

July 12, 2021

Date:

City of Port Colborne Council Meeting Agenda

Time:		6:30 pm		
Location:		Council Chambers, 3rd Floor, City Hall		
		66 Charlotte Street, Port Colborne	Pogos	
			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 - June 28, 2021	1	
7.	7. Staff Reports			
	7.1.	2020 Year in Review – Public Works Department, 2021-198	15	
	7.2.	Application to Canada Community Revitalization Fund, 2021-200	30	
	7.3.	Recommendation Report for a Draft Plan Extension Request for the Chippawa Estates Subdivision, 2021-197	36	
	7.4.	2021-21 Multi-Use Trail Repairs, 2021-196	47	
	7.5.	CIP Agreement 234-238 West Street, 2021-193	57	
	7.6.	Community Update on City Facilities and Programs, 2021-108	73	
	7.7.	Niagara Region CIP Review, 2021-202	79	
	7.8.	King of the Lake Fishing Tournaments, 2021-192	83	
8.	Correspondence Items			

8.1.	Township of Wainfleet - Support City of Port Colborne and City of Welland - Governance and Ownership of Niagara Central District Rungeling Airport	90			
8.2.	Niagara Peninsula Conservation Authority - Wainfleet Bog Biederman Drain Re-Alignment	91			
Prese	entations				
Delegations					
Due to COVID-19 this meeting will be conducted virtually. Anyone wishing to speak to Council is asked to submit a written delegation that will be circulated to Council prior to the meeting. Written delegations will be accepted until noon the day of the meeting by emailing deputyclerk@portcolborne.ca or submitting a hard copy in the after-hours drop box in front of City Hall, 66 Charlotte Street, Port Colborne. Written delegations accepted after this time will be circulated with the minutes and included as public record.					
10.1.	Nicolas Desrosiers - Request to receive exemption to park tow truck on residential street	99			
Mayo	r's Report				
Regio	onal Councillor's Report				
Staff	Remarks				
Councillors' Remarks					
Consideration of Items Requiring Separate Discussion					
Motions					
Notice of Motions					
Minutes of Boards & Committees					
18.1.	Port Colborne Library Board Minutes - May 4, 2021 and June 1, 2021	100			
By-laws					
19.1.	By-law to Amend By-law No. 5494/91/10 Respecting Chippawa Estates	112			

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19.2.	By-law to Authorize Entering into a Contract Agreement with Diamond Earthworks Corporation regarding Project 2021-21, Multi-Use Trail Repairs	113
19.3.	Being a By-law to Authorize Entering into an Agreement with Greg Poisson Regarding a CIP Agreement for 234-238 West Street	114
19.4.	By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne	115

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 June 28, 2021 Council Meeting
- 20.2. Chief Administrative Office Report 2021-191, Potential Acquisition of Land
- 20.3. Chief Administrative Office Report 2021-195, Potential Disposition of City Owned Land

21. Procedural Motions

22. Information items

23. Adjournment



City of Port Colborne

Council Meeting Minutes

Date: Monday, June 28, 2021

Time: 6:30 pm

Location: Council Chambers, 3rd Floor, City Hall

66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor

E. Beauregard, Councillor R. Bodner, Councillor G. Bruno, Councillor F. Danch, Councillor

A. Desmarais, Councillor D. Kalailieff, Councillor

W. Steele, Mayor (presiding officer)

H. Wells, Councillor

Staff Present: A. LaPointe, Acting Director of Planning and Development/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

S. Lawson, Fire Chief

1. Call to Order

Mayor Steele called the meeting to order.

2. National Anthem

3. Proclamations

3.1 World Hepatitis Day - 2021

Moved by Councillor M. Bagu Seconded by Councillor R. Bodner That July 28, 2021 be proclaimed as "World Hepatitis Day" in the City of Port Colborne.

Carried

4. Adoption of Agenda

Moved by Councillor E. Beauregard Seconded by Councillor D. Kalailieff

That the agenda dated June 28, 2021 be confirmed, as circulated.

Carried

5. Disclosures of Interest

5.1 Councillor E. Beauregard - SouthPort Condos Inc. – CIP Agreement (2021-162)

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.

5.2 Councillor E. Beauregard - By-law to Authorize Entering into an Agreement with SouthPort Condos Inc. Regarding Downtown Central Business District CIP Tax Assistance and Brownfield CIP Rehabilitation Grant

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.

6. Approval of Minutes

Moved by Councillor G. Bruno Seconded by Councillor F. Danch

- a. That the minutes of the regular meeting of Council held on June 14, 2021, be approved as circulated.
- b. That the minutes of the Public Meeting held on June 21, 2021, be approved as circulated.
- c. That the minutes of the special meeting of Council held on June 21, 2021, be approved as circulated.

- 6.1 Regular Meeting of Council June 14, 2021
- 6.2 Public Meeting June 21, 2021
- 6.3 Special Meeting of Council June 21, 2021

7. Staff Reports

Moved by Councillor E. Beauregard Seconded by Councillor R. Bodner

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

Carried

7.1 COVID Update June 2021 (2021-185)

That Chief Administrative Office Report 2021-185 be received for information.

8. Correspondence Items

Moved by Councillor E. Beauregard Seconded by Councillor R. Bodner

That items 8.1 to 8.3 be received for information.

Carried

- 8.1 Town of Fort Erie Generation Squeezing with Respect to Affordable Housing
- 8.2 Niagara Peninsula Conservation Authority Conservation Authorities Act Phase 1 Regulations Guide
- 8.3 Doug Downey, Attorney General Modernization Initiatives and Court Recovery in POA Courts
- 9. Presentations
- 10. Delegations
- 11. Mayor's Report

A copy of the Mayor's report is attached.

12. Regional Councillor's Report

13. Staff Remarks

14. Councillors' Remarks

14.1 Radar Signs (Bagu)

In response to Councillor Bagu's request for an update on the portable yellow radar signs that were approved during the last budget cycle, the Director of Public Works confirmed that they have been purchased and that staff are waiting for the delivery.

14.2 City Welcome Club Signs (Bagu)

In response to Councillor Bagu's request for an update on the City Welcome Club Signs, the Director of Public Works informed Council that a sign has been selected and that staff are currently awaiting approval for installation from the Ontario Ministry of Transportation.

14.3 Paving Timeframe (Bagu)

In response to Councillor Bagu's inquiry regarding the timeframe of the paving that will be happening across the City, the Director of Public Works informed Council that the contractor will begin in a few weeks and that a list of the planned paving locations will be sent to Council for information.

14.4 Update on Highway 58 Construction (Kalailieff)

In response to Councillor Kalailieff's inquiry regarding whether or not the construction on Highway 58 could have been postponed, the Mayor confirmed that the Ministry would not postpone the work being completed.

14.5 Bridge Closures (Kalailieff)

Councillor Kalailieff requested that staff notify the public and Council as soon as possible when bridge closures are scheduled.

14.6 Speeding on Johnston Street and Christmas Street (Desmarais)

Councillor Desmarais requested that the issue of speeding be addressed on Johnston Street and Christmas Street. The Mayor informed Council that he would notify the Niagara Regional Police Staff Sergeant of this issue in these two areas.

14.7 Business Directory (Desmarais)

Councillor Desmarais informed Council that she has received reports of frustration when using the Business Directory on the City's Website. The Chief Administrative Office confirmed that he will investigate this issue.

14.8 Construction on Highways (Bruno)

In response to Councillor Bruno's inquiry regarding whether the Director of Public Works receives any notification from the appropriate entities about construction or road repairs being completed on Highway 3, Highway 140 or Highway 58, the Director confirmed that he only receives notification after it has been communicated to the Chief Administrative Officer or Communications Division.

14.9 Closures (Bruno)

In response to Councillor Bruno's inquiry regarding whether the City could request to be notified of any closures in advance of starting construction, the Mayor confirmed that he and the Chief Administrative Officer will approach the Ontario Ministry of Transportation, the Niagara Region, CN Rail, and the St. Lawrence Seaway to inquire as to what projects are coming up.

14.10 Contract for Highway 58 Construction (Bruno)

Councillor Bruno inquired as to whether the City could request that the construction contract on Highway 58 be expedited. The Councillor further requested that the City inquire as to whether there is a buffer date at the end of the contract to account for the closure dates. The Mayor confirmed that he and the Chief Administrative Officer would contact the Ontario Ministry of Transportation.

14.11 Longer Street Lights on Main Street (Danch)

In response to Councillor Danch's request to have the timing of the street lights extended on Main Street during the period of closure on Highway 58, the Mayor informed Council that he and the Director of Public Works would investigate solutions with the Niagara Region.

14.12 Beach Road Ends (Wells)

Councillor Wells reported that he has received multiple reports from residents who live near the beach road ends of unfavourable behaviour by people who illegally park there. In response to Councillor Wells inquiry regarding whether the City can do anything further to provide a safe

community for these residents, the Mayor informed Council that he and the Chief Administrative Officer would investigate this issue.

14.13 Street Lights near Mellanby Bridge (Beauregard)

In response to Councillor Beauregard's request to have the timing of the street lights extended near the Mellanby Avenue bridge, the Mayor confirmed that he and the Director of Public Works would investigate this matter.

14.14 Mufflers Enforcement (Beauregard)

Councillor Beauregard expressed gratitude towards the Niagara Regional Police for their work on Operation Loud and Clear and enforcing mufflers around the Niagara Region.

15. Consideration of Items Requiring Separate Discussion

15.1 2021 CAO Department Update (2021-187)

Moved by Councillor M. Bagu Seconded by Councillor R. Bodner

That Chief Administrative Office Report 2021-187 be received for information.

Carried

15.2 Trimester 1 Financial Reporting (2021-77)

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

That Corporate Services Department Report 2021-77 be received for information.

Carried

15.3 Energy Consumption and Greenhouse Gas Emissions Report (2019) (2021-180)

Moved by Councillor H. Wells Seconded by Councillor M. Bagu

That Public Works Department Report 2021-180 be received for information.

15.4 2022 Budget Timeline (2021-174)

Moved by Councillor H. Wells Seconded by Councillor F. Danch

That Corporate Services Department Report 2021-174 be received; and

That the timeline proposed in Appendix A of Corporate Services Department Report 2021-174 be approved.

Carried

15.5 SouthPort Condos Inc. - CIP Agreement (2021-162)

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.)

Moved by Councillor H. Wells Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2021-162 be received;

That Council approve the Brownfield Community Improvement Plan – Downtown Central Business District Community Improvement Plan Agreement between the City of Port Colborne and SouthPort Condos Inc., attached as Appendix A to Chief Administrative Office Report 2021-162; and

That a by-law to enter into an agreement with SouthPort Condos Inc., be brought forward.

Carried

15.6 2021 Beach Operations Update (2021-183)

Moved by Councillor H. Wells Seconded by Councillor D. Kalailieff

That Corporate Services Department Report 2021-183, 2021 Beach Operations Update be received as information.

15.7 Joint Accessibility Advisory Committee (2021-177)

Moved by Councillor M. Bagu Seconded by Councillor A. Desmarais

That Corporate Services Department Report 2021-177 be received;

That Council approve The City of Port Colborne joining the Joint Accessibility Advisory Committee; and

That the Manager of Human Resources be delegated to select two City appointees to sit as members of the Joint Accessibility Advisory Committee for 2021-2022.

Carried

15.8 Lockview Park Redevelopment Project – Update (2021-163)

Moved by Councillor A. Desmarais Seconded by Councillor E. Beauregard

That Chief Administrative Office Report 2021-163 be received for information.

Carried

15.9 Project No. 2021-16 RFQ 11 King Buildings Demolition (2021-182)

Moved by Councillor H. Wells Seconded by Councillor M. Bagu

That Council award the Project for the Demolition of Buildings at the abandoned Public Works Yard at 11 King St., Port Colborne (the Project), to Tri-Phase Group Inc. for the base contract amount of \$72,304.00, plus applicable taxes;

That Council approve a contingency for provisional items of \$19,696.00, for estimated maximum quantities of materials, and be awarded at the discretion of the Director of Public Works for use, up to the amount that proves necessary;

That staff prepare the Contract By-law, and the City Clerk and Mayor be authorized to execute the Contract Agreement; and

That the previously approved funding for the Project be financed as follows:

\$35,000 under Account 20C-PW-L18 (11 King Demolition)

\$57,000 under Account 20C-ED-L47 (Tourism and Cruise Destination Business Case)

Carried

15.10 Procurement and Project Management Services (2021-181)

Moved by Councillor M. Bagu Seconded by Councillor R. Bodner

That Council award the Procurement and Project Management Services project (the Project) to CIMA Canada Inc. (the Consultant) on an "as and when" retainer requested basis to an upset limit of \$147,600, including applicable taxes;

That staff prepare the Contract By-law, and the City Clerk and Mayor be authorized to execute the Contract Agreement; and

That the funding for the Project be financed under Account 210-PW-R41 over 1.5 years from the Capital Levy Contingency.

Carried

15.11 Peter Julian, MP New Westminster-Burnaby - Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act

Moved by Councillor A. Desmarais Seconded by Councillor F. Danch

That correspondence from Peter Julian, MP New Westminster-Burnaby regarding Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act, be supported.

Carried

16. Motions

17. Notice of Motions

18. Minutes of Boards & Committees

Moved by Councillor E. Beauregard Seconded by Councillor G. Bruno

That item 18.1 be approved, as presented.

Carried

18.1 Port Colborne Historical & Marine Museum Minutes - May 18, 2021

19. By-laws

Moved by Councillor R. Bodner Seconded by Councillor D. Kalailieff

That items 19.2 to 19.4 be enacted and passed

Carried

- 19.2 By-law to Authorize Entering into a Contract Agreement with Tri-Phase Group Inc. regarding Project 2021-16
- 19.3 By-law to Authorize Entering into a Contract Agreement with CIMA Canada Inc. regarding Project 2021-18
- 19.4 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne
- 19.1 By-law to Authorize Entering into an Agreement with SouthPort
 Condos Inc. Regarding Downtown Central Business District CIP Tax
 Assistance and Brownfield CIP Rehabilitation Grant

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, of which, Rankin Construction affiliate corporations are clients of.)

Moved by Councillor R. Bodner Seconded by Councillor D. Kalailieff

That item 19.1 be enacted and passed

Carried

20.	Confidential	Items
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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 to 20.3.

Carried

- 20.1 Minutes of the closed session portion of the June 21, 2021 Council Meeting
- 20.2 Chief Administrative Office Report 2021-188, Insurance Claim and Litigation Update
- 20.3 Chief Administrative Office Report 2021-189, 2020 Employee Engagement Results
- 21. Procedural Motions
- 22. Information items
- 23. Adjournment

Council moved into Closed Session at approximately 8:54 p.m.

Council reconvened into Open Session at approximately 11:38 p.m.

Mayor Steele adjourned the meeting at approximately 11:39 p.m.

William C. Steele, Mayor	Amber LaPointe, City Clerk



Mayor's Report
June 28, 2021 Council Meeting
COVID-19

The Province continues in Step 1 of the Roadmap to Reopening. Active COVID cases continue to drop, and vaccination rates continue to rise. The province has announced that we will be moving to Step 2 on Wednesday. This will allow larger outdoor gatherings, personal care services, increased table sizes for outdoor dining, and increased capacity for retail shopping. We are expected to remain in Step 2 for at least 21 days.

If you have not yet received your vaccine, go to the Ontario.ca website to book an appointment or call 1-888-999-6488. Everyone over the age of 18 is now eligible to receive their second dose.

If you have questions in regards to City Hall services or would like to report a concern, you can contact a Customer Service representative Monday – Friday 8:30 a.m. to 4:30 p.m. by calling 905-835-2900 or via email CustomerService@portcolborne.ca.

Alternatively, you can visit our website www.portcolborne.ca and submit a service request or inquiry by clicking on the "Request A Service" tab, located on the top right corner of our website page.

Whether you are a citizen, business owner or city councillor, we are here to assist you and provide Customer Service excellence through all service channels, internally and externally.

In-person appointments will be scheduled for essential and time sensitive services. Where possible, services will continue to be provided through remote means.

Staff Retirements and Celebrations

Pre-COVID we used to invite retiring staff members to a council meeting to celebrate and thank them for their service to the city.

Unfortunately, we have been unable to do that in the past six months, so I would like to take this time to publicly thank those who have retired since January 2021.

Combined, they provided 117 years of service to the citizens of Port Colborne.

Leah Roesch – 14 years - Assistant Librarian

Margaret Cooke – 34 years - Assistant Librarian

Doug Lampman – 17 years – equipment operator in the arena

Bill Eberly – 32 years – Utilities Crew Leader

Tom Cartwright – 20 years – Fire Chief and Director of Community Safety and Enforcement

I would also like to acknowledge Jennifer Maurice, our Records and Dispatch Clerk in Public Works who celebrated 50 years of service with the city last week.

Jennifer continues to work keeping track of our employees out on the road and answering calls from the public.

That's quite a milestone Jennifer – congratulations.

Upcoming events

The City of Port Colborne is asking residents to PORTicipate online with the virtual event "Explore Port Colborne." This event will provide some great ways to get outdoors, get active, and get to know Port Colborne a little better! You will have roughly 1 month to complete as many challenges as you can.

