

City of Port Colborne Council Meeting Agenda

Date: Tuesday, August 23, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
 66 Charlotte Street, Port Colborne

	Pages
1. Call to Order	
2. National Anthem	
3. Land Acknowledgment	
4. Proclamations	
5. Adoption of Agenda	
6. Disclosures of Interest	
7. Approval of Minutes	
7.1. Regular Meeting of Council- August 09, 2022	1
7.2. Public Meeting - July 19, 2022	15
8. Staff Reports	
8.1. 2021 Development and Legislative Services Department Annual Report, 2022-197	22
8.2. Application for Expropriation – PIN 64164-0405, 2022-181	41
8.3. Billing of the Indian Creek, Haun, and Wagner Branch Drains Maintenance, 2022-175	45
8.4. Billing of the St. John's Marsh Municipal Drain, 2022-187	56
8.5. Haney Street Road Allowance – Stop Up and Close By-law and Surplus Declaration, 2022-186	71

8.6.	Declaration of Surplus Land – PIN 64141-0386, 2022-184	77
8.7.	Declaration of Surplus Land - PIN 64156-0026, 2022-183	81
8.8.	Olde Humberstone (Main St.) CIP Expansion Request, 2022-189	85
8.9.	Recommendation Report for a Zoning By-law Amendment at 1498 Wilhelm Road, 2022-188	89
8.10.	Recommendation Report for Development Agreement D11-05-22, 954 Wyldewood Road, 2022-190	99
8.11.	Marina Capital Project Update – Telehandler Purchase, 2022-198	107
8.12.	Canal Days Funding – Reconnect Ontario Grant, 2022-193	110
9.	Correspondence Items	114
9.1.	Niagara Peninsula Conservation Authority Board Meeting Minutes, July 15, 2022	
10.	Presentations	
11.	Delegations	
	In order to speak at a Council meeting, individuals must register no later than 12 noon on the date of the scheduled meeting. To register, complete the online application at www.portcolborne.ca/delegation , email deputyclerk@portcolborne.ca or phone 905-835-2900, ext. 115.	
12.	Mayor's Report	
13.	Regional Councillor's Report	
14.	Staff Remarks	
15.	Councillors' Remarks	
16.	Consideration of Items Requiring Separate Discussion	
17.	Motions	
18.	Notice of Motions	
19.	Minutes of Boards & Committees	

20. By-laws

20.1.	By-law to amend the assessment schedule and to levy the actual costs incurred for the maintenance of drainage works known as the Indian Creek, Wagner and Haun Municipal Drains	116
20.2.	By-law to Levy the Actual Costs Incurred in Constructing a Drainage Works Known as the St. John's Marsh Municipal Drain	117
20.3.	By-law to Stop and Close for Haney Street Road Allowance, of PIN 64149-0024	118
20.4.	By-law to amend Zoning By-law 6575/30/18 respecting the lands legally known as Lot 5 on Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1498 Wilhelm Road	119
20.5.	By-law to authorize entering into an agreement regarding 954 Wyldewood Road	121
20.6.	By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne	122

21. Confidential Items

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

22. Procedural Motions

23. Information items

24. Adjournment

City of Port Colborne Council Meeting Minutes

Date: Tuesday, August 9, 2022
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
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Member(s) Absent: D. Kalailieff, Councillor

Staff Present: B. Boles, Director of Corporate Services/Treasurer
S. Lawson, Fire Chief
S. Tufail, Acting Deputy Clerk
N. Rubli, Acting City Clerk
S. Shypowskyj, Director of Public Works
Gary Long, Acting CAO

1. Call to Order

Mayor Steele called the meeting to order at 6:34 p.m.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

5. Adoption of Agenda

Item 8.5, City Property – Surplus Declaration – PIN 64164-0453 was withdrawn at the request of staff.

Item 8.7, Recommendation Report for Zoning By-law Amendment D14-05-22, 409 Davis Street amended to correct a clerical error.

Moved by Councillor E. Beauregard

Seconded by Councillor F. Danch

That the agenda dated August 09, 2022 be confirmed, as amended.

Carried

6. Disclosures of Interest

6.1 Councillor R. Bodner - MAT By-law and Agreement, 2022-148

The Councillor has declared a direct pecuniary interest as he has a business inside of Sherkston Shores Resort.

6.2 Councillor E. Beauregard - MAT By-law and Agreement, 2022-148

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

6.3 Councillor E. Beauregard - Recommendation Report for a Temporary Draft Plan Extension to the Rosedale Estates Subdivision , 2022-176

The Councillor has declared an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the agents for the owner.

6.4 Councillor E. Beauregard - Chris Laverick- Request to receive exemption from By-law# 6949/95/21 and relief from Recharge to Tax Account

The Councillor has declared an indirect pecuniary interest as he is employed by Upper Canada Consultants and the delegate is a client of his employer.

6.5 Councillor E. Beauregard - By-law to establish a Municipal Accommodation Tax

The Councillor has an indirect pecuniary interest as he is employed by

Upper Canada Consultants, of which, Sherkston Shores affiliate corporations are clients of.

6.6 Councillor R. Bodner - By-law to establish a Municipal Accommodation Tax

The Councillor has declared a direct pecuniary interest as he has a business inside of Sherkston Shores Resort.

7. Approval of Minutes

7.1 Regular Meeting of Council- July 12, 2022

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

That the minutes of the regular meeting of Council, held on July 12, 2022, be approved as presented.

Carried

8. Staff Reports

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

That item 8.1 be approved, and the recommendations contained therein be adopted.

Carried

8.1 MAT By-law and Agreement, 2022-148

Councillor R. Bodner declared a conflict on this item. (The Councillor has declared a direct pecuniary interest as he has a business inside of Sherkston Shores Resort.)

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, Sherkston Shores affiliate corporations are clients of.)

That Office of the Chief Administrative Officer Report 2022-148 be received;

That the Municipal Accommodation Tax (MAT) at a rate of four per cent (4%), as described in Report 2022-48 dated March 22, 2022, be approved;

That the By-law to establish a MAT, as set out in Appendix A, be approved and effective September 1, 2022; and

That Council delegate authority to the Mayor and Acting City Clerk to enter into the agreement in Appendix B with Niagara's South Coast Tourism Association to share 50 per cent (50%) of the total amount of MAT revenue collected in a fiscal year.

8.2 City Property – Surplus Declaration – PIN 64164-0453, 2022-172

This item was withdrawn at the request of staff.

9. Correspondence Items

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That items 9.1 to 9.8 be received for information

Carried

9.1 Town of Fort Erie - Ontario Building Code to Provide Municipalities with Greater Flexibility

9.2 Town of Pelham - Support Town of Fort Erie Resolution Re Cross Border Travel and ArriveCAN

9.3 Regional Municipality of Niagara Police Services Board - City of Port Colborne Resolution - Catch and Release Justice

9.4 NPCA Board Meeting Highlights, June 17, 2022

9.5 Town of Brantford - Potential Threat to Residential Home Ownership

9.6 City of Brantford - Seeking Prosperity and Partnership with Indigenous Nations and a Timely Resolution of Haldimand Tract Land Dispute

9.7 Ontario Sheep Farmers - Livestock Guardian Dogs and Herding Dogs By-law Requests

9.8 Ontario Energy Board Notice - Customers of Enbridge Gas Inc.

10. Presentations

10.1 Amy Lemay-Coordinator of the Niagara Agriculture Municipal Learning Network

Amy Lemay-Coordinator of the Niagara Agriculture Municipal Learning Network, provided a presentation on building strong partnerships and growing Municipal capacity to promote and support agriculture in the Niagara Region and responded to questions received from Council.

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That the presentation from Amy Lemay, Coordinator of the Niagara Agriculture Municipal Learning Network be received for information.

Carried

11. Delegations

11.1 Chris Laverick- Request to receive exemption from By-law# 6949/95/21 and relief from Recharge to Tax Account

Councillor E. Beauregard declared a conflict on this item. (The Councillor has declared an indirect pecuniary interest as he is employed by Upper Canada Consultants and the delegate is a client of his employer.)

Chris Laverick reiterated his request to Council with respect to receiving an exemption exemption from By-law# 6949/95/21 and relief from Recharge to Tax Account and responded to questions received from Council. .

Moved by Councillor F. Danch

Seconded by Councillor R. Bodner

That the delegation from Mr. Chris Laverick, owner of 2970 Highway No. 3 be received;

Carried

Amendment:

Moved by Councillor A. Desmarais

Seconded by Councillor F. Danch

That the \$1,397.03 be recovered from the property owner and the remaining balance of \$632.68 be waived.

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

14. Staff Remarks

14.1 White Wolf Incident (Lawson)

The Fire Chief informed Council that the investigation into the housing of the wolf is being conducted by multiple enforcement agencies. Councillor Desmarais stated that she would forward questions received from the public and requested that they be included as part of the investigation.

