

**City of Port Colborne
Council Meeting Agenda**

Date: Monday, February 22, 2021
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
 66 Charlotte Street, Port Colborne

Pages

- 1. Call to Order**
- 2. National Anthem**
- 3. Proclamations**
- 4. Adoption of Agenda**
- 5. Disclosures of Interest**
- 6. Approval of Minutes**
 - 6.1. Regular Meeting of Council - February 8, 2021 1
- 7. Staff Reports**
 - 7.1. Water Rescue During Wind Storm on November 15, 2020, 2021-59 9
 - 7.2. MOU between the City of Port Colborne and Port Cares for an Affordable Housing Development, 2021-54 14
 - 7.3. Nickel Beach and Centennial – Cedar Bay Beach Seasonal Operation Plans 2021, 2021-49 26
 - 7.4. Sugarloaf Marina 2021 Rates Report, 2021-56 37
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 - 7.6. Heritage Report for Demolition of an Accessory Building at 120 Main Street West, 2021-57 49
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- 8. Correspondence Items**

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8.7.	Various Municipalities - Ontario Fire College Closure	99
8.8.	Municipality of Brockton - Support Port Colborne on Proposed Regulations under Ontario Heritage Act (Bill 108)	112

9. Presentations

10. Delegations

In order to speak at a Council meeting, individuals must register no later than 12 noon on the date of the scheduled meeting. To register, complete the online application at www.portcolborne.ca/delegation, email deputyclerk@portcolborne.ca or phone 905-835-2900, ext. 115.

11. Mayor's Report

12. Regional Councillor's Report

13. Staff Remarks

14. Councillors' Remarks

15. Consideration of Items Requiring Separate Discussion

16. Motions

17. Notice of Motions

18. Minutes of Boards & Committees

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19. By-laws

19.1.	By-law to Authorize Entering into a Memorandum of Understanding with Port Cares for an Affordable Housing Development	120
19.2.	By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne	130

20. Confidential Items

Confidential reports will be distributed under separate cover. Items may require a closed meeting in accordance with the Municipal Act, 2001.

20.1.	Minutes of the closed session portion of the February 8, 2021 Council Meeting	
20.2.	Chief Administrative Office Report 2021-58, Hamilton-Oshawa Port Authority City Joint Development Plan	
20.3.	Chief Administrative Office Report 2021-55, Potential Disposition of City Owned Land	
20.4.	Corporate Services Department Report 2021-59, Appeal of Zoning By-law Amendment (170 Welland Street)	

21. Procedural Motions

22. Information items

23. Adjournment

City of Port Colborne

Council Meeting Minutes

Date: Monday, February 8, 2021
Time: 6:30 p.m.
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

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

Member(s) Absent: E. Beauregard, Councillor

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
C. Madden, Deputy Clerk (minutes)
B. Boles, Director of Corporate Services/Treasurer
C. Kalimootoo, Director of Public Works

1. Call to Order

Mayor Steele called the meeting to order.

2. National Anthem

3. Proclamations

4. Adoption of Agenda

Moved by Councillor R. Bodner
Seconded by Councillor H. Wells

That the agenda dated February 8, 2021 be confirmed, as circulated.

Carried

5. Disclosures of Interest

6. Approval of Minutes

6.1 Regular Meeting of Council - January 25, 2021

Moved by Councillor F. Danch

Seconded by Councillor G. Bruno

That the minutes of the regular meeting of Council, held on January 25, 2021, be approved as presented.

Carried

7. Staff Reports

Moved by Councillor M. Bagu

Seconded by Councillor D. Kalailieff

That item 7.1 be approved, and the recommendations contained therein be adopted.

Carried

7.1 Recommendation Report for a Proposed Communication Tower at 534 Pleasant Beach Road, File D27-10 (Report 2021-34)

That Council has no adverse comments to the proposed communication tower at 534 Pleasant Beach Road; and

That Innovation, Science and Economic Development Canada and Forbes Bros. Ltd. be notified of Council's decision.

8. Correspondence Items

Moved by Councillor A. Desmarais

Seconded by Councillor D. Kalailieff

That items 8.1 to 8.3 be received for information.

Carried

8.1 Niagara Region - Approval of 2021 Interim Levy Dates and Amounts

8.2 City of Welland - Allocation of COVID Vaccine

8.3 Various Municipalities - Municipal Insurance Costs

9. Presentations

9.1 Matt Robinson, Director and Scott Fraser, Transportation Lead, GO Implementation, Niagara Region - Niagara Transit Governance Study

Matt Robinson, Director of GO Implementation, Niagara Region, provided a presentation with respect to a Niagara Transit Governance Study and responded to questions received from Council.

10. Delegations

10.1 Mike Chechalk, Director and Rob Cosby, Associate Director, Niagara Federation of Agriculture - Farm 911 The Emily Project

Mike Chechalk, Director and Rob Cosby, Associate Director, Niagara Federation of Agriculture, provided a presentation with respect to Farm 911 - The Emily Project and responded to questions received from Council.

Moved by Councillor A. Desmarais

Seconded by Councillor R. Bodner

That the Fire Chief be directed to investigate the implementation of the Farm 911 – The Emily Project and report back to Council with a recommendation.

Carried

a. Farm 911 The Emily Project - Delegation Presentation

11. Mayor's Report

A copy of the Mayor's report is attached.

12. Regional Councillor's Report

13. Staff Remarks

13.1 Sidewalk Construction on Clarence Street (Luey)

The Chief Administrative Officer informed Council that sidewalk construction on the west end of Clarence Street is planned for 2021 and

that staff are preparing a report to bring forward to Council regarding this matter.

14. Councillors' Remarks

14.1 Signs on the end of Holloway Bay Road (Wells)

In response to Councillor Wells' inquiry regarding how the Fort Erie signs installed at the end of Holloway Bay Road will affect Port Colborne residents, the Chief Administrative Officer informed Council that he would investigate this matter.

14.2 Medical Marijuana Establishments (Wells)

In response to Councillor Wells' inquiry regarding how the City ensures medical marijuana establishments are in compliance with the City's by-laws, the Director of Planning and Development indicated that under the City's Zoning By-law, land uses of Cannabis Production Facilities are subject to a site plan control agreement between the municipality and the owner of the property but if a property is in operation of a use that is not in compliance with the Zoning By-law, enforcement will occur through that by-law and through the Planning Act. The Fire Chief reiterated to Council that staff will enforce properties that are not in compliance with the City's by-laws using every measure that is under the authority of the municipality.

14.3 Council Review Committee Update (Desmarais)

In response to Councillor Desmarais' inquiry, the City Clerk provided an update on the citizen advisory committees meeting and advised that a report will be brought forward to Council with respect to required actions by the Council Review Committee after the pandemic.

14.4 Friends of Roselawn Art Auction (Kalailieff)

Councillor Kalailieff informed Council that the Friends of Roselawn are holding an art auction via their social media pages until February 13, 2021.

14.5 New Chair of Downtown BIA (Kalailieff)

Councillor Kalailieff informed Council that Jesse Boles has been elected the new Chair for the Downtown Business Improvement Area Board of Management.

14.6 Vaccine Sites in Port Colborne (Bagu)

In response to Councillor Bagu's inquiry, the City Clerk advised that staff are working with Niagara Region Public Health in planning for a vaccination site to be located in the City of Port Colborne and that more information will be provided by the Niagara Region in the near future.

14.7 Windstorm (Bagu)

Councillor Bagu expressed gratitude towards Operations and Fire staff for their work during the last windstorm.

14.8 Construction at Centennial Park - Cedar Bay Beach (Bodner)

Councillor Bodner informed Council and the public that the construction happening at Centennial Park - Cedar Bay Beach is to improve the control of water on the lawn which should be completed early in the spring.

14.9 Cannabis Production Facilities (Bodner)

In response to Councillor Bodner's inquiry regarding whether the City monitors cannabis production facilities currently in operation to ensure continuous compliance with the City's by-laws, the Director of Planning and Development indicated that the City is not aware of any property that has gone through the municipality's process in establishing as a Cannabis Production Facility. The Director of Planning and Development also advised that for new facilities, property owners are advised that they must comply with the Zoning By-law, they must obtain the applicable building permits and must enter into a legal site plan agreement with the municipality.

14.10 Strategic Plan Update (Bruno)

Councillor Bruno expressed appreciation towards the Chief Administrative Officer for providing Council with an update on the City's Strategic Plan.

15. Consideration of Items Requiring Separate Discussion

15.1 Niagara Transit Governance (Report 2021-39)

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That Corporate Service Department Report 2021-39 be received;

That Council endorse, in principle, the Full Commission as the recommended governance model for the consolidation of Niagara's public

transit system, taking into account that Niagara Region will commit to and address:

- a. That the City of Port Colborne service levels set out in the report Transit Enhancement Opportunity (Report 2021-15) dated January 11, 2021 are maintained and improved upon;
- b. That the proposed financial model be amended to address concerns presented by the City of Port Colborne; and
- c. That Regional Council consider geographical areas, such as Niagara South, when selecting two additional Councillors for the Full Commission; and

That Council direct the Director of Corporate Services/Treasurer and the Chief Administrative Officer to continue to work with other municipal CAOs and Regional staff on the Regional financial structure of the consolidation of Niagara's public transit system, which will be presented to Council with a targeted timeframe of Q2 2021.

Carried

15.2 Physician Recruitment Guideline (Report 2021-37)

Moved by Councillor M. Bagu
Seconded by Councillor G. Bruno

That Chief Administrative Office Report 2021-37 be received; and

That the Physician Recruitment Guideline in Appendix A of Chief Administrative Office Report 2021-37 be approved.

Carried

15.3 Audit Planning Document (Report 2021-40)

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

That Corporate Services Department Report 2021-40, Audit Planning Document be received for information.

Carried

15.4 Ontario Stone, Sand & Gravel Association - Gravel Facts in Ontario

Moved by Councillor H. Wells

Seconded by Councillor D. Kalailieff

That correspondence from Ontario Stone, Sand & Gravel Association regarding Gravel Facts in Ontario, be received for information.

Carried

16. Motions

17. Notice of Motions

18. Minutes of Boards & Committees

18.1 Port Colborne Historical and Marine Museum Board - November 17, 2020

Moved by Councillor A. Desmarais

Seconded by Councillor D. Kalailieff

That the minutes of the Port Colborne Historical and Marine Museum Board meeting, held on November 17, 2020, be approved as presented.

Carried

19. By-laws

Moved by Councillor M. Bagu

Seconded by Councillor F. Danch

That items 19.1 and 19.2 be enacted and passed.

Carried

19.1 By-law to Appoint a Chief Building Official

19.2 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne

20. Confidential Items

The City Clerk reported that direction was provided to staff for item 20.2 during closed session in accordance with the *Municipal Act, 2001*.

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

That Council do now proceed into closed session in order to address items 20.1 and 20.2.

Carried

**20.1 Minutes of the closed session portion of the January 11, 2021
Council Meeting**

**20.2 Chief Administrative Office Report 2021-36, Potential Disposition of
City Owned Land**

21. Procedural Motions

22. Information items

23. Adjournment

Council moved into Closed Session at approximately 8:30 p.m.

Council reconvened into Open Session at approximately 9:19 p.m.

Mayor Steele adjourned the meeting at approximately 9:20 p.m.

William C. Steele, Mayor

Amber LaPointe, City Clerk

Subject: Water Rescue During Wind Storm on November 15, 2020 – 2021-59

To: Council

From: Fire and Emergency Services

Report Number: 2021-59

Meeting Date: February 22, 2021

Recommendation:

That Fire and Emergency Services Report 2021-59 be received; and

That the Fire Chief be directed to continue billing for providing fire fighting or other emergency services to non-residents in accordance with By-law 6741/105/19.

Purpose:

This report was prepared at the direction of Council in response to Jaskaran Singh's request for financial relief for an invoice issued by Port Colborne Fire & Emergency Services under By-law 6741/105/19 for providing fire fighting or other emergency services on November 15, 2020.

Background:

On November 15, 2020, Port Colborne Fire & Emergency Services were dispatched to a reported car being pulled into Lake Erie due to high water levels and currents. The details of events are as follows:

- A wind storm hit Port Colborne at approximately 4:00 p.m. producing winds above 132 km per hour.
- Due to the winds, Port Colborne experienced hydro lines down, trees down, and a lake storm surge that caused flooding in low areas. This includes H.H. Knoll Park and Steele Street from the hospital entrance up to and including Fielden Avenue.
- City Public Works staff installed barricades before the arrival of the storm to protect the public.

- The storm surge pushed the lake to the front doors of Northland Pointe Nursing Home and the west parking lot of the Hospital.
 - Port Colborne Fire & Emergency Services was dispatched at 6:30:28 p.m. for a water rescue. Also responding:
 - Niagara Regional Police
 - Niagara Emergency Medical Services
 - Coast Guard located in Trenton, Ontario
 - On scene, Engine No. 1 and Rescue No. 1 found a car located just east of the nursing home on Steele Street in approximately three feet of water. Two occupants were in the car; Pardeep Sekhon Singh and Jaskaran Singh. Both occupants reside in Niagara Falls, Ontario.
 - Fire fighters donned water rescue suits and removed the occupants from the vehicle and brought them to a safe area. Niagara Emergency Medical Services assessed the occupants; the occupants were not transported for further medical attention.
 - The occupants did state they came from Niagara Falls. They did not inform Fire Department staff that they had been working at Northland Pointe Nursing Home.
 - Port Colborne Fire & Emergency Services and City By-law staff had to make arrangements the next day to remove the abandoned car from the middle of Steele Street.
-

Discussion:

For Council's clarification, both occupants were invoiced by Port Colborne Fire & Emergency Services for providing fire fighting or other emergency services in accordance with By-law 6741/105/19. Under the by-law, a vehicle does not have to be involved in the emergency response.

At the time of dispatch, the storm surge had pushed Lake Erie to the front doors of Northland Pointe Nursing Home. Staff have attached a picture of the area to show the placement of the car along with water levels at the time of the call (Appendix A). Water levels were at the front doors to Northland Pointe Nursing Home. The doors are at a higher elevation than any part of the adjacent parking lots on the south side.

Mr. Singh did indicate at the January 25, 2021, Council meeting that he and his friend were parked in one of the South parking lots in front of Northland Pointe Nursing Home. They arrived at approximately 6:00 a.m. and worked a 12 hour shift.

It can be assumed that Mr. Singh and his friend would have had to walk through a considerable amount of water to get to their car at approximately 6:30 p.m. A decision to drive through the water was made by the occupants, Mr. Singh being one of them. Weather conditions at the time were not limited to high water; winds were over 130 km per hour.

Many municipalities have started billing individuals for rescue operations. Niagara Falls Fire Department, for one, has started billing for gorge rescues in addition to other charges placed by other authorities. Billing for rescues of this nature sends a message that people must be responsible for their actions and helps to recover the cost of using City services to respond to calls that are due to negligence or outside of the normal scope of the Fire Department's mandate.

Internal Consultations:

Port Colborne Fire & Emergency Services did request Roads staff to provide the time that barricades on Fielden Avenue and Steele Street were erected. An exact time could not be confirmed but it is believed to be mid-morning of November 15, 2020.

Financial Implications:

Other than the \$1,160.28 value of each invoice (both parties were individually invoiced), there are no financial implications.

Conclusion:

Whether the car went around barricades or was parked in one of the south parking lots, the decision to drive into a river of water was made. Staff feel that this decision not only put City staff in harm's way, but also Niagara Regional Police, Niagara Emergency Medical Services, and the Coast Guard staff were also put into unnecessary danger.

Staff feel that individuals will continue to make poor choices and there is little to no deterrent for those poor choices. By billing for services in these instances, the City sends the message that there are consequences for poor choices. By-law 6741/105/19 was created and passed by Council to help the Fire Service deal with people making poor choices. Port Colborne Fire & Emergency Services requests that both invoices stand to assist the Fire Department in protecting the community.

Appendices:

- a. Appendix A - Map of the affected area on November 15, 2020.

Respectfully submitted,

Scott Lawson
Deputy Fire Chief
905-834-4512 ext. 402
scott.lawson@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.





Subject: MOU between the City of Port Colborne and Port Cares for an Affordable Housing Development

To: Council

From: Chief Administrative Office

Report Number: 2021-54

Meeting Date: February 22, 2021

Recommendation:

That Chief Administrative Office Report 2021-54 be received;

That Council approve a Memorandum of Understanding (MOU) between the City of Port Colborne and Port Cares for an Affordable Housing Development; and

That a by-law to enter into a MOU with Port Cares be brought forward.

Purpose:

The purpose of this report is to provide Council with a brief overview of the MOU between the City of Port Colborne and Port Cares regarding a proposed affordable housing project for Chestnut Park. A copy of the MOU is attached to this report.

Background:

Port Colborne City Council has identified affordable housing as a priority and directed staff to explore funding options, innovative approaches, and strategic partnerships to address affordable housing shortages and wait lists in the community. Port Cares has been developing plans to create more affordable housing units and have been reviewing the availability and suitability of various sites in Port Colborne.

On November 24, 2020, Port Cares' Board of Directors approved a recommendation from their Property and Capital Committee to work with the City to acquire the Chestnut Park property and construct an affordable housing structure. At the December 14, 2020 Council meeting, Council passed a motion to declare Chestnut Park as surplus and support in principle an affordable housing project proposed by Port Cares.