Starting June 28, Explore Port Colborne virtual event will be live on the GooseChase app until Friday, July 30, 2021 at midnight. The virtual Explore Port Colborne event will include activities that involve getting out to see all that Port Colborne has to offer. Activities include, visiting parks, utilizing trails, visiting the Museum, supporting local businesses and so much more.

Info, including the access code is available the at <u>Events and Festivals - City of Port Colborne</u> page on our website.

Also, the Tall Ship, Playfair, will be in Port Colborne docked along West Street on July 1.

They will allow public deck tours from 1:00 p.m. to 5:00 p.m. Masks required on board, maintaining social distance and the crew will accommodate one family at a time.

More information about how to book a tour will be available shortly on our website.

Thank you everyone and stay safe.



Subject: 2020 Year in Review - Public Works Department

To: Council

From: Public Works Department

Report Number: 2021-198

Meeting Date: July 12, 2021

Recommendation:

That Public Works Department Report 2021-198 be received for information.

Purpose:

The Director of Public Works has prepared this report to outline the highlights of Public Works services in 2020 and into the future.

Background:

The Director of each department has been tasked with providing Council with a yearend review. The review is to provide Council with the insight into various activities/functions that each department provides within the City structure.

Discussion:

Although COVID-19 has created many obstacles, Public Works staff have been successful in continuing to provide quality delivery of public services.

Financial Implications:

There are no financial implications.

Conclusion:

The 2020 year in review is being provided to Council for information purposes only.

Appendices:

a. Public Works Department 2020 Year in Review PowerPoint Presentation

Respectfully submitted,

Christopher Kalimootoo Director of Public Works 905-835-2900, ext. 223 chris.kalimootoo@portcolborne.ca

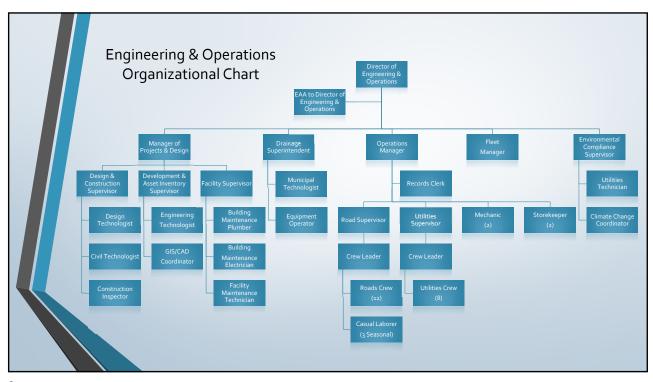
Report Approval:

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



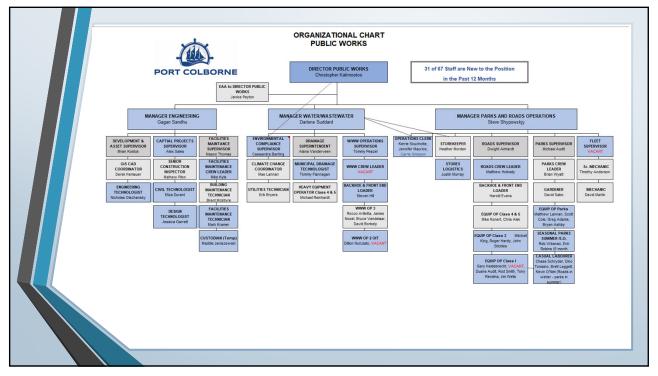
Engineering & Operations
Public Works
2020 Year in
Review

Public Works is the New
Engineering & Operations

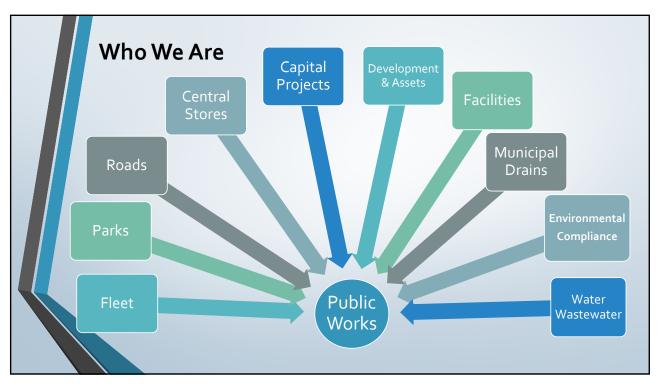








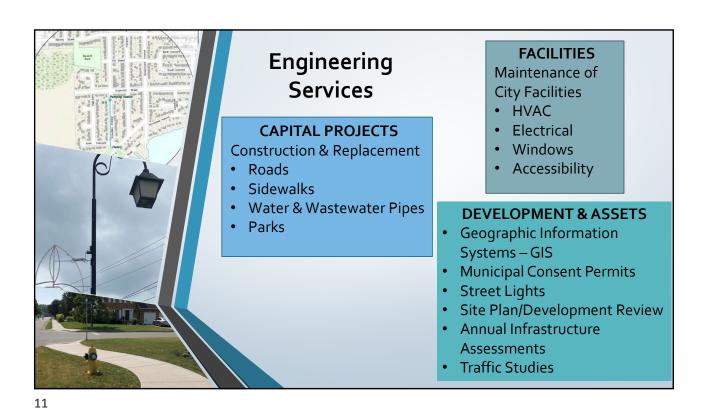






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Engineering 2020 Highlights

CAPITAL PROJECTS

- Line painting city wide
- 560 m² of sidewalk replacement
- 558 m² of new sidewalk on Stanley St.
- 5.6 km of road resurfacing
- Rail crossing improvements at Elm St. & Sugarloaf St.

DEVELOPMENT & ASSETS

- Annual infrastructure assessments completed for regulatory sign retroreflectvity, road surface, sidewalks & street lights
- 110 mapping requests
- 120 municipal consent permits issued
- 84 development reviews
- 43 street lights repaired
- St. Therese school zone flashing beacons

FACILITIES

- Covid-19 reactive actions for safety & compliance
- City Hall redesign
- VHWC upgrades
- Lock 8 lighthouse refurbishment
- Ops Centre additional offices design

Engineering 2021 Onward

CAPITAL PROJECTS

- Clarence St. sidewalk construction
- Erie St. watermain replacement
- Infrastructure needs studies
- Road resurfacing
- Elm St. bulk water station
- Multi-use trail repairs
- Chippawa/Berkley/Dolphin re-design

DEVELOPMENT & ASSETS

- Online asset mapping
- Programmable speed radar signs
- Driveway entrance by-law revision

Continuation of:

- MC permits (82 to date)
- Development reviews (74 to date)
- Mapping requests (83 to date)
- Street light repairs (23 to date)

FACILITIES

- 47 facilities projects
- Building condition assessments
- City hall elevator modernization
- Building Condition Assessments
- Accessibility & inclusivity compliance
- City Hall renovations
- Fire Hall renovations
- Roof replacements on 7 facilities
- 11 King St. Demos

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- Division:
 - Water/Wastewater
- Manager:
 - Darlene Suddard
- Areas:
 - Environmental Compliance
 - W/WW Operations
 - Municipal Drains
- Staff Complement:
 - 16 FTE + Students



Water Wastewater Services

ENVIRONMENTAL COMPLIANCE

Compliance

- Inspections & audits
- Permit applications
- Mandatory reporting

Utility Locates/Water Meters

- Locate water/sewer/city properties
- Monthly meter reading
- High bill investigations

Climate Change/Energy Conservation

- GHG emissions inventory
- Energy reporting
- Energy audits
- Targets and tracking

WATER/WASTEWATER

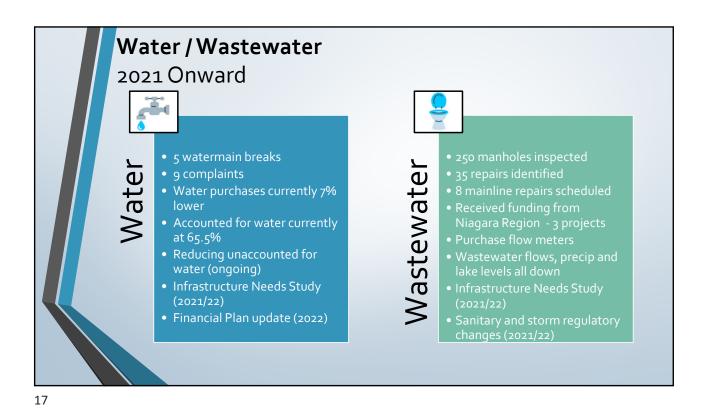
- Regulatory sampling
- Maintenance, inspections and repair
- Water quality complaints
- Storm disconnects
- Outfall flushing/maintenance

MUNICIPAL DRAINS

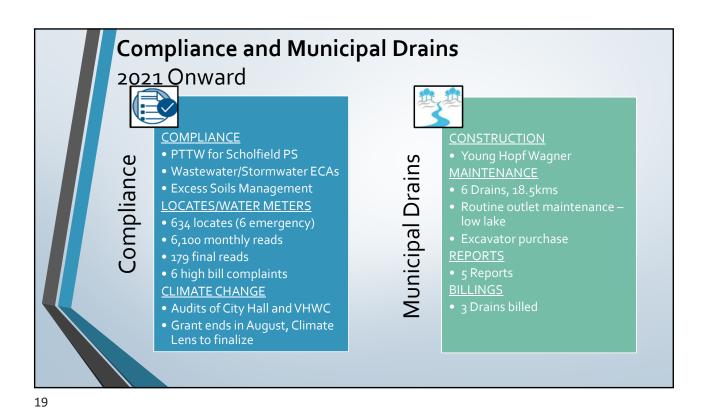
- Drainage Act
- Engineer's reports
- Construction, maintenance and repair
- Watershed billings

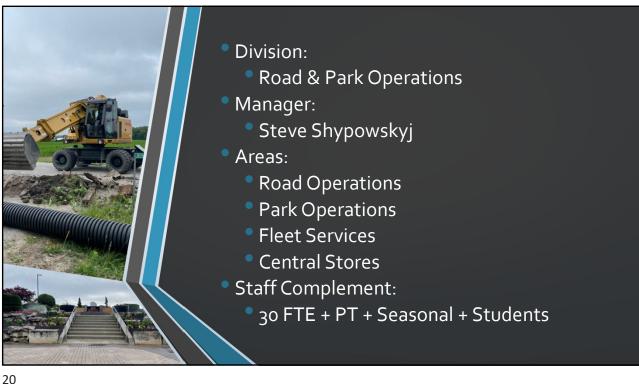
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Water / Wastewater 2020 Highlights 14 watermain breaks 20 complaints Met or exceeded all Operational Performance Indicator targets Lowest total water purchases ever Accounted for water increased to 65% in 2020 Page 14 watermain breaks 25 sanitary manhole rings 25 sanitary infiltration repairs 14 storm manhole/ catchbasin repairs Focussed on data analysis – precipitation vs. groundwater effect on inflow and infiltration Applied for Wet Weather Flow funding from Niagara Region



Compliance and Municipal Drains 2020 Highlights **COMPLIANCE CONSTRUCTION** • COVID response Spills training **MAINTENANCE** • 6 shipments haz waste LOCATES/WATER METERS • 1,365 locates (42 emergency) • 6,100 monthly reads impact (4-6times the 10 yr • 377 final reads • 34 high bill complaints **REPORTS CLIMATE CHANGE** • GHG Emissions Reduction Plan **BILLINGS** • Climate Lens development • Permanent position for 2021





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Subject: Application to Canada Community Revitalization Fund

To: Council

From: Chief Administrative Office

Report Number: 2021-200

Meeting Date: July 12, 2021

Recommendation:

That Chief Administrative Office Report 2021-200 be received;

That the Manager of Strategic Initiatives be directed to submit a funding application to the Canada Community Revitalization Fund for a new community multi-purpose facility to be located at the City's waterfront as part of the new cruise ship welcoming area;

That Council support the commitment to fund the City's share of the community multipurpose facility to be located at the City's waterfront as part of the new cruise ships welcoming area; and

That if the grant is successful the funds be included in the 2022 budget process.

Purpose:

The purpose of this report is to inform Council of a recently announced federal funding program that includes eligibility criteria that aligns with waterfront redevelopment plans and a new cruise ship welcoming area to be located at the City's former Public Works yard. Furthermore, staff are seeking Council support to submit a funding application to this program.

Background:

On June 23, 2021 the federal Minister of Economic Development and Official Languages, Melanie Joly, announced the Canada Community Revitalization Fund (CCRF), a national infrastructure program that will provide \$500 million over two years to revitalize communities across Canada. CCRF funding will support two major streams of activity:

- adapt community spaces and assets so that they may be used safely in accordance with local public-health guidelines; and
- build or improve community spaces to encourage Canadians to re-engage in and explore their communities and regions.

Not-for-profit organizations, municipalities and other public institutions, and Indigenous communities can apply for funding for projects that aim to revitalize downtown cores and main streets; reinvent outdoor spaces; create green infrastructure; and increase the accessibility of community spaces. According to program information, examples of projects that could receive funding under this program include:

- farmers markets
- · community and cultural centres
- parks or community gardens
- recreational trails and public outdoor sports facilities
- multi-purpose centres

Projects funded under the CCRF could receive a maximum contribution of up to \$750,000 or \$1 million (depending on project location), with funding to cover up to 75% of the total project costs. All contributions will be non-repayable. Applications are due July 23, 2021.

Discussion:

Staff recommend that a funding application be submitted to the CCRF and that Council pass a motion in support of the application as well as confirming that the City will commit to provide its share of project funding. This information will be included with the application.

As per staff report 2021-182, approved by Council on June 28, 2021, the City's former Public Works yard and office building will be demolished this summer as part of the revitalization of the property to support waterfront redevelopment on the west side including a new welcoming area for cruise ships. A vacant building managed by the St. Lawrence Seaway Management Corporation is also expected to be demolished this summer or fall.

A Cruise Ship Project Team, led by the City's Tourism Coordinator and comprised of key staff from various departments, is working on site redevelopment to be ready for the resumption of Great Lakes cruising in 2022. Based on a preliminary schedule, the City is expecting at least fifty (50) cruise ship visits in 2022.

As part of the redevelopment plan, staff recommend the construction of a community multi-purpose facility that could be used all year round as well as serving as the welcoming centre for cruise ship passengers. Other potential uses for the facility include a new location for the City's Farmers' Market, social events, public and private

receptions, and a venue to support City events and waterfront programming including Canal Days.

The proposed multi-purpose facility will complement ongoing waterfront revitalization efforts and investments in H.H. Knoll Lakeview Park and Sugarloaf Marina. This is an investment in the City's waterfront which is a major attraction for residents and visitors.

This project is in the development phase. Staff want to ensure that all project elements for the building and the site, as well as future needs of a year-round multi-purpose facility, are taken into consideration when finalizing cost estimates and design details. Given the tight timelines for the federal application (due July 23rd), staff wanted to get an initial proposal in front of Council for discussion, approval in principle, as well as a commitment to fund the City's share.

Internal Consultations:

The redevelopment of the City's waterfront on the west side, along with the merits of this new community multi-purpose facility, has been reviewed by the Office of the Mayor and CAO, Corporate Services, Engineering, and Economic Development and Tourism Services.

Financial Implications:

Based on preliminary concepts and initial conversations with a landscape architect and designer, project options range from \$1.2 million to \$3 million. Council can expect staff to bring back a more detailed cost estimate and conceptual plan over the summer and scale the project accordingly. While this report does not identify a final financing solution, one option is for the City to debenture \$2 million at three percent (3%) over thirty (30) years. This would result in an annual payment of \$102,000 each year over thirty (30) years and this would be financed from the capital budget.

Conclusion:

The federal government recently announced a new funding program and the deadline for submitting an application is July 23, 2021. The Canada Community Revitalization Fund, a 2-year, \$500 million national infrastructure program includes criteria and types of eligible projects that align with and would help fund a new multi-purpose facility that is part of a multi-year redevelopment plan that staff have been working on for the City's waterfront including the area for welcoming cruise ships. This multi-purpose facility would be for community use and would be available all year round for public and private events, waterfront programming, Canal Days, as well as being a welcoming centre for

cruise ship passengers. This is an opportunity for the City to leverage municipal funding to secure federal funding to support waterfront redevelopment, economic activity, and tourism. Staff are recommending that an application be submitted to the CCRF by July 23rd and are seeking Council support as well as a commitment to fund the City's share of the project. It is staff's intention to come back to Council this summer with a detailed cost estimate and concept plan.

Appendices:

 a. Port Colborne Cruise Terminal and Multi-Purpose Facility - Concept Master Plan and Perspectives

Respectfully submitted,

Gary Long
Manager of Strategic Initiatives
905-835-2900 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 review and approval by the Chief Administrative Officer.

Report 2021-200 Appendix A



ARTISTIC RENDERING

CONCEPT MASTER PLAN





ARTISTIC RENDERING
PROPOSED MULTI-PURPOSE FACILITY



Page 35 of 115 Date: 07.06.2021



Subject: Recommendation Report for a Draft Plan Extension

Request for the Chippawa Estates Subdivision

To: Council

From: Planning and Development Department

Report Number: 2021-197

Meeting Date: July 12, 2021

Recommendation:

That Planning and Development Department Report 2021-197 be received; and

That the By-law attached as Appendix A of Planning and Development Report 2021-197 be approved, extending the Chippawa Estates Draft Plan of Subdivision for one year; and

That the property owner and agent be notified accordingly.

