



**City of Port Colborne**  
**Regular Meeting of Committee of the Whole 03-20**  
**Monday, February 10, 2020– 6:30 p.m.**  
**Council Chambers, 3<sup>rd</sup> 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 02-20, held on January 27, 2020.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**
  - (a) Bill Myers, Customer Service Project Coordinator, Re: Customer Relationship Management Project Update
10. **Delegations (10 Minutes Maximum):**
  - (a) Jack Hellinga, Resident, Re: The City's Consolidated Zoning By-law (Page No. 7)
11. **Mayor's Report:**
12. **Regional Councillor's Report:**
13. **Councillors' Items:**
  - (a) Staff Responses to Previous Councillors' Enquiries
  - (b) Councillors' Issues/Enquiries
14. **Consideration of Items Requiring Separate Discussion:**
15. **Notice of Motion:**
16. **Adjournment:**

<b>Upcoming Committee of the Whole and Council Meetings</b>	
Monday, February 24, 2020	Committee of the Whole/Council – 6:30 P.M.
Monday, March 9, 2020	Committee of the Whole/Council – 6:30 P.M.
Monday, March 23, 2020	Committee of the Whole/Council – 6:30 P.M.
Tuesday, April 14, 2020	Committee of the Whole/Council – 6:30 P.M.
Monday, April 27, 2020	Committee of the Whole/Council – 6:30 P.M.

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

## Committee Items:

Notes	Item	Description / Recommendation	Page
WCS MB EB RB GB FD AD DK HW	1.	<p><b><u>Chief Administrative Officer, Report 2020-23, Subject: UPDATE – Logo Revisions and Branding</u></b></p> <p>That Council approve the proposed new logo and design concepts outlined in Appendix B for staff to move forward with the creation of the Corporation's visual identity guide and subsequent implementation across the city.</p> <p><b>Note:</b> Presentation will be provided by Michelle Idzenga, Corporate Communications and Joe Jones, Symetric.</p>	9
WCS MB EB RB GB FD AD DK HW	2.	<p><b><u>Community and Economic Development Department, Parks and Recreation Division, Report 2020-21, Subject: Equipment and Staffing Changes within Parks 2020 Budget Request</u></b></p> <p>That Council approve the request to take back grass cutting City services, invest in the necessary capital equipment, and hire the staff required to perform grass cutting and snow removal duties for the City of Port Colborne; and</p> <p>That a budget of \$148,000 for grass cutting and \$32,000 for snow removal be approved through the 2020 budget process.</p>	19
WCS MB EB RB GB FD AD DK HW	3.	<p><b><u>Community and Economic Development, Parks and Recreation Division, Report 2020-19, Subject: Fifth Annual Summer Concerts in King George Park</u></b></p> <p>That the Summer Concerts in King George Park event, to be held on August 4, 11, 18, and 25, 2020, be supported, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2020-19, Subject: Summer Concerts in King George Park;</p> <p>That the fees for the park permit and use of hydro at King George Park, be waived;</p> <p>That the Noise By-law Exemption application fee, be waived;</p> <p>That the Event Organizer be required to file a certificate of Insurance, naming the City as additional insured, in the amount of \$2,000,000, prior to the event.</p>	25

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.

WCS	MB	EB	4.	<p><b><u>Community and Economic Development Department, Parks and Recreation Division, Report 2020-18, Subject: 2020 Canadian Bass Anglers Federation Cup</u></b></p> <p>That the 2020 Canadian Bass Anglers Federation Cup be approved, with \$5,000 in financial support from the City and that \$5,000 USD funds be committed to the 2021 for the Bass Federation Regional Semi Final; and</p> <p>That approval of the above-noted event and sponsorship is conditional on the 2020 Canadian Bass Anglers Federation Cup submitting a certificate of liability insurance in the amount of \$2,000,000, naming the City of Port Colborne as additional insured.</p>	29
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	5.	<p><b><u>Engineering and Operations Department, Operations Division, Report 2020-16, Subject: Port Colborne Distribution System Annual Inspection</u></b></p> <p>That Council receives Engineering and Operations Department, Operations Division, Report 2020-16, Port Colborne Distribution System Annual Inspection for information.</p>	37
RB	GB	FD			
AD	DK	HW			
<b>Miscellaneous Correspondence</b>					
WCS	MB	EB	6.	<p><b><u>Eileen Lucas and Wendy Flanagan, Executive Director, The Fresh Air Fund Re: Request for Proclamation of Fresh Air Fund Day, March 20, 2020</u></b></p> <p>That March 20, 2020 be proclaimed as "Fresh Air Fund Day" in the City of Port Colborne in accordance with the request received from Eileen Lucas and Wendy Flanagan, Executive Director, The Fresh Air Fund.</p>	67
RB	GB	FD			
AD	DK	HW			
WCS	MB	EB	7.	<p><b><u>International Women's Day, March 11, 2020 – Guild Hall, 72 Charlotte Street, Port Colborne</u></b></p> <p>That the International Women's Day Event to be held at the Guild Hall, 72 Charlotte Street, Port Colborne on March 11, 2020 from the hours of 7:00 p.m. to 10:00 p.m., is hereby declared a municipally significant event in accordance with the Municipal Alcohol Management Policy.</p>	69
RB	GB	FD			
AD	DK	HW			

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.

WCS RB AD	MB GB DK	EB FD HW	8.	<p><b><u>Region of Niagara Re: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities PDS 42-2019</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities PDS 42-2019, be received for information.</p>	71
WCS RB AD	MB GB DK	EB FD HW	9.	<p><b><u>Region of Niagara Re: New Niagara Official Plan – Public Consultation Summary PDS 1-2020</u></b></p> <p>That the correspondence received from the Region of Niagara Re: New Niagara Official Plan – Public Consultation Summary PDS 1-2020, be received for information.</p>	125
WCS RB AD	MB GB DK	EB FD HW	10.	<p><b><u>Region of Niagara Re: Approval of Interim Levy Dates and Amounts CSD 1-2020</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Approval of Interim Levy Dates and Amounts CSD 1-2020, be received for information.</p>	145
<b>Outside Resolutions – Requests for Endorsement</b>					
Nil.					
<b>Responses to City of Port Colborne Resolutions</b>					
Nil.					

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

This page intentionally left blank.



Re: Request to be added to Council Agenda as a delegation Jack Hellinga to: Amber Lapointe  
2020-02-06 12:28 PM  
From: "Jack Hellinga" <>  
To: "Amber Lapointe" <amberlapointe@portcolborne.ca>

Amber,

The specific summary of my delegation to Council is to indicate that the Consolidated Zoning By-Law was passed by Council as an Interim Control By-Law. Council committed to addressing the MAO zoning within one year and that time has long passed. The public did not object to the Interim Control By-Law on the commitment that the public would have an opportunity to review the updated MAO zoning, and that has not happened.

If you need anything further, please contact me.

Regards,  
Jack

This page intentionally left blank.





Report Number: 2020-23

Date: January 27, 2020

**SUBJECT: UPDATE – Logo Revisions and Branding**

**1) PURPOSE**

The Corporate Communications Officer has prepared this report, at the direction of Council at their meeting on Monday, January 27, 2020, to provide Council with additional options to the Corporation's logo and branding, as part of the Municipal Modernization Program.

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

At their meeting on January 27, 2020 Council referred report 2020-10 Logo Revisions and Branding Update back to staff to investigate a logo alternative that reflected the 2004 logo with revisions to corporate fonts and colours.

Staff have undergone a branding exercise based on Council's endorsement of CAO Report 2019-69 Provincial Modernization Grant at their meeting on May 13, 2019, which included the development and implementation of corporate branding across the Corporation.

**Why are staff addressing corporate branding?**

With the adoption of three separate logos in 2004 (Appendix A) consistency and a uniformed 'look and feel' across the Corporation has been lost.

Across the municipality, the implementation of the one-colour blue logo and the sunset logo have been used inter-changeably, without any consistent application. These inconsistencies are particularly noticeable in signage across the municipality.

Staff currently do not have guidelines in place mandating how the Corporation's identity is incorporated into day-to-day operations, including signage, fleet identification, business cards, advertising, etc. Creating processes for staff will increase productivity, efficiency, and consistency across the municipality.

**How does the Corporation's brand represent the City's identity?**

The Corporation's brand consists of not just a logo, but a colour scheme as well as a carefully constructed use of fonts.

The brand is to represent the Corporation's vision. Based on the Strategic Plan staff are working on with Council, themes have arisen around improved access to services and economic development. The Corporation is a business entity. Strong, consistent, and well communicated brands are successful at communicating with their audiences and developing their economy. Establishing a brand that represents Council's vision is integral to the Corporation's success with both customer service and economic development.

### 3) STAFF COMMENTS AND DISCUSSIONS

Based on feedback received at Council on January 27, 2020 staff consulted Symetric, the contracted agency, to provide a variety of options. Advantages and disadvantages are outlined for each option.

#### **Appendix B** – Option 1 - Recommended new logo and design concept for the City of Port Colborne

##### **Advantages:**

- Verifies navigation, in a variety of forms (lakers, international salties, pleasure craft, cruise ships), as representative of the municipality and community.
- Aligns with 2020 Strategic Plan around economic development and tourism. Staff and Council are working with the St. Lawrence Seaway Management Corporation and levels of government to increase economy around the Welland Canal and cruise ship industry.
- This logo is representative of a council, staff and city that is moving forward, similar to the vessel.
- The use of blue is representative of branding initiatives already in place across the municipality from signage, to way-finding signs. When one is asked what Port Colborne represents, or what one thinks when they envision Port Colborne, the response is usually water. Whether it is the Welland Canal or Lake Erie's shoreline, water is a primary identifier for the municipality. By choosing a shade of navy blue, the City is returning to a historical element of logos from the past, but with a modern twist.
- Consistency with colour usage by incorporating blue from the Canal Days logo and orange from the PORTicipate branding. Orange will remain the colour for 'PORT' and the navy blue will replace the current black in 'icipate'.
- Consistency with the use of the ship's wheel remains, which is also symbolic of the Corporation and representative of both Council and staff as leaders, navigating the city. Notably, the wheel is also on the bridge of the ship, which is why 'The Bridge' is what the City's Customer Service Team will be called.
- The font of the logo remains all caps, representing Port Colborne's strength and its similarities to the previous logo also offers brand recognition. The font style and boldness of the font is also to ensure it meets with current AODA guidelines. Primary, subtitle, and complimentary fonts chosen are google fonts (Syncopate, Muli Light, and Lora Regular) as they can be applied to the website re-design and will be integrated into all staff software for use in word documents, power point presentations, etc. for a consistent look and feel across all communications, both internal and external.
- Accompanying fonts: the use of sub-identifying font to identify areas such as the Public Library and Vale Health & Wellness Centre, as well as committees of Council, such as the Seniors Advisory Council.

##### **Disadvantages:**

- Stepping away from the tall ship image has been a staple of the Corporation's identity since before 2004. However, in 2020 and beyond, the local area sees

fewer tall ships in Lake Erie or transiting through the Welland Canal. Rather, it is more common to see vessels, whether they are lakers, international salties, pleasure crafts, or cruise ships.

#### **Appendix C – Option 2 - Revised logo concept with tall ship**

##### **Advantages:**

- All the same advantages listed in Appendix B with respect to colour scheme and font usage
- Use of tall ship represents continuity in brand recognition.

##### **Disadvantages:**

- Does not represent the Corporation's current vision and initiatives staff and Council are working on.

#### **Appendix D – Option 3 - Current logo with revised font**

##### **Advantages**

- Identifiable as Corporation's current identity

##### **Disadvantages**

- The colours do not represent the majority of assets currently in place across the Corporation, particularly signage.
- The logo as a whole does not represent the Corporation's current visions and initiatives staff and Council are working on.
- In graphic design, the sunset is a gradient. A colour gradient is a range of colours ordered linearly with the intention of giving a smooth and progressive transition between two or more colours. Gradients have application limitations with respect to printing, embroidery, etc. This gradient also does not convert well to black and white, which is why in the 2004 logo, staff were directed to use the light blue logo if printing in black and white (which began leading to confusion with brand application).
- Sugarloaf Marina will have to adopt this logo and colour scheme, who have traditionally used blue, to ensure consistency across the Corporation.
- Port Colborne Historical & Marine Museum will have to incorporate colours from this logo to ensure consistency across the Corporation, who have also traditionally used blue.

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

Council has already endorsed the Municipal Modernization Program with provincial grant funding totaling \$711,467. Through the RFQ process, the project was awarded to Symetric for \$12,000. These funds have come from the \$711,467 grant provided by the province.

The \$12,000 cost includes the design of the Corporation's logos, the creation of the Corporation's visual identity guide, and additional graphic design elements, including corporate stationary items such as letterhead, envelopes, business cards, council reports and agenda templates, memos, minute templates, labels, report covers, media release templates, printed folders, thank you cards, electronic email signatures, power

point templates, and more.

Implementation of the logo and branding on signage and vehicles will be incorporated into the Corporation's existing operating budget and grant applications with a completion date of mid-late 2021. A prioritization schedule will be completed to assist with implementation.

**a) Do Nothing**

Doing nothing is not a viable option, as the Corporation requires a visual identity guide to ensure consistency in all marketing and communication efforts (not recommended).

**b) Other Options**

1. Council could choose to keep the Corporation's current logo with modifications (Appendix C or D). Funds already committed to Symetric would be allocated to creating a visual identity guide and additional design elements, as outlined in the RFQ, to provide the Corporation with clarity and guidelines for logo usage and implementation (not recommended).
2. Council could choose to investigate alternate logo options. The time taken to design additional logo options, and subsequently a visual identity guide, will affect the overall timeline and implementation of the Municipal Modernization Program, primarily the re-design of the website. Additional financial resources will also be required from the operating budget as only \$12,000 of the grant funding from the Municipal Modernization Program have been allocated to the design of the logo and creation and implementation of a visual identity guide. The additional time will also affect the implementation of the Corporation's branding in upcoming marketing initiatives, including the production of staff clothing, Spring/Summer Leisure Guide, 2020/2021 Visitors Guide, and Canal Days (not recommended).

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

In late 2019, staff and Council began the process of developing a new strategic plan. Although not completed, some common themes have arisen which include customer service, access to service, and economic development.

The Corporation's brand and overall identity is key in providing consistent messaging to stakeholders. The importance of solidifying the City's outward appearance is the template to all communication initiatives.

This refreshed logo is also symbolic of where the City is going economically, with focus on the Welland Canal as a trade corridor.

**6) ATTACHMENTS**

Appendix A – City of Port Colborne Logos 2004-present.

Appendix B – Option 1 - Recommended new logo and design concept for the City of Port Colborne.

Appendix C – Option 2 - Revised logo concept with tall ship.

Appendix D – Option 3 - Current logo with revised font.

**7) RECOMMENDATION**

That Council approve the proposed new logo and design concepts outlined in Appendix B for staff to move forward with the creation of the Corporation's visual identity guide and subsequent implementation across the city.

**8) SIGNATURES**

Prepared on Jan. 31, 2020 by:



Michelle Idzenga  
Corporate Communications Officer

Reviewed and respectfully submitted by:



Tom Cartwright  
Acting Chief Administrative Officer



Option 1

PRIMARY LOGO



**PORT COLBORNE**

ICON ONLY [alternative version]



\* just a secondary option, only one would be used

ALTERNATIVE VERSION



SUBTITLE OPTION A



**PORT COLBORNE**  
• PUBLIC LIBRARY •

SUBTITLE OPTION B



**PORT COLBORNE**  
Vale Health & Wellness Centre

COMPLIMENTARY FONT

VALE HEALTH &  
WELLNESS CENTRE

Vale Health &  
Wellness Centre

V2 COLOURS



FONTS USED:

Main Headline Font + Subtitle Option A  
Google Font | To be used in Logo only | CAPS only | Optional Bullets

**SYNCOPATE**  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#%\$%^&\*()\_+

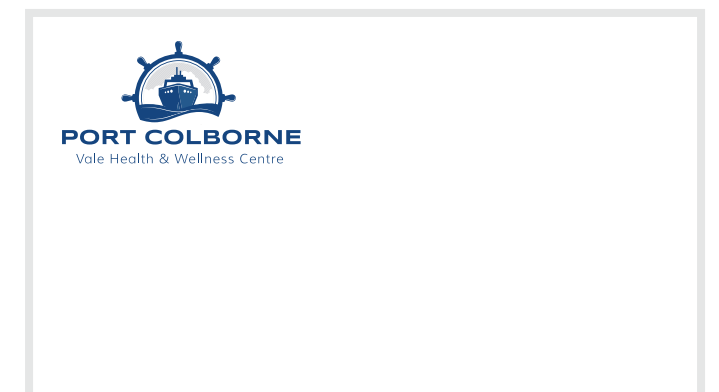
Subtitle Option B  
Google Font | Other weights can be used

Muli Light  
abcdefghijklmnopqrstuvwxyz  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#%\$%^&\*()\_+

Complimentary Font  
Google Font | Other weights + Regular or Caps can be used

LORA REGULAR  
abcdefghijklmnopqrstuvwxyz  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#%\$%^&\*()\_+

SMALL VERSION - BUSINESS CARD SIZE SHOWN



PRIMARY LOGO

OPTION 2

ICON ONLY [alternative version]

ALTERNATIVE VERSION



**PORT COLBORNE**



\* just a secondary option, only one would be used



**PORT COLBORNE**

SUBTITLE OPTION A

SUBTITLE OPTION B

COMPLIMENTARY FONT

V2 COLOURS



**PORT COLBORNE**  
• PUBLIC LIBRARY •



**PORT COLBORNE**  
Vale Health & Wellness Centre

VALE HEALTH &  
WELLNESS CENTRE

Vale Health &  
Wellness Centre



FONTS USED:

Main Headline Font + Subtitle Option A  
Google Font | To be used in Logo only | CAPS only | Optional Bullets

**SYNCOPATE**  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#\$%^&\*()\_+

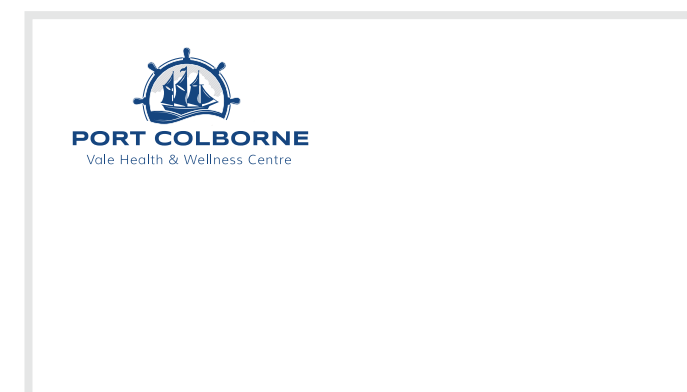
Subtitle Option B  
Google Font | Other weights can be used

**Muli Light**  
abcdefghijklmnopqrstuvwxyz  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#\$%^&\*()\_+

Complimentary Font  
Google Font | Other weights + Regular or Caps can be used

**LORA REGULAR**  
abcdefghijklmnopqrstuvwxyz  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#\$%^&\*()\_+

SMALL VERSION - BUSINESS CARD SIZE SHOWN





PRIMARY LOGO



Option 3

ICON ONLY [alternative version]



ALTERNATIVE VERSION



\* just a secondary option, only one would be used

SUBTITLE OPTION A



SUBTITLE OPTION B



COMPLIMENTARY FONT

VALE HEALTH &  
WELLNESS CENTRE  
  
Vale Health &  
Wellness Centre

V2 COLOURS



FONTS USED:

Main Headline Font + Subtitle Option A  
Google Font | To be used in Logo only | CAPS only | Optional Bullets

**SYNCOPE**  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#%&^\*()\_+

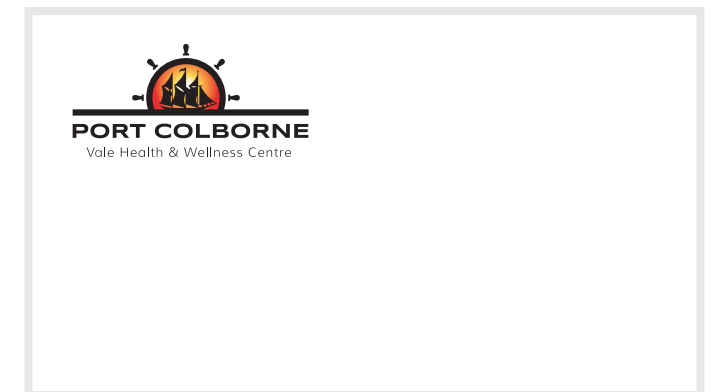
Subtitle Option B  
Google Font | Other weights can be used

Muli Light  
abcdefghijklmnopqrstuvwxyz  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#%&^\*()\_+

Complimentary Font  
Google Font | Other weights + Regular or Caps can be used

LORA REGULAR  
abcdefghijklmnopqrstuvwxyz  
ABCDEFGHIJKLMNOPQRSTUVWXYZ  
!@#%&^\*()\_+

SMALL VERSION - BUSINESS CARD SIZE SHOWN



This page intentionally left blank.

Report Number: 2020-21

Date: February 10, 2020

**SUBJECT: Equipment and Staffing Changes within Parks 2020 Budget Request**

**1) PURPOSE:**

The purpose of this report is to request that the 2019 grass cutting pilot project be deemed a success and budget accordingly within the 2020 operating budget. For many years, the City has used third party service providers to cut and maintain the grass on municipally-owned properties. In 2019, the City conducted a pilot project to determine if taking these services back in-house was a feasible venture. After careful analysis, it is the recommendation of staff to take back these City services by using in-house operations from the Community and Economic Development Department, Parks and Recreation Division in 2020 and years to follow.

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

Since the 1970s, the City of Port Colborne has used third party service providers to cut grass and maintain various properties. In 2017, the City issued an RFP for grass cutting services, with estimates coming back to the City considerably higher than in previous years. This led to the investigation and subsequent conclusion that the City take back these services, empower employees and provide improved service levels to the community. In 2018, Council approved the request from the Parks and Recreation Division to take back these City services, invest in the necessary capital equipment, and hire the staff required to perform grass cutting and snow removal duties in 2019 and report back to Council with future recommendations based on the findings.

**3) STAFF COMMENTS AND DISCUSSIONS**

During the 2019 grass cutting season, the City of Port Colborne staff performed grass cutting duties and performed a careful analysis of the services provided. An evaluation of the following were considered: quality of work, duration, timing of cuts, cost per cut and the overall control of the grass cutting duties.

During the 2019 summer months, the City's grass cutting pilot project provided grass cuts on City properties at a cost of approximately \$12,150 per month. Previously, third party service providers cut properties at a cost of approximately \$147,000 or \$ 12,250 per month. Third-party service providers determined maintenance, quantity of cuts and their schedule with little input or direction from the City of Port Colborne Parks and Recreation staff. As a result, unnecessary cuts occasionally occurred, some cuts were of poor quality, and locations were missed due to scheduling. The successful in-house pilot project took each of these variables into consideration and developed a successful grass cutting and snow removal service model.

## **Budget**

Staff intent to include budget allocations of \$148,000 for grass cutting and \$32,000 for snow removal services in the Parks departments operating budget for 2020.

## **Benefits**

Aside from budget savings, taking back Third Party services has led to employee empowerment. This has caused an increase in organizational responsiveness to issues, increase in control, and an increase in productivity by adding two full-time employees outside of the cutting season for Parks-related maintenance. By taking back City services, it has led to a greater degree of employee commitment to the City of Port Colborne's strategic goals. Subsequently, employees are taking ownership in the decisions made toward goal achievement. Moving forward, management can work with staff to set goals and objectives that focus on enhancing and enabling personal effectiveness by helping employees develop their sense of meaning, competency, self-determination, and impact within the City of Port Colborne.

## **Vision / Strategic Planning:**

The City of Port Colborne's Community and Economic Development Department has recognized that there are valuable impacts from bringing services back to in-house operations. This particular project has enhanced reliability, empowered employees, created solutions to service level concerns, and found efficiencies that are financially responsible to the taxpayers. By pre-approving this pilot project, Council will allow staff to prepare for the upcoming grass cutting season, manage staffing requirements, as well as assist with recruitment and staff retention processes.

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

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

Continue with the third party service model. This option is not being recommended.

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

N/A

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

N/A

### **6) ATTACHMENTS**

Appendix A - 2019 Grass Cutting Pilot Project Report- Submitted by Parks Supervisor, Mike Audit.

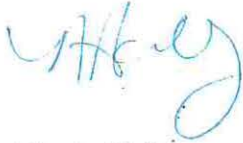
### **7) RECOMMENDATION**

That Council approve the request to take back grass cutting City services, invest in the necessary capital equipment, and hire the staff required to perform grass cutting and snow removal duties for the City of Port Colborne; and

That a budget of \$148,000 for grass cutting and \$32,000 for snow removal be approved through the 2020 budget process.

**8) SIGNATURES**

Prepared on January 24, 2020 by:



Nicole Halasz  
Parks and Recreation Manager

Reviewed by:



Ashley Grigg  
Director of Community and Economic  
Development

Reviewed and Respectfully Submitted:



Scott Luey,  
Chief Administrative Officer



## CITY OF PORT COLBORNE

Municipal Offices  
66 Charlotte Street  
Port Colborne, Ontario  
L3K 3C8  
[www.portcolborne.ca](http://www.portcolborne.ca)

Parks and Recreation Division

### 2019 Grass Cutting Pilot Project Report

The Parks and Recreation Division began the pilot project on the week of April 29/19 with two full time employees and two students to cut 50 properties of various sizes throughout the city. We have the list organized in a manner that staff would cut designated areas of town geographically to eliminate travel time in an attempt to keep every day manageable. We also structured the list to cut priority areas such as HH Knoll, Lock 8, Promenade and the Marina. We added two outside Parks employees to the cemetery cuts on Tuesdays to help with the extra trimming needed in all of the cemeteries. We added 2 more staff to support the Thursday priority area cuts (identified above) as the Promenade is cut by hand requiring more time but resulting in a better, less intrusive cut in a busy business area. The project requires extra help at the beginning of the season to complete all cuts that are required on a weekly basis, and a reduction in cuts starting approximately the last week of June. Some cuts move to bi-weekly allowing us to improve more on trimming all areas on the cut week.

Through the season, we managed only five complaints. Two were due to wet conditions in the low-lying areas, one for not cutting a high priority area (Marina) and the others came in prematurely before a scheduled cut for that week.

Looking at the budget, I believe we are well under budget and trust the project will become a general operation that Parks staff performs on a yearly basis. The benefit to maintain this operation in-house is that we continue to have staff inspect all grounds on a weekly basis for garbage and Park deficiencies.

In 2020, I have adjusted my budget to reflect an earlier start in the season requiring one student and one temporary employee to start on the last week of April. The cost of equipment, other types of materials and equipment rentals were estimated to be \$53,911 as submitted in our original proposal. The actuals were \$35,911 including the ongoing rental of a tractor allowing us to put \$18,000 towards the purchase of an enclosed trailer costing \$16,901 as a one-time expense projected to last a minimum of 10 to 12 years. Staff wages were estimated at \$73,000. Actual wages were \$73,056 at the end of 2019.

Additionally, the equipment acquired for the grass cut program has allowed us to take snow ploughing back in our facility and parking areas such as Vale Health and Wellness Centre and all parking areas on Main St. West. The additional cost of \$11,000 was for the purchase of a snow plough attachment for an existing tractor but projected to last 10 years.

Recruiting two extra employees allows me to provide vacation relief to arena personal while not affecting snow operations. Also, if weather is mild and permits, we can complete some bigger maintenance projects in-house.

The addition of snow clearing to the project began January 1, 2020 adding the cost of staff wages for 13 weeks at approximately \$25,000. This was not included in the original grass cutting pilot expense, however, it replaces the outside contract costs to Greenside Landscaping in 2018 totaling \$25,620 without incurring the extra cost of equipment.

In conclusion, I believe we will remain approximately \$15,000 under budget moving forward. I request Council accept this pilot project as an ongoing operation due to the cost savings and enhanced service to Parks and Arena operations. The benefit of staff coverage along with more internal projects completed by city staff is an immeasurable cost, however, with my experience in tree maintenance, landscaping and general work, this is proving to save a substantial amount of time and money. Most importantly, we have created a positive work environment for all staff as the work is performed with pride and remains municipal work.

This page intentionally left blank.





Report Number: 2020-19

Date: February 10, 2020

**SUBJECT: Fifth Annual Summer Concerts in King George Park**

**1) PURPOSE:**

The purpose of this report is to present a request from Joe Crawford seeking Council's approval to host the fifth annual Summer Concerts in King George Park on August 4, 11, 18, and 25, 2020.

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

This report was prepared following a request received from Joe Crawford, the organizer of the Summer Concerts in King George Park (the "Event Organizer"). The Summer Concerts in King George Park (the "Event") is an annual summer event. The Event invites members of the community to enjoy family-friendly live music in the Park. The Event Organizer has requested to host the Event at King George Park on August 4, 11, 18, and 25 from 7:00 p.m. to 8:00 p.m. The Event is free, however, spectators are encouraged to make a donation to benefit local charities. In 2019, 230 pounds of non-perishable food was collected for the St. Vincent De Paul food bank, and \$241 was raised for Port Colborne Knights of Columbus charities. Unfortunately, in 2019 two of the four events were rained out. The Event consistently attracts over 100 spectators each evening, and has been growing each year. Alcohol will not be served at the Event.

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

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

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

### 3) STAFF COMMENTS AND DISCUSSIONS

As outlined above, the Event Organizer has requested use of King George Park, including hydro use. Further, the Event Organizer has requested support from the City by requesting Council to waive the associated park permit fee, totaling \$80 per event (plus harmonized sales tax), and hydro use. Further, the Event Organizer is required to file an application for a Noise By-law exemption with the By-law Enforcement Division (fee of \$100.00). The event organizer is requesting Council waive the fee for a Noise By-law exemption. Council has waived the park permit and Noise By-law exemption fees for this Event in the past.

In accordance with City policy, the Event Organizer is required to file a certificate of insurance in the amount of \$2 million, naming the City of Port Colborne as additionally insured prior to the first event date.

#### **Staff/Stakeholder Comments:**

This report was circulated to event stakeholders for comment, with input provided as follows:

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

The By-law enforcement division has no objectives or adverse comments.

#### **Building Division:**

The Building Division has no concerns.

#### **Engineering and Operations Department:**

The Engineering and Operations Department has no comments to report.

#### **Fire and Emergency Services Department:**

Given that there are no street closures or open burning, the Fire Department has no comments to report.

#### **Corporate Communications Officer:**

Historically, this event has been included in the Spring/Summer Leisure Guide, our Visitor Guide, and events calendar on the website. The only request from the Corporate Communications Officer is that if the Event Organizer is including the City's logo on any marketing material, to submit for approval before publishing.

#### **Niagara Regional Police Services:**

The NRPS has no concerns.

### 4) OPTIONS AND FINANCIAL CONSIDERATIONS:

#### a) Do Nothing

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

**b) Other Options**

Council may provide alternative direction regarding the Event. Staff have worked with the Event Organizer to determine logistical needs. This option is not recommended.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

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

**6) ATTACHMENTS**

N/A

**7) RECOMMENDATION**

That the Summer Concerts in King George Park event, to be held on August 4, 11, 18, and 25, 2020, be supported, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2020-19, Subject: Summer Concerts in King George Park;

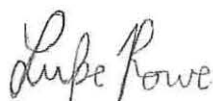
That the fees for the park permit and use of hydro at King George Park, be waived;

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

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

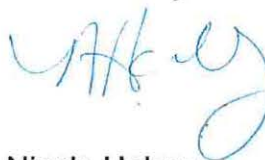
**8) SIGNATURES**

Prepared January 3, 2020 by:



Luke Rowe,  
Event Coordinator

Reviewed by:



Nicole Halasz,  
Manager, Parks and Recreation

Reviewed by:



Ashley Grigg,  
Director, Community and Economic  
Development

Reviewed and respectfully submitted by:



Tom Cartwright,  
Acting Chief Administrative Officer

This page intentionally left blank.

Report Number: 2020-18

Date: February 10, 2020

**SUBJECT: 2020 Canadian Bass Anglers Federation Cup**

**1) PURPOSE**

The purpose of this report is to present a request from Sean McLaughlin of the Canadian Bass Anglers Federation, seeking support to host the Canadian Bass Anglers Federation Cup from Friday, July 17<sup>th</sup>, 2020 to Sunday, July 19<sup>th</sup>, 2020 at Sugarloaf Marina.

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

The Canadian Bass Anglers Federation (CBAF) is a grass roots federation established in 2006. The CBAF runs as a not-for-profit and hosts tournaments and meetings for youth and adults. Prior to 2019, the CBAF consisted of nine clubs throughout Ontario. In March of 2019 the CBAF expanded to open their tenth club in Port Colborne. The CBAF is proposing to host the Canadian Bass Anglers Federation Cup at Sugarloaf Marina in 2020 and The Bass Federation Regional Semi Final in 2021. This report will seek approval for the 2020 event. The CBAF provided an economic report for the impact on Port Colborne that can be seen in Appendix B.

The Canadian Bass Anglers Federation Cup is the signature event for the CBAF. According to the CBAF this event in the past consists of over 200 anglers. In order to host this event the CBAF is requesting financial support in the amount of \$5,000 in 2020. As noted by Sean McLaughlin, this funding will go towards offsetting the following costs: the registration dinner, volunteer expenses, tournament prizes, and other administrative expenses. A formal presentation to Council will be made in the fall of 2020 to report on successes of the event.

The CBAF has requested \$5,000 USD to host the Bass Federation Regional Semi Final in Port Colborne in 2021. This event is a rotational event between the three Federations, New York TBF, Penn Bass Federation, and the Ontario TBF / C.B.A.F. These funds will be used to operate the registration dinner, subsidize volunteer expenses and enhance the prizing. This is a 5 day event which attracts anglers from New York, Pennsylvania and Ontario. A formal presentation to Council will be made in the fall of 2020 to report on successes of the event.

The City has provided financial and logistical support for other fishing tournaments in the past, which in turn has helped event organizers promote and maintain manageable tournament participation fees. It is important to note that the CBAF is not requesting any infrastructure support as other fishing tournaments have in the past. If Council approves the request for sponsorship and financial support, the CBAF will recognize the City as an event sponsor.

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

organizer is required to file a Certificate of Insurance, naming the City as an additional insured, to the City prior to the Event.

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

The Canadian Bass Anglers Federation Cup Tournament promotes sport fishing tourism in the City and enhances the City's recognition as an "Ultimate Fishing Town" destination (a designation awarded to the City of Port Colborne in 2013/2014). As with other City sponsored events, should Council approve the City's support, staff would provide oversight and would manage the necessary logistical support, and would ensure related expenses do not exceed the approved budget.

In order to assist with the above, staff have negotiated with the event organizer and recommend the City provide financial support in the amount of \$5,000. Council approved the establishment of an account dedicated to supporting local fishing tournaments during its 2019 budget deliberations, and allocated a total of \$25,000 to the account for this purpose. Staff recommend Council approve a tournament sponsorship in the amount of \$5,000, and that said funds be allocated from the above noted account.

The event organizers are required to provide a certificate of liability insurance in the amount of \$2,000,000, naming the City as additional insured, for the duration of the event, and must comply with the City's Festival & Event Insurance Requirements.

#### **Staff/Stakeholders Comments:**

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

By-law Enforcement Division have no objections to the proposed tournament.

##### **Building Division:**

Building Division has no comments on the report.

##### **Engineering and Operations Department:**

Engineering and Operations Department has no comments on the report.

##### **Corporate Communication:**

Corporate Communications has no concerns on the report as presented.

##### **Fire and Emergency Services Department:**

Fire has no concerns on the report as presented.

##### **Niagara Regional Police Services:**

Police has no concerns on the report as presented.

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

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

Council may receive and file this report, which would effectively deny the request; however, this would negatively impact the viability of the event. The City has provided support for other fishing tournaments in the past. Such support has proven to contribute

to the success of other tournaments and has served to promote Sugarloaf Marina as a fishing destination. As a result, this option is not recommended.

**b) Other Options**

Council may choose to provide an alternative level of support than that requested by the event organizer.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

This report supports the City's goal of strengthening festivals and events, which in turn provides economic benefits and serves to provide recreation opportunities for citizens and visitors alike. Forming viable collaborative partnerships, engaging community organizations, and supporting sport tourism are important components of achieving this goal.

**6) ATTACHMENTS**

- Appendix A – Canadian Bass Anglers Federation Proposal
- Appendix B – Economic Impact Report 2020 Canadian Bass Anglers Federation Cup

**7) RECOMMENDATION**

That the 2020 Canadian Bass Anglers Federation Cup be approved, with \$5,000 in financial support from the City and that \$5,000 USD funds be committed to the 2021 for the Bass Federation Regional Semi Final; and

That approval of the above-noted event and sponsorship is conditional on the 2020 Canadian Bass Anglers Federation Cup submitting a certificate of liability insurance in the amount of \$2,000,000, naming the City of Port Colborne as additional insured.

**8) SIGNATURES**

Prepared on February 10, 2020, by:



Luke Rowe  
Event Coordinator

Reviewed by:



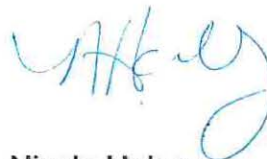
Ashley Grigg,  
Director of Community and Economic  
Development

Reviewed and respectfully submitted by:



Tom Cartwright,  
Acting Chief Administrative Officer

Review by:



Nicole Halasz  
Manager of Parks and Recreation

## Canadian Bass Anglers Federation Proposal

The Canadian Bass Anglers federation is a grass roots federation established in 2006. We run as a not for profit Federation. We host tournaments, meetings, for youth, High School, College, and Adults. We provide an avenue for teaching, learning, and fostering sportsmanship while enjoying the sport of Bass Angling.

Prior to 2019 we consisted of 9 clubs throughout the province from Kingston to the east, Bracebridge to the north, Kawartha Lakes in the center, and Hamilton to the south.

In the fall of 2018 our Hamilton club hosted an open event out of Sugarloaf Marina, with little time to organize; this event saw 34 teams register to fish the world class fishery that is Lake Erie.

Recognizing the success of the event, we saw opportunity to grow. In March of 2019 we opened our 10<sup>th</sup> Club, The Port Colborne Bass Anglers.

The Club is now meeting monthly the 3<sup>rd</sup> Tuesday of each month. We gather at the Belmont Bar and Grill and discuss tackle, tips, and listen to great guest speakers. Once bass season opens we will be running club events out of Sugarloaf Marina.

The club has drawn members from local residents, nearby towns and many who recognize that Port Colborne is a fishing community.

The Canadian Bass Anglers Federation also recognizes that Port Colborne offers great opportunity. We would look forward to help promote the City as a MUST GO TO, fishing community, offering great launches, accommodations, dining, and a welcoming community to anglers. No matter what you're chasing from Bass, to Walleye or Perch.

The Canadian Bass Anglers Federation would like to propose a 3 year working relationship with Port Colborne.

The First step in the Relationship would start in August of 2019, With the C.B.A.F. hosting one of our regular tour events on Sunday August 18<sup>th</sup>,

This event would be the last Regular event of the 2019 schedule. The importance of this event to our members is substantial as the chase for Angler and Co Anglers titles is on the Line.

This event should draw 40 to 50 boats and 80 to 100 Anglers.

Our Proposal for this first event would be some funding support in the amount of \$3000 These Funds would be used to supply dinner at the registration evening. And to enhance the draw by guaranteeing a large First Place Prize

The Second part of the Proposal would be for the 2020 season. Our Federations Biggest event The Federation Cup. Since 2007 The Federation cup has been the ultimate CBAF event with over 200 anglers coming in to town for 3 to 4 days.



The Basis of the event is Club Pride and Bragging rights. Each Club sends a team to contest for the Federation Cup. While the format is a regular event with Solo prizing. Clubs take their six best weights from each day, the club with the highest total after two days of Fishing is The Federation Cup Champions.

This event will be hosted by The City of Quinte West in 2019 and has been hosted Belleville, Smith Falls, on numerous Occasions. We would be looking to add Port Colborne to the List in 2020

Our Proposal for this event would be again funding support in the amount of \$5000 These funds would be used to operate the registration dinner, subsidize volunteer expenses and enhance the prizing.

The Third part of the proposal would be for 2021,

The Bass Federation Regional Semi Final  
Host: The City of Port Colborne and the C.B.A.F.

The TBF Regional semi-final event

Guest Ontario TBF members and State Teams from New York and Pennsylvania  
This is a 5 day event which brings anglers From New York, Pennsylvania and Ontario

This event is truly the largest event we run for economic impact.

This event is a rotational event between the three Federations, New York TBF, Penn Bass Federation, and the Ontario TBF / C.B.A.F.

2018 saw Ontario Host in Quinte West; this event was well received by our U.S. anglers and the reviews of the community and fishery were fantastic. We once again get to host in 2020

This event will see Anglers arrive on Tuesday to start Official practice Wednesday with the actual Tournament days being Saturday and Sunday. Friday evening is the Rules, Registration and Host Dinner.

The event is run by C.B.A.F. For The Bass Federation

Our Proposal on behalf of the TBF

The Site Host fee for this event is \$5000 USD converted to CDN funds

These funds are used to provide staff Housing, The registration Dinner, marketing, miscellaneous supplies

Yours in Service

Sean McLaughlin

President Ontario TBF

Canadian Bass Anglers Federation

Economic Impact Report 2020 Canadian Bass Anglers Federation Cup

2020 Canadian Bass Anglers Federation  
Federation Cup  
July 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>  
Official Practice 16<sup>th</sup> and 17<sup>th</sup>  
Registration 17<sup>th</sup> Sugarloaf Marina  
Tournament days 18<sup>th</sup> and 19<sup>th</sup>  
7am to 3pm  
Sugarloaf Marina Port Colborne

ESTIMATED COMMUNITY REVENUES

**ESTIMATED NUMBER OF GUESTS "In Town":**

Fisherman	180
Family	40
Press	0
Sponsors	2
TBF, Inc. Staff	0
State Federation Staff	4
Total Approx. Guests	226

Averages:

**ACCOMMODATIONS:**

Rooms	100 @ 125 average x 4 nights average	\$ 50,000.00
-------	--------------------------------------	--------------

**GAS:**

Boats (Gas)	90 x 30 Gallons @ \$5.00 x 4 days	\$ 54,000.00
Vehicles	100 x 1 tank @ 55.00 per tank full	\$ 5,500.00

**MEALS:**

226 Persons x 35.00 per day x 3 days average	\$ 23,730.00
--	--------------

**ENTERTAINMENT:**

226 Persons x \$25 average per day x 3 days average	\$ 16,950.00
---	--------------

**MISCELLANEOUS:**

Licenses Fishing tackles\supplies	\$ 12,000.00
Grocery\Drug items	\$ 8,000.00

<b><u>TOTAL COMMUNITY REVENUES:</u></b>	<b>\$ 170,180.00</b>
---	----------------------

\*Note: This is a low estimate; most communities will realize larger revenues.