14.2 Canal Days (Boles)

The Director of Corporate Services/Treasurer expressed appreciation towards the Event and Volunteer Coordinator, Luke Rowe and Council for their assistance with Canal Days.

14.3 Nickel Beach Update (Boles)

The Director of Corporate Services/Treasurer informed Council that the washroom project at Nickel beach is expected to be completed in Fall 2022. He further stated there will be limit in place for vehicles from other areas visiting the beach for the rest of this season to ensure parking and a safe environment.

In response to Councillor Danch's inquiry regarding the closure of Nickel beach due to bacteria, the Director of Corporate Services/Treasurer advised that there was no closure and the residents are able to access the area for other amenities.

In response to Councillor Bagu's inquiry regarding the maintenance of the beach shore, the Director of Corporate Services/Treasurer advised that an approval or direction from the Ministry of Natural Resources is required for any maintenance to take place on the beach.

14.4 Hydro One Transformer Station Update (Shypowskyj)

The Director of Public Works advised Council that the project to advance the refurbishment of the Transmission Station by Hydro One is on track and the proposed completion date is November 2022.

15. Councillors' Remarks

15.1 Sherkston Shores Access (Wells)

Councillor Wells informed that the Chief Administrative Officer, the Manager of Strategic Initiatives and Councillor Wells met with the management group of Sherkston Shores on July 25, 2022. Councillor Wells further stated that another meeting is scheduled for August 25, 2022 to discuss restoring requested access by the residents of the Hamlet.

15.2 Canal Days (Desmarais)

Councillor Desmarais expressed appreciation towards staff for their efforts in leading a successful Canal Days event.

15.3 Cleaning and Upkeep of Trails (Desmarais)

Councillor Desmarais expressed appreciation towards staff for all their efforts in maintaining the trails as she has received compliments from the public.

15.4 Bridge Maintenance (Desmarais)

In response to Councillor Desmarais' concern regarding surface maintenance of the bridges throughout the City, the Acting Chief Administrative Officer confirmed that these concerns will be discussed during the meeting with Seaway officials on August 10, 2022.

15.5 Canal Days (Bruno)

Councillor Bruno expressed gratitude towards Labatt for their support and sponsorship during Canal Days.

15.6 Congratulations to Steve Shypowskyj (Bruno)

Councillor Bruno congratulated the Director of Public Works on his position.

15.7 Municipal Access Agreements (Bruno)

Councillor Bruno expressed appreciation towards staff for addressing customer's request and completing municipal access permit in a short period of time.

15.8 Cross-walk at H.H. Knoll Lakeview Park (Bagu)

Councillor Bagu expressed appreciation towards staff for adding a cross-walk for pedestrians to access food trucks at H.H. Knoll Lakeview Park.

15.9 Parking Notification (Bagu)

Councillor Bagu advised Council that he urged a number of residents to contact staff to obtain a Participate Pass for parking during Canal days as some of the residents did not receive notification.

15.10 Shopping Cart on Main Street (Danch)

In response to Councillor Danch's request to remove a shopping cart located on Main street, the Director of Public Works confirmed that he will investigate.

15.11 Parking on Main Street (Danch)

Councillor Danch requested that parking issue on Main Street be investigated.

16. Consideration of Items Requiring Separate Discussion

16.1 Building Permit Fee Recommendation Report, 2022-167

Moved by Councillor R. Bodner

Seconded by Councillor F. Danch

That Development and Legislative Services Department Report 2022-167 be received; and

That Council approve the new Building Permit Fees identified in Appendix A of Appendix A - Building Fee Review Report; and

That the updated Schedule T of the User Fees and Charges By-law be included in a future amendment to By-law 6949/95/21

Carried

16.2 Department of Museum and Culture Registrar Report, 2022-166

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That Department of Museum and Culture Report 2022-166 be received; and

That the recommendations to increase the part time position of Registrar to a full-time position moving forward be approved.

Amendment:

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

That the Department of Museum and Culture Registrar Report 2022-166 be referred to the Corporate Services Department for a staffing review and a report be brought back to Council before or at the 2023 budget deliberations.

Carried

16.3 Application for Approval to Expropriate - 1ft reserve - Christmas, Bell, and Johnston Streets, 2022-177

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

That Chief Administrative Office – Economic Development Report- 2022-177 be received; and

That Council direct staff to engage the City Solicitor to prepare an application for approval to expropriate the one-foot reserve at the end of Christmas, Bell and Johnston Streets legally described as PIN 64164-0451.

Amendment:

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

That Chief Administrative Office – Economic Development Report- 2022-177 be received; and

That Council direct staff to engage the City Solicitor to prepare an application for approval to expropriate the one-foot reserve at the end of Christmas, Bell and Johnston Streets legally described as PIN 64164-0451; and

That staff be directed to put a formal agreement in place prior to the finalization of the expropriation.

Carried

16.4 Hubbard Drive – Application for Approval to Expropriate, 2022-171

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

That Office of the Chief Administrative Office-Economic Development and Tourism Division Report 2022-171 be received; and

That Council supports the recommendations contained in Report 2022-171 to proceed with an application for approval to expropriate Hubbard Drive, legally described in PIN 64150-0014 and being Pt Lt 26 Con 2 Humberstone, Pt 4 of 59R-1034 and that staff engage the City Solicitor to initiate the process.

Amendment:

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

That Office of the Chief Administrative Office-Economic Development and Tourism Division Report 2022-171 be referred to staff in order to investigate alternative options, better access and less liability on the City and bring a report forward to Council with further details.

Carried

a. Virtual delegation from Melissa Bigford, resident

16.5 Recommendation Report for Zoning By-law Amendment D14-05-22, 409 Davis Street, 2022-179

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

That Development and Legislative Services Department Report 2022-179 be received; and

That Council approves the Zoning By-law Amendment attached as Appendix A, to amend the subject lands from Second Density Residential 'R2' Zone to Fourth Density Residential 'R4-68' Zone.

Carried

16.6 Recommendation Report for a Temporary Draft Plan Extension to the Rosedale Estates Subdivision , 2022-176

Councillor E. Beauregard declared a conflict on this item. (The Councillor has declared an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the agents for the owner.)

Moved by Councillor M. Bagu

Seconded by Councillor A. Desmarais

That Development and Legislative Services Department- Planning Services Report 2022-176 be received; and

That Council approve, the temporary extension of the Rosedale Estates Draft Plan of Subdivision for a period of four (4) months; and

That Council approve the By-law authorizing the temporary extension of the Rosedale Estates Draft Plan of Subdivision for a period of four (4) months.

Carried

17. Motions

18. Notice of Motions

19. Consent Minutes of Boards & Committees

Moved by Councillor R. Bodner

Seconded by Councillor F. Danch

That items 19.1 to 19.5 be approved, as presented.

Carried

19.1 Port Colborne Historical & Marine Museum Minutes, June 21, 2022

19.2 Port Colborne Economic Development Advisory Committee Minutes, March 17, 2021

19.3 Seniors Citizen Advisory Council Minutes, May 17, 2022

19.4 Port Colborne Public Library Board Meeting, June 1, 2022

19.5 Grant Policy Committee Minutes, February 7, 2022

20. Recommendations Arising from Boards and Committees

21. By-laws

Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That items 21.2, 21.3 and 21.5 be enacted and passed.

Carried

21.2 By-law to authorize an Agreement between The Corporation of the City of Port Colborne and Niagara's South Coast Tourism Association

21.3 By-law to amend Zoning By-law 6575/30/18 respecting the lands legally known as Part of Lot 9 on Plan 849, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 409 Davis Street

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

21.1 By-law to establish a Municipal Accommodation Tax

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, Sherkston Shores affiliate
corporations are clients of.)

Councillor R. Bodner declared a conflict on this item. (The Councillor has
declared a direct pecuniary interest as he has a business inside of
Sherkston Shores Resort.)

Councillor Beauregard declared an indirect pecuniary interest as he is
employed by Upper Canada Consultants, of which, Sherkston Shores
affiliate corporations are clients of.

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

That item 21.1 be enacted and passed.

Carried

21.4 By-law to amend by-law 6808/58/20 to set a lapsing date of draft plan approval for Rosedale Subdivision

Councillor Beauregard has declared an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the agents for the owner.

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That item 21.4 be enacted and passed.

Carried

22. Confidential Items

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That Council do now proceed into closed session in order to address items 22.1 to 22.3.

Carried

22.1 Minutes of the closed session of the July 12, 2022 Council Meeting

22.2 Chief Administrative Office Report 2022-165, a proposed or pending acquisition or disposition of land by the municipality or local board

22.3 Chief Administrative Office Report 2022-169, a proposed or pending acquisition or disposition of land by the municipality or local board

23. Procedural Motions

24. Information items

25. Adjournment

Council moved into Closed Session at approximately 8:55 p.m.

Council reconvened into Open Session at approximately 9:24 p.m.