Purpose:

The purpose of this report is to respond to a request to extend the Chippawa Estates Draft Plan of Subdivision. The property is legally recognized as Part of Lot 26, Concession 2, being Part 3 on Plan 59R-12304.

Background:

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

A lapsing date to meet the conditions of draft approval for July 12, 2014 was put in place. However, staff were unsure if the property owner was also made aware of the lapsing date so a new lapsing date to June 11, 2019 was set by Council.

On June 10, 2019, Council passed By-law 6691/55/19 to extend the Draft Plan approval for two years. This by-law set a lapsing date of June 11, 2021.

A request has been received by Planning staff from the agent, Frank Evangelista, requesting the Draft Plan be extended for two years. Mr. Evangelista provided the following supporting information:

We hereby respectfully request that the fees associated with the extension of Chippawa Estates subdivision be waived for two years.

We are eager to progress the development of the subdivision, bringing an additional twenty-six (26) homes to the community of Port Colborne. However, due to the COVID-19 pandemic, City Hall has only opened infrequently, and with the unavailability of our local contributors to the subdivision, it has been difficult to accomplish routine matters necessary for continued development of the subdivision in a timely manner.

A waiver of any fee associated with the extension of the term of approval of the subdivision would be very much appreciated. Thank you.

On June 7, 2021, Council passed By-law 6897/45/21 in response to Mr. Evangelista's urgent request to extend the Draft Plan of Subdivision. As the request came in too late for proper agency and department review of the request, Council temporarily extending the Draft Plan for 45-days, setting a new lapsing date of July 22, 2021.

Discussion:

Request Letter:

Planning staff would like to take this opportunity to respond to Mr. Evangelista's letter requesting the extension. While COVID-19 has changed how day-to-day operations take place, they have not been halted in the slightest. Planning staff have made themselves available through phone and email and if necessary, through in-person meetings. The Planning and Development industry as a whole and specifically the City of Port Colborne has seen an extreme influx in activity through the pandemic. Throughout the pandemic, staff have been available as necessary and willing to help in any way needed to further the development.

Since the last pre-consultation meeting held in March of 2020 to discuss the proposed redline revision, Mr. Evangelista has not requested any subsequent meetings with staff. Mr. Evangelista is aware of the next steps in the submission process and is responsible for retaining the applicable consultants/professionals to complete the studies/reports.

Further, the applicant has requested that fees be waived/returned to him due to the pandemic. Staff are not supportive of this request and recommend that Council accept and retain the full amount required by the City's Fee By-law.

Comments from the Niagara Region:

In summary of the comments received from the Niagara Region, Regional staff are unable to support the extension citing the development's lack in consistency and conformity with Provincial and Regional density targets. As mentioned in the comments, Regional staff met with the applicant and City staff on March 12, 2020 to discuss the requirements for a redline revision to the Draft Plan. The redline revision has been contemplated by the applicant for a number of years now, however no evidence has been shown that it is actively being worked on.

While the proposal currently may not meet the policies of the Regional Official Plan and Provincial density targets, City Planning staff note that the redline revision will ensure the proposal meets the greenfield density target of 50 people and jobs per hectare. The revision gives the applicant the opportunity to bring the proposal up to the current standards set by the Province, Region and City.

Redline Revision:

In order for this development to move forward, a redline revision is required to the Draft Plan. The original plan proposes to provide a municipal road straddling Hubbard Drive to provide access to the property and future residential lots. Due to a consent application in 2014, a new residential lot was created in this proposed right-of-way, which has eliminated this as an option for access. A court order was provided by the applicant showing that the future development has legal right-of-way access via Hubbard Drive. However, this right-of-way access has not solved the issue raised by the Engineering Department with respect to servicing. Municipal services are not permitted to be installed under a private laneway (Hubbard Drive). It is the responsibility of the applicant to determine how the development will adequately meet servicing requirements. Planning staff would like to make Council aware that in order for the City to obtain ownership of Hubbard Drive, an expropriation process will need to be undertaken in conjunction with the City Solicitor. Planning staff have expressed these concerns with the applicant; however, the applicant claims the redline revision will be moving forward with this in mind.

Extension:

The agent for the property has requested a two-year extension to the Draft Plan of Subdivision. City Council has the authority under s. 51(33) of the *Planning Act* to grant extensions to Draft Plan approval.

As mentioned, staff has been working with this property owner since the Draft Plan was approved in 2010. It has been clear for a number of years that a redline revision is required to move the development forward. Through staff's review of previous extensions, it is unclear whether staff set any parameters for the applicant to meet prior to considering further extension requests. Based on this, staff feel that it is suitable for

one last time to allow the applicant to show City Council and Planning staff the work that has been completed to date. A conditional one-year extension is recommended by Planning staff. Staff will not support any future extensions to this Draft Plan of Subdivision unless the applicant moves forward with the redline revision and obtains Council approval prior to the lapsing date expiring one year from today.

Internal Consultations:

As of the date of preparing this report, the following comments have been received:

Niagara Region:

(comments attached in full as Appendix B)

Regional Planning and Development Services staff has concerns with the requested extension of draft plan approval for the Chippawa Estates subdivision, given that no information to clear existing draft plan conditions or to support the proposed modification has been received since the original draft plan of subdivision application in 2010.

Further, Regional staff do not consider the requested extension or modification to be consistent with the Provincial Policy Statement or conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe or the Regional Official Plan.

Niagara Peninsula Conservation Authority:

The NPCA can be removed as a clearance agency for this file. The NPCA's involvement in this file was limited to reviewing stormwater management on behalf of the Region of Niagara under the previous Memorandum of Understanding (MOU) and Protocol under the MOU. Due to the 2018 update to the Protocol, stormwater management review and clearance for this subdivision is provided by the Region of Niagara.

Fire Department:

Port Colborne Fire has no objection to the extension of the draft plan of subdivision.

Public Works:

- No concerns regarding the extension.
- Main point of concern with the development is clearing up legal ownership of Hubbard Drive. The City infrastructure may only be installed on Hubbard Drive if the City will be the sole owner of the right-of-way upon completion.

Drainage Superintendent:

No concerns regarding the extension.

Financial Implications:

Mr. Evangelista has requested that fees required in accordance with the City's Fee Bylaw be returned to him citing COVID-19 as the reason the development has not proceeded.

Planning staff is not supportive of the required fees being returned to the applicant. For the most part, fees required for various Planning applications are set at full cost recovery. Waiving the fees for this request would put the bearing of the cost on the general ratepayer. As noted in the above "Discussion" section, Planning staff have been frequently working with the applicant and have not been holding the development back.

Public Engagement:

The public is not required to be circulated on requests for extensions to Draft Plan approval.

Conclusion:

Planning staff are willing to support a conditional one-year extension to the Chippawa Estates Draft Plan of Subdivision. A complete application for a redline revision will be required to be submitted and approved by Council prior to Planning staff being able to support any subsequent extensions to this Draft Plan, should any be required. Further, staff is not supportive of the request for fees to be returned and recommend that Council accept and retain the full amount required by the City's Fee By-law.

Appendices:

- a. By-law Extending Lapsing Date
- b. Niagara Region Comments

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.

By-law no	
Being a by-law to amend By-law 5494/91/10, being a by-law to approve a draft plan of subdivision, known as Chippawa Estates	t
Whereas the Council of The Corporation of the City of Port Colborne (Counc passed By-law 5494/91/10 that approved the Draft Plan of Subdivision for Chippawa Estates; and	
Whereas Council passed By-law 5806/61/12 that approved the Draft Plan approvlapsing date of July 12, 2014; and	'al
Whereas Council passed By-law 6588/43/18 that extended the Draft Plan approvlapsing date to June 11, 2019; and	'al
Whereas Council passed By-law 6691/55/19 that extended the Draft Plan approvlapsing date to June 11, 2021; and	'al
Whereas Council passed By-law 6897/45/21 that extended the Draft Plan approvlapsing date to July 22, 2021; and	'al
Whereas Council is desirous of amending By-law 5494/91/10, in accordance withe recommendations of Planning and Development Department Report 202 197, Subject: Recommendation Report for a Draft Plan Extension Request for the Chippawa Estates Subdivision;	1-
Now therefore, the Council of The Corporation of the City of Port Colborne enactast follows:	ts
 That Section 4 of By-law 5494/91/10 be amended by deleting the followir therefrom: 	ng
"That a Draft Plan approval lapsing date of July 22, 2021 be set, after which approval will lapse unless a subsequent extension is approved by Council.	
That Section 4 of By-law 5494/91/10 be amended by adding the followir thereto:	ng
"That a Draft Plan approval lapsing date of July 12, 2022 be set, after which approval will lapse unless an extension is requested by the developer an subject to review, granted by Council."	
Enacted and passed this 12 th day of July, 2021.	
William C. Steele Mayor	

Amber LaPointe

City Clerk



Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7 905-980-6000 Toll-free:1-800-263-7215

Via Email Only

June 25, 2021

File No.: D.11.07.SD-21-0026

D.11.07.SD-01624

David Schulz Planner City of Port Colborne 66 Charlotte Street Port Colborne, ON L3K 3C8

Dear Mr. Schulz:

Re: Provincial and Regional Comments

Request for Extension of Draft Plan of Subdivision Approval

Chippawa Estates Draft Plan of Subdivision

City File No.: D12-01-09 Agent: Frank Evangelista Owner: Jason Evangelista

Location: North East side of Hubbard Drive, City of Port Colborne

Regional Planning and Development Services staff has reviewed the request to extend draft approval for the Chippawa Estates subdivision. A request for extension of draft plan approval was submitted by Frank Evangelista on June 7, 2021. Draft approval was originally granted on July 12, 2010 through City By-law 5495/91/10. Based on By-law 6588/43/18, it appears that an extension to the draft approval to July 12, 2014 was granted through By-law 5806/61/12. There have been two (2) extension request for draft approval since then (approved in 2018 and 2019), and Regional staff understand the City Council passed an emergency by-law on June 7, 2021, to temporarily extend draft approval to July 22, 2021, to allow proper agency and department review. As part of the extension request, the agent stated "due to the COVID-19 pandemic, City Hall has only opened infrequently, and with the unavailability of our local contributors to the subdivision, it has been difficult to accomplish routine matters necessary for continued development of the subdivision in a timely manner."

The circulation from the City indicates that the proposal will require modification/redline revision of the draft plan of subdivision, which has been discussed since 2013. A preconsultation meeting to discuss the modification was held on March 12, 2020, and

the Region identified several studies that were required to be submitted with the modification. No new information, other than the redlined plan, was received to support the modification.

Extension

The subject land is located within a Settlement Area under the Provincial Policy Statement (PPS), Designated Greenfield Area under A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) and Urban Area (Greenfield) in the Regional Official Plan (ROP).

The PPS directs growth to Settlement Areas, and encourages the efficient use of land, resources, infrastructure and public service facilities that are planned or available. The Growth Plan contains policies that encourage the development of Designated Greenfield Areas into complete communities that achieve a minimum density target of 50 residents and jobs combined per hectare, with a diverse mix of land uses and range of housing types, taking into account affordable housing and densities that meet the projected needs of current and future residents. The ROP permits a full range of residential, commercial and industrial uses generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure. The policies promote higher density development in Urban Areas and support growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara. The ROP also directs that designated Greenfield Areas are to be planned to achieve a minimum density target of 50 people and jobs per hectare across all Greenfield Areas in Niagara, in alignment with the Growth Plan.

The existing draft plan will yield a density of approximately 23 residents and jobs per hectare (based on 19 units, a total developable area of 1.9605 hectares, 2.34 persons per household as provided for in Table 4-1 of the ROP, and assuming 5% of the residential units would generate "at home" employment). This falls significantly short of the minimum density target of 50 residents and jobs per hectare for Greenfield Areas across the City and the Region. Growth Plan policy 5.2.8.3 states, in part, "when determining whether draft approval should be extended for lapsing draft plans of subdivision, the policies of this Plan must be considered in the development review process." Further, the ROP provides, in Policy 4.F.1.7, that only one extension to a lapsing draft plan of subdivision shall be approved by the Council of the respective area municipality for a period of up to two years unless the draft plan meets the growth management and environmental policies of the Regional and local Plans. The Planning Act requires that all decisions on Planning Act applications are consistent with the PPS and conform to Provincial Plans. Accordingly, and as previously mentioned in previous Regional comments, Regional staff do not support the extension because neither the existing draft plan nor proposed modification conforms to the density targets of the Growth or the ROP, or ROP policies relating to extensions to manage the land supply to achieve efficient development.

Modification/Redline

A preconsultation meeting to discuss the modification was held on March 12, 2020. Through that process, Regional staff identified studies that were required to be submitted to support the proposed modification, including a Planning Justification Report to speak to the density requirements, an updated noise study, archaeological assessment for the additional lands, and a Phase 1 Environmental Site Assessment to confirm presence of fill from the canal and rail line. None of the requested studies were submitted with the requested modification.

Although this does provide and additional 2 units (from 19 to 21), which increases the density of the plan area slightly, the modified proposal will still only yield a density of 25.6, which does not confirm to Provincial and Regional growth management policies. Further, because through street passage is not provided in the existing draft plan, the modification provides an opportunity to redesign the plan to conform to Regional waste collection standards. If the future owners of these lots are to receive Regional curbside waste collection, the modified draft plan would need to show a temporary turnaround at the end of Street A with a minimum turning radius of 12.8 metres. Finally, staff notes that the information submitted with the draft plan of subdivision was completed in 2009 (i.e. Functional Servicing Report and Noise Feasibility Study). These studies and the requested information would need to be updated to align with current standards, guidelines and policies before the Region would be in a position to provide updated conditions of draft plan approval.

Conclusion

Regional Planning and Development Services staff has concerns with the requested extension of draft plan approval for the Chippawa Estates subdivision, given that no information to clear existing draft plan conditions or to support the proposed modification has been received since the original draft plan of subdivision application in 2010.

Further, Regional staff do not consider the requested extension or modification to be consistent with the Provincial Policy Statement, or conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe or the Regional Official Plan.

Should you have any questions related to the above comments, please feel free to contact me by email at Britney.fricke@niagararegion.ca.

Please send a copy of the staff report from the City and notice of Council's decision on this request when available.

Kind regards,

Britney Fricke, MCIP, RPP Senior Development Planner

cc: Rob Alguire, CET, Development Approvals Technician, Niagara Region



Subject: 2021-21 Multi-Use Trail Repairs

To: Council

From: Public Works Department

Report Number: 2021-196

Meeting Date: July 12, 2021

Recommendation:

That Council award the contract for the 2021-21 Multi-Use Trail Repairs (the Project) to Diamond Earthworks Corporation (the Contractor) for the bid amount of \$247,868, plus applicable taxes;

That Council approve a contingency amount of \$25,000 to be disbursed at the discretion of the Director of Public Works to extend provisional items and unforeseen circumstances under the contract; and

That staff prepare the Contract By-law, and the City Clerk and Mayor be authorized to execute the Contract Agreement.

Purpose:

The purpose of this report is to inform Council of the results of the RFT proceedings for Project 2021-21, Multi-Use Trail Repairs, and to obtain approval from Council to award the Project to the recommended Contractor based on lowest bid submission.

Background:

The trail repair was identified by Roads and Parks Operations as part of the annual and regular inspection of the City infrastructure, primarily to meet the minimum maintenance standard for the rehabilitation, repair, or replacement of asphalt beyond its useful life.

Recognizing the economic benefit of combining smaller projects into one tender package, the following have been identified of similar scope for asphalt repair and placement:

Three sections of the Dain City Trail will be removed and placed with new granular and asphalt. A short section of the trail will be relocated to an existing granular walkway and asphalted to mitigate erosion issues into the Welland Canal.

The Sunset Park Trail will be placed with asphalt on existing granular and mitigate isolated areas of ponding issues.

Similarly, H.H. Knoll, Kinnear Park and the Friendship Trail are three locations that require placement of new asphalt, as the existing asphalt has deteriorated beyond its useful life.

The Port Colborne Operations Centre Parking Lot requires the placement of asphalt behind the salt dome location to provide a drive through access for equipment and fleet vehicles. The additional parking space will provide for better safety and movement of equipment around light poles and obstruction around the parking lot. The construction will require some excavation, placement of granular base and asphalt surface.

Discussion:

The RFT was advertised on the City website and on Biddingo.com. There were 13 registered Plan Takers. On June 7, the tender was closed, and staff received seven bid submissions. The entire tendering process and opening proceedings adhered to policies and past practices as previously adopted and endorsed by Council.

The form of tender included scheduled quantities for:

- Asphalt removal, Asphalt milling
- Removal of granular materials, granular materials, base repair (trail)
- Hot Mix Asphalt(s)

Tender Prices ranged from \$247,868 to \$366,616. Diamond Earthworks Corporation submitted the lowest Tender which met all criteria.

