											
100	42	42	42	42	42	42	42	42	42	42	\$991,500
200	41	41	41	41	41	41	41	41	41	41	\$991,500
300	22	22	22	22	22	22	22	22	22	22	\$991,500
400	40	40	40	40	40	40	40	40	40	40	\$991,500
500	4	4	4	4	4	4	4	4	4	4	\$991,500
Semi-Urban Sections											
Arterial	2	2	2	2	2	2	2	2	2	2	\$1,613,500
Collector Residential	5	5	5	5	5	5	5	5	5	5	\$1,613,500
Collector Commerical/Residential	1	1	1	1	1	1	1	1	1	1	\$1,613,500
Urban Sections											
Arterial	3	3	3	3	3	3	3	3	3	3	\$1,986,600
Collector Residential	3	3	3	3	3	3	3	3	3	3	\$1,986,600
Total	163	163	163	163	163	163	163	163	163	163	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.009	0.009	0.009	0.009	0.009	0.009	0.009	0.009	0.009	0.009

10 Year Average	2009-2018
Quantity Standard	0.0089
Quality Standard	\$1,053,697
Service Standard	\$9,378

D.C. Amount (before deductions)	2031
Forecast Population	1,032
\$ per Capita	\$9,378
Eligible Amount	\$9,677,993



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Public Works - Facilities
Unit Measure: ft² of building area

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Offices/Garages/Storage	6,304	6,304	6,304	6,304	6,304	6,304	6,304	6,304	-	-	\$159	\$183
Flammable Storage Building	120	120	120	120	120	120	120	120	-	-	\$157	\$180
Sand/Salt Dome	4,200	4,200	4,200	4,200	4,200	4,200	4,200	4,200	-	-	\$50	\$62
Storage Warehouse	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000	-	-	\$101	\$119
Trailer 12x32	-	-	-	384	384	384	384	384	-	-	\$115	\$134
Operations Centre	-	-	-	-	-	-	-	-	47,603	47,603	\$278	\$344
Total	16,624	16,624	16,624	17,008	17,008	17,008	17,008	17,008	47,603	47,603		

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.8964	0.8989	0.9023	0.9247	0.9247	0.9265	0.9281	0.9291	2.5952	2.5828

10 Year Average	2009-2018
Quantity Standard	1.2509
Quality Standard	\$218
Service Standard	\$273

D.C. Amount (before deductions)	2031
Forecast Population	1,032
\$ per Capita	\$273
Eligible Amount	\$281,695



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Public Works - Vehicles and Equipment
Unit Measure: No. of vehicles and equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/Vehicle)
Utility Service Truck	1	1	1	1	2	2	2	2	2	2	\$173,100
Dump	6	6	6	6	6	6	6	6	6	6	\$253,900
Pickup	10	10	10	10	10	10	10	10	10	10	\$44,400
Van	2	2	2	2	2	2	2	2	2	2	\$51,200
One Ton Diesel Dump	2	2	2	2	2	2	2	2	2	2	\$95,700
Diesel Sweeper	1	2	2	2	2	2	2	2	2	2	\$316,000
Window Van	1	1	1	1	1	1	1	1	1	1	\$43,200
Champion Grader	1	1	1	1	1	1	1	1	1	1	\$307,400
John Deere Loader	1	1	1	1	1	1	1	1	1	1	\$290,400
John Deere Tractor	2	2	2	2	2	2	2	2	2	2	\$71,800
Sicard Blower	2	2	2	2	2	2	2	2	2	2	\$162,400
JCB Backhoe	2	2	2	2	2	2	2	2	2	2	\$161,700
Mini-Van	2	2	2	2	2	2	2	2	2	2	\$37,300
Utility Valve/Flusher Truck					1	1	1	1	1	1	\$136,900
Total	33	34	34	34	36	36	36	36	36	36	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.0018	0.0018	0.0018	0.0018	0.0020	0.0020	0.0020	0.0020	0.0020	0.0020

10 Year Average	2009-2018
Quantity Standard	0.0019
Quality Standard	\$135,258
Service Standard	\$257

D.C. Amount (before deductions)	2031
Forecast Population	1,032
\$ per Capita	\$257
Eligible Amount	\$265,214



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Fire Facilities
Unit Measure: ft² of building area

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Fire Station #1 (Killaly St W)	17,600	17,600	17,600	17,600	17,600	17,600	17,600	17,600	17,600	17,600	\$301	\$355
Total	17,600	17,600	17,600	17,600	17,600	17,600	17,600	17,600	17,600	17,600		

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.9490	0.9517	0.9553	0.9569	0.9569	0.9588	0.9604	0.9614	0.9595	0.9549

10 Year Average		2009-2018
Quantity Standard		0.9565
Quality Standard		\$355
Service Standard		\$340

D.C. Amount (before deductions)		2031
Forecast Population		1,032
\$ per Capita		\$340
Eligible Amount		\$350,416



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Fire Vehicles
Unit Measure: No. of vehicles

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/Vehicle)
Engine No. 1	1	1	1	1	1	1	1	1	1	1	\$660,000
Engine No. 2	1	1	1	1	1	1	1	1	1	1	\$660,000
Engine No. 3	1	1	1	1	-	-	-	-	-	-	\$660,000
Ladder No. 1	1	1	1	1	1	1	1	1	1	1	\$1,300,000
Tanker No. 1	1	1	1	1	1	1	1	1	1	1	\$346,200
Command No. 1	1	1	1	1	1	1	1	1	1	1	\$40,000
Command No. 2	1	1	1	1	1	1	1	1	1	1	\$40,000
Squad No. 1	1	1	1	1	1	1	1	1	1	1	\$40,000
Fire Prevention Officer Vehicle (Car 3)	1	1	1	1	1	1	1	1	1	1	\$40,000
Rescue Vehicle					1	1	1	1	1	1	\$403,900
Total	9	9	9	9	9	9	9	9	9	9	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.0005	0.0005	0.0005	0.0005	0.0005	0.0005	0.0005	0.0005	0.0005	0.0005

10 Year Average	2009-2018
Quantity Standard	0.0005
Quality Standard	\$394,800
Service Standard	\$197

D.C. Amount (before deductions)	2031
Forecast Population	1,032
\$ per Capita	\$197
Eligible Amount	\$203,717



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Fire Small Equipment and Gear
Unit Measure: No. of equipment and gear

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/item)
# of Equipped Firefighters	50	50	50	50	50	50	50	50	50	50	\$6,000
Rescue Equipment - Auto Extrication	1	1	1	1	1	1	1	1	1	1	\$75,000
Rescue Equipment - Water/Ice	1	1	1	1	1	1	1	1	1	1	\$62,200
Self-contained Breathing Apparatus	27	27	27	27	27	27	27	27	27	27	\$8,500
Portable Radios	24	26	26	26	26	26	26	26	26	26	\$1,300
Pagers and chargers	60	40	40	40	40	40	40	40	40	40	\$600
Base Station - Communication Equipment	3	3	3	3	3	3	3	4	4	4	\$20,000
Spare Bottles	60	60	60	60	60	60	60	60	60	60	\$1,500
Total	226	208	208	208	208	208	208	209	209	209	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.0122	0.0112	0.0113	0.0113	0.0113	0.0113	0.0114	0.0114	0.0114	0.0113

10 Year Average	2009-2018
Quantity Standard	0.0114
Quality Standard	\$4,202
Service Standard	\$48

D.C. Amount (before deductions)	2031
Forecast Population	1,032
\$ per Capita	\$48
Eligible Amount	\$49,433



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Parkland Development
Unit Measure: Acres of Parkland

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/Acre)
City Parks											
Centennial Park/Beach	48.8	48.8	48.8	48.8	48.8	48.8	48.8	48.8	48.8	48.8	\$103,300
T. A. Lannan Sports Complex	72.4	72.4	72.4	72.4	72.4	72.4	72.4	72.4	72.4	72.4	\$113,800
Nickel Beach/Playground	38.4	38.4	38.4	38.4	38.4	38.4	38.4	38.4	38.4	38.4	\$103,300
H.H. Knoll Lakeview	14.3	14.3	14.3	14.3	14.3	14.3	14.3	14.3	14.3	14.3	\$103,300
Lock 8 Gateway Park	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	\$103,300
Community Parks											
Julia Yager Recreation Centre	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	\$68,200
Lockview	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1	10.1	\$103,300
Sherkston Community Centre	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	2.1	\$68,200
West Side Rotary Complex	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	\$68,200
Vimy Park/Mellissa's & John Daly Playground	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	\$68,200
Lion's Field	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	\$103,300
Neighbourhood Parks											
Chestnut Park	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	\$68,200
Hawthorne Heights Park	1.9	1.9	1.9	1.9	1.9	1.9	1.9	1.9	1.9	1.9	\$68,200
Humberstone Shoe	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	\$68,200
Oxford Park	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	\$68,200
Reservoir	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	\$68,200
Sunset	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	4.7	\$68,200
Maple	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	\$68,200



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Parkland Development
Unit Measure: Acres of Parkland

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/Acre)
Parquettes											
Seaway	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	\$68,200
Humberstone Cenotaph	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	\$68,200
King George Memorial Park	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	\$68,200
Helen Kinnear Memorial Park	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	\$103,300
Library	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	\$68,200
Harry Dayboll/Oakwood Park	2.4	2.4	2.4	2.4	2.4	2.4	2.4	2.4	2.4	2.4	\$68,200
Tot Lots											
Dewitt Carter	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	\$68,200
Johnston Street	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	\$68,200
Westdale	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	\$68,200
Other Parks											
Jacob E. Barrick Park	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	3.2	\$103,300
Rose Shymansky Memoria Park	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	3.6	\$103,300
East Village Community Park	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9	\$103,300
Derek Point Memorial Garden	9.8	9.8	9.8	9.8	9.8	9.8	9.8	9.8	9.8	9.8	\$68,200
Chippawa Park	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	\$68,200
Total	247.4	247.4	247.4	247.4	247.4	247.4	247.4	247.4	247.4	247.4	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.0133	0.0134	0.0134	0.0135	0.0135	0.0135	0.0135	0.0135	0.0135	0.0134

10 Year Average	2009-2018
Quantity Standard	0.0135
Quality Standard	\$99,413
Service Standard	\$1,342

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$1,342
Eligible Amount	\$1,130,031



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Parkland Amenities
Unit Measure: No. of parkland amenities

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/item)
Lions Field Washrooms/Canteen	1	1	1	1	1	1	1	1	1	1	\$300,300
Nickel Beach Washrooms	1	1	1	1	1	1	1	1	1	1	\$93,800
Nickel Beach Storage	1	1	1	1	1	1	1	1	1	1	\$18,800
Centennial Washrooms	1	1	1	1	1	1	1	1	1	1	\$93,800
Centennial Picnic Pavilion	1	1	1	2	2	2	2	2	2	2	\$44,200
H. H. Knoll Lakeview Park Washrooms	1	1	1	1	1	1	1	1	1	1	\$129,500
Lakeview Bandstand	1	1	1	1	1	1	1	1	1	1	\$97,500
Lakeview Pavilion	1	1	1	1	1	1	1	1	1	1	\$33,100
Lakeview Gazebo	4	4	4	4	4	4	4	4	4	4	\$3,200
Lock 8 Washrooms	1	1	1	1	1	1	1	1	1	1	\$99,000
Lock 8 Picnic Shelter	1	1	1	1	1	1	1	1	1	1	\$65,200
H. H. Knoll Lakeview Park Spray Pad	1	1	1	1	1	1	1	1	1	1	\$334,600
Ball Diamonds - Lit	4	4	4	4	4	4	4	4	4	4	\$202,000
Ball Diamonds - Unlit	9	9	9	9	9	9	9	9	9	9	\$80,900
Basketball Courts	6	6	6	6	6	6	6	6	6	6	\$31,000
Tennis Courts	7	6	6	6	6	6	6	6	6	6	\$56,000
Park Shelter - Kinnear	-	-	1	1	1	1	1	1	1	1	\$18,700
Soccer Pitch - Lit	2	2	2	2	2	2	2	2	2	2	\$258,900
Soccer Pitch - Unlit	3	3	3	3	3	3	3	3	3	3	\$155,800
Skate Park at Lock 8	-	-	-	-	1	1	1	1	1	1	\$980,900
Office/Shop/Equipment Storage	1	1	1	1	1	1	1	1	1	1	\$560,000
Total	47	46	47	48	49	49	49	49	49	49	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.00	0.0025	0.0026	0.0026	0.0027	0.0027	0.0027	0.0027	0.0027	0.0027

10 Year Average	2009-2018
Quantity Standard	0.0026
Quality Standard	\$116,369
Service Standard	\$303

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$303
Eligible Amount	\$254,756



City of Port Colborne
Service Standard Calculation Sheet

Service: Parkland Trails
Unit Measure: Linear Metres of Paths and Trails

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/ Linear Metre)
Multi Use Trail (to Welland)	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	10,500	\$230
Multi Use Trail (to Fort Erie)	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	\$230
Total	20,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500	20,500	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	1.105	1.109	1.113	1.115	1.115	1.117	1.119	1.120	1.118	1.112

10 Year Average	2009-2018
Quantity Standard	1.1141
Quality Standard	\$230
Service Standard	\$256

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$256
Eligible Amount	\$215,754



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Parks Vehicles and Equipment
Unit Measure: No. of vehicles and equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/Vehicle)
Zamboni	2	2	2	2	2	2	2	2	2	2	\$109,600
Turf Spreader	1	1	1	1	1	1	1	1	1	1	\$26,900
Water Reel/Cannon	1	1	1	1	1	1	1	1	1	1	\$28,500
Rec. Trail Vehicles	2	2	2	3	4	4	4	4	4	4	\$17,400
Tractor	1	1	1	1	1	1	1	1	1	1	\$40,300
Commercial Lawn Mower	2	2	2	2	2	2	2	2	2	2	\$19,800
1998 GMC Safari cargo van	1	1	1	1	1	1	-	-	-	-	\$54,300
1999 Ford F150 pick up	1	1	1	1	-	-	-	-	-	-	\$49,100
2003 Ford F150 pick up	1	1	1	1	1	1	-	-	-	-	\$48,100
2005 Ford F-series pick up	1	1	1	1	1	1	1	1	1	1	\$62,900
2006 Ford F-series pick up	1	1	1	1	1	1	1	1	1	1	\$40,800
2006 Ford F-series pick up	1	1	1	1	1	1	1	1	1	1	\$39,700
2006 Ford F550 dump truck	1	1	1	1	1	1	1	1	1	1	\$69,700
2008 Ford F-series pick up	1	1	1	1	1	1	1	1	1	1	\$31,700
2009 Chev light duty 1/2 ton pick up	1	1	1	1	1	1	1	1	1	1	\$33,200
2010 Chev Express Cargo	-	1	1	1	1	1	1	1	1	1	\$33,900
2010 Chev Express Cargo	-	1	1	1	1	1	1	1	1	1	\$35,500
Dodge Ram 2500 Dump	-	-	-	-	1	1	1	1	1	1	\$36,000
2004 GMC Sierra pick up	1	1	1	1	1	1	1	1	1	1	\$55,200
2003 Ford F150 pick up	1	1	1	1	1	1	1	1	1	1	\$52,900
2009 Chev light duty 1/2 ton pick up	1	1	1	1	1	1	1	1	1	1	\$33,200
2015 GMC Sierra 2500	-	-	-	-	-	-	1	1	1	1	\$52,800



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Parks Vehicles and Equipment
Unit Measure: No. of vehicles and equipment

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/Vehicle)
2018 Ford F250 4x4 REG - White	-	-	-	-	-	-	-	-	-	1	\$42,000
2018 Ford F250 4x4 REG - White	-	-	-	-	-	-	-	-	-	1	\$46,900
2018 Ford F250 4x4 REG - White	-	-	-	-	-	-	-	-	-	1	\$42,800
Total	21	23	23	24	25	25	24	24	24	27	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	0.0011	0.0012	0.0012	0.0013	0.0014	0.0014	0.0013	0.0013	0.0013	0.0015

10 Year Average	2009-2018
Quantity Standard	0.0013
Quality Standard	\$43,085
Service Standard	\$56

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$56
Eligible Amount	\$47,160



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Indoor Recreation Facilities
Unit Measure: ft² of building area

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Westside Arena and Complex	28,200	28,200	28,200	28,200	-	-	-	-	-	-	\$260	\$294
Teeder Kennedy Youth Arena	26,500	26,500	-	-	-	-	-	-	-	-	\$178	\$203
Centennial Pool	9,925	9,925	9,925	9,925	-	-	-	-	-	-	\$260	\$294
Humberstone Community Hall	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	1,650	\$260	\$294
Sherkston Community Centre	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	2,800	\$260	\$294
Julia Yager Educational and Recreation Centre	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	5,100	\$251	\$284
P.C. Tennis Club	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	\$260	\$294
Sugarloaf Marina	8,847	8,847	8,847	8,847	8,847	8,847	8,847	8,847	8,847	8,847	\$125	\$145
Harbourmaster Building	500	500	500	500	500	500	500	500	500	500	\$155	\$178
Vale Health & Wellness Centre	-	-	-	-	140,000	140,000	140,000	140,000	140,000	140,000	\$263	\$297
Total	84,522	84,522	58,022	58,022	159,897	159,897	159,897	159,897	159,897	159,897		

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	4.5577	4.5705	3.1493	3.1547	8.6938	8.7104	8.7256	8.7347	8.7171	8.6754

10 Year Average	2009-2018
Quantity Standard	6.7689
Quality Standard	\$281
Service Standard	\$1,900

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$1,900
Eligible Amount	\$1,599,952



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Library Facilities
Unit Measure: ft² of building area

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Bid'g Value (\$/sq.ft.)	Value/sq.ft. . with land, site works, etc.
Library (310 King Street)	23,116	23,116	23,116	23,116	23,116	23,116	23,116	23,116	23,116	23,116	\$219	\$270
Total	23,116	23,116	23,116	23,116	23,116	23,116	23,116	23,116	23,116	23,116		

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	1.2465	1.2500	1.2547	1.2569	1.2569	1.2592	1.2614	1.2628	1.2602	1.2542

10 Year Average	2009-2018
Quantity Standard	1.2563
Quality Standard	\$270
Service Standard	\$339

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$339
Eligible Amount	\$285,598



**City of Port Colborne
Service Standard Calculation Sheet**

Service: Library Collection Materials
Unit Measure: No. of library collection items

Description	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Value (\$/item)
Books	57,589	57,037	56,484	55,932	55,379	64,309	65,903	59,230	52,931	39,915	\$25
Print Serials (Newspapers/Periodicals)	59	59	59	59	59	50	50	48	50	50	\$100
Compact Discs	1,598	1,599	1,601	1,602	1,603	1,595	1,666	1,572	1,703	920	\$20
Talking Books	317	467	616	766	915	951	1,088	972	1,067	1,045	\$50
Video Tapes	834	641	449	256	63	42	33	-	-	-	\$40
Computer Readable Material	8	8	8	8	8	8	8	8	8	8	\$2,490
Microfilm	764	784	804	823	843	847	863	883	895	907	\$150
DVDs	1,818	2,549	3,280	4,010	4,741	5,130	5,470	5,268	5,342	4,965	\$27
E-books - Platform	-	-	-	1	1	1	1	1	1	1	\$4,300
Freegal	-	-	-	-	1	1	-	-	-	-	\$4,040
E-Readers	-	-	-	-	7	7	7	7	7	-	\$230
Chromebook	-	-	-	-	5	5	5	5	5	5	\$420
Flipster Digital Magazine - Platform	-	-	-	-	-	-	1	1	1	1	\$3,400
Music MakerSpace Instruments	-	-	-	-	-	-	-	-	-	6	\$400
Total	62,987	63,143	63,299	63,456	63,625	72,946	75,095	67,995	62,010	47,823	

Population	18,545	18,493	18,424	18,392	18,392	18,357	18,325	18,306	18,343	18,431
Per Capita Standard	3.40	3.41	3.44	3.45	3.46	3.97	4.10	3.71	3.38	2.59

10 Year Average	2009-2018
Quantity Standard	3.4918
Quality Standard	\$28
Service Standard	\$96

D.C. Amount (before deductions)	10 Year
Forecast Population	842
\$ per Capita	\$96
Eligible Amount	\$80,874



Appendix C

Long-Term Capital and Operating Cost Examination

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Appendix C: Long-Term Capital and Operating Cost Examination

City of Port Colborne Annual Capital and Operating Cost Impact

As a requirement of the D.C.A. under subsection 10(2)(c), an analysis must be undertaken to assess the long-term capital and operating cost impacts for the capital infrastructure projects identified within the D.C. As part of this analysis, it was deemed necessary to isolate the incremental operating expenditures directly associated with these capital projects, factor in cost saving attributable to economies of scale or cost sharing where applicable and prorate the cost on a per unit basis (i.e. sq.ft. of building space, per vehicle, etc.). This was undertaken through a review of the City's approved 2017 Financial Information Return (F.I.R.).