**ESTIMATED COMMUNITY EXPENSES\ IN KIND SERVICES**

Cash site host fee to Ontario TBF, Canadian Bass Anglers Federation **\$5,000.00**

TOTAL COST TO COMMUNITY fees and "In-kind Services **\$5,000.00**

**SUMMARY**

Total estimated revenues **\$ 170,180.00**  
Total estimated expenditures **\$ 5,000.00**

*Total benefit to community* **\$165,180**

With modest rollover of 3 to 1 total Revenue **\$495,540**

NOTE: It should be noted that these are averages, many fisherman will be on site pre-fishing for up to 4 days prior to the event. That impact is NOT included in these totals

This page intentionally left blank.



Report Number: 2020-16

Date: February 10, 2020

**SUBJECT: Port Colborne Distribution System Annual Inspection**

**1) PURPOSE:**

This report, prepared by Darlene Suddard, Environmental Compliance Supervisor and authorized by Steven Shypowskyj, Acting Director of Engineering & Operations, was prepared to inform Council of the results of the most recent inspection of the Port Colborne Distribution System, performed by the Ministry of the Environment, Conservation and Parks.

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

The Ministry of the Environment, Conservation and Parks (Ministry) has a rigorous and comprehensive inspection program for municipal residential drinking water systems. As such, the Port Colborne Distribution System (PCDS) is subject to an annual inspection. The inspections can be “announced” or “unannounced” and are usually conducted in a three year cycle. In year 1 and 2, the Ministry is required to do announced inspections, where staff are provided with 1-2 weeks notice and can ensure all the relevant information and personnel are made available. In year 3 of the cycle, the Ministry performs an “unannounced” inspection, where staff are provided with 1 to 2 days notice. Additionally, inspections can be “focused” or “detailed”. Focused inspections involve fewer activities than detailed inspections, yet contain critical elements required to assess key compliance issues. Drinking water systems are selected for focused inspections if they meet the ministry’s criteria, primarily that there were no deficiencies over the past 3 years. If a system qualifies for focused inspections, the Ministry is still required to do periodic detailed inspections. The 2019-20 inspection was a focused inspection and was a special announced inspection.

The purpose of the annual inspection is to determine the compliance of the operation and maintenance of the PCDS with the requirements outlined under the *Safe Drinking Water Act, 2002*, associated regulations, and with the City’s Municipal Drinking Water Licence and Drinking Water Works Permit.

It is a requirement under the Standard of Care Clause (Section 19 of the *Safe Drinking Water Act, 2002*), that Council, as the Owner of the PCDS, be provided with the information necessary to make decisions that could affect the water system. Therefore, by providing Council with the inspection results, this ensures Council is informed and helps meet Standard of Care responsibilities.

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

The 2019-20 inspection was an announced inspection covering the period from July 10, 2018 to August 31, 2019. This year, based on the City's compliance history, the City was one of two municipalities in Niagara chosen for a remote pilot inspection. The Inspector from the Ministry, Niagara District Office met remotely via teleconference on September 20, 2019 with Darlene Suddard, Environmental Compliance Supervisor, Richard Daniel, Manager of Operations and Peter Paget, Utilities Supervisor

An official Inspection Report, detailing any findings and the City's Inspection Rating was issued on January 9, 2020; a copy of the inspection is provided in Appendix A.

The Inspector did not find any regulatory non-compliances during the inspection period; nor were any recommendations provided.

Once an inspection is completed, the Inspector generates an Inspection Rating for the drinking water system; for the eighth year in a row, the Port Colborne Distribution System was awarded a rating of 100%.

Water Department Staff are committed to continuing to provide safe drinking water to all homes and businesses and will use the recommendations and findings from the Inspection Report to improve day-to-day operations and recordkeeping.

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

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

Not applicable. This report is for information.

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

Not applicable. This report is for information.

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

Not applicable.

### **6) ATTACHMENTS**

Appendix A – Port Colborne Distribution System Inspection Report 1-KYJR1, January 9, 2020.

7) **RECOMMENDATION**

That Council receives Engineering and Operations Department, Operations Division, Report 2020-16, Port Colborne Distribution System Annual Inspection for information.

8) **SIGNATURES**

Prepared on January 22, 2020 by:



Darlene Suddard  
Environmental Compliance Supervisor

Reviewed by:



Steve Shypowskyj  
Acting Director of Engineering &  
Operations

Reviewed and Respectfully Submitted:



C. Scott Luey  
Chief Administrative Officer

Ministry of the Environment,  
Conservation and Parks  
Drinking Water and Environmental  
Compliance Division  
West Central Region  
Niagara District Office

Ministère de l'Environnement  
de la Protection de la nature et des Parcs  
Division de la conformité en matière d'eau  
potable et d'environnement  
Direction régionale du Centre-Ouest  
Bureau de district de Niagara



9<sup>th</sup> Floor, Suite 15  
301 St. Paul Street  
St. Catharines, ON L2R 7R4  
Tel.: 905 704-3900  
1-800-263-1035  
Fax: 905 704-4015

9<sup>e</sup> étage, bureau 15  
301, rue St. Paul  
St. Catharines, ON L2R 7R4  
Tel.: 905 704-3900  
1-800-263-1035  
Fax: 905 704-4015

January 9th, 2020

SI NI PC A540 – 2019/20

Mr. Chris Lee  
Director of Engineering & Operations  
1 Killaly Street West  
Port Colborne, ON  
L3K 6H1

Re: Port Colborne Distribution System Inspection Report 1-KYJR1

Dear Mr. Lee,

Please see enclosed copy of the 2019-20 inspection report for the Port Colborne Distribution System (DWS# 260001643).

Section 19 of the Safe Drinking Water Act (Standard of Care) creates a number of obligations for individuals who exercise decision-making authority over municipal drinking water systems. Please be aware that the Ministry has encouraged such individuals, particularly municipal councillors, to take steps to be better informed about the drinking water systems over which they have decision-making authority. These steps could include asking for a copy of this inspection report and a review of its findings. Further information about Section 19 can be found in "Taking Care of Your Drinking Water: A guide for members of municipal council" found on the Ontario website at: <http://www.ontario.ca/environment-and-energy/taking-care-your-drinking-water-guide-members-municipal-councils>.

If applicable, any items found within the section entitled "Non-compliance with Regulatory Requirements and Actions Required" outline non-compliance with regulatory requirements contained within an Act, a Regulation, or site-specific approvals, licenses, permits, orders, or guidelines. Please ensure that the required actions are completed within the prescribed timeframe, if applicable.

Any items found within the section entitled "Summary of Best Practice Issues and Recommendations" provide information to the owner or operating authority outlining practices or standards established through existing and emerging industry standards that should be considered in order to advance current efforts. These items do not, in themselves, constitute violations. More recommendations are also provided within the body of the report.



In order to measure individual inspection results, the Ministry has established an inspection compliance risk framework based on the principles of the Inspection, Investigation & Enforcement (II&E) Secretariat and advice of internal/external risk experts. The Inspection Summary Rating Record (IRR), included as an Appendix of the inspection report, provides the Ministry, the system owner and the local Public Health Units with a summarized quantitative measure of the drinking water system's annual inspection and regulated water quality testing performance. Please note the attached IRR methodology memo describing how the risk rating model has improved to better reflect the health related and administrative non-compliance found in an inspection report. IRR ratings are published (for the previous inspection year) in the Ministry's Chief Drinking Water Inspectors' Annual Report. If you have any questions or concerns regarding the rating, please contact Zafar Bhatti, Water Compliance Supervisor, at (905) 521-7301.

Please note that as of June 29, 2018, the Ministry of the Environment & Climate Change's name has changed to the Ministry of the Environment, Conservation & Parks. This name change will take some time to be reflected in Ministry materials and systems.

Thank you for your time and assistance during the inspection. Please do not hesitate to contact me if you have any questions or concerns about the attached report.

Sincerely,



Sean Roelofsen  
Water Inspector  
Provincial Officer #1273  
Niagara District Office - West Central Region  
(289)241-4791  
sean.roelofsen@ontario.ca

cc: Darlene Suddard – Env. Compliance Supervisor - City of Port Colborne  
Anthony Habjan – Manager - Niagara Public Health Unit  
Darren MacKenzie - Niagara Peninsula Conservation Authority  
Zafar Bhatti – Water Compliance Supervisor – MECP West Central Region  
MECP Niagara District File



**Ministry of the Environment, Conservation and Parks**

**PORT COLBORNE DISTRIBUTION SYSTEM**

**Inspection Report**

<b>Site Number:</b>	260001643
<b>Inspection Number:</b>	1-KYJR1
<b>Date of Inspection:</b>	Oct 17, 2019
<b>Inspected By:</b>	Sean Roelofsen

**TABLE OF CONTENTS:****OWNER INFORMATION****INSPECTION DETAILS****INSPECTION SUMMARY****NON COMPLIANCE WITH REGULATORY REQUIREMENTS  
AND ACTIONS REQUIRED****SUMMARY OF BEST PRACTICE ISSUES AND  
RECOMMENDED ACTIONS****SIGNATURES****APPENDICES:****APPENDIX A      STAKEHOLDER APPENDIX****APPENDIX B      INSPECTION RATING RECORD (IRR)****APPENDIX C      HAA LETTER**

**OWNER INFORMATION:**

**Company Name:** PORT COLBORNE, THE CORPORATION OF THE CITY OF  
**Street Number:** 66 **Unit Identifier:**  
**Street Name:** CHARLOTTE St  
**City:** PORT COLBORNE  
**Province:** ON **Postal Code:** L3K 3C8

**CONTACT INFORMATION**

---

<b>Type:</b>	Operating Authority	<b>Name:</b>	Chris Lee
<b>Phone:</b>	(905) 835-2901 x223	<b>Fax:</b>	(905) 835-6800
<b>Email:</b>	deo@portcolborne.ca		
<b>Title:</b>	Director of Engineering & Operations		

---

<b>Type:</b>	Main Contact	<b>Name:</b>	Darlene Suddard
<b>Phone:</b>	(905) 835-5079	<b>Fax:</b>	(905) 835-6800
<b>Email:</b>	darlensuddard@portcolborne.ca		
<b>Title:</b>	Environmental Compliance Supervisor		

---

<b>Type:</b>	Niagara Regional Health Unit	<b>Name:</b>	Anthony Habjan
<b>Phone:</b>	(905) 688-3762	<b>Fax:</b>	(905) 641-4994
<b>Email:</b>	anthony.habjan@niagararegion.ca		
<b>Title:</b>	Manager, Environmental Health - Niagara Region Public Health Unit		

---

<b>Type:</b>	Conservation Authority	<b>Name:</b>	Darren MacKenzie
<b>Phone:</b>	(905) 788-3135	<b>Fax:</b>	(905) 788-1121
<b>Email:</b>	dmackenzie@npca.ca		
<b>Title:</b>	Niagara Peninsula Conservation Authority - Director of Planning and Regulations		

---

**INSPECTION DETAILS:**

**Site Name:** PORT COLBORNE DISTRIBUTION SYSTEM  
**Site Address:** 1 KILLALY Street West PORT COLBORNE ON L3K 6H1  
**County/District:** PORT COLBORNE  
**MECP District/Area Office:** Niagara District  
**Health Unit:** REGIONAL NIAGARA PUBLIC HEALTH DEPARTMENT  
**Conservation Authority:** Niagara Peninsula Conservation Authority  
**MNR Office:** Niagara Regional Office  
**Category:** Large Municipal Residential  
**Site Number:** 260001643  
**Inspection Type:** Special Announced  
**Inspection Number:** 1-KYJR1  
**Date of Inspection:** Oct 17, 2019  
**Date of Previous Inspection:** Jul 11, 2018

**COMPONENTS DESCRIPTION**

**Site (Name):** Port Colborne Water Distribution System  
**Type:** Other **Sub Type:** Other

**Comments:**

The City of Port Colborne receives its supply of treated water from the Port Colborne Water Treatment Plant which is owned and operated by the Regional Municipality of Niagara and is subject to a separate inspection. The source water for this plant is taken from the Welland Canal.

Treated water from the Port Colborne Water Treatment Plant is distributed to approximately 16,000 residents through approximately 100 kilometres of City, and 8 kilometres of Regional water mains which range in size from 100 mm to 600 mm. The system consists primarily of cast iron, asbestos concrete, polyvinyl chloride, ductile iron, and high pressure concrete piping throughout the City. There are approximately 592 fire hydrants and approximately 996 valves located throughout the system.

The Regional Municipality of Niagara owns and operates the water storage facilities in the City of Port Colborne: a new water tower on Barrick Road, operational since November 2017, and a reservoir located on Fielden Avenue. The old King Street elevated tank has been demolished by the Region. There are two municipal water filling depots, located on Elm Street and Elizabeth Street, respectively, as well as one private filling station. The Elizabeth Street filling station is equipped with backflow prevention for the side filling line, and uses an air gap for top filling. The Elm Street and the private filling stations only offer top filling, and both use air gaps to prevent backflow.

**Site (Name):** MOE DWS Mapping  
**Type:** DWS Mapping Point **Sub Type:**

## INSPECTION SUMMARY:

### Introduction

- The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period.

This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg.170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.

This report is based on an inspection of a "stand alone connected distribution system". This type of system receives treated water from a separately owned "donor" system. This report contains the elements required to assess key compliance and conformance issues associated with a "receiver" system. This report does not contain items associated with the inspection of the donor system, such as source waters, intakes/wells and treatment facilities.

This report is based on a "focused" inspection of the system. Although the inspection involved fewer activities than those normally undertaken in a detailed inspection, it contained critical elements required to assess key compliance issues. This system was chosen for a focused inspection because the system's performance met the ministry's criteria, most importantly that there were no deficiencies as identified in O.Reg. 172/03 over the past 3 years. The undertaking of a focused inspection at this drinking water system does not ensure that a similar type of inspection will be conducted at any point in the future.

**This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.**

The primary focus of this inspection is to confirm compliance with Ministry of the Environment, Conservation and Parks (MECP) legislation as well as evaluating conformance with ministry drinking water policies and guidelines during the inspection period.

This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg.170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.

This report is based on an inspection of a "stand alone connected distribution system". This type of system receives treated water from a separately owned "donor" system. This report contains the elements required to assess key compliance and conformance issues associated with a "receiver" system. This report does not contain items associated with the inspection of the donor system, such as source waters, intakes/wells and treatment facilities.

This report is based on a "focused" inspection of the system and was conducted remotely. Although the inspection involved fewer activities than those normally undertaken in a detailed inspection, it contained critical elements required to assess key compliance issues. This system was chosen for a focused inspection because the system's performance met the ministry's criteria, most importantly that there were no deficiencies as identified in O. Reg. 172/03 over the past 3 years. The undertaking of a focused inspection at this drinking water system does not ensure that a similar type of inspection will be conducted at any point in the future.

This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains

### Introduction

the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

This remote pilot inspection report covers the period between July 10, 2018 and August 31, 2019.

Updated Drinking Water Works Permit (DWWP) 073-201, Issue 5, and Municipal Drinking Water Licence (MDWL) 073-101, Issue 4, were issued to the City of Port Colborne just after the end of this inspection review period on October 11, 2019.

### Treatment Processes

- **The owner/operating authority was in compliance with the requirement to prepare Form 1 documents as required by their Drinking Water Works Permit during the inspection period.**  
All Form 1s signed during the inspection period met the requirements.
- **Where an activity has occurred that could introduce contamination, all parts of the drinking water system were disinfected in accordance with Schedule B, Condition 2.3 of the Drinking Water Works Permit.**  
City of Port Colborne has SOP# C2.3 (Standard Operating Procedure for Repair of Watermain Breaks).

### Treatment Process Monitoring

- **The secondary disinfectant residual was measured as required for the distribution system.**  
The City of Port Colborne monitors the free chlorine residual in the distribution system, utilizing the 4/3 option as described in Sched. 7-2(4) of O. Reg. 170/03 (ie. at least 4 samples taken on one day of the week, at least 3 samples taken on a second day of the week, at least 48 hours apart). The City generally samples eight locations in the distribution system on each sample day, rotating sampling locations on a weekly basis in a 4-week rotation. The City's free chlorine residual sampling routine significantly exceeds the requirements of O. Reg. 170/03. This sampling regimen is instrumental in assisting the public health unit in determining appropriate corrective actions and the City is strongly encouraged to continue this practice.

### Operations Manuals

- **The operations and maintenance manuals contained plans, drawings and process descriptions sufficient for the safe and efficient operation of the system.**
- **The operations and maintenance manuals met the requirements of the Drinking Water Works Permit and Municipal Drinking Water Licence issued under Part V of the SDWA.**

### Logbooks

- **Logbooks were properly maintained and contained the required information.**  
The City of Port Colborne utilizes an electronic logbook system where individual operators use laptops to enter their activities and duties performed during each shift. The log entries are compiled electronically by date and include the required information.
- **Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was being done by a certified operator, water quality analyst, or person who suffices the requirements of O. Reg. 170/03 7-5.**

### Security

**Security**

- **The owner had provided security measures to protect components of the drinking water system.**  
Backflow prevention devices and/or air gaps are in place at the City's two bulk water filling stations. Access is restricted to holders of a security pass card.

**Certification and Training**

- **The overall responsible operator had been designated for each subsystem.**
- **Operators-in-charge had been designated for all subsystems which comprised the drinking water system.**
- **All operators possessed the required certification.**

**Water Quality Monitoring**

- **All microbiological water quality monitoring requirements for distribution samples were being met.**  
The City of Port Colborne is required to take at least 26 microbiological samples (testing for Total Coliform bacteria and E. Coli) per month, including at least one sample per week, as per Schedule 10 of O. Reg. 170/03. At least 25% of the samples must also be tested for Heterotrophic Plate Count (HPC). The City generally takes eight microbiological samples per week (32 samples per month), rotating through sampling locations on a weekly basis in a 4-week rotation. The City's microbiological monitoring program significantly exceeds the requirements of O. Reg. 170/03. This sampling regimen is instrumental in assisting the public health unit in determining appropriate corrective actions and the City is strongly encouraged to continue this practice.

A review of sampling records indicated that the City has complied with all microbiological sampling requirements. The City tests 100% of microbiological samples for HPC.

- **All haloacetic acid water quality monitoring requirements prescribed by legislation are being conducted within the required frequency and at the required location.**  
Haloacetic Acid (HAA) samples were collected and tested on a quarterly basis, beginning in Jan 2017. For this inspection review period, HAA samples were taken in July/Oct 2018, and Jan/Apr/July 2019 with four sample results below the laboratory's method detection limit (MDL) of 5.3 ug/L. The Jul 2019 HAA single sample result was 13.1 ug/L.

The prescribed limit of 80 ug/L (0.080 mg/L) will take effect on January 1, 2020. Please reference the letter 'Haloacetic Acids Reporting Requirements Effective January 1st, 2020' dated December 10th, 2019, by MECP Compliance Promotion and Support Branch Director Scott McCharles for information related to the reportable drinking water standard for HAAs coming into effect. A copy of the letter is attached to this inspection report.

- **All trihalomethane water quality monitoring requirements prescribed by legislation were conducted within the required frequency and at the required location.**  
Trihalomethane (THM) samples are collected and tested from two locations in the distribution system that represent locations that are likely to have the elevated potential for the formations of THMs (ie. distribution ends). The sampling routine meets the quarterly sampling frequency required by Schedule 13-6 of O. Reg. 170/03. The resulting running annual average for THMs is 26.7 ug/L. The regulatory limit for THMs is 100 ug/L, expressed as a running annual average.
- **Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.**



### Water Quality Assessment

- Records did not show that all water sample results taken during the inspection review period did not exceed the values of tables 1, 2 and 3 of the Ontario Drinking Water Quality Standards (O.Reg. 169/03). The City of Port Colborne had four AWQIs reported during the inspection review period:

AWQI 141051 - July 25, 18:

1 Total coliform cfu/100 mL sample result @ Elizabeth St bulk water depot. free chlorine residual (FCR) = 1.03 mg/L

AWQI 142551 - Sep 5, 2018:

low free chlorine residual = 0.04 mg/L

AWQI 145676 - June 12, 19:

4 Total coliform cfu/100 mL sample result @ 241 Welland Ave.  
FCR = 0.81 mg/L

AWQI 145677 - June 12, 19:

1 Total coliform cfu/100 mL sample result @ 279 Lakeshore Rd West. FCR = 0.74 mg/L

All reporting requirements and corrective actions were completed as required for these four AWQIs.

### Reporting & Corrective Actions

- Corrective actions (as per Schedule 17) had been taken to address adverse conditions, including any other steps that were directed by the Medical Officer of Health.
- Corrective actions as directed by the Medical Officer of Health had been taken by the owner and operating authority to address exceedances of the lead standard.
- All required notifications of adverse water quality incidents were immediately provided as per O. Reg. 170/03 16-6.
- All changes to the system registration information were provided within ten (10) days of the change.

## NON-COMPLIANCE WITH REGULATORY REQUIREMENTS AND ACTIONS REQUIRED

This section provides a summary of all non-compliance with regulatory requirements identified during the inspection period, as well as actions required to address these issues. Further details pertaining to these items can be found in the body of the inspection report.

Not Applicable

## SUMMARY OF RECOMMENDATIONS AND BEST PRACTICE ISSUES

This section provides a summary of all recommendations and best practice issues identified during the inspection period. Details pertaining to these items can be found in the body of the inspection report. In the interest of continuous improvement in the interim, it is recommended that owners and operators develop an awareness of the following issues and consider measures to address them.

Not Applicable

---

**SIGNATURES**

Inspected By:

Sean Roelofsen

Signature: (Provincial Officer)



---

Reviewed & Approved By:

Zafar Bhatti

Signature: (Supervisor)



Review & Approval Date: 07/01/2020

Note: This inspection does not in any way suggest that there is or has been compliance with applicable legislation and regulations as they apply or may apply to this facility. It is, and remains, the responsibility of the owner and/or operating authority to ensure compliance with all applicable legislative and regulatory requirements.

## APPENDIX A:

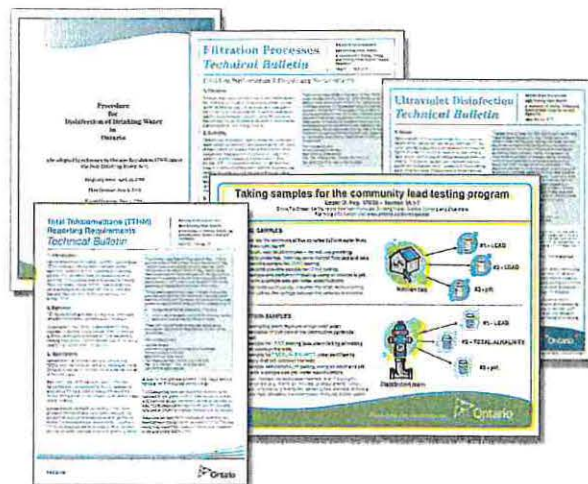
### STAKEHOLDER APPENDIX

# Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles in the table below or use your web browser to search for their titles. Contact the Public Information Centre if you need assistance or have questions at 1-800-565-4923/416-325-4000 or [picemail.moe@ontario.ca](mailto:picemail.moe@ontario.ca).

For more information on Ontario's drinking water visit [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater) and email [drinking.water@ontario.ca](mailto:drinking.water@ontario.ca) to subscribe to drinking water news.



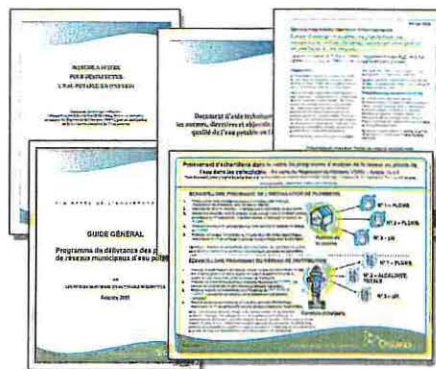
PUBLICATION TITLE	PUBLICATION NUMBER
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	7889e01
FORMS: Drinking Water System Profile Information, Laboratory Services Notification, Adverse Test Result Notification Form	7419e, 5387e, 4444e
Procedure for Disinfection of Drinking Water in Ontario	4448e01
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids	7152e
Total Trihalomethane (TTHM) Reporting Requirements Technical Bulletin (February 2011)	8215e
Filtration Processes Technical Bulletin	7467
Ultraviolet Disinfection Technical Bulletin	7685
Guide for Applying for Drinking Water Works Permit Amendments, Licence Amendments, Licence Renewals and New System Applications	7014e01
Certification Guide for Operators and Water Quality Analysts	
Guide to Drinking Water Operator Training Requirements	9802e
Taking Samples for the Community Lead Testing Program	6560e01
Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption	7423e
Guide: Requesting Regulatory Relief from Lead Sampling Requirements	6610
Drinking Water System Contact List	7128e
Technical Support Document for Ontario Drinking Water Quality Standards	4449e01

[ontario.ca/drinkingwater](http://ontario.ca/drinkingwater)

# Principaux guides et documents de référence sur les réseaux résidentiels municipaux d'eau potable

De nombreux documents utiles peuvent vous aider à exploiter votre réseau d'eau potable. Vous trouverez ci-après une liste de documents que les propriétaires et exploitants de réseaux résidentiels municipaux d'eau potable utilisent fréquemment.

Pour accéder à ces documents en ligne, cliquez sur leur titre dans le tableau ci-dessous ou faites une recherche à l'aide de votre navigateur Web. Communiquez avec le Centre d'information au public au 1 800 565-4923 ou au 416 325-4000, ou encore à [picemail.moe@ontario.ca](mailto:picemail.moe@ontario.ca) si vous avez des questions ou besoin d'aide.



Pour plus de renseignements sur l'eau potable en Ontario, consultez le site [www.ontario.ca/eaupotable](http://www.ontario.ca/eaupotable) ou envoyez un courriel à [drinking.water@ontario.ca](mailto:drinking.water@ontario.ca) pour suivre l'information sur l'eau potable.

TITRE DE LA PUBLICATION	NUMÉRO DE PUBLICATION
Prendre soin de votre eau potable – Un guide destiné aux membres des conseils municipaux	7889f01
Renseignements sur le profil du réseau d'eau potable, Avis de demande de services de laboratoire, Formulaire de communication de résultats d'analyse insatisfaisants et du règlement des problèmes	7419f, 5387f, 4444f
Marche à suivre pour désinfecter l'eau potable en Ontario	4448f01
Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids (en anglais seulement)	7152e
Total Trihalomethane (TTHM) Reporting Requirements: Technical Bulletin (février 2011) (en anglais seulement)	8215e
Filtration Processes Technical Bulletin (en anglais seulement)	7467
Ultraviolet Disinfection Technical Bulletin (en anglais seulement)	7685
Guide de présentation d'une demande de modification du permis d'aménagement de station de production d'eau potable, de modification du permis de réseau municipal d'eau potable, de renouvellement du permis de réseau municipal d'eau potable et de permis pour un nouveau réseau	7014f01
Guide sur l'accréditation des exploitants de réseaux d'eau potable et des analystes de la qualité de l'eau de réseaux d'eau potable	
Guide sur les exigences relatives à la formation des exploitants de réseaux d'eau potable	9802f
Prélèvement d'échantillons dans le cadre du programme d'analyse de la teneur en plomb de l'eau dans les collectivités	6560f01
Échantillonnage et analyse du plomb dans les collectivités : échantillonnage normalisé ou réduit et admissibilité à l'exemption	7423f
Guide: Requesting Regulatory Relief from Lead Sampling Requirements (en anglais seulement)	6610
Liste des personnes-ressources du réseau d'eau potable	7128f
Document d'aide technique pour les normes, directives et objectifs associés à la qualité de l'eau potable en Ontario	4449f01

[ontario.ca/eaupotable](http://ontario.ca/eaupotable)

## **APPENDIX B**

### **INSPECTION RATING RECORD (IRR)**



# APPLICATION OF THE RISK METHODOLOGY USED FOR MEASURING MUNICIPAL RESIDENTIAL DRINKING WATER SYSTEM INSPECTION RESULTS



The Ministry of the Environment (MOE) has a rigorous and comprehensive inspection program for municipal residential drinking water systems (MRDWS). Its objective is to determine the compliance of MRDWS with requirements under the Safe Drinking Water Act and associated regulations. It is the responsibility of the municipal residential drinking water system owner to ensure their drinking water systems are in compliance with all applicable legal requirements.

This document describes the risk rating methodology, which has been applied to the findings of the Ministry's MRDWS inspection

results since fiscal year 2008-09. The primary goals of this assessment are to encourage ongoing improvement of these systems and to establish a way to measure this progress.

MOE reviews the risk rating methodology every three years.

The Ministry's Municipal Residential Drinking Water Inspection Protocol contains 15 inspection modules consisting of approximately 100 regulatory questions. Those protocol questions are also linked to definitive guidance that ministry inspectors use when conducting MRDWS inspections.

[ontario.ca/drinkingwater](http://ontario.ca/drinkingwater)

The questions address a wide range of regulatory issues, from administrative procedures to drinking water quality monitoring. The inspection protocol also contains a number of non-regulatory questions.

A team of drinking water specialists in the ministry assessed each of the inspection protocol regulatory questions to determine the risk (not complying with the regulation) to the delivery of safe drinking water. This assessment was based on established provincial risk assessment principles, with each question receiving a risk rating referred to as the Question Risk Rating. Based on the number of areas where a system is deemed to be non-compliant during the inspection, and the significance of these areas to administrative, environmental, and health consequences, a risk-based inspection rating is calculated by the ministry for each drinking water system.

It is important to be aware that an inspection rating less than 100 per cent does not mean the drinking water from the system is unsafe. It shows areas where a system's operation can improve. The ministry works with owners and operators of systems to make sure they know what they need to do to achieve full compliance.

The inspection rating reflects the inspection results of the specific drinking water system for the reporting year. Since the methodology is applied consistently over a period of years, it serves as a comparative measure both provincially and in relation to the individual system. Both the drinking water system and the public are able to track the performance over time, which encourages continuous improvement and allows systems to identify specific areas requiring attention.

The ministry's annual inspection program is an important aspect of our drinking water safety net. The ministry and its partners share a common commitment to excellence and we continue to work toward the goal of 100 per cent regulatory compliance.

## Determining Potential to Compromise the Delivery of Safe Water

The risk management approach used for MRDWS is aligned with the Government of Ontario's Risk Management Framework. Risk management is a systematic approach to identifying potential hazards, understanding the likelihood and consequences of the hazards, and taking steps to reduce their risk if necessary and as appropriate.

The Risk Management Framework provides a formula to be used in the determination of risk:

$$\text{RISK} = \text{LIKELIHOOD} \times \text{CONSEQUENCE}$$

(of the consequence)

Every regulatory question in the inspection protocol possesses a likelihood value (L) for an assigned consequence value (C) as described in **Table 1** and **Table 2**.

**TABLE 1:**

Likelihood of Consequence Occurring	Likelihood Value
0% - 0.99% (Possible but Highly Unlikely)	L = 0
1 - 10% (Unlikely)	L = 1
11 - 49% (Possible)	L = 2
50 - 89% (Likely)	L = 3
90 - 100% (Almost Certain)	L = 4

**TABLE 2:**

Consequence	Consequence Value
Medium Administrative Consequence	C = 1
Major Administrative Consequence	C = 2
Minor Environmental Consequence	C = 3
Minor Health Consequence	C = 4
Medium Environmental Consequence	C = 5
Major Environmental Consequence	C = 6
Medium Health Consequence	C = 7
Major Health Consequence	C = 8

The consequence values (0 through 8) are selected to align with other risk-based programs and projects currently under development or in use within the ministry as outlined in **Table 2**.

The Question Risk Rating for each regulatory inspection question is derived from an evaluation of every identified consequence and its corresponding likelihood of occurrence:

- All levels of consequence are evaluated for their potential to occur
- Greatest of all the combinations is selected.

The Question Risk Rating quantifies the risk of non-compliance of each question relative to the others. Questions with higher values are those with a potentially more significant impact on drinking water safety and a higher likelihood of occurrence. The highest possible value would be 32 (4×8) and the lowest would be 0 (0×1).

**Table 3** presents a sample question showing the risk rating determination process.

**TABLE 3:**

**Does the Operator in Charge ensure that the equipment and processes are monitored, inspected and evaluated?**

**Risk = Likelihood × Consequence**

C=1	C=2	C=3	C=4	C=5	C=6	C=7	C=8
Medium Administrative Consequence	Major Administrative Consequence	Minor Environmental Consequence	Minor Health Consequence	Medium Environmental Consequence	Major Environmental Consequence	Medium Health Consequence	Major Health Consequence
L=4 (Almost Certain)	L=1 (Unlikely)	L=2 (Possible)	L=3 (Likely)	L=3 (Likely)	L=1 (Unlikely)	L=3 (Likely)	L=2 (Possible)
R=4	R=2	R=6	R=12	R=15	R=6	R=21	R=16

### Application of the Methodology to Inspection Results

Based on the results of a MRDWS inspection, an overall inspection risk rating is calculated. During an inspection, inspectors answer the questions related to regulatory compliance and input their “yes”, “no” or “not applicable” responses into the Ministry’s Laboratory and Waterworks Inspection System (LWIS) database. A “no” response indicates non-compliance. The maximum number of regulatory questions asked by an inspector varies by: system (i.e., distribution, stand-alone); type of inspection (i.e., focused, detailed); and source type (i.e., groundwater, surface water).

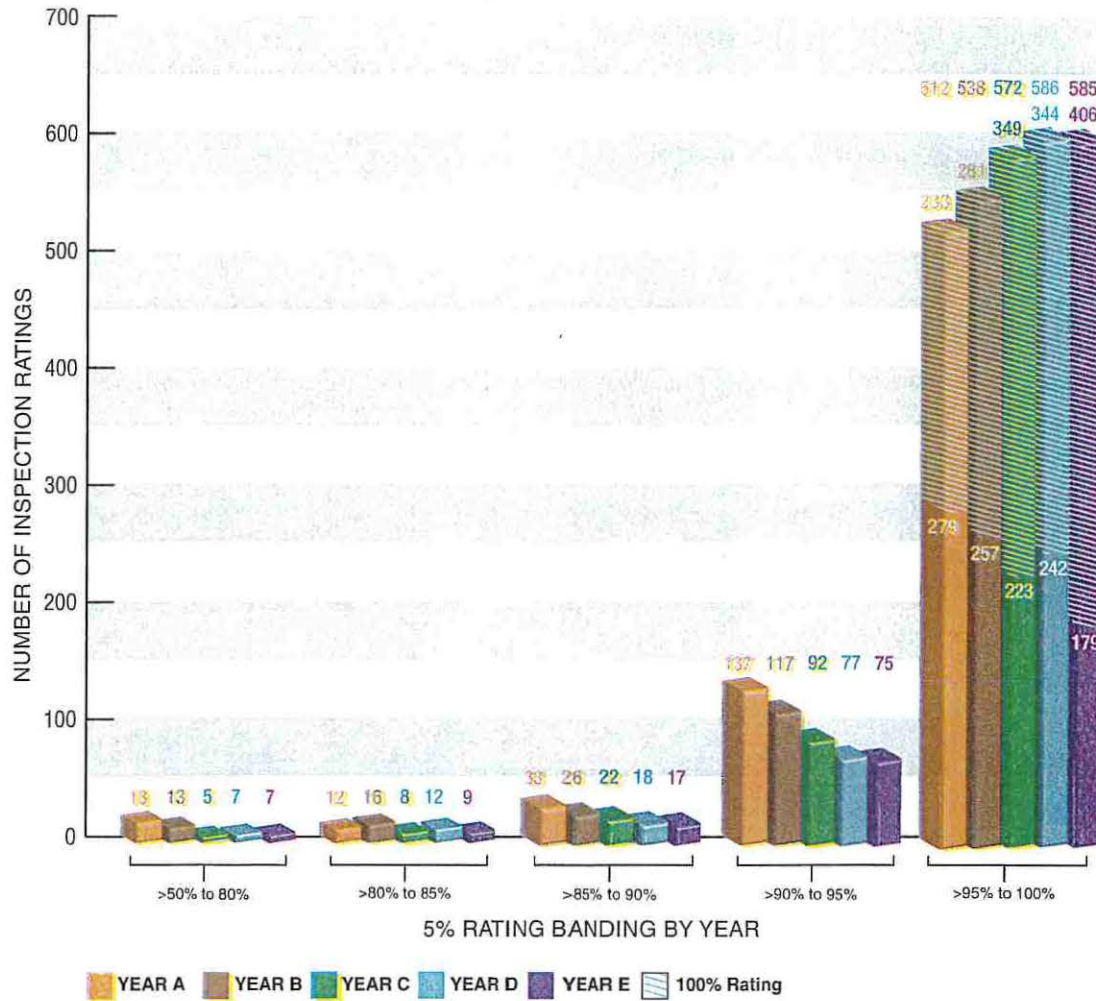
The risk ratings of all non-compliant answers are summed and divided by the sum of the risk ratings of all questions asked (maximum question rating). The resulting inspection risk rating (as a percentage) is subtracted from 100 per cent to arrive at the final inspection rating.

## Application of the Methodology for Public Reporting

The individual MRDWS Total Inspection Ratings are published with the ministry's Chief Drinking Water Inspector's Annual Report.

**Figure 1** presents the distribution of MRDWS ratings for a sample of annual inspections. Individual drinking water systems can compare against all the other inspected facilities over a period of inspection years.

**Figure 1: Year Over Year Distribution of MRDWS Ratings**



## Reporting Results to MRDWS Owners/Operators

A summary of inspection findings for each system is generated in the form of an Inspection Rating Record (IRR). The findings are grouped into the 15 possible modules of the inspection protocol,

which would provide the system owner/operator with information on the areas where they need to improve. The 15 modules are:

- |                         |                                 |  |  |
|-------------------------|---------------------------------|--|--|
| 1. Source               | 5. Treatment Process Monitoring | 9. Logbooks                            | 13. Water Quality Monitoring                       |
| 2. Permit to Take Water | 6. Process Wastewater           | 10. Contingency and Emergency Planning | 14. Reporting, Notification and Corrective Actions |
| 3. Capacity Assessment  | 7. Distribution System          | 11. Consumer Relations                 | 15. Other Inspection Findings                      |
| 4. Treatment Processes  | 8. Operations Manuals           | 12. Certification and Training         |  |

For further information, please visit [www.ontario.ca/drinkingwater](http://www.ontario.ca/drinkingwater)

Ministry of the Environment - Inspection Summary Rating Record (Reporting Year - 2019-2020)

**DWS Name:** PORT COLBORNE DISTRIBUTION SYSTEM  
**DWS Number:** 260001643  
**DWS Owner:** Port Colborne, The Corporation Of The City Of  
**Municipal Location:** Port Colborne

**Regulation:** O.REG 170/03  
**Category:** Large Municipal Residential System  
**Type Of Inspection:** Adhoc  
**Inspection Date:** October 17, 2019  
**Ministry Office:** Niagara District

**Maximum Question Rating:** 234

Inspection Module	Non-Compliance Rating
Treatment Processes	0 / 25
Operations Manuals	0 / 28
Logbooks	0 / 18
Certification and Training	0 / 28
Water Quality Monitoring	0 / 51
Reporting & Corrective Actions	0 / 63
Treatment Process Monitoring	0 / 21
<b>TOTAL</b>	<b>0 / 234</b>

**Inspection Risk Rating** 0.00%

**FINAL INSPECTION RATING:** 100.00%

Ministry of the Environment - Detailed Inspection Rating Record (Reporting Year - 2019-2020)

<b>DWS Name:</b>	PORT COLBORNE DISTRIBUTION SYSTEM
<b>DWS Number:</b>	260001643
<b>DWS Owner:</b>	Port Colborne, The Corporation Of The City Of
<b>Municipal Location:</b>	Port Colborne

**Regulation:** O.REG 170/03  
**Category:** Large Municipal Residential System  
**Type Of Inspection:** Adhoc  
**Inspection Date:** October 17, 2019  
**Ministry Office:** Niagara District

Maximum Question Rating: 234

Inspection Risk Rating	0.00%
------------------------	-------

<b>FINAL INSPECTION RATING:</b>	<b>100.00%</b>
---------------------------------	----------------

## APPENDIX C

Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement, de la  
Protection de la nature et des Parcs

Compliance, Promotion  
and Support Branch  
2<sup>nd</sup> floor  
40 St. Clair Ave West  
Toronto ON M4V 1M2

Direction de la promotion de la conformité  
et du soutien  
2<sup>ème</sup> étage  
40, avenue St. Clair Ouest  
Toronto (Ontario) M4V 1M2



December 10, 2019

**TO:** Drinking Water System Owner/Operators

**RE:** Haloacetic Acids Reporting Requirements Effective January 1, 2020

---

Drinking Water System Owners and Operators,

As a follow up to our communication from May 2018, the purpose of this email is to remind you that the Ontario Drinking Water Standard for Haloacetic Acids (HAAs) comes into effect January 1, 2020. The standard will be 0.08 mg/L (80 µg/L) and is expressed as a running annual average (RAA).

As of January 1, 2017, Schedule 13-6.1 in O.Reg.170/03 requires owners and operating authorities of municipal residential drinking water systems and non-municipal year-round drinking water systems to take samples quarterly and have them tested for HAAs. Samples must be taken from a location that is likely to have an elevated potential for the formation of HAAs. On January 1, 2020, this section will be amended to include directions on how to calculate RAAs.

In accordance with Schedules 16-6 and 16-7 of O. Reg. 170/03, the owner or operating authority is responsible for calculating the RAA and reporting an adverse test result by written notice using the Notice of Adverse Test Results and Issue Resolution form within 7 calendar days of the completion of the quarter that produced the adverse test result for HAAs.

If licensed laboratories do not meet the calculation exemption requirements outlined in Schedule 16-6 (3.2) of O. Reg. 170/03, they are responsible for calculating the RAA and reporting an adverse test result by written notice within 7 calendar days of the completion of the quarter that produced the adverse result for HAAs. To clarify how to calculate RAA, please refer to the Trihalomethane and HAA sampling and reporting requirements bulletin.