Council also agreed to transfer the Chestnut Park property to Port Cares for \$1 pending the completion of a mutually satisfactory agreement; that staff prepare a Lockview Park revitalization plan; and that staff be directed to proceed with a rezoning application, a survey, and a development agreement.

Discussion:

The Memorandum of Understanding (MOU) provides a non-binding framework for both parties and clarity on key project issues, responsibilities, and timelines. This document also provides information and transparency for the project itself and the partnership between the City of Port Colborne and Port Cares.

The MOU will be helpful to Port Cares in their funding application to CMHC and in their ongoing conversations with Port Cares Board of Directors, Niagara Regional Housing, community stakeholders and other potential funding partners.

It is agreed that both parties, after Port Cares have completed their due diligence and have key project details and financing in place, will enter into a definitive purchase agreement for the lands to be legally conveyed from the City to Port Cares.

Internal Consultations:

The MOU and Appendix have been reviewed by the City Solicitor, CAO, and staff from Planning and Development, and Engineering and Operations.

Financial Implications:

There are no financial implications by approving this report. The MOU between the parties stipulates that neither party will be required or legally bound to carry out any of the matters outlined in Appendix A that forms part of the MOU until they are incorporated into the purchase agreement.

Public Engagement:

At the time of writing this report, there is a Public Meeting scheduled for February 16, 2021 to consider a zoning amendment to rezone the property from Public-Parks (P2) to R4 to permit the construction of an apartment building.

Also, as directed by Council and the CAO, staff are bringing a report to Council in March outlining the details of a community engagement plan to obtain input regarding the redevelopment of nearby Lockview Park.

Conclusion:

The City of Port Colborne and Port Cares have formed a partnership to address the lack of affordable housing. A Memorandum of Understanding (MOU) between the City and Port Cares has been developed to foster mutual understanding, a collaborative approach, and help guide next steps in the research and due diligence phase of the affordable housing project proposed by Port Cares.

The MOU is non-binding, but it demonstrates the commitment and intentions of both parties in working together to create more affordable housing units in Port Colborne. Once Port Cares has completed their due diligence, both parties will enter into a formal purchase agreement to convey the property. Staff recommend that Council approve the MOU.

Appendices:

- a. Memorandum of Understanding between the City of Port Colborne and Port Cares

Respectfully submitted,

Gary Long
Manager of Strategic Initiatives
905-835-2901 x.502
Gary.Long@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), hereinafter referred to as the Memorandum, entered into on DATE , by and between the City of Port Colborne hereinafter referred to as the "City", and Port Colborne Community Association for Resource Extension commonly known as "Port Cares", hereinafter referred to as the "Second Party," and collectively known as the "Parties" for the purpose of establishing and achieving various goals and objective relating to the transfer of the ownership of the city owned Chestnut Park property located at Clarke and Locke Streets, Port Colborne to Port Cares for the sole intended purpose of an affordable housing development as the property's future use

WHEREAS, the aforementioned Parties desire to enter into the herein described agreement in which they shall work together to accomplish the goals and objectives set forth;

AND WHEREAS, the Parties are desirous to enter an understanding, thus setting out all necessary working arrangements that both Parties agree shall be necessary to complete the repurposing of the Chestnut Park location to an affordable housing development

1. MISSION

The purpose of this Memorandum of Understanding is to enable the completion of a comprehensive investigation and study of pre-development feasibility prior to the formal transfer of ownership of the Chestnut Park property from the city of Port Colborne to Port Cares for Port Cares for the sole purpose of creating a multi-unit apartment complex compliant with current affordable housing policies and practices.

2. PURPOSE AND SCOPE

The Parties intend for this Memorandum of Understanding to provide the cornerstone and structure for any and all possibly impending binding contracts related to the transfer of property ownership from the City to Port Cares for the stated mission.

3. RESPONSIBILITIES AND OBLIGATIONS OF THE PARTIES

(a) It is the desire and the wish of the aforementioned Parties to this MOU Agreement that this document should not and thus shall not establish nor create any form or manner of a formal agreement or indenture, but rather an agreement between the Parties to work together in such a manner that would promote a genuine atmosphere of collaboration and alliance in the support of an effective and efficient partnership and leadership meant to maintain, safeguard and sustain sound and optimal managerial, financial and administrative commitment with regards to all matters related to the transfer of the Chestnut Park property from the City to Port Cares for the sole purpose of developing an affordable housing multi-unit rental development (the “**Transaction**”). The closing of the Transaction will be subject to the negotiation, execution and delivery of a mutually satisfactory definitive purchase agreement respecting the real property (the “**Purchase Agreement**”). The Purchase Agreement will evidence the terms of and implement the Transaction and will, when executed, constitute legally binding and enforceable agreements between the Parties. It is agreed that the Purchase Agreement and the completion of the Transaction are at all times subject to the approval of the Council for the City according to its sole, absolute and unfettered discretion.

(b) The memorandum in Appendix “A” hereto sets out the City’s understanding of how the Transaction is expected to proceed along with the anticipated roles and responsibilities of the Parties in connection therewith. Provided, however, it is agreed that neither Party will be required or legally bound to carry out any of the matters referred to in Appendix “A” until such time as they are incorporated into the Purchase Agreement.

4. TIMELINE

The above outlined scope and objective shall be contingent on Port Cares completing its pre-development feasibility study funded by Canada Mortgage and Housing and subsequently obtaining the necessary funds and financing required to proceed with the building and completion of the multi-unit affordable housing build. The term of this Memorandum of Understanding shall be for a period of 18 months from the aforementioned effective date and maybe extended upon written mutual agreement of both Parties. The Parties agree that it is their intent to enter into the Purchase Agreement within this 18 month timeline, after which time it is

agreed that the Parties will no longer make efforts to enter into the Purchase Agreement, unless otherwise agreed to in writing.

5. AMENDMENT OR CANCELLATION OF THIS MEMORANDUM

This Memorandum of Understanding may be amended or modified at any time in writing by mutual consent of both parties.

In addition, the Memorandum of Understanding may be cancelled by either party with 90 days advance written notice.

6. MOU IS NON-BINDING

No rights or limitation of rights shall arise or be assumed between the Parties as a result of the terms of this Memorandum of Understanding. The execution and delivery of this Memorandum of Understanding shall not result in the formation of any binding obligations on either Party, except as to the matters specifically referred to in section 13, which the Parties mutually agree to be binding upon execution and delivery of this Memorandum of Understanding.

7. NOTICE

Any notice or communication required or permitted under this Memorandum shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such address as one may have furnished to the other in writing.

8. GOVERNING LAW

This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the Province of Ontario

9. ASSIGNMENT

Neither party to this Memorandum of Understanding may assign or transfer the responsibilities or agreement made herein without the prior written consent of the non-assigning party, which approval shall not be unreasonably withheld.

10. ENTIRE UNDERSTANDING

The herein contained Memorandum of Understanding constitutes the entire understanding of the Parties pertaining to all matters contemplated hereunder at this time. The Parties signing this MOU desire or intend that any implementing contract, license, or other agreement entered into between the Parties subsequent hereto shall supersede and preempt any conflicting provision of this Memorandum of Understanding whether written or oral.

11. MOU SUMMARIZATION

FURTHERMORE, the Parties to this MOU have mutually acknowledged and agreed to the following:

- The Parties to this MOU shall work together in a cooperative and coordinated effort, and in such a manner and fashion to bring about the achievement and fulfillment of the goals and objectives of the transfer of property and the realization of multi-unit affordable housing development.
- It is not the intent of this MOU to restrict the Parties to this Agreement from their involvement or participation with any other public or private individuals, agencies or organizations.
- The Parties to this MOU shall mutually contribute and take part in any and all phases of the planning and development of this affordable housing development, to the fullest extent possible.
- It is not the intent or purpose of this MOU to create any rights, benefits and/or trust responsibilities by or between the parties.
- The MOU shall in no way hold or obligate either Party to supply or transfer funds to maintain and/or sustain the agreement for the land transfer for its sole purpose.
- In the event that contributed funds should become necessary, any such endeavor shall be outlined in the Purchase Agreement or in a separate and mutually agreed upon written agreement by the Parties or representatives of the Parties in accordance with current governing laws and regulations, and in no way does this MOU provide such right or authority.

- The Parties to this MOU have the right to individually or jointly terminate their participation in this Agreement provided that advanced written notice is delivered to the other party.
- Upon the signing of this MOU by both Parties, this Agreement shall be in full force and effect.

12. ANNOUNCEMENTS

Each of the Parties agree not to make any public announcement concerning the Transaction or related negotiations without the other Party's prior approval in writing, except as may be required by law. Where such an announcement is required by law, the Party required to make the announcement will inform the other Party of the contents of the announcement proposed to be made and will use reasonable efforts to obtain the other Party's approval for the announcement, which approval may not be unreasonably withheld.

This Agreement shall be signed by _____ and _____ and shall be effective as of the date first written above.

_____	_____
(First Party Signature)	(Date)

_____	_____
(Second Party Signature)	(Date)

Appendix A

Purpose

The purpose of this Memorandum of Understanding (MOU) is to outline and clarify the responsibilities and expectations of each party as well as next steps and estimated timelines related to Port Cares' affordable housing project to be constructed at Chestnut Park in the City of Port Colborne.

Overview

Port Colborne, like many cities and towns across Canada, is exploring funding options, innovative approaches, and strategic partnerships to address affordable housing shortages and wait lists.

Port Cares has been developing plans to create more affordable housing units and have been reviewing the availability and suitability of various sites in Port Colborne.

At their November 24th 2020 meeting, Port Cares' Board of Directors approved a recommendation from their Property and Capital Committee to work with the City to acquire the Chestnut Park property and construct an affordable housing structure.

At their December 14th 2020 meeting, Port Colborne City Council passed a motion to support in principle an affordable housing project submitted by Port Cares and to convey the lands known as Chestnut Park to Port Cares for the development of this project.

Land

Port Colborne City Council, at their meeting of December 14th 2020, supported a staff recommendation to declare the Chestnut Park lands as surplus and to convey the property to Port Cares for \$1.

Zoning and Official Plan

The property is currently zoned "Public and Parks" and is designated "Urban Residential" in the City's Official Plan. This property will need to be rezoned to Fourth Density Residential (R4) to permit the use of an "Apartment Building –

Public” to allow for the proposed residential development. The City will initiate the Zoning By-law Amendment (ZBLA) application and will review setback provisions requested by Port Cares later in the development process. The City will issue notices for a public meeting as part of the planning process. The City will cover the cost of the planning application fee.

Survey

The City will retain a land surveyor to have the survey completed and deposited. This will be done at the City’s expense.

Appraisal

An appraisal will need to be completed to establish a value of the property to assist Port Cares with their financing strategy and funding applications to federal-provincial governments and other agencies. Port Cares will initiate this process and will cover the cost of the appraisal.

Servicing and Site Plan

Municipal water and sewer services are available for this property and are located nearby. These services will need to be brought to the property line and connected to the building once constructed. The costs of bringing the services to the property line and to the building will be at Port Cares’ expense. This project would be subject to site plan control and would require Port Cares’ consultant to attend pre-consultation meeting with the City and other agencies, and submit a servicing plan, grading plan, and site plan for review and comment.

Fees and Charges

Port Cares will be responsible for all building permit fees for this project. Also, as per the City’s Development Charges (DC) by-law, DCs for “multiple dwelling use” do not come into effect until October 7, 2022. Therefore, the application of DCs will depend on the construction timelines for the project and issuance of the building permits.

Due Diligence

It is understood that Port Cares would like an extended due diligence period to allow them to secure project funding, conduct various studies and assessments of the property, complete the rezoning and Official Plan amendments, and finalize their building design. The land will not be transferred to Port Cares until they have completed their due diligence.

Environmental Site Assessment (ESA) and Geotechnical Investigation

Port Cares are planning to complete a Phase 1 and Phase 2 Environmental Site Assessment on the property to determine if there is an soil contamination given the proximity of the site to industrial lands to the west. They will initiate this process and will cover the costs. Port Cares may also wish to have a geotechnical investigation completed. This would be at their expense.

Park Equipment

Chestnut Park will be consolidated with nearby Lockview Park and will be upgraded into a park that is modern and more suitable for area residents. The playground equipment at Chestnut Park will be relocated to Lockview Park as part of a multi-year plan to invest in new amenities and structures for Lockview Park.

Funding

It is understood that the City's funding commitment to Port Cares' affordable housing project is the donation of land as well as covering the cost of the planning applications and the survey.

Signed:

Corporation of the City of Port Colborne

Name:

Title:

Date: _____

Signature: _____

Name:

Title:

Date: _____

Signature: _____

Port Cares

Name:

Title:

Date: _____

Signature: _____

Name:

Title:

Date: _____

Signature: _____

Subject: Nickel Beach and Centennial – Cedar Bay Beach Seasonal Operation Plans 2021

To: Council

From: Corporate Services Department

Report Number: 2021-49

Meeting Date: February 22, 2021

Recommendation:

That the Centennial – Cedar Bay Beach Operations Plan attached as Appendix A, and the Nickel Beach Operations Plan attached as Appendix B of Corporate Services Department Report 2021-49 be approved; and

That the Director of Corporate Services be directed to engage staff in the implementation of the seasonal operations outlined in Appendix A and Appendix B of Corporate Services Department Report 2021-49.

Purpose:

The purpose of this report is to seek direction from Council regarding the seasonal operations intended for implementation at Nickel Beach and Centennial – Cedar Bay beach through the 2021 operating season.

While staff have identified options and provided the highlights of a recommended Operations Plan in this report, staff highlight this information is provided as a mechanism to start the conversation on beaches. These plans can and will be adjusted at the direction of Council.

Background:

During the 2020 operating season, various operational changes were implemented at Nickel Beach and Centennial – Cedar Bay Beach in response to the ever-changing requirements of staff, residents, and visitors during the COVID-19 pandemic.

Key operational changes in 2020 included:

- enhanced health & safety measures for both staff and beachgoers
- increased security services
- increased staffing levels
- support from enforcement and emergency services
- consultation with public health
- capacity and residency-based access restrictions
- fee structure for residents and non-residents of the Niagara Region
- hours of operation
- parking options and availability
- communications and media updates
- reserved space and dedicated access times for Port Colborne residents

These operational changes supported a positive and safe beach environment.

Staff acknowledge and identify that despite best efforts the activity around Nickel Beach and Centennial – Cedar Bay beach certainly increased in 2020.

Discussion:

It is anticipated that increased activity around Nickel and Centennial – Cedar Bay will likely continue without pro-active changes in City operations. Staff appreciate Council's support throughout last year and the recognition of some of the challenges associated with beach operations.

Consideration for safety and quality of experience, for both residents and visitors should be at the forefront of decision making. As a result, staff have identified several options for beach operations in 2021 for Council to consider.

Option one – Keep beaches closed with no access for the season. Staff do not recommend this option.

Option two – Open beaches with access restricted to Port Colborne residents only. A City-obtained legal opinion advises against this course of action and staff do not recommend this option.

Option three – Open beaches with strict capacity limits, including pre-booking for non-resident vehicles and implement a multi-faceted operational approach. Staff recommend this option.

Staff have identified that the biggest challenge through the 2020 season was the total volume of cars and patrons attempting to access beaches at peak times, not the geographical residency of those patrons. As such, staff are proposing the implementation of a strategic Operational Plan in 2021 that limits access for both Centennial – Cedar Bay Beach, attached as Appendix A, and Nickel Beach, attached as Appendix B of Corporate Services Report 2021-49. If option three is supported, staff intend to provide Council with an additional information report prior to the start of the

2021 season (schedule for the Victoria Day weekend, subject to Provincial Guidelines and recommendations of the City's EOC (Emergency Operations Centre) as it relates to the evolving COVID-19 pandemic) which will update Council further on the status of operations.

Internal Consultations:

Communications

Staff will work closely with the City's Communications Officer to create and execute a marketing communication to promote new beach operational changes. This includes utilizing both traditional print media, new digital media initiatives, updating signage and graphics adhering to brand guidelines, and responding to media requests. Staff will also provide appropriate and regular updates to the Communications staff, including information regarding capacity, parking, inclement weather, and beach closures.

Community Safety & Enforcement

The implementation of advanced capacity signage will assist all staff with traffic flows and reduce the need to direct traffic.

In this initial plan, the By-law Division's main function with the beach will be the issuance of parking tickets in the adjacent areas. Education and social distancing enforcement will be conducted by the beach team. To alleviate the need for ticketing, a signage review will occur in the coming months with additional signage added to support effective enforcement.

Financial Implications:

Staff identify that projected revenue and associated costs for the 2021 season will vary relative to the direction Council provides for staff regarding beach operations.

Conclusion:

The implementation of a strategic Operational Plan that focuses on limiting capacity, will allow staff to be responsive in managing the challenges and mitigating risk as we continue to navigate through COVID-19 for the 2021 season.

Appendices:

- a. Centennial – Cedar Bay Beach Operating Plan 2021
- b. Nickel Beach Operating Plan 2021

Respectfully submitted,

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Blair.Holinaty@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.

2021 Centennial - Cedar Bay Beach Operating Plan

Readers of this operating plan are cautioned that the plan may be adjusted dependent on the progression of COVID-19 and activity experienced at the beach.

Further readers will find each section in this operating plan builds on the next. To this point questions that may arise in one section may be answered in the next. Staff look forward to discussing with Council the following plan.