In addition to the operational impacts, over time the initial capital projects will require replacement. This replacement of capital is often referred to as life cycle cost. By definition, life cycle costs are all the costs which are incurred during the life of a physical asset, from the time its acquisition is first considered, to the time it is taken out of service for disposal or redeployment. The method selected for life cycle costing is the sinking fund method which provides that money will be contributed annually and invested, so that those funds will grow over time to equal the amount required for future replacement. The following factors were utilized to calculate the annual replacement cost of the capital projects (annual contribution = factor X capital asset cost) and are based on an annual growth rate of 2% (net of inflation) over the average useful life of the asset:

Asset	Lifecycle Cost Factors	
	Average Useful Life	Factor
Watermains	75	0.00586
Sewer mains	75	0.00586
Roads	50	0.01182
Bridges	50	0.01182
Facilities	40	0.01656
Vehicles	10	0.09133
Equipment	15	0.05783
Parkland	40	0.01656



Table C-1 depicts the annual operating impact resulting from the proposed gross capital projects at the time they are all in place. It is important to note that, while City program expenditures will increase with growth in population, the costs associated with the new infrastructure (i.e. facilities) would be delayed until the time these works are in place.

Table C-1
City of Port Colborne
Operating and Capital Expenditure Impacts for Future Capital Expenditures

SERVICE	GROSS COST LESS BENEFIT TO EXISTING	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
1. Wastewater Services				
1.1 Sewers	4,055,562	199,574	220,528	420,102
2. Water Services				
2.1 Distribution systems	6,346,650	412,344	195,049	607,393
3. Services Related to a Highway				
3.1 Roads	3,424,005	169,529	204,283	373,812
3.2 Depots and Domes	8,668,897	-	61,253	61,253
3.3 PW Rolling Stock	375,000	33,784	2,650	36,434
4. Fire Protection Services				
4.1 Fire facilities, vehicles, small equipment and gear	166,608	12,724	165,618	178,342
5. Outdoor Recreation Services				
5.1 Parkland development, vehicles, amenities & trails	150,000	9,900	79,735	89,635
6. Indoor Recreation Services				
6.1 Recreation facilities	1,328,134	-	159,313	159,313
7. Library Services				
7.1 Library facilities	-	-	-	-
7.2 Library materials	80,000	7,210	35,754	42,964
8. Administration				
8.1 Engineering Related Studies	163,500	-	-	-
8.2 Community Based Studies	57,500	-	-	-
Total	24,815,855	845,065	1,124,184	1,969,249



Appendix D

D.C. Reserve Fund Policy

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Appendix D: D.C. Reserve Fund Policy

D.1 Legislative Requirements

The Development Charges Act, 1997 (D.C.A.) requires development charge collections (and associated interest) to be placed in separate reserve funds. Sections 33 through 36 of the Act provide the following regarding reserve fund establishment and use:

- a municipality shall establish a reserve fund for each service to which the D.C. by-law relates; s.7(1), however, allows services to be grouped into categories of services for reserve fund (and credit) purposes, although only 100% eligible and 90% eligible services may be combined (minimum of two reserve funds);
- the municipality shall pay each development charge it collects into a reserve fund or funds to which the charge relates;
- the money in a reserve fund shall be spent only for the “capital costs” determined through the legislated calculation process (as per s.5(1) 2-8);
- money may be borrowed from the fund but must be paid back with interest (O.Reg. 82/98, s.11(1) defines this as Bank of Canada rate either on the day the by-law comes into force or, if specified in the by-law, the first business day of each quarter); and
- D.C. reserve funds may not be consolidated with other municipal reserve funds for investment purposes and may only be as an interim financing source for capital undertakings for which development charges may be spent (s.37).

Annually, the Treasurer of the municipality is required to provide Council with a financial statement related to the D.C. by-law(s) and reserve funds. This statement must be made available to the public and may be requested to be forwarded to the Minister of Municipal Affairs and Housing. The D.C.A. does not prescribe how the statement is to be made available to the public. We would recommend that a resolution of Council make the statement available on the municipality’s website or upon request.

Subsection 43(2) and O.Reg. 82/98 prescribes the information that must be included in the Treasurer’s statement, as follows:

- opening balance;
- closing balance;



- description of each service and/or service category for which the reserve fund was established (including a list of services within a service category);
- transactions for the year (e.g. collections, draws) including each assets capital costs to be funded from the D.C. reserve fund and the manner for funding the capital costs not funded under the D.C. by-law (i.e. non-D.C. recoverable cost share and post-period D.C. recoverable cost share);
- for projects financed by development charges, the amount spent on the project from the D.C. reserve fund and the amount and source of any other monies spent on the project.
- amounts borrowed, purpose of the borrowing and interest accrued during previous year;
- amount and source of money used by the municipality to repay municipal obligations to the D.C. reserve fund;
- list of credits by service or service category (outstanding at beginning of the year, given in the year and outstanding at the end of the year by holder);
- for credits granted under s. 14 of the old D.C.A., a schedule identifying the value of credits recognized by the municipality, the service to which it applies and the source of funding used to finance the credit; and
- a statement as to compliance with s.s. 59(1) of the D.C.A., whereby the municipality shall not impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to development, except as permitted by the D.C.A. or another Act.

Based upon the above, Figure 1, and Attachments 1 and 2, set out the format for which annual reporting to Council should be provided.

D.2 D.C. Reserve Fund Application

Section 35 of the D.C.A. states that:

“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 8 of subsection 5(1).”

This provision clearly establishes that reserve funds collected for a specific service are only to be used for that service, or to be used as a source of interim financing of capital undertakings for which a development charge may be spent.



Figure 1
City of Port Colborne
Annual Treasurer's Statement of Development Charge Reserve Funds

Description	Services to which the Development Charge Relates								Total
	Non-Discounted Services				Discounted Services				
	Services Related to a Highway	Engineering Related Studies	Water Services	Wastewater Services	Outdoor Recreation Services	Indoor Recreation Services	Library Services	Community Based Studies	
Opening Balance, January 1, _____									0
Plus:									
Development Charge Collections									0
Accrued Interest									0
Repayment of Monies Borrowed from Fund and Associated Interest ¹									0
Sub-Total	0		0	0	0	0	0	0	0
Less:									
Amount Transferred to Capital (or Other) Funds ²									0
Amounts Refunded									0
Amounts Loaned to Other D.C. Service Category for Interim Financing									0
Credits ³									0
Sub-Total	0		0	0	0	0	0	0	0
Closing Balance, December 31, _____	0		0	0	0	0	0	0	0

¹ Source of funds used to repay the D.C. reserve fund

² See Attachment 1 for details

³ See Attachment 2 for details

The Municipality is compliant with s.s. 59.1 (1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act* or another Act.



Attachment 1
City of Port Colborne
Amount Transferred to Capital (or Other) Funds - Capital Fund Transactions

Capital Fund Transactions	Gross Capital Cost	D.C. Recoverable Cost Share					Non-D.C. Recoverable Cost Share					
		D.C. Forecast Period		Post D.C. Forecast Period			Tax Supported Operating Fund		Rate Supported Operating Fund		Grants, Subsidies Other Contributions	
		D.C. Reserve Fund Draw	D.C. Debt Financing	Grants, Subsidies Other Contributions	Post-Period Benefit/ Capacity Interlm Financing	Grants, Subsidies Other Contributions	Other Reserve/Reserve Fund Draws	Contributions	Contributions	Debt Financing		
Services Related to a Highway												
Capital Cost A												
Capital Cost B												
Capital Cost C												
Sub-Total - Services Related to Highways	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Services												
Capital Cost D												
Capital Cost E												
Capital Cost F												
Sub-Total - Water	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Wastewater Services												
Capital Cost G												
Capital Cost H												
Capital Cost I												
Sub-Total - Wastewater	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0



Attachment 2
City of Port Colborne
Statement of Credit Holder Transactions

Credit Holder	Applicable D.C. Reserve Fund	Credit Balance Outstanding Beginning of Year _____	Additional Credits Granted During Year	Credits Used by Holder During Year	Credit Balance Outstanding End of Year _____
Credit Holder A					
Credit Holder B					
Credit Holder C					
Credit Holder D					
Credit Holder E					
Credit Holder F					

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Appendix E

Local Service Policy

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Appendix E: Local Service Policy

City of Port Colborne General Policy Guidelines on Development Charge and Local Service Funding

This Appendix sets out the municipality's General Policy Guidelines on Development Charges (D.C.) and local service funding for Services Related to a Highway, Stormwater Management, Parkland Development, and Underground Linear Services. The guidelines outline, in general terms, the size and nature of engineered infrastructure that is included in the study as a development charge project, versus infrastructure that is considered as a local service, to be emplaced separately by landowners, pursuant to a development agreement.

The following policy guidelines are general principles by which staff will be guided in considering development applications. However, each application will be considered, in the context of these policy guidelines as subsection 59 (2) of the Development Charges Act, 1997 (D.C.A.) on its own merits having regard to, among other factors, the nature, type and location of the development and any existing and proposed development in the surrounding area, as well as the location and type of services required and their relationship to the proposed development and to existing and proposed development in the area.

Services Related to a Highway

A highway and services related to a highway are intended for the transportation of people and goods via many different modes including, but not limited to passenger automobiles, commercial vehicles, transit vehicles, bicycles and pedestrians. The highway shall consist of all land and associated infrastructure built to support (or service) this movement of people and goods regardless of the mode of transportation employed.

The associated infrastructure to achieve this concept shall include, but is not limited to: road pavement structure and curbs; grade separation/bridge structures (for any vehicles, railways and/or pedestrians); grading, drainage and retaining wall features; culvert structures; stormwater drainage systems; utilities; traffic control systems;



signage; gateway features; street furniture; active transportation facilities (e.g. sidewalks, bike lanes, multi-use trails which interconnect the transportation network, etc.); transit lanes & lay-bys; roadway illumination systems; boulevard and median surfaces (e.g. sod & topsoil, paving, etc.); street trees and landscaping; parking lanes & lay-bys; (excluding on-street parking in the downtown) and driveway entrances; noise attenuation systems; railings and safety barriers.

1. Arterial and Collector Roads (including Structures)

- New Collector Roads internal to a development are direct developer responsibility.
- New, widened, extended or upgraded, Arterial and Collector Roads external to a development are considered to be development charge projects.
- New Collector Roads external to a development, but primarily acting as a connection serving a development, are a direct developer responsibility.
- All other roads are considered to be the developer's responsibility.

2. Traffic Control Systems, Signals and Intersection Improvements

- On new arterial roads and arterial road improvements unrelated to a specific development: included as part of road costing funded through D.C.'s.
- On non-arterial roads, or for any private site entrances or entrances to specific development: direct developer responsibility under s.59 of D.C.A. (as a local service).
- On arterial or collector road intersections with Regional roads: Region's responsibility or in certain circumstances, may be a direct developer responsibility
- Intersection improvements, new or modified signalization, signal timing & optimization plans, area traffic studies for highways attributed to growth and unrelated to a specific development: included in D.C. calculation as permitted under s.5(1) of the D.C.A.

3. Streetlights

- Streetlights on new arterial roads an arterial road improvements: considered part of the complete street and included as part of the road costing funded through



D.C.'s or in exceptional circumstances, may be direct developer responsibility through local service provisions (s.59 of D.C.A.).

- Streetlights on non-arterial roads internal to development: considered part of the complete street and included as a direct developer responsibility under s. 59 of the D.C.A. (as a local service).
- Streetlights on non-arterial roads external to development, needed to support a specific development or required to link with the area to which the plan relates: considered part of the complete street and included as a direct developer responsibility under s. 59 of the D.C.A. (as a local service).

4. Transportation Related Pedestrian and Cycling Facilities

- Sidewalks, multi-use trails, cycle tracks, and bike lanes, inclusive of all required infrastructure, located within arterial roads, Regional roads and provincial highway corridors: considered part of the complete street and included in D.C.'s, or, in exceptional circumstances, may be direct developer responsibility through local service provisions (s.59 of D.C.A.).
- Sidewalks, multi-use trails, cycle tracks, and bike lanes, inclusive of all required infrastructure, located within or linking to non-arterial road corridors internal to development: considered part of the complete street and is a direct developer responsibility through local service provisions (s.59 of D.C.A.).
- Other sidewalks, multi-use trails, cycle tracks, and bike lanes, inclusive of all required infrastructure, located within non-arterial road corridors external to development and needed to support a specific development or required to link with the area to which the plan relates: direct developer responsibility under s.59 of D.C.A. (as a local service).
- Multi-use trails (not associated with a road), inclusive of all land and required infrastructure, that go beyond the function of a (parkland) recreational trail and form part of the municipality's active transportation network for cycling and/or walking: included in D.C.'s

5. Transit Lanes and Lay-bys

- Transit lanes and lay-bys located within municipal arterial and regional road corridors: considered part of the complete street and included in D.C.'s



- Transit lanes and lay-bys located within non-arterial road corridors internal to development: considered part of the complete street and direct developer responsibility under s. 59 of the D.C.A. (as a local service).
- Transit lanes and lay-bys located within non-arterial road corridors external to development and needed to support a specific development or required to link with the area to which the plan relates: direct developer responsibility under s. 59 of the D.C.A. (as a local service).

6. Transit Bus Stops and Amenities

- Transit bus stops and amenities internal to development: direct developer responsibility under s.59 of D.C.A. (as a local service).
- Transit bus stops and amenities on arterial roads: included in Municipality's Transit D.C.'s consistent with D.C.A., s.5(1).

LAND ACQUISITION FOR ROADS

7. Road Allowances

- Land acquisition for Arterial or Collector Roads, to the widths required according to the approved engineering standards, is primarily provided by dedications under the Planning Act. In areas where limited or no development is anticipated, and direct dedication is unlikely, the land acquisition is considered to be part of the capital cost of the related development charge project

8. Grade Separations

- Land acquisition for Grade Separations (beyond normal dedication requirements) is considered to be part of the capital cost of the related development charge project.

The detailed engineering requirements of the above items are governed by the approved detailed engineering standards for the City.

PARKLAND DEVELOPMENT

9. Recreational Trails



- Recreational trails (Multi-use trails) that do not form part of the municipality's active transportation network, and their associated infrastructure (landscaping, bridges, trail surface, etc.), is included in area municipal parkland D.C.'s.

10. Parkland

- Parkland Development for Community Parks, District Parks, Neighbourhood Parks and Village Squares: direct developer responsibility to provide at base condition, as defined in the Municipality's Parks Standards, as a local service provision.
- Program facilities, amenities, and furniture, within parkland: are included in D.C.s.

11. Landscape Buffer Blocks, Features, Cul-de-sac Islands, Berms, Grade Transition Areas, Walkway Connections to Adjacent Arterial Roads, Open Space, Etc.

- The cost of developing all landscape buffer blocks, landscape features, cul-de-sac islands, berms, grade transition areas, walkway connections to adjacent arterial roads, open space and other remnant pieces of land conveyed to the municipality shall be a direct developer responsibility as a local service. Such costs include but are not limited to:
- pre-grading, sodding or seeding, supply and installation of amended topsoil, (to the Municipality's required depth), landscape features, perimeter fencing and amenities and all planting.
- Perimeter fencing to the Municipal standard located on the public property side of the property line adjacent land uses (such as but limited to arterial roads) as directed by the Municipality.

WATER

12. Watermains

- Watermains internal to the development are considered to be a local service unless the City requests a watermain be oversized, in which case the oversizing is a development charge project.



- External watermains of any size required by a development to connect to an existing local trunk main are considered to be the developer's local service responsibility.
- Watermains of any size required to connect a development charge eligible pumping station or reservoir to the supply network are considered to be development charge projects.
- Providing new underground services or upgrading existing underground services external to the development if the services are required to service the development, and if the pipe sizes do not exceed 300mm, are considered to be the developer's local service responsibility.

13. Booster Stations and Reservoirs

- New or expanded water booster pumping stations and reservoir projects servicing two or more developments are considered to be development charge projects. All others are the responsibility of the developer.
- All other new or expanded water booster pumping stations and reservoir projects that do not qualify as above are the responsibility of the developer.
- The detailed engineering requirements of the above items are governed by the approved detailed engineering standards for the City.

WASTEWATER

14. Sanitary Sewers

- Sanitary Sewers internal to the development are considered to be a local service, unless the City requests a sewer be oversized, in which case the oversizing is a development charge project.
- Sanitary Sewers of any size required by a development to connect to an existing local trunk main are considered to be the developer's responsibility.
- Sanitary Sewers of any size required to connect a pumping station or treatment plant to the collection network are considered to be development charge projects.
- Providing new underground services or upgrading existing underground services external to the development if the services are required to service the development, and if the pipe sizes do not exceed 300mm, are considered to be the developer's local service responsibility.



15. Pumping Stations

- New or expanded pumping stations internal or external to a development, that are fed by sanitary sewers which qualify as a development charge project are also considered to be development charge projects.
- New or expanded pumping stations fed by sanitary sewers that do not qualify as a development charge project are the responsibility of the developer.
- The above pipe sizes in section 15(iv) govern, unless the hydraulic conditions of a particular development require a different pipe size, in which case the minimum pipe size determined by such hydraulic conditions shall be the developer's responsibility.

LAND ACQUISITION FOR WATER AND WASTEWATER WORKS

16. Booster Stations and Reservoirs

- Where required, land acquisition for Booster Stations and Reservoirs which are development charge projects, to the size required by the design of the facility, is to be provided by the developer as part of the development approval process. The market value of the land is considered to be part of the capital cost of the related development charge project.

17. Pumping Stations

- Where required, land acquisition for Pumping Stations which are development charges projects, to the size required by the design of the facility, is to be provided by the developer as part of the development approval process. The market value of the land is considered to be part of the capital cost of the related development charge project.
- The detailed engineering requirements of the above items are governed by the approved detailed engineering standards for the City.

STORMWATER MANAGEMENT

18. Stormwater

- Over-sizing cost of stormwater facilities capacity, excluding land, to accommodate runoff from new, widened, extended or upgraded municipal arterial



roads that are funded as a development charges project: included as part of road costing funded through D.C.'s.

- Erosion works, inclusive of all restoration requirements, related to a development application: direct developer responsibility under s. 59 of the D.C.A. (as a local service).
- Monitoring works: included in D.C.'s consistent with the D.C.A., s.5(1).
- Storm sewer systems and drainage works that are required for a specific development, either internal or external to the area to which the plan relates: direct developer responsibility under s. 59 of the D.C.A. (as a local service).



Appendix F

Asset Management Plan

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Appendix F: Asset Management Plan

The recent changes to the D.C.A. (new section 10(2) (c.2)) require that the Background Study must include an asset management plan related to new infrastructure. Section 10(3) of the D.C.A. provides:

The asset management plan shall,

- (a) deal with all assets whose capital costs are proposed to be funded under the development charge by-law;**
- (b) demonstrate that all the assets mentioned in clause (a) are financially sustainable over their full life cycle;**
- (c) contain any other information that is prescribed; and**
- (d) be prepared in the prescribed manner.**

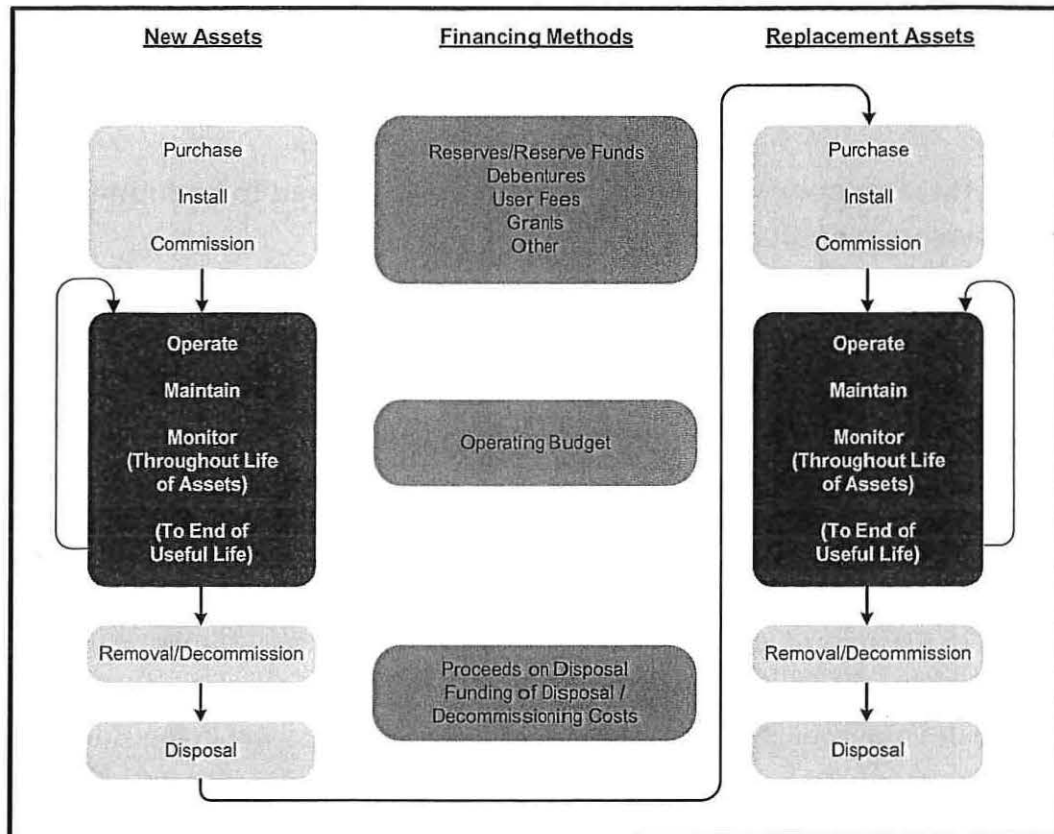
In regard to the above, section 8 of the Regulations was amended to include subsections (2), (3) and (4) which set out for specific detailed requirements for transit (only). For all services except transit, there are no prescribed requirements at this time thus requiring the municipality to define the approach to include within the Background Study.