The ministry would like to clarify the reporting requirements for HAAs effective January 1, 2020. If an owner/operator calculates the RAA for HAAs on or after January 1, 2020



and the result of the calculation exceeds the standard, the result must be reported as an Adverse Water Quality Incident.

Questions can be directed to: [drinking.water@ontario.ca](mailto:drinking.water@ontario.ca).

Regards,

A handwritten signature in black ink, appearing to read 'Scott McCharles', with a long, sweeping horizontal line extending to the right.

Scott McCharles  
Director, Compliance, Promotion and Support Branch  
Ministry of the Environment, Conservation and Parks

This page intentionally left blank.

JAN 28 2020

CORPORATE SERVICES  
DEPARTMENT

Dear Mayor Steele,


We would like to thank you for your leadership as a champion of children and for your support of our volunteers in Port Colborne. This year, The Fresh Air Fund will celebrate its 144<sup>th</sup> summer of providing New York City children with free, fun and safe summer experiences. Since its founding in 1877, The Fresh Air Fund has provided life-changing summer experiences for children from New York City's underserved communities.

**With your help, we can reach more prospective Port Colborne host families by proclaiming March 20<sup>th</sup>, 2020 as "Fresh Air Fund Day" in Port Colborne.** Your participation will be a great support of our volunteer leaders' host recruitment efforts in Port Colborne.

*The Fresh Air Fund*, an independent, not-for-profit agency, has provided free summer experiences to more than 1.8 million New York City children from low-income communities since 1877. Each summer, thousands of children visit volunteer host families along the East Coast and Southern Canada and at The Fund's six overnight camps in New York's Mid-Hudson Valley. Fresh Air children also participate in year-round leadership and educational programs. For more information, visit [www.FreshAir.org](http://www.FreshAir.org).

Attached please find a sample proclamation for your review. If you have any questions or to confirm your participation, please contact Julie Silverman at 212-897-8890. Thank you for your leadership and support in serving New York City's children and families. Together, we can make summer special for thousands of children and families.

Best,

Eileen Lucas  
Port Colborne, Ontario  


Wendy Flanagan  
Interim Executive Director  
The Fresh Air Fund

## SAMPLE PROCLAMATION

WHEREAS The Fresh Air Fund provides free outdoor summer experiences to thousands of children from New York City's low-income communities each summer, and

WHEREAS The Fresh Air Fund allows children from New York City to visit the homes of volunteer host families along the East Coast and Southern Canada, and

WHEREAS Port Colborne families have been participating in The Fresh Air Fund's Friendly Towns Program for over 140 years, and

WHEREAS The Fresh Air Fund allows children from New York City to enjoy Port Colborne backyards, parks, and wide open spaces, and

WHEREAS The Fresh Air Fund is celebrating its 144<sup>th</sup> summer,

NOW, THEREFORE BE IT RESOLVED THAT I, Mayor Steele of the city of Port Colborne, do hereby proclaim March 20, 2020 to be:

**"FRESH AIR FUND DAY"**

in Port Colborne, in recognition of the transformative opportunities that inspire new dreams and new perspectives provided by The Fresh Air Fund.

FEB 04 2020

CORPORATE SERVICES  
DEPARTMENT

On March 11th I am once again hosting the International Women's Day dinner at the Guild Hall. I am assuming there will be an issue with the liquor board again with getting the liquor license. See below a letter of support and endorsement from the St James St Brendan Anglican Church. Is it possible to get this matter on the agenda for City Council in January or February declaring it as a municipally significant event.

Thanks for your help.

Donna Abbott

January 28, 2020

Donna Abbott

30 Ridgewood Ave.

Port Colborne, ON L3K 5N6

Dear Donna,

I am confirming that we at St. James and St. Brendan are pleased to be a sponsor of the International Women's Day event that you initiate each year. The hall use has been set aside for the date of March 11, 2020. We understand that any proceeds, if any, will be donated to the city food bank. We hope that the event is a success and are pleased that we could contribute to the event through the use of the parish hall. If we can be of assistance, please contact the St. James and St. Brendan office at 905-834-3184.

Respectfully,

Linda Lamarche

Personal Assistant and Rental Officer

This page intentionally left blank.

January 24, 2020

CL 23-2019, December 12, 2019  
PEDC 12-2019, December 4, 2019  
PDS 42-2019, December 4, 2019

Local Area Municipalities

SENT ELECTRONICALLY

RE: Memorandum of Understanding for Planning Function and Services  
between Niagara Region and Local Area Municipalities  
PDS 42-2019

Regional Council, at its meeting of December 12, 2019, approved the following  
recommendation of its Planning and Economic Development Committee:

That Report PDS 42-2019, dated December 4, 2019, respecting Memorandum of  
Understanding for Planning Function and Services between Niagara Region and Local  
Area Municipalities, **BE RECEIVED** and the following recommendations **BE  
APPROVED**:

1. That the Regional CAO **BE AUTHORIZED** to sign the revised Memorandum  
of Understanding (MOU) for Planning Function and Services between  
Niagara Region and Local Area Municipalities (Appendix 1 of Report PDS 42-  
2019);
2. That a copy of Report PDS 42-2019 and the executed revised MOU **BE  
DISTRIBUTED** to the Local Area Municipalities; and
3. That staff **BE DIRECTED** to implement the revised MOU in collaboration with  
the Local Area Municipalities.

A copy of Report PDS 42-2019 and the executed revised MOU are enclosed for your  
information

Yours truly,



Ann-Marie Norio  
Regional Clerk

:me  
CLK-C 2020-012

---

**Subject:** Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities

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

**Report date:** Wednesday, December 4, 2019

---

## **Recommendations**

1. That the Regional CAO **BE AUTHORIZED** to sign the 2019 update to the Memorandum of Understanding (MOU) for Planning Function and Services between Niagara Region and Local Area Municipalities, attached as Appendix 1;
2. That a copy of report PDS 42-2019 and the executed MOU **BE DISTRIBUTED** to the Local Area Municipalities; and
3. That staff **IMPLEMENT** the MOU, as amended, in collaboration with Local Area Municipalities.

## **Key Facts**

- In March 2019 (PDS 4-2019), staff received direction from Regional Council to circulate the updated 2019 MOU for Planning Function and Services between Niagara Region and Local Area Municipalities and request endorsement from all 12 local area municipal Councils.
- The 2019 updated MOU has been endorsed by all 12 local area Councils, attached as Appendix 2.
- This revised MOU sets the foundation for undertaking transformational changes into the future and confirms the framework within which the Region and local area municipalities will function and provide planning services in Niagara.

## **Financial Considerations**

There are no financial impacts to the Region as a result of the updated MOU.

## **Analysis**

In September 2017, staff informed Regional Council that the MOU and associated Protocol between NPCA and the Region required updating. Work commenced to update the MOU to:



- confirm the framework (roles and responsibilities) within which the Region and local area municipalities will function and provide planning services,
- be a leading instrument of continuously improving service and relationship management,
- integrate the recommendations of the Protocol with respect to new Regional responsibilities,
- include directions on fairly new matters, such as: pre-consultation meetings, review exemptions, complete applications, commenting timelines, urban design, and
- recognize new legislation, process changes, relationships, resources and growth.

In March 2019 staff provided information to Committee and Council on the updated MOU and recommended circulation of the MOU to the local area municipalities for their authorization. Staff have now received endorsement from all 12 local area municipalities and are now bringing back the updated MOU for endorsement by Regional Council (see Appendix 2).

### **Alternatives Reviewed**

A review of comparable-purposed MOUs from across the Province has been undertaken to understand the practices of other two-tier municipalities. No common standard was determined.

### **Relationship to Council Strategic Priorities**

*“Sustainable and Engaging Government”* is a strategic priority of Regional Council. Revising the MOU will improve upon the delivery of planning services across the region and provide more certainty in the planning process for current and future property owners.

### **Other Pertinent Reports**

- Report PDS 4-2019- Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities
- Report PDS 2-2018 - Protocol for Planning Services Between the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority – January 10, 2018
- Report PDS-49-2017 – MOU Planning Services in Niagara – November 8, 2017
- Report PDS-43-2017 – Review and Update of the 2007 Memorandum of Understanding (MOU) between the Local Area Municipalities, Niagara Peninsula Conservation Authority and Niagara Region, and the 2008 Protocol for Plan Review

and Technical Clearance between the Niagara Peninsula Conservation Authority (NPCA) and Niagara Region – September 15, 2017

- Memorandum PDS-C 4-2014 – Local Area Municipal Response to the 2014 Update to the Memorandum of Understanding for improving the Planning Function in Niagara – May 14, 2014
- Report PW 1-2014 Building Relationships, 2014 Update to the Memorandum of Understanding for Improving the Planning Function in Niagara – January 7, 2014
- Report PPW 10-2007 Memorandum of Understanding – Planning System in Niagara

---

**Prepared by:**

Diana Morreale, MCIP, RPP  
Director, Development Approvals  
Planning and Development Services

---

**Recommended by:**

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

---

**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

**Appendices**

Appendix 1            Memorandum of Understanding  
Appendix 2            MOU Authorization from Local Area Municipalities

# MEMORANDUM OF UNDERSTANDING

between

The Regional Municipality of Niagara

The Town of Fort Erie

The Town of Grimsby

The Town of Lincoln

The City of Niagara Falls

The Town of Niagara-on-the-Lake

The Town of Pelham

The City of Port Colborne

The City of St. Catharines

The City of Thorold

The Township of Wainfleet

The City of Welland

The Township of West Lincoln

***Planning Function and Services in Niagara***

***March 2019***

## MOU TABLE OF CONTENTS

### Part 1 – Preamble

- 1.1 Introduction
- 1.2 Background
- 1.3 Goal
- 1.4 Objectives
- 1.5 Authority
- 1.6 Jurisdiction
- 1.7 Definitions

### Part 2 - Roles and Responsibilities of the Parties

- 2.1 Policy and Implementation Planning
- 2.2 Roles and Responsibilities with Respect to Environmental Features

### Part 3 - Development Application Review Process

- 3.1 General
- 3.2 Preliminary Review
- 3.3 Pre-Consultation
- 3.4 Complete Applications
- 3.5 Agency Review Commenting
- 3.6 Other

### Part 4 – Managing Relationships with Other Governments

- 4.1 Provincial Interest
- 4.2 Federal Interest
- 4.3 Other Governments

### Part 5 – Continuous Improvement Efforts

- 5.1 Working Groups
- 5.2 Work Program for Improvements
- 5.3 Training Opportunities

### Part 6 - MOU Terms and Implementation

- 6.1 Duration and Review
- 6.2 Overlapping Mandate

- 6.3 Conflict
- 6.4 Information Sharing/Open Data
- 6.5 Fees
- 6.6 Effective Date

### Part 7 - Tables:

- Table 1 Responsibilities by: Application Type, Report, Submission
- Table 2 Non-Statutory Development Application Review Timelines

### Part 8 - Endorsement and Signature Pages

### Part 9 - Appendices:

- Appendix I Niagara Area Planners' Work Program for Improvements 2019-2022
- Appendix II Support Services - Niagara Region
- Appendix III Protocol for Planning Services Between the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority

# Part 1

## Preamble

### Part 1 – Preamble

#### 1.1 Introduction

The Memorandum of Understanding (MOU) has been prepared for the following thirteen government planning authorities (hereafter referred to as Parties), which operate within a two-tier system in the Niagara Region planning area:

- a) The Council for the Regional Municipality of Niagara (Region); and
- b) The Councils of the Town of Fort Erie, the Town of Grimsby, the Town of Lincoln, the City of Niagara Falls, The Town of Niagara-on-the-Lake, the Town of Pelham, the City of Port Colborne, the City of St. Catharines, the City of Thorold, the Township of Wainfleet, the City of Welland and the Township of West Lincoln (collectively referred to as the “area municipalities”);

The purpose of this MOU is to update and clarify the respective roles and responsibilities of the Parties, as well as to be an instrument of continuously improving service and relationship management. This revised MOU sets the foundation for undertaking transformational changes into the future and confirms the framework within which the Parties will function and provide planning services.

The MOU has been collaboratively developed by the MOU Working Group, a sub-group of the Niagara Area Planners. The MOU has been reviewed, refined and endorsed by the Niagara Area Planners. The MOU was also presented for discussion to the CAOs, Building Officials and Public Works group meetings during January/February 2019.

#### 1.2 Background

In 2007, the Region, area municipalities and NPCA signed a Memorandum of Understanding (2007 MOU) for improving the planning function in Niagara. The primary function was to be a relationship management tool with a focus on the respective roles and responsibilities of the signing parties for policy planning and the review of development applications. The 2007 MOU was reviewed and revised in 2011 and again in 2014.

The 2007 MOU (as amended) succeeded in managing relationships, reducing duplication and effecting continuous improvements. However, significant changes have more recently occurred in Niagara, in terms of legislation, relationships, resources, and growth that have impacted the established roles and responsibilities.

Following discussions at Niagara Area Planners, in September 2017, reports were presented to Regional Council and the NPCA (PDS-43-2017 and CR-92-17 respectively) outlining the need to update the 2007 MOU, as amended, as well as the 2008 Protocol for Plan Review and Technical Clearance between the Niagara Peninsula Conservation Authority and Niagara Region (2008 Protocol).<sup>1</sup>

A priority was established for updating the 2008 Protocol due to new directions within the NPCA that required the NPCA and Regional roles to be realigned. This work was undertaken in Fall 2017. The revised Protocol was approved by Regional Council and the NPCA in January 2018 and came into effect upon these approvals.

The 2018 Protocol shifted responsibility for reviewing policy and development applications and providing technical clearance services ensuring compliance with the Regional Official Plan and Provincial legislation to the Region. In addition, the Region also took on responsibility for stormwater management review. A full description of the Region and NPCA's roles and responsibilities are detailed in the 2018 Protocol, which is attached to this MOU as Appendix III, and is to be read in conjunction with the MOU. Following the approval and implementation of the 2018 Protocol, work commenced to update the MOU.

### **1.3 Goal**

The MOU established a goal of having “an integrated and seamless planning system that is embraced and easily understood by Councils, the public, applicants and staff that encourages participation in policy development and application processing.” This goal continues to have relevance; however, it does not address all of the principles of the ideal planning system. To assist the Parties in managing growth and change while protecting the natural environment, agricultural land base and cultural heritage, the goal of this MOU is having:

A Niagara region planning system that is:

- Integrated
- Efficient
- Collaborative

---

<sup>1</sup> The 2008 Protocol consolidated planning services with respect to the natural environment.

- Proactive
- Solution focused
- Consistent
- Predictable
- Easily understood
- Transparent, and
- Responsive.

## 1.4 Objectives

This MOU seeks to achieve the following objectives:

- To clarify respective roles and responsibilities with respect to the provision of planning services;
- To deliver timely, accurate, effective and customer-focused planning services;
- To eliminate unnecessary duplication to maximize the utilization of existing resources and technical expertise and, where possible, coordinate efforts;
- To develop transparent, effective, efficient and collaborative processes for policy development;
- To pursue improvements to the planning application processes that achieve good planning, streamlining, predictability and consistency;
- To improve on communications between regional, NPCA and area planners to work together more effectively and efficiently;
- To identify an approach/process to interpret policy thereby ensuring consistency both now and in the future;
- To develop a model that demonstrates how planning services are appropriately resourced and structured;
- To hear and understand the needs and desires of the public;
- To ensure that public aspirations are considered and communicated in the planning process;
- To develop transparent, easily understood processes for community engagement;
- To monitor the performance of this MOU and service delivery;
- To encourage public participation in policy development and development review; and
- To ensure the MOU is embraced and easily understood by Councils, the public, applicants and staff.

## 1.5 Authority



There are several land use policy planning approvals that rightly are addressed at the Regional Municipality level – these will be retained as expressed in the MOU. However, the Council of the Regional Municipality is empowered by The Planning Act to delegate all or parts of its approval authorities to its Area Municipalities subject to such conditions as the Regional Council deems appropriate. In 1997 and 1999, Regional Council adopted by-laws delegating authority for the approval of subdivisions and consents (respectively) to the local municipal Councils.

In 1996, the Province of Ontario transferred the responsibility to review planning applications for Provincial interests to the Regional Municipality of Niagara on behalf of the Ministry of Municipal Affairs and Housing, Ministry of the Environment, Conservation and Parks, Ministry of Natural Resources and Forestry, Ministry of Tourism, Culture and Sport, and Ministry of Agriculture, Food and Rural Affairs. Matters of provincial interest are identified in the Planning Act S.2 and further defined in Provincial legislation, such as the Growth Plan for the Greater Golden Horseshoe. There is a need to clarify the roles and responsibilities of the Region and area municipalities with respect to some provincial interests, as follows:

- **Growth Management:** The Region allocates population and employment growth to the area municipalities. The area municipalities distribute population and employment growth within their communities.
- **Water and Wastewater Services:** The Region is responsible for all connections to the Region’s trunks and pipes.
- **Urban Design:** The Region has an interest in urban design along Regional Roads.
- **Natural Heritage and Water Resources:** The Region has an interest in Natural Heritage and Water Resources (see Protocol).

While not a party to this MOU, the Region and area municipalities work collaboratively with the NPCA and recognize its authority. The NPCA is an autonomous corporate body established under the Conservation Authorities Act with a mandate, as set out in Section 20 of the Conservation Authorities Act, to establish and undertake programs designed to further the conservation, restoration, development and management of natural resources. NPCA comments are limited to natural environment interests as set out in legislation, regulation and/or delegated authority (as detailed in the 2018 Protocol).

## **1.6 Jurisdiction**

This MOU applies to those lands within the Regional Municipality of Niagara. It is noted that a portion of Grimsby is under the Hamilton Conservation Authority’s jurisdiction.

## 1.7 Definitions:

### Complete Application means:

Submission of prescribed requirements under the Planning Act including all application fees, application form and application requirements determined in consultation with the Lead Agency and commenting/review Parties. In addition to the compulsory requirements, supplementary information may also be required. The requirements of a Complete Application will be determined through pre-consultation.

### Interests means:

The interests of the Party as defined by its approved plans, policies, programs and delegated authorities, and as further defined within this MOU.

### Lead Agency means:

The organization responsible for coordinating the processing of a development application, policy project or environmental assessments;

### Lead Agency for Technical Study means:

The organization responsible for the principal review of a technical study(s) ensuring compliance and conformity with related applicable legislation.

### Niagara Area Planners means:

A group representing the Parties that collaborate on matters of common interest. This group is comprised of planning and development directors or their designate.

### Planning Application Review means:

The review of planning applications (including formal pre-consultation) under the *Planning Act*, the *Niagara Escarpment Planning and Development Act* and the *Environmental Assessment Act*, which may include:

1. The identification of the need for and review of related technical reports (including scoping); and/or
2. The identification of conditions of approval.

### Policy Review means:

1. The review of existing or new policy documents, such as stormwater management guidelines, watershed studies, secondary plans and background studies; and/or
2. The identification of the need for and review of related technical reports.

Technical Clearance Review means:

1. The assessment of technical reports submitted by a proponent of development to determine if the reports satisfy the specified requirements; and
2. The clearing of conditions.

## **Part 2 - Roles and Responsibilities of the Parties**

### **2.1 Policy and Implementation Planning**

The Parties agree that successfully meeting the objectives for this MOU will require a collaborative approach to policy and implementation planning. The signatories are committed to developing Niagara and building good communities.

The parties agree to provide comments based on:

- Legislative, regulatory or delegated authority,
- Council approved policies and by-laws,
- Interests that have been identified through this MOU, pre-consultation, terms of reference, complete application requirements, and/or requisite studies.

Specific provisions related to roles and responsibilities are provided in this MOU and Table 1 - Responsibilities by Application Type, Report, Submission.

The Parties agree that a high degree of policy alignment is important in advancing an integrated and consistent planning system. In order to achieve policy alignment, the Parties agree to collaborate and include the following measures for each policy planning project and implementation of projects:

- Pre-consultation with relevant partners, prior to project start-up, identifying areas of common interest,
- Placement of appropriate representation on project steering committees;
- Agreed-to milestone meetings, consultations, and document review;
- Mutually satisfactory review protocols with shared commitment to timeliness; and
- Work collaboratively toward sharing GIS files and data.

### **Policy Planning**

The following are the means by which Policy Planning will be conducted by the Parties for specific types of policy planning projects.

### **2.1.1 Regional Official Plan and Amendments (ROPAs)**

Approval of the Regional Official Plan rests with the Province of Ontario. The Adoption of ROPAs rests with Regional Council. Area Municipalities provide comments based on circulation by the Region. The Niagara Peninsula Conservation Authority (NPCA) comments to Region during circulation.

### **2.1.2 Area Municipal Comprehensive Official Plans and Non Site-Specific LOPAs**

Approval rests with Regional Council. The Area Municipality prepares the Comprehensive Official Plan, collaboratively with direct involvement of Regional Planning and NPCA *prior* to releasing a draft Official Plan for public comment. The NPCA provides comments during circulation.

### **2.1.3 Area Municipal Site Specific and Policy Specific Official Plan Amendments**

For the purposes of this Section, 'site specific' means that the proposal:

- is single application on a single property or multiple contiguous properties under single ownership or control; and
- does not require a Regional Official Plan Amendment or Secondary Plan.

Area Municipality approves and Region provides comments during circulation stage and reviews draft Official Plan Amendment prior to adoption. The NPCA provides comments during circulation stage.

### **2.1.4 Secondary Plans**

Approval rests with the Region, except where deemed exempt as per the Regional Official Plan. The Region will determine whether the Secondary Plan is exempt from Regional approval within the timeframe outlined in Table 2. <sup>2</sup>

The Area Municipality prepares the Secondary Plan, collaboratively with direct involvement of Regional Planning and NPCA:

- in the development of the Terms of Reference, Scope of Work or Initiation Report
- the review of the draft Secondary Plan policies and mapping/schedules prior to release for public comment

---

<sup>2</sup> The MOU Group has identified a need to review and update Regional Official Plan policies with respect to local Official Plan Amendment exemptions, specifically related to Secondary Plans. This item has been included in the Niagara Area Planners' Work Program for Improvements 2019-2022 (attached as Appendix I).

The Region provides comments on the Secondary Plan within the timeframe outlined in Table 2. The NPCA provides comments during circulation.

### **2.1.5 Community Improvement Plans**

Proponent, either Region or Area Municipality, approves the CIP. If Regional funding is provided (subject to Regional budget approvals), proponent municipality prepares the Community Improvement Plan, collaboratively with direct involvement of the Area Municipality, Regional Planning and NPCA:

- in the development of the Terms of Reference, Scope of Work or Initiation Report
- in the development committees pertaining to CIP creation

The Region will review the draft Community Improvement Plan policies and mapping/schedules prior to release for public comment. Non-proponent, Region or Area Municipality comments during circulation. Conversely, the Area Municipality will review draft Regional Community Improvement Plan policies and mapping/schedules prior to release for public comment. The NPCA provides comments during circulation.

### **2.1.6 Niagara Escarpment Plan Amendments**

Approval rests with Province. The Region comments during circulation. The Area Municipality comments during circulation. The NPCA comments during circulation.

### **2.1.7 Regional Environmental Assessments**

Approval rests with Province. The Region adopts. The Area Municipality comments during circulation. The NPCA comments during circulation.

### **2.1.8 Local Environmental Assessments**

Approval rests with Province. The Area Municipality adopts. The Region comments during circulation. The NPCA comments during circulation..

### **2.1.9 Special Studies**

The principal or lead proponent of any special study is the agency that is responsible for adopting. In the event of joint studies, all proponent agencies adopt. The relevant partners participate in the process via a collaborative framework that is established at the beginning of the study process.

## **Implementation Planning**

The Parties agree that successfully meeting the objectives for this MOU will involve placing responsibility for implementation planning primarily with the Area Municipalities as the legislated/delegated approval authority for such activity.

The following are the means by which Implementation Planning will be conducted by the Parties for specific types of Implementation Planning activities.

### **2.1.10 Comprehensive Zoning By-laws**

Area Municipality approves. The Area municipality prepares the Comprehensive Zoning By-law, collaboratively with direct involvement of Regional Planning and NPCA *prior* to releasing a draft Comprehensive Zoning By-law for public comment. The NPCA comments during circulation.

### **2.1.11 Zoning By-law Amendments**

Area Municipality approves. Based on Table 1 and Section 3.3.4, Region may comment during circulation. The NPCA provides comments upon request by Area Municipality.

### **2.1.12 Draft Plans of Subdivision**

Area Municipality approves. Based on Table 1 and Section 3.3.4, Region comments during circulation of new Draft Plans. The NPCA provides comments upon request by Area Municipality.

### **2.1.13 Plans of Condominium**

Area Municipality approves. The Region comments during circulation, for vacant land condominiums and for conversions of rental housing to condominiums, based on Table 1 and Section 3.3.4. The NPCA provides comments upon request by Area Municipality.

### **2.1.14 Consents**

Area Municipality approves. Based on Table 1 and Section 3.3.4, Region may comment during circulation. The NPCA provides comments upon request by Area Municipality.

**2.1.15 Minor Variances**

Area Municipality approves. Based on Table 1 and Section 3.3.4, Region may comment during circulation. The NPCA provides comments upon request by Area Municipality.

**2.1.16 Site Plan Control**

Area Municipality approves. Based on Table 1 and Section 3.3.4, Region may comment during circulation. The NPCA provides comments upon request by Area Municipality.

**2.1.17 Niagara Escarpment Development**

Region provides comments, upon circulation. The Area Municipality provides comments, upon circulation. The NPCA provides comments, upon circulation.

## **2.2 Roles and Responsibilities with Respect to Environmental Features**

**2.2.1** This MOU gives overall direction for the coordinated review of development applications, policy planning and environmental assessments. For purposes of clarity with respect to environmental features, the NPCA reviews development applications, policy and environmental assessments, in accordance with the Conservation Ontario MOU with the Province to ensure consistency with Conservation Authority Regulation, NPCA Board adopted Policies and Section 3.1. Natural Hazards of the Provincial Policy Statement (except Section 3.1.8). This may include providing comments directly to MMAH as part of the provincial one window process. Through the approved 2018 Protocol the NPCA agreed to copy the Region and area municipality on all correspondence.

**2.2.2** The approved 2018 Protocol identifies the roles and responsibilities of the Region and NPCA in Ontario's Land Use Planning System with respect to environmental matters. The 2018 Protocol (as may be amended) is to be read concurrent with this MOU.

**2.2.3** The Region agrees to prepare and maintain, with the assistance of the NPCA and Area Municipalities, a Natural Environment Information Map for the lands within its jurisdiction.<sup>3</sup> This map shall define the Region, Area Municipalities and NPCA geographic areas of interest in the Natural Environment including the following features and required buffers:

- All streams and watercourses;
- Environmental designations and Policies in the Regional Official Plan
- Lake Ontario and Lake Erie Shoreline;
- Regulated Areas under Section 28 of the Conservation Authorities Act; and
- Mapping of Natural Heritage Features and Areas as defined by the Provincial Policy Statement, Greenbelt Plan, and any other Provincial Policy Document.

---

<sup>3</sup> This statement recognizes that a portion of Grimsby is under Hamilton Conservation Authority jurisdiction with respect to natural hazards.



## Part 3 – Development Application Review Processes

### 3.1 General

The Parties agree that the timely, efficient and predictable review of development applications is paramount to encouraging well planned, affordable development in the region. Part 3 – Development Application Review Processes identifies segments of the development review process that benefit from clarification and agreement.

### 3.2 Preliminary Review

A preliminary review occurs prior to Pre-consultation. Its purpose is to gather information and is typically part of a developer’s due diligence. Preliminary discussions about a potential development application benefit the applicant by supplying early information about the land, process and possible issues. An important part of a preliminary review is providing direction on the Pre-Consultation Process. In particular, the applicant needs to understand what information is required by the parties prior to pre-consultation and any fees.

### 3.3 Pre-Consultation

Pre-consultation is a requirement for most Planning Act Applications. It requires specific actions by the applicant and each of the Parties with an *interest* in the development. After pre-consultation the applicant should have a clear understanding of the documentation required to submit a Complete Application (Section 3.4) as well as preliminary comments regarding whether the proposal will be supported by the Region and the Area Municipalities

#### 3.3.1 Required Information<sup>4</sup>

Prior to scheduling a pre-consultation meeting, the Lead Agency will determine which Parties should attend the meeting and require specific information from the applicant to provide to the attending Parties in order that the Parties may complete an initial review. The required information will vary depending on the type of application, but generally includes:

- A completed Pre-consultation Request Form, including permission to enter property,
- The required fee (if applicable),
- Preliminary Plans showing the following:
  - Location of existing and proposed land uses, buildings and structures;

---

<sup>4</sup> The MOU Group has identified an issue with respect to the consistency in the information circulated for preparation of a pre-consultation meeting. The lack of information diminishes the benefits of pre-consultation. Standardization of forms and required information would help in this regard. This item has been included in the Niagara Area Planners’ Work Program for Improvements 2019-2022 (attached as Appendix I).

- Location of significant features on the site and adjacent to the site (i.e. wetlands, hazard lands, watercourses, woodlands, wells, septic tanks, etc.);
- Existing and proposed lot fabric (as appropriate); and
- Proposed development concept, including setbacks from lot lines and significant features.

### 3.3.2 Circulation/Timelines

Refer to Table 2 for circulation/timelines. If the circulated information is incomplete and/or the timeline is not met, the commenting agencies may request in writing the rescheduling of the pre-consultation meeting to offer better service and outline of study requirements.

Commenting agencies may conduct site visits prior to the date of the pre-consultation meeting, where time permits, to inform discussion at the meeting regarding the scoping of required studies.

### 3.3.3 Required Studies and Scoping of Studies<sup>5</sup>

The Terms of Reference, or the minimum requirements for each of the required studies will be discussed during the pre-consultation process. The objectives and parameters of the studies will be agreed to prior to them being undertaken in accordance with the Local and Regional Official Plans as well as accompanying guidelines.

The following is agreed to with respect to requesting and scoping studies:

- When determining the need for a study or plan, the Party requiring the study shall scope the study by identifying the specific necessary information. In addition, the Party requesting the study may offer to review the Terms of Reference.
- When more than one Party requests the same study, it is essential that a collaborative approach for scoping and Terms of Reference review occurs to ensure that all matters are addressed, and the applicant understands the requirements.
- For clarity, the NPCA has a role in scoping Environment Impact Studies (EIS) and reviewing the Terms of Reference for EIS and similar reports where natural hazards (as defined in the 2018 Protocol) and NPCA Regulation/Policy are required to be addressed.
- In the event that one or more studies have been undertaken prior to pre-consultation, the Parties retain the right to require revisions to ensure that the studies are completed in accordance with requirements.

---

<sup>5</sup> The MOU Group has identified the need for standardized Terms of Reference for required studies. Standardization would help in scoping studies as well as ensure consistency. This need has been included on the Niagara Area Planners' Work Program for Improvements 2019-2022 (see Appendix I).

- All required studies shall be prepared and signed by a qualified professional.
- The Province has downloaded the responsibility to determine the need for an Archeological Study to the Region. Where an approved Archeological Master Plan has been incorporated into a Local Official Plan, this responsibility, as well as any related clearance of condition(s), will fall to the Lead Agency.

### 3.3.4 Exemption from Application Review by the Region<sup>6</sup>

All development applications are circulated to the Region for review, except where the Region has determined through pre-consultation that the development proposal is exempt from further circulation and review. Examples include, but are not limited to:

1. Zoning By-law Amendment applications for “Agricultural Purposes Only” required as a condition of consent
2. Zoning By-law Amendment, Consent, Minor Variance and Site Plan applications where:
  - The application is not situated on a Regional road, easement or facility, or as determined at the pre-consultation meeting,
  - The Region has indicated during the pre-consultation process that there are no Provincial or Regional interests, and
  - The application received by the area municipality is the same as reviewed at pre-consultation.
3. Zoning By-law Amendment applications as a condition of consent, where Provincial and Regional interests have been dealt with through the consent application.
4. Draft Plans of Condominium, Site Plan and Part Lot Control applications where:
  - Provincial and Regional interests have been dealt with through a previous or concurrent development review process, provided no changes have been made to the application which effects Provincial or Regional interests

### 3.3.5 Fees

Each of the parties to the pre-consultation shall identify the fees required for application review, including the identification of additional costs should a peer review of a technical study be required.

---

<sup>6</sup> The MOU Group has identified the need for a standardized letter to be provided at a pre-consultation meeting that acknowledges the potential for exemption from further review on the part of a Party. This need has been included on the Niagara Area Planners’ Work Program for Improvements 2019-2022 (see Appendix I).

The Parties agree not to charge each other fees for applications processed under the Planning Act.

**3.3.6 Incentives**

Each of the Parties to the pre-Consultation will endeavor to identify financial incentive programs, if any, that the project may be eligible for. Incentives available from either the Region or Area Municipality are subject to both program changes and budget approvals. As such, incentives identified at pre-Consultation may not be available at time of construction.

**3.4 Complete Applications**

**3.4.1 Submission Requirements<sup>7</sup>**

The requirements of a Complete Application are determined during pre-consultation and provided in writing to the applicant by the Lead Agency in consultation with the commenting agencies.

The Lead Agency will review the application submission to ensure all required materials (forms, fees, plans, studies, etc.), as requested by all commenting agencies, are provided, and deem the application complete or not.

**3.4.2 Circulation and Development Application Review Timelines**

The Planning Act and related Regulations identify statutory timelines for the review of Complete Applications by the Lead Agency. In order to ensure the statutory timelines are met, the Parties agree that the commenting agencies, as identified in Table 1 – Responsibilities by Application Type, Report, Submission, shall use best efforts to complete the review of all applications in accordance with the timelines identified in Table 2 – Non-statutory Development Application Review Timelines.

---

<sup>7</sup> In addition to the information prescribed in *Planning Act Regulations*, the *Planning Act* also provides that the applicant may also be required to provide additional information provided the Municipality's Official Plan contains a provision related to the requirements. All of these requirements are identified during the pre-consultation process.

## **3.5 Application Review and Commenting**

**3.5.1** The Parties agree, where possible, to streamline commenting methods by using standardized wording in emails, forms, letters, conditions of approval etc.

**3.5.2** When a concern and/or condition of approval is not supported by the Lead Agency, the Lead Agency shall inform the commenting agency and initiate discussions to resolve the issue.

In the case of multiple applications for the same land, the Lead Agency shall use the greater of the timelines.

Revisions to applications during the review process may result in the review period being extended depending on the complexity of the revisions and the need for revised studies.

When new issues arise from the analysis of studies during application review which results in the need for additional information or study, addendums to the study may be required and additional review time may be required to review any addendums.

## **3.6 Other**

### **3.6.1 Extensions of Draft Plan Approval**

The Parties agree that the request for an extension to a draft approved Plan of Subdivision or Condominium be received, with the required review fee, and circulated for comment by the Area Municipality, not the applicant.<sup>8</sup>

### **3.6.2 Modifications to Conditions of Draft Plan Approval**

The Parties agree that the request for a modification to a draft approved Plan of Subdivision or Condominium be received, with the required review fee, and circulated for comment by the Area Municipality, not the applicant.

### **3.6.3 Clearance of Conditions of Draft Plan Approval**

The Parties agree that the request for formal clearance of conditions of Draft Plan of Subdivision or Condominium be received and circulated by the Area Municipality, not the applicant. The Area Municipality is also responsible for circulating a copy of the draft agreement. The applicant's submissions shall include the following:

---

<sup>8</sup> The MOU Group has identified the possibility of exemption for a request for extension to a draft approved Plan of Subdivision or Condominium by the Region and NPCA. This idea has been included on the Niagara Area Planners' Work Program for Improvements 2019-2022 (see Appendix I).

- the required review fee
- a letter from the applicant which outlines how each Regional condition has been met, accompanied by the necessary supporting documents<sup>9</sup>

#### **3.6.4 Support Services**

The Region may offer support services to the Area Municipalities on a fee for service basis. These services are identified in Appendix II – Support Services - Niagara Region, and may be modified on the advisement of the Region without amendment to this MOU.

#### **3.6.5 Applications for New or Expanded Mineral Aggregate Operations**

For applications for new or expanded mineral aggregate operations a Joint Agency Review Team (JART) process will be considered. The JART is a streamlined process that allows for the coordination of applications and sharing of resources and expertise, while maintaining independent decision-making authority.

---

<sup>9</sup> The Region will continue to review submissions related to individual conditions prior to receiving the formal request for clearance

## Part 4 - Managing Relationships with Other Governments on Planning Matters

### 4.1 Provincial Interest

When a planning matter arises in terms of Provincial interest and the administration of same, area municipalities will channel their concerns through the Regional Municipality with the expectation that the Regional Municipality will facilitate/coordinate an understanding between Provincial authorities and local interests.

### 4.2 Federal Interest

When a planning matter arises in terms of Federal interest and the administration of same, area municipalities will channel their concerns through the Regional Municipality with the expectation that the Regional Municipality will facilitate/coordinate an understanding between Federal authorities and local interests.

### 4.3 Other Governments

When significant planning matters arise from the efforts and activities of neighbouring municipalities, such as the City of Hamilton and the County of Haldimand in Ontario and Erie and Niagara Counties in Western New York, the signatories will present a unified and singular position with coordination being provided by the Region.

## Part 5 - Continuous Improvement Efforts

### 5.1 Working Groups

As part of this MOU, the Parties have committed to undertaking continuous improvement efforts and agree that the Niagara Area Planners establish a working team or teams to determine and implement, as feasible, best practices in policy planning and development application review.

### 5.2 Work Program for Improvements

As a result of the Development Industry Round Table meeting, MOU Group discussions and other consultations, several areas for improvement were identified. The MOU has been revised to address many of those improvements. Suggested improvements which require research, analysis or amendments to policy prior to implementation have been included in Appendix I - Niagara Area Planners' Work Program for Improvements 2019-2022.

### 5.3 Training Opportunities

The Parties agree to assess opportunities to jointly/collaboratively train staff on matters pertaining to improving service efficiencies. The Parties agree to assess opportunities to jointly/collaboratively educate staff on related and pertinent topics, such as changing legislation. Where feasible, education/training will be offered to members of the development industry and consultants to develop common understandings planning matters.

Interested parties may explore opportunities related to cross-training Staff through secondment and job-shadowing, in addition to sharing of resources.



## Part 6 - MOU Terms and Implementation

### 6.1 Duration and Review

This MOU shall remain in effect until such time as replaced by an updated MOU (if any). A mandatory review shall occur a minimum of every 5 years to:

- reflect any changing policies or programs at the provincial, watershed, or regional level, and
- assess its effectiveness, relevance and appropriateness with respect to the affected parties.

The mandatory review shall be coordinated by the Region, undertaken by the MOU technical review team and overseen by the Niagara Area Planners.

The MOU may be reviewed at any time before the mandatory review if there are matters that need to be addressed. Based on a review by the MOU technical review team, changes considered minor in nature may not require Regional or local Council approvals. This MOU will be reviewed and amended concurrent with the new Regional Official Plan.

The Appendices are intended to be independent of the MOU and may be reviewed and amended, as necessary.

### 6.2 Overlapping Mandate

There will be occasions when the responsibilities of the Parties overlap. On those occasions, the Parties shall work together to provide consistent and sound comments. This will be accomplished by maintaining open dialogue and a good working relationship.

### 6.3 Conflict

Where there is conflict between new (changing) legislation and this MOU, new legislation will take precedence.

Where there is a conflict between an Official Plan, the NPCA Regulation and/or Board adopted policies, the Regulation shall take precedence.

Where there are conflicts, Regional, NPCA and local municipal staff will work together to resolve the issue. If all efforts fail to resolve a policy conflict, a decision will be made by the approval authority, as per Table 1.

#### **6.4 Information Sharing / Open Data**

Any information or data sources generated by the Province, NPCA or Region, or generated through municipal or watershed studies will be shared, where possible.

#### **6.5 Fees**

Fees for pre-consultation, planning review and technical clearance services will be set independently by the Parties.

All development application fees will be collected by the Area municipalities and remitted to the Region and NPCA upon circulation of a complete application, except for Regional Official Plan amendment applications.

The Region and Municipality will collect the NPCA fee for applications to amend the Region's Official Plan and remit any fees collected upon circulation of the application to the NPCA.

The NPCA will be responsible for collecting any further processing, approvals and/or Final Clearance Fees, if required.

The NPCA and Region will provide the area municipalities with an approved schedule of fees and updates.

#### **6.6 Effective Date**

This MOU will take effect on the last date signed by the Parties to this MOU.

## Part 7 - Tables

**Table 1 - Responsibilities by Application Type, Report, Submission**

Application Type	Lead Agency	Commenting Agencies	Responsibility for Final Approval	Mandated Approval Authority
Application Type				
Regional Official Plan and updating Amendments (under Sect. 26 Planning Act)	Region	Local NPCA Province	MMAH	Planning Act S. 17 and s. 26
Regional Official Plan Amendments (other than above)	Region	Local NPCA Province	Region	Planning Act S.22
Local Official Plan, updating Amendments to Local Official Plans, Secondary Plans and other non-exempt Local Official Plan Amendments <sup>10</sup>	Local	Region NPCA	Region	Planning Act, Regional Official Plan
Exempt Local Official Plan Amendments and Secondary Plans <sup>11</sup>	Local	Region NPCA	Local	O.Reg 699/98, Planning Act, Regional Official Plan
Zoning By-Law/Amendments	Local	Region NPCA	Local	Planning Act S. 34
Minor Variance/Permissions	Local	Region NPCA	Local	Planning Act S. 45
Draft Plans of Subdivision	Local	Region NPCA	Local	Planning Act S.51 and Regional By-laws <sup>12</sup>
Draft Plan of Condominium	Local	Region NPCA	Local	Planning Act S. 51 and Regional By-laws <sup>13</sup>
Consent/Boundary Adjustments	Local	Region NPCA	Local	Planning Act S. 53 and Regional By-laws <sup>14</sup>

<sup>10</sup> Regional Official Plan Policies 14.E.7 and 14.E.8 identify criteria under which approval of Local Official Plan Amendments may be delegated to the local Council for approval.

<sup>11</sup> Regional Official Plan Policies 14.E.7 and 14.E.8 identify criteria under which approval of Local Official Plan Amendments may be delegated to the local Council for approval. Ontario Regulation 699/98 and Regional By-laws 129-2001 and 43-2001.

<sup>12</sup> Delegation Authority By-laws 8620-97, 8763-97, 8760-97, 8819-97, 8764-97, 8793-97, 8792-97, 8807-97, 8761-97, 8884-97, 8619-97, 8762-97.