COVID- 19 response and service levels

Parking & Capacity Limits

Staff plan to restrict capacity at the beach by controlling the availability parking at the park. This is possible as the streets do not permit on-street parking, therefore the only parking access is the parking lot which will be controlled.

Beach access parking will be restricted to a maximum of 20 to 25 carloads for non-Port Colborne residents at any given time. All other parking space will be reserved for local residents interested in accessing the beach or using the park amenities. For a local resident to access the free parking, they will require a Seasonal Resident Pass (see below).

Beach Staffing Levels & Hours of Operation

From the Victoria Day long weekend to Labour Day, seasonal summer staff will be scheduled to operationalize the sale of daily parking passes, enforce capacity limits and COVID-19 related guidelines, monitor and enforce prohibited parking along Vimy Rd., cleaning & sanitation of washrooms, and support upkeep on the park & beach property. Staff will be stationed at the entrance of the parking lot in order to engage each vehicle that enters.

Intended hours of operation for beach staffing are 9 a.m. – 5 p.m. Staff will be scheduled on weekends from Victoria Day long weekend to the end of June, and seven days per week from the beginning of July to Labour Day.

Budget

There was no budget allocated for operations at Centennial – Cedar Bay Beach through the 2021 City budget. Staff anticipate an additional net cost of approximately \$10,000 to operationalize Centennial – Cedar Bay Beach. This additional cost can be covered through the COVID-19 contingency budget that was presented to Council.

Fees (Non – Port Colborne Residents)

Centennial – Cedar Bay Beach	2020 Fee	2021 Proposed Fee
<i>Daily Parking Pass Monday – Friday (Per vehicle)</i>	Nil	\$10
<i>Daily Parking Pass Weekends & Statutory Holidays (Per Vehicle)</i>	Nil	\$15

Seasonal Resident Passes

Residents of Port Colborne will have free access to parking at both Centennial – Cedar Bay, and Nickel Beach throughout 2021 by means of a seasonal resident's pass. Registration will be required in advance and will be available to residents online prior to the Victoria Day weekend. Due to limited parking spots available at Centennial – Cedar Bay beach, there will always be reserved space for residents of Port Colborne who are interested in accessing the beach or utilizing the park amenities.

Washrooms & hand wash stations

In addition to the public washroom facilities at the beachfront entrance, two additional portable washroom units and a hand washing station will be installed in the parking lot located in Centennial – Cedar Bay Park. All washroom facilities will be cleaned and sanitized every two hours and/or as required. Portable washrooms will be fully serviced two times per week as a minimum.

Security

With the implementation of scheduled summer students daily, there will not be security scheduled on site, however, security services scheduled daily at Nickel Beach will have the ability to respond if necessary, to support operations at Centennial – Cedar Bay beach.

Signage

To deter high volumes of traffic coming to the area when capacity has been reached, an electronic message board will be located on the routes to Centennial – Cedar Bay beach and will be updated to reflect capacity status.

Cash Handling/POS

With minimal infrastructure and no security services, staff will use only point of sale (POS) units to operate parking pass sales in a safe manner. Cash transactions will not be accepted.

Communications

Staff will provide appropriate and regular updates to the Communications Officer. Important information such as capacity, parking, inclement weather, and posted beach closures will be available to the public.

Enforcement and Public Health

Ongoing communication, support and consultation with By-law, Communications, Fire and Emergency, Niagara Regional Police, and Niagara Region's Public Health department.

2021 Nickel Beach Operating Plan

Readers of this operating plan are cautioned that the plan may be adjusted dependent on the progression of COVID-19 and activity experienced at the beach.

Further, readers will find each section in this operating plan builds on the next. To this point, questions that may arise in one section may be answered in the next. Staff look forward to discussing the following plan with Council.

COVID- 19 response and service levels

Parking & Capacity Limits

Parking capacity and beach access at Nickel Beach will be restricted to approximately 150 carloads daily for non-Port Colborne residents. All additional parking space will be dedicated for Port Colborne residents. In order to limit the volume of patrons accessing the beach and surrounding areas direct beachfront parking will be the only option available for beachgoers through the 2021 season. For those with limited mobility or those who may not want to park on the beach there will be limited parking spaces available.

In practical terms this means cars will not be parking on Lake Road, Fares Street and Rodney Street.

To facilitate this, limited daily parking passes will be available to purchase online in advance (further details under online ticketing solutions).

Seasonal Resident Passes

Residents of Port Colborne will have free access to parking at both Nickel, and Centennial – Cedar Bay beaches throughout 2021 by means of a seasonal resident's pass (must display pass for access). Registration will be required in advance and will be available to residents online prior to Victoria Day weekend via an online ticketing solution (below). Appropriate space will be reserved daily for Port Colborne residents to ensure that residents can access the beach at any time. Passes will allow residents to bring family/friends to the beach within their carload.

Walk-on Access

Accessing the beach by parking outside of the designated parking areas and walking onto the beach will be prohibited. Staff anticipate that residents of Port Colborne will primarily take advantage of parking on the beachfront for free via the seasonal resident pass, however residents of Port Colborne from the local area who choose to walk to the beach will be provided access by showing a resident pass, or government issued photo identification.

Online Ticketing Technology

To further mitigate potential traffic congestion due to limited/restricted beach capacity and parking options, daily pass sales will be made available through an online ticketing solution. Similar to “event” type ticketing, interested beachgoers will be required to check availability of parking passes in advance and make purchase prior to their trip to the beach.

Residents of Port Colborne will be able to use the online ticketing technology to register for their free seasonal resident pass which will provide access at any time through the season. In practical terms, this means residents of Port Colborne will be able to come and go at the beach without pre-booking. If demand by local residents exceeds expectations, Staff will look to limit ticket sales on future days to increase capacity for local residents.

Beach Staffing *Levels & Hours of Operation*

The Seasonal Beach Coordinator will supervise summer students and oversee daily operations. The beach will be open seven days per week from Victoria Day weekend to Labour Day. Open hours will be 10 a.m. to 6 p.m. Monday through Friday, and 9 a.m. to 8 p.m. on weekends and statutory holidays.

Nickel Beach (Fees include HST)	2020 Fee	2021 Proposed Fee	Fees (non- residents)
<i>Daily Pass Monday - Friday (Per vehicle)</i>			
Niagara Residents	\$15	\$20	
Non-Residents	\$50	\$50	
<i>Daily Pass Weekends & Statutory Holidays (Per vehicle)</i>			
Niagara Residents	\$20	\$25	
Non-Residents	\$50	\$55	

Washrooms & hand wash stations

The washroom building infrastructure on site continues to deteriorate each season with increased use. Staff plan on decommissioning the building for washroom use and will be used as additional storage space in 2021. Portable washroom units and hand wash stations will be secured and placed at various locations around the beach property for ease of access. All units will be cleaned and sanitized every two hours and/or as required. Portable washrooms will be fully serviced two times per week as a minimum.

Security

Security services will continue to be contracted to support staff and operations and ensure patron compliance. Services will also be available to respond to needs at Centennial - Cedar Bay beach as required. Security will primarily station a checkpoint at the corner of Lake Rd. and Rodney St. where they will control the flow of traffic and re-route vehicles while at capacity. Although, as the season progresses and users become more accustomed to the requirement to pre-book, this location may change.

Signage

To deter high volumes of traffic coming to the area when capacity has been reached, an electronic message board will be located on the routes to Nickel Beach and will be updated to reflect capacity status and a reminder that pre-registration is required.

Cash Handling/POS

Point of sale (POS) units linked with the on-line booking system will be utilized to supplement advance online purchasing. Cash transactions will be limited.

Communications

Staff will provide appropriate updates to the Media and Communications Officer. Important information such as capacity, parking, inclement weather, and posted beach closures will be available to the public.

Enforcement and Public Health

Ongoing communication, support and consultation with By-law, Communications, Fire and Emergency, Niagara Regional Police, and Niagara Region's Public Health Department.

Third Party Lease Agreements

Due to the continued health & safety concerns brought on by COVID-19, and limited beach capacity and parking options through 2021, Splashtown Niagara's inflatable water park intends to delay operations until 2022.

Big Pappi's intends to operate food services at Nickel Beach in 2021 by following strict public health measures.



Subject: Sugarloaf Marina 2021 Rates Report

To: Council

From: Corporate Services Department

Report Number: 2021-56

Meeting Date: February 22, 2021

Recommendation:

That Corporate Services Department Report 2021-56 be received; and

That the recommendations regarding rates and fees as outlined in Appendix A, Appendix B, Appendix C, and Appendix D to Corporate Services Report 2021-56 be approved.

Purpose:

The purpose of this report is to seek approval from Council regarding the 2021 rates at Sugarloaf Marina.

Background:

Sugarloaf Marina has been Port Colborne's municipal marina since 1989 and has overseen many changes throughout the years. Recently, the marina has experienced several issues including high water levels and storm surges as well as staffing and COVID-19 challenges. The marina is at the stage where capital improvements will be required in the upcoming years due to the age and conditions of the docks, environmental changes as well as the trends within the boating industry. In 2020, The City of Port Colborne (The City) retained Sierra Planning and Management to commence a Strategic Plan (The Plan) for Sugarloaf Marina. The Plan is still in development and will be presented to City Council for comment and input at the second Council meeting in April. Staff have received and reviewed early excerpts of an initial draft. The Plan will address numerous items including Sugarloaf Marina's rates and rate structure. Ultimately this will mean increasing rates to fund future marina projects and capital improvements that will benefit the marina customer base. These projects include

the fuel dock upgrades, improved Wi-Fi internet services, shower floor improvements and annual hydro pedestal replacement. By increasing rates, Sugarloaf Marina can manage projects and capital improvements more efficiently and work towards becoming a highly functioning, self-sustaining entity within the City.

Discussion:

The Strategic Plan compared Sugarloaf Marina's rates with other marinas (both municipal and private, as well as Canadian and American) and has determined that the rates are low and that the rate system is complex. Each dock has a fixed price instead of a price per foot rate, which is the case for most marinas. The Plan will recommend continued communication and dialogue with the boating community regarding fees and the experience the Marina provides boaters. The Plan will continue moving the marina fees to a policy-supported fee structure that balances the budget while providing value to the boating community. To support this, a comprehensive user fee study is being developed by Sugarloaf Marina. Initial recommendations include that a certain per foot rate be implemented in 2022. Recognizing this work is still on-going and any change to the rate structure itself will require time to consider and communicate if approved, the fee structure for 2021 has not been changed but staff propose a modest fee increase as an initial step to move the fee structure to a more comparable rate. The proposed rate increase for seasonal docks is higher than originally planned during the budget process because Marina Staff are aware of dock and fuel pump damages from winter storms that were not part of the 2021 budget. With the budget set for 2021, the additional funding resulting from increased rates will be reinvested in the Marina to help meet customers' expectations.

Staff recognize that a gradual, yet continuous rate increase will allow the marina to reach market comparisons sooner, while also striving to achieve customer retentions. The marina customers and staff will also benefit from a comprehensive user fee study by transitioning to a simplified model based on a per foot cost basis.

Financial Implications:

Staff identify that an increase in rates will assist in allowing the marina to work towards becoming self-sustaining, capture some losses from operating through COVID-19, and be able to allocate funds for future capital improvements. Staff also recognize that a percentage increase will offset any potential reduction in seasonal boaters for 2021.

Public Engagement:

As part of the Strategic Plan, Sugarloaf Marina customers were emailed a survey and the results of the survey will be presented in the Strategic Plan.

Conclusion:

The approval of Sugarloaf Marina's 2021 rates will result in dock fees more comparable to other marinas. By approving the rate increase in 2021, it will reduce the percentage of rate increases over the next 4 seasons. The approval will allow Sugarloaf Marina to use the current rate structure for 2021 and implement an improved, easier to understand rate structure in 2022 based on a per foot model.

Appendices:

- a. Seasonal Dock Rates
- b. Storage and Boat Yard Rates
- c. Transient and Boat Ramp Rates
- d. Pavilion Rental Rates

Respectfully submitted,

Mark Minor
Marina Supervisor
(905)835-2900 ext. 581
Mark.Minor@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.

Appendix A- Sugarloaf Marina Seasonal Dock Rates					
	2019	2020	2021	Increase of 'x'	Increase %
Dock #3, A or J Run Only – 16 & 17 ft docks					
Boats up to 16 ft	\$530	\$540	\$605	\$65	12%
Boats 17-19 ft	\$630	\$640	\$720	\$80	13%
Use of 15A/110V power for the season	\$50	\$50	\$55	\$5	10%
B Run (20 ft dock to max. 22 ft) Service Optional for fee	\$930	\$945	\$1060	\$115	12%
Oversized boats on B Run (> 22ft) add (per foot)	\$80	\$80	\$90	\$10	13%
Use of 15A/110V power for the season	\$50	\$50	\$55	\$5	10%
30 Amp shore power required add	\$80	\$80	\$90	\$10	13%
Dock #4 (21 ft dock to max. 23 ft) un-serviced	\$960	\$980	\$1100	\$120	12%
Oversized boats on Dock #4 (> 23ft) add (per foot)	\$85	\$85	\$95	\$10	12%
I Run (23 ft dock to max. 25ft) Service Optional for fee	\$990	\$1010	\$1160	\$150	15%
Oversized boats on I Run (> 25ft) add (per foot)	\$185	\$185	\$210	\$25	14%
Use of 15A/110V power for the season	\$50	\$50	\$55	\$5	10%
30 Amp shore power required add	\$185	\$185	\$210	\$25	14%
C & H Run (24ft dock to max.26 ft) Service Optional for fee	\$1040	\$1060	\$1200	\$140	13%
Oversized boats on C & H Run (>26 ft) add (per foot)	\$185	\$185	\$210	\$25	14%
Use of 15A/110V power for the season	\$50	\$50	\$55	\$5	10%
30 Amp shore power required add	\$185	\$185	\$210	\$25	14%
Dock #6 (25 ft unserviced dock to max. 26 ft)	\$1060	\$1080	\$1215	\$135	13%
Oversized boats on dock #6 (> 26 ft) add (per foot)	\$185	\$185	\$210	\$25	14%
Dock #5 (25 ft serviced dock to max. 26 ft)	\$1310	\$1335	\$1500	\$165	12%
Oversized boats on dock #5 (>26 ft) add (per foot)	\$100	\$100	\$115	\$15	15%
D, G, E & F Run (27 ft serviced dock to max. 32 foot)	\$1510	\$1540	\$1725	\$185	12%
Oversized boats on 27 ft dock (>32 ft) add (per foot)	\$115	\$115	\$130	\$15	13%
Dock #1, #5 & F Run (30 ft serviced dock to max.35 ft)	\$1630	\$1660	\$1865	\$205	12%
Oversized boats on 30 ft dock (>35 ft) add (per foot)	\$250	\$250	\$285	\$35	14%
Dock #2 (35 ft serviced dock to max. 42 ft)	\$1960	\$2000	\$2250	\$250	13%
Oversized boats on dock #2 (>42 ft) add (per foot)	\$250	\$250	\$285	\$35	14%
E Run (36ft serviced dock to max. 39 ft)	\$2040	\$2080	\$2340	\$260	13%
Oversized boats on 36' dock (>39) add (per foot)	\$250	\$250	\$285	\$35	14%
F Run (40 ft serviced dock to max. 46 ft) \$2,000.00	\$2180	\$2230	\$2500	\$270	12%
Oversized boat on 40 ft dock (>46 ft) add (per foot)	\$400	\$400	\$450	\$50	13%

Along Main Runs (various sizes) inquire with Marina Supervisor					
Second Boat (Must be same owner w/valid proof of insurance)	2019	2020	2021	Increase of 'x'	Increase %
On A or J Run (16 ft dock)	\$170	\$180	\$203	\$23	13%
On Dock #3 (17 ft dock)	\$190	\$200	\$225	\$25	13%
Dock Box Rental	\$85	\$85	\$85	\$0	0

Appendix B - Storage and Boat Yard Rates

Storage and Service	Storage and Service Rates 2020		Storage and Service Rates 2021		Increase %
	Seasonal Slip holder	Non Seasonal Slip holder	Seasonal Slip holder	Non Seasonal Slip holder	
Winter Storage	\$1.26/ sq. ft	\$2.52/sq. ft	\$1.41/ sq. ft	\$2.82/sq. ft	12%
Summer Storage (Begins June 1 if no slip deposit has been paid) per month	N/A	\$0.75/sq. ft	N/A	\$0.84/sq. ft	12%
Launch	\$8.50/ft	\$9.50/ft	\$8.50/ft	\$9.50/ft	0
Haul Out	\$8.50/ft	\$9.50/ft	\$8.50/ft	\$9.50/ft	0
Block & Stand Rental (per season)	\$5.50/ft	\$6.00/ft	\$5.50/ft	\$6.00/ft	0
Power Washing Hull Bottom	\$0 (if hauling out and storing with Sugarloaf Marina)	\$2.75/ft	\$0 (if hauling out and storing with Sugarloaf Marina)	\$2.75/ft	0
Mid Season Lift (1 hour booking)	\$8.50/ft	\$9.50/ft	\$8.50/ft	\$9.50/ft	0
Mid Season Lift (per hour after first hour)	\$50/hr	\$60/hr	\$50/hr	\$60/hr	0
Yard Equipment Fee	\$ 100/hr	\$ 115 /hr	\$ 100/hr	\$ 115/hr	0
Mast Stepping - Prepared - Length Overall (LOA)	\$ 2.25/ft	\$ 3.50/ft	\$ 3.50/ft	\$ 5.00/ft	56%