At a broad level, the Asset Management Plan provides for the long-term investment in an asset over its entire useful life along with the funding. The schematic below identifies the costs for an asset through its entire lifecycle. For growth-related works, the majority of capital costs will be funded by the D.C. non-growth-related expenditures will then be funded from non-D.C. revenues as noted below. During the useful life of the asset, there will be minor maintenance costs to extend the life of the asset along with additional program related expenditures to provide the full services to the residents. At the end of the life of the asset, it will be replaced by non-D.C. financing sources.

It should be noted that with the recent passing of the Infrastructure for Jobs and Prosperity Act (I.J.P.A.) municipalities are now required to complete asset management plans, based on certain criteria, which are to be completed by 2021 for core municipal services and 2023 for all other services. The amendments to the D.C.A. do not require municipalities to complete these asset management plans (required under I.J.P.A.) for



the D.C. background study, rather the D.C.A. requires that the D.C. background study include information to show the assets to be funded by the D.C. are sustainable over their full lifecycle.



In 2012, the Province developed Building Together: Guide for municipal asset management plans which outlines the key elements for an asset management plan (A.M.P.), as follows:

State of local infrastructure: asset types, quantities, age, condition, financial accounting valuation and replacement cost valuation.

Desired levels of service: defines levels of service through performance measures and discusses any external trends or issues that may affect expected levels of service or the municipality's ability to meet them (for example, new accessibility standards, climate change impacts).

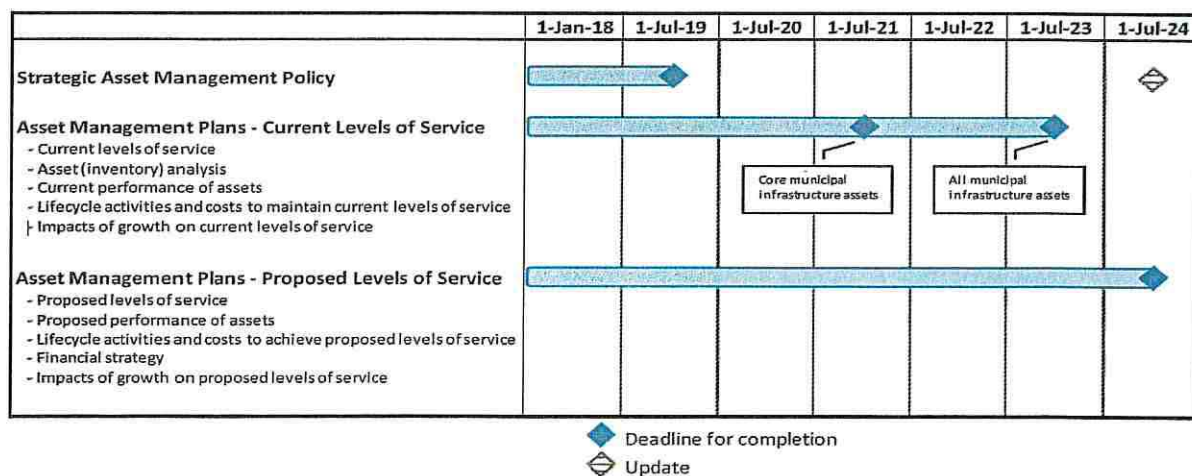


Asset management strategy: the asset management strategy is the set of planned actions that will seek to generate the desired levels of service in a sustainable way, while managing risk, at the lowest lifecycle cost.

Financing strategy: having a financial plan is critical for putting an A.M.P. into action. By having a strong financial plan, municipalities can also demonstrate that they have made a concerted effort to integrate the A.M.P. with financial planning and municipal budgeting and are making full use of all available infrastructure financing tools.

The above provides for the general approach to be considered by Ontario municipalities. Currently, there is not a mandated approach for municipalities hence leaving discretion to individual municipalities as to how they plan for the long-term replacement of their assets. However, on June 4, 2015, the Province passed the Infrastructure for Jobs and Prosperity Act (I.J.P.A.) which, over time, will require municipalities to undertake and implement asset management plans for all infrastructure they own. On December 27, 2017, the Province of Ontario released Ontario Regulation 588/17 under I.J.P.A. which has 3 phases that municipalities must meet:

Figure G-2
Timeline of I.J.P.A. Requirements



Every municipality in Ontario will have to prepare a strategic asset management policy by July 1, 2019. Municipalities will be required to review their strategic asset management policies at least every five years and make updates as necessary. The subsequent phases are as follows:

- Phase 1 – Asset Management Plan (by July 1, 2021):



- For core assets – Municipalities must have the following:
 - Inventory of assets;
 - Current levels of service measured by standard metrics; and
 - Costs to maintain levels of service.
- Phase 2 – Asset Management Plan (by July 1, 2023):
 - Same steps as Phase 1 but for all assets.
- Phase 3 – Asset Management Plan (by July 1, 2024):
 - Builds on Phase 1 and 2 by adding:
 - Proposed levels of service; and
 - Lifecycle management and Financial strategy.

Once the requirements of I.J.P.A. are implemented, the requirement for an asset management plan in the D.C. process will be removed.

Commensurate with the above, the City prepared an Asset Management Plan in 2013 for its existing assets, however, did not take into account future growth-related assets. As a result, the asset management requirement for the D.C. must be undertaken in the absence of this information.

In recognition to the schematic above, the following table (presented in 2019 \$) has been developed to provide the annualized expenditures and revenues associated with new growth. Note that the D.C.A. does not require an analysis of the non-D.C. capital needs or their associated operating costs so these are omitted from the table below. As well, as all capital costs included in the D.C. eligible capital costs are not included in the City's Asset Management Plan, the present infrastructure gap and associated funding plan have not been considered at this time. Hence the following does not represent a fiscal impact assessment (including future tax/rate increases) but provides insight into the potential affordability of the new assets:

1. The non-D.C. recoverable portion of the projects which will require financing from municipal financial resources (i.e. taxation, rates, fees, etc.). This amount has been presented on an annual debt charge amount based on 20-year financing.
2. Lifecycle costs for the 2019 D.C. capital works have been presented based on a sinking fund basis. The assets have been considered over their estimated useful lives.
3. Incremental operating costs for the D.C. services (only) have been included.



4. The resultant total annualized expenditures are \$4.43 million.
5. Consideration was given to the potential new taxation and user fee revenues which will be generated as a result of new growth. These revenues will be available to finance the expenditures above. The new operating revenues are \$1.61 million. This amount, totalled with the existing operating revenues of \$33.69 million, provide annual revenues of \$35.29 million by the end of the period.
6. In consideration of the above, the capital plan is deemed to be financially sustainable.

City of Port Colborne
Asset Management – Future Expenditures and Associated Revenues
2019\$

	2031 (Total)
Expenditures (Annualized)	
Annual Debt Payment on Non-Growth Related Capital ¹	1,104,615
Annual Debt Payment on Post Period Capital ²	777,922
Lifecycle:	
Sub-Total - Annual Lifecycle	\$1,054,344
Incremental Operating Costs (for D.C. Services)	\$2,270,169
Total Expenditures	\$4,429,127
Revenue (Annualized)	
Total Existing Revenue ³	\$33,687,102
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	\$1,605,419
Total Revenues	\$35,292,521

¹ Non-Growth Related component of Projects including 10% mandatory deduction on soft services

² Interim Debt Financing for Post Period Benefit

³ As per Sch. 10 of FIR

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Appendix G

Proposed D.C. By-law

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Appendix G: Proposed D.C. By-law

By-law Number _____

- of -

The Corporation of the City of Port Colborne

Being a by-law of the Corporation of the City of Port Colborne with respect to development charges.

WHEREAS section 2(1) of the *Development Charges Act, 1997* (hereinafter called "the Act") enables the Council of a municipality to pass by-laws for the imposition of development charges against land located in the municipality for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of the Corporation of the City of Port Colborne (hereinafter called "the Council"), at its public meeting of August 26, 2019, approved a report dated July 24, 2019 entitled "City of Port Colborne, 2019 Development Charge Background Study", which report was prepared by Watson & Associates Economists Ltd.;

AND WHEREAS the Council has given Notice in accordance with Section 12 of the *Development Charges Act, 1997* of its development charge proposal and held a public meeting on August 26, 2019;

AND WHEREAS the Council has heard all persons who applied to be heard in objection to, or in support of, the development charge proposal at such public meeting;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE HEREBY enacts as follows:

1. In this by-law,

DEFINITIONS



“Act” means the Development Charges Act, as amended, or any successor thereof;

“accessory use” means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“agricultural use” means use or intended use for bona fide farming purposes:

a) including (but not limited to):

i) cultivation of crops whether on open land or in greenhouses, including (but not limited to) fruit, vegetables, grains, field crops, sod trees, shrubs, flowers, and ornamental plants;

ii) raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish; and

iii) animal husbandry, dairying, equestrian activities, horticultural, following, pasturing, and market gardening;

b) but excluding:

i) winery activities;

ii) retail sales activities; and

iii) marijuana facilities.

“apartment unit” means any residential unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor, and includes a stacked townhouse;

“back-to-back townhouse dwelling” means a building containing more than two dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;



“bedroom” means a habitable room larger than seven square metres, including a den, study or other similar area, but does not include a bathroom, living room, dining room or kitchen;

“benefiting area” means an area defined by map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;

“board of education” has the same meaning as set out in the Education Act, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

“Building Code Act” means the Building Code Act, S.O. 1992, as amended, or any successor thereof;

“capital cost” means costs incurred or proposed to be incurred by the City or a local board thereof directly or by others on behalf of and as authorized by the City or local board;

(1) to acquire land or an interest in land, including a leasehold interest,

(2) to improve land,

(3) to acquire, lease, construct or improve buildings and structures,

(4) to acquire, construct or improve facilities including:

(1) furniture and equipment other than computer equipment; and

(2) material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, Chap. P.44, as amended, or any successor thereof; and

(3) rolling stock with an estimated useful life of seven years or more; and

(5) to undertake studies in connection with any matter under the Act and any of the matters in clauses (1) to (4) above, including the development charge background study required for the provision of services designated in this by-



law within or outside the City, including interest on borrowing for those expenditures under clauses (1) to (4) above that are growth related;

“City” means the Corporation of the City of Port Colborne;

“commercial” means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, and does not include hotels, motels, motor inns and boarding, lodging and rooming houses;

“Council” means the Council of the City;

“development” means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size of usability thereof, and includes redevelopment;

“development charge” means a charge imposed with respect to this by-law;

“dwelling unit” means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

“existing” means the number, use and size that existed as of the date this by-law passed;

“farm building” means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;

“gross floor area” means:

(1) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of part walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and



(2) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:

(1) a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;

(2) loading facilities above or below grade; and

(3) a part of the building or structure below grade that is used for the parking or motor vehicles or for storage and other accessory use;

“industrial” means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly or raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

“institutional” means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain;

“Local Board” means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the City of Port Colborne or any part of parts thereof;



“local services” means those services, facilities or things which are under the jurisdiction of the City and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the Planning Act, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

“marijuana facilities” means a building used, designed or intended for growth, producing, testing, destroying, storing or distribution, excluding retail sales, of medical marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, S.C. 1996, c.19;

“multiple dwellings” means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

“non-residential use” means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

“Official Plan” means the Official Plan adopted for the City, as amended and approved;

“owner” means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

“place of worship” means that part of a building or structure that is exempt from taxation as a place of worship under the Assessment Act, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

“rate” means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

“regulation” means any regulation made pursuant to the Act;

“residential dwelling” means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;



“residential use” means the use of a building or structure or portion thereof for one or more dwelling units. This also includes a dwelling unit on land that is used for an agricultural use;

“row dwelling” means a building containing three or more attached dwelling units in a single row, each of which dwelling unit has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;

“semi-detached dwelling” means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but not other parts, attached or another dwelling unit where the residential units are not connected by an interior corridor;

“service” means a service designated in Schedule “A” to this by-law, and “services” shall have a corresponding meaning;

“servicing agreement” means an agreement between a landowner and the City relative to the provision of municipal service to specified land within the City;

“single detached dwelling unit” means a residential building consisting of one dwelling unit and not attached to another structure;

“special care facilities” means lands, buildings or structures used or designed or intended for uses for the purpose of providing supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general statute, and excludes the special care/special dwelling portions of the building

“special care/special dwelling” means a residential portion of special care facilities containing rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:

- i. Where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings;
- ii. Which may or may not have exclusive sanitary and/or culinary facilities;



iii. That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and

iv. Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels.

“Stacked townhouse dwelling” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor.

2. **DESIGNATION OF SERVICES**

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

(1) Services Related to a Highway;

(2) Fire Protection Services;

(3) Indoor Recreation Services;

(4) Outdoor Recreation Services;

(5) Library Services;

(6) Engineering Studies;

(7) Community Based Studies

(8) Wastewater Services; and

(9) Water Services.

2.2 The components of the services designated in Section 2.1 are described in Schedule A.

3. **APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable in the amounts set out in this by-law where:



- (1) the lands are located in the area described in Section 3.2; and
- (2) the development of the lands requires any of the approvals set out in Subsection 3.4(1).

Area to Which By-law Applies

- 3.2 Subject to Section 3.3, this by-law applies to all lands in the City of Port Colborne whether or not the land or use thereof is exempt from taxation under s.13 or the Assessment Act.
- 3.3 Notwithstanding Clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
 - (1) the City or a local board thereof;
 - (2) a board of education; or
 - (3) the Corporation of the Region of Niagara or a local board thereof.

Approvals for Development

- 3.4 (1) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
 - (1) the passing of a zoning by-law or of an amendment to a zoning by-law under Section 34 of the Planning Act;
 - (2) the approval of a minor variance under Section 45 of the Planning Act;
 - (3) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
 - (4) the approval of a plan of subdivision under Section 51 of the Planning Act;
 - (5) a consent under Section 53 of the Planning Act;



- (6) the approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
- (7) the issuing of a permit under the Building Code Act in relation to a building or structure.

(2) No more than one development charge for each service designated in Subsection 2.1 shall be imposed upon any lands, buildings or structure to which this by-law applies even though two or more of the actions described in Subsection 3.4(1) are required before the lands, buildings or structures can be developed.

(3) Despite Subsection 3.4(2), if two or more of the actions described in Subsection 3.4(1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:

- (1) an enlargement to an existing dwelling unit;
- (2) one or two additional dwelling units in an existing single detached dwelling; or
- (3) one additional dwelling unit in any other existing residential building.

3.6 Notwithstanding Section 3.5(2), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.

3.7 Notwithstanding Section 3.5, development charges shall be imposed if the additional unit has a gross floor area greater than:

- (1) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and



(2) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.

3.8 Exemption for Industrial Development:

3.8.1 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.

3.8.2 If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with the following:

(i) Subject to subsection 3.8.2 (iii), if the gross floor area is enlarged by 50 per cent or less of the lesser of:

- (A) the gross floor area of the existing industrial building, or
- (B) the gross floor area of the existing industrial building before the first enlargement for which:

(i) an exemption from the payment of development charges was granted, or

(ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,

the amount of the development charge in respect of the enlargement is zero;

(ii) Subject to subsection 3.8.2 (iii), if the gross floor area is enlarged by more than 50 per cent or less of the lesser of:

- (A) the gross floor area of the existing industrial building, or
- (B) the gross floor area of the existing industrial building before the first enlargement for which:



(i) an exemption from the payment of development charges was granted, or

(ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,

the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

(A) determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the first enlargement, and

(B) divide the amount determined under subsection (A) by the amount of the enlargement

(iii) For the purposes of calculating the extent to which the gross floor area of an existing industrial building is enlarged in subsection 3.8.2 (ii), the cumulative gross floor area of any previous enlargements for which:

(A) An exemption from the payment of development charges was granted, or

(B) A lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,

shall be added to the calculation of the gross floor area of the proposed enlargement.

(iv) For the purposes of this subsection, the enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, canopy, shared below grade connection, such as a service tunnel, foundation, footing or parking facility.



3.9 For the purpose of Section 3.8 herein, “existing industrial building” is used as defined in the Regulation made pursuant to the Act.

3.10 Other Exemptions:

Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:

- (1) Non-residential farm buildings for the purpose of an agricultural use except for any building constructed to accommodate an On-Farm Business which shall be considered to be an industrial building;
- (2) Downtown core area is exempt from payment of development charges;
- (3) Industrial development shall be exempt from payment of development charges on any square footage of gross floor area constructed over 5,000 square feet;
- (4) Partial exemption requiring the payment of only the roads and fire protection components of the charge for all residential unit types constructed within the Sherkston Secondary Plan Area;
- (5) Partial exemption of up to 70% of the payable development charges for development on Brownfield properties under the City of Port Colborne Brownfield Community Improvement Plan, which have an approved Application and Agreement under the Brownfield Rehabilitation Grant Program; and
- (6) Partial exemption for certain Community Improvement Plan areas based upon specific policies approved by Council.

Amount of Charges

Residential

3.11 The development charges set out in Schedule B shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.



Non-Residential

3.12 The development charges described in Schedule B to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

Reduction of Development Charges for Redevelopment

3.13 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 12 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

(1) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under Subsection 3.11 by the number, according to type, of dwelling units that have been demolished or will be demolished or converted to another principal use; and

(2) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed use building or structure, an amount calculated by multiplying the applicable development charges under Subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

Timing of Payment of Development Charges



- 3.14 Development charges imposed under this by-law are calculated, payable, and collected upon issuance of a building permit with respect to each dwelling unit, building or structure.
- 3.15 Despite Section 3.14, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with Section 27 of the Act.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under Subsections 3.11 and 3.12, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law

5. INDEXING

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, on the anniversary date of the by-law, in accordance with the prescribed index in the Act.

6. SCHEDULES

- 6.1 The following schedules shall form part of this by-law:
 - Schedule A - Components of Services Designated in Section 2.1
 - Schedule B1 - Schedule of Development Charges – Hard Services
 - Schedule B2 - Schedule of Development Charges – Soft Services
 - Schedule C1 - Map of East Waterfront Community Plan
 - Schedule C2 - Map of Downtown Community Improvement Plan
 - Schedule C3 - Map of Olde Humberstone Community Improvement Plan



7. CONFLICTS

- 7.1 Where the City and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 7.2 Notwithstanding Section 7.1, where a development which is the subject of an agreement to which Section 7.1 applies, is subsequently the subject of one or more of the actions described in Subsection 3.4(1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

- 8.1 If, for any reason, any provision of this by-law is held to be invalid, it is hereby declared to be the intention of Council that all of the remainder of this by-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. DATE BY-LAW IN FORCE

- 9.1 This by-law shall come into effect at 12:01 AM on _____, 2019

10. DATE BY-LAW EXPIRES

- 10.1 This by-law shall expire at 12:01 AM on _____, 2024 unless it is repealed by Council at an earlier date.

11. EXISTING BY-LAW REPEALED

- 11.1 By-law No. 6131/97/14 is hereby repealed as of the date and time of this by-law coming into effect.

12. SHORT TITLE

This by-law may be cited as the "Port Colborne City-wide Development Charge Bylaw."



READ a first and second time, this ___ day of _____, 2019.

READ a third time and finally passed in Council, this ___ day of _____, 2019.