<sup>13</sup> Delegation Authority By-laws 8620-97, 8763-97, 8760-97, 8819-97, 8764-97, 8793-97, 8792-97, 8807-97, 8761-97, 8884-97, 8619-97, 8762-97

<sup>14</sup> Delegation Authority By-laws 179-1999, 180-1999, 181-199, 182-1999, 183-1999, 184-1999, 185-1999, 186-1999, 187-1999, 188-1999, 188-1999, 124-1999.

Application Type	Lead Agency	Commenting Agencies	Responsibility for Final Approval	Mandated Approval Authority
Part Lot Control	Local	Region NPCA	Local	Planning Act S. 50 and Reg. By-laws <sup>15</sup>
Site Plan	Local	Region, NPCA	Local	Planning Act S. 41
NEC Applications: Amendments and Permits <sup>16</sup>	NEC	Local, Region NPCA	NEC	Niagara Escarpment and Development Act
Aggregate License	MNRF Region	Local, Region NPCA	MNRF	Aggregate Resources Act S.11
Environmental Assessments	Local/Region /Province	Local, Region NPCA	Local/ Region/ Province	Environmental Assessment Act
Reports / Submissions		Commenting Agencies	Prepared to the Satisfaction of:	Mandated Approval Authority
<i>EIS in a NPCA Regulated Area</i>		Region Local	NPCA	O. Reg. 155/06, PPS, Regional Official Plan
<i>EIS outside Settlement Area<sup>17</sup></i>		NPCA Local	Region	Regional Official Plan
<i>EIS inside Settlement Area<sup>18,19</sup></i>		NPCA Region	Local	Regional Official Plan
Watershed Studies		Region	Local NPCA	Region
Sub-Watershed Studies		Local	Region NPCA	Local
Technical Reports for Natural Hazard Identification		Local Region	NPCA	PPS, Conservation Act S. 28
Regional Master Servicing Plans		Local NPCA	Region	Regional Official Plan
Regional Stormwater Master Plan/Guidelines		Local NPCA	Region	Regional Official Plan
Regional Transportation Plans		Local NPCA	Region	Regional Official Plan
Local Master Servicing Plans		Region NPCA	Local	Planning Act, Local Official Plan
Local Stormwater Master Plan/Guidelines		Region NPCA	Local	Planning Act, Local Official Plan

<sup>15</sup> Delegation Authority By-laws 8620-97, 8763-97, 8760-97, 8819-97, 8764-97, 8793-97, 8792-97, 8807-97, 8761-97, 8884-97, 8619-97, 8762-97.

<sup>16</sup> The Niagara Escarpment Commission is not a party to this MOU.

<sup>17</sup> Notwithstanding the EIS is outside the Settlement Area, if the EIS includes a NPCA Regulated Area, the NPCA shall be the Lead and responsible for Final Approval of the EIS for the regulated features.

<sup>18</sup> Notwithstanding the EIS is within the Settlement Area, if the EIS includes a NPCA Regulated Area, the NPCA shall be the Lead and responsible for Final Approval of the EIS for the regulated features.

<sup>19</sup> Where an area municipality does not have in-house expertise to review an EIS, the area municipality may require a peer review.

Application Type	Lead Agency	Commenting Agencies	Responsibility for Final Approval	Mandated Approval Authority
Local Transportation Plans		Region NPCA	Local	Planning Act, Local Official Plan

**Table 2 - Non-Statutory Development Application Review Timelines**

Application Type	Pre-Consultation	Target for Comments After Circulation of a Complete Application
Site specific Regional Official Plan Amendment	Commenting agencies to receive required information/plans a min. of 7 calendar days prior to pre-consultation.	Parties to provide comments within 20 calendar days
Secondary Plan (Local Official Plan Amendment)	Same as above	For draft Secondary Plans policies and mapping/schedules, within 30 - 45 calendar days the Region shall: a) indicate whether or not the Secondary Plan is exempt from Regional approval; and b) provide comments
Other Comprehensive Local Official Plan Amendment	Same as above	As determined in consultation with the area municipality
Site specific Local Official Plan Amendment	Same as above	Parties to provide comments within 20 calendar days
Comprehensive zoning by-law	Same as above	Parties to provide comments within 30 - 45 calendar days
Site specific zoning by-law amendment (including Holding Provision)	Same as above	Parties to provide comments within 20 calendar days
Draft plans of subdivision or condominium	Same as above	Parties to provide comments within 30 - 45 calendar days
Modifications to Draft Approved Subdivision and Condominium	Same as above	Parties to provide comments within 30 - 45 calendar days
Consent	Same as above	Parties to provide comments within 10 calendar days in urban areas and within 14 calendar days in rural areas (on private services).
Minor Variance	Same as above	Parties to provide comments within 10 calendar days.
Site Plan	Same as above	Parties to provide comments within 20 calendar days

Application Type	Pre-Consultation	Target for Comments After Circulation of a Complete Application
Extension of draft Approval	N/A	Parties to provide comments within 10 calendar days
Clearance of Conditions	N/A	Parties to provide comments within 15 calendar days
Niagara Escarpment Development Permit	N/A	Parties to provide comments within 30 calendar days
Niagara Escarpment Plan Amendment	N/A	Parties to provide comments within 60 calendar days

**Notes for Table 2**

1. To convene a pre-consultation meeting, the lead agency must have enough information from the applicant for the parties to complete an initial analysis and provide advice, including but not limited to advice on requirements for a Complete Application.
2. All due dates are from the time of receipt by the commenting parties and are for applications deemed complete as determined by the parties as part of pre-consultation.
3. Studies that require peer review may require an additional 30-60 day review period.
4. Revisions to Plans of Subdivision or Condominium during the review process may result in the review period being extended depending on the complexity of the revisions and the need for revised studies.
5. When new issues arise from the analysis of studies or required consultation during application review which results in the need for additional information or study, additional review time may be required.

**Part 8 - Endorsement and Signature Pages**

**Regional Municipality of Niagara**

Date of Regional Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**Town of Fort Erie**

Date of Town Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**Town of Grimsby**

Date of Town Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**Town of Lincoln**

Date of Town Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**City of Niagara Falls**

Date of City Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**Town of Niagara-on-the-Lake**

Date of Town Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**Town of Pelham**

Date of Town Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**City of Port Colborne**

Date of City Council endorsement: \_\_\_\_\_

CAO Signature: \_\_\_\_\_

**City of St. Catharines**

Date of City Council endorsement:

CAO Signature:

---

---

**City of Thorold**

Date of City Council endorsement:

CAO Signature:

---

---

**Township of Wainfleet**

Date of Township Council endorsement:

CAO Signature:

---

---

**City of Welland**

Date of City Council endorsement:

CAO Signature:

---

---

**Township of West Lincoln**

Date of Township Council endorsement:

CAO Signature:

---

---



## Part 9 – Appendices

### Appendix I - Niagara Area Planners' Work Program 2019-2022

1. Review the issues related to the package of information circulated for preparation of a pre-consultation meeting, as this impacts the ability to prepare and provide comprehensive information to the applicant and others. It is expected that an update to the standard forms (e.g. Pre-consultation Request Form) and required information would help in this regard.
2. Prepare standardized terms of reference for studies (for example: planning justification, noise, air quality, etc.). Standardization would aid in the scoping of studies, as well as, ensure consistency.
3. In addition to the standardized checklist, prepare a standardized letter to be provided at a pre-consultation meeting that acknowledges the potential for exemption from further regional review.
4. Review the possibility of regional exemption for an extension request for a draft approved Plan of Subdivision or Condominium.
5. Prepare standardized guidelines or terms of reference for the preparation of Secondary Plans to ensure Secondary Plans across the region are comprehensive, consistent and timely.
6. Investigate the implementation of a portal where an application can be tracked in order that a developer/consultant can understand the rate of movement.
7. Hold education programs, in consultation with the development industry, on topics including, but not limited to:
  - “The Business of Development – Understanding Development Performa”,
  - Customer Service related to Development (“Race to Register”).
8. Review the issues identified by the Development Industry related to securities, including but not limited to standardization and release of securities.
9. Formulate a collaborative multiyear policy planning program for Niagara that addresses:
  - Conformity of the Regional Official Plan to Provincial plans and policies;
  - Conformity of Local Official Plans to the Regional Official Plan;
  - Timely update of Comprehensive Zoning By-laws to conform to Local Official Plans;

- Harmonization of Regional and Local Official Plan policies and Conservation Authority regulations and policies, where possible; and
  - Alignment of guidelines and protocol between the Parties, such as guidelines that set out requirements for preparation of a Secondary Plan; and
10. Continued efforts to streamline the development review process, as it relates to Provincial, NPCA and regional/local interests.
  11. Modifications to Regional Official Plan policies 14.E.6, 14.E.7, 14.E.8, 14.E.9 with respect to exemption policies (e.g., Secondary Plans).

## Appendix II

### Support Services - Niagara Region

From time to time, the area municipalities may require support. The Region may provide support services to the MOU parties on a fee for service basis in the following areas:

Urban Design

EIS Review

Noise Study Review

Appendix III

Protocol for Planning Services Between the Regional Municipality of Niagara  
and the Niagara Peninsula conservation Authority, approved January 2018

municipally known as 485 Gloria Road, Lot 19, Plan 497, Bertie; Fort Erie as a Limited Marketability parcel to the Applicant, Linda Reid for \$4,000.00 being less than the appraised value of the land, and further

**That:** Council approves the sale of Town-owned land municipally known as 485 Gloria Road, Lot 19, Plan 497, Bertie; Fort Erie as a Limited Marketability parcel to the Applicant, Linda Reid for \$7,500.00. **(Carried)**

**PDS-29-2019** Memorandum of Understanding for Planning Function and Services Between Niagara Region and Local Area Municipalities

Recommendation No. 5  
Moved by: Mayor Redekop

**That:** Council endorses the updated Memorandum of Understanding for Planning Function and Services between the Regional Municipality of Niagara and Local Area Municipalities dated March 2019, and further

**That:** Council authorizes the Chief Administrative Officer to sign the updated Memorandum of Understanding for the Planning Function and Services on behalf of the Town of Fort Erie. **(Carried)**

### 8.3 New Business/Enquiries

(a) Councillor Dubanow

Councillor Dubanow enquired of Mr. Brady, if he could fill Council in on properties located in Garrison Village on Jordyn Drive, the north side of Jasmine Court, Canada Drive and Nancy Road, that currently have Environmental Conservation Overlay (EC Overlay) applied to them. It was his understanding, during the shipping container presentation, that anytime an EC Overlay is applied to a property, that nothing can be done to that property until the Environmental Advisory Committee has given clearance, so that something as simple as someone putting up a fence or shed that would not require a building permit, these property owners would be in violation of the Town by-law. He asked Mr. Brady to explain why these properties have an EC Overlay, if it's appropriate, and what are the next steps to deal with this if the EC Overlay is not appropriate.

Ms. Shanks presented Report P.A. 19-14 which outlines options for a review of parking needs on the west end waterfront trail, park and the Downtown area. For the Downtown, the Committee recognized given the considerable cost that would be associated with a full study, staff should be directed to proceed with a scoped study. Committee members expressed concerns about the current lack of parking on the waterfront area. It was recognized that Council needed to do an analysis of recreational features for the waterfront area.

**PD-19-21**

Moved by Member K. Agnew; Seconded by Councillor K. Ritchie;

Resolved that, Report P.A. 19-14 regarding a review of the parking needs of both the West End Waterfront Trail, Park and the Downtown Area be received;

And that, a study of the parking needs of the West End Waterfront Trail be referred to Parks and Recreation to develop a strategy and next steps in consultation with Planning and the Public Works Department and a report be brought back to Committee; And that, staff be directed to further explore the completion of a scoped review of the parking needs in the Downtown Area, and bring a report including terms of reference forward for consideration by the Planning & Development Committee, regarding the outcome of this review for further direction.

**CARRIED**

- f) P.A. 19-11: Proposed Update to the Memorandum of Understanding (MOU) for Planning Function and Services between the Town and Niagara Region

Ms. Shanks presented the proposed update to the Memorandum of Understanding between the Town and the Region of Niagara.

**PD-19-22**

Moved by Councillor J. Warner; Seconded by Councillor L. Vardy;  
 Resolved that Report P.A. 19-11, regarding the proposed update to the Memorandum of Understanding (MOU) be received and the update MOU document be endorsed.

**CARRIED**

- g) P.A. 19-15 - Bill 108: More Homes, More Choices Act

Ms. Shanks updated the Committee on Bill 108. Proposed amendments include changes to LPAT, changes to community benefits, parkland dedication, decision timelines and the Ontario Heritage Act.

**PD-19-23**

Moved by Member J. Warner; Seconded by Councillor L. Vardy;  
 Resolved that, Report P.A. 19-15 regarding the proposed Bill 108, the More Homes, More Choices Act, be received;  
 And that, staff be directed to prepare comments on behalf of the Town requesting that the Province retain a municipality's ability to recoup parkland at a rate similar to current alternative rates of one hectare per 300 dwelling units.

**CARRIED**

- h) P.A. 19-16 - Request for Application Fee Refund - 4 Windward Drive

Mr. Basic noted that the applicant has significantly revised their proposal and will now have to submit new applications. They are withdrawing their original application and have requested a refund of the original fees.

**PD-19-24**

Moved by Member E. Stubbing; Seconded by Councillor D. Sharpe;  
 Resolved that, Report P.A. 19-16, regarding a request on behalf of TRG Casablanca Inc., for the refund of Official Plan and Zoning By-law

3. That all parties be advised of Council's decision on the Draft Plan of Condominium application in accordance with Provincial Regulations. (Note: Appeal period is twenty days from notice of decision);
4. The Director of Planning and Development be authorized to endorse the Draft Plan as 'approved' twenty days after notice of Council's decision has been given, provided that no appeals against the decision have been lodged; and
5. That the applicant be advised that draft approval of this plan will lapse three years from the date of draft approval unless Town Council grants an extension of the approval period. If an extension is requested, an updated review and revisions to the conditions of draft approval may be necessary at that time.

Council Enact and Pass Zoning By-law XX attached as Appendix B of Planning and Development Department Report PD-50-19 to amend the zoning regulations for lands at 2797 Red Maple Avenue in Jordan Station.

Council Deem that Zoning By-law XX conforms to the Official Plan for the Town of Lincoln.

**CARRIED**

**CONFIDENTIAL ITEMS**

At this point in the meeting, the following motions were introduced:

**Motion No. PED-2019-55**

Moved by Councillor A. Russell

Under section 239 of the Municipal Act, notice is hereby given,

THAT Committee adjourn to closed session in order to address: item 8.2 on the agenda regarding Personal matters about an identifiable individual, including municipal or local board employees as it pertains to PD-47-19, Animal Care and Control Assigned Contractor Selection.

**RESUMPTION IN OPEN SESSION**

**Motion No. PED-2019-56**

Moved by Councillor L. Timmers

THAT Committee resume in open session.

**CARRIED**

Consideration of items in closed session concluded with the provision of the following motion in open session.

**Motion No. PED-2019-57**

Moved by Councillor L. Timmers

**That the matter of the animal care and control assigned contractor selection be deferred to the next meeting of Committee.**

~~Approve the Town entering into a contract with the Niagara SPCA & Humane Society as the Animal Care and Control Assigned Contractor.~~

**DEFERRED**

**PD-46-19. REGIONAL AND LOCAL PLANNING SERVICES MOU.**

In response to questions from Mayor Easton, Director of Planning and Development spoke to staff involvement prior to the pre-consultation process, opportunities for



continuous training sessions with staff and reviewing pre-consultation best practices with the Region and other municipalities.

Members reviewed Report PD-46-19. The following motion resulted:

**Motion No. PED-2019-58**  
Moved by Mayor S. Easton

Council Receive this report for information; and

Council support the updated Regional and Local Planning Services MOU.

**CARRIED**

At this time a verbal motion was made to reconsider item 6.1. Chair MacPherson announced that by majority vote the item would be reconsidered.

Members of Committee commented with respect to the availability of the presentation prior to the meeting, intentions to request a staff report, clarification of the requests made of staff, and requested that staff make a judgement on the viability of the Town's involvement and feasibility.

Members concluded deliberations with the following amended motion:

**Motion No. PED-2019-59**  
Moved by J.D. Pachereva

**That Committee receive the Twenty Valley Tourism Association Update and 2019-2020 Marketing Plan and that Committee direct staff to review the presentation made by Twenty Valley Tourism Association and bring a detailed recommendation report based on the questions and comments made by Committee Members and the viability of the Town entering into any future agreement. (AMENDED)**

~~That Council receive the presentation from the Twenty Valley Tourism Association as information;~~

~~That Council approve the formalized details of the spend of monies as presented by the Twenty Valley Tourism Association.~~

**CARRIED (AS AMENDED)**

**STAFF REMARKS**

None.

**COMMITTEE REMARKS**

None.

**ADJOURNMENT**

There being no further business to discuss, the Chair declared the meeting adjourned at 11:29 p.m.

  
\_\_\_\_\_  
CHAIR: PAUL MACPHERSON

  
\_\_\_\_\_  
CLERK: TRISH SARNICKI

2019 Final Due Dates for the Residential, Pipeline, Farmland and Managed Forest Assessment Classes.

**PBD-2019-34**

**Memorandum of Understanding for Planning  
Function and Services between the Niagara Region  
and Local Area Municipalities**

The report recommends that Council endorse the Memorandum of Understanding and authorize the CAO to sign on behalf of the Corporation.

**TS-2019-15**

**Crosswalk Policy**

The report recommends that the attached crosswalk policy be approved.

**PBD-2019-33**

**Exemption Request to 2-Year Waiting Period for Minor Variance  
8974 Willoughby Drive and Lands to the South  
Legends Phase 1 and 2 Plans of Vacant Land Condominium  
Owner: Silvergate Homes Limited  
Agent: Jennifer Vida, Upper Canada Consulting**

The report recommends that subject to subsection 45(1.4) of the *Planning Act*, 1990 R.S.O., Council consider passing the resolution on tonight's agenda to grant an exemption to the 2-year waiting period for minor variances and thereby allow Silvergate Homes Limited to file an application to the City's Committee of Adjustment for the Legends Phases 1 and 2 Plans of Vacant Land Condominium.

*ORDERED on the motion of Councillor Vince Kerrio, Seconded by Councillor Chris Dabrowski that the reports are approved as recommended.*

Carried Unanimously (Councillor Ioannoni was absent from the vote)

**9 RESOLUTIONS**

- a) **PBD-2019-33**  
Exemption Request to 2-Year Waiting Period for Minor Variance  
**8974 Willoughby Drive and Lands to the South**  
**Legends Phase 1 and 2 Plans of Vacant Land Condominium**  
**Owner: Silvergate Homes Limited**



Department of Corporate Services  
1593 Four Mile Creek Road  
P.O. Box 100, Virgil, ON L0S 1T0  
905-468-3266 • Fax: 905-468-2959

[www.notl.org](http://www.notl.org)

November 13, 2019

**SENT ELECTRONICALLY**

Regional Municipality of Niagara  
1815 Sir Issac Brock Way, PO Box 1042  
Thorold ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

**Re: Memorandum of Understanding for Planning Function and Services between  
Niagara Region and Local Area Municipalities**

Please be advised at its regular meeting on October 21, 2019 the Council of the Town of Niagara-on-the-Lake approved Report CDS-19-031 - Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities. The report included the following recommendations:

- 1.1 *Council endorse the updated Memorandum of Understanding for Planning Function and Services between the Regional Municipality of Niagara and Local Area Municipalities, dated March 2019; and*
- 1.2 *Council further authorizes the Chief Administrative Officer to sign the updated Memorandum of Understanding, attached as Appendix A to this report, on behalf of the Town of Niagara-on-the-Lake*

Attached is the signed updated Memorandum of Understanding for Planning Function and Services.

If you have any questions or require further information please contact our office at 905-468-3266.

Yours sincerely,

Peter Todd, Town Clerk

**8. Adoption of Minutes****Moved By** Ron Kore**Seconded By** Lisa Haun

**BE IT RESOLVED THAT** the following minutes be adopted as printed, circulated and read:

- 1. C-08/2019 Council Minutes of May 6, 2019**
- 2. SC-18/2019 - Special Council Minutes of May 6, 2019**
- 3. SC-19/2019 Special Council Minutes May 13, 2019**

Carried

**10. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration**

No items were lifted for separate consideration.

**11. Consent Agenda Items to be Considered in Block****Moved By** Mike Ciolfi**Seconded By** John Wink

**BE IT RESOLVED THAT** the following Consent Agenda items be received and the recommendations contained therein be approved, as applicable:

**9.1 Presentation of Recommendations Arising from COW or P&P, for Council Approval**

**BE IT RESOLVED THAT COUNCIL HEREBY** approves the Recommendations Resulting from the following:

- 1. COW-04/2019 - Committee of the Whole Minutes, May 6, 2019**
- 2. PAC-01/2019 - Pelham Audit Committee Minutes May 13, 2019**
- 3. PCOW-04/2019 Public Meeting Minutes May 13, 2019**

**9.2 Minutes Approval – Committee**

**BE IT RESOLVED THAT** Council receive the following minutes, for information:

- 1. COW-04/2019 Committee of the Whole Minutes - May 6, 2019**
- 2. PCOW-04/2019P Public Meeting Minutes - May 13, 2019**

**9.3 Staff Reports of a Routine Nature for Information or Action**

**9.3.1 Planning Services and Functions in Niagara Memorandum of Understanding (MOU)**

**BE IT RESOLVED THAT Council receive and endorse this report of the Planning Services and Functions in Niagara Memorandum of Understanding; and**

**THAT Council directs the Interim CAO to sign the MOU and return a copy back to the Region of Niagara.**

**9.5 Information Correspondence Items**

**9.5.1 Thank You Letter - Kore Family**

**BE IT RESOLVED THAT Council receive the thank you letter from the Kore family.**

**9.5.2 Letter from the Pelham Public Library Board re: Suspending CEO Recruitment**

**BE IT RESOLVED THAT Council receive a letter from the Pelham Public Library Board dated May 2, 2019, regarding the suspension of recruitment of a CEO, for information.**

**9.5.3 Region of Niagara - Public Notice Advertisement for the Pelham Elevated Tank Class Municipal Environmental Assessment and Enhanced Conceptual Design**

**BE IT RESOLVED THAT Council receive, for information, the Public Notice Advertisement for the Pelham Elevated Tank Class Municipal Environmental Assessment and Enhanced Conceptual Design.**

**9.5.4 Municipal Correspondence**

**BE IT RESOLVED THAT Council receive the following municipal correspondence, for information:**

- 1. Letter from the Township of Mulmur regarding Aggregate Resources;**
- 2. Letter from the Town of Mono regarding Ontario Municipal Partnership Fund;**
- 3. Letters from the Town of Hanover and Townships of Mulmur and McKeller regarding Cuts to Ontario Library Services;**

**4. Disclosures of Interest:**

Nil.

**5. Adoption of Minutes:****(a) Regular meeting of the Committee of the Whole 11-19, held on April 8, 2019**

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

- (a) That the minutes of the regular meeting of the Committee of the Whole 11-19, held on April 8, 2019, be approved as presented.

CARRIED.

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

The following items were identified for separate discussion:

Items 1, 2, 3, 4, 5, 8, and 12.

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

Moved by Councillor E. Beauregard

Seconded by Councillor M. Bagu

That items 1 to 18 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:****6. Planning and Development Department, Planning Division, Report 2019-59, Subject: Amendment to Westwood Estates Phase II Subdivision Agreement**

Committee of the Whole recommends:

That By-law 6366/46/16, Being a By-Law to Authorize Entering into a Subdivision Agreement with Lester Shoalts Limited (Westwood Estates Phase II), be amended by replacing subdivision agreement drawing "Westwood Phase 2 Subdivision Grade Control Plan 2" (drawing 0493GP2 Rev 9 prepared by Upper Canada Consultants and dated April 23, 2015) with "Westwood Phase 2 Subdivision Grade Control Plan 2" (drawing 0493GP2 Rev 12 prepared by Upper Canada Consultants and dated March 13, 2019).

**7. Planning and Development Department, Planning Division, Report 2019-58, Subject: Contract Agreement for Realty Services**

Committee of the Whole recommends:

That the City enters into a Contract Agreement with Royal Lepage, attached as appendix A to Planning and Development Department report 2019-58, for the sale of selected municipal property; and

That the by-law attached as appendix B be brought forward for approval.

**9. Dewitt Carter Elementary School Re: Request for Use of Picnic Tables for the Schools Fun Night Event on May 16, 2019**

Committee of the Whole recommends:

That the correspondence received from Dewitt Carter Elementary School requesting the use of City Picnic Tables for the School's Fun Night Event on May 16, 2019, be received; and

That the picnic tables be made available for their use, with arrangements for pick-up and return be the responsibility of Dewitt Carter Elementary School.

**10. Memorandum from Joanne Ferraccioli, Interim Health Services Coordinator Re: Request for Proclamation of Doctor's Day, May 1, 2019**

Committee of the Whole recommends:

That May 1, 2019 be proclaimed as "Doctor's Day" in the City of Port Colborne in accordance with the request received from Joanne Ferraccioli, Interim Health Services Coordinator, City of Port Colborne.

**11. Memorandum from Thomas B. Cartwright, City Fire Chief Re: Request for Proclamation of Emergency Preparedness Week 2019**

Committee of the Whole recommends:

That the week of May 5 – 11, 2019 be proclaimed as "Emergency Preparedness Week" in the City of Port Colborne in accordance with the request received from Thomas B. Cartwright, City Fire Chief.

**13. Region of Niagara Re: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities (PDS 4-2019)**

Committee of the Whole recommends:

That the updated Memorandum of Understanding (MOU) for Planning Function and Services between The Regional Municipality of Niagara and the Local Area Municipalities dated March 2019 be approved; and

That the Regional Chief Administrative Officer be notified of the approval.



September 13, 2019

Diana Morreale  
Director, Development Approvals, Planning and Development Services  
Region of Niagara  
1815 Sir Isaac Brock Way  
PO Box 1042  
Thorold, ON L2V 4T7

Sent Via Email: [Diana.morreale@niagararegion.ca](mailto:Diana.morreale@niagararegion.ca)

**Re: Memorandum of Understanding (MOU) 2019 between Region of Niagara and Local Municipalities regarding Improvements to Planning Function and Services Our File No. 35.11.99, 35.23.44**

Dear Ms. Morreale,

At its meeting held on September 9, 2019, St. Catharines City Council approved the following motion:

“That Council endorse the Memorandum of Understanding (MOU) 2019 between the Niagara Region and local municipalities, attached as Appendix 1; and

That Council authorize the CAO to execute the MOU on behalf of the Corporation. FORTHWITH”

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

A handwritten signature in black ink, appearing to read "Bonnie Nistico-Dunk".

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

cc. Tami Kitay – Director, Planning and Building Services



**10. Motions for Support**

## a. City of Thorold

MOVED BY: Councillor Dekker

SECONDED BY: Councillor Longo

Niagara Regional Council at its meeting of March 28, 2019 considered the Memorandum of Understanding for Planning Function and Services between Niagara Region and local area municipalities.

Now therefore be it resolved that:

1. The updated Memorandum of Understanding (MOU) for Planning Function and Services between The Regional Municipality of Niagara and the local area municipalities be circulated to the local area municipalities for review and approval; and
2. That the City of Thorold has no objections to the Memorandum of Understanding for Planning Function and Services; and
3. That subsequent to the approvals by the local area municipalities that the MOU be brought forward to Regional Council for approval with direction that the Regional Chief Administrative Officer be authorized to sign the MOU, be received and supported.

**CARRIED**

*Mayor Ugulini temporarily removed himself from the chair in order to introduce the following motion. Deputy Mayor Anthony Longo presided over the meeting during that time. Following the vote Mayor Ugulini resumed the chair.*

## b. City of Thorold

MOVED BY: Mayor Ugulini

SECONDED BY: Councillor Wilson

Whereas Regional Road Highway 20 is a major corridor across the Niagara Region; and

Whereas the City of Thorold portion of Highway 20 begins west of Cataract Road and extends to Thorold Townline Road for approximately 9 kilometres; and



# Township of Wainfleet

*"Wainfleet - find your country side!"*

May 14, 2019

Aaron Butler  
Regional Municipality of Niagara  
1815 Sir Isaac Brock Way  
P.O. Box 1042  
Thorold, ON L2V 4T7

**SENT ELECTRONICALLY**  
[aaron.butler@niagararegion.ca](mailto:aaron.butler@niagararegion.ca)

Re: Memorandum of Understanding (MOU) for Planning Function and Services between the Regional Municipality of Niagara and the Local Area Municipalities

Dear Mr. Butler

Please be advised that Council for the Township of Wainfleet passed the following resolution at their Regular Meeting of Council held May 8, 2019:

**"THAT** Correspondence Item No. C-085-2019 be received;

**THAT** Council for the Township of Wainfleet endorse the updated Memorandum of Understanding (MOU) for Planning Function and Services between the Regional Municipality of Niagara and the Local Area Municipalities, dated March 2019;

**AND THAT** Council for the Township of Wainfleet authorize the Chief Administrative Officer to sign the updated MOU on behalf of the Township of Wainfleet."

Please find endorsement and signature page attached.

If you have any questions regarding the contents of this letter, please contact the undersigned.

Regards,

Meredith Ciuffetelli  
Deputy Clerk  
[mciuffetelli@wainfleet.ca](mailto:mciuffetelli@wainfleet.ca)  
905-899-3463 ext. 275

cc: S. Ivins, Planner

**2019 - 445****19-22** Moved by Chiocchio and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2019-05: Update to Traffic and Parking By-law 89-2000; and further

THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:  
ADD the following to Schedule "I" – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	855 Ontario Road	Woodrose Co-operative Homes

**CARRIED****2019 - 446****19-43** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2019-10: Financial Statements – Notice of Default – 2018 Municipal Election Campaign Contributions and Expenses.

**CARRIED****2019 - 447****19-60** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Walkerton Clean Water Centre regarding Standard of Care Training.

**CARRIED****2019 - 448****19-65** Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2019-18 regarding applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for lands on the west side of Niagara Street, south of Quaker Road, north of Trelawn Park and at the end of Wellandvale Drive, more specifically described as Part of Lot 231, Geographic Township of Thorold, now in the City of Welland, municipally known as 897 Niagara Street.

**CARRIED****2019 - 449****19-66** Moved by Green and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the updated Memorandum of Understanding for Planning Function and Services between the Regional Municipality of Niagara and Local Area Municipalities dated March 2019; and further

THAT Welland City Council authorizes the Chief Administrative Officer to sign the updated Memorandum of Understanding for Planning Function and Services on behalf of the City of Welland.

**CARRIED****2019 - 450****19-66** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated April 9, 2019 regarding Report P DS 4-2019: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities.

**CARRIED****2019 - 451****19-67** Moved by Green and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Region of Niagara dated April 2, 2019 regarding Report PHD 06-2019: Mutual Assistance Agreement for Emergency Management.

**CARRIED**

---

**PLANNING DEPARTMENT**

April 16<sup>th</sup>, 2019

Niagara Region  
Planning and Development  
1815 Sir Isaac Brock Way  
Thorold, ON,  
L2V 4T7  
Attn: Diana Morreale, Director, Development Approvals

Dear Ms. Morreale:

**Re:** Report PD-037-19 – Recommendation Report, Memorandum of Understanding (MOU) For Planning Services and Regional Official Plan Amendment (ROPA) for Exemption Policies

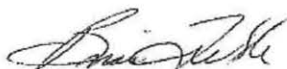
This is to confirm that at the March 25<sup>th</sup>, 2019 Council Meeting the following resolutions were adopted with respect to the above noted matter:

**Resolution**

- (1) That, Report PD-037-19, regarding “Recommendation Report, Memorandum of Understanding (MOU) for Planning Services and Regional Official Plan Amendment (ROPA) for Exemption Policies”, dated March 5th, 2019, be RECEIVED; and,
- (2) That, the CAO be and is hereby authorized to sign the MOU once this report is ratified by Township Council; and,
- (3) That the Region be advised that the Township of West Lincoln has no objection to the ROPA Exemption Policy Amendment.

If you require any further information or direction do not hesitate to contact the undersigned at [btreble@westlincoln.ca](mailto:btreble@westlincoln.ca) or 905-957-3346 ext. 5138.

Sincerely,



Brian Treble, Director of Planning and Building

cc. Clerks Department

January 24, 2020

**CL 2-2020, January 23, 2020**  
**PEDC 1-2020, January 15, 2020**  
**PDS 1-2020, January 15, 2020**

***Local Area Municipalities***

***SENT ELECTRONICALLY***

**RE: New Niagara Official Plan – Public Consultation Summary  
PDS 1-2020**

Regional Council, at its meeting of January 23, 2020, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 1-2020, dated January 15, 2020, respecting New Niagara Official Plan – Public Consultation Summary, **BE RECEIVED** for information and **BE CIRCULATED** to the Local Area Municipalities.

A copy of Report PDS 1-2020 is enclosed for your information

Yours truly,



Ann-Marie Norio  
Regional Clerk  
:me

CLK-C 2020-011

---

**Subject:** New Niagara Official Plan - Public Consultation Summary

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

**Report date:** Wednesday, January 15, 2020

---

### **Recommendations**

1. That Report PDS 1-2020 **BE RECEIVED** for information; and
2. That a copy of Report PDS 1-2020 **BE CIRCULATED** to the Local Area Municipalities.

### **Key Facts Key Facts**

- Consultation on the new Niagara Official Plan takes place at four different levels as outlined in this report.
- Significant stakeholder and public input has been received on the structure and contents of new Niagara Official Plan and on the key findings of the background studies that will inform the Official Plan.
- This report provides a summary of the input received to date through public surveys, stakeholder input, direct public input and the Planning Advisory Committee.

### **Financial Considerations**

Council approved the resources to complete the new Niagara Official Plan (NOP) over a 5 year period as part of the 2017 Budget Process, predominantly funded through Development Charges.

### **Analysis**

Public and stakeholder input is an important component of the Niagara Official Plan process and is required in to provide input into the preparation of planning policy and to provide a mechanism for Council to gauge public sentiment.

There are four different consultation formats where input has been received to date, details of which are as follows:

## **1. Public Surveys**

The key themes that the public identified as being important to address were identified through Imagine Niagara (October 2013 – June 2014) and confirmed through Shape Niagara (March – August 2018). Together both of these surveys involved significant community outreach and generated thousands of responses. A summary of the important themes of these initiatives is shown in Appendix 1.

A Special Meeting of Council was also held in July 2018 to hear input on the need for a new Official Plan and what planning matters it could address. A more detailed summary of public comments can be found in Appendix 2.

## **2. Stakeholder Input**

The Official Plan is being informed by various background studies/reports which have involved the input of relevant stakeholder groups. For example, the Natural Environment and Water Systems (NE&WS) background work involved meetings with environmental, agricultural and developer stakeholder groups. These groups will have further opportunity to provide input into the evaluation of options for the NE&WS. Local municipal planning staff also participate via Technical Advisory Groups and are updated on background work.

Local Councils have been updated on the new Niagara Official Plan process and the status of supporting background work twice to date. In general, local Council concerns or questions focused on: bringing local Official Plans in to conformity with the Regional Official Plan; affordable housing; natural heritage and water resource protection; urban boundary expansions; employment land conversions; protecting agricultural land and recognizing the importance of agriculture.

Discussions are ongoing with Indigenous groups.

## **3. Direct Public Input**

Four Public Information Centres (PICs) were held to inform the public and gather input on key findings of the background studies. The PICs were held at Regional Headquarters, Niagara Falls, Grimsby and Fort Erie.

In general, the input provided by the public was confirming as to what planning staff believe to be the relevant planning issues, challenges and opportunities.

Key attendance and input highlights from the PICs are as follows:

- 161 people attended the four PICs;
- Each PIC had a few attendees from outside the host municipality, ranging from four to 9.
- The attendee distribution was about 70% urban and 30 % rural
- Over 200 comments were received; and
- 61 survey results were received;

### ***Interactive PIC Board Input***

A variety of interactive boards were placed around the room at the open houses to seek input on each of the topic areas. The first activity board (**Figure 1**) asked participants to place a sticker beside their top three priorities for the new Niagara Official Plan. The top priorities overall were protecting the natural environment, transportation improvements, and more housing options.

**Figure 1 – What is most important to you?**

<b>Priorities</b>	<b>Sticker Tally</b>
Protecting the natural environment (e.g. woodlands, wetlands)	32
Transportation improvements (e.g. transit cycling)	26
More housing options (e.g. affordable housing)	25
Access to open space, waterfronts and natural areas	21
Supporting jobs and economic prosperity (e.g. tourism)	19
Protecting farmland and supporting the agricultural industry	17
Infrastructure for growth (e.g. sewer, water, stormwater)	14
Sustainable development and planning for climate change	11
Conserving cultural heritage and archaeological resources	9
Community planning and urban design	9

Participants were also asked if anything was missing from the list. The majority of the comments related to the priorities identified in some capacity. However, some notable examples of additional priorities included poverty reduction, accessibility and inclusion.

The other activity boards asked participants to identify the biggest challenges and opportunities relative to various themes. Key challenges and opportunities are identified in **Figure 2** below. A more detailed summary of comments is included in Appendix 3.



**Figure 2 – What are our biggest challenges and opportunities?**

<b>Theme</b>	<b>Biggest Challenge</b>	<b>Biggest Opportunity</b>
<b>Growing Region</b> (growth, development & housing)	<ul style="list-style-type: none"> <li>• Low-density development and uneven growth</li> <li>• Lack of diversity in housing types and affordable options, including for seniors and youth</li> </ul>	<ul style="list-style-type: none"> <li>• Higher-density development, including in proximity to GO Transit stations</li> <li>• More housing options (row housing, semi-detached, apartment buildings, etc.)</li> </ul>
<b>Vibrant Region</b> (urban design & cultural resources)	<ul style="list-style-type: none"> <li>• Development occurring without proactive, comprehensive plans, such as a secondary plans, and appropriate archaeology assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure plans are in place to guide development in order to achieve design excellence and conserve archaeological resources</li> </ul>
<b>Competitive Region</b> (employment, agriculture & resources)	<ul style="list-style-type: none"> <li>• Limited public transit to access employment opportunities</li> <li>• Impacts of resource extraction on the natural environment, including our water resources</li> </ul>	<ul style="list-style-type: none"> <li>• Boost employment and tourism through public transit, including the GO train</li> <li>• Strong policies to manage resource extraction and final rehabilitation</li> </ul>
<b>Connected Region</b> (transportation & infrastructure)	<ul style="list-style-type: none"> <li>• Ensuring infrastructure (transportation, water, wastewater, sewer) has the capacity to support growth</li> </ul>	<ul style="list-style-type: none"> <li>• Fast, efficient and accessible public transit network and complete streets that accommodate all road users</li> </ul>
<b>Sustainable Region</b> (natural environment & climate change)	<ul style="list-style-type: none"> <li>• Loss of trees and other natural features</li> <li>• Adapting to impacts of extreme weather events, such as flooding</li> </ul>	<ul style="list-style-type: none"> <li>• Stronger protections for the natural environment</li> <li>• Meaningful action on climate change across all sectors</li> </ul>

**Digital Survey**

For those that participated in the digital survey the following planning themes were ranked in order of importance: more transportation options; more housing options for all ages and incomes; more jobs; protecting the natural environment; preserving farmland; and planning for climate change. There was no one dominant planning theme. Further planning for the other themes all impact climate change.

The top three planning objectives confirmed for managing growth were: directing growth to strategic locations; using our land and resources wisely; and ensuring growth is supported by infrastructure.

The natural environment, open space and scenery was significantly more valued than other reasons for enjoying the agricultural and rural areas such as wineries, events and tourism; access to a variety of local food; recreation opportunities; jobs and economic opportunities.

### ***Urban Boundary (Settlement Area) Expansions***

A variety of requests to expand urban boundaries were submitted as part of the Municipal Comprehensive Review/new Niagara Official Plan process, as well as part of the Comprehensive Provincial Plan review in 2017.

<b>Source of Request</b>	<b>Number of Requests</b>	<b>Area (ha)</b>	<b>Number in Greenbelt</b>
Greenbelt Review	34	558	34
Municipal Council Request	6	1,136	1
Private Land Owner	35	592	16
<b>Summary</b>	<b>76</b>	<b>2,286*</b>	<b>51</b>

\* 2,150 ha - accounting for overlap between municipal and private requests

At the time the above-referenced submissions were received, urban boundaries could be expanded only through the Region’s Municipal Comprehensive Review/new Niagara Official Plan process. Earlier this year, the Province amended the Growth Plan to allow the consideration of expansions up to 40 Ha, and boundary adjustments, in certain cases and subject to specific criteria, outside of the Official Plan process.

The Region’s review of expansion requests is linked to the analysis of lands needs and will be reported further in 2020. In many cases, requests for urban expansions cannot be accommodated because they are located in the Greenbelt Area which automatically disqualifies consideration. Land owners who have made requests in these areas will be notified accordingly.

#### **4. Planning Advisory Committee**

To date, the Planning Advisory Committee (PAC), consisting of eight citizens with a professional/academic background, has been providing input on visioning, directives and background information that will inform the development of the new Niagara Official Plan.

## Alternatives Reviewed

The public consultation is following a consultation framework approved by Council in March 2019.

## Relationship to Council Strategic Priorities

This report highlights the various consultation steps to date on the new Niagara Official Plan as well as a summary of public input received to date. This process is important to address Council's priority as a Sustainable Engaging Government. The new Niagara Official Plan addresses Council's other priorities, being: Supporting Businesses and Economic Growth; Healthy and Vibrant Community; and Responsible Growth and Infrastructure Planning.