Mast Stepping - Unprepared - Length Overall (LOA)	\$ 3.50/ft	\$ 5.00/ft	\$ 5.00/ft	\$ 7.15/ft	43%
Mast Storage (per season) - Length Overall (LOA)	\$ 1.50/ft	\$ 2.65/ft	\$ 1.50/ft	\$ 2.65/ft	0
Trailer/Cradle Storage (per season)	\$95	\$170	\$100	\$180	6%
Trailer/Cradle Storage (per week)	\$10	\$10	\$10	\$10	0

Appendix C - Transient & Boat Ramp Rates

Transient Rates (per foot)	2020	2021	HST	Total	Increase of 'x'	% increase
Daily	\$1.70	\$1.90	\$0.24	\$2.14	\$0.20	12%
Weekly	\$8.90	\$9.80	\$1.27	\$11.07	\$1.80	10%
Monthly (un-serviced)	\$22.50	\$22.50	\$2.92	\$25.42	\$0.00	0
Monthly (serviced)	\$26.50	\$26.50	\$3.44	\$29.94	\$0.00	0
Launch Ramp Rates						
Pay & Display Daily Launch Pass	\$13.27	\$13.27	\$1.73	\$15.00	\$0.00	0
Seasonal Pass (Regular)	\$79.64	\$88.50	\$11.50	\$100.00	\$10.00	11%
Seasonal Pass (Senior)	\$79.64	\$88.50	\$11.50	\$100.00	\$10.00	11%
Additional Fees						
Pump-out (Transients)	\$15.00	\$15.00	\$1.95	\$16.95	\$0.00	0

Appendix D - Marina Pavilion Rates

	2020	2020	2021	2021	
Organization	Full Day	Half Day	Full Day	Half Day	Increase %
Seasonal boaters	\$75	\$50	\$75	\$50	0
Transient boaters	\$150	\$75	\$150	\$75	0
Business/Corporate	\$450	\$300	\$450	\$300	0
Registered Not-For-Profit	\$225	\$125	\$225	\$125	0
General Public	\$350	\$200	\$350	\$200	0
Additional charges:					
Clean-up fee is charged	\$25	\$25	\$25	\$25	0
Commercial rental clean-up fee	\$75	\$75	\$75	\$75	0
Damage deposit (refundable w/o damage to property)	\$200	\$200	\$200	\$200	0
Set-up and tear down	\$50	\$50	\$50	\$50	0

*Full day rental is based up to 6 hr period; half day rental up to 3 hr period

*All pavilion rentals include tables and chairs based on the rental agreement, however additional charges may apply

Subject: COVID Update – February 2021

To: Council

From: Chief Administrative Office

Report Number: 2021-53

Meeting Date: February 22, 2021

Recommendation:

That Chief Administrative Office Report 2021-53 be received for information.

Purpose:

This CAO generated report is provided as a follow up to the COVID-19 pandemic update that was provided to City Council on January 25, 2021.

Background:

The City's Emergency Operations Centre (EOC) was activated in response to the COVID-19 pandemic on March 13, 2020 by bringing together the City's Emergency Control Group (ECG). The COVID-19 pandemic continues to affect the nation and the City continues to prepare, respond, and plan recovery from the impacts of the pandemic to the municipality. As described in a previous staff report, the City's response is based on four principles:

- Maintaining essential City services to the community throughout the emergency;
- Continuing to ensure the safety and security of the public and City staff;
- Ensuring the organization remains financially stable throughout COVID-19; and
- Continuing to remain consistent in the City's actions with the actions of other agencies.

In order to respond appropriately to the impacts of the pandemic and adhere to these principles, the City's response has been divided into three phases:

- First phase – initial response and precautions for users and staff
- Second phase – maintaining essential services

- Third phase – recovery and reopening

Currently, the City is in the third phase, recovery and reopening, as staff continue to execute plans that were developed for reopening the City's programs, services, and facilities.

Discussion:

In the time since the last COVID Update to Council, the Province has extended the lockdown that is in place as well as the stay-at-home order. The Province has also extended the State of Emergency in Ontario. Under these various orders, most municipal services have been offered on an appointment only basis – essential services continue to be delivered with precautions in place for the safety of employees and residents. Some non-essential services, such as recreation programs, are not being offered during the lockdown period.

At the time of preparing this report, it appears that the Province will end the mandatory lockdown in February. It is unclear when the Niagara Region will be moved from the lockdown level to the colour-coded recovery framework. It is also unknown which level of the framework Niagara will be returned to. Each level (green, yellow, orange, red) comes with different restrictions on the amount of people that can gather in private and public spaces and the activities that are permitted in the Province. City Staff have prepared an internal recovery framework that establishes service levels for programs and services based on each colour level of the framework.

Staff will monitor Provincial announcements and implement the appropriate service level plan for the City based on the Region's recovery framework status.

Vaccination Sites

As mentioned by the Community Emergency Management Coordinator (CEMC) at the February 8 Council Meeting, City staff has been actively working with Regional Public Health staff to identify appropriate locations in Port Colborne to be used as mass vaccination sites. At this time, Regional staff have expressed a preference for the gymnasium at the Vale Health and Wellness Centre. Staff have caucused with YMCA staff, and staff at the YMCA offer no objection to the use of that facility. City staff will work with YMCA staff to ensure that alternate locations are available for YMCA programs and services to minimize the disruption to YMCA members.

Financial Implications:

The City is in the midst of year-end accounting for the 2020 fiscal year, the City auditors will conduct the annual audit in March 2021 – a balanced budget is expected. The 2021

budget was prepared to allow the City the flexibility to continue to navigate through the duration of the pandemic while continuing to provide all municipal services without putting the City in a deficit position.

Public Engagement:

The City continues to provide high-quality communication to the community by giving frequent updates of City initiatives and sharing information from other agencies such as the Federal government, the Provincial government, and the Region of Niagara and Niagara Region Public Health.

Conclusion:

The City's Emergency Control Group continues to meet during the pandemic to make operational decisions for the City's programs and services in order to maintain essential operations within the community. Staff will continue to report to Council for the duration of the pandemic.

Respectfully submitted,

Scott Luey
Chief Administrative Officer
905-835-2901 ext. 306
Scott.Luey@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.

**Subject: Heritage Report for Demolition of an Accessory Building at
120 Main Street West**

To: Council

From: Planning and Development Department

Report Number: 2021-57

Meeting Date: February 22, 2021

Recommendation:

That Planning and Development Department Report 2021-57 be received; and

That City Council permit the demolition of the accessory building at 120 Main Street West and keep the property listed on the Municipal Heritage Registry.

Purpose:

The purpose of the report is to provide Council with a recommendation regarding a request for a demolition permit for the lands legally known as Part of Lot 7 on Plan 3252 in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 120 Main Street West.

Background:

On February 3, 2021, the Planning Division received a formal request through the submission of a demolition permit to permit the removal of an accessory building at the above-noted property. Due to a fire that took place in the accessory building on January 23, 2021, the Building Division ordered the demolition. Planning staff flagged the demolition permit, as it was discovered the property is listed on the City's Municipal Registry.

The Municipal Registry was created under Section 27 of the *Ontario Heritage Act*. This section permits municipalities to maintain a register of properties that are of cultural heritage value or interest. This is not the same as a building or property being designated under Part IV or Part V of the *Ontario Heritage Act*. The heritage registry requires a 60-day delay after a demolition permit is applied for before any structure on a listed property

can be demolished. This gives Council, with its Municipal Heritage Committee, the opportunity to review the property to determine if the property is worthy of designation under Part IV of the *Ontario Heritage Act*. If Council chooses not to designate the property, or no decision is made within 60 days, the demolition permit will be issued.

Discussion:

The records for the property are minimal. Staff notes that the reason the property is listed on the registry is likely due to the main building on the property. The registry does not indicate any substantial heritage significance for the accessory building lost in the fire. A picture of the subject building has been attached as Appendix A. Planning staff concur with the Fire Department and Building Division that this accessory building should be demolished as soon as possible, as it is currently a safety hazard.

Financial Implications:

There are no financial implications.

Public Engagement:

It is usual practice for such requests to first be considered by the City of Port Colborne's Heritage Committee before a recommendation is made to Council regarding a demolition of a building on a listed heritage property. Due to ongoing constraints, the Heritage Committee was consulted via email. The following input has been received as of the date of writing this report:

"With the rash of vandalism I am watching on the Hamilton news, my vote is to dismantle the fire hazard. This is not a structure that is 'out front and centre' to showcase Port's architecture so let's be safe rather than sorry." – Cheryl MacMillan

"The Director/Curator does not oppose the demolition of the structure and recognizes the authority of the City Fire Department and Building Division in deeming this structure to be an immediate safety hazard." – Stephanie Powell Baswick

"Like Cheryl and Stephanie, I too am not opposed to the structure being demolished. Provided the state of the structure, it is my opinion that the structure not be designated a heritage building." – Eric Beauregard

"It is apparent that the wooden frame structure illustrated in the picture could not be deemed to have any significant or historical value. In fact it appears to be

hazardous. I agree with the fire [building] department that it should be removed.”
– John Maloney

“I agree that it should be removed.” – Bonnie Johnston

Internal Consultation:

Port Colborne Fire Department

- Fire occurred on January 23rd, 2021
- The Fire Department does not place orders on buildings for demolition, however they do pass the information along to the Building Division to investigate
- Fire Fighters did not enter the building to investigate due to the unsafe condition of the building

Port Colborne Building Division

- The Building Division ordered the demolition of the accessory building following the fire on January 23rd, 2021
 - A demolition permit was received on February 3rd, 2021
-

Conclusion:

Staff is of the opinion that the accessory building is of minimal heritage value and preserving the structure is impractical. Therefore, staff recommends that Council approve the demolition of the accessory building, while keeping the property known as 120 Main Street West listed on the Municipal Heritage Registry.

Appendices:

- a. Photo of fire-damaged accessory building
- b. Site plan of building to be demolished

Respectfully submitted,

David Schulz
Planner
(905) 835-2900 ext. 202
David.Schulz@portcolborne.ca

Report Approval:

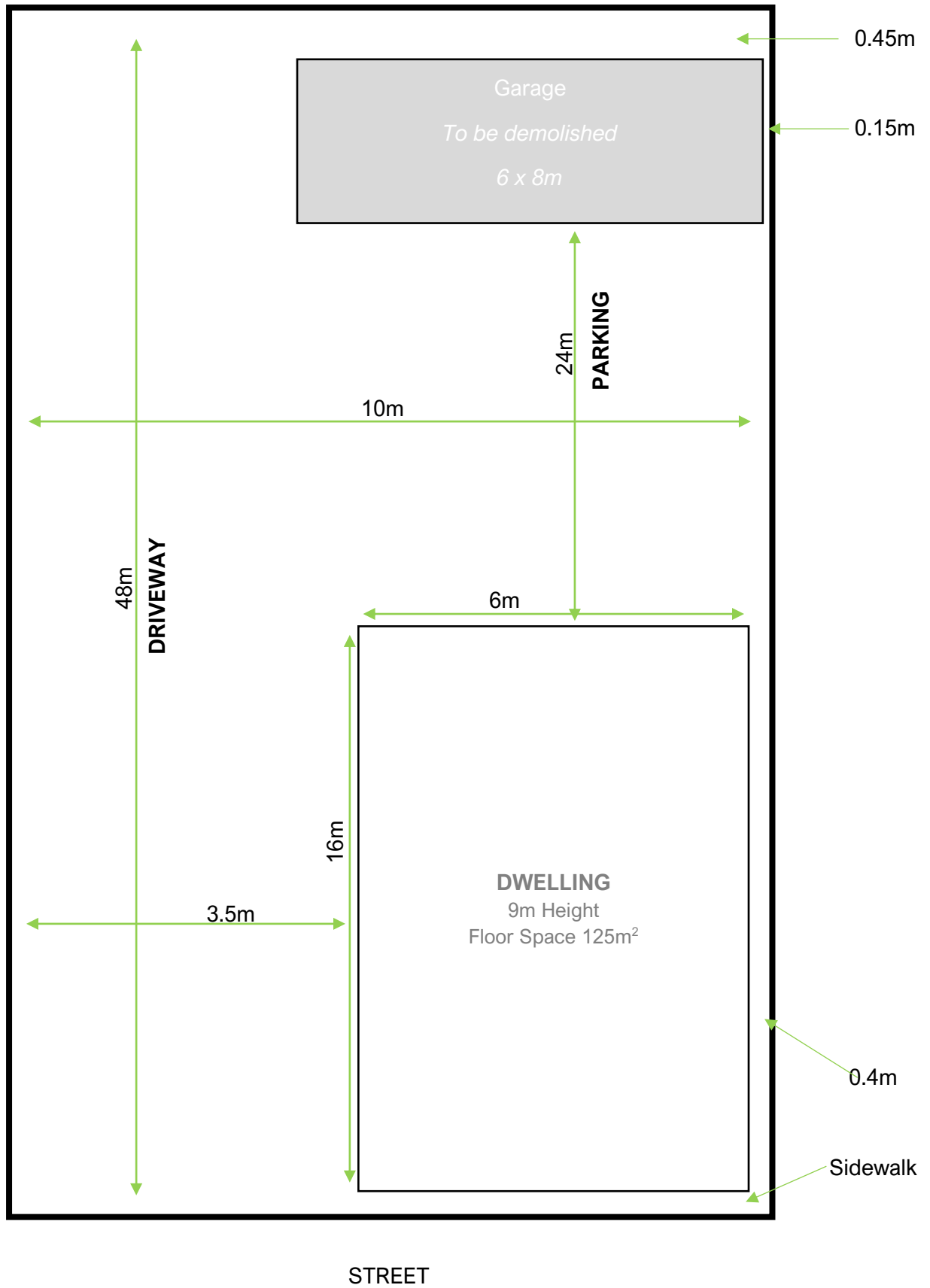
All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.



BIG ANTHONY'S
905-327-8403

Report 2021-57
Appendix A

120 MAIN STREET WEST
Building Permit Application
SITE PLAN





Subject: Port Colborne Distribution System Annual Inspection

To: Council

From: Engineering and Operations Department

Report Number: 2021-48

Meeting Date: February 22, 2021

Recommendation:

That Engineering and Operations Department Report 2021-48 be received for information.

Purpose:

This report 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.

Background:

The Ministry of the Environment, Conservation and Parks (MECP) 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 one and two, the Ministry is required to do announced inspections, where staff are provided with one to two weeks notice and can ensure all the relevant information and personnel are made available. In year three of the cycle, the Ministry performs an “unannounced” inspection, where staff are provided with one to two days notice.

Additionally, inspections can be “focused” or “detailed”. Focused inspections include activities, such as sampling, logs and operator certification and are largely limited to the most important regulatory requirements from the Safe Drinking Water Act, 2002, associated regulations and the City’s Municipal Drinking Water Licence and Drinking Water Works Permit. Drinking water systems are selected for focused inspections if they were found to have no deficiencies over the past three years.

If a system qualifies for focused inspections, the Ministry requires every fourth inspection to be detailed. Detailed inspections cover all elements of a focused inspection and also analyze the operation of the water system more comprehensively with particular attention on Best Management Practices.

Discussion:

The 2020-21 inspection was an unannounced, detailed inspection covering the period from September 1, 2019 to October 31, 2020. The Inspector from the MECP, Niagara District Office met with Darlene Suddard, Environmental Compliance Supervisor on November 25, 2020 to deliver the documentation request and to visit the bulk water stations. Due to the COVID-19 pandemic, the remainder of the inspection was conducted remotely.

An official Inspection Report, detailing any findings and the City's Inspection Rating was issued on February 1, 2021; a copy of the inspection is provided in the Appendix.

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

Once an inspection is completed, the Inspector generates an Inspection Rating for the drinking water system; for the ninth 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 their ongoing training, professional experience and the recommendations and findings from the Inspection Report to improve day-to-day operations and recordkeeping.

Conclusion:

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. Providing Council with the inspection results ensures Council is informed and helps meet Standard of Care responsibilities.

Appendices:

- a. Port Colborne Distribution System 2020-21 MECP Inspection Report

Respectfully submitted,

Darlene Suddard
Environmental Compliance Supervisor
905-835-2900 x256
Darlene.Suddard@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the 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
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February 1st, 2021

SI NI PC 540 – 2020-21

Darlene Suddard
Environmental Compliance Supervisor
City of Port Colborne
1 Killaly St. W
Port Colborne, ON, L3K 2L5
darlenesuddard@portcolborne.ca

Re: Port Colborne Distribution System 2020-21 MECP Inspection Report 1-NS45I

Dear Ms. Suddard et al,

Please see attached copy of the 2020-21 MECP inspection report for the Port Colborne DS (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 (519)400-6731 or zafar.bhatti@ontario.ca.