**THE CORPORATION OF THE CITY OF PORT
COLBORNE**

Mayor

Clerk



BY-LAW NUMBER _____

SCHEDULE "A"

DESIGNATED MUNICIPAL SERVICE UNDER THIS BY-LAW

City-wide Services (Soft)

1. Community Based Studies
2. Outdoor Recreation Services
3. Indoor Recreation Services
4. Library Services

City-wide Services (Hard)

1. Engineering Studies
2. Fire Protection Services
3. Services Related to a Highway

Urban Area Services

1. Wastewater Services
2. Water Services



SCHEDULE "B1"

TO BY-LAW _____ OF CITY OF PORT COLBORNE

SCHEDULE OF DEVELOPMENT CHARGES – HARD SERVICES

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
City-Wide Services:						
Services Related to a Highway	2,160	1,595	1,557	952	862	1.10
Fire Protection Services	155	114	112	68	62	0.08
Engineering Related Studies	267	197	192	118	107	0.13
Total City-Wide Services	2,582	1,906	1,861	1,138	1,031	1.31
Urban Services						
Wastewater Services	1,593	1,176	1,149	702	636	0.76
Water Services	3,688	2,723	2,659	1,626	1,472	1.75
Total Urban Services	5,281	3,899	3,808	2,328	2,108	2.51
GRAND TOTAL CITY-WIDE	2,582	1,906	1,861	1,138	1,031	1.31
GRAND TOTAL CITY-WIDE + URBAN SERVICES	7,863	5,805	5,669	3,466	3,139	3.82



SCHEDULE "B2"

TO BY-LAW _____ OF CITY OF PORT COLBORNE

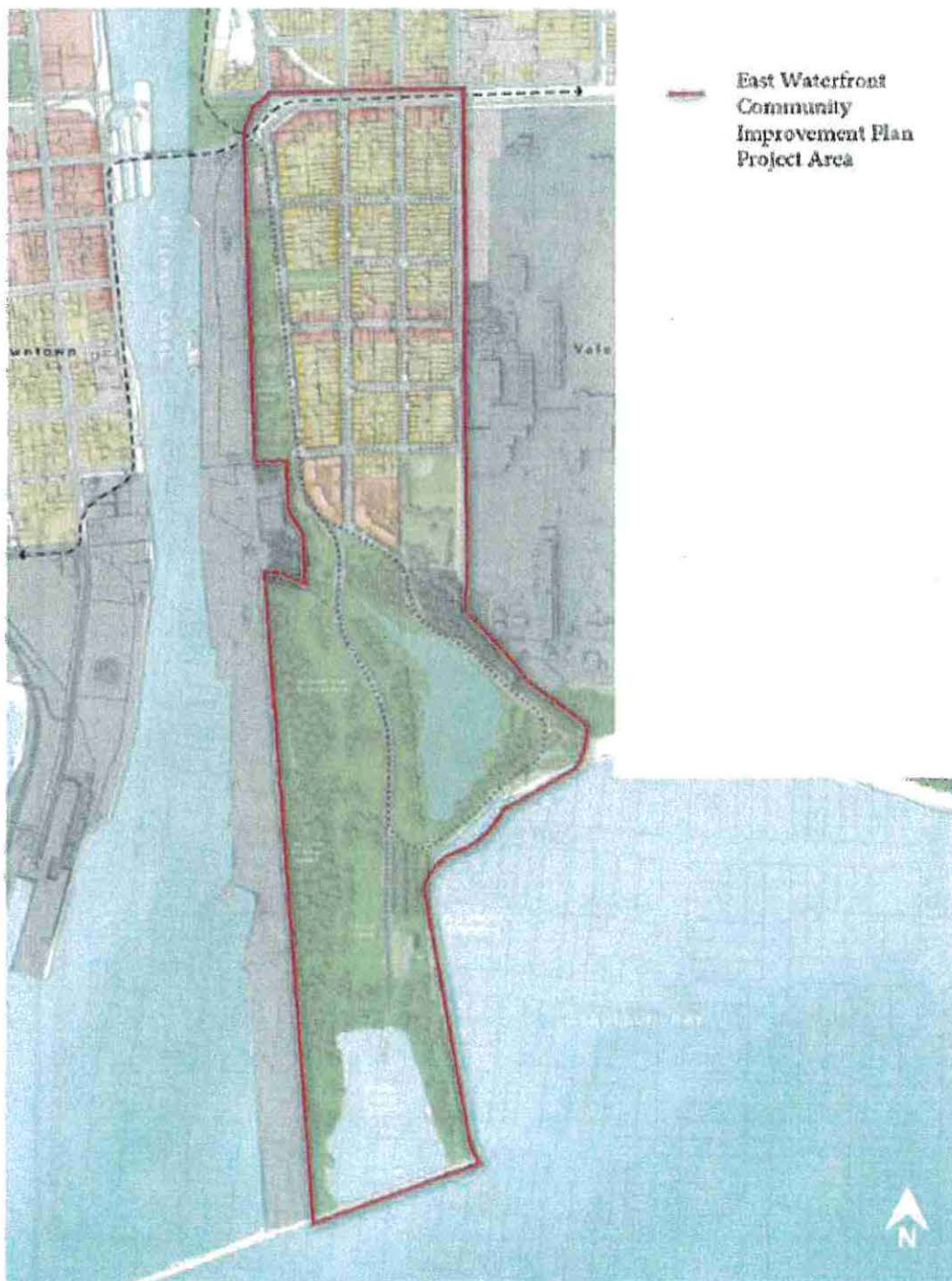
SCHEDULE OF DEVELOPMENT CHARGES – SOFT SERVICES

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq. ft. of Gross Floor Area)
City-Wide Services:						
Outdoor Recreation Services	305	225	220	134	122	0.02
Indoor Recreation Services	2,999	2,214	2,162	1,322	1,197	0.21
Library Services	163	120	118	72	65	0.01
Community Based Studies	89	66	64	39	36	0.04
Total City-Wide Services	3,556	2,625	2,564	1,567	1,420	0.28



SCHEDULE "C1"

MAP OF EAST WATERFRONT COMMUNITY PLAN



East Waterfront Community Improvement Plan | Port Colborne



SCHEDULE "C2"

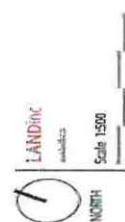
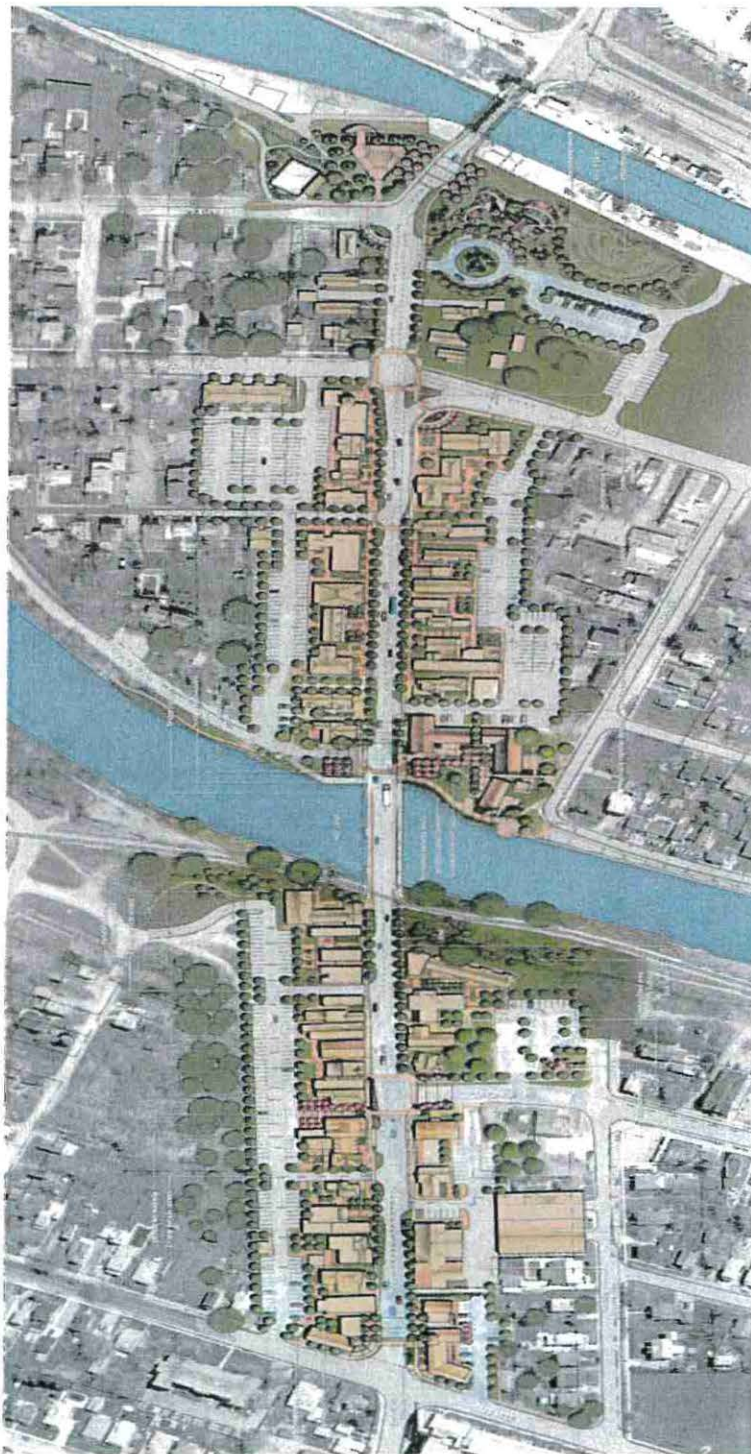
MAP OF DOWNTOWN COMMUNITY IMPROVEMENT PLAN





SCHEDULE "C3"

MAP OF OLDE HUMBERSTONE COMMUNITY PLAN



CITY OF PORT COLBORNE

Olde Humberstone Community Improvement Plan
Streetscape Master Plan

September 2008

By-law Number _____

- of -

The Corporation of the City of Port Colborne

Being a by-law of the Corporation of the City of Port Colborne with respect to development charges.

WHEREAS section 2(1) of the *Development Charges Act, 1997* (hereinafter called "the Act") enables the Council of a municipality to pass by-laws for the imposition of development charges against land located in the municipality for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of the Corporation of the City of Port Colborne (hereinafter called "the Council"), at its public meeting of August 26, 2019, approved a report dated July 24, 2019 entitled "City of Port Colborne, 2019 Development Charge Background Study", which report was prepared by Watson & Associates Economists Ltd.;

AND WHEREAS the Council has given Notice in accordance with Section 12 of the *Development Charges Act, 1997* of its development charge proposal and held a public meeting on August 26, 2019;

AND WHEREAS the Council has heard all persons who applied to be heard in objection to, or in support of, the development charge proposal at such public meeting;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE HEREBY enacts as follows:

1. In this by-law,

DEFINITIONS

"Act" means the Development Charges Act, as amended, or any successor thereof;

"accessory use" means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

"agricultural use" means use or intended use for bona fide farming purposes:

- a) including (but not limited to):
 - i) cultivation of crops whether on open land or in greenhouses, including (but not limited to) fruit, vegetables, grains, field crops, sod trees, shrubs, flowers, and ornamental plants;
 - ii) raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish; and
 - iii) animal husbandry, dairying, equestrian activities, horticultural, fallowing, pasturing, and market gardening;
- b) but excluding:
 - i) winery activities;
 - ii) retail sales activities; and
 - iii) marijuana facilities.

"apartment unit" means any residential unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor, and includes a stacked townhouse;

"back-to-back townhouse dwelling" means a building containing more than two dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;

"bedroom" means a habitable room larger than seven square metres, including a den, study or other similar area, but does not include a bathroom, living room, dining room or kitchen;

"benefiting area" means an area defined by map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;

"board of education" has the same meaning as set out in the Education Act, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

"Building Code Act" means the Building Code Act, S.O. 1992, as amended, or any successor thereof;

"capital cost" means costs incurred or proposed to be incurred by the City or a local board thereof directly or by others on behalf of and as authorized by the City or local board;

(1) to acquire land or an interest in land, including a leasehold interest,

(2) to improve land,

(3) to acquire, lease, construct or improve buildings and structures,

(4) to acquire, construct or improve facilities including:

(1) furniture and equipment other than computer equipment; and

(2) material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, Chap. P.44, as amended, or any successor thereof; and

(3) rolling stock with an estimated useful life of seven years or more; and

(5) to undertake studies in connection with any matter under the Act and any of the matters in clauses (1) to (4) above, including the development charge background study required for the provision of services designated in this by-law within or outside the City, including interest on borrowing for those expenditures under clauses (1) to (4) above that are growth related;

"City" means the Corporation of the City of Port Colborne;

"commercial" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, and does not include hotels, motels, motor inns and boarding, lodging and rooming houses;

"Council" means the Council of the City;

"development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size of usability thereof, and includes redevelopment;

"development charge" means a charge imposed with respect to this by-law;

"dwelling unit" means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

"existing" means the number, use and size that existed as of the date this by-law passed;

"farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;

"gross floor area" means:

(1) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of part walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and

(2) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:

- (1) a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
- (2) loading facilities above or below grade; and
- (3) a part of the building or structure below grade that is used for the parking or motor vehicles or for storage and other accessory use;

"industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly or raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

"institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain;

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the City of Port Colborne or any part of parts thereof;

"local services" means those services, facilities or things which are under the jurisdiction of the City and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the Planning Act, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

"marijuana facilities" means a building used, designed or intended for growth, producing, testing, destroying, storing or distribution, excluding retail sales, of

medical marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, S.C. 1996, c.19;

"multiple dwellings" means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

"non-residential use" means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

"Official Plan" means the Official Plan adopted for the City, as amended and approved;

"owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

"place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the Assessment Act, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

"rate" means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

"regulation" means any regulation made pursuant to the Act;

"residential dwelling" means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

"residential use" means the use of a building or structure or portion thereof for one or more dwelling units. This also includes a dwelling unit on land that is used for an agricultural use;

"row dwelling" means a building containing three or more attached dwelling units in a single row, each of which dwelling unit has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;

"semi-detached dwelling" means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but not other parts, attached or another dwelling unit where the residential units are not connected by an interior corridor;

"service" means a service designated in Schedule "A" to this by-law, and "services" shall have a corresponding meaning;

"servicing agreement" means an agreement between a landowner and the City relative to the provision of municipal service to specified land within the City;

"single detached dwelling unit" means a residential building consisting of one dwelling unit and not attached to another structure;

"special care facilities" means lands, buildings or structures used or designed or intended for uses for the purpose of providing supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general statute, and excludes the special care/special dwelling portions of the building

"special care/special dwelling" means a residential portion of special care facilities containing rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:

- i. Where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings;
- ii. Which may or may not have exclusive sanitary and/or culinary facilities;
- iii. That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and
- iv. Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels.

"Stacked townhouse dwelling" means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor.

2. DESIGNATION OF SERVICES

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

- (1) Services Related to a Highway;
- (2) Fire Protection Services;
- (3) Indoor Recreation Services;
- (4) Outdoor Recreation Services;
- (5) Library Services;
- (6) Engineering Studies;
- (7) Community Based Studies
- (8) Wastewater Services; and
- (9) Water Services.

2.2 The components of the services designated in Section 2.1 are described in Schedule A.

3. APPLICATION OF BY-LAW RULES

3.1 Development charges shall be payable in the amounts set out in this by-law where:

- (1) the lands are located in the area described in Section 3.2; and
- (2) the development of the lands requires any of the approvals set out in Subsection 3.4(1).

Area to Which By-law Applies

- 1.2 Subject to Section 3.3, this by-law applies to all lands in the City of Port Colborne whether or not the land or use thereof is exempt from taxation under s.13 or the Assessment Act.
- 3.3 Notwithstanding Clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
- (1) the City or a local board thereof;
 - (2) a board of education; or
 - (3) the Corporation of the Region of Niagara or a local board thereof.

Approvals for Development

- 3.4 (1) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
- (1) the passing of a zoning by-law or of an amendment to a zoning by-law under Section 34 of the Planning Act;
 - (2) the approval of a minor variance under Section 45 of the Planning Act;
 - (3) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
 - (4) the approval of a plan of subdivision under Section 51 of the Planning Act;
 - (5) a consent under Section 53 of the Planning Act;
 - (6) the approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
 - (7) the issuing of a permit under the Building Code Act in relation to a building or structure.
- (2) No more than one development charge for each service designated in Subsection 2.1 shall be imposed upon any lands, buildings or structure to which

this by-law applies even though two or more of the actions described in Subsection 3.4(1) are required before the lands, buildings or structures can be developed.

(3) Despite Subsection 3.4(2), if two or more of the actions described in Subsection 3.4(1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (1) an enlargement to an existing dwelling unit;
 - (2) one or two additional dwelling units in an existing single detached dwelling; or
 - (3) one additional dwelling unit in any other existing residential building.
- 3.6 Notwithstanding Section 3.5(2), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.
- 3.7 Notwithstanding Section 3.5, development charges shall be imposed if the additional unit has a gross floor area greater than:
- (1) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and
 - (2) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.
- 3.8 Exemption for Industrial Development:
- 3.8.1 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.

3.8.2 If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with the following:

(i) Subject to subsection 3.8.2 (iii), if the gross floor area is enlarged by 50 per cent or less of the lesser of:

(A) the gross floor area of the existing industrial building, or

(B) the gross floor area of the existing industrial building before the first enlargement for which:

(i) an exemption from the payment of development charges was granted, or

(ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,

the amount of the development charge in respect of the enlargement is zero;

(ii) Subject to subsection 3.8.2 (iii), if the gross floor area is enlarged by more than 50 per cent or less of the lesser of:

(A) the gross floor area of the existing industrial building, or

(B) the gross floor area of the existing industrial building before the first enlargement for which:

(i) an exemption from the payment of development charges was granted, or

(ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,

the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

- (A) determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the first enlargement, and
- (B) divide the amount determined under subsection (A) by the amount of the enlargement

(iii) For the purposes of calculating the extent to which the gross floor area of an existing industrial building is enlarged in subsection 3.8.2 (ii), the cumulative gross floor area of any previous enlargements for which:

- (A) An exemption from the payment of development charges was granted, or
 - (B) A lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,
- pursuant to Section 4 of the Act and this subsection,

shall be added to the calculation of the gross floor area of the proposed enlargement.

(iv) For the purposes of this subsection, the enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, canopy, shared below grade connection, such as a service tunnel, foundation, footing or parking facility.

3.9 For the purpose of Section 3.8 herein, "existing industrial building" is used as defined in the Regulation made pursuant to the Act.

3.10 Other Exemptions:

Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:

- (1) Non-residential farm buildings for the purpose of an agricultural use except for any building constructed to accommodate an On-Farm Business which shall be considered to be an industrial building;
- (2) Downtown core area is exempt from payment of development charges;
- (3) Industrial development shall be exempt from payment of development charges on any square footage of gross floor area constructed over 5,000 square feet;
- (4) Partial exemption requiring the payment of only the roads and fire protection components of the charge for all residential unit types constructed within the Sherkston Secondary Plan Area;
- (5) Partial exemption of up to 70% of the payable development charges for development on Brownfield properties under the City of Port Colborne Brownfield Community Improvement Plan, which have an approved Application and Agreement under the Brownfield Rehabilitation Grant Program; and
- (6) Partial exemption for certain Community Improvement Plan areas based upon specific policies approved by Council.

Amount of Charges

Residential

- 3.11 a) The development charges set out in Schedules B-1 and B-2 shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.
- b) In regard to Schedules B-1 and B-2, the following percentage of each service for residential uses, shall be imposed for the following periods:

All Residential Services	Year 1 October 7, 2019 – October 6, 2020	Year 2 October 7, 2020 – October 6, 2021	Year 3 October 7, 2021 – October 6, 2022	Year 4 October 7, 2022 – October 6, 2023	Year 5 October 7, 2023 – October 6, 2024
	20%	40%	60%	80%	100%

Non-Residential

- 3.12 a) The development charges described in Schedules B-1 and B-2 to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.
- b) In regard to Schedules B-1 and B-2, the following percentage of each service for non-residential uses, shall be imposed for the following periods:

All Non-Residential Services	Year 1	Year 2	Year 3	Year 4	Year 5
	October 7, 2019 – October 6, 2020	October 7, 2020 – October 6, 2021	October 7, 2021 – October 6, 2022	October 7, 2022 – October 6, 2023	October 7, 2023 – October 6, 2024
	20%	40%	60%	80%	100%

Reduction of Development Charges for Redevelopment

- 3.13 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 12 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

(1) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under Subsection 3.11 by the number, according to type, of dwelling units that have been demolished or will be demolished or converted to another principal use; and

(2) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed use

building or structure, an amount calculated by multiplying the applicable development charges under Subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

Timing of Payment of Development Charges

- 3.14 Development charges imposed under this by-law are calculated, payable, and collected upon issuance of a building permit with respect to each dwelling unit, building or structure.
- 3.15 Despite Section 3.14, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with Section 27 of the Act.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under Subsections 3.11 and 3.12, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law

5. INDEXING

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, on the anniversary date of the by-law, in accordance with the prescribed index in the Act.

6. SCHEDULES

- 6.1 The following schedules shall form part of this by-law:

Schedule A - Components of Services Designated in Section 2.1

Schedule B1 - Schedule of Development Charges – Hard Services

Schedule B2 - Schedule of Development Charges – Soft Services

Schedule C1 - Map of East Waterfront Community Plan

Schedule C2 - Map of Downtown Community Improvement Plan

Schedule C3 - Map of Olde Humberstone Community Improvement Plan

7. CONFLICTS

7.1 Where the City and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.

7.2 Notwithstanding Section 7.1, where a development which is the subject of an agreement to which Section 7.1 applies, is subsequently the subject of one or more of the actions described in Subsection 3.4(1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

8.1 If, for any reason, any provision of this by-law is held to be invalid, it is hereby declared to be the intention of Council that all of the remainder of this by-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. DATE BY-LAW IN FORCE

9.1 This by-law shall come into effect at 12:01 AM on _____, 2019

10. DATE BY-LAW EXPIRES

10.1 This by-law shall expire at 12:01 AM on _____, 2024 unless it is repealed by Council at an earlier date.

11. EXISTING BY-LAW REPEALED

11.1 By-law No. 6131/97/14 is hereby repealed as of the date and time of this by-law coming into effect.

12. **SHORT TITLE**

This by-law may be cited as the "Port Colborne City-wide Development Charge Bylaw."

READ a first and second time, this ___ day of _____, 2019.

READ a third time and finally passed in Council, this ___ day of _____, 2019.