Mayor Steele adjourned the meeting at approximately 9:25 p.m.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk

City of Port Colborne
Public Meeting Minutes

Date: Tuesday, July 19, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Member(s) Absent: F. Danch, Councillor
R. Bodner, Councillor

Staff Present: S. Tufail, Acting Deputy Clerk
N. Rubli, Acting City Clerk
C. Roome, Planner
D. Landry, Manager of Planning Services

1. Call to Order

Mayor Steele called the meeting to order at 6:30 p.m.

2. Adoption of Agenda

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

That the agenda dated July 19, 2022 be confirmed, as amended.

Carried

3. Disclosures of Interest

4. Statutory Public Meetings

4.1 Public Meeting Report for Proposed Zoning By-law Amendment at 409 Davis Street, D14-05-22, 2022-162

Purpose Of Meeting

The purpose of this meeting, pursuant to section 34 of the Planning Act, is to consider an application initiated by the applicant Steven Rivers on behalf of the owner Jonathan Beam for the lands legally known as Part of Lot 9 on Plan 849, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 409 Davis Street.

The application for Zoning By-law Amendment proposes to change the zoning from Second Density Residential (R2) to a special provision of the Fourth Density Residential zone that will reduce the front yard setback from 9m to 2.26m, the interior side yard setback from 1.2m to 0.69m and the corner side yard setback from 3m to 2.04m.

Method of Notice

Notice of the Public Meeting was administered in accordance with Section 34 of the Planning Act, as amended, and Ontario Regulation 545/06.

The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the lands on June 28th, 2022. A public meeting sign was also posted on the property no later than June 28th, 2022. Meeting details have been provided along with the Council Agenda.

Presentation of Application for Zoning By-law Amendment

Mr. Roome, City Planner, presented the following:

This application proposes to change the zoning from R2 to a special provision of the Fourth Density Residential zone. The special provision is being sought to reduce the front yard setback from 9m to 2.26m, the interior side yard setback from 1.2m to 0.69m and the corner side yard setback from 3m to 2.04m. This application is being sought to permit the construction of a proposed six-unit residential building on the subject parcel.

That Planning and Development Report – Planning Division 2022-162 be received for information.

Moved By Councillor H. Wells

Seconded By Councillor G. Bruno

That Planning and Development Report – Planning Division 2022-162 be received for information.

Carried

a. Delegation from Steven Rivers, applicant

Steven Rivers, the applicant from South Coast Consulting presented the proposal.

Questions of Clarification to Staff

Councillor Wells stated the structure will not impact visual aspects in the area.

Councillor Bruno agreed it would be a visual lift of the neighbourhood.

Councillor Beauregard asked for clarification regarding the landscape requirement on the property.

Mr. Roome explained that the landscape requirement in Port Colborne's Zoning By-law is 25% and includes the landscape strip.

b. Delegation from Judy Kramer, resident

The delegates attended the meeting on behalf of their daughter, a neighbour of the proposed property. Mr. and Mrs. Kramer expressed concerns with the following:

- Parking capacity in the area
- The height of the building
- Lack of green space for residents resulting in insufficient drainage.

Mr. Roome confirmed the proposal meets the landscape coverage requirement in the R4 zone.

Mr. Kramer asked for clarification on the proposed second storey and its height.

Mr. Rivers confirmed there is a proposal for a second storey on the drawings.

Ms. Landry, Manager of Planning, explained the proposal will have to meet the City's Zoning By-law maximum height requirement of 11 metres.

Mr. Kramer asked if the height requirement must be met and indicated on a plan before the granting of the Zoning By-law Amendment.

Ms. Landry clarified there is no contention if the proposal meets the Zoning By-law.

Questions of Clarification to Staff

Councillor Beauregard asked whether a Planning Justification Report was required.

Mr. Roome answered no.

Councillor Bruno asked when building drawings are submitted in the process.

Mr. Roome stated drawings are submitted after the Zoning By-law Amendment process.

That Planning and Development Report – Planning Division 2022-162 be received for information.

Councillor Desmarais entered the meeting at 6:53pm.

4.2 Public Meeting Report for Official Plan and Zoning By-law Amendments to the Mineral Aggregate Operation Policies, Files D09-01-20 and D14-03-20, 2022-157

Purpose Of Meeting

The purpose of this meeting, pursuant to Sections 22 and 34 of the Planning Act, is to consider an application initiated by the City of Port Colborne for proposed changes to the policies and regulations of the Mineral Aggregate and Petroleum Resources and Mineral Aggregate Operation land uses within the municipal boundary of the City of Port Colborne.

Method Of Notice

Notice of the Public Meeting was administered in accordance with Sections 22 and 34 of the Planning Act, as amended, and Ontario Regulations 543/06 and 545/06.

The Notice of Public Meeting was circulated via the Port Colborne Niagara This Week newspaper and to required agencies by June 9, 2022. Any members of the public who previously provided comments on this application were also notified via email and/or regular mail.

Moved By Councillor M. Bagu
Seconded By Councillor D. Kalailieff

That Development and Legislative Services – Planning Division Report 2022-157 be received for information.

Carried

a. Delegation from Mary Lou Tanner and Aaron Butler, NPG Planning Solutions Inc., applicant

Ms. Tanner, the Principal Planner at NPG Planning Solutions Inc., presented proposed changes to the Official Plan and Zoning By-law using the regulatory framework of the Planning Act and Aggregate Resources Act. Ms. Tanner addressed public concerns regarding:

- The protection of the South Niagara Aquifer
- Soil Management & Site Alteration

Questions of Clarification to Staff and Consultants

Councillor Beauregard asked which policy the 300-metre setback is from.

Ms. Tanner stated the setback is from the Land-use Compatibility Guidelines as known as the D6 Guidelines.

Councillor Wells asked for clarification regarding the aquifer being a future source of drinking water.

Ms. Tanner indicated it would have to be identified as a municipal drinking source before that is allowed.

Councillor Wells asked for clarification that the Clean Water Act does include future water resources and the protection of the resources.

Ms. Tanner acknowledged the protection of future water resources is in the Clean Water Act.

Councillor Bagu asked how the 300-metre setback is measured.

Ms. Tanner answered measurement is from property line to property line.

Councillor Bagu asked if the Niagara Official Plan had been approved.

Ms. Tanner answered it is pending with the Ministry for approval.

Councillor Desmarais asked if the aquifer will be a potential source of drinking water in the future.

Ms. Tanner answered the Region would make this decision.

Councillor Bruno asked to clarify Section 66 of the report provided to Council regarding the Planning Act and provincial regulation.

Ms. Tanner explained Section 66 of the *Planning Act* allows for the overriding of Municipal legislative policies when the *Aggregate Resources Act* is paramount.

Councillor Wells asked why the term cement plant was not included as a specific use and highly recommends it be included.

Ms. Tanner explained there were some changes in the wording used as requested by the public

b. Delegation from Jack Hellinga, resident

Jack Hellinga requested that the City and NPG be aware of a reference under Ontario Regulation 466/20 under the *Aggregate Resources Act*, restricting recyclable asphalt from being stored within 30m of a body of water, or within two metres of the groundwater table.

c. Delegation from Gary Gaverluk, resident

Suggests some considerations to clearly define each type of accessory use and that under O. Reg. 466/20, certain uses such as recyclable asphalt uses cannot be within 2m of the groundwater table and/or within 30m of a body of water.

d. Delegation from Melissa Bigford, resident

Suggests including the protection of aquifers as a natural heritage feature in Municipal Official Plans under the natural heritage section. Concerned with the recommended 300-metre setback as opposed to the 1000-metre setback outlined in Section 4.11 in the Provincial D6 guidelines.

e. Delegation material from Carol Siemiginowski, Senior Land Manager, Southwest Ontario and Atlantic, Lafarge Canada Inc.

Requests some wording changes to the policies and definitions proposed to clarify that the policies apply only to mineral aggregate-related uses when located outside of a mineral aggregate operation.

Concerned with the blanket approach to considering all mineral aggregate related as Class III under the Province's D6 guidelines.

f. Niagara Region -Planning and Development Services

Regional Planning and Development Services staff are supportive of the amendments from a Provincial and Regional perspective, subject to consideration of the comments contained in the attached Appendix of their letter. On this basis the amendments would be consistent with the PPS and conform to Provincial and Regional plans. The appendix of the Region's letter offers some considerations for some wording changes to the amendments.

5. Procedural Motions

6. Information Items

7. Adjournment

Mayor Steele adjourned the meeting at approximately 7:41 p.m.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk



**Subject: 2021 Development and Legislative Services Department
Annual Report**

To: Council

From: Development and Legislative Services Department

Report Number: 2022-197

Meeting Date: August 23, 2022

Recommendation:

That 2021 Development and Legislative Services Department Report 2022-197 be received.

Purpose:

This report is provided to Council as an update on the activities of Development and Legislative Services Department Annual Report.