## Other Pertinent Reports

PDS 9-2019 New Official Plan Consultation Timeline Framework  
PDS 33-2019 Growth Management Program Update for New Official Plan  
CWCD 421-2019 New Niagara Official Plan Updates

---

### Prepared by:

Dave Heyworth, MCIP, RPP  
Official Plan Policy Consultant  
Planning and Development

---

### Recommended by:

Rino Mostacci, MCIP, RPP  
Commissioner of Planning and  
Development  
Planning and Development

---

### Submitted by:

Ron Tripp, P.Eng.  
Acting, Chief Administrative Officer

*This report was prepared in consultation with Lindsey Savage, Senior Planner; Karen Costantini, Planning Analyst; and reviewed by Doug Giles, Director of Community and Long Range Planning.*

## Appendices

Appendix 1	Important themes- Imagine Niagara and Shape Niagara
Appendix 2	Summary of Public Comments- Special Council Meeting
Appendix 3	Detailed summary of PIC Comments

## Appendix 1 – Priority Themes from Imagine Niagara and Shape Niagara

Imagine Niagara (2013-14) Municipal Comprehensive Review – Official Plan	Shape Niagara (2018) Council Strategic Plan
<p><b>8 priority themes, in order of importance:</b></p> <ol style="list-style-type: none"> <li>1. Growing the economy</li> <li>2. Employment</li> <li>3. Natural environment</li> <li>4. Rural and agriculture</li> <li>5. Infrastructure</li> <li>6. Transportation</li> <li>7. Managing growth</li> <li>8. Engagement</li> </ol> <p><b>Gap areas</b></p> <ul style="list-style-type: none"> <li>• Emergency services</li> <li>• Youth retention</li> <li>• Community and social services</li> <li>• Culture</li> <li>• Health services</li> </ul>	<p><b>17 priority themes, in order of importance:</b></p> <ol style="list-style-type: none"> <li>1. Jobs and economic prosperity</li> <li>2. Transportation connecting people to jobs and services</li> <li>3. Supporting populations in need through employment, affordable housing, transit</li> <li>4. Environmental responsibility and sustainable development</li> <li>5. Accountable and collaborative government</li> <li>6. Active transportation</li> <li>7. Preserving Niagara’s natural assets</li> <li>8. Infrastructure in support of growth</li> <li>9. Affordable housing</li> <li>10. Quality of life and public safety</li> <li>11. Equitable access to regional services</li> <li>12. Water and waste management</li> <li>13. Tourism as an economic driver</li> <li>14. Communication and engagement with the community</li> <li>15. Youth and young family retention</li> <li>16. Responsible spending</li> <li>17. Mental health services</li> </ol>

## Appendix 2 – Overview of Comments from July 6, 2018 Special Council Meeting

### Overview

- Requests to re-designate certain lands, remove certain lands from the Greenbelt Plan, and bring certain lands into the urban boundary
- Concerns regarding loss of tender fruit production in favour of grape production and cannabis, as well as illegal dumping on prime farmland
- Concerns regarding endangered special, ash die-off, Environment Impact Study review process, loss of forests, and climate change impacts
- Importance of watershed planning and protection of local fisheries
- Concerns regarding impacts of de-designating urban lands and the speed and location of development
- Importance of transparent consultation process and ensuring adequate time and care in the development of the new Niagara Official Plan

### Key Themes

#### **Requests to re-designate certain lands**

- Request to re-designate certain lands from Agriculture to Rural in Pelham
- Request to re-designate certain lands in Thorold, Niagara Falls and Pelham from Good General Agriculture to Tender Fruit and Grape

#### **Requests to remove certain lands from the Greenbelt Plan**

- Request to remove certain lands from the Greenbelt Plan in Grimsby and St. Catharines that is not considered to be viable farmland
- Concern that the Greenbelt Plan is not sufficiently flexible to address on-the-ground realities of farming and agricultural viability

#### **Requests to include certain lands within the urban boundary**

- Request for certain lands in Niagara Falls to be included in the urban boundary

#### **Protection of agricultural land and tender fruit production**

- Concerns regarding loss of tender fruit production in favour of grape production and cannabis in Niagara-on-the-Lake
- Concern regarding illegal dumping on farmland and in environmental features and areas
- Agricultural and environmental policies are closely linked, particularly when it comes to watershed planning

## **Protection of the natural environment**

- Need to address endangered species within Niagara Region
- There should be an automatic review peer review process for Environmental Impact Studies
- Ash die-off should not be used to remap Environmental Conservation Areas
- Concerns regarding impacts of illegal dumping and garbage dumps on drainage patterns
- Concern regarding loss of forests and impacts on climate change
- Request for watershed planning both inside and outside of the urban boundary and protection of local fisheries

## **Growth Management**

- Concern regarding the speed of development in Grimsby and high-rise condominiums being built in appropriate locations
- If de-designation of urban lands takes place, it should be done on protected wetlands at the urban boundary

## **Other Comments**

- Stakeholder consultations should be based on formal committee that are transparent
- Need to take considerable care to develop the new Niagara Official Plan to ensure it is an improvement over the status quo

**Summary of Comments from July 6, 2018 Special Council Meeting**

<b>File No.</b>	<b>Type of Representation*</b>	<b>Name(s)</b>	<b>Organization</b>	<b>Municipality</b>	<b>Summary of Comments</b>
CL-C 36-2018	Written submission & presentation	Gloria J Katch Andy Nero	Residents	Pelham	<ul style="list-style-type: none"> <li>Request for properties located at 1155 and 1307 Rice Road in the Town of Pelham to be re-designated from agriculture to rural in the new Official Plan</li> <li>This should be part of the Region taking a closer look at the east side of Rice Road</li> </ul>
CL-C 37-2018	Written submission	Irene Murray Sue Bates Michelle Wallis	Residents	Niagara-on- the-Lake	<ul style="list-style-type: none"> <li>Concerns regarding depletion of tender fruit production in favour of grape production in NOTL, as well as cannabis production in specialty crop areas- the best farmland in Canada</li> </ul>
CL-C- 38-2018	Written submission	Marco Marchionda	Marcasa Homes Inc.	Grimsby	<ul style="list-style-type: none"> <li>Request for information regarding his property at 548 Main Street West in Grimsby as well as the 25 acres that surrounds his property</li> <li>Indicates his property is located within the Greenbelt Plan but Grimsby Town staff would like to see the land developed</li> </ul>
CL-C- 41-2018	Written submission	Ray and Liz Kowalik	Residents	St. Catharines	<ul style="list-style-type: none"> <li>Request for property located at 1406 Third Street in St. Catharines to be removed from the Greenbelt Plan specialty crop designation</li> <li>The property is not viable farmland due to the small parcel size (resulting from MTO expropriation for the Highway 406 overpass) and salt damage</li> <li>Concerns that Greenbelt Plan lacks the flexibility required to address on-the-ground realities of farming and agricultural viability</li> </ul>

File No.	Type of Representation*	Name(s)	Organization	Municipality	Summary of Comments
CL-C-43-2018	Written submission & presentation	Dr. John Bacher	Preservation of Agricultural Lands Society	N/A	<ul style="list-style-type: none"> <li>• The need for a new Regional Official Plan is questionable</li> <li>• Agricultural and environmental policies are closely linked</li> <li>• Prospect of de-designation of lands within the urban boundary is disturbing; if de-designation of urban lands takes place, it should be done on protected wetlands at the urban boundary</li> <li>• Stakeholder consultations should be based on formal committees that are transparent</li> <li>• Comments on agricultural policy – lands between the Niagara Escarpment and Highway 20 mapped as Good General Agriculture in Thorold, Niagara Falls and Pelham should be designated as Tender Fruit and Grape</li> <li>• Comments on environmental policies – need to address endangered species; there should be an automatic peer review process for Environmental Impact Studies; ash die-off should not be used to remap Environmental Conservation Areas</li> <li>• Do not rush the Official Plan process; need to take considerable care to develop the plan</li> </ul>
CL-C-45-2018	Written submission	S.A. Branscombe	River Realty Development	Niagara Falls	<ul style="list-style-type: none"> <li>• Request for 63 acres of River Realty-owned lands in northwest Niagara Falls to be included in the urban boundary</li> </ul>
CL-C-46-2018	Written submission	Matt Johnston	Urban Solutions	Grimsby	<ul style="list-style-type: none"> <li>• Request for 2.37 ha of land in Grimsby to be removed from the Greenbelt Plan</li> </ul>



<b>File No.</b>	<b>Type of Representation*</b>	<b>Name(s)</b>	<b>Organization</b>	<b>Municipality</b>	<b>Summary of Comments</b>
n/a	Written submission	Gauruv Lall	Remax Escarpment Realty	Grimsby	<ul style="list-style-type: none"> <li>Request to remove 18 acres from the Greenbelt Plan to develop the site (e.g. potential for residential development).</li> </ul>
n/a	Written submission	George Trifunovic Philip Trifunovic Mike Trifunovic Peter Trifunovic	Resident	Grimsby	<ul style="list-style-type: none"> <li>Request to build the Livingston Avenue extension and remove all properties that have been divided into two parcels by the extension from the Greenbelt Plan</li> <li>This includes 21 acres of land located at 468 Main Street West in Grimsby</li> </ul>
n/a	Written submission	Sandra Horvath Nancy McKay Tom Smith	Christ Our Saviour Lutheran Church	Grimsby	<ul style="list-style-type: none"> <li>Request to remove property located at 448 Main Street West in Grimsby from the Greenbelt Plan and complete the Livingston Avenue extension</li> </ul>
n/a	Written submission & presentation	Jean Grandoni	Resident	Niagara Falls	<ul style="list-style-type: none"> <li>Re-designate land between Niagara Falls and Thorold and between the Welland River and the Niagara Escarpment from Good General to Tender Fruit and Grape</li> <li>Illegal dumping – stop illegal dumping on prime farmlands and in floodplains, creeks and creek valleys, drainage ditches, etc.</li> <li>Climate change – illegal dumping and garbage dumps alters drainage patterns; climate change is further impacted by cutting down forests; need stronger forestry protection</li> <li>Watershed planning – need watershed planning inside and outside the urban boundary; no diversions should occur; fisheries are forgotten local food supply</li> </ul>
n/a	Written submission	Chris Jack	Resident	Grimsby	<ul style="list-style-type: none"> <li>Slow down development, preserve farmland and do not build high-rise condos in places they do not belong in what used to be the fruit belt</li> </ul>

File No.	Type of Representation*	Name(s)	Organization	Municipality	Summary of Comments
					<ul style="list-style-type: none"> <li>Concerns about lack of community consultation, traffic and crime</li> </ul>

## Appendix 3A – Summary of Interactive Board Comments

Theme	Biggest Challenges	Biggest Opportunities
<b>Growing Region</b>	<ul style="list-style-type: none"> <li>• Protecting farmland and the natural environment, including water resources (e.g. our aquifer)</li> <li>• Planning for climate change and extreme weather events (e.g. flooding)</li> <li>• Sprawling, low-density development</li> <li>• Ensuring intensification/density planning is done right</li> <li>• Uneven growth and inconsistent development strategies</li> <li>• Achieving a mix of housing and employment uses that allows people to work where they live</li> <li>• Building complete communities for residents and visitors year-round, not just in the summer months</li> <li>• Lack of diversity in housing types, including rental housing and affordable options for seniors, persons with disabilities and youth</li> <li>• Lack of affordable retirement homes</li> <li>• Concerns regarding the impact of investor activity and home-sharing (e.g. Airbnb) on the rental housing stock and housing affordability</li> <li>• Limited transportation options for seasonal workers and youth</li> <li>• Not enough proactive, comprehensive community planning (e.g. secondary plans, masterplans)</li> </ul>	<ul style="list-style-type: none"> <li>• Higher density, mixed use development in areas supported by infrastructure and services</li> <li>• More apartment buildings, row housing, semi-detached dwellings, tiny homes and multi-ownership housing to expand affordable housing options</li> <li>• Ensure affordable housing and support services are mixed into our communities rather than isolated</li> <li>• Zoning to support residential intensification and home-based businesses</li> <li>• Prioritize brownfield redevelopment over greenfield development</li> <li>• Build the GO Transit Stations and undertake associated transportation improvements</li> <li>• More housing options in proximity to Niagara’s GO Transit Stations</li> <li>• Implement Niagara Region’s Transportation Master Plan to support development and attract a diverse labour pool</li> <li>• Protect the natural environment and build sustainable, healthy, liveable communities</li> <li>• Plan for climate change by preserving greenspace, building bike lanes and supporting transit</li> <li>• Nature-based tourism</li> <li>• Opportunities associated with rehabilitated quarries (e.g. housing, recreation, ecotourism)</li> <li>• Prepare secondary plans and master plans in consultation with the community for orderly growth</li> </ul>
<b>Vibrant Region</b>	<ul style="list-style-type: none"> <li>• “Not in my backyard” (NIMBY) mentality</li> </ul>	<ul style="list-style-type: none"> <li>• Address NIMBYism</li> <li>• Protect the environment and cultural and archaeological resources</li> </ul>

Theme	Biggest Challenges	Biggest Opportunities
	<ul style="list-style-type: none"> <li>• Political support for design excellence rather than large-scale development</li> <li>• Low-density development</li> <li>• Large-scale development occurring without secondary plans</li> <li>• Following and enforcing by-laws</li> <li>• Assessing important archaeological sites in an appropriate manner</li> <li>• Paying for services should the population base decline</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate Niagara's natural assets into urban design plans</li> <li>• Plant more trees to shade streets</li> <li>• Support and leverage the growth of culture and the arts in Niagara</li> <li>• Develop vibrant community hubs</li> <li>• Support intensification and improve the mix of housing and employment uses to allow people to work where they live</li> <li>• Build GO Train Stations that are easily accessible for vehicles, bikes and pedestrians</li> <li>• Ensure that regional plans recognize and leverage the strengths and success of individual communities within Niagara</li> <li>• Leverage the expertise of urban design staff at Niagara Region</li> </ul>
<b>Competitive Region</b>	<ul style="list-style-type: none"> <li>• Loss of industry as the economy transitions</li> <li>• Limited public transit</li> <li>• High volume of commuters</li> <li>• Expansive parking lots that act at heat sinks</li> <li>• Protecting water resources</li> <li>• Concern regarding aggregate extraction deep into the aquifer</li> <li>• Concern that aggregate companies are not following regulations and are not held accountable (threat of aquifer contamination and negative impact on farmland)</li> <li>• Concern regarding fill in wet quarries and impact on the aquifer</li> <li>• Concern regarding wet quarries being converted to garbage dumps</li> <li>• Importation of fill from the Greater Toronto Area</li> </ul>	<ul style="list-style-type: none"> <li>• Protect a sufficient supply of employment lands across the region</li> <li>• Build GO Transit Stations and undertake associated transportation improvements to boost tourism</li> <li>• Increase density at GO Transit Stations</li> <li>• Implement Niagara Region's Transportation Master Plan to support development</li> <li>• Explore regional rail service</li> <li>• Develop Fort Erie QEW Corridor</li> <li>• Limit importation of fill from the Greater Toronto Area</li> <li>• Prohibit fill in wet quarries</li> <li>• Recycle aggregate resources</li> <li>• Limit the amount of quarrying that can occur in a given area</li> <li>• Explore opportunities for community development in proximity to rehabilitated quarries</li> </ul>

Theme	Biggest Challenges	Biggest Opportunities
		<ul style="list-style-type: none"> <li>• Explore creative opportunities to reuse depleted quarries, such as outdoor theatres or concert venues</li> <li>• Transform depleted quarries into geo-parks</li> <li>• Protect the natural environment and support eco-tourism</li> <li>• Promote international events in Niagara, such as ploughing matches, automotive exhibitions, and natural resource summits</li> <li>• Attract employment, educational and residential opportunities by capitalizing on Niagara's strengths, such as agriculture, natural environment, resources, new urban development, etc.</li> <li>• Attract green technology and internet technology businesses</li> <li>• Develop a regional employment program that addresses marketing the Region, housing for students and seasonal workers and transportation</li> </ul>
<b>Connected Region</b>	<ul style="list-style-type: none"> <li>• Making necessary infrastructure investments</li> <li>• Ensuring transportation infrastructure has capacity to support new development</li> <li>• Limited transportation options for aging population</li> <li>• Need densities to support transit</li> <li>• Need more cycling lanes within and between communities that are separated from traffic</li> <li>• Raw sewage overflows</li> <li>• Water quality at beaches</li> <li>• Protecting our drinking water</li> <li>• Need to recognize the role of existing wetlands and dangers of</li> </ul>	<ul style="list-style-type: none"> <li>• Implement Niagara Region's Transportation Master Plan</li> <li>• Build the GO Transit Stations and make associated transportation improvements (e.g. Livingston Ave. and Casablanca Blvd. in Grimsby)</li> <li>• Rethink rail service in Niagara to address climate change</li> <li>• Better connections between GO Transit stations and local transit</li> <li>• Connect smaller municipalities with nearby city centres through transit</li> <li>• Improve bus connections</li> <li>• Make bus travel faster and more efficient to improve ridership</li> <li>• Provide bus passes free of charge</li> <li>• Direct intensification to areas that support transit</li> </ul>

Theme	Biggest Challenges	Biggest Opportunities
	<p>disrupting the course of water flows, especially in light of climate change</p>	<ul style="list-style-type: none"> <li>• Build complete streets and improve active transportation</li> <li>• Reduce commute times</li> <li>• Challenges and opportunities associated with a possible Mid-Peninsula Highway</li> <li>• Sewage lagoons can double as wetlands and waterfowl habitat</li> <li>• Adopt bolder vision for Water and Wastewater Master Servicing Plan</li> </ul>
<p><b>Sustainable Region</b></p>	<ul style="list-style-type: none"> <li>• Urban sprawl</li> <li>• Urban boundary expansions</li> <li>• Protecting drinking water</li> <li>• Waterfront development</li> <li>• Increase in algae making beaches unsafe to swim</li> <li>• Flooding and storm damage to waterfronts</li> <li>• Shoreline erosion (e.g. Lake Erie)</li> <li>• Loss of forest cover and natural features due to development</li> <li>• Concern that aggregate companies are not following regulations which impacts the natural environment</li> <li>• Inappropriate development</li> <li>• Challenge to achieve open creek conveyance (rather than pipes)</li> <li>• Illegal dumping in natural areas</li> <li>• Impact of infrastructure development on the natural environment (e.g. in Greenbelt)</li> </ul>	<ul style="list-style-type: none"> <li>• Protect the natural environment, including natural features and areas within smaller communities and urban areas</li> <li>• Reduce tree-cutting for development, as trees sequester carbon and absorb water</li> <li>• Park naturalization and green roofs</li> <li>• Low impact development standards</li> <li>• Increase buffers for lakeshores, wetlands, and watercourses and naturalize the buffers</li> <li>• Connect natural features and areas within a natural heritage system</li> <li>• Purchase and protect land that can serve as linkages between natural features and areas</li> <li>• Protect vulnerable areas from recreational uses that may damage natural features</li> <li>• Establish targets relative to the protection of natural environment (e.g. tree canopy target)</li> <li>• Eliminate invasive phragmites</li> <li>• Replant areas that have been cleared due to ash borer</li> <li>• Identify flood zones and prohibit development in flood-prone areas</li> <li>• Develop a water usage plan</li> </ul>

Theme	Biggest Challenges	Biggest Opportunities
		<ul style="list-style-type: none"> <li>• Ensure that sustainability and climate change is central to all chapters of the Official Plan</li> <li>• Go beyond provincial minimum requirements for climate change, which are inadequate</li> <li>• Set strong greenhouse gas reduction targets, including targets for net-zero communities</li> <li>• Use natural features and areas to mitigate and adapt to climate change</li> <li>• Prioritize sustainable development to address climate change</li> <li>• Electric vehicle infrastructure</li> <li>• More transit and cycling infrastructure</li> <li>• Relief roads to reduce congestion and pollution on the QEW</li> <li>• Ensure scientific studies guide planning and development</li> <li>• More recycling and community involvement</li> <li>• Electrify more of the Niagara River</li> </ul>

## Appendix 3B – Written Submissions

### Overview of Top Three Themes

#### Protection of the natural environment

- Concerns regarding loss of environmental features and wildlife habitat
- Need a mapped natural heritage system and stronger environmental policies to protect the natural environment and plan for climate change
- Any references to biological offsetting should be eliminated from the plan
- Establish an Environmental Advisory Committee
- Hold meetings with environmentalists at more accessible locations (e.g. Fort Erie, Niagara Falls, St. Catharines)
- Importance of scenic conservation (e.g. scenic by-ways)

#### Managing growth and housing

- Need to use our land wisely and limit the number of single-detached dwellings, parking lots and big box smart centre plazas
- Concerns regarding lack of affordable housing
- Concerns that “Not In My Backyard” (NIMBY) opposition from residents and councillors is limiting the development of affordable housing
- Concerns regarding social impacts of higher-density development

#### Ensuring infrastructure supports growth

- Concerns regarding sewage overflows in extreme weather events and sewage flowing into Lake Ontario
- Should bury all hydro wires
- Expand GO Train service in Niagara
- Make improvements to Casablanca Blvd. and expand Livingston Ave. in Grimsby
- Request to add a portion of Highway 122 between Garrison Road and Dominion Road in Fort Erie to the Bikeways Master Plan
- Need infrastructure and political coordination and alignment to meet the aggressive population and employment numbers for Niagara Region
- Need to ensure infrastructure can adapt to the impacts of climate change
- Requests to include specific requirements relating to TransCanada Pipelines infrastructure in the new plan



January 24, 2020

**CL 2-2020, January 23, 2020**  
**CSC 1-2020, January 15, 2020**  
**CSD 1-2020, January 15, 2020**

**Local Area Municipalities**

**SENT ELECTRONICALLY**

**RE: Approval of Interim Levy Dates and Amounts**  
**CSD 1-2020**

Regional Council, at its meeting of January 23, 2020, approved the following recommendation of its Corporate Services Committee:

That Report CSD 1-2020, dated January 15, 2020, respecting Approval of Interim Levy Dates and Amounts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the interim amounts for the Regional levy **BE APPROVED** by Regional Council in the amounts shown in Appendix 1 to Report CSD 1-2020;
2. That the Regional Clerk ensures that the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and
3. That Report CSD 1-2020 **BE CIRCULATED** to the Councils of the local area municipalities for information.

A copy of Report CSD 1-2020 is enclosed for your information

Yours truly,



Ann-Marie Norio  
Regional Clerk  
:kl

CLK-C 2020-008

---

**Subject:** Approval of Interim Levy Dates and Amounts

**Report to:** Corporate Services Committee

**Report date:** Wednesday, January 15, 2020

---

## Recommendations

1. That the interim amounts for the Regional levy **BE APPROVED** by Regional Council in the amounts shown in **Appendix 1**;
2. That the Regional Clerk ensures that the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and
3. That report CSD 1-2019 **BE CIRCULATED** to the Councils of the local area municipalities for information.

## Key Facts

- The purpose of this report is to approve the interim levy amounts and due dates.
- Section 316 of the Municipal Act provides that the council of an upper-tier municipality may requisition an amount equivalent to 50% of the prior year's approved levy from each area municipality in order to continue core services prior to the adoption of budget estimates for the year.
- The Region's Budget Control Bylaw (2017-63, section 6.3 paragraph a.) provides that prior to Council's approval of the Operating Budget bylaw, a current year's expenditures may be incurred if a budget for a similar item existed in the previous year's operating budget and the expenditures is at the same service level as the prior year and does not exceed 50% if the amount appropriated in the previous year's operating budget.
- The Region's Budget Control Bylaw (2017-63, section 6.3 paragraph b.) provides that prior to Council's approval of the Capital Budget Bylaw, expenditures for new capital projects may be permitted if an individual capital project is deemed a priority by Council and specifically approved by Council in advance of the general capital budget bylaw (section 6.3. paragraph b).
- Interim levy dates are consistent with the prior years. The local area municipalities were consulted and no alternative dates are considered.

## Financial Considerations

The interim levy amounts to be requisitioned from the local area municipalities totals \$182,862,828 (General Levy) and \$17,664,148 (Waste Management) for a total of \$200,526,976 or 50% of the 2019 levied amounts. The interim levy will provide sufficient

cash flows for current year Region operations until approval of the 2020 operating budget and levy amounts.

## **Analysis**

The authority to incur expenditures by Regional departments, boards and agencies is granted by Regional Council through the annual approved operating budget as prescribed by the Municipal Act. Prior to the an annual budget being adopted by Regional Council, bylaw 2017-63 as approved by Regional Council provides that Regional departments, boards and agencies may incur expenses up to 50% of their prior year's operating budget in order to maintain business as usual for Regional services.

Further to this, Section 316 of the Municipal Act authorizes Council through a bylaw to provide an interim levy equivalent to 50% of the prior year's approved estimates (subject to certain adjustments) before the adoption of budget estimates for the year. It has been the Region's past practice to levy an interim levy in order to fund Regional services prior to the approval of the annual budget and final levy amounts.

Expenditures for new capital projects prior to Council's approval of the 2020 consolidated capital budget bylaw may be permitted if an individual capital project is deemed a priority by Council and specifically approved by Council in advance of the general capital budget bylaw (section 6.3. paragraph b).

## **Alternatives Reviewed**

Alternative thresholds were not considered as the interim levy of 50% permitted by the Municipal Act will generally ensure cash inflows in the shorter term are able to accommodate the level of expenditures. The Municipal Act does not have a requirement to approve a spending limit in advance of the budget approval however the practice has been adopted by the Region through bylaw 2017-63.

## **Relationship to Council Strategic Priorities**

Not Applicable.

## **Other Pertinent Reports**

Not Applicable.

---

**Prepared by:**

Rob Fleming, MBA  
Senior Tax & Revenue Analyst  
Corporate Services

---

**Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

---

**Submitted by:**

Ron Tripp, P.Eng.  
Acting, Chief Administrative Officer

*This report was prepared in consultation with Margaret Murphy, Associate Director, Budget Planning & Strategy and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer*

**Appendices**

Appendix 1

Interim Levy Payments and Dates

Page 4

**Appendix 1 - Interim Levy Payments and Dates**

<b>General Levy</b>			
<b>Municipality</b>	<b>March 11, 2020</b>	<b>May 13, 2020</b>	<b>Total Interim Levy</b>
Fort Erie	5,726,046	5,726,046	11,452,091
Grimsby	6,852,188	6,852,188	13,704,377
Lincoln	5,341,710	5,341,710	10,683,420
Niagara Falls	19,292,739	19,292,739	38,585,479
Niagara-on-the-Lake	7,863,682	7,863,682	15,727,363
Pelham	3,790,363	3,790,363	7,580,725
Port Colborne	2,979,336	2,979,336	5,958,671
St. Catharines	24,269,932	24,269,932	48,539,864
Thorold	3,636,661	3,636,661	7,273,323
Wainfleet	1,377,324	1,377,324	2,754,648
Welland	7,460,447	7,460,447	14,920,894
West Lincoln	2,840,987	2,840,987	5,681,975
<b>Total</b>	<b>91,431,414</b>	<b>91,431,414</b>	<b>182,862,828</b>

<b>Waste Management Special Levy</b>			
<b>Municipality</b>	<b>March 11, 2020</b>	<b>May 13, 2020</b>	<b>Total Interim Levy</b>
Fort Erie	669,137	669,137	1,338,273
Grimsby	462,426	462,426	924,851
Lincoln	400,600	400,600	801,200
Niagara Falls	1,732,600	1,732,600	3,465,200
Niagara-on-the-Lake	386,227	386,227	772,453
Pelham	301,185	301,185	602,370
Port Colborne	442,770	442,770	885,540
St. Catharines	2,718,320	2,718,320	5,436,640
Thorold	368,883	368,883	737,766
Wainfleet	136,860	136,860	273,720
Welland	990,994	990,994	1,981,988
West Lincoln	222,074	222,074	444,149
<b>Total</b>	<b>8,832,074</b>	<b>8,832,074</b>	<b>17,664,148</b>

<b>Total General &amp; Waste Management Interim Levy</b>			
<b>Municipality</b>	<b>March 11, 2020</b>	<b>May 13, 2020</b>	<b>Total Interim Levy</b>
Fort Erie	6,395,182	6,395,182	12,790,364
Grimsby	7,314,614	7,314,614	14,629,228
Lincoln	5,742,310	5,742,310	11,484,620
Niagara Falls	21,025,339	21,025,339	42,050,678
Niagara-on-the-Lake	8,249,908	8,249,908	16,499,816
Pelham	4,091,548	4,091,548	8,183,095
Port Colborne	3,422,106	3,422,106	6,844,211
St. Catharines	26,988,252	26,988,252	53,976,504
Thorold	4,005,544	4,005,544	8,011,088
Wainfleet	1,514,184	1,514,184	3,028,368
Welland	8,451,441	8,451,441	16,902,882
West Lincoln	3,063,062	3,063,062	6,126,123
<b>Total</b>	<b>100,263,488</b>	<b>100,263,488</b>	<b>200,526,976</b>

This page intentionally left blank.

**City of Port Colborne  
Regular Committee of the Whole Meeting 02-20  
Minutes**

**Date:** January 27, 2020

**Time:** 6:39 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)  
H. Wells, Councillor

**Staff Present:** D. Aquilina, Director of Planning & Development  
A. LaPointe, Acting Director of Corporate Services/City Clerk  
S. Luey, Chief Administrative Officer  
C. Madden, Deputy Clerk (minutes)  
S. Shypowskyj, Acting Director of Engineering and Operations  
S. Hanson, Manager of By-law Services

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:**

**Additions:**

The addition of item 13, Memorandum from Luke Rowe, Event Coordinator Re: SportsFest 2020. This item was circulated via addendum on January 27, 2020.

The following addition to the motion in item 7, Corporate Services Department, Clerk's Division, Report 2020-11, Subject: Appointments to Boards and Committees:

That Claudia Brema and Albert Murphy be appointed to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Bina Patel and John Maloney be appointed as Associate Members to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

**4. Confirmation of Agenda:**

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

That the agenda dated January 27, 2020 be confirmed, as circulated or as amended.

CARRIED

**5. Disclosures of Interest:**

Councillor Beauregard declared a pecuniary interest regarding item 4 (Planning & Development Department, By-law Enforcement Division, Report 2020-05, Subject: Update with Respect to Council's Request for Proactive Enforcement) as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to proactive enforcement. Councillor Beauregard refrained from discussing or voting on item 4.

**6. Adoption of Minutes:**

**(a) Regular meeting of Committee of the Whole 01-20, held January 13, 2020.**

Moved by Councillor H. Wells  
Seconded by Councillor M. Bagu

(a) That the minutes of the regular meeting of Committee of the Whole 01-20, held on January 13, 2020, be approved as presented.

CARRIED

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

The following items were identified for separate discussion:

Items 1, 3, 4, 6, and 9.



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

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

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

**Items:****2. Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines**

Committee of the Whole recommends:

That Council deny the request for financial relief at 48 Kent Street and all costs associated with the lot maintenance clean-up remain on the tax account until paid in full.

**5. Planning & Development Department, By-law Enforcement Division, Report 2020-06, Subject: By-law Appointment of Madison Cassar as a Municipal Law Enforcement Officer**

Committee of the Whole recommends:

That Madison Cassar be appointed as a Municipal Law Enforcement Officer for The Corporation of the City of Port Colborne, effective February 3, 2020; and

That the Mayor and City Clerk be authorized to execute the appropriate By-law.

**7. Corporate Services Department, Clerk's Division, Report 2020-11, Subject: Appointments to Boards and Committees**

Committee of the Whole recommends:

That Laura Slade and Alexa Schonewille be appointed to the Accessibility Advisory Committee for a term ending December 31, 2023;

That Michael Scott and George McKibbon be appointed to the Active Transportation Advisory Committee for a term ending December 31, 2023;

That Dan O'Hara, Alexander Fazzari, Trevor Dirstein and Katherine Klauck be appointed to the Council Review Committee for a term ending December 31, 2020;

That David Semley and Andrea Boitor be appointed to the Economic Development Advisory Committee for a term ending December 31, 2023;

That Claudia Brema and Albert Murphy be appointed to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Bina Patel and John Maloney be appointed as Associate Members to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Brenda Haymes be appointed to the Grant Policy Committee for a term ending December 31, 2023; and

That Lesley Rickard and Audrey Garrett be appointed to the Port Colborne Senior Citizen Advisory Council for a term ending December 31, 2023.

**8. Chief Administrative Officer, Economic Development Division, Report 2020-12, Subject: Pilot Innovation, Creativity & Culinary Co-Working Hub Project Update**

---

Committee of the Whole recommends:

That the Chief Administrative Officer, Economic Development Division Report 2020-12 be received;

That Council approve the Incubator/Co-Working Hub Lease Agreement as the template for participants of the Incubator/Co-Working Space;

That staff bring forward a by-law to enter into a lease agreement with 3Post Organization Ltd; and

That staff bring forward the template agreement for other participants of the Incubator/Co-Working Space, as required.

**10. Memorandum from Karen Walsh, Executive Administrative Assistant  
Re: Active Transportation Advisory Committee – Boulevard  
Trees**

---

Committee of the Whole recommends:

That the Active Transportation Advisory Committee, supports the Environmental Advisory Committee report on Boulevard Trees.

**11. Region of Niagara Re: 2020 Budget – Waste Management Services Operating Budget and Requisition (CSD 70-2019 REVISED)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2020 Budget – Waste Management Services Operating Budget and Requisition, be received for information.

**12. Region of Niagara Re: 2020 Budget – Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD 71-2019)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara – Water and Wastewater Operating Budget, Rate Setting and Requisition, be received for information.

**13. Memorandum from Luke Rowe, Event Coordinator Re: SportsFest 2020**

Committee of the Whole recommends:

That the Council of The Corporation of the City of Port Colborne hereby deems the annual SportsFest as a municipally significant event and supports the application to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit.

CARRIED

**9. Presentations:**

Nil.

**10. Delegations:**

**(a) John Lohuis and Ray Hurd, representing Communities in Bloom Ontario Re: The Communities in Bloom Program**

John Lohuis and Ray Hurd of Communities in Bloom Ontario provided a presentation with respect to the Communities in Bloom Program and

responded to questions received from Council. A copy of their presentation is attached.

**(b) Kruze Ovenden, Waiving of Fees Re: 48 Kent Street, Port Colborne**

Moved by Councillor G. Bruno

Seconded by Councillor H. Wells

The rules respecting delegations, as outlined under Section 10 of the Procedural By-law, were suspended in order permit unregistered members of the public to speak regarding item 2, Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines.

CARRIED

Mr. Kruze Ovenden presented a request seeking financial relief for charges and penalties on 48 Kent Street, Port Colborne. Mr. Ovenden stated that since the penalties occurred when he was a minor under the age of 18 and when he was not in control of the household, the fines cannot be transferred to him.

**11. Mayor's Report:**

A copy of the Mayor's Report is attached.

**12. Regional Councillor's Report:**

Nil.

**13. Councillors' Items:**

**Staff responses to Previous Councillors' enquiries:**

Nil.

**Councillors' Issues/Enquiries:**

**(a) Signage on Clarence Street and Catherine Street (Kalailieff)**

In response to Councillor Kalailieff's request for an update on the traffic-slowing signage to be posted at the Clarence Street and Catherine Street intersection, the Acting Director of Engineering and Operations confirmed that the installation will occur in the spring.

**(b) Stop Sign on corner of Fielden Avenue and Killaly Street West (Danch)**

Councillor Danch expressed concern about the stop sign at the corner of Fielden Avenue and Killaly Street West and requested that the Acting Director of Engineering and Operations arrange for it to be either raised or moved over.

**(c) Ditching material near Reservoir Park (Bruno)**

In response to Councillor Bruno's inquiry regarding ditching material left near Reservoir Park, the Acting Director of Engineering and Operations confirmed that some of the material will be used to create a berm in that area with the rest to be moved offsite.

**(d) Tenders Re: Spirits and Banking (Bruno)**

In response to Councillor Bruno's request regarding whether staff could reach out to see if there are expressions of interest from other vendors for the sale of alcohol at City-held events, the Chief Administrative Officer reported to Council that there are limited options as the sale of alcohol is regulated to only two (2) national vendors, however a conversation with staff will be held to discuss options. Similarly, Councillor Bruno inquired as to whether alternate vendors for City banking could be explored. The Chief Administrative Officer informed Council that the City has partnered for approximately 30 years with its current banking institution and explained the benefits of doing so. The Chief Administrative Officer further reported that while there are costs and upheaval associated with moving to a new banking institution, a conversation with staff will be held to discuss the potential benefits.

**(e) Skelton Drain Court of Revision (Bagu)**

Councillor Bagu reported that the Skelton Drain Court of Revision took place on January 21, 2020 and that no appeals were heard. He informed Council that work on the drain will commence soon.

**(f) Roof Leaks (Bagu)**

Councillor Bagu reported that he has been in contact with staff with regards to the roof leaks at the Vale Centre. The Acting Director of Engineering and Operations confirmed that materials have been acquired and the repairs will be conducted in the spring as soon as the temperature warms up.

**(g) Strategic Planning (Bagu)**

In response to Councillor Bagu's request for an update on the Corporation's Strategic Planning, the Chief Administrative Officer confirmed that the target timeline for the strategic planning final report to be brought to Council is the first meeting in April.

**(h) Tree Replacement Program (Desmarais)**

In response to Councillor Desmarais' concern regarding the amount of trees lost in the City due to the recent wind storms as well as her request for an update on the tree replacement program, the Acting Director of Engineering and Operations reported to Council that a tree inventory is currently being conducted and the Boulevard Tree Planting Program is being reviewed. He confirmed that the conjunction of both of these undertakings will progress the implementation of the Tree Replacement Program. In response to Councillor Desmarais' further inquiry regarding the number of trees to be planted this year, the Acting Director of Engineering and Operations informed Council that he will report back at the next Council meeting with that number.

**(i) Barriers at the end of Weaver Road and Pinecrest Road (Wells)**

Councillor Wells thanked the Acting Director of Engineering and Operations for arranging for the barriers to be placed at the end of Weaver Road and Pinecrest Road.

**(j) Consistency on Road Ends (Wells)**

In response to Councillor Wells' request for an update on arranging for the road ends in Ward 4 to have consistency with respect to gates and no parking signs, the Acting Director of Engineering and Operations reported that these items are being submitted through the 2020 budget process and if approved, will be implemented in the summer.

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

**1. Motion by Councillor Beauregard Re: Request for Endorsement of Bill 164 – Protecting Vulnerable Persons in Supportive Living Accommodation Act, 2019**

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

WHEREAS Niagara Centre MPP, Jeff Burch, introduced Private Member's Bill 164: Protecting Vulnerable Persons in Supportive

Living Accommodation Act, 2019 (the "Bill") at the Legislative Assembly of Ontario;

AND WHEREAS the Province of Ontario regulates matters under the following statutes:

- a) Child, Youth and Family Services Act, 2017;
- b) Homes for Special Care Act;
- c) Long-Term Care Homes Act, 2007;
- d) Private Hospitals Act;
- e) Public Hospitals Act;
- f) Retirement Homes Act, 2010;
- g) Residential Tenancies Act, 2006;
- h) Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008.

AND WHEREAS there is a need for regulating private supportive living accommodations to protect individuals requiring special care;

NOW THEREFORE the City of Port Colborne endorses the Bill and will complete the following:

1. Send a letter to the Premier, the Minister of Government and Consumer Services; the Minister of Health; the Minister of Children, Community, and Social Services; the Minister of Long-Term Care, and carbon copy the Association of Municipalities of Ontario stating the endorsement of the Bill and reasons for its support no later than one (1) month's time from the passing of this resolution; and,
2. Circulate the resolution endorsing the Bill to all municipalities in Ontario.

CARRIED

**3. Chief Administrative Officer, Report 2020-10, Subject: Revised Logo and Branding Update**

Moved by Councillor F. Danch  
Seconded by Councillor G. Bruno

That Council approve the proposed new logo and design concepts for staff to move forward with the creation of the Corporation's visual identity guide and subsequent implementation across the city.

Moved in referral by Councillor R. Bodner  
Seconded by Councillor M. Bagu

That consideration of Chief Administrative Officer, Report 2020-10, Subject: Revised Logo and Branding Update be referred to the Corporate Communications Officer for further review of alternative options; and

That the Corporate Communications Officer report back to Council at the February 10, 2020 Committee of the Whole meeting.

CARRIED

**4. Planning & Development Department, By-law Enforcement Division, Report 2020-05, Subject: Update with Respect to Council's Request for Proactive Enforcement**

Councillor Beauregard declared a conflict with this item and therefore did not vote.

Moved by Councillor R. Bodner  
Seconded by Councillor G. Bruno

That Council approve the implementation of a stepped up approach (deal with all complaints in a timely manner and monitor all historical properties and repeat offenders) for 2020 and hire one (1) full-time Enforcement Officer and one (1) additional summer student and purchase one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff; and

That Council approve the expenditures through the 2020 budget process.

Moved in amendment by Councillor G. Bruno  
Seconded by Councillor R. Bodner

That the main motion be amended by removing the following from the first paragraph:

"and hire one (1) full-time Enforcement Officer and one (1) additional summer student and purchase one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff"

That the main motion be further amended by replacing the second paragraph with the following:

"That the hiring of one (1) full-time Enforcement Officer and one (1) additional summer student and the purchasing of one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff be referred to the 2020 budget process."



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

That Council approve the implementation of a stepped up approach (deal with all complaints in a timely manner and monitor all historical properties and repeat offenders) for 2020; and

That the hiring of one (1) full-time Enforcement Officer and one (1) additional summer student and the purchasing of one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff be referred to the 2020 budget process.

CARRIED

**6. Planning & Development Department, Planning Division, Report 2020-09, Subject: Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility**

Moved by Councillor R. Bodner

Seconded by Councillor A. Desmarais

That the Official Plan Amendment, attached as Appendix A of the Planning and Development Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved;

That the Zoning By-law Amendment for cannabis production facility, attached as Appendix B of the Planning and Development Department Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved; and

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

Moved in amendment by Councillor H. Wells

Seconded by Councillor A. Desmarais

That that main motion be amended by adding the following as the second and third paragraphs:

“That the definition of “Air Treatment Control” in Section 1 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporate Regulations for Cannabis Production Facilities, be amended by replacing the words “similar technology” with “alternatively proven technologies”;

“That 2.94 under Section 6 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporation Regulations for Cannabis Production Facilities, be amended by replacing the words “for security purposes” with “solely for security purposes”;

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

That the Official Plan Amendment, attached as Appendix A of the Planning and Development Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved;

That the definition of “Air Treatment Control” in Section 1 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporate Regulations for Cannabis Production Facilities, be amended by replacing the words “similar technology” with “alternatively proven technologies”;

That 2.94 under Section 6 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporation Regulations for Cannabis Production Facilities, be amended by replacing the words “for security purposes” with “solely for security purposes”;

That the Zoning By-law Amendment for cannabis production facility, attached as Appendix B of the Planning and Development Department Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility, as amended, be approved; and

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

CARRIED

**9. Community and Economic Development Department, Health Services Division, Report 2020-13, Subject: Grant Funding Request to Support Community Palliative Care**

Moved by Councillor R. Bodner  
Seconded by Councillor H. Wells

That the City of Port Colborne approve \$25,000 from the Community Health and Wellness Reserve to be provided to Dr. Kim Scher in order to support the costs associated with a Nurse Practitioner.