**THE CORPORATION OF THE CITY OF PORT
COLBORNE**

Mayor

Clerk

BY-LAW NUMBER _____

SCHEDULE "A"

DESIGNATED MUNICIPAL SERVICE UNDER THIS BY-LAW

City-wide Services (Soft)

1. Community Based Studies
2. Outdoor Recreation Services
3. Indoor Recreation Services
4. Library Services

City-wide Services (Hard)

1. Engineering Studies
2. Fire Protection Services
3. Services Related to a Highway

Urban Area Services

1. Wastewater Services
2. Water Services

SCHEDULE "B1"

TO BY-LAW _____ OF CITY OF PORT COLBORNE

SCHEDULE OF DEVELOPMENT CHARGES – HARD SERVICES

Service	Single and Semi-Detached Dwelling	Other Multiples	RESIDENTIAL			Special Care/Special Dwelling Units	NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
			Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom			
City-Wide Services:							
Services Related to a Highway	2,160	1,595	1,557	952	862	1.10	
Fire Protection Services	155	114	112	68	62	0.08	
Engineering Related Studies	267	197	192	118	107	0.13	
Total City-Wide Services	2,582	1,906	1,861	1,138	1,031	1.31	
Urban Services							
Wastewater Services	1,593	1,176	1,149	702	636	0.76	
Water Services	3,688	2,723	2,659	1,626	1,472	1.75	
Total Urban Services	5,281	3,899	3,808	2,328	2,108	2.51	
GRAND TOTAL CITY-WIDE	2,582	1,906	1,861	1,138	1,031	1.31	
GRAND TOTAL CITY-WIDE + URBAN SERVICES	7,863	5,805	5,669	3,466	3,139	3.82	

SCHEDULE "B2"

TO BY-LAW ____ OF CITY OF PORT COLBORNE

SCHEDULE OF DEVELOPMENT CHARGES – SOFT SERVICES

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
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SCHEDULE "C1"

MAP OF EAST WATERFRONT COMMUNITY PLAN



East Waterfront
Community
Improvement Plan
Project Area

East Waterfront Community Improvement Plan | Port Colborne

SCHEDULE "C2"

MAP OF DOWNTOWN COMMUNITY IMPROVEMENT PLAN



SCHEDULE "C3"

MAP OF OLDE HUMBERSTONE COMMUNITY PLAN



CITY OF PORT COLBORNE
Olde Humberstone Community Improvement Plan
Streetscape Master Plan
September 2008



ECONOMIC DEVELOPMENT

City of Port Colborne
RECEIVED

OCT 23 2019

CORPORATE SERVICES
DEPARTMENT

TO: Mayor and Council

FROM: Economic Development Advisory Committee

DATE: October 23, 2019

RE: DEVELOPMENT CHARGES

A meeting of the Economic Development Advisory Committee was held on Tuesday, October 22, 2019, and the following motion was passed for your consideration when reviewing the Development Charges By-law:

Moved by: G. Bruno
Seconded by: L. Stolk

That the Economic Development Advisory Committee recommends to the Council of the Corporation of the City of Port Colborne that Development Charges be implemented as follows:

1. Infill housing – deferral of all development charges for 5 years
2. Multiple unit residential (including condominiums) – no development charges for the first 3 years; year 4 50%; year 5 100%
3. Sub-division/new development – 20% of development charges in first year; 40% year 2; 60% year 3; 80% year 4; 100% year 5
4. Commercial and Industrial - no development charges for the first 3 years; year 4 50%; year 5 100%
5. Brownfield Development - deferral of all development charges for 5 years

The committee also recommends that the city impose a vacancy tax on land that is approved for development which remains undeveloped for a period as recommended by city staff.

CARRIED.

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October 18, 2019

City of Port Colborne
RECEIVED

OCT 18 2019

CORPORATE SERVICES
DEPARTMENT

RE: National School Bus Safety Week and Stop Arm Cameras

Dear Honourable Mayor and Council,

Earlier this year, I wrote to you on behalf of the *Let's Remember Adam - STOP FOR THE SCHOOL BUS* campaign asking for your help to improve student safety by urging the provincial government to get stop arm cameras on all school buses in Ontario. Our efforts were acknowledged by the Province but there is still work to be done. We will not stop until we reach our goal of having stop-arm cameras on all school buses.

Next week is National School Bus Safety Week, from October 21 to 25, 2019. I respectfully request your support to not only recognize and highlight this important week, but that you take this opportunity to act now by implementing a solution that will help protect our children's safety as they travel to and from school each day.

As you may know, the Government of Ontario announced in April that they are taking steps to ensure stop-arm camera technology is implemented and used to prosecute stop-arm violations in Ontario. Included in these steps is the message that the Province is looking to municipalities to help inform the regulatory framework process, by specifying what equipment should be used and how tickets will be processed.

This is an extremely important issue that deserves your immediate attention.

On behalf of Let's Remember Adam, I respectfully ask that you take the necessary steps to get stop-arm cameras on school buses in your community as soon as possible. I don't want any family to endure the senseless suffering my family has had to. It's been nearly 20 years since Adam was killed while crossing the street to our home after getting off the school bus. The time for action is now. Championing National School Bus Safety Week in your municipality will be an important step forward to achieving our ultimate goal.

Please let me know if I can be of any assistance to you in this process. Thank you for your time and consideration. I look forward to seeing stop-arm cameras implemented.

Pierre Ranger

Chair, Let's Remember Adam - STOP FOR THE SCHOOL BUS

**This Has to Stop.
We Need to Stop.**



PO Box 342
Mattawa, Ontario
POH1V0



705-840-8871
info@letsrememberadam.org

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October 8, 2019

To: All Ontario Municipalities
Sent Via Email

Re: Menstrual Products in City Facilities
Our File No. 16.6.99

At its meeting of September 23, 2019, St. Catharines City Council supported the implementation of a pilot project to provide free menstrual products at City Facilities. The pilot project will run from January until June 2020 and will include the installation of dispensing units in washrooms at locations to be determined by staff.

Below is the full motion which was approved by St. Catharines City Council at its meeting held on September 23, 2019:

That Council support the implementation of Option 1 for a pilot project on free menstrual products in City Facilities, beginning in January 2020 until June 2020 and with the results of the pilot project to be reviewed; and

That a cap be put in place as determined by staff; and

That the Budget Standing Committee include this pilot project in its draft 2020 budgets. FORTHWITH

A previous motion on this matter directed that any decisions related to this pilot project be shared with all Ontario municipalities and school boards.

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



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
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**City of Port Colborne
Regular Committee of the Whole Meeting 25-19
Minutes**

Date: October 15, 2019

Time: 6:30 p.m.

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

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

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
B. Garrett, Director of Corporate Services
A. Grigg, Director of Community and Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Acting Chief Administrative Officer
L. Nelson, EAA to the Director of Corporate Services (minutes)

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. National Anthem

Those in attendance stood for O Canada.

3. Introduction of Addendum Items:

Nil.

4. Confirmation of Agenda:

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

That the agenda dated October 15, 2019 be confirmed, as circulated or as amended.

CARRIED.

5. Disclosures of Interest:

Nil.

6. Adoption of Minutes:**(a) Regular meeting of Committee of the Whole 23-19, held on September 23, 2019.**

Moved by Councillor A. Desmarais

Seconded by Councillor M. Bagu

That the minutes of the regular meeting of the Committee of the Whole 23-19, held on September 23, 2019, be approved as presented.

CARRIED.

7. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1 and 7.

8. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That items 1 to 10 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

Items:**2. Planning and Development Department, Planning Division, Report 2019-151, Subject: Recommendation Report for the Removal of Municipal Heritage Designation of Part 2 at 380 King Street Tax**

Committee of the Whole recommends:

That Council state an intention to amend By-law 2831/10/93 pursuant to Part IV of the *Ontario Heritage Act*, section 30.1(1), as shown in the draft amending By-law attached as Appendix E of this report; and

That staff be directed to provide notice of the Council's intention to amend By-law 2831/10/93, in accordance with section 30.1(1) of the *Ontario Heritage Act*; and

That the City Clerk present the amending By-law to Council, provided there is no objection to the statement of intention to amend designation By-law 2831/10/93; and

That the City Clerk take the necessary actions in the event of any objection to the statement of intention to amend By-law 2831/10/93 pursuant to Part IV of the *Ontario Heritage Act*, section 29(7);

That Part 2 of the property being Lots 8 and 9, Plan 987, 988 and 989, municipally known as 380 King Street be removed from the Municipal Registry of Heritage Properties.

3. Planning and Development Department, Planning Division, Report 2019-153, Subject: Proposed Development Agreement for Erika Spencer, 85-91 Main Street West

Committee of the Whole recommends:

That Council enters into a development agreement with Erika Spencer and that the Mayor and Clerk be authorized to sign and execute said agreement.

4. Community and Economic Development Department, Parks and Recreation Division, Report 2019-152, Subject: Rental Rates and Sustainability of The Canadian Authors Series

Committee of the Whole recommends:

That the already reduced facility rental rate of \$1,022.57 (plus Harmonized Sales Tax) per engagement be maintained for the 2019/2020 operating season of The Canadian Authors Series;

That The Canadian Authors Series be requested to immediately and proactively solicit new sponsorship opportunities for the 2019/2020 season;

That the Director of Community and Economic Development be directed to investigate the feasibility of the City assuming operation of The Canadian Authors Series, beginning with the 2020/2021 season, including exploration of partnership opportunities that would enable the City to delegate management and administration functions of the Series to a third party organization; and

That the Director of Community and Economic Development be directed to prepare a report outlining the results of the above review, prior to the commencement of the 2020/2021 season.

5. Planning and Development Department, By-law Enforcement Division, Report 2019-144, Subject: Parking and Traffic, King Street

Committee of the Whole recommends:

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

That Schedule "M" Loading Zones, to By-law 89-2000 as amended, be amended by deleting therefrom the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
King St.	East	10 metres south of Charlotte St.	10 metres south therefrom	Anytime

That Schedule "M" Loading Zones, to By-law 89-2000 as amended, be amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
King St.	East	18.5 metres south of Charlotte St.	10 metres south therefrom	Anytime

That Schedule "A" Stopping Prohibitions, to By-law 89-2000 as amended, be amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
King St.	East	Charlotte St.	18.5 metres south therefrom	Anytime

6. Memorandum from Amber LaPointe, Manager of Legislative Services/City Clerk, Re: Committee of the Whole/Council Meeting Schedule for December 2019

Committee of the Whole recommends:

That the regular meeting of Committee of the Whole/Council for the month of December be scheduled for Monday December 9, 2019.

8. Region of Niagara – Public Health and Services Committee Report Re: Mental Health and Addictions Collaborative Work – Niagara Region’s Involvement

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara – Public Health and Services Committee Report Re: Mental Health and Addictions Collaborative Work – Niagara Region’s Involvement, be received for information.

9. Region of Niagara Re: Grants and Incentives Review (PDS Report 34-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Grants and Incentives Review, be received for information.

10. Steve Clark, Minister, Ministry of Municipal Affairs and Housing Re: Building Code Services Transformation

Committee of the Whole recommends:

That the correspondence received from Steve Clark, Minister, Ministry of Municipal Affairs and Housing Re: Building Code Services Transformation, be received for information.

CARRIED.

9. Presentations:

(a) Presentation by Mayor Steele to Ellie Maltman – Recipient of the Isadore Sponder Memorial Trophy

Mayor Steele provided a presentation with respect to Isadore Sponder. Mayor Steele, John Shaw, Mr. Sponder's nephew, and Jen Laur, Piranhas Swim coach, presented Ellie Maltman with the Isadore Sponder Memorial Trophy. A copy of the presentation is attached.

10. Delegations:

(a) Kruze Ovenden, Waiving of Fees Re: 48 Kent Street, Port Colborne

Kruze Ovenden presented a request to have the fees waived for 48 Kent Street.

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

That the Director of Planning and Development be directed to provide a report back to Council with respect to the history of enforcement and actions taken on the property at 48 Kent Street, Port Colborne.

CARRIED.

11. Mayor's Report:

A copy of the Mayor's Report is attached.

12. Regional Councillor's Report:

Councillor Butters reported that the Region is in the middle of budget preparations, which includes funding for future infrastructure and a potential 2% levy to fund

upcoming projects such as redevelopment of long-term care homes in Fort Erie and St. Catharines. The budget should be finalized in mid December. Councillor Butters also noted that the public can have their say at the Region on Wednesday, November 6, at the Gale Centre on November 7, and at the Leisureplex on November 14.

13. **Councillors' Items:**

(a) **Fill By-law (Bodner)**

Councillor Bodner asked the Director of Planning for an update on the the fill by-law. The Director of Planning noted that a report will be ready for the next Council meeting of October 28.

(b) **Letter from Friends of Lighthouse (Kalailieff)**

Councillor Kalailieff read a letter from the Friends of the Lighthouse thanking the City of Port Colborne for the Grant Committee donation and for the great work the City puts into its volunteer appreciation at Canal Days and for the Volunteer Appreciation Banquet. Councillor Kalailieff also noted that the Friends of the Lighthouse has been incorporated into a non-profit organization.

(c) **Main Street BIA Meeting October 16 (Danch)**

Councillor Danch noted that there is a Main Street BIA meeting on October 16th.

(d) **Taste of Port Colborne (Danch)**

Councillor Danch noted that the Taste of Port Colborne event will be happening on October 18 to the 27th.

(e) **Compostable Straws (Beauregard)**

Councillor Beauregard inquired about the motion for compostable straws in Port Colborne. The Director of Engineering and Operations said that there will be a report ready at an upcoming meeting of Council.

(f) **Ideas for Parks and Rec Master Plan (Bruno)**

Councillor Bruno inquired about ideas that have been brought forward to him for the Parks and Rec Master Plan and if they can be included ahead of time. The Director of Community and Economic Development will send the draft report to Council and any comments or ideas can be sent to her for review.

(g) **Report on Water Leaks (Bagu)**

Councillor Bagu asked if there have been any updates on the water leaks in the City. The Director of Engineering and Operations gave a brief update on costs being reduced in excess of \$300,000 of water purchased from the Region. The Director also noted that a report will be done in the new year showing the comparison of costs.

(h) Crime in Port Colborne (Desmarais)

Councillor Desmarais touched on the crime in Port Colborne and said that the entire Region is dealing with the same issues of crime. Councillor Desmarais also requested that this can be directed to the CAO working group for discussion on how to lower crime.

(i) Julia Yager and Sherkston Community Centre Roof Repairs (Wells)

Councillor Wells thanked the Director of Community and Economic Development and staff for the repairs done to the roofs at both community centres.

(j) Wasp Nest (Wells)

Councillor Wells thanked staff for the fast action taken to remove a wasp nest.

(k) Ward 4 Mowing (Wells)

Councillor Wells complimented staff for the great job of mowing in Ward 4 and noted that citizens have noticed the excellent quality of mowing.

(l) NPCA Drinking Water Protection Meeting (Wells)

Councillor Wells attended the NPCA Drinking Water Protection meeting and advised that Port Colborne is one of the most vulnerable locations.

(m) Sherkston Halloween BBQ (Wells)

Councillor Wells announced that there will be a Happy Halloween BBQ at the Sherkston Community Centre on October 26.

(n) Third Concession Truck Traffic (Wells)

Councillor Wells raised concerns regarding heavy truck traffic on Third Concession and inquired if signage can be put up to deter trucks from using that road to get to Highway 140. The Director Engineering and Operations advised that Concession 3 is not designated as a truck route and he will look into signage.

Staff responses to Councillors' enquiries:**(a) Fire Safety Program (Chief Cartwright)**

The Chief informed staff that the fire safety program is happening now and that compliance is down to 25%. The Chief noted that they are down to 108 smoke and carbon monoxide detectors and if any citizens would like their home inspected, they can call and make an appointment.

(b) Cowan Insurance Funding Grant (Chief Cartwright)

The Chief reported that funding for the grant from Cowan Insurance was successful.

(c) King Street Accidents (Chief Cartwright)

The Chief reported that accidents occurring on King Street involving bicycles, e-bikes, wheelchairs etc. have increased and asked that people are cautious while driving on roadways and on King Street.

(d) Co-operative Truck Inspection Program October 21 (Chief Cartwright)

The Chief reported that there would be a Co-operative Truck Inspection program occurring at the fire hall on October 21 from 9 a.m. to 4 p.m.

14. Consideration of Items Requiring Separate Discussion: Re-order items

1. Motion by Councillor Danch Re: Open Air Burning By-law

Moved by Councillor F. Danch
Seconded by Councillor H. Wells

That the Fire Chief be directed to investigate options for open air burnings and report back to Council with recommendations.

CARRIED.

7. ADR Chambers, Integrity Commissioner Office for the City of Port Colborne Re: Complaint Reference Number IC-104-0719, Shawn Tylee and Councillor Harry Wells

Robert Henderson, spoke in regards to disruption of the political process. A copy of the notes are attached.

Moved by Councillor G. Bruno
Seconded by Councillor R. Bodner

That Integrity Commission Report IC-104-0719, be received for information.

CARRIED.

15. Notice of Motion:

Nil.

16. **Adjournment:**

Moved by Councillor F. Danch
Seconded by Councillor E. Beauregard

That the Committee of the Whole meeting be adjourned at approximately
8:05 p.m.
CARRIED.

AL/ln

I have three themes to which I will speak. With each one I will show that it is a disruption to the political process of municipal governing.

- Divide to conquer.
- Influence vs manipulation.
- The past is a road map to the future.

Divide to conquer is apparent in 2 aspect.

- Conflict of Interest accusation
- The response to the accusation

Influence vs manipulation

- NWPA discussion regarding who is voting how.
- How PCQ crosses the line from influence to manipulation

The past is a road map to the future

- Councillor Wells qualifications and reputation
- Municipal Elections and timing

Conclusion

- Political democracy is being tested.
- What can you do to maintain the integrity of the municipal governing process?



MAYOR'S REPORT – OCTOBER 15, 2019

Fire Prevention Week and Touch-a-Truck open house

Port Colborne's annual Fire Prevention Week and Touch-a-Truck event were held on October 5th.

Many thanks to the fire fighters and staff who set up these events. They were well attended by the public and provided lots of things to see and do.

Over \$900 was raised during the Touch-a-Truck event in support of Niagara Nutrition Partners.

Fire safety is of the utmost importance to your family. Know your fire route and practice it with the whole family.

Meeting with partners to improve access for Great Lakes Cruising

The City of Port Colborne recently hosted a roundtable session to discuss recreational ship mooring within Port Colborne, specifically with regards to the development of appropriate docking facilities to facilitate mooring of cruise ships and to position the City as a cruise ship destination.

The City presented maps of the proposed location and available infrastructure and a discussion about potential challenges and mitigating measures followed.

All stakeholders in attendance expressed their support for the establishment of the terminal and docking facilities and we will continue working toward this goal.

Servicing lands on the east side of the Welland

The city hosted a meeting with the St Lawrence Seaway and Niagara Region Economic Development, along with city engineering and economic development staff, to discuss the servicing of industrial lands along the Welland Canal.

The St. Lawrence Seaway indicated a willingness to service its 86 acre (Riverlands) and if feasible, additional lands on the east side.

If the Seaway moves forward with this servicing or partners with the city, this would present an opportunity for the City to meet the unmet need for serviced industrial lands which exists within the market.

The discussion explored the east side infrastructure project currently being undertaken at the Region to determine the best point to bring the servicing across the canal.

The parties briefly spoke about the three (3) proposed crossing options and whether the implication for future land servicing is being considered and whether any land servicing activity could piggyback on this project.

Discussions are expected to continue next week.

Overdose Prevention and Education Network of Niagara Survey

Overdose Prevention and Education Network of Niagara - Prevention Working group, guided Niagara Region Public Health, are working on their strategic planning process by focusing on prevention.

This is testament to the awareness and leadership of the group by focusing early action on the more immediate pillars of harm reduction, treatment, and effective and empathetic enforcement, while ensuring that the first stage of planning is on prevention.

In order to prepare a prevention strategy report, a survey has been created.

The survey takes about 10 minutes. The survey includes questions about drug use in Niagara - how it affects the community, what might work to prevent drug use, and your personal experience with drug use.

Today's survey marks one of the final phases towards a report; a wider community questionnaire to understand the public's thoughts and beliefs about substance use and its prevention.

The online survey will be available until November 30 at www.niagararegion.ca/health.

Help Design our Community Christmas Card

We are once again seeking your children's wintery, Christmasy drawing for our annual Christmas card.

We'd like to see your child draw images of Port Colborne in the winter.

Here is a sample of a few we have used in the past.

We will be accepting drawings until November 8th.

Please check out our website for details.

Leadership Team Calendars

The City of Port Colborne Leadership Team is selling calendars to benefit the Port Cares School Lunch Kit Program.

Every calendar you buy provides a child with one week's worth of healthy school lunches.

The calendar features our "future leaders" in city roles.

Calendars are \$15 each and can be purchased at City Hall on the first floor.

Canadian Cancer Society Cops for Cancer 2019 Tour de Golden Horseshoe

We received a thank you plaque from the Canadian Cancer Society for our support of the Cops for Cancer – 2019 Tour de Golden Horseshoe.

We welcomed them to Port Colborne on September 16 and 17 where they visited local schools.

SPEAKING NOTES

ISADORE SPONDER MEMORIAL TROPHY

- Growing up in Port Colborne, Isadore Sponder began swimming at the age of 15 in either Lake Erie or the Welland Canal or both, as most children of his age did.
- Between 1927 – 1933, Isadore competed against such noted swimming greats as Marvin Nelson and Gianni Gambi.
- During the era when the Canadian National Exhibition Marathon Swim was one of the Premier World Marathons, Isadore finished in the top 3, four times.
- Good friend Ernie Marsh stated, “he was quite a swimmer - he tried his best and brought considerable recognition to Port Colborne”.
- He passed away in December of 1986 at the age of 74.