Thank you for your time and assistance during the inspection process. 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: Chris Kalimootoo – Director of Engineering and Operations, Port Colborne
Glen Hudgin – Manager - Niagara Region Public Health Unit
Darren MacKenzie - Niagara Peninsula Conservation Authority
Zafar Bhatti – Supervisor Water Compliance, MECP West-Central Region
MECP Niagara District File



Ministry of the Environment, Conservation and Parks

PORT COLBORNE DISTRIBUTION SYSTEM

Inspection Report

Site Number:	260001643
Inspection Number:	1-NS45I
Date of Inspection:	Nov 25, 2020
Inspected By:	Sean Roelofsen

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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)

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

Type:	Main Contact	Name:	Darlene Suddard
Phone:	(905) 835-2901 x256	Fax:	(905) 835-6800
Email:	darlenesuddard@portcolborne.ca		
Title:	Environmental Compliance Supervisor		
Type:	Operating Authority	Name:	Chris Kalimootoo
Phone:	(905) 835-2901 x223	Fax:	(905) 835-6800
Email:	chris.kalimootoo@portcolborne.ca		
Title:	Director of Engineering and Operations		
Type:	Niagara Public Health Unit	Name:	Glen Hudgin
Phone:	(905) 688-3762	Fax:	
Email:	glen.hudgin@niagararegion.ca		
Title:	Manager, Environmental Health - Niagara Region Public Health Unit		
Type:	Conservation Authority	Name:	Darren MacKenzie
Phone:	(905) 788-3135	Fax:	(905) 788-1121
Email:	dmackenzie@npca.ca		
Title:	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:	Unannounced
Inspection Number:	1-NS45I
Date of Inspection:	Nov 25, 2020
Date of Previous Inspection:	Oct 17, 2019

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 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 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.

This "unannounced detailed" inspection review period was from September 1, 2019 to October 31, 2020. During the inspection process, Inspector Sean Roelofsen met with Compliance Supervisor Darlene Suddard on November 25, 2020 and visited bulk filling stations on the same day.

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 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 of the DWWP.

- 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) to document procedures on Watermain Repair/Maintenance Reports. All required information was recorded on the documents reviewed for the inspection period.

The Ministry's Watermain Disinfection Procedure (WDP) was updated and approved in August 2020. As per Condition 2.3.2, the City is required to comply with the requirements of the updated WDP within six months of its approval. The City is aware of this requirement and will be discussed in the next inspection.

- The owner had evidence indicating that all chemicals and materials that come in contact with water within the drinking water system met the AWWA and ANSI standards in accordance with the Municipal Drinking Water Licence and Drinking Water Works Permit issued under Part V of the SDWA.
- Up-to-date plans for the drinking water system were kept in a place, or made available in such a manner, that they could be readily viewed by all persons responsible for all or part of the operation of the drinking

Treatment Processes

water system in accordance with the DWWP and MDWL issued under Part V of the SDWA.

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 more locations than required, rotating sampling locations on a weekly basis in a 4-week rotation.

- **Samples for chlorine residual analysis were tested using an acceptable portable device.**

Distribution System

- **The owner had up-to-date documents describing the distribution components as required.**

- **There is a backflow prevention program, policy and/or bylaw in place.**

As per SOP15-1A - Infrastructure Maintenance Table:

The City has a program to inspect city-owned backflow prevention devices annually, both those located in buildings and portable devices used for watermain commissioning. There is no bylaw in place at this time, however the City utilizes a cross-connection control specialist plumber to identify high-hazard facilities.

- **The owner had implemented a program for the flushing of watermains as per industry standards.**

As per SOP15-1A - Infrastructure Maintenance Table:

The City completes weekly flushing at hydrants and/or flushing stations from May to October each year in order to maintain good FCR residuals, especially near dead ends (divided into 4 zones). Information is recorded on Watermain Flushing and Sampling Field Report forms.

- **Records confirmed that disinfectant residuals were routinely checked at the extremities and "dead ends" of the distribution system.**

- **A program was in place for inspecting and exercising valves.**

As per SOP15-1A - Infrastructure Maintenance Table:

The City has a program to inspect and exercise 25% of all valves annually.

- **There was a program in place for inspecting and operating hydrants.**

As per SOP15-1A - Infrastructure Maintenance Table:

The City has a program to inspect hydrants annually. There is also a Winter hydrant inspection check (for freezing etc) once between Nov 1 to Dec 31 and once between Jan 1 to Apr 1 each year. Additionally, complete fire flow testing of 25% of hydrants is to be completed annually.

- **There was a by-law or policy in place limiting access to hydrants.**

City of Port Colborne Water Use By-Law 3151-22-95 that limits and prohibits public access to hydrants.

- **The owner was able to maintain proper pressures in the distribution system and pressure was monitored to alert the operator of conditions which may lead to loss of pressure below the value under which the system is designed to operate.**

As per SOP15-1A - Infrastructure Maintenance Table:

Distribution System

The City has a program to do complete fire flow testing of 25% of hydrants annually to ensure adequate pressure during fire events. Pressures are measured during flushing events and recorded on Watermain Flushing and Sampling Field Report forms

- **The donor had provided an Annual Report to the receiver drinking water system.**

Operations Manuals

- **Operators and maintenance personnel had ready access to operations and maintenance manuals.**
Operators have ready access to hard copy and digital copies of the O&M Manual, including all SOPs.
- **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

- **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.**
- **For every required operational test and every required sample, a record was made of the date, time, location, name of the person conducting the test and result of the test.**
The City launched WaterTrax Mobile in January 2020, whereby operators would enter their field sampling records directly into the mobile app set up on their mobile devices. During the transition, hard copy paper records were also used where the information could then be uploaded manually by operators that might be less 'tech savvy' than others. The City reported some minor issues during the early days of the transition, but full records exist and contain the required information.
- **The operator-in-charge ensured that records were maintained of all adjustments made to the processes within his or her responsibility.**
- **Logs or other record keeping mechanisms were available for at least five (5) years.**
The City is aware of the record-keeping requirements.

Contingency/Emergency Planning

- **Clean-up equipment and materials were in place for the clean up of spills.**
The City has spill kits available at the Public Works Yard.

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. The Inspector observed trucks filling at each location, the air gap works as required.

Consumer Relations

- **The owner and/or operating authority undertook efforts to promote water conservation and reduce water losses in their system.**

The City has replaced all water meters in the past 5-10 years. In 2011, the City received Showcasing Water Innovation funding to integrate a water loss analysis tool into the city's water SCADA system. The project was proposed to provide staff with the capability of monitoring flow and pressure in the distribution system using off-line and real-time software tools. Previously, up to 40+% of water purchased from Niagara Region's Port Colborne WTP was lost to unknown causes. That percentage has declined somewhat due to City initiatives.

In 2019-20, the City implemented a semi-annual leak detection program via consultant performing acoustic leak detection. In addition, dead ends were inventoried and a process to optimize flushing schedules is ongoing. The City reports that unbilled water usage has dropped from 48% to 34% since 2017, and the volume of water purchased from Niagara Region has decreased 27%.

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.**
- **An adequately licenced operator was designated to act in place of the overall responsible operator when the overall responsible operator was unable to act.**

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.

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 with an annual running average of 6.7 ug/L. The Region also samples for HAAs in its distribution mains. The limit of 80 ug/L HAA came into effect on January 1, 2020.

The City has met all prior MECP recommendations with regard to characterizing the distribution system sampling for HAAs.

- **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 on a quarterly basis from two locations in the distribution system. Niagara Region also tests for THMs in its distribution mains. The running annual average is currently 31.5

Water Quality Monitoring

ug/L. The drinking water standard for THMs is 100 ug/L, expressed as a running annual average.

- **The owner ensured that water samples were taken at the prescribed location.**
- **All sampling requirements for lead prescribed by schedule 15.1 of O. Reg. 170/03 were being met.**
The City is exempt from sampling from private plumbing, however, is required to sample for alkalinity, lead, and pH in the distribution system. All sampling requirements were met for the inspection period. The City will sample for lead from private plumbing if a request from a resident is received.
- **Records confirmed that chlorine residual tests were being conducted at the same time and at the same location that microbiological samples were obtained.**
- **The owner indicated that the required records are kept and will be kept for the required time period.**

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 three AWQIs reported during the inspection review period:

AWQI 148060 - Sep 16, 2019:

FCR = 0.00 mg/L at sample station 39 - flushed until FCR satisfactory

AWQI 151180 - Aug 8, 2020:

FCR = 0.00 mg/L at sample station 39 - flushed until FCR satisfactory

AWQI 151224 - Aug 6, 2020::

1 Total coliform cfu/100 mL sample result @ 43 Runnymede Rd (new hydrant) FCR = 0.25 mg/L

All reporting requirements and corrective actions were completed as required for these three reported 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 required written notices of adverse water quality incidents were provided as per O. Reg. 170/03 16-7.**
- **In instances where written notice of issue resolution was required by regulation, the notice was provided as per O. Reg. 170/03 16-9.**
- **Summary Reports for municipal council were completed on time, included the required content, and were distributed in accordance with the regulatory requirements.**

Reporting & Corrective Actions

- **All changes to the system registration information were provided within ten (10) days of the change.**

The distribution system has had several staffing changes related to ORO and other management personnel. The City is reminded to keep their Drinking Water Profile up-to-date by sending all updates/changes to waterforms@ontario.ca

Other Inspection Findings

- **The following items are noted as being relevant to the Drinking Water System:**

Due to the Covid-19 Pandemic and its potential effect on drinking water staffing levels, the City of Port Colborne applied for, and received, the following regulatory relief from the Ministry:

1 - Subject to condition 2.3 in Schedule B of DWWP, the Director hereby authorizes the following procedure until August 1st, 2020:

The Operator in Charge (OIC) may categorize watermain breaks remotely provided that the OIC is in direct contact via a video link with an Operator-in-Training, or an O. Reg. 75/20-designated operator, that is on-site for the watermain break.

2 - O. Reg. 170/03, Schedule 10 - 2 (1): At minimum 75% of the required distribution microbiological samples (20 samples) must be taken every month, with at least two (2) of the samples being in each week. Relief expires Dec 31, 2020, however an application for extension to end of June 2021 has been submitted and likely to be approved.

3 - O. Reg. 170/03, Schedule 7: A minimum At least three (3) free chlorine residual samples must be taken on one day of the week, and two (2) samples on another day of the week 48 hours apart (5 samples per week). This relief expires Dec 31, 2020, however an application for extension to end of June 2021 has been submitted and likely to be approved.

Note that as of the inspection date, the City has not had to make use of the granted relief.

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:

January 29, 2021

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.

For more information on Ontario's drinking water visit www.ontario.ca/drinkingwater and email drinking.water@ontario.ca to subscribe to drinking water news.



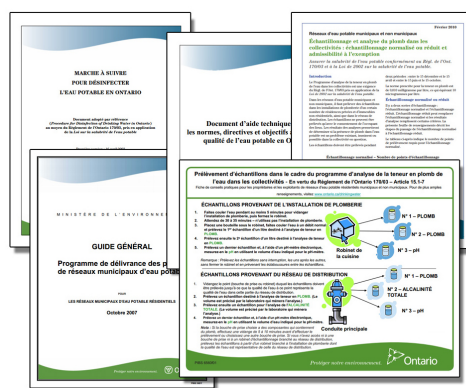
PUBLICATION TITLE	PUBLICATION NUMBER
Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils	7889e01
FORMS: Drinking Water System Profile Information, Laboratory Services Notification, Adverse Test Result Notification Form	7419e, 5387e, 4444e
Procedure for Disinfection of Drinking 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

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 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 ou envoyez un courriel à 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

Appendix B

Inspection Rating Record (IRR)

Ministry of the Environment - Inspection Summary Rating Record (Reporting Year - 2020-2021)

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: Standalone
Inspection Date: November 25, 2020
Ministry Office: Niagara District

Maximum Question Rating: 321

Inspection Module	Non-Compliance Rating
Treatment Processes	0 / 37
Distribution System	0 / 4
Operations Manuals	0 / 42
Logbooks	0 / 26
Certification and Training	0 / 35
Water Quality Monitoring	0 / 71
Reporting & Corrective Actions	0 / 77
Treatment Process Monitoring	0 / 29
TOTAL	0 / 321

Inspection Risk Rating	0.00%
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FINAL INSPECTION RATING:	100.00%
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Ministry of the Environment - Detailed Inspection Rating Record (Reporting Year - 2020-2021)

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: Standalone

Inspection Date: November 25, 2020

Ministry Office: Niagara District

Maximum Question Rating: 321

Inspection Risk Rating 0.00%

FINAL INSPECTION RATING: 100.00%

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

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:

RISK = LIKELIHOOD × 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).

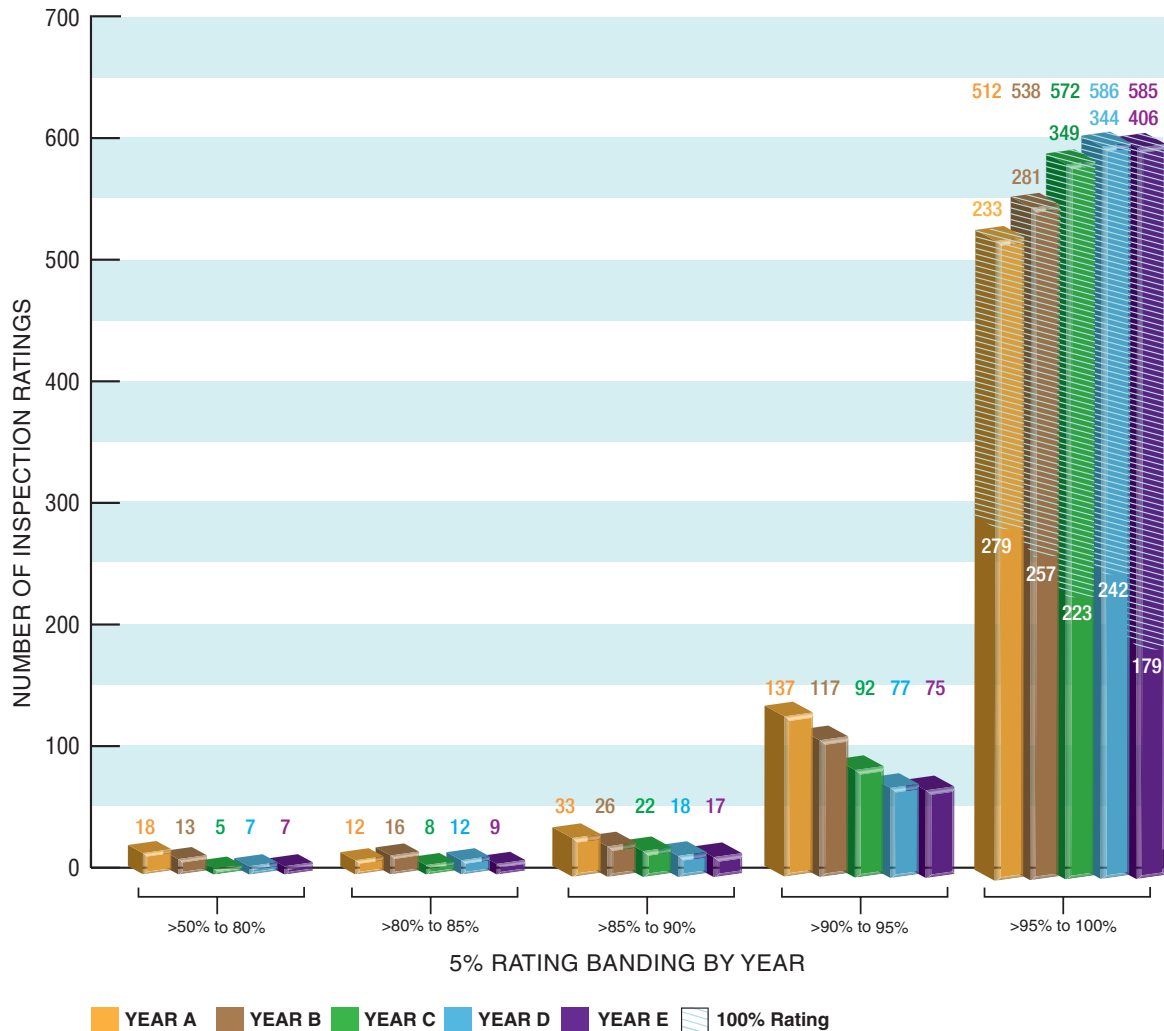
The risk ratings of all non-compliant answers are summed and divided by the sum of the risk ratings of all questions asked (maximum question rating). The resulting inspection risk rating (as a percentage) is subtracted from 100 per cent to arrive at the final inspection rating.

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

2. Permit to Take Water

3. Capacity Assessment

4. Treatment Processes
5. Treatment Process Monitoring

6. Process Wastewater

7. Distribution System

8. Operations Manuals
9. Logbooks

10. Contingency and Emergency Planning

11. Consumer Relations

12. Certification and Training
13. Water Quality Monitoring

14. Reporting, Notification and Corrective Actions

15. Other Inspection Findings

For further information, please visit www.ontario.ca/drinkingwater

Administration

Office of the Regional Clerk

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

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

December 18, 2020

CL 23-2020, December 17, 2020**CSC 11-2020, December 9, 2020****CSD 81-2020, December 9, 2020*****Local Area Municipalities******SENT ELECTRONICALLY*****RE: Amending Agreement to the Niagara Region Inter-Municipal Agreement**

Regional Council, at its meeting of December 17, 2020, considered the following recommendation of its Corporate Services Committee:

That Report CSD 81-2020, dated December 9, 2020, respecting Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That an Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement in a form substantially as set out in Appendix A of Report CSD 81-2020, **BE APPROVED** for purposes of advancing the Vision Zero Program;
2. That the Director of Legal and Court Services **BE AUTHORIZED** to make such revisions to the Amending Agreement as may be deemed necessary and approved by the Acting Chief Administrative Officer in response to requests from the local area municipalities in order to finalize the Amending Agreement; provided that the apportionment of costs and revenue remains the same as provided in Appendix A of Report CSD 81-2020;
3. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement once finalized, subject to approval by all 12 local area municipalities; and
4. That Report CSD 81-2020 and the Amending Agreement, attached as Appendix A of Report CSD 81-2020, **BE CIRCULATED** to the 12 local area municipalities and that the 12 local area municipalities **BE REQUESTED** to review and approve the Amending Agreement at the earliest opportunity in order to advance the Vision Zero Program.