Each Form of Tender submission was checked for any mathematical error. No correction was identified to the final bid price submissions.

Note: CRL Campbell & Drainage Ltd. was disqualified due to incomplete submission of the mandatory requirement for the Litigation and Conflict of Interest document.

Internal Consultations:

The Economic Development and Tourism Division submitted a grant application in late 2020 to finance the rehabilitation or repair of the Dain City Trail. The grant was approved in principle pending compliance of posting the project on the Canadian Impact Assessment Registry for a minimum of 30-days.

Staff completed consultation with the indigenous group and was advised that the project does not fall under the definition of new development. Thus, no further consultation is required.

Notice to Commence Construction will be issued to the contractor following formal notification to proceed from the federal authority.

The Roads and Parks Operations Division suggested the combination of other asphalt related projects with the Dain City Trail. The combination of these multiple projects of similar scope potentially attracted a lower bid price and the efficiency of managing multiple projects under one contract.

In summary, the strategy of the RFT was to meet minimum maintenance standard across all trails within the City and to have construction completed in 2021.

Financial Implications:

The Total Contract Amount (including the \$25,000 contingency) is **\$272,868** and within the available funding for the projects previously approved by Council in the 2021 Budget.

Public Engagement:

There will be public notification and signage provided prior to construction on the various trail locations. This will provide awareness of trail closure during construction.

Conclusion:

Council approval for the award of contract to Diamond Earthworks Corporation will commence the repair of the trail facilities to meet minimum maintenance standard for City infrastructure. Economic value can be realized by combining and tendering projects under one contract.

Appendices:

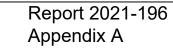
a. PDF Drawings: Multi-Use Trails IFT

Respectfully submitted,

Jessica Garrett
Design Technologist
905-835-2900 Ext. 225
Jessica.Garrett@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.



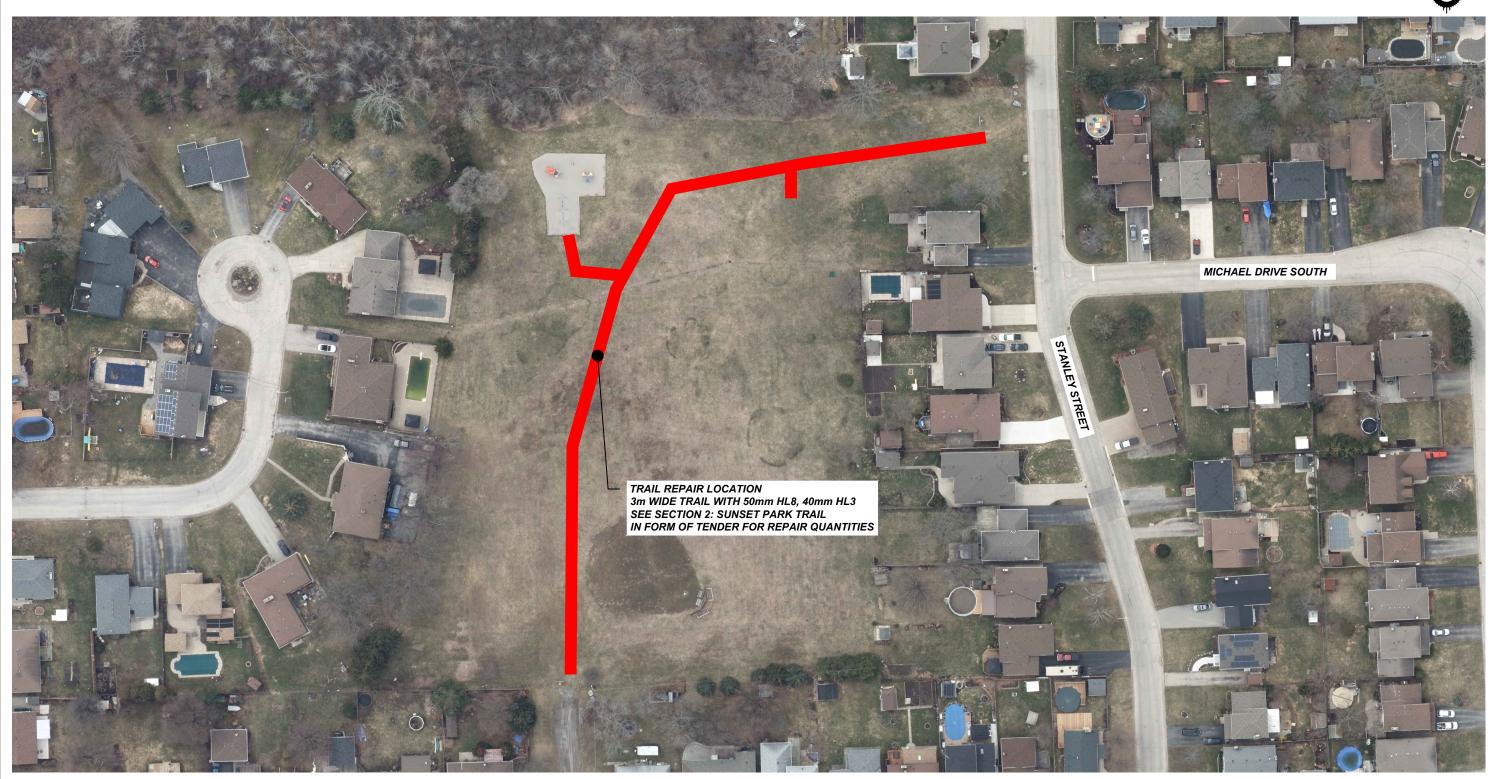






DAIN CITY TRAIL

DATE	2021-05-17
SCALE	NTS
REF. No.	
DWG No.	P-01





SUNSET PARK TRAIL

DATE	2021-05-17
SCALE	1:1000
REF. No.	
DWG No.	P-02





HH KNOLL TRAIL

DATE	2021-05-17
SCALE	1:1250
REF. No.	
DWG No.	P-03

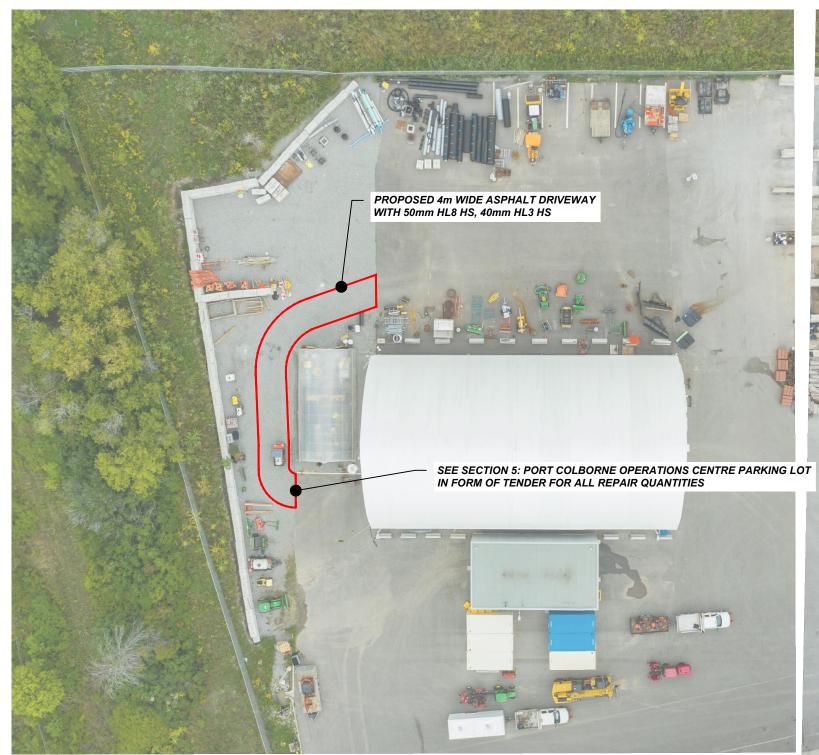






FRIENDSHIP TRAIL

DATE	2021-05-17
SCALE	1:2500
REF. No.	
DWG No.	P-04







PORT COLBORNE OPERATIONS CENTRE PARKING LOT

DATE 2021-05-17

SCALE 1:500

REF. No.

DWG No. **P-05**







KINNEAR PARK TRAIL (PROVISIONAL)

DATE	2021-05-17
SCALE	1:1000
REF. No.	
DWG No.	P-06



Subject: CIP Agreement 234-238 West Street

To: Council

From: Chief Administrative Office

Report Number: 2021-193

Meeting Date: July 12, 2021

Recommendation:

That Chief Administrative Office Report 2021-193 be received; and

That Council approve the Downtown Central Business District Community Improvement Plan Agreement between the City of Port Colborne and Greg Poisson, attached as Appendix A to Chief Administrative Office Report 2021-193; and

That a by-law to enter into an agreement with Greg Poisson be brought forward.

Purpose:

The purpose of this report is to provide Council with a recommendation on the application made by Greg Poisson, owner of 234-238 West Street in Port Colborne, under the Downtown Central Business District Community Improvement Plan's Tax Increment Grant (TIG) Program.

Background:

Since 2008, Council has adopted and implemented six Community Improvement Plans (CIPs) for various project areas throughout the City. Greg Poisson, owner of 234-238 West Street, has submitted an application for a TIG under the terms of the Downtown Central Business District Community Improvement Plan. The TIG is a ten (10) year grant for 80% of the increase in municipal taxes that result from property rehabilitation and improvements. The grant payment is based on the actual post-project assessed value as determined by the Municipal Property Assessment Corporation (MPAC).

A condition of approving the application for tax assistance is that the owner is required by the City to enter into an agreement. As part of the agreement, the owner agrees to develop the subject property in accordance with the City's objectives and required information in the Program Guide for the CIPs.

The owner of the property completed a total renovation to the second floor of the building and created five (5) residential apartments. Prior to this investment, the second floor was 4000 square feet of open space. The construction included new wiring, plumbing, HVAC, framing, and ensuring compliance with building and fire code.

While many of the programs contained within the various Community Improvement Plans for the City can be approved by the Director of Planning and Development through delegated authority, any application for tax assistance must be approved by City Council.

Discussion:

The agreement is comprehensive in terms of what is expected by the City from the owner to meet eligibility requirements for the tax assistance and grant. Some key provisions are as follows:

- the annual grant is based on actual post-project MPAC assessed value;
- City to be satisfied in its discretion that owner completed property improvements in accordance with the proposed plans;
- City to be satisfied with its review of all documentation submitted to support actual cost of works incurred by owner, including third party review if required by City at cost of owner;
- Payments are repayable by owner if City determines that conditions set out in the Application or Agreement have not been met;
- Grant may be reduced by amount of any tax arrears on the Property;
- Specific pre-conditions for annual grant to be met to satisfaction of the City.

Internal Consultations:

The application and agreement have been reviewed by the City's CIP Review Team comprised of staff from Building, Economic Development, and Planning.

Financial Implications:

As per the agreement attached, Schedule B indicates that the Tax Increment Grant over a 10-year period is estimated to be \$56,845. There will be no net impact on the property tax levy in relation to the Tax Increment Grant (TIG) Program.

Following the 10-year period, the City will receive the full property tax value associated with the redeveloped property. The owner is responsible for the upfront costs of

redevelopment and must pay for the increased taxes arising from the higher assessed value. The incremental portion of the tax increase is returned in the form of a grant.

Conclusion:

Greg Poisson, owner of 234-238 West Street, has submitted an application to the City's Downtown Central Business District Community Improvement Plan to assist with the improvements to his commercial property. As a condition of approval, the owner is required to enter into an agreement with the City that outlines obligations of the owner to satisfy the eligibility requirements of the City's CIP programs. Staff are recommending Council endorse the agreement as these CIP programs will help facilitate the remediation and redevelopment of property in the City's downtown business district.

Appendices:

- a. Tax Increment Grant Agreement
- b. Draft By-law

Respectfully submitted,

Gary Long
Manager of Strategic Initiatives
905-835-2900 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.

Application No. <u>D21-08-19</u>

Downtown Central Business District Community Improvement Plan Tax Assistance Increment Grant Agreement

BETWEEN:

THE CITY OF PORT COLBORNE (hereinafter referred to as the "City")

and

GREG POISSON

(hereinafter referred to as the "Owner")

WHEREAS the City has adopted a Downtown Central Business District Community Improvement Plan (DCIP) pursuant to Section 28 of the *Planning Act*;

AND WHEREAS the Owner is the registered Owner of the lands described in Section 1 and Schedule "A" to this agreement (the "subject lands") which are located within the City of Port Colborne;

AND WHEREAS the Owner has made applications (the "application") to the City for the Tax Increment Grant under the DCIP:

AND WHEREAS the City has approved this application and has agreed to provide tax assistance;

AND WHEREAS a condition of approval of this application for tax assistance and the Owner is required by the City to enter into this Agreement (the "Agreement");

1. INFORMATION ON SUBJECT LANDS

1.1 The tax assistance and/or grant shall apply to the subject lands as set out in Schedule "A" attached.

2. TAX ASSISTANCE/GRANT ELIGIBILITY

- 2.1 To be eligible for the tax assistance grant, the development and remediation works on the subject lands (hereinafter referred to as "work"), shall conform to and fulfill:
 - (a) the objectives and requirements of the Tax Increment and Rehabilitation program of the DCIP,
 - (b) any other requirements as specified by the City

2.2 The Owner acknowledges that it has received and read a copy of the City's DCIP Tax Assistance Program Guide (the "DCIP Guide") and the Owner covenants with the City that the subject lands shall be rehabilitated and developed in accordance with the City's objectives, policies and requirements set out in the DCIP.

3. TAX ASSISTANCE/GRANT CALCULATION AND PAYMENT

- 3.1 The annual tax assistance will be calculated as the difference between property taxes on the subject lands at the time of approval of this Agreement and property taxes that would have been collected on the subject lands after the projects completion.
- 3.2 Municipal tax assistance will commence at the time of passing of the by-law and three year freeze of taxes for the subject lands and will cease on the earlier of:
 - a) sale or conveyance of the subject lands;
 - b) ten (10) years from the date the tax assistance begins.
- 3.3 The annual grant will be calculated as a percentage of the increase in municipal property taxes on the subject lands that result from the development with this percentage as identified in the table below.

Year*	Grant Factor
1	80%
2	80%
3	80%
4	80%
5	80%
6	80%
7	80%
8	80%
9	80%
10	80%

- 3.4 The tax assistance/grant payments shall be calculated according to the formulas and schedules set out in Schedule B to this agreement.
- 3.6 The actual tax assistance/grant payment amounts will be based on the actual postproject assessed value (AV) as determined by the Municipal Property Assessment Corporation (MPAC) and actual applicable City tax rates.
- 3.7 Where at any time after the original rehabilitation of the subject lands, new construction is added to the subject lands that is not part of the original program application, the tax assistance and/or grant will be calculated only in respect of the original rehabilitation contained in the original application, based on the assessed value and property taxes in the last year before revaluation by the MPAC as a result of the new construction added to the subject lands.

- 3.8 The annual tax assistance shall be calculated by the City based upon, and provided the City is satisfied in its discretion that rehabilitation of the subject lands took place in accordance with the proposed rehabilitation works as specified in the application, accompanying documentation, and this Agreement;
- 3.9 The City shall review all cost estimates and documentation submitted in support of the application in evaluating the estimated costs eligible for tax assistance and/or a grant, which costs, when designated by the City shall constitute the maximum costs eligible for tax assistance and/or a grant. In the event the City is not satisfied with said cost estimates, the City may substitute their opinion of such amounts for purposes of calculating the eligible costs and maximum total tax assistance and/or maximum total grant.
- 3.10 If the City is not in receipt of sufficient information satisfactory to the City to determine eligible costs and the amount of tax assistance and/or grant, there shall be no tax assistance/grant. The decision of the City regarding the total amount of eligible costs, the calculation of the total estimated tax assistance and grant, and the calculation of the actual tax assistance and grant is final and within the City's sole discretion.
- 3.11 Payment of the tax assistance and/or grant is subject to the City's review and satisfaction with all reports and documentation submitted in support of the application, including but not limited to: documentation of the estimated and actual costs of eligible works. Any and all of these costs may be, where required by the City, subject to verification, third party review or independent audit, at the expense of the Owner.
- 3.12 The Owner shall not be entitled to tax assistance and/or a grant payment unless and until they have met all the conditions of this Agreement to the satisfaction of the City. Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.
- 3.13 The total value of the tax assistance that may be provided to the Owner shall not exceed the total eligible Tax Assistance Program costs that have been approved by the City.
- 3.14 The tax assistance that has been provided to the Owner will become payable (including interest) upon notice in writing from the City that one or more of the terms and conditions set out in the application, this Agreement or the Tax Increment Grant Program have not been met.
- 3.15 The total sum value of the annual grant payments that may be provided to the Owner shall not exceed the total eligible Tax Increment Grant Program costs that have been accepted by the City.
- 3.16 Any and all grant payments that have been provided to the Owner will become payable upon notice in writing from the City that one or more of the conditions set out in the application, this Agreement, or the Tax Increment Grant Program have not been met.
- 3.17 Grants are not payable by the City until such time as additional assessment eligible for a grant has been added to the assessment roll by the MPAC, property taxes have been billed by the City, and property taxes have been paid in full for one year on the property.