CARRIED

**15. Notice of Motion:**

Nil.

**16. Adjournment:**

Mayor Steele adjourned the meeting at approximately 8:37 p.m.  
CARRIED

AL/cm





Good Morning

We at Communities in Bloom Ontario would like to invite your community to participate in Communities in Bloom in 2020.

You will learn about the economic, social and environmental benefits of participation, best practices information, how to make your community more appealing to residents and visitors, and to encourage conservation and sustainability of your Green spaces.

Please visit our new Web site at <https://cibontario.ca/>

To find information on our upcoming workshops and registration information for 2020.

I look forward to hearing from you.

Martin Quinn  
Coordinator  
Ontario CIB  
276 Martha St.  
Goderich, ON  
N7A4N1  
cell 519-441-3499  
[quinn@hurontel.on.ca](mailto:quinn@hurontel.on.ca)





# How to Participate in Communities in Bloom Ontario

[www.communitiesinbloom.ca](http://www.communitiesinbloom.ca)

*People, Plants and Pride...Growing Together*

## THE PROGRAM

**Communities in Bloom** is a Canadian non-profit organization committed to fostering civic pride, environmental responsibility and beautification through community participation and the challenge of a national program, with focus on enhancing green spaces in communities. National beautification programs have flourished in Europe – including Great Britain, France and Ireland – for decades, and were the inspiration for Communities in Bloom.

The program began in 1995 with 29 Canadian communities and has grown to improve the quality of life in hundreds of participating communities in the provincial, national and international editions.

All communities are invited to participate within their population category.

Trained volunteer judges travel across Canada during the summer to evaluate communities and the overall contributions of municipality, businesses & institutions and residents, including volunteer efforts in regards to the following criteria:

**Tidiness.** Includes an overall tidiness effort. Elements for evaluation are green spaces (parks, etc.), medians, boulevards, sidewalks, streets; municipal, commercial, institutional and residential properties; ditches, road shoulders, vacant lots and buildings; weed control, litter clean-up (including cigarette butts and gum), graffiti and vandalism programs.



**Blue Water** - Tidiness Award Winner, Sponsored by Osum

**Environmental Action.** Includes efforts and achievement with respect to: policies, by-laws, programs and best practices, 3-R initiatives (reduce/reuse/recycle), waste reduction, composting sites, hazardous waste collections, water conservation, naturalization, and environmental stewardship activities under the guiding principles of sustainable development pertaining to green spaces.



**South Huron** - Environmental Action Award Winner- Sponsored by Master's Turf Supply

**Heritage Conservation.** The criteria includes efforts to preserve heritage within their community. Priority in evaluation is given to natural heritage, as well as the integration of landscape and streetscapes as it pertains to the built heritage of a community. Also consists of preservation of cultural heritage which includes monuments, memorials, artefacts, museums and history, archives, traditions, customs, festivals and celebrations.



**Perth & Central Huron** - Heritage Conservation Award Winners, Sponsored by Trystan Site Furnishings

**Urban Forestry.** Includes the efforts with regards to written policies, by-laws, standards for tree management (selection, planting, and maintenance), long and short-term management plans, tree replacement policies, tree inventory, Integrated Pest Management (IPM), heritage, memorial and commemorative trees.



**Mississauga** - Urban Forestry Award Winner, Sponsored by OPA

**Landscape.** This section of the evaluation supports all efforts to create an environment showcasing the overall surroundings. The overall plan and design must be suitable for the intended use and location on a year-round basis. Elements for evaluation include: native and introduced materials; balance of plants, materials and constructed elements; appropriate integration of hard surfaces and art elements, use of turf and groundcovers.



**Prescott** - Landscape Award Winner, Sponsored by Landscape Ontario

**Floral Displays.** Evaluates efforts to design, plan, execute, and maintain floral displays. Evaluation includes the design and arrangements of flowers and plants (annuals, perennials, bulbs, ornamental grasses) in the context of originality, distribution, location, diversity and balance, colour, and harmony. This pertains to flowerbeds, carpet bedding, containers, baskets and window boxes.



**Leamington** - Floral Displays Award Winner, Sponsored by Home Hardware

## PROGRAM STRUCTURE

*Communities in Bloom is designed to be a continuous community improvement program. It is divided into three phases: Provincial, National and International.*

### Provincial Editions

Communities participate with other communities in their population category within their province. Provincial judges evaluate the communities on the criteria previously listed and award a certificate with a rating of 1 to 5 blooms (5 being the highest ranking) at a provincial awards ceremony in the fall. Any community is allowed to participate in a non-competitive category either to learn about the program or, if they are past participants, to maintain their initiatives, program and committees.

The provincial editions may also include a non-competitive Mentoring category, where an experienced community guides a new community through the process of their first participation. Each provincial organization also offers special programs and categories specific to provincial context and objectives.

### PROGRAM COMMITMENT

#### *The participating communities:*

- Involve the entire community to participate (with the support of municipal council)
- Prepare for the judging during the summer
- Provide lodging for 1 or 2 nights for 2 judges.
- Provide transportation for the judges to and from the nearest airport/train station
- Attend the Provincial and/or National awards ceremonies.
- Pay a registration fee, based on population categories and level of competition.

### THE JUDGES' VISIT – USEFUL TIPS

- Prepare information that addresses all criteria in the evaluation form.
- Make good use of the time spent by the judges in your community, to benefit from their expertise.
- The judges' itinerary should include all of the criteria.
- Provide the judges with the opportunity to interact with key individuals and network in your community.
- Let them see that you are proud of your achievements.



*Capreol - Community Involvement Award Winner, Sponsored by OPA*

### AWARDS CEREMONIES

The Provincial Awards Ceremonies will be held at the Town of Perth on September 26, 2015 and will include presentations and awards to all participants along with the judges' feedback.

## PROGRAM BENEFITS

Communities have recognized numerous benefits from participating in the program:

- Increased civic pride and community involvement
- Environmental stewardship through the enhancement of green spaces
- Mobilization of citizens, groups, organizations, businesses and the municipality
- Best practices and Information exchange
- Valuable information and feedback from the judges
- Economic development and increased property values
- Marketing and promotional opportunities
- Positive benefits for the tourism, hospitality and retail industries
- Improved quality of life
- Participation from all ages and walks of life of the community

## OUTSTANDING ACHIEVEMENT AWARDS

Awards are also part of the provincial and national editions and recognize exemplary achievement in each criteria, plus other special initiatives.



*Prescott - Youth Involvement Award Winner, Sponsored by Master's Turf Supply*

## PROCESS FOR PARTICIPATION

### Registration

Helpful Information on the program and the evaluation form are available at:

[www.cibontario.ca](http://www.cibontario.ca) and [www.communitiesinbloom.ca](http://www.communitiesinbloom.ca)

You can register online at:

[www.communitiesinbloom.ca/cib2015](http://www.communitiesinbloom.ca/cib2015)

Please contact us at:

1-888-991-9319 or [bloom@cib-cef.com](mailto:bloom@cib-cef.com)

### Your Local Committee

The committee is usually composed of local citizens, including one member of council and members of associations, businesses and organizations interested in horticulture, heritage and improving community life.

The committee's objectives are:

- To involve the community by means of local contests, which increase awareness about the program, its benefits and opportunities.
- To act as a liaison with the municipal authorities and Communities in Bloom.

### Budget

While participation in the program does not require considerable financial resources, obtaining funds to promote the program, involve the community, honour participants and volunteers, attend the award ceremonies, etc. is recommended.

It is suggested for the community to prepare an estimated budget and to find sources of funding, such as fundraising programs, community events, etc.

Communities in Bloom can provide fundraising ideas and examples from other communities.

## Bloom Ratings

Communities are rated from 1 - 5 blooms

Up to 55 points:	1	bloom
56-63 points:	2	blooms
64-72 points:	3	blooms
73-81 points:	4	blooms
82 points and up :	5	blooms

**\*New in 2015:** There will be four (4) levels of 5 Blooms exclusive to the National and International Edition, for evaluated communities only.

5 Blooms:	82 to 83.9%
5 Blooms (Bronze):	84 to 86.9%
5 Blooms (Silver):	87 to 89.9%
5 Blooms (Gold):	90% and over

- A community does not have to be entered in a competitive category, but will need to be evaluated



*Greater Napanee - Community of Gardeners Award Winner, Sponsored by Scotts Canada*

112 Terry Fox  
Kirkland QC H9H 4M3  
Tel.: 1-888-991-9319  
[bloom@cib-cef.com](mailto:bloom@cib-cef.com)  
[www.cibontario.ca](http://www.cibontario.ca)  
[www.communitiesinbloom.ca](http://www.communitiesinbloom.ca)



### National Sponsors



### Provincial Sponsors

### Landscape Ontario

Association of Municipalities of Ontario  
Ontario Small Urban Municipalities  
Trystan Site Furnishings





## 2020 ONTARIO

**REGISTRATION DEADLINE: APRIL 30**  
(extension possible upon request)

<b>Community</b> (please indicate if City, Town, Village, etc.)		<b>Population</b>	<b>Mayor or Head of Council</b>
<b>Name of Community Contact</b>		<b>Position / Title</b>	
<b>Address</b>		<b>Province</b>	<b>Postal Code</b>
( )	( )	( )	( )
<b>Phone</b>	<b>Fax</b>	<b>Cell Phone</b>	<b>Evening Phone</b>
<b>E-mail</b>		<b>Preferred evaluation date*</b> * will be considered but cannot be guaranteed	
<b>CATEGORY: Population ( evaluation )</b> <input type="checkbox"/>		<b>Friends ( non-evaluated )</b> <input type="checkbox"/>	

### Population Category (community is evaluated):

- o two volunteer judges visit and evaluates the community to provide a **report, mention and bloom rating**
- o evaluation will be planned to be scheduled for two days with accommodation provided by the host community
- o The evaluation will take place in July or August. The dates are determined in consultation with the community subject to the availability of the volunteer judges.

### Friends Category (community is not evaluated):

- o community is not evaluated : becomes part of the Communities in Bloom network

### Benefits of participation

- o Communities in Bloom provides access to a reputable **information exchange network**
- o **Economic, Social and Environmental** benefits ( as detailed in program information )
- o Promotion of the community in the **Ontario Edition** and during the **Awards Ceremonies** in September

### Registration fees

- o payment by Cheque is requested at registration by mail. If you wish you may email the registration form with the cheque to follow.
- o **Population (evaluated):**
  - Up to 5,000: \$ 400
  - 5,001 to 10,000: \$ 575
  - 10,001 to 20,000: \$ 700
  - 20,001 to 50,000: \$ 850
  - Over 50,000 : \$ 1000

### Friends (non-evaluated):

- \$ 250

Mail, your completed registration form and Cheque to:  
**Communities in Bloom Ontario**  
 276 Martha St. Goderich, ON N7A 4N1  
 quinn@hurontel.on.ca





## MAYOR'S REPORT – JANUARY 27, 2020

### **GRANTS FOR NON-PROFIT ORGANIZATIONS**

The City distributes approximately \$30,000 annually to non-profit, charitable and service organizations that benefit the citizens of Port Colborne and enhance the quality of life in the community.

Council recently updated the grant policy and application form and all information can be found on our website.

The City is accepting the first round of grant applications until Friday, January 31, 2020.

### **CUSTOMER SATISFACTION SURVEY**

The City of Port Colborne is looking to gather feedback to improve our customer service delivery by launching a customer satisfaction survey.

Input from the community will assist the City with the modernization of our service delivery and improve our front line service to residents and visitors.

PORTicipate by completing the survey, which takes approximately five minutes, by visiting [www.portcolborne.ca/page/customer\\_service](http://www.portcolborne.ca/page/customer_service).

Hard copies of the survey are also be available at City Hall (66 Charlotte Street) and the Port Colborne Public Library (310 King Street).

### **SPORTSFEST**

It's almost time to get out and enjoy our upcoming SportsFest, February 7<sup>th</sup> to 9<sup>th</sup>.

Providing a sense of community pride and greater awareness of each community group, SportsFest offers activities for all ages, promotes a healthy lifestyle, and is an opportunity for organized fund raising within the City of Port Colborne. Check out the city website for a full list of activities.

The Mayor's Cup Invitational Hockey Tournament will have your Port Colborne team playing at 6 pm on Friday night and 2 and 4 pm on Saturday at the Vale Health & Wellness Centre. Come out and cheer us on.

The final event of the weekend is the Polar Plunge to raise money for Special Olympics. Registration will take place at the boat launch at H.H. Knoll Lakeview Park on Sunday at 1 pm with the plunge happening at 3 p.m. Come out and cheer on the PORTicipants who will be Freezin' for a Reason.

## **PHOTO CONTEST DEADLINE**

Our #PortColborneProud photo contest deadline is approaching on January 31<sup>st</sup>.

The purpose of the photo contest is to showcase what's beautiful, creative, innovative and authentic about Port Colborne and feature original, engaging photos that will evoke a sense of community pride in residents and inspire visitors to discover Port Colborne and explore all the City has to offer.

All details of how to submit your photos is on the city's website.



**City of Port Colborne  
Regular Meeting of Council 05-20  
Monday, February 10, 2020  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> 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) Special meeting of Council 03-20, held on January 27, 2020.
  - (b) Regular meeting of Council 04-20, held on January 27, 2020.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**
  - (a) Fresh Air Fund Day, March 20, 2020
- 10. Minutes of Boards, Commissions & Committees:**
  - (a) Minutes of the Port Colborne Transit Advisory Committee Meeting of October 9, 2019
  - (b) Minutes of the Port Colborne Historical and Marine Museum Board of Management Meeting of November 19, 2019 and Year End Report
  - (c) Minutes of the Environmental Advisory Committee Meeting of November 13, 2019
- 11. Consideration of By-laws:**
- 12. Adjournment:**

**Council Items:**

Notes	Item	Description / Recommendation	
WCS MB EB RB GB FD AD DK HW	1.	<p><b><u>Chief Administrative Officer, Report 2020-23, Subject: UPDATE – Logo Revisions and Branding</u></b></p> <p>That Council approve the proposed new logo and design concepts outlined in Appendix B for staff to move forward with the creation of the Corporation’s visual identity guide and subsequent implementation across the city.</p>	
WCS MB EB RB GB FD AD DK HW	2.	<p><b><u>Community and Economic Development Department, Parks and Recreation Division, Report 2020-21, Subject: Equipment and Staffing Changes within Parks 2020 Budget Request</u></b></p> <p>That Council approve the request to take back grass cutting City services, invest in the necessary capital equipment, and hire the staff required to perform grass cutting and snow removal duties for the City of Port Colborne; and</p> <p>That a budget of \$148,000 for grass cutting and \$32,000 for snow removal be approved through the 2020 budget process.</p>	
WCS MB EB RB GB FD AD DK HW	3.	<p><b><u>Community and Economic Development, Parks and Recreation Division, Report 2020-19, Subject: Fifth Annual Summer Concerts in King George Park</u></b></p> <p>That the Summer Concerts in King George Park event, to be held on August 4, 11, 18, and 25, 2020, be supported, as outlined in Community and Economic Development Department, Parks and Recreation Division, Report 2020-19, Subject: Summer Concerts in King George Park;</p> <p>That the fees for the park permit and use of hydro at King George Park, be waived;</p> <p>That the Noise By-law Exemption application fee, be waived;</p> <p>That the Event Organizer be required to file a certificate of Insurance, naming the City as additional insured, in the amount of \$2,000,000, prior to the event.</p>	

WCS RB AD	MB GB DK	EB FD HW	4.	<p><b><u>Community and Economic Development Department, Parks and Recreation Division, Report 2020-18, Subject: 2020 Canadian Bass Anglers Federation Cup</u></b></p> <p>That the 2020 Canadian Bass Anglers Federation Cup be approved, with \$5,000 in financial support from the City and that \$5,000 USD funds be committed to the 2021 for the Bass Federation Regional Semi Final; and</p> <p>That approval of the above-noted event and sponsorship is conditional on the 2020 Canadian Bass Anglers Federation Cup submitting a certificate of liability insurance in the amount of \$2,000,000, naming the City of Port Colborne as additional insured.</p>
WCS RB AD	MB GB DK	EB FD HW	5.	<p><b><u>Engineering and Operations Department, Operations Division, Report 2020-16, Subject: Port Colborne Distribution System Annual Inspection</u></b></p> <p>That Council receives Engineering and Operations Department, Operations Division, Report 2020-16, Port Colborne Distribution System Annual Inspection for information.</p>
<b>Miscellaneous Correspondence</b>				
WCS RB AD	MB GB DK	EB FD HW	6.	<p><b><u>Eileen Lucas and Wendy Flanagan, Executive Director, The Fresh Air Fund Re: Request for Proclamation of Fresh Air Fund Day, March 20, 2020</u></b></p> <p>That March 20, 2020 be proclaimed as "Fresh Air Fund Day" in the City of Port Colborne in accordance with the request received from Eileen Lucas and Wendy Flanagan, Executive Director, The Fresh Air Fund.</p>
WCS RB AD	MB GB DK	EB FD HW	7.	<p><b><u>International Women's Day, March 11, 2020 – Guild Hall, 72 Charlotte Street, Port Colborne</u></b></p> <p>That the International Women's Day Event to be held at the Guild Hall, 72 Charlotte Street, Port Colborne on March 11, 2020 from the hours of 7:00 p.m. to 10:00 p.m., is hereby declared a municipally significant event in accordance with the Municipal Alcohol Management Policy.</p>

WCS RB AD	MB GB DK	EB FD HW	8.	<p><b><u>Region of Niagara Re: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities PDS 42-2019</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities PDS 42-2019, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	9.	<p><b><u>Region of Niagara Re: New Niagara Official Plan – Public Consultation Summary PDS 1-2020</u></b></p> <p>That the correspondence received from the Region of Niagara Re: New Niagara Official Plan – Public Consultation Summary PDS 1-2020, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	10.	<p><b><u>Region of Niagara Re: Approval of Interim Levy Dates and Amounts CSD 1-2020</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Approval of Interim Levy Dates and Amounts CSD 1-2020, be received for information.</p>
<b>Outside Resolutions – Requests for Endorsement</b>				
<b>Nil.</b>				
<b>Responses to City of Port Colborne Resolutions</b>				
<b>Nil.</b>				



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

<b>By-law No.</b>	<b>Title</b>
6744/108/19	Being a By-law to Provide for a Section 78 Engineer's Report for a Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara Known as the Skelton Municipal Drain (Third Reading)
6759/09/20	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 February 10, 2020

This page intentionally left blank.

The Corporation of the City of Port Colborne

By-Law No. 6744/108/19

Being a By-law to Provide for a Section 78 Engineer's Report for a Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara Known as the Skelton Municipal Drain

Whereas the Skelton Drain is a municipal drain within the limits of The Corporation of the City of Port Colborne, having status under the *Drainage Act R.S.O. 1990*; and

Whereas the Skelton Drain is a municipal drain tributary of the Biederman Municipal Drain, situate in the City of Port Colborne; and

Whereas on the 27<sup>th</sup> day of May, 2013, the Council of the City of Port Colborne appointed Spriet Associates Engineers & Architects, to prepare a new report; and

Whereas pursuant to Section 78 of the *Drainage Act*, R.S.O. 1990, the Council of The Corporation of the City of Port Colborne, in the Regional Municipality of Niagara, has procured a report titled Skelton Municipal Drain, dated October 29, 2019, prepared by Brandon Widner, P. Eng., of Spriet Associates Engineers & Architects, which report was filed with the City Clerk on November 8, 2019, containing plans, profiles and assessment schedules for the construction and future maintenance of the Skelton Municipal Drain, and is attached hereto and forms part of this by-law; and

Whereas the total estimated cost the Skelton Drain, inclusive of the Engineer's report, construction, contract administration and HST (net) is \$240,000; and

Whereas \$1000 is the total estimated cost assessed to the private lands and road within the City of Welland; and

Whereas \$125,170 is the total estimated cost assessed to the private lands and roads within the Township of Wainfleet; and

Whereas \$43,808 is the total estimated cost assessed to the private lands and roads within the City of Port Colborne; and

Whereas \$23,644 is the total estimated cost assessed to the Ministry of Transportation for their road; and

Whereas \$46,378 is the total estimated cost assessed to the City of Port Colborne for their roads; and

Whereas on the 9<sup>th</sup> day of December, 2019 the Council of the City of Port Colborne directed staff, by resolution, to proceed to the "Meeting to Consider", under Section 41 of the *Drainage Act*, R.S.O. 1990, in accordance with the recommendations laid out in Engineering & Operations Report 2019-176; and

Whereas the Council of The Corporation of the City of Port Colborne, at its meeting of December 9, 2019 approved the Department of Engineering & Operations, Engineering Division, Report No. 2019-176, Skelton Municipal Drain Meeting to Consider, whereby the proposed drainage works was deemed necessary and desirable.

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. The report dated as October 29, 2019, may be amended by pronouncement(s) of Courts of Revision and Final Decisions/Orders of the Agriculture, Food and Rural Affairs Appeals Tribunal and/or Referee, and appended hereto as Schedule "A" is hereby adopted and the drainage works as therein indicated and set forth is hereby authorized and shall be maintained in accordance therewith.

2. The Corporation of the City of Port Colborne may borrow on the credit of the Corporation the amount of \$90186.00, excluding HST, being the amount assessed in the City, necessary for payment of the cost of the said drainage works.
3. The Corporation may arrange for the issue of debentures on its behalf for the amount borrowed less the total amount of,
  - a) grants received under Section 85 of the Act;
  - b) commuted payments made in respect of lands and roads assessed within the municipality;
  - c) money paid under subsection 61(3) of the Act; and,
  - d) money assessed in and payable by any another municipality;and such debentures shall be made payable within 5 years from the date of the debenture and shall bear interest at a rate not higher than the rate charged by The Ontario Municipal Improvement Corporation on the date of sale of such debentures.
4. A special equal annual rate sufficient to redeem the principal and interest on the debentures shall be levied upon the lands and roads as set forth in Schedule "B" hereto to be collected in the same manner and at the same time as other taxes are collected.
5. For paying the amount of \$46,378.00 being the amount assessed upon the lands and roads belonging to or controlled by the municipality, a special rate sufficient to pay the amount assessed plus interest thereon shall be levied upon the whole rateable property in the City of Port Colborne in each year for 5 years after the passing of this by-law to be collected in the same manner and at the same time as other taxes are collected.
6. If the actual of the drainage works varies from the estimated costs as set out in schedule "B" forming part of this By-law, the actual cost shall be assessed, levied and collected upon and from the said parcels of lands and roads and parts of parcels in the same proportions and in the same manner as provided in the Schedule "B" forming part of this by-law, as revised by the Court of Revision and Final Decisions of the Agriculture, Food and Rural Affairs Appeal Tribunal and/or Referee.
7. That all assessments of \$50.00 or less are payable the first year in which the assessment is imposed upon the land assessed, as provided for under Section 61(3) of the *Drainage Act*, R.S.O. 1990.
8. This By-law may be cited as "The Skelton Municipal Drain By-law" and shall come into force on the day of its final passing.

Read a First and Second time and provisionally adopted this 9th day of December, 2019.

\_\_\_\_\_  
William Steele  
Mayor

\_\_\_\_\_  
Amber La Pointe  
City Clerk

Read a Third time and enacted this 10<sup>th</sup> Day of February 2020.

\_\_\_\_\_  
Head of Council

\_\_\_\_\_  
Clerk

The Corporation of the City of Port Colborne

By-Law no. 6759/09/20

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 February 10, 2020

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 February 10, 2020 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 10th day of February, 2020.

---

William C. Steele  
Mayor

---

Amber LaPointe  
City Clerk

This page intentionally left blank.



# PORT COLBORNE

February 10, 2020

Moved by Councillor  
Seconded by Councillor

**WHEREAS** The Fresh Air Fund provides free outdoor summer experiences to thousands of children from New York City's low-income communities each summer;

**AND WHEREAS** The Fresh Air Fund allows children from New York City to visit the homes of volunteer host families along the East Coast and Southern Canada;

**AND WHEREAS** Port Colborne families have been participating in The Fresh Air Fund's Friendly Towns Program for over 140 years;

**AND WHEREAS** The Fresh Air Fund allows children from New York City to enjoy Port Colborne backyards, parks, and wide open spaces;

**AND WHEREAS** The Fresh Air Fund is celebrating its 144th summer;

**NOW THEREFORE**, I, Mayor, William C. Steele, proclaim March 20th, 2020 as "**FRESH AIR FUND DAY**" in the City of Port Colborne in recognition of the transformative opportunities that inspire new dreams and new perspectives provided by The Fresh Air Fund.

---

William C. Steele  
Mayor

This page intentionally left blank.



**City of Port Colborne  
Special Council Meeting 03-20  
Minutes**

**Date:** January 27, 2020  
**Time:** 5:08 p.m.  
**Place:** Municipal Offices, Committee Room 3,  
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)  
H. Wells, Councillor

**Staff Present:** D. Aquilina, Director of Planning & Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
S. Luey, Chief Administrative Officer  
S. Shypowskyj, Acting Director of Engineering and Operations

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. 10** Moved by Councillor Kalailieff  
Seconded by Councillor Desmarais

That the agenda dated January 27, 2020 be confirmed, as  
circulated or as amended.

CARRIED

**4. Disclosures of Interest:**

Councillor Beauregard declared a pecuniary interest regarding items (b) and (d) as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to these items. Councillor Beauregard left the closed meeting during discussion of these items.

**5. Council in Closed Session:****Motion to go into Closed Session – 5:10 p.m.:**

**No. 11** Moved by Councillor Kalailieff  
Seconded by Councillor Desmarais

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: January 13, 2020.
- (b) Appendix C of Planning and Development Department Report 2020-05, Update with respect to Council's Request for Proactive Enforcement, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (c) Verbal report from Amber LaPointe, Acting Director of Corporate Services, regarding Appointments to Boards and Committees, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
- (d) Chief Administrative Officer's Report 2020-17, regarding potential litigation concerning Seaway lands, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
- (e) Chief Administrative Officer's Report 2020-14, concerning the potential disposition of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

**Motion to Rise With Report:**

**No. 12** Moved by Councillor Wells

Seconded by Councillor Desmarais

That Council do now rise from closed session with report at approximately 6:30 p.m.

CARRIED

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

Mayor Steele noted that Councillor Beauregard declared a pecuniary interest regarding items (b) and (d) upon entering closed session and the Councillor left the closed meeting during discussion of these items.

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

**(d) Chief Administrative Officer’s Report 2020-17, regarding potential litigation concerning Seaway lands, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

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

**(e) Chief Administrative Officer’s Report 2020-14, concerning the potential disposition of City owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.**

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

**8. Adjournment:**

Mayor Steele adjourned the meeting at approximately 6:31 p.m.

\_\_\_\_\_  
William C. Steele  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk

AL/cm

This page intentionally left blank.

**City of Port Colborne  
Regular Council Meeting 04-20  
Minutes**

**Date:** January 27, 2020

**Time:** 8:38 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)  
H. Wells, Councillor

**Staff Present:** D. Aquilina, Director of Planning & Development  
A. LaPointe, Acting Director of Corporate Services/City Clerk  
S. Luey, Chief Administrative Officer  
C. Madden, Deputy Clerk (minutes)  
S. Shypowskyj, Acting Director of Engineering and Operations  
S. Hanson, Manager of By-law Services

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. 13** Moved by Councillor H. Wells  
Seconded by Councillor M. Bagu

That the agenda dated January 27, 2020 be confirmed, as  
circulated.

CARRIED

**4. Disclosures of Interest:**

Councillor Beauregard declared a pecuniary interest regarding item 4 (Planning & Development Department, By-law Enforcement Division, Report 2020-05, Subject: Update with Respect to Council's Request for Proactive Enforcement) as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to proactive enforcement. Councillor Beauregard refrained from discussing or voting on item 4.

**5. Adoption of Minutes:**

**No. 14** Moved by Councillor R. Bodner  
Seconded by Councillor H. Wells

- (a) That the minutes of the special meeting of Council 01-20, held on January 13, 2020, be approved as presented.
- (b) That the minutes of the regular meeting of Council 02-20, held on January 13, 2020, be approved as presented.

CARRIED.

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

The following items were identified for separate discussion:

Item 4.

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

**No. 15** Moved by Councillor H. Wells  
Seconded by Councillor M. Bagu

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

**Items:**

- 1. Motion by Councillor Beauregard Re: Request for Endorsement of Bill 164 – Protecting Vulnerable Persons in Supportive Living Accommodation Act, 2019**

Council Resolved:

WHEREAS Niagara Centre MPP, Jeff Burch, introduced Private Member's Bill 164: Protecting Vulnerable Persons in Supportive

Living Accommodation Act, 2019 (the "Bill") at the Legislative Assembly of Ontario;

AND WHEREAS the Province of Ontario regulates matters under the following statutes:

- a) Child, Youth and Family Services Act, 2017;
- b) Homes for Special Care Act;
- c) Long-Term Care Homes Act, 2007;
- d) Private Hospitals Act;
- e) Public Hospitals Act;
- f) Retirement Homes Act, 2010;
- g) Residential Tenancies Act, 2006;
- h) Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008.

AND WHEREAS there is a need for regulating private supportive living accommodations to protect individuals requiring special care;

NOW THEREFORE the City of Port Colborne endorses the Bill and will complete the following:

1. Send a letter to the Premier, the Minister of Government and Consumer Services; the Minister of Health; the Minister of Children, Community, and Social Services; the Minister of Long-Term Care, and carbon copy the Association of Municipalities of Ontario stating the endorsement of the Bill and reasons for its support no later than one (1) month's time from the passing of this resolution; and,
  2. Circulate the resolution endorsing the Bill to all municipalities in Ontario.
2. **Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines**
- 

Council Resolved:

That Council deny the request for financial relief at 48 Kent Street and all costs associated with the lot maintenance clean-up remain on the tax account until paid in full.

3. **Chief Administrative Officer, Report 2020-10, Subject: Revised Logo and Branding Update**
- 

Council Resolved:

That consideration of Chief Administrative Officer, Report 2020-10, Subject: Revised Logo and Branding Update be referred to the Corporate Communications Officer for further review of alternative options; and

That the Corporate Communications Officer report back to Council at the February 10, 2020 Committee of the Whole meeting.

**5. Planning & Development Department, By-law Enforcement Division, Report 2020-06, Subject: By-law Appointment of Madison Cassar as a Municipal Law Enforcement Officer**

Council Resolved:

That Madison Cassar be appointed as a Municipal Law Enforcement Officer for The Corporation of the City of Port Colborne, effective February 3, 2020; and

That the Mayor and City Clerk be authorized to execute the appropriate By-law.

**6. Planning & Development Department, Planning Division, Report 2020-09, Subject: Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility**

Council Resolved:

That the Official Plan Amendment, attached as Appendix A of the Planning and Development Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved;

That the definition of "Air Treatment Control" in Section 1 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporate Regulations for Cannabis Production Facilities, be amended by replacing the words "similar technology" with "alternatively proven technologies";

That 2.94 under Section 6 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporation Regulations for Cannabis Production Facilities, be amended by replacing the words "for security purposes" with "solely for security purposes";



That the Zoning By-law Amendment for cannabis production facility, attached as Appendix B of the Planning and Development Department Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility, as amended, be approved; and

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

**7. Corporate Services Department, Clerk's Division, Report 2020-11,  
Subject: Appointments to Boards and Committees**

Council Resolved:

That Laura Slade and Alexa Schonewille be appointed to the Accessibility Advisory Committee for a term ending December 31, 2023;

That Michael Scott and George McKibbon be appointed to the Active Transportation Advisory Committee for a term ending December 31, 2023;

That Dan O'Hara, Alexander Fazzari, Trevor Dirstein and Katherine Klauck be appointed to the Council Review Committee for a term ending December 31, 2020;

That David Semley and Andrea Boitor be appointed to the Economic Development Advisory Committee for a term ending December 31, 2023;

That Claudia Brema and Albert Murphy be appointed to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Bina Patel and John Maloney be appointed as Associate Members to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Brenda Haymes be appointed to the Grant Policy Committee for a term ending December 31, 2023; and

That Lesley Rickard and Audrey Garrett be appointed to the Port Colborne Senior Citizen Advisory Council for a term ending December 31, 2023.

**8. Chief Administrative Officer, Economic Development Division, Report 2020-12, Subject: Pilot Innovation, Creativity & Culinary Co-Working Hub Project Update**

---

Council Resolved:

That the Chief Administrative Officer, Economic Development Division Report 2020-12 be received;

That Council approve the Incubator/Co-Working Hub Lease Agreement as the template for participants of the Incubator/Co-Working Space;

That staff bring forward a by-law to enter into a lease agreement with 3Post Organization Ltd; and

That staff bring forward the template agreement for other participants of the Incubator/Co-Working Space, as required.

**9. Community and Economic Development Department, Health Services Division, Report 2020-13, Subject: Grant Funding Request to Support Community Palliative Care**

---

Council Resolved:

That the City of Port Colborne approve \$25,000 from the Community Health and Wellness Reserve to be provided to Dr. Kim Scher in order to support the costs associated with a Nurse Practitioner.

**10. Memorandum from Karen Walsh, Executive Administrative Assistant Re: Active Transportation Advisory Committee – Boulevard Trees**

---

Council Resolved:

That the Active Transportation Advisory Committee, supports the Environmental Advisory Committee report on Boulevard Trees.

**11. Region of Niagara Re: 2020 Budget – Waste Management Services Operating Budget and Requisition (CSD 70-2019 REVISED)**

---

Council Resolved:

That the correspondence received from the Region of Niagara Re: 2020 Budget – Waste Management Services Operating Budget and Requisition, be received for information.

**12. Region of Niagara Re: 2020 Budget – Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD 71-2019)**

Council Resolved:

That the correspondence received from the Region of Niagara – Water and Wastewater Operating Budget, Rate Setting and Requisition, be received for information.

**13. Memorandum from Luke Rowe, Event Coordinator Re: SportsFest 2020**

Council Resolved:

That the Council of The Corporation of the City of Port Colborne hereby deems the annual SportsFest as a municipally significant event and supports the application to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit.

CARRIED

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

**4. Planning & Development Department, By-law Enforcement Division, Report 2020-05, Subject: Update with Respect to Council's Request for Proactive Enforcement**

**No. 16** Moved by Councillor R. Bodner  
Seconded by Councillor D. Kalailieff

That Council approve the implementation of a stepped up approach (deal with all complaints in a timely manner and monitor all historical properties and repeat offenders) for 2020; and

That the hiring of one (1) full-time Enforcement Officer and one (1) additional summer student and the purchasing of one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff be referred to the 2020 budget process.

CARRIED

**9. Proclamations:**

Nil.

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

**No. 17** Moved by Councillor A. Desmarais  
Seconded by Councillor G. Bruno

- (a) Minutes of the Port Colborne Transit Advisory Committee Meeting of September 11, 2019
- (b) Minutes of the Port Colborne Active Transportation Advisory Committee Meeting of November 18, 2019

CARRIED

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

**No. 18** Moved by Councillor E. Beauregard  
Seconded by Councillor F. Danch

That the following by-laws be enacted and passed:

- 6753/04/20 Being a By-law to Appoint Madison Cassar as a Municipal Law Enforcement Officer
- 6754/05/20 Being a By-law to Adopt Amendment No. 6 to the Official Plan for the City of Port Colborne
- 6755/06/20 Being a By-law to Amend Zoning By-law 6575/30/18, as Amended, to Incorporate Regulations for Cannabis Production Facilities
- 6756/07/20 Being a By-law to Establish a Council Review Committee
- 6757/08/20 Being a By-law to Authorize Entering into a Lease Agreement with 3Post Organization Ltd.
- 6758/09/20 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 January 27, 2020

CARRIED

12. **Adjournment:**

Mayor Steele adjourned the meeting at approximately 8:40 p.m.

---

William C. Steele  
Mayor

---

Amber LaPointe  
City Clerk

AL/cm

This page intentionally left blank.

**PORT COLBORNE TRANSIT ADVISORY COMMITTEE MEETING  
WEDNESDAY, OCTOBER 9, 2019  
COMMITTEE ROOM 2 ENGINEERING & OPERATIONS CENTRE**

City of Port Colborne  
**RECEIVED**

JAN 23 2020

CORPORATE SERVICES  
DEPARTMENT

**Attendance:**

Melissa Bigford, Scott Mathieson, Dave Stuart, Brenda Garrett, Stephen Corr, Gary Bruno, Rob Salewytch, Heather Talbot

**Regrets:**

Yvon Doucet

Melissa called the meeting to order at 3:00 p.m.

**1. Adoption of Agenda**

Moved by G. Bruno  
Seconded by D. Stuart

That the agenda dated October 9, 2019 be accepted as presented.  
CARRIED.

**2. Disclosures of Interest**

Nil.

**3. Approval of Minutes of September 11, 2019**

Moved by G. Bruno  
Seconded by D. Stuart

That the minutes of September 11, 2019 be approved as presented.  
CARRIED.

**4. Actions Arising from Previous Minutes**

a) Regional Transit

a. 2020 Transit Budget

Heather Talbot, Financial and Special Projects Consultant for Regional Niagara provided clarification on funds that are being redirected to the Community Bus as a result of the upload of the Link Bus and spoke to questions regarding Provincial Gas Tax. Provincial Gas Tax Joint CUTA Reporting MOU Agreement information was distributed and reviewed (a copy is attached to the minutes).

Regarding total funds available for reinvestment under the PGT joint reporting agreement, bus shelters would be a good option for reinvestment.

Rob explained the Pilot Program On-Demand Options. This is a one year pilot study through VIA Rail that would determine what it would cost to run an on-demand system in Port Colborne, to eventually eliminate the Community Bus. Rob commented that the pilot program would be useful when the Community Bus isn't running, in the evenings, for instance. Rob advised that it will be known if the study has been accepted by Regional Council by the end of 2019, as the Region is going to Public Works on November 5<sup>th</sup> to have the pilot project concept approved. Rob advised that he could provide the committee information from VIA and that he would like to give a presentation to Council on this program.

Brenda will confirm the amount that is in the transit reserve fund.

b. Community Bus

Ridership for each time slot on the Community bus was provided. Early morning, 6 am to 10 am is 35 percent, mid-day from 10 am to 3 pm is 45 percent of the ridership and beyond 3 pm is 20 percent of the ridership with students riding home from school.

Cost of full Saturday service was discussed. For a full day of Saturday service, 8 am – 8 pm at \$105./hr would cost \$76,000. A 5 hour day from 10 am- 3 pm would cost approximately \$31,000.

To provide earlier morning and later evening service, \$105./hr, however we cannot go beyond 5 hours without changing the timing, as the drivers are required to take a break after 5 hours.

Much discussion took place regarding Saturday service improvements. All were in agreement that the Saturday service enhancements should be coordinated through our current provider, Welland Transit, as there is funding available within the current 2019 budget to run the pilot project for 2020. Other options (VIA Pilot Project) can be considered during the 2020 budget deliberations and after the VIA Pilot Projects presentation to Council.

Moved by Scott Mathieson  
Seconded by Melissa Bigford

That the Council of the City of Port Colborne be notified that the Port Colborne Transit Advisory Committee is in agreement with increasing the Port Colborne Community Bus services through a



pilot project coordinated with Welland Transit, to run on Saturdays for a six-hour block of time. The pilot project will be in place from May 2, 2020 to December 31, 2020.  
CARRIED.

c. Transit Free for Seniors

Dave recommended waiting to see how the pilot for free transit for seniors works for Niagara Falls, as seniors are a big portion of ridership revenue. Dave advised that most municipalities are taking this approach. The pilot will be over at the end of November. Gary advised that our Council also decided to wait to see how the Niagara Falls pilot turns out.

5. **Information Items**

Nil.

6. **Other Business**

Nil.

7. **Next Meeting**

The next meeting of the Transit Advisory Committee will be held on Wednesday, January 22, 2019 at 3:00 p.m.

8. **Adjourn**

Moved by G. Bruno  
Seconded by S. Mathieson

That there being no further business to discuss, the meeting be adjourned at 5:15 p.m.  
CARRIED.