Background:

The Director of each department has been tasked with providing Council with a year in review and look ahead. This review is provided to Council with insight into various activities and functions that each department provides within the City structure.

Discussion:

The year in review and look ahead is provided by way of the presentation attached as Appendix A.

Internal Consultations:

The activities and functions in the year-end review and look ahead have been made possible thanks to the support of departments across the City.

Financial Implications:

There are no financial implications associated with this report.

Public Engagement:

This report supports accountability and transparency.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

This Development and Legislative Services Department year in review and look ahead be received for information purpose.

Appendices:

- a. Development and Legislative Services Department Year in Review Presentation

Respectfully submitted,

Scott Lawson

Fire Chief/Acting Director of Development and Legislative Services

905-834-4512, extension 402

scott.lawson@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.



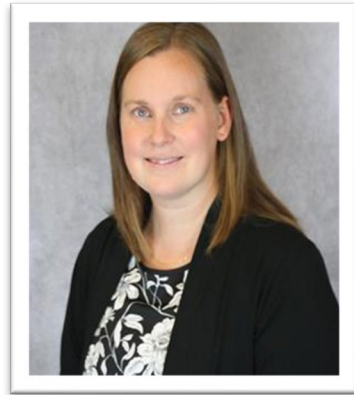
PORT COLBORNE
DEVELOPMENT & LEGISLATIVE
SERVICES

Development and Legislative Service Clerks Division

August 23, 2022

MEET THE
TEAM

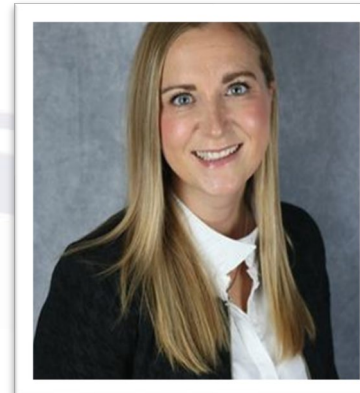
Clerks Division



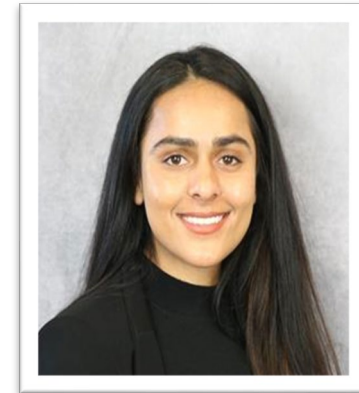
Amber LaPointe
Director of Development and
Legislative Services/Clerk



Nicole Rubli
Acting City Clerk



Charlotte Madden
Deputy Clerk



Saima Tufail
Interim Deputy Clerk



Brenda Heidebrecht
Legislative Assistant



Whitney Gilliland
Licensing Clerk
Page 25 of 122



Diana Vasu
Election Coordinator



CITY CORPORATE VALUES

Integrity – we interact with others ethically and honourably

Respect – we treat each other with empathy and understanding

Inclusion – we welcome everyone

Responsibility – we make tomorrow better

Collaboration – we are better together

Division: Anchored in success

Highlights:

- ❖ Committee Recruitment
- ❖ Procedural By-law Review and Update
- ❖ Election Sign By-law
- ❖ Overhaul of Lottery Licensing and Election webpages
- ❖ Safe return to In-Person Council Meetings
- ❖ Introduction to Hybrid Attendance Model
- ❖ Continued with Emergency Management Efforts



Division: Deckhands in action

Current Projects/Responsibilities:

- ❖ 2022 Municipal Election/Council Orientation
- ❖ eSCRIBE (Phase 2) – Citizen Committees/Closed Session
- ❖ Business Licence Review and Update
- ❖ Delegated Authority By-law
- ❖ Citizen Committee Review – Terms of Reference/Composition
- ❖ Freedom of Information – Routine Disclosure Policy/Staff Training
- ❖ Customer Service Enhancements



Division: Propelling forward

Future Projects/Responsibilities

- ❖ New Council Term - Onboarding and Orientation Continues
- ❖ Committee Recruitment & Procedural Training
- ❖ Records Retention and Electronic Software Project
- ❖ Policy/Processes - Modernizing Efficiencies





PORT COLBORNE

· DEVELOPMENT & LEGISLATIVE
SERVICES ·

Development and Legislative Services Planning Division

August 23, 2022

Planning Division



Denise Landry
Manager of Planning Services



Chris Roome
Planner



Nicholas Olschansky
Engineering Technologist



David Schulz
Senior Planner



Samantha Yeung
Planning Technician/ Secretary
Treasurer



Ella Morkem
Planning Student
Page 31 of 122



Department/ Division Focus Areas

Modernizing to
Create Efficiencies

Excellence in
Customer Service

Planning for the
Future

Planning: Anchored in success

2021 Highlights

- Record number of planning applications
- 80 Pre-consultation Meetings
- Port Colborne Quarry Pit 3 Expansion Application
- 72 Killaly Street E – Warehouse Zoning Bylaw Amendment
- CIP Update –collaboration with Economic Development
- Affordable housing strategy – collaboration with Economic Development
- Initiation of Secondary Plans – private land owners
- Waterfront Concept Project
- Southport Condos Approval – 74 Units

Southport Condos Approval



Planning: Anchored in success

27 Neff Street – 6 Units



1965 Ramey Road - Industrial



Planning: Deckhands in action

Customer Service

- Planning Applications / Building Permit Fees Review
- Heritage Property Review
- Planning Application Process Review
- Preparing Site Plan Guidelines

Planning for the Future

- Mineral Aggregate Operations Policy and Zoning Update
- Parkland Dedication Bylaw Review and Update

Planning: Propelling forward

Modernizing Efficiencies

- Planning Module – City Wide Software
- Integrated GIS System

Planning for the Future

- Official Plan Review and Update – Conformity with new Regional OP
 - Affordable housing strategy implementation
 - Waterfront conceptual plan implementation
 - Growth management strategy
- Development Charge Bylaw Update
- Zoning Bylaw Housekeeping Amendment
- Planning Policy/ Bylaws Review



PORT COLBORNE

· DEVELOPMENT & LEGISLATIVE
SERVICES ·

Development and Legislative Service Building Division

August 23, 2022

Building Division: Anchored in Success

- **Building a Safe Community**
 - Ensures that all construction taking place in Port Colborne follows Ontario Building Code requirements. This ensure projects in Port Colborne are safe for the community.
- **Guidance through Permit Process**
 - Work with applicants to ensure their proposed projects adhere to City By-Laws and other regulatory agencies. The Division works in conjunction with various departments to ensure projects do not contradict applicable law and standards.
- **Inspections**
 - Working under the jurisdiction of the Building Code Act, staff ensure that issued permits are executed in a timely manner and that projects match what was proposed and approved
- **Orders**
 - If buildings are deemed unsafe, the Division is responsible to issue orders to rectify structures that are not following standards.



Building Division: Deckhands in Action

- Over 300 permits issued
 - Approximately \$40 million in project value
 - \$243,681 in building fees paid
- Approximately 50 inspection scheduled per month
 - Includes mandated inspections based on stages of construction and investigations for construction without permit

Working to transition from paper inspection forms to digital



Building Division: Propelling Forward

- Implementation of new software for permit tracking and reporting
 - Citywide Permits Module live June 1, 2022 and will be used as the database for all new permit applications going forward
- Work toward implementing an electronic plans review software to move toward fully digital servicing
 - BlueBeam
- Implement online portal for permit applications
 - Applicants can apply fully online and track their permit status daily
- Develop interdepartmental processes to decrease wait times on issuing permits
 - Utilize new Citywide software to track the entire process, create work orders to track timelines and ensure approvals are timely
- Implement update user fees to achieve full-cost recovery
 - Fee study completed by consultant to use activity-based costing to develop a more equitable fee schedule with respect to other Niagara Municipalities
- Continue to educate the community to understand why permits are important and when a permit is required
 - Update information guides, increase community engagement
- Continuous staff development and training
 - Workshops, courses, management, Ontario Building Officials Association membership, etc



Subject: Application for Expropriation – PIN 64164-0405

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-181

Meeting Date: August 23, 2022

Recommendation:

That Chief Administrative Officer – Economic Development and Tourism Division Report 2022-181 be received; and

That Council direct staff to engage the City Solicitor to prepare an application for approval to expropriate PIN 64164-0405 legally described as Reserve A PI 871 Port Colborne.

Purpose:

The purpose of this report is to seek Council support to have the City Solicitor initiate an expropriation process for PIN 64164-0405 legally described as Reserve A PI 871 Port Colborne and shown on Appendix A.

Background:

A title search confirms that PIN 64164-0405, which is located at the end of Johnston Street and runs south towards the Niagara Region pumping station, has been owned by the same individual prior to the registration of the Subdivision Plan 871 in 1953. This parcel, shown on Appendix A, was not transferred to the City or dedicated as a public road. The parcel dimensions are 9.52 metres in width and 46.59 metres in length. The City would like to initiate the legal process to expropriate the parcel to support future development in the area and secure legal access to the pumping station.