- 3.18 Annual grant payments to the Owner will not be issued if there is an outstanding tax payment. If at any time after the term of this Agreement, property taxes are owing on a property for more than one full year, the City will have the option, at its sole discretion, to terminate this Agreement and all future grant payments.
- 3.19 The grant is not payable by the City until such time as all assessment appeals relating to the value of the subject lands before the additional assessment or as to the additional assessment as a result of the development of the subject lands have been filed and decided.
- 3.20 The first grant payment as finally determined by the City shall be paid to the Owner by the City, subject to the provisions of this Agreement, following completion and occupancy of the said redevelopment of the subject lands, and during or after the property taxation year in which the property taxes increase as a result of the completed rehabilitation.
- 3.21 Annual grant payments under DCIP will not be provided by the City until the Owner has satisfied the City that:
 - a) The development work on the subject lands has been completed in accordance with the work as described in the application;
 - b) The Owner has supplied the City with the actual amount of the eligible Tax Increment Grant Program costs incurred by the Owner;
 - c) There are no outstanding work orders and/or orders or requests to comply from any City department or other regulatory authority in respect of the subject lands, and the business of the Owner conducted on the subject lands;
 - d) The Owner and the subject lands are in full compliance with:
 - Any Agreement(s) relating to the property in favour of the City, including any Agreement relating to: subdivision, modified subdivision, service, site plan approval, encroachment, joint sewer & water use, easement or other Agreement; and,
 - ii) Bylaws of the City and provincial or federal legislation and regulations.
 - e) There are no unpaid charges where applicable against the subject lands in favour of the City, including but not limited to: development charges, parkland dedication fees, special assessments and local improvement charges; and,
 - f) The Owner has not appealed the post-project assessed value and there exists no other pending appeal which has not been settled completely in respect of the post-project assessed value.

4. PERSONAL STATUS

- 4.1 The Owner warrants and represents to the City that:
 - a) the Owner is a resident of Canada as of the date of this Agreement and that in the event the Owner ceases to be a resident of Canada, the Owner shall immediately

- notify the City, and it is agreed, the City may deduct from any or all annual grant payments, such sum(s) as may be required by Canada Customs and Revenue Agency in order to meet the City's obligations as a payer and the Owner's obligations under the *Income Tax Act (Canada)* and other applicable laws.
- b) to the best of its knowledge and belief, there are no actions, suits or proceedings pending or threatened against or adversely affecting the Owner in any court or before or by any federal, provincial, city or other governmental department, commission, board, bureau or agency, Canadian or foreign, which might materially affect the financial condition of the Owner or title to their property or assets; and,
- c) The Owner shall notify the City immediately of any material change in the conditions set out in paragraphs (a)-(d) above.

5. PROVISIONS RELATING TO THE OWNER

- 5.1 The Owner covenants to the City that building(s) and improvements that are the subject of this Agreement will not be demolished, in whole or in part prior to the advance of all of the grant payments.
- 5.2 The Owner shall ensure there are no liens or other claims outstanding in respect of the subject lands, including its rehabilitation, all accounts for work and materials which could give rise to any claim for a construction lien against the subject lands have been paid; and there is no default by the Owner with respect to any of the terms of this Agreement.
- 5.3 The Owner shall ensure that the Owner is in compliance with the *Construction Lien Act*, including its holdback provisions and is not aware of any potential or unresolved Lien claim in respect of the redevelopment.
- 5.4 The Owner covenants to the City that the Owner shall use the subject lands in compliance with this Agreement, all city by-laws pertaining to use, and all applicable environmental laws.
- 5.5 The Owner covenants to the City that the Owner will require, as a term of every lease that tenants of the subject lands comply with all city by-laws pertaining to use, and all applicable environmental laws.
- 5.6 The Owner agrees to comply with all outstanding work orders and/or orders or requests to comply from any and all City departments during the term of this Agreement.
- 5.7 The Owner covenants to the City that the Owner shall not commit or permit any waste to be dumped or any nuisance upon the subject lands, or permit any part of the subject lands to be used for any dangerous occupation or business or for any noxious or offensive trade.
- 5.8 The Owner covenants to the City that where the Ownership of part or all of the subject lands ceases for any reason to be in the Owner's name by sale, conveyance, assignment or otherwise, prior to the advance of all of the tax assistance and/or the grant, the Owner will notify the City in writing of said change of ownership at least 30 days prior to said change of ownership.

- 5.9 The Owner acknowledges that nothing in this Agreement is intended to impose or shall impose upon the City any duty or obligation to inspect or examine the land for compliance or non-compliance or to provide an opinion or view respecting any condition of development; and,
 - a) Nothing in this Agreement is intended to be or shall be construed to be a representation by the City regarding compliance of the land with:
 - Applicable environmental laws, regulations, policies, standards, permits or approvals; or,
 - ii) Other by-laws and policies of the City.
- 5.10 If the City determines in its sole discretion that any of the conditions of this Agreement are not fulfilled, and the City at its sole discretion delays or cancels tax assistance and/or grant payments, and/or requires repayment of tax assistance and/or grant payments already made to the Owner, and/or terminates this Agreement, the Owner agrees that notwithstanding any costs or expenses incurred by the Owner, the Owner shall not have any claim for compensation or reimbursement of these costs and expenses against the City and that the City is not liable to the Owner for losses, damages, interest, or claims which the Owner may bear as a result of the City exercising its rights herein to delay or cancel tax assistance and/or grant payments, require repayment of tax assistance and/or grant payments already made to the Owner, and/or terminate this Agreement.
- 5.11 The Owner shall indemnify and save harmless from time to time and at all times, the City and its officials, officers, employees, and agents from and against all claims, actions, causes of action, interest, demands, costs, charges, damages, expenses and loss made by any person arising directly or indirectly from:
 - a) The City entering into this Agreement; and
 - b) Any failure by the Owner to fulfil its obligations under this Agreement. This indemnification shall, in respect of any matter arising prior to the termination of this Agreement, remain in force following termination or expiry of this Agreement.

6. PROVISIONS RELATING TO THE CITY

- 6.1 The City agrees to provide a grant to the Owner with said grant to commence at the end of the tax assistance period and ceasing on the earlier of:
 - a) the point in time when the total of all annual grant payments provided equals total eligible Tax Increment Grant Program costs that have been accepted by the City;
 - b) Ten (10) years.
- On an annual basis, the City, upon being satisfied that the Owner is not in default of any of the terms and conditions set out in the application, this Agreement, the Tax Increment Grant Program, shall pay the annual grant payment.

- 6.3 If the Owner cannot be reached over a protracted period (more than 2 years), the City will have the option, without notice and at its own discretion, of terminating this Agreement and all future grant payments to the Owner.
- 6.4 If in the opinion of the City the property is not maintained in its rehabilitated condition, the City may, at its sole discretion, terminate tax assistance and/or all future grant payments and require repayment of the tax assistance and/or grant payments already provided by the City to the Owner.
- 6.5 The City, its employees and agents are entitled to inspect the subject lands at any time during business hours for the purpose of ascertaining their condition or state of repair or for the purpose of verifying compliance with the DCIP.
- 6.6 The City retains the right at all times to delay or cancel tax assistance and/or grant payments, and/or require repayment of tax assistance and/or grant payments already made to the Owner, and/or terminate this Agreement where the City deems that there is non-compliance with this Agreement. In particular, without limiting the generality of the foregoing, the tax assistance and the grant is conditional upon periodic reviews satisfactory to the City to there being no adverse change in the rehabilitation works and to there being compliance on the part of the Owner with all other requirements contained in this Agreement.
- 6.7 Communications from the City to the Owner may be addressed to the Owner at the address of the Owner listed in Section 9 of this Agreement.

7. DEFAULT AND REMEDIES

- 7.1 On the occurrence of default under this Agreement the City shall be entitled to its remedies to enforce this Agreement, including, but not limited to:
 - a) Delaying or cancelling tax assistance and/or grant payments; and/or,
 - b) Requiring repayment to the City by the Owner of all tax assistance and/or grant payments already made to the Owner; and/or,
 - c) Terminating the Agreement.
- 7.2 Default shall be deemed to occur upon any default of the Owner in complying with the terms set out in this Agreement, including, but not limited to, the following:
 - a) Non-compliance with any City by-laws, provincial, and/or federal laws and regulations;
 - b) Failure to pay and keep in good standing all real property taxes;
 - c) Any representation or warranty made by the Owner is incorrect in any material respect;
 - d) Failure to perform or comply with any of the obligations contained in this Agreement or contained in any other Agreement entered into between the Owner and the City;

- e) The Owner makes an assignment for the benefit of creditors, or assigns in bankruptcy or takes the advantage in respect of their own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of bankrupt or insolvent debtors, or if a receiving order is made against the Owner, or if the Owner is adjudged bankrupt or insolvent, or if a liquidator or receiver is appointed by reason of any actual or alleged insolvency, or any default of the Owner under any mortgage or other obligation, or if the subject lands or interest of the Owner in the subject lands becomes liable to be taken or sold by any creditors or under any writ of execution or other like process;
- f) This Agreement is forfeited or is terminated by any other provision contained in it.
- 7.3 The City may at its sole discretion provide the Owner with an opportunity to remedy any default.

8. ADDITIONAL PROVISIONS

- This Agreement shall remain in effect from the date of its execution by the City to the earlier 8.1
 - a) The time when the City informs the Owner in writing that due to the non-fulfilment or non-compliance with a required condition or due to default, this Agreement is terminated:
 - b) The time when total amount of the tax assistance and grants paid out to the Owner equals the total accepted eligible costs under the Tax Assistance Program;
 - c) Ten (10) years.
- 8.2 Time shall be of the essence with respect to all covenants, Agreements and matters contained in this Agreement.
- 8.3 Schedule "A" attached to this Agreement forms part of the Agreement.

9 **NOTICES**

9.1 Where this Agreement requires notices to be delivered by one party or the other, such notice shall be given in writing and delivered either personally, by e-mail, by fax or by prepaid first call mail by the party wishing to give such notice to the other party at the address noted below:

To the Owner at:

To the City at:

Greg Poisson 1456 Firelane 1 Port Colborne, ON L3K 5V3 Ph: 905-788-6062

City of Port Colborne c/o Amber LaPointe 66 Charlotte Street Port Colborne Ontario, L3K 3C8

Ph: 905-835-2900 ext 106

Fax: 905-835-2939 **THIS AGREEMENT** shall be binding upon the parties and their heirs, executors, successors and assigns.

IN WITNESS WHEREOF the parties duly execute this Agreement:

SIGNED, SEALED AND DELIVERED In the presence of	THE CITY OF PORT COLBORNE
	Mayor William C. Steele
	Amber LaPointe City Clerk
WITNESS	Greg Poisson: Owner

Schedule "A"

Of an Agreement between the City of Port Colborne and the Owner named in this Agreement.

Name of Registered Property Owner: Greg Poisson

Address of Subject Lands: 234-238 West Street

Roll NO.: 2711 010 021 17901 0000

Mailing Address of Property Owner (where different from address of subject lands):

1456 Firelane 1, Port Colborne, ON L3K 5V3 Tel. No: 905-835-0404

E-mail: "Greg Poisson" < greg@canalside.ca>

Legal Description of Subject Lands

PLAN 987,988,989 PT LOT 24, PARTS 1 & 4 PLAN 59R-462

Schedule "B"

Downtown CIP Tax Assistance

(1) Cost of approved eligible tax assistance works \$307,480.49

(2) Pre-project assessed value (AV): \$289,500

(3) Pre-project City property taxes \$10,991.05

(4) Post-project assessed value (AV): CT \$398,500

RT \$173,500

(5) Post-project City property taxes \$18,096.78

Municipal Tax Assistance = Post-project City property Taxes - Pre-project City property taxes

Grant = Post-project City property taxes – Pre-project City property taxes

TAX ASSISTANCE CALCULATION SCHEDULE

	Pre Development	Project Completion	Tax Increment	% of Tax Increment	Annual Grant
Assessment Value	\$289,500	\$572,000	\$282,500	80%	80%
Municipal Taxes	\$10,991.05	\$18,096.78	\$7,105.73	80%	\$5,684.58
		D	ouration of Gran	nt	10 years
		_		ssessment or ta Dyear period	\$56,845 ax increase

The Corporation of the City of Port Colborne By-law No Being a By-law to Authorize Entering into an Agreement with Greg Poisson Regarding a CIP Agreement for 234-238 West Street Whereas at its meeting of July 12, 2021, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Chief Administrative Office Report No.2021-193, Subject: CIP Agreement 234-238 West Street; and Whereas Council is desirous of entering into an agreement with Greg Poisson, owner of 234-238 West Street, regarding the City's Downtown Central Business District Community Improvement Plan; and Whereas the Municipal Act, 2001 S.O. 2001, c.25, as amended, confers broad authority on municipalities to enter into such agreements; 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 enters into an agreement with Greg Poisson, owner of 234-238 West Street, regarding the City's Downtown Central Business District Community Improvement Plan. 2. That the Mayor and City Clerk be and they are hereby authorized and directed to sign the said agreement, attached hereto as Schedule "A", together with any documents necessary to complete the conditions of the said agreement, and the City Clerk is hereby authorized to affix the Corporate Seal thereto. Enacted and passed this 12th day of July, 2021.
Being a By-law to Authorize Entering into an Agreement with Greg Poisson Regarding a CIP Agreement for 234-238 West Street Whereas at its meeting of July 12, 2021, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Chief Administrative Office Report No.2021-193, Subject: CIP Agreement 234-238 West Street; and Whereas Council is desirous of entering into an agreement with Greg Poisson, owner of 234-238 West Street, regarding the City's Downtown Central Business District Community Improvement Plan; and Whereas the <i>Municipal Act</i> , 2001 S.O. 2001, c.25, as amended, confers broad authority on municipalities to enter into such agreements; 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 enters into an agreement with Greg Poisson, owner of 234-238 West Street, regarding the City's Downtown Central Business District Community Improvement Plan. 2. That the Mayor and City Clerk be and they are hereby authorized and directed to sign the said agreement, attached hereto as Schedule "A", together with any documents necessary to complete the conditions of the said agreement, and the City Clerk is hereby authorized to affix the Corporate Seal thereto.
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Enacted and passed this 12th day of July 2021
Enacted and passed this 12th day of early, 2021.
William C. Steele Mayor

Amber LaPointe City Clerk



Subject: Community Update on City Facilities and Programs

To: Council

From: Chief Administrative Office

Report Number: 2021-108

Meeting Date: July 12, 2021

Recommendation:

The Chief Administrative Office Report 2021-108 be received for information and serve as an update to Council and the community.

Purpose:

The purpose of this report is to provide Council and the community with an update on the current operation levels at City facilities and the status of City programs while dealing with the current state of the COVID-19 pandemic.

Background:

This update is provided by the Economic Development and Tourism Services Division, within the Office of the CAO.

Discussion:

Vale Health and Wellness Centre

The Vale Health & Wellness Centre currently remains closed with plans to reopen incrementally with limited programming. Indoor recreation facilities are permitted to operate in step 3 of the Provincial Government's "Road Map to Reopen Framework." Hockey schools and camps are set to begin late July on Rink 1.

The YMCA has resumed outdoor programs for the public and is also planning a full summer camp lineup. Residents can view the outdoor fitness class schedule and outdoor child and youth programs on the YMCA website.

Minor soccer, minor baseball, and adult slo-pitch are all set to begin their seasons in Step 2. Additionally, outdoor tennis and pickleball courts are currently open for public use.

Beaches

Both Centennial-Cedar Bay Beach and Nickel Beach locations continue to be a popular destination for beachgoers since opening this year. The PORTicipate pass for residents has been very popular with over 3,000 passes registered to locals. To date, there have been just over 1,300 unique visits by locals at public beaches by use of the PORTicipate pass. The limited daily spots for non-Port Colborne residents have been popular with approximately 2,000 day passes sold to non-residents to date, including sell-out dates every weekend at Nickel Beach since opening to the public.

Marina

On May 22, 2021 the Ontario Government allowed marinas to open for recreational use but with proper COVID-19 procedures in place. As of today, the marina has welcomed over 500 boaters back this season. The City has sold over 250 Seasonal Boat Ramp passes. As of June 4, 2021, the marina office and fuel dock increased the operating hours to 7 days a week, from 7:00 a.m. to 7:00 p.m. The Marine Supply Store is open 7 days a week from 8:30 a.m. to 4:30 p.m.

Farmers Market

The Port Colborne Downtown Business Improvement Area (BIA) is now operating the Port Colborne's Farmers' Market. This is a new and exciting partnership for the City. The Farmers' Market is open every Friday from 8:00 a.m. to 12:00 p.m. at the Market Square.

Canal Days

The Canal Days Advisory Committee and Council have decided to cancel Canal Days Marine Heritage Festival for 2021. This decision was made in order to safeguard the health and safety of the community, volunteers, festival partners, artists, vendors, visitors, and staff.

Community Events

City event offerings in Port Colborne are currently limited to virtual offerings. So far in 2021 the City has offered a virtual Polar Plunge, Virtual Top Hat Ceremony, and a Virtual Easter event to residents. Currently, there is a virtual event taking place called 'Explore Port Colborne'. More information on the event is available on the City's website.