## Provincial Gas Tax Joint CUTA Reporting MOU Agreement

### Key Facts

- in 2018 the net levy was \$158K
- without the regional upload the net levy in 2019 would have been \$177k
- After the upload because the total net operating costs decrease
  - the eligible PGT would fluctuated over the next 3 years
  - the average transit levy would have been 158K with a maximum of \$285 and a minimum of \$70
  - there would be no PGT reserves available for reinvestment
- Under the joint reporting agreement
  - The annual transit levy for 2019, 2020, 2021, 2022, is \$158K at existing service levels
  - Increasing operating costs per hour are absorbed by additional PGT holding Net Levy constant
  - 2019 \$84K transfer back to transit reserve (savings from upload)
  - 2020 \$26K additional PGT
  - 2021 \$20k additional PGT
  - Total 2019-2021 funds available for reinvestment = \$130K
  - Total Funds available for Pilot On-demand \$110K

	Actual	Estimate - Niagara Region Budget Year			2020-2022
	2019	2020	2021	2022	Impact
Estimated Eligible PGT		\$ 157,961	\$ 157,961	\$ 157,961	
Port Colborne Local Transit Service Net Operating Costs*	\$ 253,731	\$ 262,883	\$ 277,102	\$ 292,032	\$ 832,017
Port Colborne Local Transit Municipal Contribution	\$ 158,100	\$ 158,100	\$ 158,100	\$ 158,100	\$ 474,300
PGT used for Operating	\$ 95,631	\$ 104,783	\$ 119,002	\$ 133,932	\$ 357,717
Niagara Region PGT Share		\$ 26,589	\$ 19,479	\$ 24,029	\$ 70,097
Port Colborne PGT Share/ Transit Reinvestment					
Port Colborne Transit Reserve Savings	\$ 84,636				\$ -84,636
Port Colborne PGT share		\$ 26,589	\$ 19,479		\$ 46,068

### Pilot Program On-Demand Options

Estimate (\$)	Monday - Friday 4 Hrs + Saturday 8 hrs	Monday - Friday 5 Hrs + Saturday 5 hrs	Monday - Friday 6 Hrs + Saturday 4 hrs	Monday - Friday 6 Hrs No Saturday
	Total Annual Hours	1,456	1,560	1,768
Total Vans deployed	3	3	3	3
Full Loaded Cost per hr	\$70.00	\$70.00	\$70.00	\$70.00
<b>Total Cost</b>	<b>\$305,760</b>	<b>\$327,600</b>	<b>\$371,280</b>	<b>\$327,600</b>
Regional Budget	\$200,000	\$200,000	\$200,000	\$200,000
Port Colborne Contribution	\$105,760	\$127,600	\$171,280	\$127,600
2020 Available Reserves (from Agreement)	\$111,225	\$111,225	\$111,225	\$111,225
PC Incremental Requirement	\$0.00	\$16,375	\$60,055	\$16,375

			\$ 55,369		102731			
	Actual		Budget		Forecast			
	2016	2017	2018	2019	2020	2021	2022	
<b>Port Colborne - Service Monday to Friday</b>								
Baseline: Independent CUTA Reporting								
Ridership - LINK	7,134	6,677						
Ridership - Community Bus	14,276	13,221						
Direct Transit Operating Costs- LINK	\$ 102,987	\$ 105,390	\$ 111,289	\$ 127,883	\$ 141,188	\$ 144,717	\$ 148,335	
Direct Transit Operating Costs- LINK (Add'l 1 hr Sept to Dec)				\$ 8,042				
Direct Transit Operating Costs- Community Bus	\$ 197,840	\$ 201,841	\$ 255,698	\$ 275,231	\$ 284,383	\$ 298,602	\$ 313,532	
Revenue - LINK	\$ (12,391)	\$ (11,355)	\$ (11,286)	\$ (12,500)	\$ (12,500)	\$ (12,500)	\$ (12,500)	
Revenue - UPASS	\$ (14,000)	\$ (14,000)	\$ (14,000)	\$ (14,000)	\$ (14,000)	\$ (14,000)	\$ (14,000)	
Revenue - Community Bus	\$ (24,987)	\$ (24,346)	\$ (20,378)	\$ (21,500)	\$ (21,500)	\$ (21,500)	\$ (21,500)	
Revenue - Fuel Refund	\$ (3,492)	\$ (3,775)	\$ (523)					
Eligible/Utilized PGT - Jan to Mar	\$ (29,278)	\$ (39,223)	\$ (37,755)	\$ (28,188)	\$ (30,000)	\$ (30,000)	\$ (30,000)	
Eligible/Utilized PGT - Apr to Dec Receivable	\$ (117,669)	\$ (113,266)	\$ (84,566)	\$ (122,812)	\$ (118,000)	\$ (118,000)	\$ (118,000)	
PGT Reserve & Interest - Previous year	\$ 17,648		\$ (18,800)					
City Transit Reserve out			\$ (21,595)	\$ (34,267)				
City Transit Reserve IN - for future Transit Reinvestment								
<b>Net Operating Costs</b>	<b>\$ 116,658</b>	<b>\$ 101,266</b>	<b>\$ 158,084</b>	<b>\$ 177,890</b>	<b>\$ 229,571</b>	<b>\$ 247,319</b>	<b>\$ 265,867</b>	
Post Regional Link - Prov Gas Tax Region Portion applied to Community Service	??	??	??	??	??	??	??	
Regional Link Upload - Net Operating Costs	\$ (76,596)	\$ (80,035)	\$ (86,003)	\$ (109,426)	\$ (114,688)	\$ (118,217)	\$ (121,835)	
<b>Net Municipal Transit Spend</b>	<b>\$ 40,062</b>	<b>\$ 21,231</b>	<b>\$ 72,081</b>	<b>\$ 68,464</b>	<b>\$ 114,883</b>	<b>\$ 129,102</b>	<b>\$ 144,032</b>	
Post Regional Link - Prov Gas Tax Region Portion available for PC Service Expansion	??	??	??	??	??	??	??	
Local Operating	\$ 197,840	\$ 201,841	\$ 255,698	\$ 275,231	\$ 284,383	\$ 298,602	\$ 313,532	
Link Operating	\$ 102,987	\$ 105,390	\$ 111,289	\$ 135,926	\$ 141,188	\$ 144,717	\$ 148,335	
Local Rev	\$ (28,479)	\$ (28,121)	\$ (20,901)	\$ (21,500)	\$ (21,500)	\$ (21,500)	\$ (21,500)	
Link Rev	\$ (26,391)	\$ (25,355)	\$ (25,286)	\$ (26,500)	\$ (26,500)	\$ (26,500)	\$ (26,500)	
PGT	\$ (129,299)	\$ (152,489)	\$ (162,716)	\$ (185,267)	\$ (148,000)	\$ (148,000)	\$ (148,000)	
city reserves	\$ -	\$ -	\$ (21,595)	\$ (34,267)	\$ -	\$ -	\$ -	
net - check	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
<b>Provincial Fiscal Year</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>	<b>2021/2022</b>	<b>2021/2022</b>	
Allocation based on CUTA Reports Transit Statistics Year	2015	2016	2017	2018	2019	2020	2020	
CUTA Reported Municipal Transit Spend	\$ 209,189	\$ 201,361	\$ 212,311	\$ 72,081	\$ 68,464	\$ 114,883	\$ 129,102	
<b>Provincial Gas Tax Envelope</b>		<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	
from MTO (announced Dec prior year)		\$ 151,021	\$ 112,754					
A allocation to Port Colborne				\$ 135,000	\$ 135,000	\$ 135,000		
allocation to Region				\$ 22,961	\$ 22,961	\$ 22,961		
<b>Provincial Gas Tax Envelope</b>		<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	<b>2 cents/ltr</b>	<b>2.5 cents/ltr</b>	<b>3 cents/ltr</b>	<b>4 cents/ltr</b>	
from MTO (announced Dec prior year)		\$ 151,021	\$ 112,754					
B allocation to Port Colborne				\$ 125,000	\$ 125,000	\$ 120,000		
allocation to Region				\$ 30,720	\$ 28,685	\$ 31,847		
<b>Revised: Independent CUTA Reporting</b>								
Direct Transit Operating Costs		\$ 105,390	\$ 111,289	\$ 127,883	\$ 38,457	\$ 38,457	\$ 38,457	
Revenue		\$ (11,355)	\$ (11,286)	\$ (12,500)	\$ (12,500)	\$ (12,500)	\$ (12,500)	
Eligible/Utilized PGT		\$ (156,892)	\$ (156,892)	\$ (135,000)	\$ (135,000)	\$ (135,000)	\$ -	
<b>Net Operating Costs</b>		<b>\$ (62,857)</b>	<b>\$ (56,889)</b>	<b>\$ (19,617)</b>	<b>\$ (109,043)</b>	<b>\$ (109,043)</b>	<b>\$ 25,957</b>	
Regional Link Upload				\$ (109,426)	\$ -	\$ -	\$ -	
Transit Reinvestment				\$ 20,000				
<b>Municipal Transit Spend</b>		<b>\$ (51,502)</b>	<b>\$ (45,603)</b>	<b>\$ (96,543)</b>	<b>\$ (96,543)</b>	<b>\$ (96,543)</b>	<b>\$ 38,457</b>	

\$ -		revised budget	
Budget	Forecast	Budget	Forecast
2019	2020	2021	2022
\$ 275,231	\$ 284,383	\$ 298,602	\$ 313,532
\$ -	\$ -	\$ -	\$ -
\$ (21,500)	\$ (21,500)	\$ (21,500)	\$ (21,500)
\$ (28,188)			
\$ (122,812)			
\$ (34,267)			
\$ 89,636			
\$ 158,100	\$ 262,883	\$ 277,102	\$ 292,032
\$ -	\$ (104,783)	\$ (119,002)	\$ (133,932)
\$ 158,100	\$ 158,100	\$ 188,100	\$ 158,100
\$ -	\$ 32,217	\$ 17,998	\$ 3,068

This page intentionally left blank.



Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

City of Port Colborne  
**RECEIVED**  
JAN 30 2020  
CORPORATE SERVICES  
DEPARTMENT

A meeting of the Board of Management of the Port Colborne Historical and Marine Museum was held November 19, 2019 at 7 p.m. at the L.R. Wilson Heritage Research Archives.

Present: Stephanie Powell Baswick, Bert Murphy, Councillor Eric Beauregard, Claudia Brema, Margaret Tanaszi, Brian Heaslip, Terry Huffman, Jeff Piniak, Bonnie Johnston, David Schulz and Abbey Stansfield

Regrets: Alexander Fazzari, Donna Abbott, Pam Koudjis, Marcia Turner and Cheryl MacMillan

Heritage Committee:

David Schulz introduced two items that are currently on the heritage list that the owner would like removed for demolition purposes.

Moved by: Eric Beauregard

Seconded by: Brian Heaslip

To: Approve staff recommendation for Report # 2019-183-700 Elm Street  
Motion Carried.

Moved by: Eric Beauregard

Seconded by: Bonnie Johnston

To: Approve staff recommendation for Report # 2019-184-692 Elm Street  
Motion Carried.

Minutes of Last Meeting

Moved by: Margaret Tanaszi

Seconded by: Claudia Brema

To: Approve the Minutes of the Board of Management from October 15, 2019.  
Motion Carried.

Business Arising From Minutes:

No Report.

Correspondence:

Stephanie Powell Baswick displayed the newsletters received from other heritage and marine associations and societies.

She also read a letter from Thomas Pekar offering to volunteer his services and his 1891 Morrison Electric Vehicle for Carriage rides during Canal Days.

Curator Report:

Stephanie reported on the Volunteer Service Awards which is a provincially run program to honour the citizens that volunteer across the province. Bonnie Johnston was recognized for her



Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

40 years of volunteering at the museum.

Stephanie also reported that the Tennessee Avenue tour were very successful and that staff will look into running them again next year, despite the exhibit not being in place, as there were people who expressed interest but were unable to get on this year's tours.

Auxiliary Report:

Bonnie Johnston reported that 385 puddings had been made up and were ready to go. This year the puddings are being packaged in paper bags in an attempt to make them more environmentally friendly. Wrap day for the puddings is November 29 and then Marie Wills and her team will be making the sauce. The cost for the pudding and sauce together is \$10 and to enjoy pudding at the tearoom it is \$5/ person.

Program Committee Report:

Stephanie Powell Baswick reported on behalf of Cheryl MacMillan that the committee had met with the assistant curator, Michelle Mason, to discuss the 2020 exhibit. The proposed theme for the main exhibit is celebrating 150 years of the Village of Port Colborne. The other exhibit would be focused on Judge Helen Kinnear to celebrate 100 years since she was called to the bar.

Moved by: Margaret Tanaszi

Seconded by: Eric Beauregard

To: Approve the proposed exhibit themes for the 2020 season.

Motion Carried.

Stephanie also handed out Christmas festival posters for people to place around the community and handed out the proposed Christmas Festival volunteer schedule to the board.

Cheryl MacMillan will be phoning the board members prior to the Christmas Volunteer Appreciation to coordinate the food being brought.

Fundraising Committee Report:

Stephanie Powell Baswick reported on behalf of Donna Abbott that the committee has collected \$950 in donations to go towards the activities at the Christmas Festival. Stephanie explained that this is why the Christmas Festival is our best fundraising event as the Museum fundraises a large portion of the cost to run the event. Therefore, all the donations received at the festival can go directly towards the museum.

Building and Property Committee Report:

Brian Heaslip reported that the volunteer group has finished repairing the second floor of the School house and that they have moved on to working on the second floor storage room at the Tearoom.

Finance Committee Report:

Stephanie Powell Baswick reported that the corporate donor drive is going well and that the museum is going to meet its fundraising goal for this year. The museum is now accepting



Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

online donations for both memorial and general accounts. Currently this is being done through Canada Helps.org. The feedback from users has prompted Stephanie to request a new system for online donations directly on the new website the city is getting.

Currently Peter Sense is filling in as the City Treasurer position is vacant. When Stephanie met with Peter it was advised that if a goal of the strategic plan was to have a staff person at the archives full time that this request should be put in the budget for 2020.

Moved by: Brian Heaslip

Seconded by: Eric Beauregard

To: Amend the 2020 budget requests to include an increase in hours for the Archivist to full time with benefits.

Motion Carried.

Membership Committee Report

Bonnie Johnston reported that the new membership fees and rates will increase as of January 2020. Bonnie suggested using this opportunity to market museum memberships as Christmas presents.

Accession Committee Report:

Terry Huffman reported that the accession committee meeting has been moved to January 2020.

Policy Report:

No Report.

Marketing and Site Promotion Report:

A committee meeting was held and they developed the wording for the plaques and the site plan map. It was decided to have this project done with 2019 funds rather than wait until 2020.

New Business:

Stephanie Powell Baswick reported that she would be going to CHCH morning show with the printing press to promote the Christmas Festival.

The board decided to refer the Canal Days Festival carriage ride proposal by Thomas Pekar to the program committee to review.

Motion to Adjourn: Brian Heaslip

This page intentionally left blank.



JAN 24 2020

CORPORATE SERVICES  
DEPARTMENT

**AGENDA**  
**MUSEUM BOARD MEETING**  
**January 21, 2020**

1. Call to Order
2. Approval of the Minutes of the Board Meeting of November 19, 2019.
3. Business Arising from Minutes
4. Correspondence
5. Director/Curator Report
6. Auxiliary Report
7. Programme Committee Report
8. Fundraising Committee Report
9. Building and Property Committee Report
10. Finance Committee Report
11. Membership Committee Report
12. Accession Committee Report
13. Policy Committee Report
14. Marketing and Site Promotion Committee Report
15. New Business

A meeting of the Board of Management of the Port Colborne Historical and Marine Museum was held November 19, 2019 at 7 p.m. at the L.R. Wilson Heritage Research Archives.

Present: Stephanie Powell Baswick, Bert Murphy, Councillor Eric Beauregard, Claudia Brema, Margaret Tanaszi, Brian Heaslip, Terry Huffman, Jeff Piniak, Bonnie Johnston, David Schulz and Abbey Stansfield

Regrets: Alexander Fazzari, Donna Abbott, Pam Koudjis, Marcia Turner and Cheryl MacMillan

Heritage Committee:

David Schulz introduced two items that are currently on the heritage list that the owner would like removed for demolition purposes.

Moved by: Eric Beauregard

Seconded by: Brian Heaslip

To: Approve staff recommendation for Report # 2019-183-700 Elm Street  
Motion Carried.

Moved by: Eric Beauregard

Seconded by: Bonnie Johnston

To: Approve staff recommendation for Report # 2019-184-692 Elm Street  
Motion Carried.

Minutes of Last Meeting

Moved by: Margaret Tanaszi

Seconded by: Claudia Brema

To: Approve the Minutes of the Board of Management from October 15, 2019.  
Motion Carried.

Business Arising From Minutes:

No Report.

Correspondence:

Stephanie Powell Baswick displayed the newsletters received from other heritage and marine associations and societies.

She also read a letter from Thomas Pekar offering to volunteer his services and his 1891 Morrison Electric Vehicle for Carriage rides during Canal Days.

Curator Report:

Stephanie reported on the Volunteer Service Awards which is a provincially run program to honour the citizens that volunteer across the province. Bonnie Johnston was recognized for her 40 years of volunteering at the museum.

Stephanie also reported that the Tennessee Avenue tour were very successful and that staff will look into running them again next year, despite the exhibit not being in place, as there were people who expressed interest but were unable to get on this year's tours.

Auxiliary Report:

Bonnie Johnston reported that 385 puddings had been made up and were ready to go. This year the puddings are being packaged in paper bags in an attempt to make them more environmentally friendly. Wrap day for the puddings is November 29 and then Marie Wills and her team will be making the sauce. The cost for the pudding and sauce together is \$10 and to enjoy pudding at the tearoom it is \$5/ person.

Program Committee Report:

Stephanie Powell Baswick reported on behalf of Cheryl MacMillan that the committee had met with the assistant curator, Michelle Mason, to discuss the 2020 exhibit. The proposed theme for the main exhibit is celebrating 150 years of the Village of Port Colborne. The other exhibit would be focused on Judge Helen Kinnear to celebrate 100 years since she was called to the bar.

Moved by: Margaret Tanaszi

Seconded by: Eric Beauregard

To: Approve the proposed exhibit themes for the 2020 season.

Motion Carried.

Stephanie also handed out Christmas festival posters for people to place around the community and handed out the proposed Christmas Festival volunteer schedule to the board.

Cheryl MacMillan will be phoning the board members prior to the Christmas Volunteer Appreciation to coordinate the food being brought.

Fundraising Committee Report:

Stephanie Powell Baswick reported on behalf of Donna Abbott that the committee has collected \$950 in donations to go towards the activities at the Christmas Festival. Stephanie explained that this is why the Christmas Festival is our best fundraising event as the Museum fundraises a large portion of the cost to run the event. Therefore, all the donations received at the festival can go directly towards the museum.

Building and Property Committee Report:

Brian Heaslip reported that the volunteer group has finished repairing the second floor of the School house and that they have moved on to working on the second floor storage room at the Tearoom.

Finance Committee Report:

Stephanie Powell Baswick reported that the corporate donor drive is going well and that the museum is going to meet its fundraising goal for this year. The museum is now accepting online donations for both memorial and general accounts. Currently this is being done through Canada Helps.org. The feedback from users has prompted Stephanie to request a new system for online donations directly on the new website the city is getting.

Currently Peter Sense is filling in as the City Treasurer position is vacant. When Stephanie met with Peter it was advised that if a goal of the strategic plan was to have a staff person at the archives full time that this request should be put in the budget for 2020.

Moved by: Brian Heaslip

Seconded by: Eric Beauregard

To: Amend the 2020 budget requests to include an increase in hours for the Archivist to full time with benefits.

Motion Carried.

Membership Committee Report

Bonnie Johnston reported that the new membership fees and rates will increase as of January 2020. Bonnie suggested using this opportunity to market museum memberships as Christmas presents.

Accession Committee Report:

Terry Huffman reported that the accession committee meeting has been moved to January 2020.

Policy Report:

No Report.

Marketing and Site Promotion Report:

A committee meeting was held and they developed the wording for the plaques and the site plan map. It was decided to have this project done with 2019 funds rather than wait until 2020.

New Business:

Stephanie Powell Baswick reported that she would be going to CHCH morning show with the printing press to promote the Christmas Festival.

The board decided to refer the Canal Days Festival carriage ride proposal by Thomas Pekar to the program committee to review.

Motion to Adjourn: Brain Heaslip



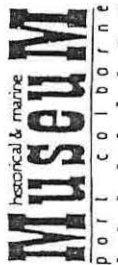
Port Colborne Historical & Marine  
**MUSEUM**  
*...more than a museum!*

YEAR END REPORT

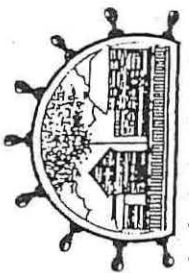
	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
<u>VISITORS</u>	12,563	12,872	17,038	19,214	16,108
<u>INCOME</u>					
Admissions	\$ 4,604	\$ 5,648	\$ 4,465	\$ 3,042	\$ 2,185
Gift Sales	\$ 4,688	\$ 7,106	\$ 8,157	\$ 8,236	\$ 7,810
<u>MEMBERS</u>					
Annual	203	192	173	141	155
Life	235	245	262	275	286

MONTHLY STATISTICAL REPORT

NOVEMBER



<u>VISITORS</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Museum	146	101			
Research Archives	526	326			
Additional Tea Room	0	0			
School Tours	0	0			
Group/Bus Tours	8	0			
Special Events	16	0			
<b>TOTAL VISITORS:</b>	<b>696</b>	<b>427</b>			
<u>INCOME</u>					
Admission Donation Box	\$ 45.00	\$125.00			
School Tours	0	0			
Group/Bus Tours	0	0			
Special Events Adm.	0	0			
Gift Sales	\$297.71	\$381.63			
<b>TOTAL INCOME:</b>	<b>\$342.71</b>	<b>\$506.63</b>			
<u>Memberships Sold This Month</u>					
Yearly	(2019) 1	(2020) 5			
Life	0	1			
<u>YEAR-TO-DATE-TOTALS</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Visitors:	16796	14698			
Admission Income:	\$1426.05	\$2155.88			
Gift Sales:	\$7259.43	\$6961.73			
Yearly Memberships:	(2019) 5	(2020) 20			
Total Life Memb. to Date:	(2018) 141	(2019) 155			
	275	286			



Port Colborne Historical and Marine Museum



This page intentionally left blank.



Meeting  
Environmental Advisory Committee  
November 13, 2019, 6:00 p.m.

**The following were in attendance:**

Staff: Darlene Suddard  
Janice Peyton

Council: Councillor Mark Bagu  
Councillor Harry Wells

Public Members: Beth Palma  
Ryan Waines  
Jack Hellinga  
George McKibbon  
Norbert Gieger  
Trent Doan  
Tim Hoyle  
Clayton Nadeau

Guest: Patty Moss

---

**1. Call to Order**

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

**2. Adoption of the Agenda**

Moved by Jack Hellinga  
Seconded by Tim Hoyle

That the agenda dated November 13, 2019 be accepted as circulated.  
CARRIED.

**3. Disclosures of Interest**

Councillor Harry Wells declared a conflict with regard to item 6(c) Draft Site Alteration Permit Review and Costing.

**4. Approval / Review of Previous Meeting Minutes**

Moved by George McKibbon  
Seconded by Ryan Waines

**5. Guest – Patty Moss – Summary of Roadsides for 2019**

Patty Moss provided a summary of roadsides for 2019. A copy is attached to the minutes.

Patty had the following requests for the upcoming year:

- All rural roads to have the removal of the second cut, which will include Chippawa Road, Sherkston Road and Brookfield Road, and the North end of Elm Street.
- Butterfly signs to be installed/relocated with the QR code, and link the QR code to the EAC's web page informing of the roadside initiative, which will be updated with current information on the study.

Mark will help with having the signs relocated. Janice will advise the number of signs in stock.

- Creation of a volunteer group to assist the EAC in creating and implementing environmental initiatives on City owned lands.

It was suggested that Patty meet with Luke Rowe, Volunteer Coordinator, regarding volunteers. Mark suggested contacting Kathy McQuire, President of the PC Conservation Club as well. Kerry commented that she would place Patty in contact with a couple of volunteers that she knows in the area.

Jack asked if it is possible to reduce the number of complaints about site lines by clearing the site lines. Mark added that he has received concerns about the site lines along the Friendship Trail.

Mark added that the City is considering cutting roadsides internally in 2020 rather than through an outside contractor. Darlene will look into this.

**6. Items Arising from Previous Minutes**

**a) Recycle Bins**

Darlene advised that the recycle bins have been received and should be in place by the end of November. The Region is funding 25% of the cost of the bins.

Mark advised that the recycling bins at the Marina do not have images/directional labels on them. Darlene will look into this and see if possibly the recycling branding from the Region can be used on the Marina bins.

**b) Draft Report on Boulevard Trees**

George provided a review of the draft report on boulevard trees. He provided some background comments on how this project has advanced since it was first discussed several years ago. The committee discussed the report and agreed on some amendments. Tree species that are suitable for boulevards was discussed. George will amend the report as discussed. A copy of the report (amended) is attached to the minutes.

The report recommended that Port Colborne Environmental Advisory Committee recommend to Council that staff be directed to review previous decisions on boulevard tree planting, taking into regard the reasons provided within the report, and report back to Council following the review.

Moved by Beth Palma  
Seconded by Councillor Mark Bagu

That the EAC report on boulevard trees be referred to Council for consideration.  
CARRIED.

**c) Draft Site Alteration Permit Review and Costing**

Jack emphasized the importance of the professional qualifications of the Qualified Person. This forms the basis of the recommendation that the administration of the bylaw be transferred to the Engineering and Operations department. Members discussed the application of the site alteration in other municipalities. The importance of having a bylaw that addresses all circumstances was emphasized. Trent discussed his experience in other municipalities where the MECF has issued a clean up order. George observed that those situations are very different from that intended to be addressed by this bylaw. A copy of the review is attached to the minutes.

Moved by Trent Doan  
Seconded by Beth Palma

That the EAC draft site alteration permit review and costing be referred to Council for consideration.  
CARRIED.

**d) Planning & Development, Planning Division, Report 2019-173, Subject: Ministry of Environment, Conservation and Parks Response Regarding Safe Soil Levels of CBRA**

The committee received a copy of the above referenced report for information. (A copy is attached to the minutes.)

George reviewed the motion what was passed in July asking Council to write the MECP inquiring which standards apply within the study area covered by the Vale CBRA when a landowner applies for a sensitive use such as residential uses. Council directed Dan Aquilina, Director of Planning & Development to write a letter. MECP replied on October 3<sup>rd</sup> and Council received the letter at their meeting on November 12<sup>th</sup>. Council accepted Dan Aquilina's recommendation, directing the Planning department to speak to Vale concerning the matter.

George noted that the MECP letter was very informative and needs to be read carefully. He reconstructed for members the more recent series of reports that led to the Community Based Action Plan and MECP's scientific concerns with it. George observed that we do not seem to have a copy of the Region's Public Health Department so we are unable to know what they looked at where specific adverse effects associated with the soils in Port Colborne are concerned. Harry observed that the disagreements between Vale and MECP centre on the CBRA protocol. He added that INCO agreed with the protocol but subsequently Vale changed protocol and conducted its research differently. This produced a different set of standards, which MECP does not agree with. The MECP letter states that where the landowner is concerned, MECP is prepared to accept Vale's work that is in agreement with the original protocol. The landowners qualified person will then need to undertake an investigation needed to meet the approach and standards MECP agreed to initially.

George and Jack thought it would be useful to establish a series of questions and answers that would provide the public an accessible overview of this complicated matter. It was agreed that Jack, Trent, Norbert, Harry and George will form a committee and produce a list of questions and answers to provide Dan Aquilina and Council. It was observed that some preparation for the meeting with Vale would be beneficial and hopefully the question and answer discussion will assist.

## **7. New/Other Business**

### **a) Nature Works Collaborative Workshops to Restore a Green Future**

Information was provided regarding the In the Zone workshops, being held on Tuesday November 26, 2019. (Information is attached to the minutes.)

It was suggested that some of the City senior employees attend the workshop. Darlene will share this information with the Director of Community and Economic Development.

Moved by Jack Hellinga  
Seconded by Councillor Mark Bagu

That registration fees for Clayton's attendance at the Nature Works Collaborative Workshop be funded from the EAC environmental initiatives account.

CARRIED.

**b) Presentation – Green Gas Emissions Reduction Plan**

Darlene advised that Mae Lannan, the City's Climate Change Coordinator, has been working on the green gas emissions reduction program for the City and that she will attend the next meeting to give a presentation of the plan to the committee.

**8. Next Meeting/Adjourn**

The next EAC meeting will be on January 8th, 2020 at 6:00 pm.

Moved by Tim Hoyle

Seconded by Ryan Waines

That with no further business to discuss, the meeting be adjourned at 7:45 p.m.

CARRIED.

**Summary of Roadsides study for 2019  
For Environmental Advisory Committee  
November 13, 2019**

As most of you are aware I study the roadside habitat in order to determine the right mowing practices on city roadsides to benefit the pollinators, and using the Monarch Butterfly as a key study specimen. I look at identifying flowering plant species, observing the seed dispersal of each plant. I identify 'problem plant species' which could have negative impact on farm land, residential properties and watercourses.

This is my 5<sup>th</sup> year of studying Port Colborne roadsides, and it just surprises me how much nature is along these ditches. Besides having over 52 different flowering species, our roadways provide food, shelter and water for not only insects but birds, rabbits, turtles, amphibians and even foxes.



The timing of the mowing this year was as follows:

June 17<sup>th</sup> start date of first cut, all roads were cut

July 24<sup>th</sup> start date of the second cut for only select roads; Sherkston Road

Welland Road, Elm St. North of Barrick, Killaly East, Killaly Street West(East to Lorraine Road), Brookfield Road, Chippawa Road.

Sept 24<sup>th</sup> Start date of the last cut, all roads were scheduled

## Monarchs

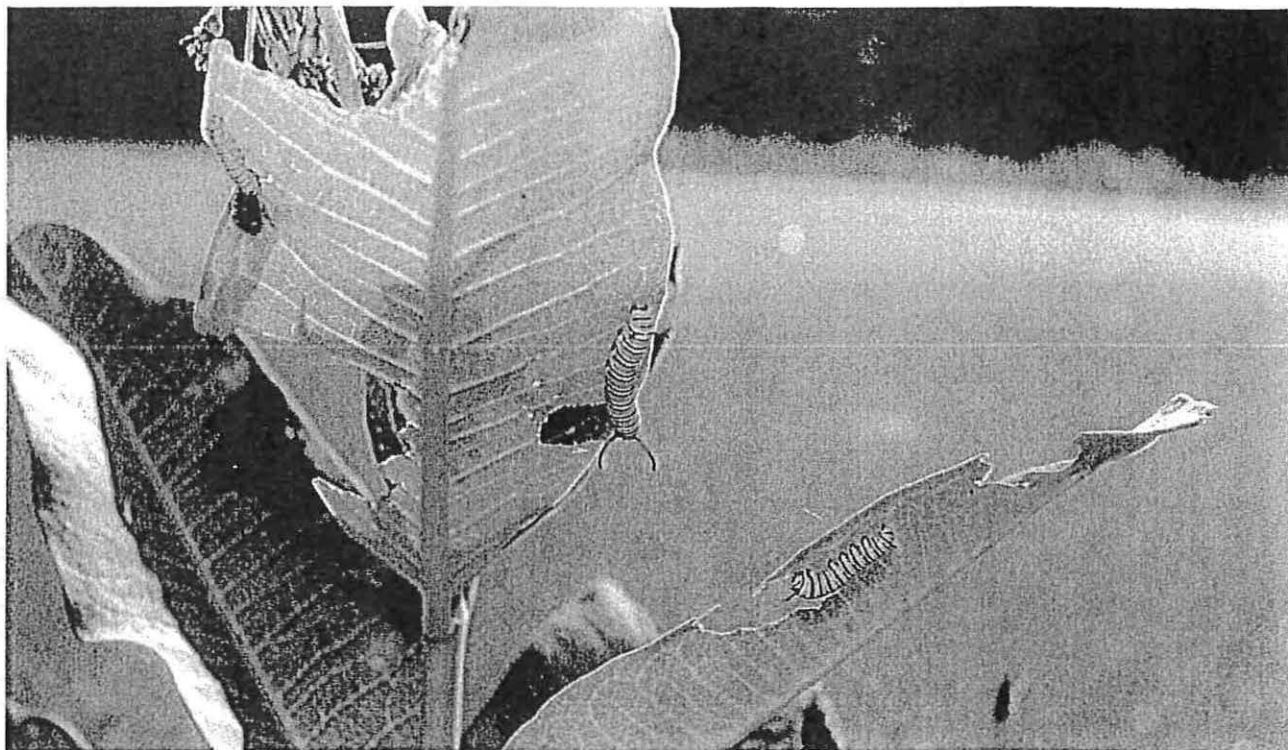
As I'm writing this the monarchs that were flying by us in late August are arriving in El Rosario, soon they will choosing which Oyamel Fir Tree they will trust their lives to endure the mountain cold air. It is a complete phenomenon how this lightweight insect almost dances it's way in flight from crossing the great lakes in one day, and then continue the 4500 km journey to El Rosario Butterfly Reserve. This reserve is one of a few areas in Mexico that have the trees that can give them enough heat to keep the butterflies alive while they sleep until spring comes. Then the Monarchs awakened and follow the new Milkweed growth and head back North to create the next generation.

Since the cut has been preformed later in mid June, there were egg and caterpillar losses due to some early female Monarchs arriving. But the growth of milkweed came back just after a week, the wet weather helped to speed up the new growth of cut milkweed.

There was a lot of Monarchs in Port Colborne this year, overall sighting throughout Ontario have increased as well this year. It will be interesting to find out the population counts for this year.

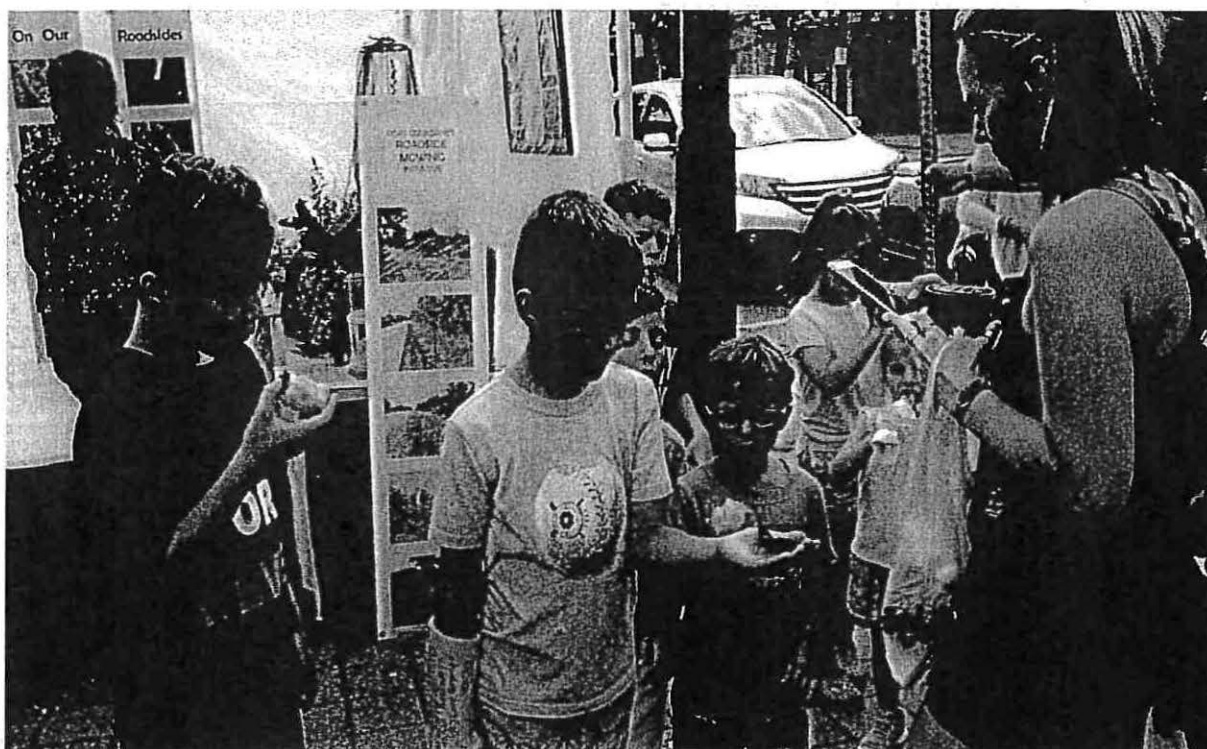


Milkweed plants eaten by Monarchs on Killaly Street.



Milkweed plant on Pinecrest Road, there are 4 caterpillars but one is hidden.

I observed high concentration of eggs starting in beginning to mid July, which when I did the count of Monarch Larvae on Brookfield Road it didn't surprise me that I collected a total of 372 eggs and Caterpillars!! I collected them since I knew they destroyed by the mower, however I did have volunteers to help, and gave me an opportunity to educate the public by releasing 52 butterflies at the Market in August. The market display was a hit, lots of information was shared regarding the roadside initiative, and everyone was fascinated to be able to up close with the Monarchs.



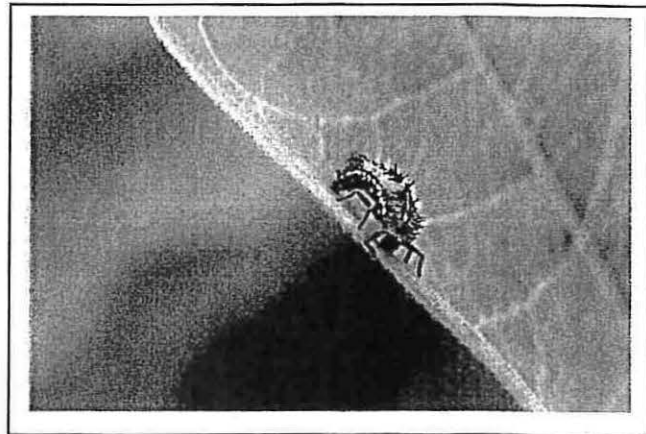
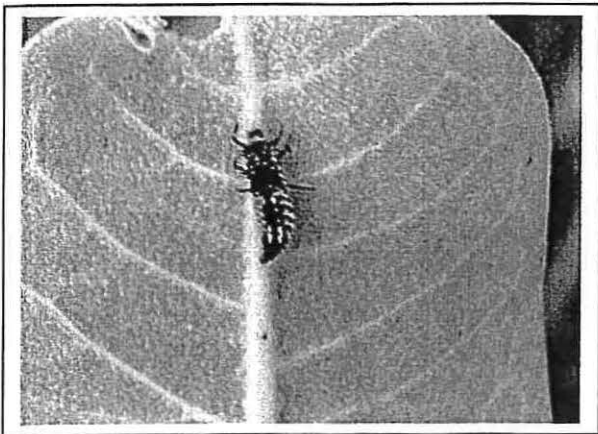




### Impact of September Cut

The earlier fall cut timing didn't hinder the Monarch's population; I checked 9 roads for larvae of the butterfly and only counted 16 on all the milkweed plants. In regards to other species on the roadsides, primarily honey bees and Bumble bees along with Fly species and Beetles. Popular nectar plant to be feeding on is Knapweed, also there the Aster species for additional food sources. There is a lot of plant growth outside the mowed areas; however more can be done to create additional natural lands within the city that will have fall nectar plants.

Note: I noticed a large amount of ladybug larvae on milkweed plants this fall, was it because of the high amounts of aphids this year? Too bad the timing of mowing might have a negative impact on their survival.



## Seed Dispersal

I have done the study long enough to understand which plants seed dispersal would have an impact on residential and farm lands, I am trying to find the right timing that would reduce the implications of unwanted plant growth.

### Sow Thistle



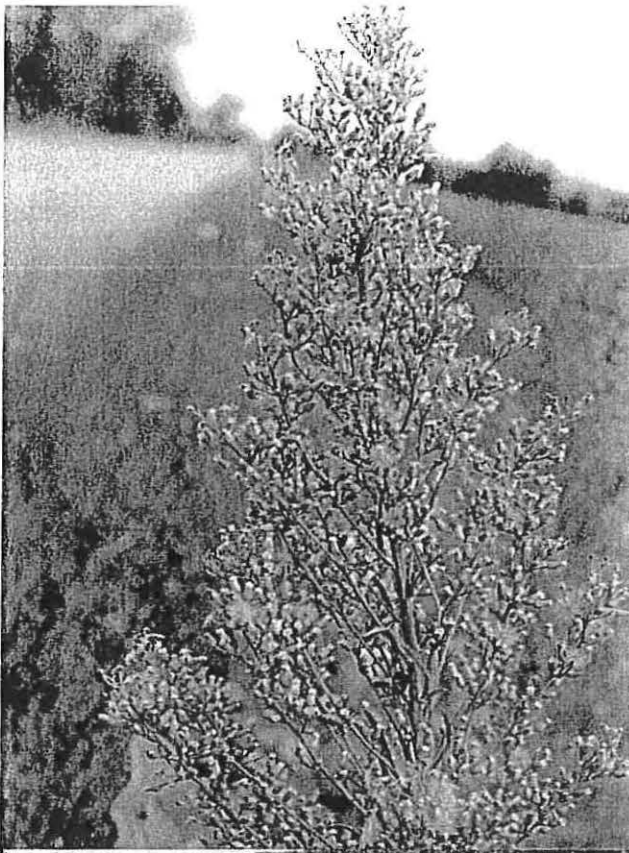
This is an aggressive plant which produces tap roots which break easily when pulled, and can develop many seeds which are dispersed by the wind starting in early August. I believe the later spring cut delayed the seed development of this species ( especially where there is shallow grade to the ditch) the plant has more stem cut off, since seed dispersal started in late August along roadsides in previous years.

When I performed the last seed disbursement count in mid September this plant was averaging 10 to 40 percent seed dispersal, compared to last year's 60 to 80 percent of disbursement of seeds. Interesting note that the rains hampered the disbursement of the seeds, since the seed fluffs clumped together.

This plant is so aggressive that when it received a second cut, it produced even more seed heads than plants receiving one cut, however it is lower to the ground, and seed dispersal was later.

### Phragmites

All I'm going to say that it is spreading, we will have to incorporate removal methods of this species in the future. A few residents have expressed their concerns of this invasive species during my market displays.



This is a plant of concern due to its development of resistance to Herbicide treatment. I find the majority of this plant growth near runoffs of farmer's fields and near culverts and roadside edges where drained poor soil quality exists.

I found there was a delay of this plants growth along with goldenrod, aster and other species. Weather is part of the reason, as well as the late spring cut could be a factor.

Seed disbursement in mid September was around 5 to 10 percent, much less than the prior year of study.

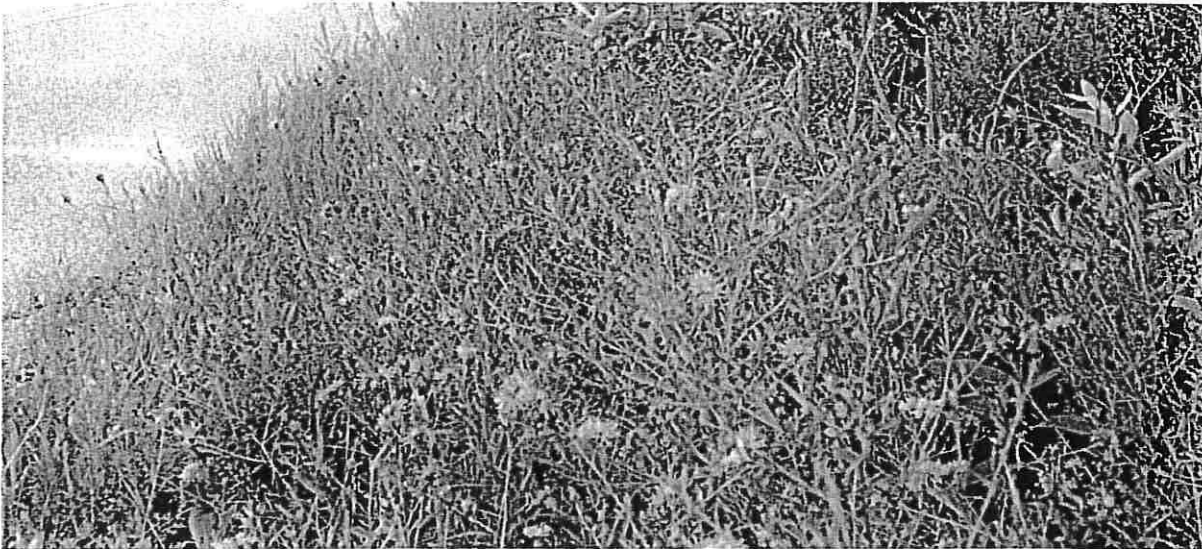
## Thistles

There is a large area of Canada Thistle that I have been observing along 2<sup>nd</sup> Con. for the years of study, I noticed this year there was no seed development of this species that received the first cut. Usually amounts of seed dispersment are noticed, but not this year. The only area I saw with development of Canada Thistle seeds was along the 140 which was able to mature to full seed set before the regions mowers cut it down. The region changed the mowing pattern and enabled the 140 to have fluffs of Canada Thistle to blow around for a week's time in late July.