- In 1993, the Centennial Pool Lift for handicapped swimmers was dedicated to the citizens of Port Colborne by the Sponder Family. With the decommissioning of Centennial Pool and building of Vale Health & Wellness Centre the city, alongside Isadore's Family, wanted to ensure his memory lived on in Port Colborne.
- In addition to his name on the Donor Wall at the Vale Health & Wellness Centre, the City has created the "Isadore Sponder Memorial Trophy to be presented annually to a member of the Port Colborne Piranhas Swim Team.
- The recipient is to mirror the traits Isadore possessed in the water – a competitive spirit, dedicated to the sport, and always giving 110%, win or lose.
- We are fortunate tonight to have two members of Isadore's family here with us, and I would like to invite his nephew and former Port Colborne resident, Fred Horvath and his other nephew, John Shaw to say a few words.
- *Fred speaks.*

- I would also like to call up Jen Laur, the coach of the Piranhas Swim Team for the presentation.
- *Jen Laur comes up.*
- We are pleased to announce that the recipient of the Isadore Sponder Memorial Trophy is Ellie Maltman.
- Ellie, can you please come up.
- Ellie is 9 years old and has been participating on the Piranhas Swim team and taking the Swim Stroke Improvement classes for 3 years.
- Ellie has loved the water since she was a baby, spending time swimming in her grandparent's pool.
- She enjoyed being a part of the Summer Swim Team and is looking forward to this year's Swim Stroke Improvement classes in preparation for next year's team.
- We have this trophy which will remain on display at the Vale Health & Wellness Centre engraved with your name and we have a plaque for you to take home.



**City of Port Colborne
Regular Meeting of Council 32-19
Monday, October 28, 2019
following Committee of the Whole Meeting
Council Chambers, 3rd Floor, 66 Charlotte Street**

Agenda

- 1. Call to Order:** Mayor William C. Steele
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
 - (a) Regular meeting of Council 30-19, held on October 15, 2019
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**

Nil.
- 10. Minutes of Boards, Commissions & Committees:**
 - (a) Minutes of the Port Colborne Public Library Board Meeting of August 13, 2019
 - (b) Minutes of the Port Colborne Historical & Marine Museum Board of Management Meeting of September 24, 2019
- 11. Consideration of By-laws:**
- 12. Council in Closed Session:**
 - (i) Motion to go into Closed Session

That Council do now proceed into closed session in order to address the following matter(s):
 - (a) Minutes of the Closed Session portion of the following Council meeting: September 23, 2019.

- (b) Verbal report from Italia Reeves, Human Resources Coordinator on behalf of Scott Luey, Chief Administrative Officer, concerning a human resources matter pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
 - (c) Verbal report from Italia Reeves, Human Resources Coordinator, concerning a human resources matter pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
 - (d) Memorandum from Italia Reeves, Human Resources Coordinator, dated October 28, 2019, concerning the performance appraisal of the Chief Administrative Officer, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
- (ii) Disclosures of Interest (closed session agenda):
 - (iii) Consideration of Closed Session Items:
 - (iv) Motion to Rise With Report:

13. Disclosures of Interest Arising From Closed Session:

14. Report/Motions Arising From Closed Session:

15. Adjournment:

Council Items:

Notes	Item	Description / Recommendation	
WCS MB EB RB GB FD AD DK HW	1.	<p>Chief Administrative Officer Department, Report 2019-160, Subject: Memorandum of Understanding – Procurement of Goods and Services</p> <hr/> <p>That Council ratify the Memorandum of Understanding attached as Appendix "A" to Chief Administrative Officer's Department Report 2019-160.</p>	
WCS MB EB RB GB FD AD DK HW	2.	<p>Engineering and Operations Department, Engineering Division, Report 2019-142, Subject: Oil Mill Creek Municipal Drain – Appointment of Engineer</p> <hr/> <p>That the Council of the City of Port Colborne receives Report 2019-142 with respect to the Oil Mill Creek Drain Engineer Appointment as information; and</p> <p>That Paul Marsh P. Eng. of EWA Engineering Ltd. be appointed under Section 8 of the Drainage Act, Chapter D.17 R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Oil Mill Creek Drain.</p>	
WCS MB EB RB GB FD AD DK HW	3.	<p>Engineering and Operations Department, Engineering Division, Report 2019-143, Subject: Point Abino Municipal Drain – Appointment of Engineer</p> <hr/> <p>That the Council of the City of Port Colborne receives Report 2019-143 with respect to the Point Abino Drain Engineer Appointment as information; and</p> <p>That Paul Marsh P. Eng. of EWA Engineering Ltd. be appointed under Section 8 of the Drainage Act, R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, R.S.O. 1990, related to the Point Abino Municipal Drain.</p>	

<p>WCS MB EB RB GB FD AD DK HW</p>	<p>4.</p>	<p><u>Engineering and Operations Department, Engineering Division, Report 2019-156, Subject: Biederman Municipal Drain – Appointment of Engineer</u></p> <p>That the Council of the City of Port Colborne receives Report 2019-156 with respect to the Biederman Drain Engineer Appointment as information; and</p> <p>That Brandon Widner, P. Eng. of Spriet Associates Engineers & Architects be appointed under Section 8 of the Drainage Act, R.S.O. 1990 for the preparation of a new engineer’s report under Section 78 of the Drainage Act, R.S.O. 1990, related to the Biederman Municipal Drain.</p>	
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>5.</p>	<p><u>Planning and Development Department, Report 2019-155, Subject: Planning Budget Tasks</u></p> <p>That Council authorize \$75,000 to be allocated to the Planning and Development Department for Consulting Services and included in the 2020 budget process.</p>	
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>6.</p>	<p><u>Planning and Development Department, Report 2019-146, Subject: Background Study and Development Charges By-law Update</u></p> <p>That Council approve Option 1 as described in Planning and Development Department Report 2019-146; and</p> <p>That the proposed Development Charges By-law attached as Appendix C to Planning and Development Department Report 2019-146 be brought forward for approval; and</p> <p>That staff be directed to prepare the Notice of passing in accordance with the <i>Development Charges Act</i>.</p>	

Miscellaneous Correspondence			
WCS MB EB RB GB FD AD DK HW	7.	<p><u>Memorandum from the Economic Development Advisory Committee Re: Development Charges</u></p> <p>That the memorandum received from the Economic Development Advisory Committee Re: Development Charges be received for information; and</p> <p>That the following motion be considered by Council when reviewing the Development Charges Bylaw:</p> <p>That the Economic Development Advisory Committee recommends to the Council of The Corporation of the City of Port Colborne that Development Charges be implemented as follows:</p> <ol style="list-style-type: none"> 1. Infill housing – deferral of all development charges for 5 years. 2. Multiple unit residential (including condominiums) – no development charges for the first 3 years; year 4 50%; year 5 100%. 3. Sub-division/new development – 20% of development charges in first year; 40% year 2; 60% year 3; 80% year 4; 100% year 5. 4. Commercial and Industrial- no development charges for the first 3 years; year 4 50%; year 5 100%. 5. Brownfield Development – deferral of all development charges for 5 years. <p>That the City impose a vacancy tax on land that is approved for development which remains undeveloped for a period as recommended by city staff.</p>	
WCS MB EB RB GB FD AD DK HW	8.	<p><u>Pierre Ranger, Chair of the Let’s Remember Adam- STOP FOR THE SCHOOL BUS Committee Re: National School Bus Safety Week and Stop Arm Cameras</u></p> <p>That the correspondence received from Pierre Ranger, Chair of the Let’s Remember Adam – STOP FOR THE SCHOOL BUS Committee Re: National School Bus Safety Week and Stop Arm Cameras, be received for information.</p>	
Outside Resolutions – Requests for Endorsement			
WCS MB EB RB GB FD AD DK HW	9.	<p><u>City of St. Catharines Re: Menstrual Products in City Facilities</u></p> <p>That the resolution received from the City of St. Catharines Re: Menstrual Products in City Facilities, be received for information.</p>	
Responses to City of Port Colborne Resolutions – NIL.			

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

By-law No.	Title
6727/91/19	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 2019 Grant
6728/92/19	Being a By-law to Authorize Entering Into an Engineering Agreement with EWA Engineering Inc. for the Oil Mill Creek Municipal Drain
6729/93/19	Being a By-law to Authorize Entering Into an Engineering Agreement with EWA Engineering Inc. for the Point Abino Municipal Drain
6730/94/19	Being a By-law to Authorize Entering Into an Engineering Agreement with Spriet Associates Engineers & Architects for the Biederman Municipal Drain
6731/95/19	Being a By-law to Establish Development Charges for the City of Port Colborne
6732/96/19	Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of October 28, 2019

The Corporation of the City of Port Colborne

By-law no. 6727/91/19

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 2019 Grant

Whereas at its meeting of June 10, 2019, the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2019-91 Subject: 41st Annual Canal 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 2019 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 2019 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 28th day of October, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

ONTARIO TRANSFER PAYMENT AGREEMENT
Celebrate Ontario 2019
Case # 2018-11-1-1222465027

THE AGREEMENT is effective as of the 1st day of April 2019

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: Richard McKinnell
Title: Assistant Deputy Minister
Tourism Division

The Corporation of The City of Port Colborne

Date

Name: Bill Steele
Title: Mayor

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

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

Maximum Funds	\$59,075,00
Expiry Date	January 2, 2020
Amount for the purposes of section A5.2 (Disposal) of Schedule "A"	\$1,000
Insurance	\$ 2,000,000
Contact information for the purposes of Notice to the Province	<p>Ministry of Tourism, Culture and Sport</p> <p>4275 King Street East Kitchener, ON, N2P 2E9</p> <p>Attention: Paul Samson, Tourism Industry Advisor</p> <p>Email: paul.samson@ontario.ca Tel: 519 503-2769</p>
Contact information for the purposes of Notice to the Recipient	<p>Name: Brenda Garrett Position: Director of Corporate Services/City Treasurer</p> <p>Address: Address: 66 Charlotte Street, Port Colborne, ON, L3K 3C8</p> <p>Email: dccs@portcolborne.ca Tel: 905-835-2900 ext.105</p>
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	<p>Name: Brenda Garrett Position: Director of Corporate Services/City Treasurer</p> <p>Address: Address: 66 Charlotte Street, Port Colborne, ON, L3K 3C8</p> <p>Email: dccs@portcolborne.ca Tel: 905-835-2900 ext.105</p>

Additional Provisions:

None

BACKGROUND

The Province will provide Maximum Funds of up to \$59,075,00 in support to the Recipient to support, to be held in Port Colborne.

CELEBRATE ONTARIO PROJECT OBJECTIVE

The Recipient anticipates that the 41st Canal Days® Marine Heritage Festival 2019 will attract 278,634 attendees, including 83,500 tourists with the following geographic origin:

- Other Ontario — 55,728
- Other Canada — 5,572
- United States — 13,931
- International — 8,359

CELEBRATE ONTARIO PROJECT SCOPE

Canal Days® Marine Heritage Festival celebrates the heritage connections of a working marine community to the Welland Canal. With its 41st edition taking place in Port Colborne August 2 to 5, 2019, it attracts more than 225,000 people each year, one third travelling >100KMS, crossing the US border, or even oceans, to attend. This unique event draws a core of family groups with its variety of activities: 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 music ranging from rock and country offerings at 2018's 40th Anniversary launched Mainstage in H.H. Knoll Lakeview Park to Jazz at the Roselawn Centre for the Arts; annual Car and Craft Shows; KidsZone and other family-friendly entertainments such as the dazzling aerial displays of the International Kite Festival.

The Celebrate Ontario project will have the following components:

- ADD Music at H.H.Knoll Lakeview Park not previously offered on Sun; artists of appeal to Millennials @22-36; follows identification as increasing attendee segment in 2018 Evaluation
- ADD Fishing Tournament; new water-based activity; friends/family accompany; variety of activities draws/engages those supporting angler participants; NEW Destination ON segment = "Sports Lovers"
- Costumed Characters enrich 1:1 visitor engagement; photo-ops bolster generating better 'Pay What You Can' (PWYC) awareness, promotion, collection level

TIMELINES

The 41st Canal Days® Marine Heritage Festival 2019 will run from 08/02/2019 to 08/05/2019

SCHEDULE "D"
BUDGET

NOTE: Variances to Celebrate Ontario project cash operating expenses may result in an adjustment to the Maximum Funds listed under this Transfer Payment Agreement.

Celebrate Ontario Project Support

The Province will provide Maximum Funds of up to \$59,075,00 to the Recipient to carry out the 41st Canal Days® Marine Heritage Festival 2019. These Funds will be used to support the Celebrate Ontario funded expenses detailed in Table 1.

Funding will not exceed a maximum cap of \$250,000

and

Maximum Funds will not exceed the **lesser** of the following:

- 15% of the most recent event's cash operating expenses, **OR**
- 50% of Celebrate Ontario project expenses.

The Recipient's Celebrate Ontario Project cash operating expenses are detailed in the table below:

Table1- Celebrate Ontario Project Cash Operating Expenses

Expense Item	A- Celebrate Ontario Project-Cash Operating Expenses	B- Celebrate Ontario Funding
Programming		
PROGRAMMING IMPROVEMENT - HH Knoll Lakeview Park	\$32,000.00	\$32,000.00
PROGRAMMING IMPROVEMENT - HH Knoll Lakeview Park	\$23,750.00	\$5,675.00
PROGRAMMING IMPROVEMENT - Fishing Tournament	\$15,000.00	\$10,000.00
PROGRAMMING IMPROVEMENT - Pop-up Cycling Kiosk	\$5,000.00	\$0
PROGRAMMING IMPROVEMENT - Canal Days® Characters	\$6,400.00	\$6,400.00
PROGRAMMING IMPROVEMENT - >40KMS Coach Tours = \$6K	\$6,000.00	\$0
Marketing		
Creative	\$2,500.00	
Media Buys < 40 km	\$2,025.00	
Media Buys > 40 km or out of province	\$10,475.00	\$5,000.00
Event Staffing & Administration		
Site/Event Logistics		
Other		
Evaluation	\$15,000.00	
TOTAL		
	\$118,150.00	\$59,075,00

Eligible Expenses

Funding requests may only be applied to cash costs for the Celebrate Ontario project or new event programming improvements or related marketing. Examples of eligible expenses include, but are not limited to the following:

- Fees paid to artists, musicians, performers, celebrities, special guests, and speakers, including travel, accommodation and booking costs
- Fees paid for new programming, including interactive, participatory, exhibit-based or experiential programming
- Fees paid for production and presentation costs, including audio and visual support, technical and stage crews
- Accessibility improvements (AODA compliant) directly associated with the programming for the Celebrate Ontario project or new event
- Marketing buys to attract tourists from 40 kilometres or beyond
- Placement of targeted paid advertising (e.g., broadcast, digital, print)
- Purchase of out-of-home advertising space (e.g., billboard, transit shelter space purchase)
- Geo-targeted digital and social media advertising buys
- Media distribution costs for printed materials (printing costs are ineligible).

Ineligible Expenses

Expenses that are ineligible for funding are those not directly related to the programming improvements of the Celebrate Ontario project or new event, including, but not limited to the following:

- Any expense item for which the eligibility, tourism rationale or relevance to the Celebrate Ontario project or new event programming improvements are not clearly demonstrated in the 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
- Consulting services
- Costs related to visitor and site services (e.g., security, shuttle buses, sanitation, fencing).
- Capital costs (e.g., construction materials, motorized vehicles, land acquisition, purchase of equipment, stages, fixed or portable seating, computers/notebooks, depreciable assets)
- Printing of publications, production of television programming, digital assets, videos, DVDs, USB keys
- Mobile application development

- Website development used to create and maintain an online presence
- Translation costs
- Competition prizes, prize money and monies paid to competition participants
- Alcohol or cannabis-related products
- Audience surveys, research or economic impact studies
- Harmonized Sales Tax or refundable expenses (e.g., security deposits)
- Legal, audit or interest fee.
- Budget deficits
- Any costs incurred for events held outside Ontario
- In-kind contributions
- Media buy costs targeting tourists who are in-province (Ontario) audiences living less than 40 kilometres from the event
- Advertising creative, staff or consulting costs
- Website costs, promotion-based activities, booking and packaging expenses
- Media familiarization tours, hosting/payment to travel writers/blogger
- Any costs related to transactions 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:

PAYMENT DATE OR MILESTONE	AMOUNT
Upon signature of this Agreement by both parties.	\$41,352.50 (70%)
Upon submission of the Project Final Report by November 4 th , 2019, and the Province is satisfied with the elements submitted.	\$17,722.50 (30%)

**SCHEDULE “F”
REPORTS**

Name of Report	Due Date
Project Final Report	November 4, 2019

FINAL REPORT REQUIREMENTS

All required documents must be submitted into the [Grants Ontario web portal](#) as follows:

1. **Completed Celebrate Ontario 2019 Final Report Template** – Download the document from the case file in the Grants Ontario web portal and upload the final completed version.
2. **Confirmation of Celebrate Ontario project expenses** – Template provided by the ministry in the TPA Information document.
3. **Summary of Invoices for the Celebrate Ontario funded costs** – for the Celebrate Ontario project. The summary should include the date of the invoice, the amount (not including tax), the payee and the description of expenses. Copies of invoices are not required unless requested.
4. **Economic impact studies and/or visitor surveys** that support performance metrics reported in your final report.
5. **Statements of Revenues and Expenditures as follows:**

Statements of Revenues and Expenditures must capture expenses incurred in the specified fiscal year (April 1, 2019– March 31, 2020) of the Celebrate Ontario project and report expenses net of rebates, credit and refunds.

For recipients of funding less than \$100,000:

1. Board-endorsed or Chief Financial Officer/Treasurer-certified statement of revenues and expenditures for total event cash revenues and expenses. The Celebrate Ontario project cash revenues and expenses must be further detailed as a separate schedule to the statement.
2. The Board of Directors or Chief Financial Officer/Treasurer must provide a signed and dated confirmation on the statement of revenues and expenditures with a declaration such as:
 - “In our opinion, the statement of revenues and expenditures for [Event Name], including the Celebrate Ontario project’s revenues and expenses, is prepared, in all material aspects, in accordance with the reporting provisions of the Agreement between the

[organization name] and the Ministry of Tourism, Culture and Sport, as represented by Her Majesty the Queen in right of Ontario and dated [date]"

If your final statements of revenues and expenditures are not ready when filing your Final Report:

- Provide a signed letter by your most senior financial officer indicating the date when 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.

Any other details or documents that may be requested by the Province.

Final payments cannot be processed without completion of all final reporting requirements and a valid Certificate of Insurance on file.

Grant recipients are required to meet their obligations under *the Public Sector Salary Disclosure Act*, 1996 if applicable.

Records of revenues, purchases, and expenses for your grant must be kept and made available for at least seven years. The Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario). Any information provided to the Province in connection with your grant or otherwise in connection with your TPA may be subject to disclosure in accordance with that Act.

*****End of document*****

The Corporation of the City of Port Colborne

By-law No. 6728/92/19

Being a By-law to Authorize Entering Into an Engineering Agreement with
EWA Engineering Inc. for the Oil Mill Creek Municipal Drain

Whereas the Council of The Corporation of the City of Port Colborne by resolution of Council on October 28, 2019 approved the appointment of Paul Marsh, P. Eng. of EWA Engineering Inc., to proceed forward with the preparation of a new report to address the drainage concerns and to determine water quality features that are beneficial to the watershed and the outfall to Lake Erie.

Now therefore the Council of The Corporation of the City of Port Colborne under the *Drainage Act R.S.O. 1990*, enacts as follows:

1. That the Corporation of the City of Port Colborne enter into an Engineering Agreement with EWA Engineering Inc. regarding the Oil Mill Creek Municipal Drain.
2. That the Mayor and Clerk are hereby authorized and directed to sign the said Engineering Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 28th day of October, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-Law No. 6729/93/19

Being a By-law to Authorize Entering Into an Engineering Agreement with
EWA Engineering Inc. for the Point Abino Municipal Drain

Whereas the Council of The Corporation of the City of Port Colborne by resolution of Council on October 28, 2019 approved the appointment of Paul Marsh, P. Eng. of EWA Engineering Inc., to proceed forward with the preparation of a new report to address the drainage concerns and to determine water quality features that are beneficial to the watershed and the outfall to Lake Erie.

Now therefore the Council of The Corporation of the City of Port Colborne under the *Drainage Act R.S.O. 1990*, enacts as follows:

1. That the Corporation of the City of Port Colborne enter into an Engineering Agreement with EWA Engineering Inc. regarding the Point Abino Municipal Drain.
2. That the Mayor and Clerk are hereby authorized and directed to sign the said Engineering Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 28th day of October, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

The Corporation of the City of Port Colborne

By-law No. 6730/94/19

Being a By-law to Authorize Entering Into an Engineering Agreement with Spriet Associates Engineers & Architects for the Biederman Municipal Drain

Whereas the Council of The Corporation of the City of Port Colborne by resolution of Council on October 28, 2019 approved the appointment of Brandon Widner, P. Eng. of Spriet Associates Engineers & Architects, to proceed forward with the preparation of a new report to address the watershed limit of the drain and to revise the assessment schedules of this report.