Event staff are currently putting a plan in place to gradually return to in-person events in Port Colborne as the City progresses through the Provincial Government's reopening framework.

Parks and Trails

There are no closures to report with regards to parks and trails, however, City staff would like to remind users that social and physical distancing must take place at all locations.

Museum

The Port Colborne Historical and Marine Museum indoor facility is currently closed due to COVID-19. However, the Museum still has opportunities available for participation.

The Museum Heritage Village, picnic tables and benches are open from 12:00 p.m. to 4:00 p.m. daily for self guided visits. The Sherk heritage kitchen garden is thriving. Every week, starting on July 1, 2021, the museum will post a video to their YouTube channel featuring the changing heritage garden and interpretation of period artifacts. Each week the Museum will premiere a new video focusing on different elements of heritage gardening.

The Museum is offering a Digging for Roots project that participants can take part in from home. The project is supported by the Niagara Region through the Niagara Investment in Culture grant. The project will see interested Port Colborne residents painting flowerpots with images that represent their idea of the City's diverse heritage. The finished flowerpots, complete with beautiful flowers selected by the Port Garden Club, will be on display at the Museum's Marine Park on July 31 and August 1, in a public event which will also feature performances by members of the Niagara Symphony Orchestra. Anyone who is interested in participating can contact dario.smagata-bryan@portcolborne.ca to reserve their flower pot and supplies.

BASS (book a safe service) will resume after Step 3 of the Province's reopening framework. All research inquiries are undertaken by archive staff and business is provided on a curbside only basis for Step 2.

Library

The Port Colborne Public Library Operations will include the following effective July 5, 2021:

Curbside pick-up will continue to be available with extended hours as follows:

Mon., Tues., Thurs.: 10:00 a.m. to 7:00 p.m.

Wed., Fri., Sat.: 10:00 a.m. to 4:00 p.m.

In-person browsing by capacity will be available starting in Step 2.

Mon., Tues., Thurs.: 10:00 a.m. to 7:00 p.m.

Wed., Sat.: 10:00 am. to 4:00 p.m.

Public computers will be available on Fridays by appointment starting in Step 2: Fridays, 10:00 a.m. to 4:00 p.m.

During Step 2 and Step 3, there will be no in-person programs or access to meeting rooms.

The virtual library is available 24/7 with access to online resources including free courses, downloadable audiobooks, eBooks, digital magazines and streaming video. 24/7 access to book drop. In-person programming is not expected to be available during the summer.

Take-and-Make Crafts will continue to be available every week during the summer for families. Virtual programming is planned for all ages and advertised in the Library's Newsletter and on the website. Teen Community Service Hours for high school students earned by writing book reviews continues and are posted online.

Book Recommendations Written by Kids for Kids continues and are posted online. Summer Reading Club and activities includes StoryWalk Saturdays at the library. Readers' advisory and reference services available by phone, email and in-person. LiNC reciprocal borrowing is available with books and library materials available for Port Colborne Library patrons with their library cards.

Print services will resume in-person during Step 2. Patrons can contact the library for more details.

Recreation Programs

As Ontario moves into Step 2, outdoor recreation restrictions are reduced. In addition to the many parks, trails, beaches, and green spaces available to PORTicipate at, the City has reopened outdoor Zumba fitness classes on Monday and Wednesday evenings. Classes operate under recommended COVID precautions and guidelines from the Province of Ontario for outdoor fitness classes.

Visitor Centre

The Port Colborne Visitor Centre is currently closed. As the Niagara Region progresses through the provincial framework, the City will consider options for a safe re-opening.

Roselawn Centre

The Roselawn Centre is currently closed. As the Niagara Region progresses through the provincial framework, the City will consider options for a safe re-opening.

Sherkston Community Centre

The Sherkston Community Centre is currently closed. As the Niagara Region progresses through the provincial framework, the City will consider options for a safe reopening.

Bethel Community Centre

The Bethel Community Centre is currently closed. As the Niagara Region progresses through the provincial framework, the City will consider options for a safe re-opening.

Conclusion:

This report outlines the current and future operating levels for various City facilities and programs under the current COVID-19 restrictions.

Respectfully submitted,

Luke Rowe Events and Volunteer Coordinator 905-835-2900 x.566 Luke.Rowe@portcolborne.ca

Gary Long
Manager of Strategic Initiatives
905-835-2900 ext. 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.



Subject: Niagara Region CIP Review

To: Council

From: Chief Administrative Office

Report Number: 2021-202

Meeting Date: July 12, 2021

Recommendation:

That Chief Administrative Office Report 2021-202 be received; and

That Council endorse the letter attached as Appendix A to Chief Administrative Office Report 2021-202.

Purpose:

The purpose of this report is to garner Council's support for correspondence to be sent to the Niagara Region's Planning and Economic Committee, as well as Regional Council through the Clerk. The letter, attached as Appendix A to this report, outlines concerns with the recommendations derived from the Niagara Region's Community Improvement Plan (CIP) Review.

Background:

The Niagara Region administers a number of incentive programs targeting investment and economic development in the Region and municipalities. The City of Port Colborne partners with the Region on a number of these.

The Niagara Region has been conducting a review of the programs over the past 18-24 months and recently asked for input on their recommendations as they will be brought forward to the Region's Committee in July and to Regional Council on August 5, 2021.

There are three programs that are proposed to end that Municipal Economic Development Officers (EDOs) across the Region believe should continue. The Economic Development Office in Port Colborne agrees and supports the programs

being continued as the City of Port Colborne has benefited from these in the past and/or sees an opportunity for the City to benefit in the future.

The recommendations are that the Regional portion of what is referred to as the SNIP Grants (Smarter Niagara Incentive Programs) including façade and building improvement and TIG programs, the Smart Growth Regional DC Program and the Waterfront Revitalization Grant be eliminated.

The City of Port Colborne is also currently undergoing a Community Improvement Program Review.

Discussion:

The City of Port Colborne operates the SNIP programs in partnership with the Region and has seen the benefits this joint program has within the City. The elimination of the Regional portion of the grant would reduce by half the amount that eligible parties in the City are eligible for and could disincentivize future development.

The SNIP, including façade and building improvement and TIG programs, the Smart Growth Regional DC Program DC charge grant and the Waterfront Revitalization Grant are both important to the City as the City has brownfield sites that are being remediated and developed and will continues to do so. Additionally, the City is a waterfront community with waterfront revitalization projects planned for the future.

Financial Implications:

There are no financial implications.

Conclusion:

Staff wish to send to the Niagara Region the letter attached as Appendix A which outlines these concerns and requests their reconsideration of the matter.

Appendices:

Letter to the Niagara Region

Respectfully submitted,

Bram Cotton
Economic Development Officer
905-835-2901 x.504
Bram.cotton@portcolborne.ca

Report Approval:

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

I'm writing to you with the support of Port Colborne Council to provide feedback regarding Niagara Region's review of incentive programs, including various Community Improvement Plan (CIP) programs available to businesses within the City of Port Colborne.

The City of Port Colborne is comprised of a number of CIP areas that are connected to a number of different programs. In the most recent consultations, it was revealed that the Smarter Niagara Incentive Program (SNIP), including façade and building improvement and TIG programs, and the Smart Growth Regional DC Program, which are vital to create a vibrant economic environment within the City, were going to be eliminated. In addition, the Waterfront Revitalization Grant Program is scheduled to be eliminated as well.

These programs have made a positive impact in Port Colborne by creating opportunities to attract and leverage additional public and private sector investment, redevelop and revitalize properties, help fulfil our mandate as a City, and ensure Niagara remains an attractive and competitive place to invest.

The City of Port Colborne supports these programs and uses them in its business and investment strategies. We see the benefits in our community and in the Region through increased tax assessments, business retention and growth, public-private investment, and economic activity.

We strongly encourage the Niagara Region to reconsider the elimination of these incentive programs.

Sincerely,

Mayor William Steele



Subject: King of the Lake Fishing Tournaments

To: Council

From: Chief Administrative Office

Report Number: 2021-192

Meeting Date: July 12, 2021

Recommendation:

That Chief Administrative Office Report 2021-192 be received; and

That City sponsorship of the King of the Lake fishing tournaments be approved, with \$5,000 in financial support from the City, and waiving the fees for H.H. Knoll Lakeview park permit, bandshell permit, and hydro access permit; and

That approval of the above-noted event and sponsorship is conditional on the King of the Lake fishing tournaments submitting a certificate of liability insurance in the amount of \$2,000,000 naming the City of Port Colborne as additional insured.

Purpose:

The purpose of this report is to present a request from Yvan Charrois, the President of King of the Lake. Mr. Charrois is seeking support to host two King of the Lake Walleye Fishing Tournaments in Port Colborne on July 30-31, 2021 and September 10-11, 2021 at Sugarloaf Harbour Marina and H.H. Knoll Lakeview Park.

Background:

The King of the Lake Tournament Series is a group of Salmon and Walleye tournaments on Lake Ontario and Lake Erie. In 2019, King of the Lake hosted the Maui Jim Walleye Open at H.H. Knoll Lakeview Park in conjunction with Canal Days Marine Heritage Festival. The City provided \$5,000 in financial support for that event.

King of the Lake has submitted a tournament proposal and COVID-19 protocols for their 2021 tournament series on July 30-31, 2021 and September 10-11, 2021. Staff have reviewed the proposal and discussed the tournament and the logistics involved. The

level of support that is being requested is similar to the level of support provided by the City for other fishing tournaments. The proposal is attached as Appendix "A" and the COVID-19 protocols are outlined in Appendix "B".

Mr. Charrois requested financial support from the City in the amount of \$5,000, due to the time, effort, and expenses that are involved in operating both tournaments. This will allot \$2,500 to each tournament. Mr. Charrois stated that the financial support would help alleviate the costs of the tournament that include, but are not limited too:

- Creation, distribution, and collection of various administrative documents, tournament rules, regulations, etc.
- Collection of tournament entry fees payable by cheque, money order, interact, or credit card.
- Creation of event signage.
- Insurance and bank fees.
- Weigh-in costs.
- Sponsor and volunteer recruitment and supplies for volunteers on-site.
- Tournament prizes and purse.

Mr. Charrois is also requesting that park rental fees for H.H. Knoll Lakeview Park be waived. Council approved the establishment of an account dedicated to supporting local fishing tournaments during the 2019 budget process and allocated a total of \$25,000 to the account for this purpose. Should Council approve the \$5,000 sponsorship request, staff recommend the funding be allocated from this account.

The City has provided infrastructure and logistical support for other tournaments in the past, which in turn has helped event organizers promote and maintain manageable tournament participation fees. If Council approves the request for sponsorship and financial support, King of the Lake will recognize the City as an event sponsor.

Event staff presented this request to the City's Emergency Control Group (ECG), to ensure COVID-19 protocols are in place and this event operates in a safe manner. City staff will continue to work with the event organizer and Niagara Region Public Health through the rapidly changing COVID-19 environment to ensure that the health and safety of everyone involved is a top priority.

Discussion:

The King of the Lake fishing tournaments promote sport fishing tourism in the City and enhance the City's recognition as an "Ultimate Fishing Town" destination (a designation awarded to the City of Port Colborne in 2013-2014). As with other City sponsored events, should Council approve the City's support, staff would provide oversight and would manage the necessary infrastructure and logistical support.

Staff will be working with the event organizer to provide information to the City at the conclusion of the event. The City will create a small survey that the event organizer will require all tournament participants to fill out. This will provide information to the City about the participants and how they spend their time in Port Colborne. Staff are also looking into other ways to obtain data that will more accurately represent the economic impact fishing tournaments have on the Port Colborne economy. Staff have requested the organizer to provide economic impact numbers estimated from this tournament, once those have been received, staff can share them with Council.

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

Internal Consultations:

The tournament has been discussed with staff at the Sugarloaf Harbour Marina. They do not have any objections to the tournaments.

The tournament has also been discussed with the ECG regarding protocols for COVID-19.

Financial Implications:

The following is a summary of the requested sponsorship:

City Sponsorship Type	Approximate Value (\$)
Park Permit Fee x2	\$156
Bandshell rental fee x2	\$104
Hydro access fee x2	\$10.40
Financial contribution	\$5,000
Total	\$5,270.40

Conclusion:

In conclusion, staff recommend that Council approve the City sponsorship of the King of the Lake fishing tournaments and provide the following support:

- \$5,000 financial contribution
- Waiver of fees for H.H. Knoll Lakeview park permit, bandshell permit, hydro access permit.

Appendices:

- a. King of the Lake Tournament Proposal
- b. King of the Lake COVID-19 Protocols

Respectfully submitted,

Luke Rowe
Event Coordinator
905-835-2900 ext. 566
Luke.rowe@portcolborne.ca

Bram Cotton Economic Development Officer 905-835-2900 ext. 504 Bram.cotton@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.



KING SELAKE

Report 2021-192 Appendix A

Sponsorship Proposal

I would like to begin by thanking you for the opportunity to propose our new idea for 2021. Port Colborne is a Fishing community and my life is all about fishing!

Having said this, I would like to point out that King of the lake has been in operation since 1999 and our first event was in Port Colborne when our marina was then run by Brad Wilson. We both had the same vision in these events. If you build a good event it will generate revenues for the partners in town in fact, I was part of the economic impact survey conducted by Joe Montgomery which turned heads with the dollar amount it provided in this area.

We will run again with or without Canal days on July 30-31 as per scheduled but we are adding a second event on Sept 10-11 2021. With Erie Tracker running a derby style event many have reached out to me to run a Tournament at another date and what better time then September to end the Season. We will group both events in order to crown a "King Of The Lake".

We need Help! As you know, we don't have any way of collecting money other than sponsors not related to the festivities. Due to covid protocols, we wont sell alcohol or food, we will leave this to Don Cherrys. Other tourneys have these concessions to help out. Alcohol sales on an event like ours can escalate to upwards of \$10000 plus sponsorships. Include food on top of this and now I have operating costs covered without taking entrants dollars.

My goal: We have run and continue to run two tournaments in St Catharines and 2 series, one on Lake Ontario and one on Lake Erie. We are part of eight other tournaments this year alone, this is our business. Our Goal is to have a low cost entry fee to get as many locals and out of towners in the main event with different divisions to enter for the more series teams.

The Event: July30 -31, 2021 and Sept 10-11 2021

- 1. Friday 6am-3pm Big Fish Friday followed by weigh in and Captains meeting.
 - 2. Saturday 7am 4pm Maui Jim/ Vision Clinic Walleye open main event.

******NEW PROPOSED EVENT: King Of The Lake Champion! Best team over both events, all 4 days of Fishing. Help us make this happen!!

Asking: We are asking for help in monetary form and a few perks.

- 1. The ramp be open to participants.
- 2. We are asking for \$5000 in order to cover tournament costs, prize purse, staffing, and other administrative expenses.
- 3. Waiver of fees for the use of the bandshell and H.H. Knoll Park.

I understand we may not have Canal Days but these events can continue to be put on with protocols in place as we did last year. These events are a staple in our town and our industry.

Thank you for your time and looking forward to serving you and the city.

Yvan Charrois

King of the Lake COVID-19 Protocols

This document will outline how both tournaments can be run safely and still maintain the integrity of a well-run fishing tournament for the participants.

The tournament dates are July 30-31 and September 10-11, 2021. Both dates will likely fall under Stage 3 of the re-opening plan, but the protocols will be in place planning for a safe event in stage 1.

- Registration will be done online.
- The captains meeting prior to the event will be done virtually.
- There will be no food or alcohol sales at the event.
- The weigh-in portion of the event will be done at H.H. Knoll Lakeview Park, an outdoor facility with plenty of room for social and physical distancing.
- The Bandshell and the surrounding paved area will be determined the weigh-in area.
- All event staff and volunteers will be required to wear masks and hand sanitizer will be available on-site.
- Participants will be required to wear masks when in the weigh-in area or at H.H. Knoll Lakeview Park.
- Only one representative from each team will be permitted in the weigh-in area at each time.
 They will transfer their cooler to the event staff for weigh-in and once it is returned to them, they must leave the weigh-in area.
- A maximum of three team representatives will be permitted to wait outside the weigh-in area for their cooler drop off at any given time.
- COVID-19 Protocols will be consulted with Niagara Region Public Health and best practices from them will be put in place.

We believe we can safely run this tournament, as we safely ran tournaments last year. It is a way to provide competition to the anglers who are craving it. H.H. Knoll Park is a great outdoor facility that will allow for social distancing to be easily accomplished. The COVID-19 protocols will be communicated with the participants prior to the event.

Thank you.
Yvan Charrois
President
King Of The Lake tournament series



Township of Wainfleet

"Wainfleet - find your country side!"