The following amendment was approved by Regional Council:

That Appendix A, point #2 under definitions, **BE AMENDED** to read as follows:

Net revenues from Red Light Cameras, Automated Speed Enforcement and such other automated technology-based traffic enforcement tools that may be approved by the Province, be shared 50/50 between the Region and local area municipalities consistent with current practice.

In light of the resolution of Council to amend the Amending Agreement to the Niagara Regional Inter-Municipal Agreement, a new agreement will be drafted to reflect the amendment and further communicated in due course.

Yours truly,

A handwritten signature in black ink, appearing to read 'Ann Marie Norio', with a stylized flourish at the end.

Ann-Marie Norio
Regional Clerk

:kl

CLK-C 2020-228

cc: B. Brens, Manager, Program Financial Support, Corporate Services
T. Harrison, Commissioner/Treasurer, Corporate Services
D. Gibbs, Director, Legal and Court Services
C. Ryall, Director, Transportation Services

February 9, 2021

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

**Re: Universal Paid Sick Days in Ontario
Our File 35.31.99**

Dear Premier Ford:

At its meeting held on February 1, 2021, St. Catharines City Council approved the following motion:

“WHEREAS workers in Ontario without paid sick leave often feel forced to work when unwell so they can feed and support their families and are at risk of losing a paycheque or even their jobs if they stay home; and

WHEREAS the Canada Recovery Sickness Benefit is temporary, not accessible to all and not usable for the crucial first few days of an illness; and

WHEREAS had legislated paid sick leave been in place before the global pandemic, lives would have been saved because infection rates would have been reduced; and

WHEREAS the lack of paid sick days has especially hurt Black, Indigenous, workers of colour, women and migrant workers who are over-represented in low-paying frontline jobs with few benefits and a reduced ability to work from home; and

WHEREAS the Ontario Medical Association, 11 GTHA Mayors and Chairs representing Ontario's largest municipalities, the editorial board of the Toronto Star, the Toronto Board of Health, the Decent Work and Health Network, the Ontario Nurses Association, and several other professional associations representing thousands of healthcare workers have all called on the provincial government to legislate paid sick days;

THEREFORE BE IT RESOLVED that the City of St. Catharines endorses legislated sick leave and calls on the government of Ontario to permanently legislate universal paid sick days for all workers in Ontario during the pandemic and beyond, regardless of workplace size, type of work or immigration status; and

BE IT FURTHER RESOLVED that this motion be forwarded to the Premier of Ontario, Minister of Labour, all Regional MPPs, Niagara Region, and all Ontario Municipalities.”

If you have any questions, please contact the Office of the City Clerk at extension 1506.



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

Cc Minister of Labour, Hon. Monte McNaughton, Minister.MLTSD@ontario.ca
Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Niagara Region
Ontario Municipalities



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

February 8, 2021

SENT VIA EMAIL

Region of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

RE: Town of Lincoln Council Resolution - Explore Options for Securing Recycling Bin Contents.

Please be advised that Council for the Corporation of the Town of Lincoln at its Special Council Meeting held on February 8, 2021 passed the following motion:

Moved by: Councillor Dianne Rintjema; Seconded by: Councillor J.D. Pachereva

WHEREAS The Council of the Town of Lincoln has as one of the four pillars of its overarching Community Vision, a priority of ensuring that the Town of Lincoln remain a resilient community through initiatives such as championing environmental stewardship and smart growth by continuing to build public awareness and understanding of its shared responsibility to conserve and protect the environment;

AND WHEREAS There have been numerous consistent concerns in recent years from residents regarding items escaping recycling bins particularly on windy days, ultimately littering local private and public property including fields, woodlands, and lakes and streams and as a result having long term, far reaching negative environmental/health and related financial impacts;

AND WHEREAS The Regional Municipality of Niagara recently successfully implemented changes to its waste collection program with goals of diverting away from landfills those items that can be recycled or composted, saving natural resources, and reducing impact on climate change;

AND WHEREAS The Council of the Town of Lincoln, through its established strategic priority of championing environmental stewardship and commitment to conserving and protecting the environment, aims to and build on the success of the initiatives undertaken by the Regional Municipality of Niagara by looking into measures that will not only protect the natural environment by securing recycling bin contents, but that will also have the effect of assisting with the diversion of recyclable items from our landfills.

THEREFORE, BE IT RESOLVED THAT Council of the Town of Lincoln request that the Niagara Region continue to conduct research regarding the feasibility of a pilot project to assist with the securing of recycling bin contents and share results from the 2019 study, including an analysis of the related operational considerations, and also considering funding options such as identifying a local corporate community sponsor.

CARRIED

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Local Area Municipalities

January 22, 2021

RE: Item for Discussion – Infrastructure Funding

At its meeting of January 20, 2021, the Council of the Corporation of the Town of Bracebridge ratified motion 21-GC-024, regarding Infrastructure Funding, as follows:

“WHEREAS the Association of Municipalities of Ontario (AMO) has reported that municipal governments own more of Ontario’s infrastructure than any other order of government, and most of it is essential to economic prosperity and quality of life;

AND WHEREAS municipalities deliver many of the services that are critical to residents in every community, and these services rely on well-planned, well-built and well-maintained infrastructure;

AND WHEREAS the Ontario Provincial Government has stated that universal asset management will be the foundation of its municipal infrastructure strategy because effective asset management planning helps ensure that investments are made at the right time to minimize future repair and rehabilitation costs and maintain assets;

AND WHEREAS Federal and Provincial infrastructure funding models now contain requirements for recipients to demonstrate that comprehensive asset management planning principles are applied when making decisions regarding infrastructure investment;

AND WHEREAS infrastructure funding limits need to be large enough to support significant projects that have a lasting community impact over multiple generations;

AND WHEREAS targeted funding for critical infrastructure is inconsistent with the principle foundation of an asset management strategy which prioritizes needs over wants and has resulted in underfunding of the wide range of infrastructure that municipalities are responsible for maintaining, such as arenas and libraries;

AND WHEREAS the Community, Culture and Recreation Stream of the Investing in Canada Infrastructure Program received demand of almost \$10 billion for a \$1 billion funding envelope;

AND WHEREAS broad eligibility for funding is more appropriate as municipalities best understand their infrastructure needs together with the needs of their community;

AND WHEREAS no and/or insufficient funding programs currently exist to fund the demonstrated need for the building, restoration and enhancement of community, culture and recreation assets;

AND WHEREAS funding the replacement of these needed capital assets is beyond the financial capacity of most communities;

AND WHEREAS the age of the Town of Bracebridge arena is greater than 70 years old, and the Library greater than 110 years old, requiring immediate replacement;

AND WHEREAS the Town of Bracebridge was recently denied any funding under the Community, Culture and Recreation stream of the Investing in Canada Infrastructure Program, despite clearly meeting the tests of proper asset management and identifying needs over wants;

AND WHEREAS the economy of Ontario has been negatively impacted by the ongoing measures implemented to reduce the spread of COVID-19;

NOW THEREFORE the Council of The Corporation of the Town of Bracebridge resolves as follows:

1. THAT the Federal and Provincial Governments provide immediate broad and substantial municipal funding opportunities for well-planned, shovel-ready projects already prioritized under municipal asset management plans to provide immediate stimulus to the local, provincial and the federal economies in order to rebound from the impact of the COVID-19 pandemic.
2. AND THAT this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Federal Minister of Infrastructure and Communities; the Honourable Premier of Ontario; the Ontario Minister of the Finance; the Ontario Minister of Infrastructure; the Ontario Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); the Local Member of Parliament (MP); the Local Member of Provincial Parliament (MPP); and all Municipalities in Ontario.

In accordance with Council's direction I am forwarding you a copy of the resolution for your attention.

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,



Graydon Smith
Mayor

February 3, 2021

Via email: TArbuckle@bracebridge.ca

Town of Bracebridge
Attention: Mayor Graydon Smith
1000 Taylor Court
Bracebridge, ON
P1L 1R6

Dear Mayor Smith:

RE: Correspondence – Request for Municipal Infrastructure Funding Opportunities

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following was passed.

“Resolution #8(d)/02/02/21

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Town of Bracebridge requesting the Federal and Provincial Governments provide immediate broad and substantial municipal Infrastructure Funding opportunities for well-planned, shovel-ready projects already prioritized under municipal asset management plans to provide immediate stimulus to the local, provincial and the federal economies in order to rebound from the impact of the COVID-19 pandemic, dated January 22, 2021.

AND FURTHER THAT this resolution be forwarded to the Town of Bracebridge, the Right Honourable Prime Minister of Canada, the Federal Minister of Infrastructure and Communities, the Honourable Premier of Ontario, the Ontario Minister of Finance, the Ontario Minister of Infrastructure, the Ontario Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, the Local Member of Parliament, the Local Member of Provincial Parliament, and all Ontario Municipalities.

Carried.”

...2

Page 2

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,
Director of Corporate Services/Clerk.

CS/cw

Encl.

Copy to:

- Right Honourable Prime Minister of Canada
- Federal Minister of Infrastructure and Communities
- Hon. Doug Ford, Premier of Ontario
- Hon. Peter Bethlenfalvy, Minister of Finance
- Hon. Steve Clark, Minister of Municipal Affairs and Housing
- Hon. Scott Aitchison, M.P. Parry Sound-Muskoka
- Hon. Norm Miller, M.P.P. Parry Sound-Muskoka
- Federation of Canadian Municipalities
- Association of Municipalities of Ontario
- All Ontario Municipalities

January 22, 2021

RE: Item for Discussion – Infrastructure Funding

At its meeting of January 20, 2021, the Council of the Corporation of the Town of Bracebridge ratified motion 21-GC-024, regarding Infrastructure Funding, as follows:

“WHEREAS the Association of Municipalities of Ontario (AMO) has reported that municipal governments own more of Ontario’s infrastructure than any other order of government, and most of it is essential to economic prosperity and quality of life;

AND WHEREAS municipalities deliver many of the services that are critical to residents in every community, and these services rely on well-planned, well-built and well-maintained infrastructure;

AND WHEREAS the Ontario Provincial Government has stated that universal asset management will be the foundation of its municipal infrastructure strategy because effective asset management planning helps ensure that investments are made at the right time to minimize future repair and rehabilitation costs and maintain assets;

AND WHEREAS Federal and Provincial infrastructure funding models now contain requirements for recipients to demonstrate that comprehensive asset management planning principles are applied when making decisions regarding infrastructure investment;

AND WHEREAS infrastructure funding limits need to be large enough to support significant projects that have a lasting community impact over multiple generations;

AND WHEREAS targeted funding for critical infrastructure is inconsistent with the principle foundation of an asset management strategy which prioritizes needs over wants and has resulted in underfunding of the wide range of infrastructure that municipalities are responsible for maintaining, such as arenas and libraries;

AND WHEREAS the Community, Culture and Recreation Stream of the Investing in Canada Infrastructure Program received demand of almost \$10 billion for a \$1 billion funding envelope;

AND WHEREAS broad eligibility for funding is more appropriate as municipalities best understand their infrastructure needs together with the needs of their community;

AND WHEREAS no and/or insufficient funding programs currently exist to fund the demonstrated need for the building, restoration and enhancement of community, culture and recreation assets;

AND WHEREAS funding the replacement of these needed capital assets is beyond the financial capacity of most communities;

AND WHEREAS the age of the Town of Bracebridge arena is greater than 70 years old, and the Library greater than 110 years old, requiring immediate replacement;

AND WHEREAS the Town of Bracebridge was recently denied any funding under the Community, Culture and Recreation stream of the Investing in Canada Infrastructure Program, despite clearly meeting the tests of proper asset management and identifying needs over wants;

AND WHEREAS the economy of Ontario has been negatively impacted by the ongoing measures implemented to reduce the spread of COVID-19;

NOW THEREFORE the Council of The Corporation of the Town of Bracebridge resolves as follows:

1. THAT the Federal and Provincial Governments provide immediate broad and substantial municipal funding opportunities for well-planned, shovel-ready projects already prioritized under municipal asset management plans to provide immediate stimulus to the local, provincial and the federal economies in order to rebound from the impact of the COVID-19 pandemic.
2. AND THAT this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Federal Minister of Infrastructure and Communities; the Honourable Premier of Ontario; the Ontario Minister of the Finance; the Ontario Minister of Infrastructure; the Ontario Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario (AMO); the Federation of Canadian Municipalities (FCM); the Local Member of Parliament (MP); the Local Member of Provincial Parliament (MPP); and all Municipalities in Ontario.

In accordance with Council's direction I am forwarding you a copy of the resolution for your attention.

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,



Graydon Smith
Mayor

February 3, 2021

Via email: jrussell@mississippimills.ca

Municipality of Mississippi Mills
Attention: Jennifer Russell, Deputy Clerk
3131 Old Perth Road
PO Box 400
Almonte, ON K0A 1A0

Dear Ms. Russell:

RE: Correspondence – Request for Revisions to the Municipal Elections Act

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following resolution was passed.

“Resolution #8(a)/02/02/21

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Municipality of Mississippi Mills regarding support to amend the Municipal Elections Act to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list and to ensure that there is a clear and accessible way to report election fraud, dated January 18, 2021;

AND FURTHER THAT this resolution be forwarded to the Municipality of Mississippi Mills, Premier Doug Ford, Norm Miller, M.P.P. for Parry Sound-Muskoka, all Ontario Municipalities and the Association of Municipalities of Ontario.

Carried.”

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,
Director of Corporate Services/Clerk.
CS/cw
Encl.

Copy to: Hon. Doug Ford, Premier of Ontario
Hon. Norm Miller, M.P.P. for Parry Sound-Muskoka
All Ontario Municipalities

Hon. Steve Clark, Minister of Municipal Affairs and Housing
Association of Municipalities of Ontario



CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

3131 OLD PERTH ROAD • PO BOX 400 • RR 2 • ALMONTE ON • K0A 1A0

PHONE: 613-256-2064
FAX: 613-256-4887
WEBSITE: www.mississippimills.ca

January 18, 2021

Ministry of Municipal Affairs and Housing

17th Floor, 777 Bay Street
TORONTO, ON
M7A 2J3

Attention: The Honourable Steve Clark

Re: Request for Revisions to Municipal Elections

Dear Minister Clark,

On October 20, 2020 the Council of the Municipality of Mississippi Mills passed a resolution in support of Wollaston Township to request the Ministry of Municipal Affairs and Housing to review the *Municipal Elections Act* and provide amendments to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list and to ensure that there is a clear and accessible way to report election fraud and that the rules described in the *Municipal Elections Act* are actually enforceable even if there is not a current case law.

A copy of the resolution is attached for your reference.

Sincerely,

Jennifer Russell
Deputy Clerk
jrussell@mississippimills.ca
613-256-2064 x 225
3131 Old Perth Rd, PO Box 400
Almonte, ON K0A 1A0

cc. Premier Doug Ford, Daryl Kramp, AMO and all Ontario Municipalities

Attachment: Resolution No. 421-20

COUNCIL RESOLUTION

October 20, 2020

Resolution No 421-20

Moved by Deputy Mayor Minnille

Seconded by Councillor Dalgity

CW148-20 Info List Item #6 - Request for Revisions to Municipal Elections

BE IT RESOLVED, that the Council of the Municipality of Mississippi Mills ask Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to review the Municipal Elections Act and provide amendments to ensure that loopholes are closed on any pay to play schemes in rural communities where non-resident electors are permitted to participate in elections so that \$100.00 leases do not turn into ballots for garden sheds;

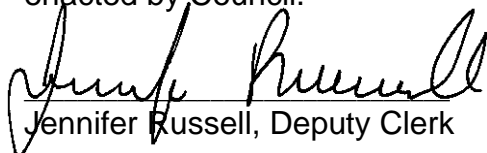
AND BE IT FURTHER RESOLVED, that the Council of the Municipality of Mississippi Mills ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to review the Municipal Elections Act and provide amendments to provide clearer, stronger wording, to assist municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list;

AND BE IT FURTHER RESOLVED, that the Council of the Municipality of Mississippi Mills ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that there is a clear and accessible way to report election fraud;

AND BE IT FURTHER RESOLVED, that the Council of the Municipality of Mississippi Mills ask the Minister of Municipal Affairs and Housing, the Hon. Steve Clark, to ensure that the rules described in the Municipal Elections Act are actually enforceable even if there is not current case law;

AND BE IT FURTHER RESOLVED, that support for this resolution be sent to Premier Doug Ford, Daryl Kramp, M.P.P. for Hastings-Lennox and Addington, all Ontario Municipalities and the Association of Municipalities of Ontario.