Now therefore the Council of The Corporation of the City of Port Colborne under the *Drainage Act R.S.O. 1990*, enacts as follows:

1. That the Corporation of the City of Port Colborne enter into an Engineering Agreement with Spriet Associates Engineers & Architects regarding the Biederman Municipal Drain.
2. That the Mayor and Clerk are hereby authorized and directed to sign the said Engineering Agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 28th day of October, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

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The Corporation of the City of Port Colborne

By-Law No. 6731/95/19

Being a By-law to Establish Development Charges
for the City of Port Colborne

WHEREAS section 2(1) of the *Development Charges Act, 1997* (hereinafter called "the Act") enables the Council of a municipality to pass by-laws for the imposition of development charges against land located in the municipality for increased capital costs required because of the need for services arising from development in the area to which the by-law applies;

AND WHEREAS the Council of the Corporation of the City of Port Colborne (hereinafter called "the Council"), at its public meeting of August 26, 2019, approved a report dated July 24, 2019 entitled "City of Port Colborne, 2019 Development Charge Background Study", which report was prepared by Watson & Associates Economists Ltd.;

AND WHEREAS the Council has given Notice in accordance with Section 12 of the *Development Charges Act, 1997* of its development charge proposal and held a public meeting on August 26, 2019;

AND WHEREAS the Council has heard all persons who applied to be heard in objection to, or in support of, the development charge proposal at such public meeting;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE HEREBY enacts as follows:

1. In this by-law,

DEFINITIONS

"Act" means the Development Charges Act, as amended, or any successor thereof;

"accessory use" means where used to describe a use, building, or structure that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

"agricultural use" means use or intended use for bona fide farming purposes:

a) including (but not limited to):

i) cultivation of crops whether on open land or in greenhouses, including (but not limited to) fruit, vegetables, grains, field crops, sod trees, shrubs, flowers, and ornamental plants;

ii) raising of animals, including (but not limited to) cattle, horses, pigs, poultry, livestock, fish; and

iii) animal husbandry, dairying, equestrian activities, horticultural, fallowing, pasturing, and market gardening;

b) but excluding:

i) winery activities;

ii) retail sales activities; and

iii) marijuana facilities.

"apartment unit" means any residential unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor, and includes a stacked townhouse;

"back-to-back townhouse dwelling" means a building containing more than two dwelling units separated vertically by a common wall, including a rear common wall, that do not have rear yards;

"bedroom" means a habitable room larger than seven square metres, including a den, study or other similar area, but does not include a bathroom, living room, dining room or kitchen;

"benefiting area" means an area defined by map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;

"board of education" has the same meaning as set out in the Education Act, R.S.O. 1990, Chap. E.2, as amended, or any successor thereof;

"Building Code Act" means the Building Code Act, S.O. 1992, as amended, or any successor thereof;

"capital cost" means costs incurred or proposed to be incurred by the City or a local board thereof directly or by others on behalf of and as authorized by the City or local board;

(1) to acquire land or an interest in land, including a leasehold interest,

(2) to improve land,

(3) to acquire, lease, construct or improve buildings and structures,

(4) to acquire, construct or improve facilities including:

(1) furniture and equipment other than computer equipment; and

(2) material acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act, R.S.O. 1990, Chap. P.44, as amended, or any successor thereof; and

(3) rolling stock with an estimated useful life of seven years or more; and

(5) to undertake studies in connection with any matter under the Act and any of the matters in clauses (1) to (4) above, including the development charge background study required for the provision of services designated in this by-law within or outside the City, including interest on borrowing for those expenditures under clauses (1) to (4) above that are growth related;

"City" means the Corporation of the City of Port Colborne;

"commercial" means any use of land, structures or buildings for the purposes of buying or selling commodities and services, but does not include industrial or agricultural uses, and does not include hotels, motels, motor inns and boarding, lodging and rooming houses;

"Council" means the Council of the City;

"development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size of usability thereof, and includes redevelopment;

"development charge" means a charge imposed with respect to this by-law;

"dwelling unit" means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

"existing" means the number, use and size that existed as of the date this by-law passed;

"farm building" means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use, but excluding a residential use;

"gross floor area" means:

(1) in the case of a residential building or structure, the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of part walls dividing the dwelling unit from any other dwelling unit or other portion of a building; and

(2) in the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of

party walls dividing a non-residential use and a residential use, except for:

- (1) a room or enclosed area within the building or structure above or below that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
- (2) loading facilities above or below grade; and
- (3) a part of the building or structure below grade that is used for the parking or motor vehicles or for storage and other accessory use;

"industrial" means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly or raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

"institutional" means land, buildings, structures or any part thereof used by any organization, group or association for promotion of charitable, educational or benevolent objectives and not for profit or gain;

"Local Board" means a school board, public utility, commission, transportation commission, public library board, board of park management, local board of health, board of commissioners of police, planning board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the City of Port Colborne or any part of parts thereof;

"local services" means those services, facilities or things which are under the jurisdiction of the City and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the Planning Act, R.S.O. 1990, Chap. P.13, as amended, or any successor thereof;

"marijuana facilities" means a building used, designed or intended for growth, producing, testing, destroying, storing or distribution, excluding retail sales, of medical marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, S.C. 1996, c.19;

"multiple dwellings" means all dwellings other than single-detached, semi-detached and apartment unit dwellings;

"non-residential use" means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use;

"Official Plan" means the Official Plan adopted for the City, as amended and approved;

"owner" means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

"place of worship" means that part of a building or structure that is exempt from taxation as a place of worship under the Assessment Act, R.S.O. 1990, Chap. A.31, as amended, or any successor thereof;

"rate" means the interest rate established weekly by the Bank of Canada based on Treasury Bills having a term of 91 days;

"regulation" means any regulation made pursuant to the Act;

"residential dwelling" means a building, occupied or capable of being occupied as a home, residence or sleeping place by one or more persons, containing one or more dwelling units but not including motels, hotels, tents, truck campers, tourist trailers, mobile camper trailers or boarding, lodging or rooming houses;

"residential use" means the use of a building or structure or portion thereof for one or more dwelling units. This also includes a dwelling unit on land that is used for an agricultural use;

"row dwelling" means a building containing three or more attached dwelling units in a single row, each of which dwelling unit has an independent entrance from the outside and is vertically separated from any abutting dwelling unit;

"semi-detached dwelling" means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal wall, but not other parts, attached to another dwelling unit where the residential units are not connected by an interior corridor;

"service" means a service designated in Schedule "A" to this by-law, and "services" shall have a corresponding meaning;

"servicing agreement" means an agreement between a landowner and the City relative to the provision of municipal service to specified land within the City;

"single detached dwelling unit" means a residential building consisting of one dwelling unit and not attached to another structure;

"special care facilities" means lands, buildings or structures used or designed or intended for uses for the purpose of providing supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general statute, and excludes the special care/special dwelling portions of the building

“special care/special dwelling” means a residential portion of special care facilities containing rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:

- i. Where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings;
- ii. Which may or may not have exclusive sanitary and/or culinary facilities;
- iii. That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and
- iv. Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels.

“Stacked townhouse dwelling” means a building containing two or more dwelling units where each dwelling unit is separated horizontally and/or vertically from another dwelling unit by a common wall or floor.

2. DESIGNATION OF SERVICES

2.1 The categories of services for which development charges are imposed under this by-law are as follows:

- (1) Services Related to a Highway;
- (2) Fire Protection Services;
- (3) Indoor Recreation Services;
- (4) Outdoor Recreation Services;
- (5) Library Services;
- (6) Engineering Studies;
- (7) Community Based Studies
- (8) Wastewater Services; and
- (9) Water Services.

2.2 The components of the services designated in Section 2.1 are described in Schedule A.

3. APPLICATION OF BY-LAW RULES

3.1 Development charges shall be payable in the amounts set out in this by-law where:

- (1) the lands are located in the area described in Section 3.2; and

- (2) the development of the lands requires any of the approvals set out in Subsection 3.4(1).

Area to Which By-law Applies

- 1.2 Subject to Section 3.3, this by-law applies to all lands in the City of Port Colborne whether or not the land or use thereof is exempt from taxation under s.13 or the Assessment Act.
- 3.3 Notwithstanding Clause 3.2 above, this by-law shall not apply to lands that are owned by and used for the purposes of:
- (1) the City or a local board thereof;
 - (2) a board of education; or
 - (3) the Corporation of the Region of Niagara or a local board thereof.

Approvals for Development

- 3.4 (1) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
- (1) the passing of a zoning by-law or of an amendment to a zoning by-law under Section 34 of the Planning Act;
 - (2) the approval of a minor variance under Section 45 of the Planning Act;
 - (3) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
 - (4) the approval of a plan of subdivision under Section 51 of the Planning Act;
 - (5) a consent under Section 53 of the Planning Act;
 - (6) the approval of a description under Section 50 of the Condominium Act, R.S.O. 1990, Chap. C.26, as amended, or any successor thereof; or
 - (7) the issuing of a permit under the Building Code Act in relation to a building or structure.
- (2) No more than one development charge for each service designated in Subsection 2.1 shall be imposed upon any lands, buildings or structure to which this by-law applies even though two or more of the actions described in Subsection 3.4(1) are required before the lands, buildings or structures can be developed.
- (3) Despite Subsection 3.4(2), if two or more of the actions described in Subsection 3.4(1) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

Exemptions

- 3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:
- (1) an enlargement to an existing dwelling unit;
 - (2) one or two additional dwelling units in an existing single detached dwelling; or
 - (3) one additional dwelling unit in any other existing residential building.
- 3.6 Notwithstanding Section 3.5(2), development charges shall be imposed if the total gross floor area of the additional one or two units exceeds the gross floor area of the existing dwelling unit.
- 3.7 Notwithstanding Section 3.5, development charges shall be imposed if the additional unit has a gross floor area greater than:
- (1) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; and
 - (2) in the case of any other residential building, the gross floor area of the smallest dwelling unit contained in the residential building.
- 3.8 Exemption for Industrial Development:
- 3.8.1 Notwithstanding any other provision of this by-law, no development charge is payable with respect to an enlargement of the gross floor area of an existing industrial building where the gross floor area is enlarged by 50 percent or less.
- 3.8.2 If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with the following:
- (i) Subject to subsection 3.8.2 (iii), if the gross floor area is enlarged by 50 per cent or less of the lesser of:
 - (A) the gross floor area of the existing industrial building, or
 - (B) the gross floor area of the existing industrial building before the first enlargement for which:
 - (i) an exemption from the payment of development charges was granted, or
 - (ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,
the amount of the development charge in respect of the enlargement
is zero;

(ii) Subject to subsection 3.8.2 (iii), if the gross floor area is
enlarged by more than 50 per cent or less of the lesser of:

(A) the gross floor area of the existing industrial building,
or

(B) the gross floor area of the existing industrial building
before the first enlargement for which:

(i) an exemption from the payment of development
charges was granted, or

(ii) a lesser development charge than would otherwise be
payable under this by-law, or predecessor thereof, was
paid,

pursuant to Section 4 of the Act and this subsection,
the amount of the development charge in respect of the enlargement
is the amount of the development charge that would otherwise be
payable multiplied by the fraction determined as follows:

(A) determine the amount by which the enlargement
exceeds 50 per cent of the gross floor area before the first
enlargement, and

(B) divide the amount determined under subsection (A)
by the amount of the enlargement

(iii) For the purposes of calculating the extent to which the gross
floor area of an existing industrial building is enlarged in subsection
3.8.2 (ii), the cumulative gross floor area of any previous
enlargements for which:

(A) An exemption from the payment of development
charges was granted, or

(B) A lesser development charge than would otherwise
be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection,
shall be added to the calculation of the gross floor area of the
proposed enlargement.

(iv) For the purposes of this subsection, the enlargement must
not be attached to the existing industrial building by means only of a
tunnel, bridge, passageway, canopy, shared below grade
connection, such as a service tunnel, foundation, footing or parking
facility.

3.9 For the purpose of Section 3.8 herein, "existing industrial building" is used as defined in the Regulation made pursuant to the Act.

3.10 Other Exemptions:

Notwithstanding the provision of this by-law, development charges shall not be imposed with respect to:

- (1) Non-residential farm buildings for the purpose of an agricultural use except for any building constructed to accommodate an On-Farm Business which shall be considered to be an industrial building;
- (2) Downtown core area is exempt from payment of development charges;
- (3) Industrial development shall be exempt from payment of development charges on any square footage of gross floor area constructed over 5,000 square feet;
- (4) Partial exemption requiring the payment of only the roads and fire protection components of the charge for all residential unit types constructed within the Sherkston Secondary Plan Area;
- (5) Partial exemption of up to 70% of the payable development charges for development on Brownfield properties under the City of Port Colborne Brownfield Community Improvement Plan, which have an approved Application and Agreement under the Brownfield Rehabilitation Grant Program; and
- (6) Partial exemption for certain Community Improvement Plan areas based upon specific policies approved by Council.

Amount of Charges

Residential

3.11 a) The development charges set out in Schedules B-1 and B-2 shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of residential unit, and calculated with respect to each of the services according to the type of residential use.

b) In regard to Schedules B-1 and B-2, the following percentage of each service for residential uses, shall be imposed for the following periods:

All Residential Services	Year 1 October 7, 2019 – October 6, 2020	Year 2 October 7, 2020 – October 6, 2021	Year 3 October 7, 2021 – October 6, 2022	Year 4 October 7, 2022 – October 6, 2023	Year 5 October 7, 2023 – October 6, 2024
	20%	40%	60%	80%	100%

Non-Residential

3.12 a) The development charges described in Schedules B-1 and B-2 to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the total floor area of the non-residential use.

b) In regard to Schedules B-1 and B-2, the following percentage of each service for non-residential uses, shall be imposed for the following periods:

All Non-Residential Services	Year 1 October 7, 2019 – October 6, 2020	Year 2 October 7, 2020 – October 6, 2021	Year 3 October 7, 2021 – October 6, 2022	Year 4 October 7, 2022 – October 6, 2023	Year 5 October 7, 2023 – October 6, 2024
	20%	40%	60%	80%	100%

Reduction of Development Charges for Redevelopment

3.13 Despite any other provisions of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 12 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

(1) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable development charge under Subsection 3.11 by the number, according to type, of dwelling units that have been demolished or will be demolished or converted to another principal use; and

(2) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed use building or structure, an amount calculated by multiplying the applicable development charges under Subsection 3.12, by the gross floor area that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

Timing of Payment of Development Charges

- 3.14 Development charges imposed under this by-law are calculated, payable, and collected upon issuance of a building permit with respect to each dwelling unit, building or structure.
- 3.15 Despite Section 3.14, Council from time to time, and at any time, may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable, in accordance with Section 27 of the Act.

4. PAYMENT BY SERVICES

- 4.1 Despite the payment required under Subsections 3.11 and 3.12, Council may, by agreement, give a credit towards a development charge in exchange for work that relates to a service to which a development charge relates under this by-law

5. INDEXING

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, on the anniversary date of the by-law, in accordance with the prescribed index in the Act.

6. SCHEDULES

- 6.1 The following schedules shall form part of this by-law:

Schedule A	-	Components of Services Designated in Section 2.1
Schedule B1	-	Schedule of Development Charges – Hard Services
Schedule B2	-	Schedule of Development Charges – Soft Services
Schedule C1	-	Map of East Waterfront Community Plan
Schedule C2	-	Map of Downtown Community Improvement Plan
Schedule C3	-	Map of Olde Humberstone Community Improvement Plan

7. CONFLICTS

- 7.1 Where the City and an owner or former owner have entered into an agreement with respect to land within the area to which this by-law applies, and a conflict exists between the provisions of this by-law and such agreement, the provisions of the agreement shall prevail to the extent that there is a conflict.
- 7.2 Notwithstanding Section 7.1, where a development which is the subject of an agreement to which Section 7.1 applies, is subsequently the subject of one or more of the actions described in Subsection 3.4(1), an additional development charge in respect of the development permitted by the action shall be calculated, payable and collected in accordance with the

provisions of this by-law if the development has the effect of increasing the need for services, unless such agreement provides otherwise.

8. SEVERABILITY

8.1 If, for any reason, any provision of this by-law is held to be invalid, it is hereby declared to be the intention of Council that all of the remainder of this by-law shall continue in full force and effect until repealed, re-enacted, amended or modified.

9. DATE BY-LAW IN FORCE

9.1 This by-law shall come into effect at 12:01 AM on _____, 2019.

10. DATE BY-LAW EXPIRES

10.1 This by-law shall expire at 12:01 AM on _____, 2024 unless it is repealed by Council at an earlier date.

11. EXISTING BY-LAW REPEALED

11.1 By-law No. 6131/97/14 is hereby repealed as of the date and time of this by-law coming into effect.

12. SHORT TITLE

This by-law may be cited as the "Port Colborne City-wide Development Charge Bylaw."

Enacted and passed this 28th day of October, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

SCHEDULE "A"

DESIGNATED MUNICIPAL SERVICE UNDER THIS BY-LAW

City-wide Services (Soft)

1. Community Based Studies
2. Outdoor Recreation Services
3. Indoor Recreation Services
4. Library Services

City-wide Services (Hard)

1. Engineering Studies
2. Fire Protection Services
3. Services Related to a Highway

Urban Area Services

1. Wastewater Services
2. Water Services

SCHEDULE "B1"

TO BY-LAW NO. 6731/95/19 OF CITY OF PORT COLBORNE

SCHEDULE OF DEVELOPMENT CHARGES – HARD SERVICES

Service	RESIDENTIAL					NON-RESIDENTIAL
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)
City-Wide Services:						
Services Related to a Highway	2,160	1,595	1,557	952	862	1.10
Fire Protection Services	155	114	112	68	62	0.08
Engineering Related Studies	267	197	192	118	107	0.13
Total City-Wide Services	2,582	1,906	1,861	1,138	1,031	1.31
Urban Services						
Wastewater Services	1,593	1,176	1,149	702	636	0.76
Water Services	3,688	2,723	2,659	1,626	1,472	1.75
Total Urban Services	5,281	3,899	3,808	2,328	2,108	2.51
GRAND TOTAL CITY-WIDE	2,582	1,906	1,861	1,138	1,031	1.31
GRAND TOTAL CITY-WIDE + URBAN SERVICES	7,863	5,805	5,669	3,466	3,139	3.82

SCHEDULE "B2"

TO BY-LAW NO. 6731/95/19 OF CITY OF PORT COLBORNE

SCHEDULE OF DEVELOPMENT CHARGES – SOFT SERVICES

Service	RESIDENTIAL					NON-RESIDENTIAL (per sq.ft. of Gross Floor Area)
	Single and Semi- Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	
City-Wide Services:						
Outdoor Recreation Services	305	225	220	134	122	0.02
Indoor Recreation Services	2,999	2,214	2,162	1,322	1,197	0.21
Library Services	163	120	118	72	65	0.01
Community Based Studies	89	66	64	39	36	0.04
Total City-Wide Services	3,556	2,625	2,564	1,567	1,420	0.28

SCHEDULE "C1"

MAP OF EAST WATERFRONT COMMUNITY PLAN



— East Waterfront
Community
Improvement Plan
Project Area

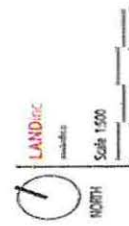
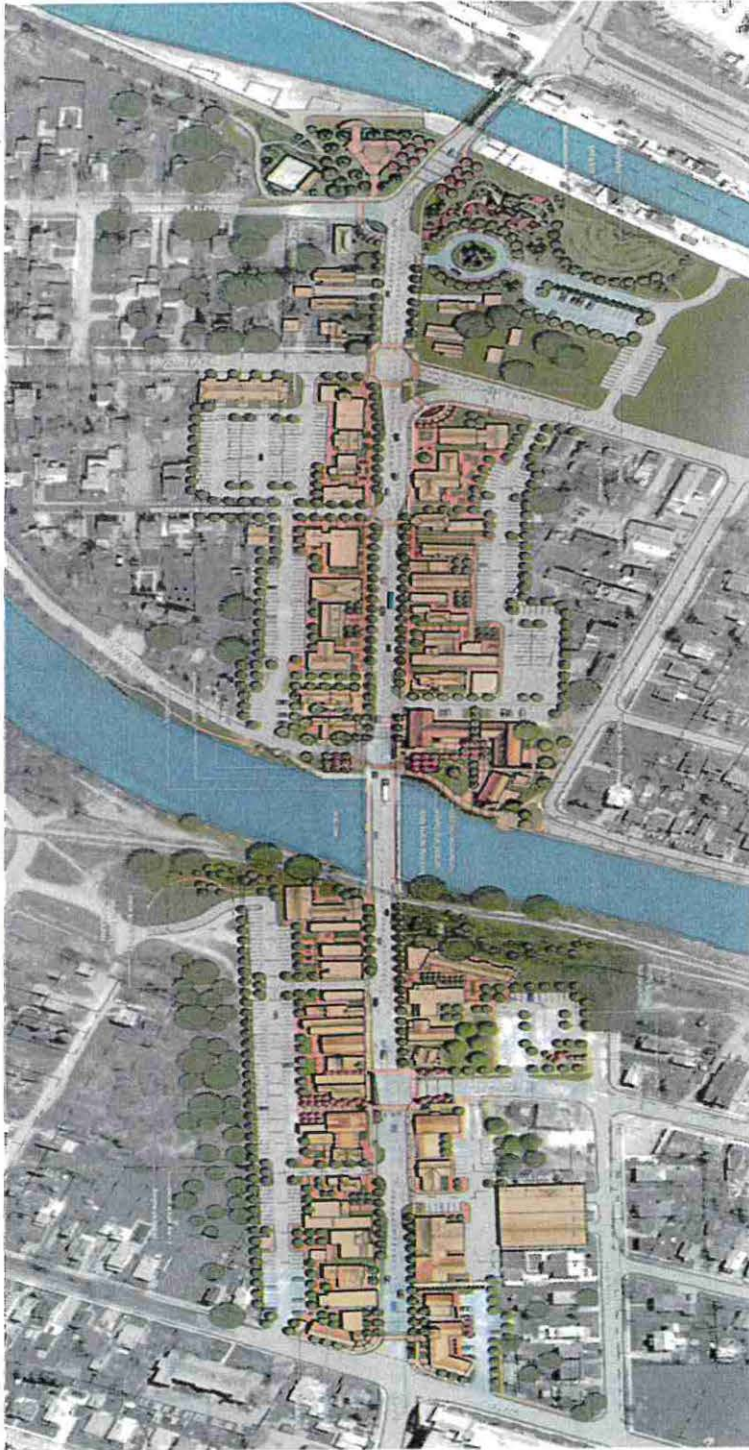
East Waterfront Community Improvement Plan | Port Colborne

SCHEDULE "C2" MAP OF DOWNTOWN COMMUNITY IMPROVEMENT PLAN



SCHEDULE "C3"

MAP OF OLDE HUMBERSTONE COMMUNITY PLAN



CITY OF PORT COLBORNE
Olde Humberstone Community Improvement Plan
Streetscape Master Plan
September 2008

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9

The Corporation of the City of Port Colborne

By-Law no. 6732/96/19

Being a by-law to adopt, ratify and confirm
the proceedings of the Council of The
Corporation of the City of Port Colborne at
its Regular Meeting of October 28, 2019

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

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

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

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of October 28, 2019 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 28th day of October, 2019.