June 22, 2021

SENT ELECTRONICALLY

RE: Resolution – Niagara Central Dorothy Rungeling Airport (NCDRA) Commission

Please be advised that at its meeting of June 22, 2021, the Council of the Corporation of the Township of Wainfleet approved the following resolution:

THAT correspondence from the City of Port Colborne dated Mary 31, 2021 and from the City of Welland dated April 26, 2021 regarding the uptake and governance and the transfer of operating authority of the Niagara Central Dorothy Rungeling Airport be received and supported; and

THAT the Council of the Township of Wainfleet rescinds the previously approved motion of council regarding the uptake and governance and the transfer of operating authority of the Niagara Central Dorothy Rungeling Airport to Niagara Region; and

THAT the Council of the Township of Wainfleet approves retaining the governance and ownership of NCDRA; and

THAT a copy of this motion be forwarded to the Town of Pelham, the City of Port Colborne and the City of Welland for consideration; and

THAT a copy of this motion be forwarded to Niagara Region and Niagara Region Municipalities.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact the undersigned.

Regards,

Meredith Ciuffetelli Deputy Clerk

Mendth Ciuffetelli



June 29, 2021

Amber LaPointe City Clerk City of Port Colborne 66 Charlotte Street Port Colborne, ON L3K 3C8

SENT ELECTRONICALLY

Dear Ms. LaPointe,

Please be advised that the Board of Directors of the Niagara Peninsula Conservation Authority (NPCA) adopted the following resolution at its meeting of June 18, 2021:

Moved by Member Ingrao Seconded by Member Mackenzie

THAT Report No. FA-39-21 RE Wainfleet Bog Biederman Drain Re-Alignment Proposal **BE RECEIVED**

THAT the Board **ENDORSE** staff recommended approach to the future management of drainage in Wainfleet Bog.

AND FURTHER THAT this report **BE CIRCULATED** to the City of Port Colborne and the Township of Wainfleet.

CARRIED

Accordingly, for your reference, please find the subject Report No. FA-39-21 attached hereto. Should you have any questions or concerns in respect of this matter, feel free to contact Chandra Sharma, NPCA CAO, at (905) 788-3135 or at csharma@npca.ca.

Sincerely,

Grant Bivol

Grant Bivol NPCA Clerk / Board Secretariat

att.



Report To: Board of Directors

Subject: Wainfleet Bog Biederman Drain Re-Alignment Proposal

Report No: FA-39-21

Date: June 18, 2021

Recommendation:

1. **THAT** Report No. FA-19-21 RE: Wainfleet Bog Biederman Drain Re-Alignment Proposal **BE RECEIVED**.

- 2. **THAT** the Board **ENDORSE** staff recommended approach to the future management of drainage in Wainfleet Bog.
- 3. **AND FURTHER THAT** this report **BE CIRCULATED** to the City of Port Colborne and the Township of Wainfleet.

Purpose:

The purpose of this report is to update the Board on a request by 8Trees Inc. to relocate the Biederman Drain and seek a decision on the staff recommended approach in response to the request by 8Trees Inc..

Background:

The Wainfleet Bog is located approximately eight km northwest of the urban area of Port Colborne, within the Township of Wainfleet and the City of Port Colborne. The Wainfleet Bog historically was mined for peat which resulted in significant adverse impacts to this rare and unique ecosystem. The two largest landowners of the Wainfleet Bog are the NPCA and the Ministry of Natural Resources and Forestry, with NPCA having the largest land holdings. The Wainfleet Bog Conservation Area was acquired in 1995 by NPCA and is the largest of NPCA's Conservation Areas, at approximately 2,000 acres (800 hectares) in size. The Wainfleet Bog is a provincially, significant wetland and is the largest least disturbed bog remaining within the Carolinian region of Ontario. This rare ecosystem provides habitat to a variety of unique plants and animals as well as a suite of recreational uses.

Protected Area Designation 2021

In 2021, the Wainfleet Bog met the pan-Canadian standards for "protected areas" and was designated as a site under the 'Pathway to Canada Target 1" Initiative. This recognition acknowledges the ways in which the Wainfleet Bog is already being managed by the NPCA to

conserve biodiversity. Details of this Designation were presented to the Board (Report No. FA-19-21).

Wainfleet Bog Management Plan and Site Restoration Activities

A Management Plan and site Restoration Plan were developed by staff in 1997 with input from stakeholders and the community, with an objective to restore a healthier state of the Wainfleet Bog, provide passive recreation and educational opportunities, as well as include self-sustaining management strategies with little to no human intervention, multi-use site opportunities, and at minimal cost. NPCA staff continues to implement management actions aligned with the Management Plan. Monitoring of water levels, vegetation progress and site wildlife continues monthly and annually to assess the progress of the management plan. The plan continues to be relevant with ongoing reviews and updates to the management plan scheduled. A management plan update (as needed) will be scheduled in future years along with other NPCA lands as part of the recent CA Act updated regulation requirement.

Several drainage canals were created during the period that peat was mined in portions of the Wainfleet Bog. Although, these canals have been decommissioned since the peat mining halted. The canals still exist but are maintained open for wildlife use (turtles and fish) and some drainage on the east half. Dams made of peat (i.e., peat dams) were originally created (in 1998) with the purpose of blocking water flows leaving the bog via the canals on the western portion of the bog, with the intention of rehabilitating the NPCA Wainfleet Bog. The peat dams have effectiveness, although may not be as effective as desired due to damage inflicted by wildlife (e.g., burrows). Maintaining the appropriate level of water in the bog has been one of the objectives of the NPCA. Currently, water levels of the bog are primarily affected by evapotranspiration, drainage and beaver activity (i.e. beaver dams).

Site restoration activities on NPCA land have included: blocking peat canals with peat dams, creating surface indentations to mimic bog topography (hummocks and pools), planting native bog plants, cutting invasive European Birch trees, and installing boardwalks for passive recreation and educational purposes. This habitat mimics that required by the snakes and turtle Species at Risk populations. To date, the bog continues to be monitored and shows progress towards a more natural bog ecosystem. The bog is progressively retaining more water with more constant water levels (allowing for better recharge and discharge functions as well as more stable water levels), increased growth of *sphagnum* moss and associated peat accumulation, increased areas of bog shrubs and grasses, as well as continues to support species-at-risk populations of snakes and turtles as well as other bog species. The NPCA continues to monitor site features to ensure management plan goals are being met.

Research

Over the past several years, the NPCA has worked in partnership with the Ministry of Natural Resources and Forestry, Environment Canada National Water Research Institute, academic institutions, and other researchers on a variety of research initiatives including groundwater patterns, water budget and effective techniques for water retention, bog vegetation progression, turtle and rattlesnake habitat use and populations, wildfire effects, satellite imagery and hydrology analyses.

Water levels are monitored by the NPCA through a network of water wells across and surrounding the bog, while vegetation progress and snake and turtle population levels are monitored by the Ontario Ministry of Natural Resources and Forestry and the proponent to reduce overlap and

effectively use human and financial resources. The NPCA has provided the proponent (8 Trees Inc.) NPCA research permits to facilitate knowledge sharing of the Massasauga Rattlesnake and turtle populations (e.g. Spotted Turtle, *Endangered* status through the Provincial Endangered Species at Risk Act) for survival rates, habitat areas use and population levels (increasing, decreasing or maintained).

Biederman Drain Re-location Request from the Proponent (8Trees Inc.)

The Biederman Drain exists along approximately two thirds of the southernmost edge of the Wainfleet Bog. The proponent is proposing to relocate a segment of the Biederman Drain to a historic yet non-active drain location. This historic location falls on NPCA and private land within a Provincially Significant Wetland.

The City of Port Colborne is currently updating the engineering report for the Biederman Drain. 8Trees Inc. is requesting the NPCA, as a landowner, submit a petition to the City to relocate this section of the Biederman Drain as part of the engineer's report.

Research conducted by proponent indicates fluctuating water levels of the Wainfleet Bog in areas where the snakes hibernate/overwinter, which can adversely impact this *Endangered* Species by drowning or dehydrating the species while it hibernates. The NPCA notes the fluctuating water levels at the site are caused by site drainage, as well as high evapotranspiration from European Birch trees and beaver activity (dams), and management of beaver activity (i.e., removal of beavers and dams) in the Biederman Drain. The management of beaver activity and the impact of how this management affects the bog has not been quantified. These components have been addressed in the current NPCA restoration plan considering all site objectives. NPCA staff continues to monitor site restoration work, and work with 8Trees Inc. to gain clarity and evidence for these conclusions.

Discussion:

Under the *Drainage Act*, the following conditions must be met for this type of re-location activity:

- a) A petition must be made by the landowner in question to the Municipality (NPCA to the City of Port Colborne) to include the re-location in their Engineers Report.
- b) The landowner(s) is required to pay for the entire activity (approx. \$137 000 as per the preliminary estimate by the Port Colborne Drainage Engineer) this includes an allowance to the receiving landowners for the potential loss of land.
- c) An agreement must be made with the receiving landowners to receive the Drain (Currently two landowners are implicated). To date there is no known requests or intentions from the landowners in question to have the drain moved on their property.
- d) There is an important timing component where the City appointed the Engineer in late 2019. According to staff the Engineers report must be presented to the council within the next few months as the process has been delayed.
- e) There is a public process component where the Town Council-approved Engineer's report will flow through a public comment process. This report can be appealed. Appeals, if any, and associated delays are added to the cost of the project.

Note: NPCA Staff have spent a significant amount of time working with the proponent. to find a mutually aggregable solution that is least disruptive to the environment, financially viable and consistent with the objectives of the Management Plan.

Options

Three key options have emerged from discussions with NPCA staff and some key stakeholders in determining an approach that will contribute to the overall benefit of the Wainfleet Bog. A variety of factors, including ecology, social and recreation values, achievable results, financial costs, and balancing priorities are outlined below. The following section summarizes options and outlines key considerations for each option. Option Three is recommended by NPCA Staff.

Option 1: Status quo with current NPCA site management

Summary: Maintain the existing management regime. This aligns with the NPCA Site Management Plan and Restoration Plan (1997). Current focus is on monitoring existing restoration activities and adaptive management of the site, including community engagement through school programs to build awareness of the natural wonders of the Wainfleet Bog. Existing site restoration focuses on the western 3/4 of the bog, within the upper watershed areas, areas where peat canals are close together and water retention activities are the most effective. It also ensures a status quo area to the east to allow species to adapt to changing site conditions.

- Additional costs on future water management structures noted by the proponent notes, but not detailed or estimated in costs.
- Restoration has included blocking internal canals, creating surface indentation/bog topography of hummocks and pools, planting (of wet and dry bog species) and cutting invasive European Birch trees (known to have high evapotranspiration rates).
- The primary component of the site restoration plan was implemented in 1997-2004 and continues with site monitoring of the management plan objectives. Additional "active" restorative management may be taken, however there are wildfire constraints that need to be managed with the piling of felled trees. This is linked to local wildfire prevention and management with local municipal partners.
- NPCA's site monitoring program of groundwater levels (across and around the bog), plant
 progression and species at risk population health levels are annually assessed to determine
 if management activities need to be modified for the overall benefit of the bog. The nature
 and complexity of the bog requires continuous monitoring to determine how the hydrology,
 vegetation and wildlife are progressing.
- NPCA continues to work with its' partners on the monitoring program components data for determining if any adaptive management needs.

Option 2: Move section of Biederman Drain.

Summary: The proponent identifies moving a section of the Biederman drain. This will result in decreasing fluctuating water levels in the center of the NPCA bog property. This will in turn theoretically improve the habitat of the *Endangered* Massasauga Rattlesnake. Anticipated impacts of activities proposed may include:

- Abandonment of a 1.2km section of Biederman Drain, the reinstatement of the abandoned non-active 1930s drain alignment, and the construction of an engineered dam at a single control point for the entire NPCA property in the future.
- A formal *Drainage Act* process is required where relevant landowners request the movement of the drain in question. Unless the relevant landowners request it, no action occurs.
- The Township of Wainfleet Council did not support the proponent's request to move the drain.
 Council would consider other options to achieve the goals of bog and support goals of the NPCA, with recommendations to pursue alternative options to facilitate achievement of goals

- other than the Biederman Drain engineer's update. For example, blocking of canals in the bog (Option 3 in this report).
- The proposed location of the new drain is within a Provincially Significant Wetland which is contrary to the current NPCA Policy. All other drains that are proposed within Provincially Significant Wetlands are rejected by NPCA due to non-conformance with NPCA Policy.
- Negative effects to a Provincially Significant Wetland.
- Unknown whether intended positive impacts would be realized and a significant amount of uncertainty remains whether this would be effective. If the water levels rise too high or drop too low, the bog will transition into another less desirable ecosystem.
- Beaver dams and populations are controlled downstream of the Wainfleet Bog along the Biederman Drain and have been known to cause fluctuating water levels in the bog. Therefore, even if the proposed segment of drain were to be moved, it is not guaranteed to have the intended positive effect as similar impacts will still be realized which are outside the scope of this approach.
- The ballpark estimated cost of the proposed drain movement is \$137 000, with possible increase due to actual costs realized. Further, NPCA will be required to pay new costs associated with drainage maintenance on an ongoing basis.
- Additional costs on future water management structures noted by the proponent notes, but not detailed or estimated in costs.
- More research is needed to determine the potential impacts. An Environmental Impact Study
 will need to be submitted that fully characterizes the pathway of effects (both positive and
 undesirable) including recommendations that will be followed to the satisfaction of NPCA
 staff. 8Trees Inc. would remain as the proponent and therefore would be responsible for the
 development of the Environmental Impact Study.
- The NPCA would have greater flexibility on site activities as this section of the drain would no longer require maintenance access by the Township.

Option 3 -STAFF RECOMMENDED: Control drainage of two or more canals on NPCA property.

Summary: Add control structures to select canals that drain the east of the NPCA portion of the Wainfleet Bog that outlet to the Biederman Drain. The best type of water control structures will be assessed (i.e., sluice gates or using flashboard risers potentially in combination with the use of clay dams). This is anticipated to increase water levels in the east portion of the NPCA owned bog and achieve better stability in hydrology.

NPCA staff will need to undertake the addition of two or more water control structures where there are currently no control structures on select canals to achieve an enhanced hydrology of east sections of the NPCA owned bog. The control structures could be manually adjusted by NPCA staff as often as needed to achieve desired water levels in NPCA owned portion of the bog. Beaver mitigation designs would be required for dam maintenance to ensure water is being held.

Anticipated Pro's

- No *Drainage Act* applications or changes to the municipal process are needed. NPCA has full ability to implement immediately without impediment from the *Drainage Act*.
- Increase likelihood of stability of desired water levels in east section of the bog to maintain or further rehabilitate the bog ecosystem. Saturated areas affecting surrounding dam areas before long term desired water levels in the bog centre as intended.
- Decrease in fluctuations of water levels in the east by holding back more water manually in order to meet desired water levels.

- Easy access for site maintenance and can easily change water levels and adaptively manage.
- Potential increase in surface waters across the site would positively affect more Species at Risk habitat for the Massasauga Rattlesnake and Spotted Turtle as well as the overall bog ecosystem.
- Can be done at any time during the growing season, including next budget year.
- Potential mitigation of current theorized flooding of snake hibernacula for Species at Risk.

Anticipated Con's

- Additional cost from current baseline management of bog (~ballpark estimates could range from \$5000- \$20 000 for control structure build out).
- Potential ongoing costs associated with maintenance and management of designs as well as unseen costs.
- Staff time required to conduct research into design and understanding of potential pathways of effects and determine plan to mitigate unintended consequences (if any).
- Potential increase in water levels may impact access for existing recreational activities
- Potential flooding of snake hibernacula (if not mitigated).
- Potential short-term negative effects to vegetation and wildlife with rising of water levels
- Mitigations needed to address aquatic Species at Risk.

Note: An overall benefit could be sought and likely would not be onerous.

Proposed Next Steps Should the Board endorse Option 3, NPCA staff propose the following approach:

- NPCA staff will further research appropriate structures to use and on which canal outlets to the Biederman Drain would have the intended effects of further rehabilitating the NPCA owned portion of the Wainfleet Bog.
- NPCA staff will work to identify estimated inundation areas of water impoundment options
 associated with control structures. Existing topographic information and estimates of where
 areas may be inundated exists and can be readily attained through MNRF. Targeted
 inundation areas will be established working closely with key MNRF staff. This will also
 include avoidance and mitigation measures to reduce negative effects to Species at Risk.
 Where appropriate, NPCA staff will gain the necessary permits from MNFR/MECP in
 advance of any required work. NPCA will work within the allowable conditions of such permits
 for where they apply.
- NPCA staff will create a standing committee. NPCA will develop methods to achieve the proposed recommendation and bring it the committee for discussion and NPCA decision. Such a Committee will also help to achieve the NPCA goal of encouraging surrounding bog landowners for coordinated bog restoration efforts. Through this committee, efforts will be made to revitalize and update the 1997 Management Plan to ensure currency with the conditions of the bog, new information and any necessary adaptive management that is recommended. Through this committee, NPCA staff will consider recommendations from the experts who would sit on this committee on the water heights to be impounded to maintain an optimal hydrology for species at risk. A detailed terms of reference and implementation plan will be developed in 2022.
- NPCA staff, along with relevant partners (e.g. MNRF staff) will create an ecological monitoring plan that will identify appropriate ecological monitoring to ensure the targeted hydrology is reasonably attained through the control structures. This monitoring plan will also

have response plans for several potential scenarios with management actions. For example, determining if the levels are too high or too low and what measures should be taken and when.