I, Jennifer Russell, Deputy Clerk for the Corporation of the Municipality of Mississippi Mills, do hereby certify that the above is a true copy of a resolution enacted by Council.



Jennifer Russell, Deputy Clerk

From: Kaila Zamojski <kzamojski@arnprior.ca>

Sent: February 12, 2021 2:57 PM

To: 'Hamilton' <clerk@hamilton.ca>; Amber LaPointe <Amber.LaPointe@portcolborne.ca>; 'amo@amo.on.ca' <amo@amo.on.ca>; customer.service@agco.ca; john.yakabuskico@pc.ola.org; 'cheryl.gallant@parl.gc.ca' <cheryl.gallant@parl.gc.ca>

Cc: Maureen Spratt <mspratt@arnprior.ca>

Subject: Support Resolution - Amending the AGCO Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation

Hello,

Please be advised the Town of Arnprior Council at their February 8, 2021 Regular Meeting of Council passed the following resolution in regards to Amending the AGCO Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations:

Whereas the Corporation of the Town of Arnprior received the correspondence from the City of Hamilton and City of Port Colborne, regarding amending the AGCO licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations;

Whereas in late 2019 the Province of Ontario announced that the AGCO had been given regulatory to open the market for retail cannabis stores beginning in January 2020, without the need for lottery;

Whereas the AGCO does not take into consideration radial separation for Cannabis Retail Stores.

Therefore Be It Resolved That the Corporation of the Town of Arnprior supports the City of Hamilton's request to amend the AGCO Licensing and Application process for Cannabis Retail Stores to consider radial separation from other Cannabis Locations.

With Appreciation,



Kaila Zamojski
Deputy Clerk
Town of Arnprior
105 Elgin Street W.
Arnprior, ON, K7S 0A8
(613) 623-4231 ext 1818
kzamojski@arnprior.ca
www.arnprior.ca
[@arnprior](#)

This e-mail is privileged & confidential. If it is not addressed to or intended for you, and you receive it, kindly delete it and all copies and advise the sender right away. Thank you.

Please consider the environment before printing this e-mail.

February 3, 2021

Via email: asimonian@augusta.ca

Township of Augusta
Attention: Annette Simonian, Clerk
3560 County Road 26
Prescott, ON
K0E 1T0

Dear Ms. Simonian:

RE: Correspondence – Ontario Fire College

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that the above-noted correspondence was presented at the last regularly scheduled meeting on February 2, 2021, and the following was passed.

“Resolution #8(f)/02/02/21

BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays hereby supports the resolution from the Township of Augusta regarding their request for support for the Province of Ontario to reverse their decision to close the Ontario Fire College, dated January 25, 2021;

AND FURTHER THAT this resolution be forwarded to the Township of Augusta, the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all Ontario Municipalities.

Carried.”

Should you have any questions, please do not hesitate to contact our Municipal Office at 705-635-2272.

...2

Page 2

Sincerely,



Carrie Sykes, *Dipl. M.A., CMO, AOMC*,
Director of Corporate Services/Clerk.
CS/cw

Encl.

Copy to:

Hon. Doug Ford, Premier of Ontario
Hon. Sylvia Jones, Ontario Solicitor General
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Jon Pegg, Ontario Fire Marshal
All Ontario Municipalities

TOWNSHIP OF AUGUSTA

Moved By: TANYA HENRY

Date: January 25, 2021

Seconded By: JEFF SHAWEN

Resolution No: 4

WHEREAS the Ontario Fire College has been in existence since 1949; and

WHEREAS the Ontario Fire College is one of the primary sources of certified training for Ontario Firefighters; and

WHEREAS the Ontario Fire College has built a reputation of integrity, credibility, and reliability in providing some of the best training to our Fire Services within the Province of Ontario; and

WHEREAS the Ontario Fire College has been used to train and certify both Volunteer, Part-Time and Career firefighters throughout Ontario; and

WHEREAS the Ontario Fire College gives Ontario Firefighters another option other than Regional Training Centers to obtain National Fire Protection Association (NFPA) certifications; and

WHEREAS the Ontario Fire College is the most cost-effective method to certify Firefighters to NFPA Standards in Ontario; and

WHEREAS the Ontario Government enacted and revoked O. Reg. 379/18: Firefighter Certification in 2018; and

WHEREAS when the Ontario Government revoked O. Reg. 379/18: Firefighter Certification, it was made known by the Office of the Solicitor General that the act would be amended and brought back in the future; and

THEREFORE, BE IT RESOLVED THAT the Township of Augusta requests that the Province of Ontario reverse their decision to close the Ontario Fire College as the OFC is one of the best and most cost-effective methods for municipalities to train their firefighters which assists us in protecting our residents; and

BE IT FURTHER RESOLVED THAT this Resolution is forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all municipalities within the Province of Ontario.

RECORDED VOTE:

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: Donna
MAYOR

DEFEATED: _____
MAYOR

Declaration of pecuniary interest by: _____

Nature of interest: _____

- ☐ Disclosed His/Her/Their Interest
- ☐ Vacated His/Her/Their Seat
- ☐ Abstained from discussion and did not vote on the question

RECORDED VOTE:

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: *Dan Malanka*
MAYOR

DEFEATED: _____
MAYOR

Declaration of pecuniary interest by: _____

Nature of interest: _____

- ☐ Disclosed His/Her/Their Interest
- ☐ Vacated His/Her/Their Seat
- ☐ Abstained from discussion and did not vote on the question

TOWNSHIP OF AUGUSTA

Moved By: TANYA HENRY

Date: January 25, 2021

Seconded By: JEFF SHAWEN

Resolution No: 4

WHEREAS the Ontario Fire College has been in existence since 1949; and

WHEREAS the Ontario Fire College is one of the primary sources of certified training for Ontario Firefighters; and

WHEREAS the Ontario Fire College has built a reputation of integrity, credibility, and reliability in providing some of the best training to our Fire Services within the Province of Ontario; and

WHEREAS the Ontario Fire College has been used to train and certify both Volunteer, Part-Time and Career firefighters throughout Ontario; and

WHEREAS the Ontario Fire College gives Ontario Firefighters another option other than Regional Training Centers to obtain National Fire Protection Association (NFPA) certifications; and

WHEREAS the Ontario Fire College is the most cost-effective method to certify Firefighters to NFPA Standards in Ontario; and

WHEREAS the Ontario Government enacted and revoked O. Reg. 379/18: Firefighter Certification in 2018; and

WHEREAS when the Ontario Government revoked O. Reg. 379/18: Firefighter Certification, it was made known by the Office of the Solicitor General that the act would be amended and brought back in the future; and

THEREFORE, BE IT RESOLVED THAT the Township of Augusta requests that the Province of Ontario reverse their decision to close the Ontario Fire College as the OFC is one of the best and most cost-effective methods for municipalities to train their firefighters which assists us in protecting our residents; and

BE IT FURTHER RESOLVED THAT this Resolution is forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all municipalities within the Province of Ontario.

RECORDED VOTE:

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: Donna
MAYOR

DEFEATED: _____
MAYOR

Declaration of pecuniary interest by: _____

Nature of interest: _____

- ☐ Disclosed His/Her/Their Interest
- ☐ Vacated His/Her/Their Seat
- ☐ Abstained from discussion and did not vote on the question

RECORDED VOTE:

	FOR	AGAINST
Councillor Bowman	_____	_____
Councillor Henry	_____	_____
Mayor Malanka	_____	_____
Councillor Schapelhouman	_____	_____
Deputy Mayor Shaver	_____	_____

CARRIED: *Dan Malanka*
MAYOR

DEFEATED: _____
MAYOR

Declaration of pecuniary interest by: _____

Nature of interest: _____

- ☐ Disclosed His/Her/Their Interest
- ☐ Vacated His/Her/Their Seat
- ☐ Abstained from discussion and did not vote on the question



Sent via Email

February 11, 2021

RE: TOWN OF GRAVENHURST RESOLUTION – ONTARIO FIRE COLLEGE

At the Town of Gravenhurst Committee of the Whole meeting held on February 9, 2021 the following resolution was passed:

**Moved by Councillor Lorenz
Seconded by Councillor Murray**

WHEREAS the site of the Ontario Fire College has been in institutional use since 1902 as the Muskoka Free Hospital for Consumptives and the site of many heritage buildings that require protection;

AND WHEREAS the Town of Gravenhurst has been home to the Ontario Fire College since 1957, providing world-class training and camaraderie to thousands of Firefighters from across the Province in a unique setting;

AND WHEREAS the Ontario Fire College has established the reputation to certify both Volunteer and Career firefighters in a cost effective manner, offering top-tier training to all Fire Departments in Ontario;

AND WHEREAS there is concern from several municipalities and firefighters across the Province that the closure is detrimental to their training and that downloading of training is simply too expensive for municipalities and not included in their 2021 budgets;

AND WHEREAS the Fire Marshal has a duty (F.P.P.A.S 9.2(e)) to operate and maintain a central fire college and that regional training facilities are unproven and the closure of the Ontario Fire College was implemented with no stakeholder consultation;

AND WHEREAS the community of Gravenhurst has benefitted from the employment opportunities that the Ontario Fire College has provided;

AND WHEREAS the closure of the facility will result in significant job losses and would be a detriment to the broader community;

THEREFORE BE IT RESOLVED THAT the Province of Ontario reconsider the closure of the Ontario Fire College;

AND THAT if the closure occurs, the facility and site in the Town of Gravenhurst be considered to be the location of a Regional Training Centre for Fire and Emergency Services, for all the people of Ontario;

AND THAT the Province engage the Town of Gravenhurst and community partners to use the site in a matter that fosters growth of the community in a responsible way;

AND FINALLY THAT this motion be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Sylvia Jones, Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, MPP Norm Miller, the Ontario Fire Marshal, Jon Pegg and all Ontario Municipalities.

CARRIED

Sincerely,



Kayla Thibeault
Director of Legislative Services / Clerk
Town of Gravenhurst



The Corporation of the
TOWNSHIP OF BALDWIN

P.O. Box 7095, 11 Spooner Street
MCKERROW, ONTARIO POP 1M0
TEL: (705) 869-0225 FAX: (705) 869-5049
CLERK: Karin Bates – karin@baldwin.ca

MOVED BY: JOANNE BOUCHER DATE: February 1, 2021

SECONDED BY: DAVID FURBER MOTION NO.: 21- 013

WHEREAS the province wants to mandate training levels for Fire Fighters and now wishes to close the Ontario Fire College located in Gravenhurst, Ontario which has been used for many Government agencies such as Ministry of Transportation, Ontario Provincial Police, Fire Fighters, both full time and volunteer; and

WHEREAS only a small percentage of our department has any formal training and are responsible to train junior fire fighters with the minimal training we receive; and

WHEREAS as volunteers, we are on call 24/7/365 with day jobs and families that expect us to come home safely each and every time; and

WHEREAS the Fire College makes top tier training accessible to all Fire Departments in Ontario; and

WHEREAS municipalities are mandated to have fire departments, yet there is no provincial or federal funding for volunteer fire departments for much needed equipment and training; and

WHEREAS without a plan in place it is irresponsible to close down a vital training centre that serves Ontario and it would put Municipalities at risk which is shortsighted and not acceptable.

NOW THEREFORE BE IT RESOLVED THAT: The Corporation of the Township of Baldwin requests the Province of Ontario to reconsider closing this all-important facility for dollars over lives.

Carried ✓ Defeated _____ Mayor *[Signature]*



The Corporation of the Township of Terrace Bay

P.O. Box 40, 1 Selkirk Avenue, Terrace Bay, ON, P0T 2W0
Phone: (807) 825-3315 **Fax:** (807) 825-9576

February 2, 2021

The Honourable Doug Ford, Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON
M7A 1Y7

Dear Premier Doug Ford,

Please be advised that Council of The Corporation of the Township of Terrace Bay at the Regular Council Meeting of February 1, 2021 resolved as follows:

That the resolution received from the Town of Augusta
Re: Ontario Fire College

Resolution: 28-2021

Moved By: Councillor St.Louis
Seconded By: Councillor Malashewski

WHEREAS the Ontario Fire College has been in existence since 1949; and

WHEREAS the Ontario Fire College is one of the primary sources of certified training for Ontario Firefighters; and

WHEREAS the Ontario Fire College has built a reputation of integrity, credibility, and reliability in providing some of the best training to our Fire Services within the Province of Ontario; and

WHEREAS the Ontario Fire College has been used to train and certify both Volunteer, Part-Time and Career firefighters throughout Ontario; and

WHEREAS the Ontario Fire College gives Ontario Firefighters another option other than Regional Training Centers to obtain National Fire Protection Association (NFPA) certifications; and

WHEREAS the Ontario Fire College is the most cost-effective method to certify Firefighters to NFPA Standards in Ontario; and

WHEREAS the Ontario Government enacted and revoked O. Reg. 379/18: Firefighter Certification in 2018; and

WHEREAS when the Ontario Government revoked O. Reg. 379/18: Firefighter Certification, it was made known by the Office of the Solicitor General that the act would be amended and brought back in the future; and

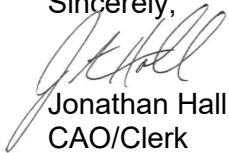
THEREFORE, BE IT RESOLVED THAT the Township of Terrace Bay requests that the Province of Ontario reverse their decision to close the Ontario Fire College as the OFC is one of the best and most cost-effective methods for municipalities to train their firefighters which assists us in protecting our residents; and

CARRIED

BE IT FURTHER RESOLVED THAT this Resolution is forwarded to the Honourable Doug Ford Premier of Ontario, the Honourable Sylvia Jones; Ontario Solicitor General, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Ontario Fire Marshal; Jon Pegg, and all municipalities within the Province of Ontario.

Thank you for your consideration.

Sincerely,



Jonathan Hall
CAO/Clerk

CC: Honourable Sylvia Jones, Ontario Solicitor General

Hon. Steve Clark, Minister of Municipal Affairs and
Housing

Jon Pegg, Ontario Fire Marshal

Ontario Municipalities

Agenda Number: 6.5
Number: 21-04-07
Title: City of Port Colborne Resolution - Proposed Regulation under the Ontario Heritage Act (Bill 108)
Date: 01/26/2021

Moved By: Kym Hutcheon
Seconded By: Dan Gieruszak

That the Council of the Municipality of Brockton hereby support the City of Port Colborne's resolution on proposed regulations to the *Ontario Heritage Act* (Bill 108) and further that a copy of this resolution be forwarded to the Minister of Heritage, Sport, Tourism and Culture Industries, AMO, the City of Port Colborne, and the Town of Grimsby.

Carried

Original Signed By
Mayor - Chris Peabody



2020 Downtown Port Colborne BIA – Regular Board Meeting
Wednesday, November 11th , 2020 - 6:30 PM
21 Charlotte Street, Port Colborne

MINUTES – NOVEMBER BOARD MEETING

Attendance: Betty Konc, Karrie Haynes, Norbert Gieger, Jesse Boles, Michelle Benest-Tanner and Councilor Donna Kalailieff

Staff: Mary-Lou Ambrose-Little.

Regrets: Frank Bears (Resignation Received)

Absent: Rob Carter and Robert Phillips

Welcome

Chair Betty Konc welcome everyone to the meeting.

Call to order

The meeting was called to order at 6:55 PM by Chair Betty Konc following the budget meeting.

Declaration of pecuniary interest

None.

Approval of agenda

Motion to: "Approve Agenda" Moved by: Michelle Benest-Tanner; Seconded by: Donna Kalailieff. CARRIED

Approval of minutes

Motion to: "Approve the Minutes of the October Board Meeting" Moved by: Betty Konc; Seconded by: Michelle Benest-Tanner CARRIED

Motion to: "Approve the Minutes of the October Budget Meeting" Moved by: Norbert Geiger; Seconded by: Betty Konc. CARRIED

Declarations of Pecuniary Interest

None

Business arising

Motion to: "Accept the Resignation of Board Member Frank Bears" Moved by: Norbert Geiger; Seconded by: Betty Konc. CARRIED

Our AGM is set for Wednesday December 9th, 2020 at 7pm via Zoom Conference and is being hosted by Amber Lapoint, City of Port Colborne Municipal Clerk. Amber will establish the link to the conference and send out to Mary-Lou to distribute to all interested in attending the AGM.

Christmas Open House is Booked for the Weekend

Storefront Lighting Contest has been coordinated with Luke Rowe and City Staff. It is on the BIA's Website and the City's Website. A decision is required as to what to offer as prized. The suggestion being \$100 , \$75 and \$50 Cash for First, Second and Third Prize respectfully.

REPORTS

Councillor's Report:

Councillor Kalalief informed us that the new new year round decorative lighting is on order and expected to arrive soon. City staff have assured her that they will do their best to get them installed in time for Christmas.

Treasurer's Report:

Per Budget Meeting

Staff Report – Attached:

Mary-Lou added that a New Niagara South Online Newsletter is being publishes and Cathy Burkhout Bossy is asking for a \$500 Sponsorship for the newsletter. The decision was made to defer the ask to a later meeting.

Correspondence

Letter from Andrea Boiter, Job Development Officer at Port Cares. Indicated that she has students for hire available that need hours and could help out with BIA activities and with downtown merchant activities fully paid for by Port Cares.