William C. Steele
Mayor

Amber LaPointe
City Clerk

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**City of Port Colborne
Regular Meeting of Council 30-19
Minutes**

Date: October 15, 2019

Time: 8:05 p.m.

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

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

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
B. Garrett, Director of Corporate Services
A. Grigg, Director of Community and Economic Development
A. LaPointe, Manager of Legislative Services/City Clerk
C. Lee, Acting Chief Administrative Officer
L. Nelson, EAA to the Director of Corporate Services (minutes)

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 175 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That the agenda dated October 15, 2019 be confirmed, as
circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Nil.

5. Adoption of Minutes:

No. 176 Moved by Councillor D. Kalailieff
Seconded by Councillor R. Bodner

- (a) That the minutes of the regular meeting of Council 28-19, held September 23, 2019, be approved as presented.

CARRIED.

6. Determination of Items Requiring Separate Discussion:

Nil.

7. Approval of Items Not Requiring Separate Discussion:

No. 177 Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

That items 1 to 6 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.

Motions Arising from Committee of the Whole Delegations:**Kruze Ovenden, Waiving of Fees Re: 48 Kent Street, Port Colborne**

Council resolved:

That the Director of Planning and Development be directed to provide a report back to Council with respect to the history of enforcement and actions taken on the property at 48 Kent Street, Port Colborne.

Items:**2. Planning and Development Department, Planning Division, Report 2019-151, Subject: Recommendation Report for the Removal of Municipal Heritage Designation fo Part 2 at 380 King Street Tax**

Council Resolved:

That Council state an intention to amend By-law 2831/10/93 pursuant to Part IV of the *Ontario Heritage Act*, section 30.1(1), as shown in the draft amending By-law attached as Appendix E of this report; and

That staff be directed to provide notice of the Council's intention to amend By-law 2831/10/93, in accordance with section 30.1(1) of the *Ontario Heritage Act*; and

That the City Clerk present the amending By-law to Council, provided there is no objection to the statement of intention to amend designation By-law 2831/10/93; and

That the City Clerk take the necessary actions in the event of any objection to the statement of intention to amend By-law 2831/10/93 pursuant to Part IV of the *Ontario Heritage Act*, section 29(7);

That Part 2 of the property being Lots 8 and 9, Plan 987, 988 and 989, municipally known as 380 King Street be removed from the Municipal Registry of Heritage Properties.

3. Planning and Development Department, Planning Division, Report 2019-153, Subject: Proposed Development Agreement for Erika Spencer, 85-91 Main Street West

Council Resolved:

That Council enters into a development agreement with Erika Spencer and that the Mayor and Clerk be authorized to sign and execute said agreement.

4. Community and Economic Development Department, Parks and Recreation Division, Report 2019-152, Subject: Rental Rates and Sustainability of The Canadian Authors Series

Council Resolved:

That the already reduced facility rental rate of \$1,022.57 (plus Harmonized Sales Tax) per engagement be maintained for the 2019/2020 operating season of The Canadian Authors Series;

That The Canadian Authors Series be requested to immediately and proactively solicit new sponsorship opportunities for the 2019/2020 season;

That the Director of Community and Economic Development be directed to investigate the feasibility of the City assuming operation of The Canadian Authors Series, beginning with the 2020/2021 season, including exploration of partnership opportunities that would enable the City to delegate management and administration functions of the Series to a third party organization; and

That the Director of Community and Economic Development be directed to prepare a report outlining the results of the above review, prior to the commencement of the 2020/2021 season.

5. Planning and Development Department, By-law Enforcement Division, Report 2019-144, Subject: Parking and Traffic, King Street

Council Resolved:

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

That Schedule "M" Loading Zones, to By-law 89-2000 as amended, be amended by deleting therefrom the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
King St.	East	10 metres south of Charlotte St.	10 metres south therefrom	Anytime

That Schedule "M" Loading Zones, to By-law 89-2000 as amended, be amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
King St.	East	18.5 metres south of Charlotte St.	10 metres south therefrom	Anytime

That Schedule "A" Stopping Prohibitions, to By-law 89-2000 as amended, be amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
King St.	East	Charlotte St.	18.5 metres south therefrom	Anytime

6. Memorandum from Amber LaPointe, Manager of Legislative Services/City Clerk, Re: Committee of the Whole/Council Meeting Schedule for December 2019

Council Resolved:

That the regular meeting of Committee of the Whole/Council for the month of December be scheduled for Monday December 9, 2019.

8. Region of Niagara – Public Health and Services Committee Report Re: Mental Health and Addictions Collaborative Work – Niagara Region’s Involvement

Council Resolved:

That the correspondence received from the Region of Niagara – Public Health and Services Committee Report Re: Mental Health and Addictions Collaborative Work – Niagara Region’s Involvement, be received for information.

9. Region of Niagara Re: Grants and Incentives Review (PDS Report 34-2019)

Council Resolved:

That the correspondence received from the Region of Niagara Re: Grants and Incentives Review, be received for information.

10. Steve Clark, Minister, Ministry of Municipal Affairs and Housing Re: Building Code Services Transformation

Council Resolved:

That the correspondence received from Steve Clark, Minister, Ministry of Municipal Affairs and Housing Re: Building Code Services Transformation, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

Nil.

10. Minutes of Boards, Commissions & Committees:

No. 178 Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

- (a) That the minutes of the Port Colborne Historical & Marine Museum Board of Management meeting of July 16 2019, be received.

CARRIED.

11. Consideration of By-laws:

No. 179 Moved by Councillor E. Beauregard
Seconded by Councillor R. Bodner

That the following by-laws be enacted and passed:

- 6708/72/19 Being a By-law to Provide for a Section 4 Engineer's Report for a Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara Known as the Schihl Municipal Drain (Third Reading)
- 6724/88/19 Being a By-law to Amend By-law 89-2000, as Amended, Being a By-law regulating Traffic and Parking on City Streets (King Street)
- 6725/89/19 Being a By-law to Authorize Entering Into a Development Agreement with Erika Spencer regarding 85-91 Main Street West
- 6726/90/19 Being a By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne at its Regular Meeting of October 15, 2019.

CARRIED.

12. Adjournment:

No. 180 Moved by Councillor R. Bodner
 Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 8:08 p.m.
 CARRIED.

William W. Steele
 Mayor

Amber LaPointe
 City Clerk

AL/In



MINUTES of the 7th Regular Board Meeting of 2019

Tuesday, August 13, 2019, 6:15 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

Present: Michael Cooper (Chair), Bryan Ingram (Vice-Chair), Councilor Mark Bagu, Brian Beck, Valerie Catton, Harmony Cooper, Jeanette Frenette, Cheryl MacMillan
Staff: Scott Luey (CEO), Brenda Garrett (Treasurer), Susan Therrien (Director of Library Services/Board Secretary)
Regrets: Ann Kennerly

1. Call to Order:

The Chair called the meeting to order at 6:13 p.m.

2. Chair's Remarks:

Mr. Cooper welcomed the Board.

3. Declaration of Conflict of Interest:

Nil.

4. Adoption of the Agenda:

Moved by H. Cooper

Seconded by B. Ingram

19:045 That the agenda be adopted.

CARRIED.

5. Approval of the Minutes of the Previous Meeting of June 4, 2019:

Moved by J. Frenette

Seconded by C. MacMillan

19:046 That the minutes of the June 4, 2019 meeting be adopted as circulated.

CARRIED.



6. Business Arising from the Minutes:

Nil.

7. Delegations and Presentations:

Nil.

8. Consent Items:

8.1. Circulation Report

8.2. Financial Statement

8.3. Strategic Plan Implementation Report

8.4. Public Relations Report

8.5. Media Items

Moved by B. Beck

Seconded by C. MacMillan

19:047 That Consent Items 8.1 to 8.4 be received for information purposes.

CARRIED.

9. Discussion Items:

9.1. **Employee Engagement Survey Results**

Scott Luey, CEO, reported on the results from the 2018 Employee Engagement Survey.

9.2. **2018 Financial Statements: Presented by Brenda Garrett, Treasurer**

Moved by B. Ingram

Seconded by B. Beck

19:048 That the Draft 2018 Financial Statements be approved as presented with amendments as recommended by the Treasurer.

9.3. **Director's Report**

9.3.1. Website and Customer Service



The Director reported on the City's new customer service project, re-branding, development of a new City website, and how these initiatives will be of benefit to the library.

9.3.2. "Let's Talk About..." Series

The session on human trafficking (June 26, 2019) was attended by 80 people. Krystal Snider (YWCA Niagara) will be scheduled to do a more in-depth session on Human Trafficking Awareness for library staff in September. An invitation will be extended to local libraries, City staff and Council.

Two more sessions are scheduled for 2019: youth suicide prevention and awareness (September 25, 2019) and support services for parents/caregivers of youth with mental health issues and addictions (November 27, 2019, in partnership with Bridges CHC).

9.3.3. Youth Job Connection

The library hosted a job placement during the month of August.

9.3.4. John Howard Society Placement

The partnership will re-start in September 2019.

9.3.5. Health and Safety

Job Hazards Assessments for all job descriptions have been completed and submitted to Human Resources.

9.3.6. Staff Development

Moved by C. MacMillan

Seconded by H. Cooper

19:049 That the Library close for one day for Staff Development training in the month of September.

9.3.7. Meetings and Workshops

- Regional CEOs Meeting, hosted by Port Colborne Public Library, July 22, 2019
Attended by S. Therrien

9.3.8. Staff Updates

The Director reported on the hiring of a new full-time staff member.

9.3.9. Citizen Incidents and New Forms

The Director presented new forms to the Board to document incidents.

9.4. Capital Projects Report

9.4.1. Cultural Block Security Cameras

Installation of the security cameras has been completed.

9.4.2. Risk Assessment

Installation of the elevator lock-out is still pending.

9.4.3. Accessible Universal Washroom

Construction is scheduled to begin September 3, 2019. The print server and photocopier station will be moved to the Adult Fiction room to create an accessible path by the new washroom. Electrical, data and fax lines for the new print server area will be installed August 21, 2019. The waterfill station will be installed during the washroom project.

Moved by C. MacMillan

Seconded by H. Cooper

19:050 That \$10,290.70 be moved into the Library's Accessibility Grant account for the Accessible Washroom Project in order to meet the terms of the Enabling Accessibility Fund grant that requires the recipient to contribute 35% of the awarded amount.

9.4.4. Furnishing



Two new lounge chairs will be ordered for the Magazine Lounge for placement after completion of the washroom project.

9.4.5. King Street Entrance

No updates to report.

9.4.6. Other Accessible Doors

No updates to report.

9.5. Integrated Library System

The Director presented background information and options regarding the Integrated Library System. Further discussion was deferred to the next meeting.

10. Decision Items:

10.1. 2019 Operating Budget

Moved by B. Ingram
Seconded by H. Cooper

19:051 That the amended 2019 Operating Budget approved by Council be approved as presented.

10.2. Policies

- 10.2.1. Banking
- 10.2.2. Composition of the Board and Terms of Reference for Officers
- 10.2.3. Patron Code of Conduct
- 10.2.4. Public Internet Services
- 10.2.5. Collection Development
- 10.2.6. Accessibility in the Library

Moved by H. Cooper
Seconded by B. Ingram

19:052 That policy items 10.2.1 to 10.2.6 be approved as presented.
CARRIED



11. Board Members' Items:

Nil.

12. Notices of Motion:

Nil.

13. Date of the Next Meeting:

Tuesday, September 17, 2019 at 6:15 p.m.
Port Colborne Public Library, Auditorium
310 King St., Port Colborne, ON

14. Adjournment:

Moved by B. Ingram
Seconded by B. Beck
19:053 That the meeting be adjourned at 8:12 p.m.
CARRIED.

Michael Cooper
Board Chair
October 8, 2019

Susan Therrien, Director of Library Services
Board Secretary
October 8, 2019



Port Colborne Historical & Marine
MUSEUM
...more than a museum!

City of Port Colborne
RECEIVED
OCT 16 2019
CORPORATE SERVICES
DEPARTMENT

A meeting of the Board of Management of the Port Colborne Historical and Marine Museum was held September 24 at 7 p.m. at the L.R. Wilson Heritage Research Archives.

Present: Stephanie Powell Baswick, Councillor Eric Beauregard, Pam Koudjis, Cheryl MacMillan, Claudia Brema, Margaret Tanaszi, Brian Heaslip, Terry Huffman, Jeff Piniak, Marcia Turner, Alexander Fazzari, Bonnie Johnston and Abbey Stansfield

Regrets: Donna Abbott and Bert Murphy

Minutes of Last Meeting

Moved by: Claudia Brema

Seconded by: Margaret Tanaszi

To: Approve the Minutes of the Board of Management from July 16, 2019.

Motion Carried.

Business Arising From Minutes:

Amber Le Pointe, City Clerk and David Schulz from the Planning and Development department brought forward the Council's decision to make the members of the Museum Board the Heritage Committee for the City of Port Colborne. They also introduced a heritage committee item currently for regarding the removal of the heritage designation on a section of driveway adjacent to 380 King Street.

Moved by: Terry Huffman

Seconded by: Eric Beauregard

To: Approve the recommendation in the staff report for the removal of heritage designation on the second driveway portion of land on 380 King Street.

Motion Carried.

Correspondence:

Margaret Tanaszi read a letter received from the Legion advising that if the museum would like to purchase a wreath to lay at the Remembrance Day ceremony the order had to be received by mid October. Alexander Fazzari as a member of the Legion Board abstained from participating in discussion and vote.

Moved by: Brian Heaslip

Seconded by: Cheryl MacMillan

To: Use residual 1812 account funds to purchase a wreath to lay on Remembrance Day.

Motion Carried.

Margaret read three different thank you notes to staff for services provided.

Stephanie also displayed the newsletters and magazines received from heritage institutions and societies.



Port Colborne Historical & Marine
MUSEUM
...more than a museum!

Curator Report:

Stephanie Powell Baswick reported that summer student, Quintin Keddy, as part of his position created museum survey cards that the public can fill out anonymously, in the gallery and give their opinion on how things are running currently and how we can strive to do even better. Twenty-seven cards have been filled out to date all of which left positive feedback. Going forward this feedback will help in the evaluation of our services and programs.

Stephanie also reported on the Museum statistical analysis for July and August.

Auxiliary Report:

Bonnie Johnston reported on the attendance of the tearoom, which she says, can fluctuate drastically.

Bonnie also reported that the Auxiliary met to discuss how they would spend the \$2,800 grant that they were successful in receiving. The Auxiliary decided that the money will be spent on improving the upstairs storeroom and removing the asbestos flooring from the tearoom. Bonnie mentioned that she had done a walkabout of the Tearoom and requested that the building and property committee take a look at the hedges along the ramp (as some of them are dying) and some places of the exterior that need paint.

The Tearoom will be holding its appreciation event for members is on October 21, 2019.

The Christmas Pudding Bee will be scheduled for some time in the third week of November.

Program Committee Report:

Cheryl MacMillan handed out the Canal Days report to members of the board. The board went over the fundraising that was achieved and was content with the result particularly as there was no Laker Auction this year as there usually is.

Cheryl also reported on the Walking Tours of West Street and Humberstone that ran every Friday in July and August. The tours were well attended as were the tours conducted on September 21, 2019 of Tennessee Avenue.

Fundraising Committee Report:

Stephanie Powell Baswick reported on behalf of Donna Abbott that a thank you letter had been sent on behalf of the board to Father Wes who provided the Museum with all the beautiful handcrafted charcuterie boards to sell as a fundraiser at Canal Days. The wood that he had taken from the Museum tree is drying and more items are expected to come for future fundraising.

Moved by: Brian Heaslip

Seconded by: Alexander Fazzari

To: To provide Father Wes with a 2020 Museum Membership as a thank you for his generous work on the Museum's behalf.

Motion Carried.



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Building and Property Committee Report:

Brian Heaslip reported that the quince tree near the Blacksmith's shop had been taken down as it had died. There was some discussion as to what new tree should be planted there instead. The issue was handed over to the building and property committee to consider and come back with a recommendation.

Finance Committee Report:

Alexander Fazzari reported on the purposed rates and fees for the next three years as the City Treasurer has requested them from all departments. There were some suggested increases from staff to keep in line with the increased costs in living. The suggested increases are such that they still allow the museum to be accessible but consider cost of materials and staff time.

Moved by: Margaret Tanaszi

Seconded by: Brian Heaslip

To: Approve the suggested increase in rates and fees for the next three years.

Motion Carried.

Alexander Fazzari also presented the purposed requests for Capitol request budget. The budget includes suggested increases for the cedar shingles maintenance on all the buildings besides the Tearoom.

Membership Committee

Moved by: Alexander Fazzari

Seconded by: Claudia Brema

To: Approve the proposed Capital 2020- 2025 Budget to be submitted to the City Treasurer.

Motion Carried.

Alexander also reported that the Corporate Donor drive letter was ready and had it passed around for approval. This year our Donors will be able to donate online.

Membership Committee Report

Bonnie Johnston reported that that for 2019 the museum has 146 members and 10 new life patrons. October marks the beginning of the 2020 membership year.

A membership meeting was called for October 10, 2019 at 10 am to discuss the rates and fees for museum memberships and Life Patron to determine if any increases should be added to the suggested increases on our rates and fees for the next three years.

Accession Committee Report:

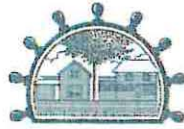
Next accession committee meeting will be October 7, 2019 at 6:30 PM

Policy Report:

No Report.

Marketing and Site Promotion Report:

Brian Heaslip reported that the committee met and identified items that they would like to pursue for the opening of the 2020 museum season. Included in this list is new signage, a new brochure, new tree labels and to investigate an app that people could use on their phones while



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touring the buildings on the grounds.

The committee suggested that the board support getting a professional artist in to work on the artwork on the map of the grounds attached to the carriage house before the end of 2019.

Moved by: Brian Heaslip

Seconded by: Eric Beauregard

To: Approve the hiring of a professional artist by the end of 2019 to update the museum grounds map.

Motion Carried.

The committee also discussed ways to motivate guests to leave feedback on their visit. One method that was discussed was a reward of some sort for honest feedback.

New Business:

Councillor Eric Beauregard reported that the Parks and Recreation mater plan will be published and made available in October and that there is a Canal Days component to that document.

Stephanie Powell Baswick requested a meeting of the program committee to discuss the next three years of exhibit ideas.

Stephanie also reported on an idea that was brought forward by a member of the public who would like to see the Neff Steam Buggy at the Toronto Car show. Some obstacles that were identified is that the Museum had not been invited to attend the car show and that the cost of getting the buggy to the show and back would be prohibitive because there are certain movers that have to be contracted for insurance purposes. This had been provided for when the car was donated to the museum and is a reason that it remains on display and that the replica was made.

Terry Huffman brought forward a request from Bob Saracinco regarding one of the photographs he has donated to the museum. Discussion was held.

Moved by: Terry Huffman

Seconded by: Alexander Fazzari

To: Provide a reproduction for Mr. Saracino at no charge.

Motion Carried.

Terry also reported that he would be facilitating the delivery of the Neff Steam Buggy replica to the Operations Centre on October 5 for Touch -A -Truck day. Staff member Abbey Stansfield will be with board representatives to represent the museum at the event.

Motion to Adjourn: Pam Koudjis