Financial Implications:

Option One has no additional anticipated financial implications.

Option Two carries by far the greatest financial implication with a preliminary estimate of \$137,000 plus any unknown costs and additional annual drain maintenance costs of the drain.

Option Three (NPCA staff recommended) will have a modest increase in budget requirements. The budget for Option Three (i.e. Control structures) will need to be more fully understood although could be ballparked to \$5,000 to \$20,000.

Costs of managing an expert committee will be absorbed within staff workplans in 2022.

Note: Estimates are very approximate.

Links to Policy/Strategic Plan:

Links to the Policy and Strategic Plan through recognition of an existing Conservation Area and the values of its ecological significance and biodiversity for furthering the conservation objectives of the NPCA.

Related Reports and Appendices:

None

Authored by: Original Signed by: Nigel A. Ward, H.B.Sc., C. Tech Senior Planning Ecologist Reviewed by: Original Signed by: Adam Christie Director, Land Operations Submitted by: Original Signed by: Chandra Sharma, MCIP RPP

Chief Administrative Officer/Secretary-Treasurer

Attention City Clerk,

I am writing to you as a result of a visit we had from Port Colborne City Bylaw enforcement on June 17th 2021 in regards to a complaint lodged against my tow truck being parked on a residential street. According to the Highway Traffic Act, tow trucks are classified as emergency vehicles. It is for this reason that I am requesting an exemption from the bylaw against large motor vehicles.

This tow truck frequently responds to emergency services at international borders, Niagara Regional Police emergency calls, and Port Colborne bylaw enforcement calls. Because of the necessity for quick response times to emergencies, I am required to have this tow truck parked at my home. It allows me to have exceptional response times to these agencies, as well as to my non emergency customers.

I am hopeful that you will understand my position as a young, upstarting business owner who is trying to make up for lost revenue during the COVID business depression. I have enjoyed living in Port Colborne my entire life and am proud to call this my hometown. I sincerely hope you will see my point of view and consider granting me an exemption to park my emergency vehicle at 199 Christmas Street. The truck is always parked in a way that it doesnt block the view of the stop sign, the flow of traffic, or the vision of motorists in and out of driveways.

Sincerely,

Nicolas Desrosiers WillGo Towing

Nicolar Derroseins

289-219-1783



MINUTES of the Fifth Regular Board Meeting of 2021

Date: Tuesday, May 4, 2021

Time: 6:15 p.m.

Location: Virtual Meeting held via Microsoft Teams

Members Present: M. Cooper, Chair

B. Ingram, Vice-Chair M. Bagu, Councillor

B. BeckV. CattonH. CooperJ. FrenetteA. KennerlyC. MacMillan

Staff Present: S. Luey, Chief Executive Officer

S. Therrien, Director of Library Services (Board Secretary)

Regrets: B. Boles, Board Treasurer

1. Call to Order

The Chair called the meeting to order at approximately 6:20 p.m.

2. Declaration of Conflict of Interest

3. Adoption of the Agenda

Moved by C. MacMillan Seconded by A. Kennerly

21:031 That the agenda dated May 4, 2020 be adopted, as circulated.

Carried



4. Approval of Minutes

Moved by J. Frenette Seconded by B. Beck

21:032 That the minutes of the regular meeting, held April 6, 2021 be approved, as presented.

Carried

5. Business Arising from the Minutes

6. Consent Items

6.1. Circulation Reports

- 6.1.1. March 2021 Circulation Report
- 6.1.2. March 2021 Digital Programming Report
- 6.1.3. March 2021 LiNC Transit Report
- 6.1.4. First Quarter 2021 LiNC Transit Report

6.2. Financial Statement

6.2.1. April 28, 2021

6.3. Public Relations Report

Report submitted by Librarian R. Tkachuk on virtual library programming, e-resources, and social media during March 2021.

6.4. Media Items

- 6.4.1. Library Digital Programming Newsletter, May 2021
- 6.4.2. City Hall News, May 2021

Moved by H. Cooper Seconded by B. Ingram



21:033 That consent items 6.1 to 6.4 be received for information.

Carried

7. Discussion Items

7.1. Strategic Plan and Year 3 of Board Cycle

The Board discussed strategic and succession planning.

The Director will invite Gary Long, Manager of Strategic Initiatives, to the June meeting to present the City of Port Colborne's new strategic plan. The Director will also invite a consultant from Ontario Library Service (OLS) to the July board meeting to lead a discussion on planning and advocacy.

7.2. Director's Report

7.2.1. **COVID-19 Update**

The library is permitted to be open for contactless curbside delivery and pick-up. Curbside service includes pickup of library materials, print services, and take-and-make crafts. Only staff engaged in curbside activities are scheduled to work onsite. All other staff work remotely. The library continues to ensure that circulating materials returned to the library are disinfected, or quarantined before they are recirculated. The library also continues to ensure that contact information is recorded, with all staff and visitors digitally screened prior to entry to the facility. Screening documents are retained according to the retention policy.

7.2.2. Newsletter Distribution

The library posts the monthly newsletter on the website and on social media platforms (i.e., Twitter, Facebook, Instagram). Library staff is currently working with the website developers to implement online sign-up for users to receive the newsletter by email.

7.2.3. Building Condition Assessment and Designated Substances Survey

On April 23, 2021, Woods Environmental completed the designated



substances survey. The report is pending.

7.2.4. Libraries in Niagara Cooperative (LiNC) Update

Library Services Centre (LSC) will provide courier service for LiNC reciprocal borrowing. Deliveries start the week of May 3, 2021, with stops at Port Colborne every Tuesday.

7.2.5. Annual Survey of Libraries

The Director confirmed submission of the 2020 Annual Survey of Libraries to the Ministry. Completion of the survey is required to receive the annual provincial Public Library Operating Grant (PLOG).

7.2.6. Acorn TV

The library received notification that Acorn TV will not be available as of May 14, 2021. The vendor is working with Acorn to consider options for renewing the license. Library staff is currently investigating other streaming options, and posted notifications on the website and social media.

7.2.7. Staff Updates

The Director reported on staff development opportunities. Job description reviews for all C.U.P.E. staff are in progress.

7.2.8. Partnership Opportunity with Contact North Niagara

Brantford Public Library reached out to the Director for assistance to connect Contact North Niagara Campus with the Port Colborne Public Library. Contact North helps educationally underserved Ontarians in small, rural, remote, Indigenous, and Francophone communities get a degree, diploma, or certificate from Ontario's public colleges and universities, or upgrade their skills via online learning without leaving their communities.

The Director provided library registration information for Contact North Niagara students to support them in their online studies.

7.2.9. Funding Opportunities

• Niagara Investment in Culture (NIC) - \$6,500 project with the Museum approved ("Digging for Roots: Diversity Garden")



- Port Colborne Lioness Club Legacy Donation joint proposal with the Museum is under review
- Niagara Prosperity Initiative (NPI) joint application with LiNC partner libraries for lendable technology is under review
- Fort Erie Rotary Club approved the lending of two tablets to the library for patrons who are homebound
- OTF Resilient Communities Fund \$121,200 grant approved

Moved by C. MacMillan Seconded by B. Beck

21:034 That the Director's Report be received for information.

Carried

7.3. Ontario Trillium Fund: Resilient Communities Fund

The Resilient Communities Fund is a one-time fund to support the non-profit sector recover and rebuild from the impacts emerging from COVID-19 so they can effectively meet the needs of communities across Ontario.

The Ontario Trillium Fund approved a **\$121,200** Resilient Communities Fund grant for the City of Port Colborne. The grant will be used to help the library continue delivery of new and vibrant programs and services post-COVID-19 by renovating and re-equipping the library's public spaces. Projects include improvements to the service desk and public computer workstation areas, and the addition of private and collaborative study areas.

8. Decision Items

8.1. Policy Review

8.1.1. OP-15: Resource Sharing

8.1.2. OP-06: Programming

8.1.3. BL-01: Statement of Authority and Powers of the Board

8.1.4. BL-02: Composition of the Board and Officers' Terms of Reference

8.1.5. BL-03: Meetings of the Board



8.1.6. BL-04: Amendment of Bylaws

Moved by H. Cooper Seconded by B. Ingram

21:035 That the Board approves policies 8.1.1 to 8.1.6, as presented.

Carried

9. Board Members' Items

10. Notices of Motion

11. Date of the Next Meeting

The sixth regular meeting will be held Tuesday, June 1, 2021 at 6:15 p.m. via Microsoft Teams

12. Adjournment

Moved by J. Frenette Seconded by B. Ingram

21:036 That the meeting be adjourned at approximately 7:05 p.m.

Carried

Michael Cooper Board Chair June 1, 2021 Susan Therrien
Director of Library Services
Board Secretary
June 1, 2021



MINUTES of the Sixth Regular Board Meeting of 2021

Date: Tuesday, June 1, 2021

Time: 6:15 p.m.

Location: Virtual Meeting held via Microsoft Teams

Members Present: M. Cooper, Chair

B. Ingram, Vice-Chair M. Bagu, Councillor

B. BeckV. CattonH. CooperJ. FrenetteC. MacMillan

Staff Present: B. Boles, Board Treasurer

S. Therrien, Director of Library Services (Board Secretary)

Regrets: A. Kennerly

S. Luey, Chief Executive Officer

1. Call to Order

The Chair called the meeting to order at approximately 6:19 p.m.

2. Declaration of Conflict of Interest

3. Adoption of the Agenda

Moved by C. MacMillan Seconded by J. Frenette

That the agenda dated June 1, 2021 be adopted, as circulated.

Carried



4. Presentation

Gary Long, Manager of Strategic Initiatives, City of Port Colborne presented an overview of the City's strategic plan to the Board.

5. Approval of Minutes

Moved by B. Ingram Seconded by H. Cooper

That the minutes of the regular meeting, dated May 4, 2021 be approved as circulated.

Carried

Moved by J. Frenette Seconded by H. Cooper

That the minutes of the special meeting, dated May 11, 2021 be approved, as circulated.

Carried

6. Business Arising from the Minutes

7. Consent Items

7.1. Circulation Reports

- **7.1.1.** April 2021 Circulation Report
- **7.1.2.** April 2021 Digital Programming Report
- **7.1.3.** April 2021 LiNC Transit Report

7.2. Financial Statement

7.2.1. May 27, 2021

7.3. Public Relations Report



Report submitted by Librarian R. Tkachuk on virtual library programming, eresources, and social media during June 2021.

7.4. Media Items

- 7.4.1. Library Digital Programming Newsletter, June 2021
- **7.4.2.** City Hall News, June 2021

7.5. Director's Report

7.5.1. **COVID-19 Update**

Step 1 of the province's new Road to Reopen plan is expected to start the week of June 14, 2021. Until then, the library will continue to provide contactless curbside pick-up of library materials, print services, and take-and-make crafts. There are currently no in-person programs or services. Wi-Fi and the library's collection of e-resources are available 24/7.

7.5.2. Building Condition Assessment

On May 11, 2021, a crew from McIntosh Perry was on-site at the library and completed the building condition assessment. The reports for Designated Substances and Building Condition are pending.

7.5.3. Community Engagement

To help celebrate Fair Trade Month in Port Colborne, the library distributed Fair Trade informational flyers with every check-out during the month of May.

7.5.4. Funding Opportunities: Update

 The Rotary Club of Fort Erie will lend two tablets to the library for public use.

7.5.5. Data Analytics in Libraries



The Board received a report from the Director outlining statistics compiled by staff tracking engagements and services during the pandemic. With the introduction of new services and changes to existing ones, library staff handled thousands of questions by phone. In 2020, the library received 7,290 incoming calls. From January 1, 2021 to the end of May 2021, staff received 3,633 telephone calls. The Director reported that telephone service is an important component of user experience and that staff work diligently to help patrons access library materials and other services through curbside pick-up.

Moved by H. Cooper Seconded by C. MacMillan

That consent items 7.1 to 7.5 be received for information purposes.

Carried

8. Discussion Items

8.1. Financial Report (B. Boles)

8.1.1. 2020 Financial Statements

Moved by B. Beck Seconded by B. Ingram

That the Board receives the 2020 Financial Statements as presented.

Carried

8.1.2. Reserves

Moved by B. Ingram Seconded by C. MacMillan

That the Board accept the Treasurer's recommendation to move the reserves to meet future liabilities.



Carried.

8.1.3. 2022 Operating and Capital Budgets Submission Timeline

The Board will review the draft 2022 Operating and Capital Budgets at the July 2021 meeting to meet the submission deadlines.

8.2. Connectivity and Phones (S. Therrien)

8.2.1. Niagara Regional Broadband Network

Moved by H. Cooper Seconded by J. Frenette

That the Board approves the quote from Niagara Regional Broadband Network for installation of fibre and voice services.

Carried.

8.3. OTF Resilient Communities Fund Update (S. Therrien)

The Director presented an update on the progress of the OTF grant project.

9. Decision Items

9.1. Policy Review

9.1.1. OP-21: Lendable Technology

9.1.2. OP-22: Non-Traditional Circulating Items

Moved by H. Cooper Seconded by B. Ingram

That the Board approves policies 9.1.1 to 9.1.2, as presented.

Carried

10. Board Members' Items

11. Notices of Motion



12. Date of the Next Meeting

The seventh regular meeting will be held Tuesday, July 6, 2021 at 6:15 p.m. via Microsoft Teams

13. Adjournment

Moved by B. Beck Seconded by J. Frenette

That the meeting be adjourned at approximately 7:39 p.m.

Carried

Michael Cooper Board Chair July 6, 2021

Susan Therrien
Director of Library Services
Board Secretary
July 6, 2021

The Corporation of the City of Port Colborne
By-law no
Being a by-law to amend By-law 5494/91/10, being a by-law to approve a draft plan of subdivision, known as Chippawa Estates
Whereas the Council of The Corporation of the City of Port Colborne (Council) passed By-law 5494/91/10 that approved the Draft Plan of Subdivision for Chippawa Estates; and
Whereas Council passed By-law 5806/61/12 that approved the Draft Plan approval lapsing date of July 12, 2014; and
Whereas Council passed By-law 6588/43/18 that extended the Draft Plan approval lapsing date to June 11, 2019; and
Whereas Council passed By-law 6691/55/19 that extended the Draft Plan approval lapsing date to June 11, 2021; and
Whereas Council passed By-law 6897/45/21 that extended the Draft Plan approval lapsing date to July 22, 2021; and
Whereas Council is desirous of amending By-law 5494/91/10, in accordance with the recommendations of Planning and Development Department Report 2021-197, Subject: Recommendation Report for a Draft Plan Extension Request for the Chippawa Estates Subdivision;
Now therefore, the Council of The Corporation of the City of Port Colborne enacts as follows:
 That Section 4 of By-law 5494/91/10 be amended by deleting the following therefrom:
"That a Draft Plan approval lapsing date of July 22, 2021 be set, after which approval will lapse unless a subsequent extension is approved by Council."
That Section 4 of By-law 5494/91/10 be amended by adding the following thereto:
"That a Draft Plan approval lapsing date of July 12, 2022 be set, after which approval will lapse unless an extension is requested by the developer and, subject to review, granted by Council."
Enacted and passed this 12 th day of July, 2021.

William C. Steele Mayor

Amber LaPointe City Clerk

The Corporation of the City of Port Colborne

	The Corporation o	if the City of Port Colborne
	By-law No.	
		ntering into a Contract Agreement with arding Project 2021-21, Multi-Use Trail Repairs
Port Colborne		, the Council of The Corporation of the City of lations of the Public Works Department Report se Trail Repairs; and
entering into a		n of the City of Port Colborne is desirous of Diamond Earthworks Corporation regarding s;
Now therefore follows:	e the Council of The Corp	poration of the City of Port Colborne enacts as
	mond Earthworks Corpora	f Port Colborne enters into a contract agreement ation regarding Project 2021-21, Multi-Use Trail
directed complete	to sign said agreement, to	nd each of them is hereby authorized and gether with any documents necessary to reement, and the Clerk is hereby authorized to
Enacted and	passed this12 th day of July	2021.
		William C. Steele Mayor

Amber LaPointe

City Clerk

The Corporation of the City of Port Colborne

Being a By-law to Authorize Entering into an Agreement with Greg Poisson Regarding a CIP Agreement for 234-238 West Street

Whereas at its meeting of July 12, 2021, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Chief Administrative Office Report No.2021-193, Subject: CIP Agreement 234-238 West Street; and

Whereas Council is desirous of entering into an agreement with Greg Poisson, owner of 234-238 West Street, regarding the City's Downtown Central Business District Community Improvement Plan; and

Whereas the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, confers broad authority on municipalities to enter into such agreements;

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 enters into an agreement with Greg Poisson, owner of 234-238 West Street, regarding the City's Downtown Central Business District Community Improvement Plan.
- 2. That the Mayor and City Clerk be and they are hereby authorized and directed to sign the said agreement, attached hereto as Schedule "A", together with any documents necessary to complete the conditions of the said agreement, and the City Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 12th day of July, 2021.

William C. Steel Mayor	е	
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 Amber LaPointe		

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 July 12, 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 July 12, 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 12th day of July, 2021. William C. Steele Mayor