New Business

- \$100 Honorarium is required to pay Tug Boat Santa
- Sky Media with being doing drone shots this weekend and put of a package of photos of Christmas n Port Colborne.
- \$200 Required for John for Production of the video.

Adjournment

Motion to: "Adjourn the Board Meeting made at 7:39pm" Moved by: Betty Konc; Seconded by: Jesse Boles.
CARRIED

NEXT MEETINGS

2020 Downtown Port Colborne BIA AGM

Wednesday December 9th, 2020 at 7pm

Digitally VIA Zoom, Coordinated by City of Port Colborne

Attachments:

- Staff Report



2020 Downtown Port Colborne BIA – Budget Meeting
Wednesday, November 11th, 2020 - 5:30 PM
21 Charlotte Street, Port Colborne

BUDGET MEETING MINUTES

Attendance: Betty Konc, Karrie Haynes, Norbert Gieger, Jesse Boles, Michelle Benest-Tanner and Councilor Donna Kalailieff

Staff: Mary-Lou Ambrose-Little.

Regrets: Frank Bears (Resignation Received)

Absent: Rob Carter and Robert Phillips

Call to Order

The meeting was called to order at 6:13 PM by Chair Betty Konc.

Budget Discussion

- Staff Remuneration: Discussed BIA Executive Director Position Salary. Increase to 20 hours per week at \$18 per hour.
- Treasurer to move in the regular meeting that we increase Administration budget to 20 hours per week at a rate of \$18 per hour. In addition, we will be processing the staff position as an employee and not a contractor. As an employee they will be paid 4% vacation pay and statutory holiday pay as needed.
- Discussion regarding Boat Lights. Agreement with main street is that we are to get total 40 lights (20 per BIA) and we have agreed to contributing \$10,000 towards the lights.
- Norbert – Requests the board write a letter to the city to thank them for investing in the beatification and reinstate our commitment of 10,000.
- Estimated the lights will come the first week of December.
- To make up for increase in admin position cost we remove art crawl budget and increase banners and wreaths by \$800.

Motion to accept the Budget As Amended by Betty Konc, Seconded by Jesse Boles, Carried

No Discussion

Adjournment

Motion to Adjourn Budget Meeting made at 6:55 by Betty Konc, seconded by Karrie Haynes, Carried



**2020 Downtown Port Colborne BIA – Annual General Meeting
Wednesday December 9th, 2020 - 6:30 PM
21 Charlotte Street, Port Colborne**

AGM MINUTES 2020

Attendance: Betty Konc (Chair), Kerrie Haynes (Treasurer), Jesse Boles (Secretary), Donna Kalalief (Councilor), Michelle Benest-Tanner & Rob Carter

Members: Leslie Stafford

Staff: Mary-Lou Ambrose-Little.

Guest: Amber LaPointe (City Clerk), Larry Beverly

Regrets: Norbert Gieger

Absent: Rob Phillips

Welcome

Chair Betty Konc welcome everyone to the meeting.

Call to order

The meeting was called to order at 6:35pm by Chair Betty Konc.

Declaration of pecuniary interest

None.

Approval of agenda

Motion to: "Approve Agenda" Moved by: Jesse Boles; Seconded by: Donna Kalalief. CARRIED

Special Presentation:

None

Approval of minutes

Motion to: "Approve of Minutes of the 2019 Downtown Port Colborne AGM" Moved by: Donna Kalalief; Seconded by: Karrie Haynes. CARRIED

No Errors or Omissions

Business arising

None

2021 Proposed Budget

- **Budget as Attached, Highlights as indicated Below:**

Increase of levy by 5%.
Changed sponsorship up to 4000 from 2000.
Decreased budget on banners and lights to 1500.
Legal Audit Cost Down to 1620.
Total Budget 51,602.

Motion to: "Motion to Accept Budget as Presented" Moved by: Michelle Benest-Tanner; Seconded by: Karrie Haynes. CARRIED

REPORTS

Treasurers Report:

Attached

- Bryan Boles, City of Port Colborne Director of Corporate Services / Treasure is getting us our Levy cheque and invoicing us for the 10,000 for Christmas lights.

Chair Report:

Attached

- Discussion regarding us forming a committee in the new year to review and amend as necessary out terms of reference.
- Request by BIA Member Leslie Stafford to send out terms of reference to membership for review.

New Business:

- Discussion re Banners: Budget is in place for 1500 for banners. Jesse Boles indicated in interest in the Port Colborne Fair Trade Committee being involved in a partnership regarding banners. Jesse to meet with committee and report back to Board with a proposal.
- Discussion regarding street light outages: Donna informs us there is a new system to be able to submit issues with street lights online.

Staff Report:

Attached

Motion to: "Motion to move all report in block" Moved by: Jesse Boles; Seconded by: Donna Kalalief. CARRIED

New Business:

- RE Board Vacancies: Mary-Lou to put out Notice of Board Vacancies and provide a list of those interested to the board at the January Meeting to fill empty seats.
- Betty Konc: Announced her Resignation effective immediately. Betty indicated she would carry on her duties as chair throughout the holidays until the board installed their new chair at the January Meeting. All board members Thank Betty for her service.

Motion to: "Motion to Appoint Grant Thornton as our Auditors for the 2021 Year" Moved by: Karrie Haynes; Seconded by: Jesse Boles. CARRIED

- Karrie and Jesse as Treasurer and Secretary to Meet with Mary-Lou to sign her new contract for the 2021 year.
- Discussion regarding changing times and dates for future board meetings was had and the decision made to defer this discussion to the next meeting once the new board members are installed.

Correspondence

None

Adjournment: Motion to Adjourn made at 7:19pm by Betty Konc, Seconded by Jesse Boles. CARRIED

NEXT MEETINGS

Wednesday January 13th, 2020

In Person or Via Zoom | TBD

6:30 PM Regular Meeting

Downtown BIA Office, 21 Charlotte Street

Attachments:

- Staff Report
- Budget
- Treasures Report

The Corporation of the City of Port Colborne

By-Law No. _____

Being a By-law to Authorize Entering into a Memorandum of Understanding with
Port Cares for an Affordable Housing Development

Whereas at its meeting of February 22, 2021 the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Chief Administrative Office Report No. 2021-54, Subject: MOU between the City of Port Colborne and Port Cares for an Affordable Housing Development; and

Whereas Council is desirous of entering into a Memorandum of Understanding with Port Cares for an Affordable Housing Development;

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

1. That The Corporation of the City of Port Colborne enter into a Memorandum of Understanding with Port Cares for an Affordable Housing Development.
2. That the Mayor and the Clerk be and each of them is hereby authorized and directed to sign said Memorandum of Understanding, attached hereto as Schedule "A", together with any documents necessary to complete the conditions of said Memorandum of Understanding, and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 22nd day of February, 2021.

William C. Steele
Mayor

Amber LaPointe
City Clerk

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU), hereinafter referred to as the Memorandum, entered into on DATE , by and between the City of Port Colborne hereinafter referred to as the "City", and Port Colborne Community Association for Resource Extension commonly known as "Port Cares", hereinafter referred to as the "Second Party," and collectively known as the "Parties" for the purpose of establishing and achieving various goals and objective relating to the transfer of the ownership of the city owned Chestnut Park property located at Clarke and Locke Streets, Port Colborne to Port Cares for the sole intended purpose of an affordable housing development as the property's future use

WHEREAS, the aforementioned Parties desire to enter into the herein described agreement in which they shall work together to accomplish the goals and objectives set forth;

AND WHEREAS, the Parties are desirous to enter an understanding, thus setting out all necessary working arrangements that both Parties agree shall be necessary to complete the repurposing of the Chestnut Park location to an affordable housing development

1. MISSION

The purpose of this Memorandum of Understanding is to enable the completion of a comprehensive investigation and study of pre-development feasibility prior to the formal transfer of ownership of the Chestnut Park property from the city of Port Colborne to Port Cares for Port Cares for the sole purpose of creating a multi-unit apartment complex compliant with current affordable housing policies and practices.

2. PURPOSE AND SCOPE

The Parties intend for this Memorandum of Understanding to provide the cornerstone and structure for any and all possibly impending binding contracts related to the transfer of property ownership from the City to Port Cares for the stated mission.

3. RESPONSIBILITIES AND OBLIGATIONS OF THE PARTIES

(a) It is the desire and the wish of the aforementioned Parties to this MOU Agreement that this document should not and thus shall not establish nor create any form or manner of a formal agreement or indenture, but rather an agreement between the Parties to work together in such a manner that would promote a genuine atmosphere of collaboration and alliance in the support of an effective and efficient partnership and leadership meant to maintain, safeguard and sustain sound and optimal managerial, financial and administrative commitment with regards to all matters related to the transfer of the Chestnut Park property from the City to Port Cares for the sole purpose of developing an affordable housing multi-unit rental development (the “**Transaction**”). The closing of the Transaction will be subject to the negotiation, execution and delivery of a mutually satisfactory definitive purchase agreement respecting the real property (the “**Purchase Agreement**”). The Purchase Agreement will evidence the terms of and implement the Transaction and will, when executed, constitute legally binding and enforceable agreements between the Parties. It is agreed that the Purchase Agreement and the completion of the Transaction are at all times subject to the approval of the Council for the City according to its sole, absolute and unfettered discretion.

(b) The memorandum in Appendix “A” hereto sets out the City’s understanding of how the Transaction is expected to proceed along with the anticipated roles and responsibilities of the Parties in connection therewith. Provided, however, it is agreed that neither Party will be required or legally bound to carry out any of the matters referred to in Appendix “A” until such time as they are incorporated into the Purchase Agreement.

4. TIMELINE

The above outlined scope and objective shall be contingent on Port Cares completing its pre-development feasibility study funded by Canada Mortgage and Housing and subsequently obtaining the necessary funds and financing required to proceed with the building and completion of the multi-unit affordable housing build. The term of this Memorandum of Understanding shall be for a period of 18 months from the aforementioned effective date and maybe extended upon written mutual agreement of both Parties. The Parties agree that it is their intent to enter into the Purchase Agreement within this 18 month timeline, after which time it is

agreed that the Parties will no longer make efforts to enter into the Purchase Agreement, unless otherwise agreed to in writing.

5. AMENDMENT OR CANCELLATION OF THIS MEMORANDUM

This Memorandum of Understanding may be amended or modified at any time in writing by mutual consent of both parties.

In addition, the Memorandum of Understanding may be cancelled by either party with 90 days advance written notice.

6. MOU IS NON-BINDING

No rights or limitation of rights shall arise or be assumed between the Parties as a result of the terms of this Memorandum of Understanding. The execution and delivery of this Memorandum of Understanding shall not result in the formation of any binding obligations on either Party, except as to the matters specifically referred to in section 13, which the Parties mutually agree to be binding upon execution and delivery of this Memorandum of Understanding.

7. NOTICE

Any notice or communication required or permitted under this Memorandum shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such address as one may have furnished to the other in writing.

8. GOVERNING LAW

This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the Province of Ontario

9. ASSIGNMENT

Neither party to this Memorandum of Understanding may assign or transfer the responsibilities or agreement made herein without the prior written consent of the non-assigning party, which approval shall not be unreasonably withheld.

10. ENTIRE UNDERSTANDING

The herein contained Memorandum of Understanding constitutes the entire understanding of the Parties pertaining to all matters contemplated hereunder at this time. The Parties signing this MOU desire or intend that any implementing contract, license, or other agreement entered into between the Parties subsequent hereto shall supersede and preempt any conflicting provision of this Memorandum of Understanding whether written or oral.

11. MOU SUMMARIZATION

FURTHERMORE, the Parties to this MOU have mutually acknowledged and agreed to the following:

- The Parties to this MOU shall work together in a cooperative and coordinated effort, and in such a manner and fashion to bring about the achievement and fulfillment of the goals and objectives of the transfer of property and the realization of multi-unit affordable housing development.
- It is not the intent of this MOU to restrict the Parties to this Agreement from their involvement or participation with any other public or private individuals, agencies or organizations.
- The Parties to this MOU shall mutually contribute and take part in any and all phases of the planning and development of this affordable housing development, to the fullest extent possible.
- It is not the intent or purpose of this MOU to create any rights, benefits and/or trust responsibilities by or between the parties.
- The MOU shall in no way hold or obligate either Party to supply or transfer funds to maintain and/or sustain the agreement for the land transfer for its sole purpose.
- In the event that contributed funds should become necessary, any such endeavor shall be outlined in the Purchase Agreement or in a separate and mutually agreed upon written agreement by the Parties or representatives of the Parties in accordance with current governing laws and regulations, and in no way does this MOU provide such right or authority.

- The Parties to this MOU have the right to individually or jointly terminate their participation in this Agreement provided that advanced written notice is delivered to the other party.
- Upon the signing of this MOU by both Parties, this Agreement shall be in full force and effect.

12. ANNOUNCEMENTS

Each of the Parties agree not to make any public announcement concerning the Transaction or related negotiations without the other Party's prior approval in writing, except as may be required by law. Where such an announcement is required by law, the Party required to make the announcement will inform the other Party of the contents of the announcement proposed to be made and will use reasonable efforts to obtain the other Party's approval for the announcement, which approval may not be unreasonably withheld.

This Agreement shall be signed by _____ and _____ and shall be effective as of the date first written above.

_____	_____
(First Party Signature)	(Date)

_____	_____
(Second Party Signature)	(Date)

Appendix A

Purpose

The purpose of this Memorandum of Understanding (MOU) is to outline and clarify the responsibilities and expectations of each party as well as next steps and estimated timelines related to Port Cares' affordable housing project to be constructed at Chestnut Park in the City of Port Colborne.

Overview

Port Colborne, like many cities and towns across Canada, is exploring funding options, innovative approaches, and strategic partnerships to address affordable housing shortages and wait lists.

Port Cares has been developing plans to create more affordable housing units and have been reviewing the availability and suitability of various sites in Port Colborne.

At their November 24th 2020 meeting, Port Cares' Board of Directors approved a recommendation from their Property and Capital Committee to work with the City to acquire the Chestnut Park property and construct an affordable housing structure.

At their December 14th 2020 meeting, Port Colborne City Council passed a motion to support in principle an affordable housing project submitted by Port Cares and to convey the lands known as Chestnut Park to Port Cares for the development of this project.

Land

Port Colborne City Council, at their meeting of December 14th 2020, supported a staff recommendation to declare the Chestnut Park lands as surplus and to convey the property to Port Cares for \$1.

Zoning and Official Plan

The property is currently zoned "Public and Parks" and is designated "Urban Residential" in the City's Official Plan. This property will need to be rezoned to Fourth Density Residential (R4) to permit the use of an "Apartment Building –

Public” to allow for the proposed residential development. The City will initiate the Zoning By-law Amendment (ZBLA) application and will review setback provisions requested by Port Cares later in the development process. The City will issue notices for a public meeting as part of the planning process. The City will cover the cost of the planning application fee.

Survey

The City will retain a land surveyor to have the survey completed and deposited. This will be done at the City’s expense.

Appraisal

An appraisal will need to be completed to establish a value of the property to assist Port Cares with their financing strategy and funding applications to federal-provincial governments and other agencies. Port Cares will initiate this process and will cover the cost of the appraisal.

Servicing and Site Plan

Municipal water and sewer services are available for this property and are located nearby. These services will need to be brought to the property line and connected to the building once constructed. The costs of bringing the services to the property line and to the building will be at Port Cares’ expense. This project would be subject to site plan control and would require Port Cares’ consultant to attend pre-consultation meeting with the City and other agencies, and submit a servicing plan, grading plan, and site plan for review and comment.

Fees and Charges

Port Cares will be responsible for all building permit fees for this project. Also, as per the City’s Development Charges (DC) by-law, DCs for “multiple dwelling use” do not come into effect until October 7, 2022. Therefore, the application of DCs will depend on the construction timelines for the project and issuance of the building permits.

Due Diligence

It is understood that Port Cares would like an extended due diligence period to allow them to secure project funding, conduct various studies and assessments of the property, complete the rezoning and Official Plan amendments, and finalize their building design. The land will not be transferred to Port Cares until they have completed their due diligence.

Environmental Site Assessment (ESA) and Geotechnical Investigation

Port Cares are planning to complete a Phase 1 and Phase 2 Environmental Site Assessment on the property to determine if there is an soil contamination given the proximity of the site to industrial lands to the west. They will initiate this process and will cover the costs. Port Cares may also wish to have a geotechnical investigation completed. This would be at their expense.

Park Equipment

Chestnut Park will be consolidated with nearby Lockview Park and will be upgraded into a park that is modern and more suitable for area residents. The playground equipment at Chestnut Park will be relocated to Lockview Park as part of a multi-year plan to invest in new amenities and structures for Lockview Park.

Funding

It is understood that the City's funding commitment to Port Cares' affordable housing project is the donation of land as well as covering the cost of the planning applications and the survey.

Signed:

Corporation of the City of Port Colborne

Name:

Title:

Date: _____

Signature: _____

Name:

Title:

Date: _____

Signature: _____

Port Cares

Name:

Title:

Date: _____

Signature: _____

Name:

Title:

Date: _____

Signature: _____

The Corporation of the City of Port Colborne

By-Law No. _____

Being a by-law to adopt, ratify and confirm
the proceedings of the Council of The
Corporation of the City of Port Colborne at
its Regular Meeting of February 22, 2021

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 22, 2021 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 22nd day of February, 2021.

William C. Steele
Mayor

Amber LaPointe
City Clerk