Discussion:

The expropriation process will take approximately six (6) to eight (8) months to complete and will require a survey, application to the court for permission to serve notice by an alternative means and notice of the application in the newspaper.

There is no roll number for the parcel and there is no other address or contact information for the individual or their estate.

Staff are recommending that the City Solicitor initiate an expropriation process to have this City acquire ownership of this parcel.

As shown in Appendix A, this is a separate parcel at the end of the one-foot reserve running north-south at the ends of Christmas, Bell, and Johnston Streets. The expropriation process for this one-foot reserve was proposed in Report 2022-177 and approved by Council at the August 9th meeting.

Internal Consultations:

Public Works are supportive of the City acquiring and having ownership of this parcel, adding this to a future road network, and being able to secure legal access to the nearby pumping station.

Financial Implications:

The legal, public notice, and survey fees are estimated to be in the \$5,000 to \$10,000 range. There may be efficiencies and cost savings by having staff and the City Solicitor complete this work in conjunction with the expropriation of the one-foot reserve outlined in Report 2022 -177 and approved at the August 9th Council meeting. This will be funded from the Economic Development Land Reserve.

Public Engagement:

Expropriation is a public process governed by the *Expropriation Act, R.S.O 1990, c. E.26.* and as per the Act Public notice of the application for and the approval of expropriation will be advertised publicly in the newspaper for three (3) consecutive weeks.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

The privately owned parcel shown in Appendix A and legally described in PIN 64164-0405, was registered prior to 1953 and was never conveyed to the City. Staff have spoken with the City Solicitor regarding this parcel, and it has been recommended that the City initiate an expropriation process to acquire the parcel to secure access to the pumping station located south of the subject parcel.

Appendices:

- a. Property Map PIN 64164-0405

Respectfully submitted,

Bram Cotton
Economic Development Officer
(905) 835-2900 Ex 504
Bram.Cotton@portcolborne.ca

Gary Long
Manager of Strategic Initiatives
(905) 835-2900 Ex. 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.

Killaly S. East

One-foot Reserve
PIN 64164-0451



Christmas St.

Right - of - Way

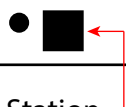
Bell St.

Future Development
PIN 64164-0504

Johnston St.



Parcel to be expropriated-64164-0405



Pumping Station

City-owned Parcel - PIN 64164-0453

**Subject: Billing of the Indian Creek, Haun, and Wagner Branch
Drains Maintenance**

To: Council

From: Public Works Department

Report Number: 2022-175

Meeting Date: August 23, 2022

Recommendation:

That Public Works Department Report 2020-175 be received; and

That the billing for the Indian Creek, Haun, and Wagner Branch Municipal Drains be invoiced in accordance with the *Drainage Act*; and

That the By-law to Amend the Assessment Schedule and to Levy the Actual Costs Incurred for the Maintenance of Drainage Works Known as the Indian Creek, Haun, and Wagner Branch Municipal Drains be approved.

Purpose:

This report has been prepared to inform Council of the commencement of billing for the maintenance work completed on the Indian Creek, Haun, and Wagner Branch Municipal Drains.

Background:

Once a Municipal Drainage Report has been adopted by Council, it is then the Municipality's responsibility to perform maintenance on said drain. The maintenance of the Indian Creek, Haun, and Wagner Branch Municipal Drains was performed under Section 74 of the *Drainage Act*, (R.S.O., 1990). Section 74 of the Act states:

“Any drainage works constructed under a by-law passed under this Act or any predecessor of this Act, relating to the construction or improvement of a drainage works by local assessment, shall be maintained and repaired by each local municipality through which it passes, to the extent that such drainage works lies

within the limits of such municipality, at the expense of all the upstream lands and roads in any way assessed for the construction or improvement of the drainage works and in the proportion determined by the then current by-law pertaining thereto until, in the case of each municipality, such provision for maintenance or repair is varied or otherwise determined by an engineer in a report or on appeal therefrom.”

The most current report for the assessment schedules of the Indian Creek, Haun, and Wagner Branch Drains area outlined in By-law 3469/50/97, dated April 12, 1999, which adopted the new report prepared by Wiebe Engineering Group Inc.

Discussion:

The unbilled works have taken place over a number of years, specifically from 2018-2021. The maintenance works, performed both by contractors and Public Works staff, consist of beaver trapping, removal of associated dams, brushing and clearing, excavation to design grade and levelling of the spoils.

Breakdown of maintenance costs as detailed in the current financial ledger for accounts M33202, M33222 and M33240 are as follows:

Indian Creek	2018	-	\$	651.88		
	2019	-	\$	799.70		
	2020	-	\$	39,010.53		
	2021	-	\$	1,100.00	=	\$41,562.11
Wagner Branch	2020	-	\$	3,267.94	=	\$ 3,267.94
Haun	2019	-	\$	24,446.86		
	2020	-	\$	9,306.62	=	<u>\$33,753.48</u>
						\$78,583.53

The total outstanding amount is \$78,583.53. The amount of \$14,707.47 has been funded through Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) grants and the City's portion is \$14,878.51 for roads and owned parcels within the drains. The remaining amount of \$48,997.55 will be collected from the benefiting property owners as per the respective assessment schedule.

Financial Implications:

When the municipality completes work on a municipal drain, the costs are held at the City's expense until the time of billing, at which point those funds can be collected from the owners of property within the watershed.

The City's portion of \$14,878.51 of the assessment will be paid through the City's levy budget reserve allocation.

Conclusion:

Staff would like to proceed with the passing of the amendment to the By-law to complete the billing of the drainage work and collect the outstanding amount of \$48,997.55 from the affected property owners. If these funds are not collected from ratepayers, the City would need to absorb these costs.

Appendices:

- a. By-law to Amend the Assessment Schedule and to Levy the Actual Costs Incurred for the Maintenance of Drainage Works Known as the Indian Creek, Haun, and Wagner Branch Municipal Drains.
- b. 2018-2021 Indian Creek Municipal Drain Engineer's assessment schedule, as contained within the currently adopted report (this schedule includes details regarding the roll number, current costs and OMAFRA Grants)
- c. 2020 Wagner Branch Municipal Drain Engineer's assessment schedule, as contained within the previously adopted report (this schedule includes details regarding the roll number, current costs and OMAFRA Grants)
- d. 2019-2020 Haun Municipal Drain Engineer's assessment schedule, as contained within the currently adopted report (this schedule includes details regarding the roll number, current costs and OMAFRA Grants)

Respectfully submitted,

Alana Vander Veen
Drainage Superintendent
905-835-2900 ext 291
Alana.VanderVeen@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 2022-175
Appendix A

The Corporation of the City of Port Colborne

By-Law no. _____

Being a by-law to amend the assessment schedule and to levy the actual costs incurred
for the maintenance of drainage works known as the Indian Creek, Wagner and Haun
Municipal Drains

Whereas By-law No. 3469/50/97, Being By-law's to Provide for Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara for the Indian Creek, Wagner and Haun Municipal Drains Municipal Drains, was enacted on the 12th day of April 1999, and provide for the update of assessment schedules, as submitted by Wiebe Engineering Inc.; and

Whereas Section 74, Chapter D.17 of the *Drainage Act, R.S.O. 1990* (the Act) compels each municipality to maintain that portion of a drainage works within its limits; and

Whereas Section 61(1) of the Act authorizes a municipality, upon the completion of the maintenance of the drainage works, to levy the final cost thereof to the lands and roads liable, as stated in the Engineer's Report, so as to recover the cost of said maintenance; and

Whereas in compliance with such duty, the municipality has carried out maintenance of said drainage works as per the design of the Engineer's Report, and the total actual cost incurred was \$78,583.53;

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

1. That By-law No.3469/50/97 is hereby amended by replacing the assessment schedule with the schedules appended hereto.
2. That the cost of the Indian Creek, Wagner and Haun Municipal Drains as provided for in By-law No. 3469/50/97, be levied against the lands and roads as set out in the assessment schedule in the Engineer's Report dated April 21, 1997, as amended, pro rata and as listed in the actual assessment column, more particularly shown on the schedules attached hereto, to be levied and collected in the same manner as taxes.
3. The invoiced amount will be automatically added to the billable tax accounts.
4. The properties within the watershed will receive invoices of the billable amount.
5. That the payments that have not been received within 90 days of the date of the notice, will accrue interest of 1.25% monthly.
6. That this by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting, City Clerk