## Overall timing for limiting seed dispersal

I will continue the monitoring of seed development for the next year to ensure the timing is best for preventative measures of dispersal. However I wish to encourage the cut in September to start within the time window of Sept 9 to the 16. Having the fall cut preformed an extra week later in a year that the summer weather is early and dry could increase seed disbursement drastically compared to this year.

## Effects of Mowing on Knapweed



I decided to take a closer look on flower development on Knapweed, I choose this plant because it is a favorite nectar plant for pollinators, and it can handle being cut multiple times. It blooms from mid July until when the first frost hits in early fall. The seeds are imbedded into the base of flower head, so there are no concerns of this species blowing into neighboring properties.

In the middle of September, I spent a few hours counting knapweed plant's flower heads and came up with an average of flowers that the plant produced over its growth period.

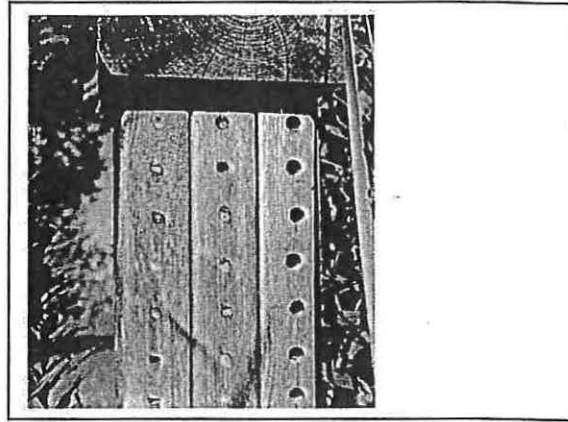
With plants that didn't receive a cut, they produced an average of 50 to 60 flowers; however it has completely finished its growth and was dead by the beginning of September.

For Knapweed that did receive the spring cut, it produced 11 to 17 flowers on average, and is producing the most flowers for mid September. (This is a crucial time for nectar)

And for the plants that received two cuts throughout the growing season only produced 5 to 7 flowers and has one or two that are blooming mid September.

I believe the spring cut doesn't sacrifice too much growth of this favorite plant; it does delay the maturity of the seed heads, which decreases the chance of seed dropping.

### Bee Houses



I found success with the bee houses in area where there is nearby concentrations of mixed flowering vegetation. Hoping bee houses can be installed in other city owned properties in the future...they work!!

### Roadside requests for next year...

All rural roads to have the removal of the second cut, which will include Chippawa Road, Sherston Road, and Brookfield Road, and north end of Elm Street.

Also, signs have to be installed with the QR code on them. And have it go to Eac's page on the City's webpage informing of the roadside initiative which will be updated with current information on the study.

## Additional Request

Wanting to develop a volunteer subcommittee under Environment Advisory Committee, would it be possible, and is the members of the Committee interested?

I'm wishing to create a volunteer based group that involves residents helping the EAC committee in creating and implementing environmental initiatives on city owned lands. The biggest hurdle in creating environmental change is liability, and it is so hard for citizens to help the community with the insurance barrier. I believe there must be a way where concerned residents can lift some of the work load off city staff in regards to environmental projects or studies that have been approved by council.

Patty Moss



Spring Peeper was resting on a top of a Milkweed plant on 3<sup>rd</sup> Con.

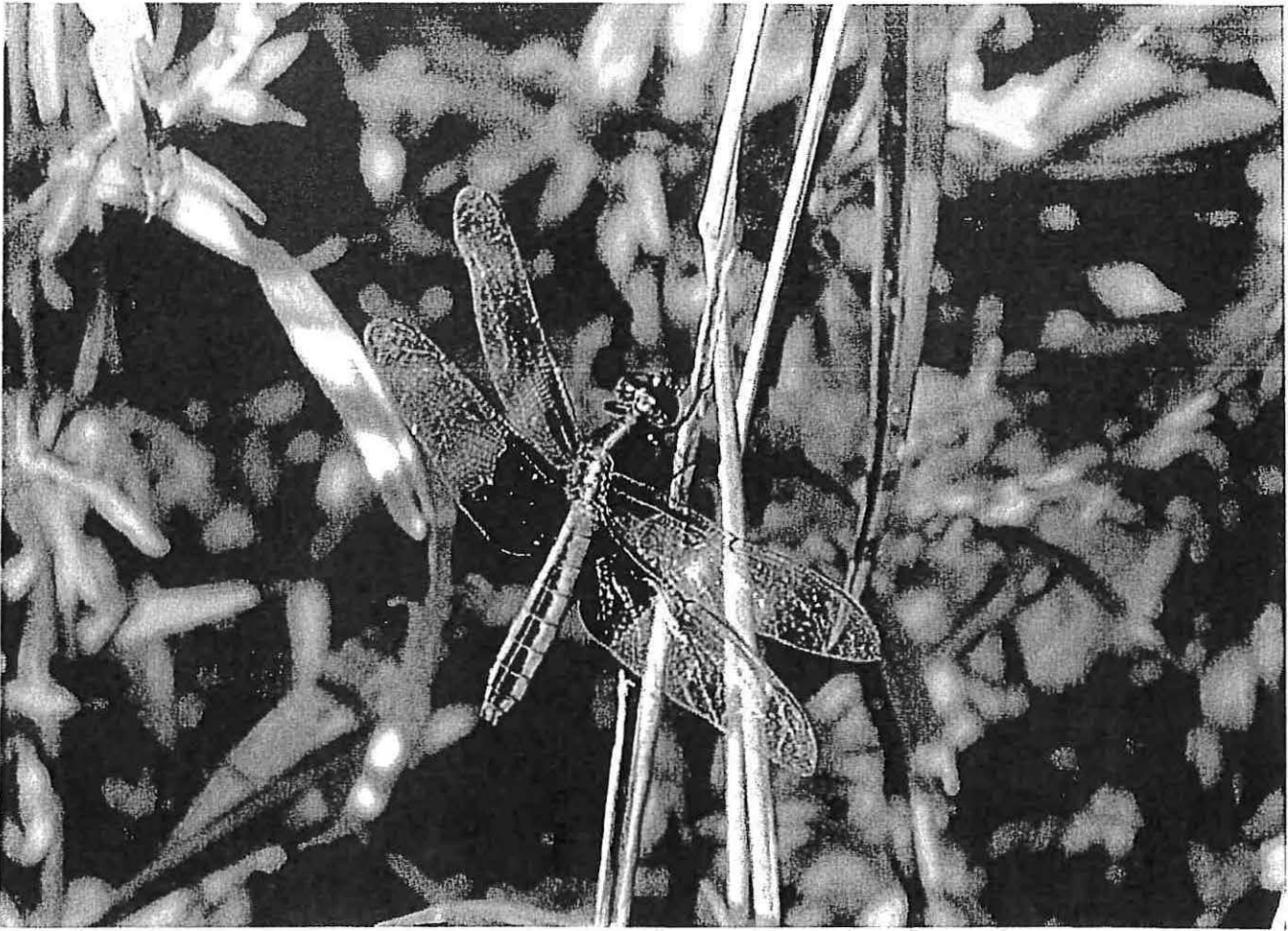
## Interesting Roadside Pictures of 2019



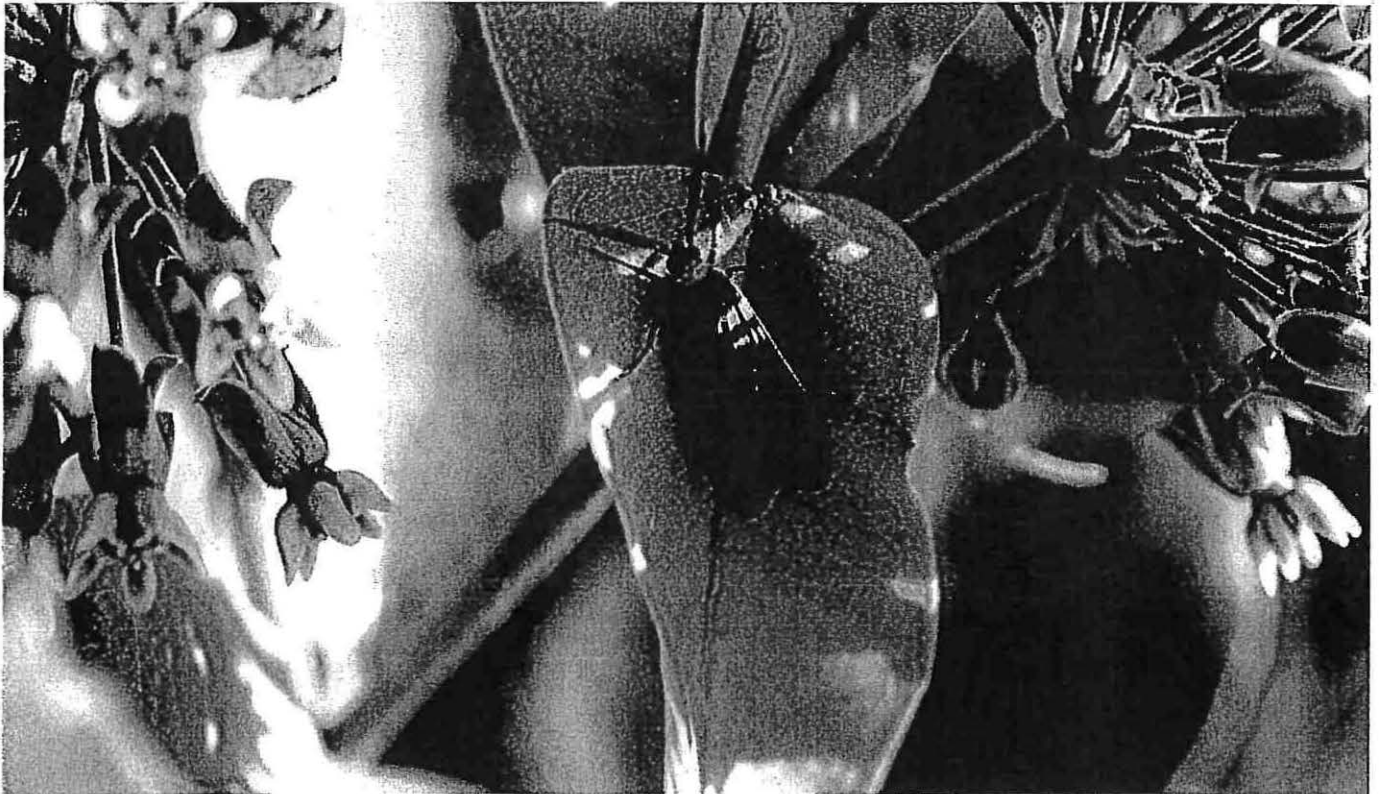
Bumble Bee collecting pollen from Viper Bugloss plant on Brookfield Road



Familiar Bluet Damselfly

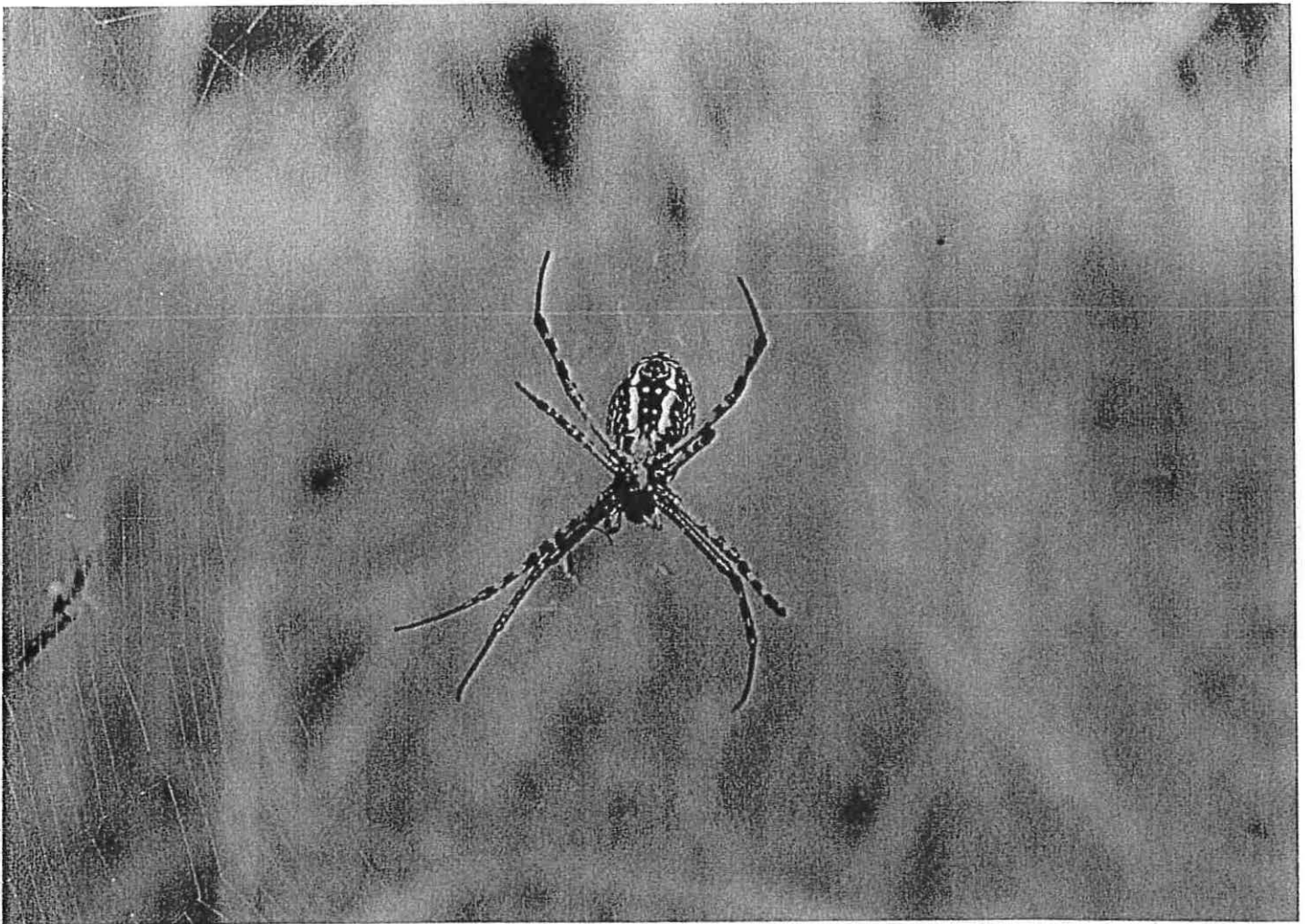


There was a large amount of dragonflies and Damsel Flies along the roadsides this year. I'm sure the wet weather had increased the population. But did the delay of the spring cut have something to do with the increase of population?



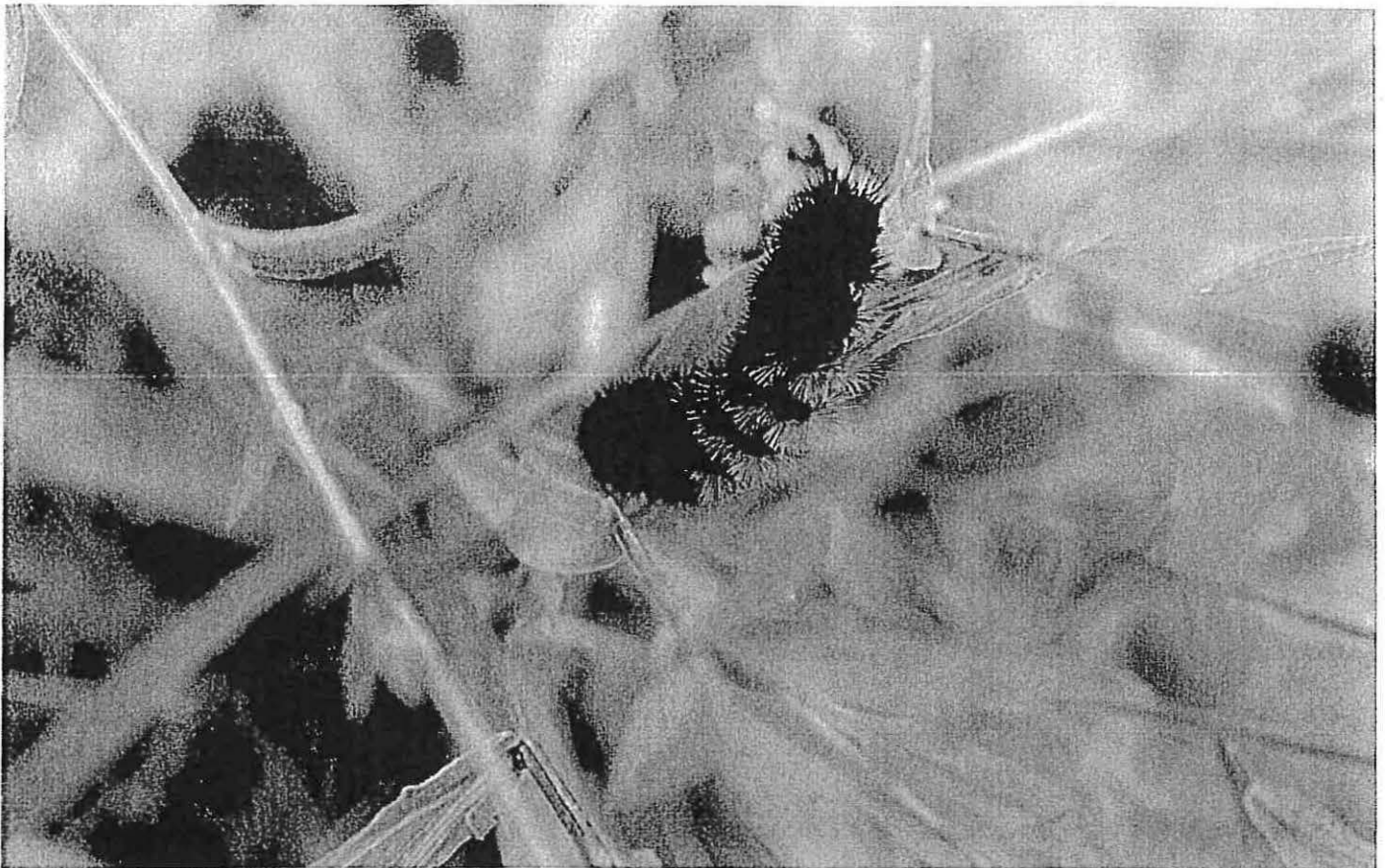
Virginia Ctenucha Moth





An Orb Weaver taking advantage of the food along the roadsides





Woolly Bear Caterpillar eating Knapweed plant, ever wonder why you see them on the roads in fall?



Black Swallowtail caterpillar and honey bee sharing Knapweed



Painted Lady Butterfly on Knapweed

## Report on Boulevard Trees to EAC Meeting, November 13, 2019

**Recommendation:** *That Port Colborne Environmental Advisory Committee (EAC) recommends to Council that staff be directed to review previous decisions on boulevard tree planting (Tree Installation Policy, October 2007 and Bylaw No. 6175/01/15, dated 12<sup>th</sup> January 2015) taking into regard the reasons provided in this report and report back to Council following this review.*

**Introduction:** Port Colborne's Environmental Advisory Committee (EAC) has been considering policy adopted by the City of Port Colborne on the planting and management of boulevard trees in Port Colborne. This policy is set out in a Tree Installation Policy which appears to have been adopted in the fall of 2007 and updated by Bylaw No. 6175/01/15 dated 12<sup>th</sup> January 2015.

The Bylaw and Tree Installation Policy provide for, among other things, the removal of trees from street boulevards, replanting a replacement tree if the adjoining landowner wishes, regulation of which trees can be planted with 4.5 m from City property and a strict prohibition on planting any tree within 1.5 m from City property including any replacement tree for one removed from the boulevard. No provision appears to be made for tree planting within streets owned by the City. Over time, this policy will result in the removal of trees from City streets in Port Colborne's urban area.

EAC believes that a review of this policy and it's further development to address the considerations listed below would benefit Port Colborne at this time for the following reasons:

1. Boulevard trees are important contributors to the quality of residential and commercial neighbourhoods and strategically planted can improve the environmental quality of the City as well as provide many other benefits described below. There is a substantial disparity in the distribution of boulevard trees throughout Port Colborne's urban area.
2. Public health research supports the importance of urban forestry and treed streetscapes. For example, American researchers have found the demise of ash trees due to the ash borer from the forest canopy correlates with increases in mortality where heart and lower respiratory diseases are concerned. More recently, Danish researchers have found that youth growing up in neighbourhoods with sufficient green space experience lower incidences of psychiatric disorders in later life. While the sciences doesn't establish causality where these correlations are concerned, sufficient evidence exists to warrant treed streetscapes, where possible.
3. Neighbourhood quality, including forested boulevards, is an important criteria where companies make decisions to develop and relocate manufacturing and industrial operations. The availability of quality walkable and green neighbourhoods for employees is an important consideration when relocation and development decisions are made.
4. Boulevard trees help improve air quality throughout the City. This is important where particulate matter is concerned. During extreme heat events, boulevard trees also help

cool neighbourhoods by providing shade. In addition, they calm traffic by encouraging slower vehicular speeds.

5. With the extreme wind events, we experienced in 2019, particularly October 31<sup>st</sup> and November 1<sup>st</sup>, Port Colborne may become geographically at risk to more severe and extreme wind events as a result of climate warming. More attention should be placed on reducing our vulnerability where larger tree species are concerned, particularly where hydroelectric facilities, building stock and streets are concerned. Attention is warranted to clarifying which species should be listed and regulated where bylaw 6175/01/15 are concerned. The list of prohibited trees and the possible addition of smaller tree species should be considered. This clarification should also be made available publicly so landowners can use these recommendations where replanting is undertaken, particularly where replacement of ash canopy is considered.
6. It may also be warranted to include this recommended re-consideration of Bylaw 6175/01/15 with work ongoing in the City on the topic of greenhouse gas mitigation strategies are concerned. Recent research on municipal climate change planning suggests that more emphasis needs to be placed on adaptation. Adaptation of Bylaw 6175/01/15 to extreme wind related events is warranted.

Further, in conducting this review, EAC recommends that the following matters be considered:

1. The use of smaller tree species to be determined as species recommended for application.
2. It is recommended that City staff work with municipal horticulturalists and landscape architects on staff and in other municipalities to identify and benefit for other municipal experience where comparable issues are concerned.
3. Where possible this work should be coordinated with the climate warming mitigation work underway presently in the City.
4. There is substantial variety in the dimensions and designs of the streetscapes in Port Colborne beyond the obvious variations that apply to commercial and industrial/manufacturing uses and residential neighbourhoods. If possible, can there be some adaptation of the boulevard tree policy to reflect these differences?

**Recommendation:** *That Port Colborne Environmental Advisory Committee (EAC) recommends to Council that staff be directed to review previous decisions on boulevard tree planting (Tree Installation Policy, October 2007 and Bylaw No. 6175/01/15, dated 12<sup>th</sup> January 2015) taking into regard the reasons provided in this report and report back to Council following this review.*

## Draft Report on Boulevard Trees to EAC Meeting, November 13, 2019

**Recommendation:** *That Port Colborne Environmental Advisory Committee (EAC) recommends to Council that staff be directed to review previous decisions on boulevard tree planting (Tree Installation Policy, October 2007 and Bylaw No. 6175/01/15, dated 12<sup>th</sup> January 2015) taking into regard the reasons provided in this report and report back to Council following this review.*

**Introduction:** Port Colborne's Environmental Advisory Committee (EAC) has been considering policy adopted by the City of Port Colborne on the planting and management of boulevard trees in Port Colborne. This policy is set out in a Tree Installation Policy which appears to have been adopted in the fall of 2007 and updated by Bylaw No. 6175/01/15 dated 12<sup>th</sup> January 2015.

The Bylaw and Tree Installation Policy provide for, among other things, the removal of trees from street boulevards, replanting a replacement tree if the adjoining landowner wishes, regulation of which trees can be planted with 4.5 m from City property and a strict prohibition on planting any tree within 1.5 m from City property including any replacement tree for one removed from the boulevard. No provision appears to be made for tree planting within streets owned by the City. Over time, this policy will result in the removal of trees from City streets in Port Colborne's urban area.

EAC believes that a review of this policy and it's further development to address the considerations listed below would benefit Port Colborne at this time for the following reasons:

1. Boulevard trees are important contributors to the quality of residential and commercial neighbourhoods and strategically planted can improve the environmental quality of the City as well as provide many other benefits described below. There is a substantial disparity in the distribution of boulevard trees throughout Port Colborne's urban area.
2. Public health research supports the importance of urban forestry and treed streetscapes. For example, American researchers have found the demise of ash trees due to the ash borer from the forest canopy correlates with increases in mortality where heart and lower respiratory diseases are concerned. More recently, Danish researchers have found that youth growing up in neighbourhoods with sufficient green space experience lower incidences of psychiatric disorders in later life. While the sciences doesn't establish causality where these correlations are concerned, sufficient evidence exists to warrant treed streetscapes, where possible.
3. Neighbourhood quality, including forested boulevards, is an important criteria where companies make decisions to develop and relocate manufacturing and industrial operations. The availability of quality walkable and green neighbourhoods for employees is an important consideration when relocation and development decisions are made.
4. Boulevard trees help improve air quality throughout the City. This is important where particulate matter is concerned. During extreme heat events, boulevard trees also help

cool neighbourhoods by providing shade. In addition they calm traffic by encouraging slower vehicular speeds.

5. With the extreme wind events we experienced in 2019, particularly October 31<sup>st</sup> and November 1<sup>st</sup>, Port Colborne may become geographically at risk to more severe and extreme wind events as a result of climate warming. More attention should be placed on reducing our vulnerability where larger tree species are concerned, particularly where hydroelectric facilities, building stock and streets are concerned. Attention is warranted to clarifying which species should be listed and regulated where bylaw 6175/01/15 are concerned. The list of prohibited trees and the possible addition of smaller tree species should be considered. This clarification should also be made available publicly so landowners can use these recommendations where replanting is undertaken, particularly where replacement of ash canopy is considered.
6. It may also be warranted to include this recommended re-consideration of Bylaw 6175/01/15 with work ongoing in the City on the topic of greenhouse gas mitigation strategies are concerned. Recent research on municipal climate change planning suggests that more emphasis needs to be placed on adaptation. Adaptation of Bylaw 6175/01/15 to extreme wind related events is warranted.

Further, In conducting this review, EAC recommends that the following matters be considered:

1. The use of smaller tree species and possibly shrubs as species recommended for application.
2. It is recommended that City staff work with municipal horticulturalists and landscape architects on staff and in other municipalities to identify and benefit for other municipal experience where comparable issues are concerned.
3. Where possible this work should be coordinated with the climate warming mitigation work underway presently in the City.
4. There is substantial variety in the dimensions and designs of the streetscapes in Port Colborne beyond the obvious variations that apply to commercial and industrial/manufacturing uses and residential neighbourhoods. If possible can there be some adaptation of the boulevard tree policy to reflect these differences?

## Draft Site Alteration Permit Review and Costing

**Recommendation:** *Port Colborne Environmental Advisory Committee (EAC) recommends to Council that the review and fee structure associated with a revised site alteration bylaw needs to be coordinated together and recommends consideration of the following approach detailed in this report as an example of how this might be achieved.*

*Further EAC recommends that the administration of the revised site alteration bylaw be undertaken by the Director of Engineering given the engineering and geophysical analysis required to administer the bylaw.*

**Background:** On May 15, EAC provided a list of recommended questions to Council for consideration during the review of a site alteration permit by Port Colborne Quarries. At the last EAC meeting, it was reported that Council is considering the review of the site alteration bylaw. We understand that the review of fee structure may be conducted separately from the substantive provisions of the revised bylaw. EAC agrees that the bylaw needs to be reviewed and is of the opinion that the fee structure and the substantive requirements of the site alteration bylaw need to be coordinated together to produce the best result.

In the drafting of this report we have reviewed:

- O Reg. 153/04;
- The Ministry of the Environment, Conservation and Parks (MECP) Management of Excess Soil – A Guide for Best Management Practices;
- MECP's Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act;
- Whitchurch-Stouffville's Guideline for Site Alteration and Fill Permit;
- Ontario Soil Regulation Task Force (OSRTF) Model Fill Bylaw.

**Analysis:** There are a range of activities for which no site alteration permits may be needed. For example, these include:

1. Where draft plan or other approvals are required under similar Planning Act approvals;
2. In areas regulated by the Niagara Peninsula Conservation Authority;
3. Where site alteration requirements also fall within the regulations of Federal, Provincial (e.g., Aggregate Resources Act approvals) or Regional authorities;
4. Where the site alteration involves quantities less than 200 cubic metres; and
5. For normal farm practices and garden centres.

Otherwise, a detailed application permit, together with supporting documents is needed for all applications. The application and documentation is to be completed by a Qualified Person (e.g., P. Eng., P. Geo.) who will certify that the requirements of the site alteration bylaw have been adhered to. In the preparation of the application, the application should use MECP's Guideline on the Management of Excess Soil – A Guide for Best Management Practices; MECP's Soil,



Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act; and Ontario Regulation 153/04, where applicable.

Imported fill quality should be assessed in accordance with OR 153/04. Where a Record of Site Condition is not required, the bylaw should make provision for Port Colborne to require a Record of Site Condition. An agreement may be required between the applicant and the City of Port Colborne to administer the review, monitoring and implementation of the site alteration.

Other research and documentation may be required depending on the physical circumstances of the receiving site. For example the Niagara Peninsula Conservation Authority's watershed studies and plans and applicable official plan policy should be consulted. The additional documentation may be needed to ensure that the proper soil, groundwater and sediment standards are addressed.

Here are the technical and licensing and administrative fee requirements that can be addressed together:

1. A peer review by a Qualified Person retained by the City of Port Colborne is required before the application is approved. The standard fee required for this review may be set for smaller less complicated applications.
2. For larger applications, 5000 cubic metres or more in volume, the review fee should be set in a process that is based on the complexity of the source and receiving sites and the proposed plan for filling. One method of ensuring the review costs are adequately addressed is to require a cash deposit with the application fee. The cash fee should be set on the basis of the peer review required to peer review the application's technical documentation, on and offsite monitoring during the site alteration, and the implementation of the fill operation at the receiving site.
3. A Certificate of Insurance should also be applied where the complexity of the site alteration warrants it. Together with the Cash Deposit, the Certificate of Insurance is needed to provide the City of Port Colborne with resources to oversee the site alteration and if required, retain the necessary resources needed to control the site should non-compliance with the fill plan occur.
4. The quantum to be used to establish the Certificate should be based on the costs reasonably incurred to secure the site over the lifetime of the operation; rectify the outstanding requirements to address non-compliance with the fill plan, agreement with the municipality and O Reg. 153/04 and its successors; and complete the site alteration to meet the minimum requirements of the permit. Otherwise the remaining cash deposit and the Certificate of Insurance can be returned and cancelled at the acceptable completion of the site alteration.
5. For complex and large site alterations an agreement between the municipality and the applicant will be required to address the administration of the fill plan and its review and implementation.
6. Administration of the Site Alteration Bylaw should be undertaken by the Port Colborne Engineering and Operations Department.



EAC  
HR  
water & wastewater  
FW: Community Planning for Climate Action - Niagara Region  
Palma,Beth

to:  
Janice Peyton/Port\_Notes (janicepeyton@portcolborne.ca)  
10/31/19 07:59 PM

Hide Details

From: "Palma,Beth" <Beth.Palma@niagarahealth.on.ca>  
To: "Janice Peyton/Port\_Notes (janicepeyton@portcolborne.ca)"  
<janicepeyton@portcolborne.ca>

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show Images

History: This message has been replied to.

Janice, perhaps we could add this onto our next agenda? Do you think the committee could pay the \$15 for those who would like to attend? Beth.

---

From: Carolinian Canada <no-reply@email.caroliniancanada.ca>  
Sent: 31-Oct-2019 10:17  
To: Palma,Beth <Beth.Palma@niagarahealth.on.ca>  
Subject: Community Planning for Climate Action - Niagara Region

**EXTERNAL EMAIL - USE CAUTION**

[View this email in your browser](#) | [Forward this email](#)

[Donate](#)

[Twitter](#)

[Facebook](#)

[Youtube](#)

Carolinian Canada - Collaborating for a Healthy Ecoregion

[CarolinianCanada.ca](#) | [GoWildGrowWild.ca](#) | [InTheZoneGardens.ca](#)

Grow Canada's Biggest Wildlife Garden.

# Nature works! Collaborative Workshops to Restore a Green Future

[REGISTER](#)

Join Municipal Leaders, Environmental NGOs, agricultural representatives and Community Leaders at **two workshops in November** to find out what climate adaptation efforts are happening in your region, and next steps to accelerate climate action.

Niagara is at the heart of the Carolinian Zone; Canada's most biologically diverse, cultivated, and heavily populated region. As we approach the UN Decade of

Restoration, community leaders are encouraged to come to one - or both - workshop sessions to learn how to position municipalities, organizations and community groups as leaders in the movement to restore a green future.

## **1. Workshop for Municipal, Environmental NGO staff, agricultural representatives, Indigenous leaders and community groups.**

Tuesday, November 26, 2019

Ball's Falls Centre for Conservation

3292 Sixth Avenue, Lincoln, L0R 1S0

1:00pm-4:00pm

Cost: \$50/\$25.00 early bird by November 19th

[REGISTER](#)

Join us to learn how the In the Zone program can:

- Help build municipal knowledge and capacity for high-quality restoration and management
- Identify opportunities to integrate nature-based climate solutions
- Empower community leaders to take on meaningful restoration projects
- Connect you to a network of local partners and native plant growers with shared goals
- Offer community outreach and impact tracking tools to measure and highlight successes
- Be added to existing native plant and community outreach efforts

The involvement of municipalities in raising awareness and empowering community leaders to take action is crucial. By working with local ENGOs, community groups, and residents, we can connect urban and rural landscapes and communities in southern Ontario, simply by reintroducing locally sourced native plants.

## **2. Workshop for Leaders of Community Groups, Gardening Clubs and Garden Centres**

Tuesday, November 26, 2019

Ball's Falls Centre for Conservation

3292 Sixth Avenue, Lincoln, L0R 1S0

6:00pm-8:30pm

Cost: \$15

[REGISTER](#)

The In the Zone workshop will help you by:

- Increasing your knowledge about native plants

- Providing resources curated by experts
- Identifying opportunities for native plant restoration in your community
- Providing online tracking tools for you to register gardens you work and manage
- Publishing the progress you and your community of gardeners have made
- Sharing your community's success stories to inspire others

Through In the Zone, your group can empower individuals in your community to take positive climate actions supported by the best science. This program can be easily added to existing native plant and community outreach efforts and fosters values of connectedness to nature.

[REGISTER](#)

**Together we can restore a green future.**

**Questions?**

email [workshop@carolinian.org](mailto:workshop@carolinian.org)

**Sponsored By**

[Forward this email](#)

Brought to you by Carolinian Canada: a network of leaders growing healthy landscapes for a green future in the Carolinian Zone, Ontario's extraordinary far south

[Subscribe](#) | [Update Your Profile](#) | [Unsubscribe](#)

PLEASE FEEL FREE TO FORWARD TO YOUR NETWORK

Carolinian Canada is a network of leaders growing a green future together. We collaborate for healthy ecosystems. Our Big Picture strategy enables, connects and tracks thousands of green leaders to save, steward and seed healthy ecosystems for thriving green communities. Our shared vision is that communities thrive because of healthy, resilient landscapes in the Carolinian Zone, Ontario's extraordinary far south.

Explore [CarolinianCanada.ca](http://CarolinianCanada.ca)



Planning and Development Department  
Planning Division

Report Number: 2019-173

Date: November 12, 2019

**SUBJECT:** Ministry of the Environment, Conservation and Parks Response Regarding Safe Soil Levels of the CBRA.

**1) PURPOSE:**

The purpose of the report is to provide Council with information on the response received from the Ministry of the Environment, Conservation and Parks (MECP) on the safe soil levels of the CBRA CoCs and levels for use in Ontario Regulation 153/04.

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

On August 13, 2019, through Planning and Development report 2019-123, the following was approved by Council:

*"That the Director of Planning and Development be directed to send a letter to the Ministry of the Environment, Conservation and Parks requesting clarification with respect to the safe soil levels of the Port Colborne Community Based Risk Assessment Chemicals of Concern and levels for use in Ontario Regulation 153/04."*

On August 23, 2019, the requested letter was sent to the MECP and on October 9, 2019, a response was received.

**3) STAFF COMMENTS AND DISCUSSIONS**

Attached as Appendix A, is the response from the MECP. As it relates to safe soil levels of the CBRA CoCs, the MECP states:

*"The proposed Community Based Action Plan identifies a range of risk management measures that would be implemented at nickel concentration levels between 1,800 and 8,000 ppm which will address ministry's concerns and help to further reduce the potential for exposure to nickel and other metals in soils."*

In response to the safe levels for use in Ontario Regulation 153/04, the MECP states:

*"Ontario Regulation 153/04 lays out the requirements for a obtaining a Record of Site Condition (RSC). Any land use change to a more sensitive land use in the province of Ontario requires that a RSC be filed with the ministry: If nickel concentrations in soil are found at concentrations above O. Reg. 153/04 standards then an overall site remediation can be completed using the soil standards found in O. Reg 153/04 or a risk assessment may be conducted. The ministry supports a Qualified Professional relying on ministry accepted components of the CBRA to evaluate potential risks from nickel and other metals*

*in soil on the specific property that requires an RSC."*

It is positive to note that the MECP acknowledges the burdens placed on property owners undergoing a change of use on land affected by the CBRA. As Vale's Community Based Action Plan has not been finalized, they are recommending the City discuss concerns about land use change burdens associated with requiring a RSC with Vale.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

a) **Do nothing.**

N/A

b) **Other Options**

N/A

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A.

**6) ATTACHMENTS**

Appendix A - Ministry of the Environment, Conservation and Parks response letter.

**7) RECOMMENDATION**

That Planning and Development Department report 2019-173, Ministry of the Environment, Conservation and Parks Response Regarding Safe Soil Levels of the CBRA be received for information; and

That the Director of Planning and Development discuss concerns about land use change burdens associated with requiring a RSC with Vale.

**8) SIGNATURES**

Prepared on October 31, 2019 by:

Reviewed and Respectfully Submitted:



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



Peter Senese  
Interim Chief Administrative Officer

Ministry of the Environment,  
Conservation and Parks  
Drinking Water and Environmental  
Compliance Division  
West Central Region  
Niagara District Office

Ministère de l'Environnement de la  
Protection de la nature et des Parcs  
Division de la conformité en matière  
d'eau potable et d'environnement  
Direction régionale du Centre-Ouest  
Bureau du district de Niagara



9<sup>th</sup> Floor, Suite 15  
301 St. Paul Street  
St. Catharines, ON L2R 7R4  
Tel.: 905 704-3900  
1-800-263-1035  
Fax: 905 704-4015

9<sup>e</sup> étage, bureau 15  
301, rue St. Paul  
St. Catharines, ON L2R 7R4  
Tel.: 905 704-3900  
1-800-263-1035  
Télec.: 905 704-4015

October 3, 2019

City of Port Colborne  
Attention: Dan Aquilina – Director of Planning and Development  
66 Charlotte Street  
Port Colborne, ON L3K 3C8  
(Sent via e-mail: [danaquilina@portcolborne.ca](mailto:danaquilina@portcolborne.ca))

Dear Mr. Aquilina,

**RE: Vale Community Based Action Plan**

Thank you for your letter dated August 23, 2019 requesting clarification with respect to the safe soil levels in the Port Colborne Community Based Risk Assessment Chemical of Concern and the levels for use in Ontario Regulation 153/04 (O. Reg. 153/04).

The Community-Based Risk Assessment (CBRA) was a voluntary approach undertaken by Vale which concluded that metals in the soil from historical refinery activities do not result in unacceptable risks to health. The Ministry of the Environment, Conservation and Parks ("the ministry") and Vale did not agree on fundamental concepts used for the scientific analysis in the CBRA and Vale has chosen not to revise the CBRA reports to address the ministry's comments. Vale has made the ministry's comments available on their website.

The Niagara Region Public Health Department has not detected any specific adverse effects to people associated with exposure to soils in Port Colborne and so it was agreed that the best path forward was to work on measures to reduce exposure to the Contaminants of Concern in the community to address the ministry's comments. Vale has proposed the Community Based Action Plan which uses valuable information from the CBRA process. The proposed Community Based Action Plan identifies a range of risk management measures that would be implemented at nickel concentration levels between 1,800 and 8,000 ppm which will address ministry's concerns and help to further reduce the potential for exposure to nickel and other metals in soils. The plan also proposes additional studies to determine future risk management measures for the natural environment and crops.

The ministry agrees in concept with the proposed Community-Based Action Plan and has asked Vale to proceed with municipality and stakeholder consultation including the development community to obtain feedback for consideration, along with ministry comments, as they finalize their Community Based Action Plan.

Ontario Regulation 153/04 lays out the requirements for a obtaining a Record of Site Condition (RSC). Any land use change to a more sensitive land use in the province of Ontario requires that a RSC be

filed with the ministry. If nickel concentrations in soil are found at concentrations above O. Reg. 153/04 standards, then an overall site remediation can be completed using the soil standards found in O. Reg 153/04 or a risk assessment may be conducted. The ministry supports a Qualified Professional relying on ministry accepted components of the CBRA to evaluate potential risks from nickel and other metals in soil on the specific property that requires an RSC.

As work is still underway to finalize of the Community Based Action Plan, I recommend the City discuss their concerns about land use change burdens associated with requiring an RSC with Vale.

If you have any further questions pertaining to Ontario Regulation 153/04 please contact Greg Washuta, Niagara District Engineer at the Ministry of Environment, Conservation and Parks at (905) 687- 4649 or [Greg.Washuta@ontario.ca](mailto:Greg.Washuta@ontario.ca).

Regards,



Kim Groombridge  
District Manager, Niagara District Office

cc. Eric Azzopardi – Vale  
Greg Washuta – MECP  
Linda Gabriele - MECP