2018-2021 MAINTENANCE INDIAN CREEK DRAIN				TOTAL CURRENT COST -----			\$41,562.11			
							BY-LAW No. 3469/50/97			
UNIT	RTC	LAND	OWNER	CON or	LOT	ROLL	AREA	CURRENT	OMAF	NET
CL		USE		PLAN	No.	NUMBER	AFFECTED	COST	GRANT	COST
K:\Drainage Superintendent\DRAINS\INDIAN CREEK\Maintenance Assessment Schedule - Indian Creek.xls				No.			(ha)			
				4	13	040 006 11207 0000	0.20	\$13.10	\$0.00	\$13.11
				4	13	040 006 11213 0000	0.81	\$52.02	\$0.00	\$52.03
				4	13	040 006 11206 0000	16.39	\$619.23	\$206.41	\$412.82
				4	13	040 006 11208 0000	9.61	\$446.99	\$0.00	\$446.99
				4	12	040 006 11205 0000	1.79	\$104.65	\$34.88	\$69.76
				4	12	040 006 14601 0000	9.20	\$537.71	\$179.24	\$358.47
				4	12	040 006 11204 0000	5.08	\$296.71	\$98.90	\$197.81
				4	12	040 006 11235 0000	11.12	\$578.00	\$189.65	\$388.36
				4	13	040 006 11202 0000	14.01	\$818.83	\$272.94	\$545.89
				4	13	040 006 14500 0000	15.93	\$720.96	\$240.32	\$480.64
				4	14	040 006 11209 0000	35.61	\$1,981.39	\$660.46	\$1,320.93
				4	14	040 006 11210 0000	20.00	\$1,059.28	\$353.09	\$706.19
				3	13	040 006 06310 0000	10.11	\$331.39	\$0.00	\$331.39
				3	13	040 006 06400 0000	9.72	\$517.12	\$172.37	\$344.74
				3	13	040 006 06405 0000	0.41	\$26.20	\$0.00	\$26.19
				3	14	040 006 06500 0000	13.67	\$707.86	\$235.95	\$471.90
				4	14	040 006 11211 0000	0.47	\$19.27	\$0.00	\$19.26
				4	14	040 006 11212 0000	0.73	\$30.44	\$0.00	\$30.45
				4	14	040 006 15305 0000	0.41	\$21.96	\$0.00	\$21.96
				4	14	040 006 15300 0000	2.82	\$151.05	\$0.00	\$151.06
				4	14	040 006 15200 0000	1.47	\$105.20	\$0.00	\$105.19
				4	14	040 006 15100 0000	1.02	\$54.72	\$18.24	\$36.48
				3	15	040 005 00400 0000	0.40	\$21.58	\$0.00	\$21.58
				3	15	040 005 00405 0000	6.44	\$345.26	\$0.00	\$345.26
				3	15	040 005 00100 0000	7.89	\$403.06	\$134.35	\$268.70
				3	15	040 005 00200 0000	2.33	\$124.85	\$0.00	\$124.84
				3	15	040 005 00500 0000	9.79	\$525.21	\$172.32	\$352.89
				3	16	040 005 00700 0000	21.32	\$592.64	\$197.55	\$395.10
				3	16	040 005 00600 0000	20.23	\$1,025.76	\$341.92	\$683.85
				4	15	040 005 15705 0000	8.27	\$440.82	\$146.94	\$293.88
				4	15	040 005 15701 0000	0.59	\$31.21	\$10.40	\$20.81
				4	15	040 005 15906 0000	1.06	\$53.95	\$0.28	\$53.66
				4	15	040 005 15905 0000	0.61	\$32.37	\$0.00	\$32.37
				4	15	040 005 16000 0000	28.89	\$1,226.52	\$408.84	\$817.67
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				4	15	040 005 15901 0000	27.93	\$1,422.27	\$474.09	\$948.17
				4	15	040 005 16005 0000	1.46	\$74.75	\$0.00	\$74.76
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				4	16	040 005 16100 0000	0.36	\$16.57	\$0.00	\$16.57
				4	16	040 005 16200 0000	0.14	\$6.17	\$0.00	\$6.17
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				4	16	040 005 16700 0000	0.19	\$8.48	\$0.00	\$8.47
				4	16	040 005 16801 0000	0.19	\$8.48	\$0.00	\$8.47
				4	16	040 005 16900 0000	0.19	\$8.48	\$0.00	\$8.47
				4	16	040 005 17000 0000	6.13	\$195.36	\$0.00	\$195.36
				4	16	040 005 17001 0000	0.95	\$43.54	\$14.51	\$29.04
				3	17	040 005 02600 0000	2.70	\$123.31	\$0.00	\$123.30
				3	17	040 005 03100 0000	10.12	\$462.02	\$0.00	\$462.02
				3	17	040 005 02611 0000	0.41	\$18.88	\$0.00	\$18.88
				3	17	040 005 02602 0000	5.78	\$255.48	\$0.00	\$255.48
				3	17	040 005 02616 0000	0.48	\$21.96	\$0.00	\$21.96
				3	17	040 005 02900 0000	0.28	\$12.33	\$0.00	\$12.33
				3	17	040 005 02800 0000	0.34	\$15.80	\$0.00	\$15.80
				3	17	040 005 03000 0000	0.37	\$16.95	\$0.00	\$16.96
				3	17	040 005 02601 0000	0.53	\$24.28	\$0.00	\$24.28
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				4	17	040 005 17300 0000	0.38	\$17.34	\$0.00	\$17.34
				4	17	040 005 17030 0000	0.58	\$26.59	\$0.00	\$26.59
				4	17	040 005 17102 0000	3.35	\$152.59	\$50.86	\$101.73
				4	17	040 005 17200 0000	0.42	\$19.27	\$0.00	\$19.26
				4	17	040 005 17202 0000	0.40	\$18.50	\$0.00	\$18.50
				4	17	040 005 17101 0000	0.73	\$33.14	\$0.00	\$33.14
				4	17	040 005 17304 0000	0.40	\$18.50	\$0.00	\$18.50
				4	17	040 005 17305 0000	0.50	\$22.73	\$0.00	\$22.74
				4	17	040 005 17306 0000	0.50	\$22.73	\$0.00	\$22.74
				4	17	040 005 17307 0000	1.22	\$20.81	\$0.00	\$20.81
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4	18	040	005	18501	0000	15.14	\$554.50	\$184.83	\$369.66
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4	19	040	005	18700	0000	0.19	\$6.94	\$0.00	\$6.93
4	19	040	005	18600	0000	10.53	\$310.96	\$103.65	\$207.31
4	19	040	005	18800	0000	22.26	\$756.41	\$252.14	\$504.28
4	20	040	005	19900	0000	8.85	\$210.78	\$2.45	\$208.32
4	20	040	005	19800	0000	17.61	\$344.49	\$0.00	\$344.49
4	20	040	005	19701	0000	5.56	\$90.55	\$0.00	\$90.55
4	20	040	005	19703	0000	7.89	\$157.99	\$0.00	\$157.99
4	20	040	005	19700	0000	5.65	\$110.98	\$0.00	\$110.98
4	18	040	005	17401	0000	0.80	\$11.95	\$0.00	\$11.95
4	21	040	005	20500	0000	8.09	\$174.17	\$0.00	\$174.17
4	21	040	005	20600	0000	17.00	\$196.91	\$0.00	\$196.91
4	21	040	005	20300	0000	17.00	\$191.90	\$0.00	\$191.90
4	21	040	005	20402	0000	3.93	\$44.31	\$0.00	\$44.31
4	21	040	005	20203	0000	2.89	\$50.86	\$0.00	\$50.87
4	21	040	005	20201	0000	1.09	\$24.66	\$0.00	\$24.66
4	22	040	005	20701	0000	0.93	\$10.40	\$0.00	\$10.41
4	22	040	005	20901	0000	1.38	\$15.80	\$0.00	\$15.80
4	22	040	005	21100	0000	0.50	\$5.39	\$0.00	\$5.38
4	22	040	005	21201	0000	0.71	\$7.71	\$0.00	\$7.70
4	21	040	005	20200	0000	3.86	\$70.90	\$0.00	\$70.90
4	21	040	005	20400	0000	2.33	\$25.82	\$0.00	\$25.81
4	21	040	005	20601	0000	6.15	\$137.18	\$0.00	\$137.18
4	18	040	005	18200	0000	24.28	\$528.29	\$176.10	\$352.19
4	22	040	005	21101	0000	1.25	\$20.81	\$0.00	\$20.81
4	22	040	005	20900	0000	1.66	\$21.58	\$0.00	\$21.58
4	22	040	005	20700	0000	0.81	\$16.18	\$0.00	\$16.18
4	22	040	005	20603	0000	2.42	\$48.55	\$0.00	\$48.54
4	22	040	005	21000	0000	0.10	\$1.93	\$0.00	\$1.93
4	22	040	005	22100	0000	0.35	\$3.47	\$1.16	\$2.31
4	22	040	005	21400	0000	12.10	\$148.35	\$0.00	\$148.36
4	22	040	005	21200	0000	1.89	\$25.05	\$0.00	\$25.04
4	22	040	005	21300	0000	3.30	\$40.85	\$0.00	\$40.85
4	19	040	005	18900	0000	33.78	\$574.53	\$191.51	\$383.03
4	23	040	005	22300	0000	2.02	\$33.91	\$0.00	\$33.91
4	23	040	005	20604	0000	9.05	\$137.18	\$0.00	\$137.18
4	23	040	005	20605	0000	0.81	\$13.87	\$0.00	\$13.88
4	22	040	005	21401	0000	0.40	\$6.55	\$0.00	\$6.55
4	22	040	005	21301	0000	0.36	\$5.78	\$0.00	\$5.78
3	23/24	040	005	22412	0000	85.86	\$983.76	\$0.00	\$983.76
4	23	040	005	20606	0000	0.81	\$9.25	\$0.00	\$9.25
4	20	040	005	19702	0000	11.16	\$98.65	\$32.88	\$65.77
3	18	040	005	04400	0000	1.62	\$10.40	\$0.00	\$10.41
3	18	040	005	04300	0000	0.07	\$0.39	\$0.00	\$0.39
3	18	040	005	04206	0000	0.53	\$3.16	\$0.00	\$3.16
3	18	040	005	04205	0000	0.53	\$3.16	\$0.00	\$3.16
3	18	040	005	04200	0000	0.29	\$1.77	\$0.00	\$1.77
3	18	040	005	04102	0000	0.57	\$3.47	\$0.00	\$3.47
3	18	040	005	04100	0000	0.42	\$2.70	\$0.00	\$2.69
3	18	040	005	04003	0000	0.53	\$3.47	\$0.00	\$3.47
3	18	040	005	04001	0000	0.32	\$1.93	\$0.00	\$1.93
3	18	040	005	04000	0000	0.57	\$3.47	\$0.00	\$3.47
3	18	040	005	04600	0000	3.34	\$21.96	\$0.00	\$21.96
3	18	040	005	03600	0000	0.24	\$1.54	\$0.00	\$1.54
				03205	0000	?	\$0.00	\$0.00	\$0.00
3	18	040	005	03200	0000	1.18	\$6.17	\$0.00	\$6.17
3	18	040	005	03102	0000	0.76	\$5.01	\$0.00	\$5.01
3	18	040	005	04500	0000	14.32	\$84.77	\$28.26	\$56.53
3	18	040	005	04450	0000	0.53	\$3.47	\$0.00	\$3.47
3	18	040	005	04425	0000	0.53	\$3.47	\$0.00	\$3.47
3	18	040	005	03500	0000	0.34	\$2.12	\$0.00	\$2.12
3	18	040	005	03502	0000	0.34	\$2.12	\$0.00	\$2.12
3	18	040	005	03504	0000	0.61	\$3.85	\$0.00	\$3.85
3	18	040	005	03700	0000	0.27	\$1.54	\$0.00	\$1.54
3	18	040	005	03800	0000	0.38	\$2.31	\$0.00	\$2.31
3	18	040	005	03900	0000	0.51	\$3.08	\$0.00	\$3.08
3	19	040	005	05800	0000	0.19	\$1.16	\$0.00	\$1.16
3	19	040	005	05702	0000	0.47	\$2.31	\$0.00	\$2.31
3	19	040	005	05700	0000	0.47	\$2.31	\$0.00	\$2.31
3	19	040	005	05600	0000	4.04	\$19.27	\$0.00	\$19.26
3	19	040	005	05500	0000	10.12	\$56.64	\$0.00	\$56.65
3	19	040	005	05405	0000	0.40	\$2.31	\$0.00	\$2.31
3	19	040	005	06001	0000	5.14	\$26.97	\$8.99	\$17.99
3	19	040	005	05400	0000	0.26	\$1.54	\$0.00	\$1.54
3	19	040	005	05300	0000	0.34	\$2.31	\$0.00	\$2.31

3	19	040	005	05200	0000	0.58	\$3.85	\$0.00	\$3.85
3	19	040	005	04901	0000	0.40	\$2.70	\$0.00	\$2.69
3	19	040	005	05000	0000	0.44	\$2.70	\$0.00	\$2.69
3	19	040	005	04900	0000	0.17	\$1.93	\$0.00	\$1.93
3	19	040	005	05100	0000	0.36	\$2.31	\$0.00	\$2.31
3	19	040	005	06400	0000	11.77	\$54.33	\$0.00	\$54.34
3	19	040	005	05105	0000	1.31	\$7.32	\$0.00	\$7.31
3	19	040	005	05110	0000	0.53	\$3.47	\$0.00	\$3.47
3	19	040	005	05120	0000	0.53	\$3.47	\$0.00	\$3.47
3	19	040	005	05130	0000	0.53	\$3.47	\$0.00	\$3.47
3	19	040	005	05140	0000	0.53	\$3.47	\$0.00	\$3.47
3	19	040	005	06200	0000	0.10	\$0.77	\$0.00	\$0.76
3	20	040	005	06500	0000	25.41	\$156.06	\$52.02	\$104.03
3	19	040	005	06100	0000	0.40	\$2.70	\$0.00	\$2.69
3	19	040	005	06004	0000	1.01	\$6.55	\$0.00	\$6.55
3	19	040	005	06003	0000	0.83	\$4.24	\$0.00	\$4.24
3	19	040	005	06006	0000	0.35	\$1.93	\$0.00	\$1.93
3	19	040	005	06005	0000	0.43	\$2.31	\$0.00	\$2.31
3	20	040	005	06700	0000	5.48	\$35.45	\$11.82	\$23.63
3	20	040	005	06801	0000	5.29	\$34.29	\$11.43	\$22.87
3	20	040	005	06600	0000	0.82	\$5.39	\$0.00	\$5.38
3	20	040	005	06703	0000	2.24	\$14.64	\$4.88	\$9.76
3	20	040	005	06702	0000	0.81	\$5.01	\$0.00	\$5.01
3	20	040	005	06800	0000	4.45	\$26.59	\$0.00	\$26.59
3	20	040	005	05900	0000	24.79	\$142.57	\$47.52	\$95.05
3	20	040	005	05901	0000	0.40	\$2.70	\$0.00	\$2.69
4	18	040	005	17402	0000	0.23	\$1.16	\$0.00	\$1.16
4	18	040	005	17500	0000	0.20	\$0.77	\$0.00	\$0.76
4	18	040	005	17600	0000	0.40	\$1.54	\$0.00	\$1.54
4	18	040	005	17700	0000	0.66	\$3.85	\$0.00	\$3.85
4	18	040	005	17900	0000	0.50	\$3.08	\$0.00	\$3.08
4	18	040	005	17800	0000	0.43	\$2.70	\$0.00	\$2.69
4	18	040	005	18000	0000	0.34	\$2.31	\$0.00	\$2.31
4	18	040	005	18100	0000	0.26	\$1.54	\$0.00	\$1.54
4	18	040	005	18001	0000	0.32	\$1.93	\$0.00	\$1.93
4	19	040	005	19100	0000	3.04	\$20.04	\$0.00	\$20.04
4	19	040	005	19000	0000	0.59	\$3.85	\$0.00	\$3.85
4	19	040	005	19001	0000	0.55	\$3.47	\$0.00	\$3.47
4	19	040	005	19002	0000	0.62	\$3.85	\$0.00	\$3.85
4	20	040	005	19200	0000	1.59	\$10.02	\$0.00	\$10.02
4	20	040	005	19300	0000	0.27	\$1.54	\$0.00	\$1.54
4	20	040	005	19400	0000	0.27	\$1.54	\$0.00	\$1.54
4	20	040	005	19500	0000	0.84	\$5.39	\$0.00	\$5.38
4	20	040	005	19600	0000	4.05	\$26.20	\$0.00	\$26.19
3	21	040	005	07201	0000	2.39	\$15.41	\$0.00	\$15.42
3	21	040	005	07200	0000	15.78	\$87.47	\$29.16	\$58.30
3	21	040	005	06901	0000	0.41	\$2.70	\$0.00	\$2.69
3	21	040	005	07000	0000	0.23	\$1.54	\$0.00	\$1.54
3	21	040	005	07100	0000	0.29	\$1.93	\$0.00	\$1.93
3	21	040	005	07300	0000	0.21	\$1.16	\$0.00	\$1.16
3	21	040	005	07600	0000	0.13	\$0.77	\$0.00	\$0.76
3	21	040	005	07800	0000	0.19	\$1.16	\$0.00	\$1.16
3	21	040	005	07700	0000	29.95	\$167.23	\$55.74	\$111.50
3	22	040	005	07900	0000	39.68	\$209.62	\$69.87	\$139.75
3	22	040	005	08400	0000	24.48	\$155.67	\$51.89	\$103.79
3	23	040	005	08402	0000	5.54	\$35.84	\$11.95	\$23.88
3	23	040	005	08403	0000	3.72	\$13.87	\$0.00	\$13.88
3	23	040	005	08404	0000	6.78	\$30.83	\$0.00	\$30.82
3	23	040	005	10802	0000	15.37	\$92.87	\$0.00	\$92.87
3	23	040	005	10803	0000	5.94	\$38.92	\$0.00	\$38.92
3	24	040	005	13700	0000	17.24	\$106.35	\$0.00	\$106.35
3	23	040	005	14101	0000	0.86	\$5.39	\$0.00	\$5.38
3	23	040	005	14102	0000	0.80	\$5.01	\$0.00	\$5.01
3	21	040	005	06900	0000	1.20	\$7.71	\$2.57	\$5.14
3	21	040	005	07400	0000	1.68	\$10.40	\$0.00	\$10.41
3	21	040	005	07500	0000	0.80	\$5.01	\$0.00	\$5.01
3	22	040	005	08100	0000	7.08	\$45.08	\$15.03	\$30.06
3	22	040	005	08305	0000	0.76	\$4.62	\$0.00	\$4.62
3	22	040	005	08300	0000	0.22	\$1.54	\$0.00	\$1.54
3	22	040	005	08200	0000	0.08	\$0.39	\$0.00	\$0.39
3	22	040	005	08500	0000	0.12	\$0.77	\$0.00	\$0.76
3	22	040	005	08600	0000	0.57	\$3.47	\$0.00	\$3.47
3	22	040	005	08700	0000	0.21	\$1.16	\$0.00	\$1.16
3	22	040	005	08800	0000	0.07	\$0.39	\$0.00	\$0.39
3	22	040	005	07909	0000	0.40	\$2.70	\$0.00	\$2.69
3	22	040	005	08000	0000	0.35	\$2.31	\$0.00	\$2.31
3	23	040	005	09800	0000	0.28	\$1.93	\$0.00	\$1.93
3	23	040	005	09900	0000	0.26	\$1.54	\$0.00	\$1.54

	3	23	040	005	10200	0000	0.19	\$1.16	\$0.00	\$1.16
	3	23	040	005	10204	0000	0.08	\$0.39	\$0.00	\$0.39
	3	23	040	005	10206	0000	0.06	\$0.39	\$0.00	\$0.39
	3	23	040	005	10300	0000	0.13	\$0.77	\$0.00	\$0.76
	3	23	040	005	10700	0000	0.18	\$1.16	\$0.00	\$1.16
	3	23	040	005	10500	0000	12.51	\$79.76	\$26.59	\$53.17
	3	23	040	005	10600	0000	7.64	\$48.55	\$16.18	\$32.37
	3	23	040	005	13800	0000	7.24	\$46.24	\$15.41	\$30.82
	3	23	040	005	10800	0000	17.11	\$109.05	\$36.35	\$72.70
	3	23	040	005	11800	0000	13.24	\$84.39	\$28.13	\$56.25
	3	24	040	005	13401	0000	0.38	\$2.31	\$0.00	\$2.31
	3	24	040	005	13400	0000	4.50	\$26.59	\$0.00	\$26.59
	3	24	040	005	13300	0000	0.43	\$2.70	\$0.00	\$2.69
	3	24	040	005	13200	0000	0.34	\$2.31	\$0.00	\$2.31
	3	24	040	005	13100	0000	0.28	\$1.93	\$0.00	\$1.93
	3	24	040	005	13000	0000	0.22	\$1.54	\$0.00	\$1.54
	3	24	040	005	12900	0000	0.17	\$1.16	\$0.00	\$1.16
	3	24	040	005	12800	0000	0.11	\$0.77	\$0.00	\$0.76
	3	24	040	005	12700	0000	0.08	\$0.39	\$0.00	\$0.39
	3	24	040	005	12600	0000	0.04	\$0.39	\$0.00	\$0.39
	3	24	040	005	14100	0000	5.03	\$31.98	\$0.00	\$31.99
CITY OF PORT COLBORNE					Ramey Rd		3.60	\$117.53	\$0.00	\$117.52
CITY OF PORT COLBORNE					Snider Rd		5.30	\$321.37	\$0.00	\$321.37
CITY OF PORT COLBORNE					Babion Rd		5.30	\$431.19	\$0.00	\$431.19
CITY OF PORT COLBORNE					Yager Rd		5.20	\$565.28	\$0.00	\$565.29
CITY OF PORT COLBORNE					Carl Rd		0.55	\$18.11	\$0.00	\$18.11
CITY OF PORT COLBORNE					White Rd		5.06	\$1,359.46	\$0.00	\$1,359.46
CITY OF PORT COLBORNE					Sherk Rd		3.70	\$1,081.63	\$0.00	\$1,081.63
CITY OF PORT COLBORNE					Chippawa Rd		5.20	\$167.23	\$0.00	\$167.24
CITY OF PORT COLBORNE					3rd Con Rd		10.60	\$1,965.97	\$0.00	\$1,965.98
NIAGARA REGIONAL MUNICIPALITY					Reg Rd 84		5.00	\$1,140.97	\$0.00	\$1,140.98
TRANSPORTATION MINISTRY					Hwy No 140		18.75	\$1,337.11	\$0.00	\$1,337.11
CITY OF PORT COLBORNE	3	24	040	006	99500		4.15	\$278.98	\$0.00	\$278.98
CITY OF PORT COLBORNE	4	23 - 22	040	006	99500		4.90	\$329.46	\$0.00	\$329.53
TOTAL NON-AGRICULTURAL ASSESSMENT							558.151	\$17,482.21		\$17,233.92
TOTAL AGRICULTURAL ASSESSMENT							798.795	\$24,079.90	\$7,953.34	\$15,485.52
TOTAL ASSESSMENT							1356.946	\$41,562.11		\$32,719.44
OMAF GRANT									\$7,953.34	
LANDOWNERS PAYMENTS										\$26,755.91
CITY OF PORT COLBORNE ASSESSMENT								\$6,852.86		\$41,562.11
ORIGINAL OUTLET ASSESSMENTS FROM REPORT & BY-LAW:										
TOTAL NON-AGRICULTURAL LANDS								\$45,369.00		
TOTAL AGRICULTURAL LANDS								\$62,491.00		
TOTAL ASSESSMENT								\$107,860.00		

2020 MAINTENANCE WAGNER BRANCH				TOTAL CURRENT COST -----		\$3,267.94			
Confirmed on April 9, 2021 AV				BY-LAW No. 3469/50/97					
C:\REEK\Wagner branch\Maintenance Assessment Schedule - Wagner Branch.xls									
OWNER	CON or PLAN No.	LOT No.	ROLL NUMBER			AREA AFFECTED (ha)	CURRENT COST	OMAFRA GRANT	NET COST
CITY OF PORT COLBORNE	4	12	040	006	11205	1.79	\$103.76	\$34.59	\$69.17
	4	12	040	006	14601	9.20	\$533.30	\$177.77	\$355.53
	4	12	040	006	11204	5.08	\$294.68	\$98.23	\$196.45
	4	12	040	006	11235	11.12	\$572.36	\$190.79	\$381.57
	4	13	040	006	11206	9.74	\$307.90	\$102.63	\$205.27
	4	13	040	006	11202	13.48	\$475.55	\$158.52	\$317.03
	4	13	040	006	11208	2.30	\$16.53	\$0.00	\$16.53
	4	13	040	006	14500	5.47	\$251.71	\$83.90	\$167.80
SHERK Rd					2.46	\$712.16	\$0.00	\$712.17	
TOTAL NON-AGRICULTURAL ASSESSMENT						4.760	\$728.69		\$728.68
TOTAL AGRICULTURAL ASSESSMENT						55.880	\$2,539.26	\$846.42	\$1,692.84
TOTAL ASSESSMENT						60.640	\$3,267.95		\$2,421.52
OMAF GRANT								\$846.42	
LANDOWNERS PAYMENTS									\$1,709.35
CITY OF PORT COLBORNE ASSESSMENT							\$712.17		\$3,267.94
ORIGINAL OUTLET ASSESSMENTS FROM REPORT & BY-LAW:									
TOTAL NON-AGRICULTURAL LANDS						\$1,543.00			
TOTAL AGRICULTURAL LANDS						\$5,377.00			
TOTAL ASSESSMENT						\$6,920.00			

**2019-2020 MAINTENANCE
HAUN DRAIN**

TOTAL CURRENT COST ----- **\$33,753.48**
 COSTS FROM GL ACCOUNT No. 3-560-33222
 BY-LAW No. 3469/50/97

D:\DRAINS\HAUN\Maintenance Assessment Schedule.xls

OWNER	CON or PLAN No.	LOT No.	ROLL NUMBER	AREA AFFECTED (ha)	CURRENT COST	OMAFRA GRANT	NET COST
	3	17	040 005 03100	2.09	\$290.65	\$0.00	\$290.65
	3	18	040 005 04500	14.32	\$1,808.61	\$602.87	\$1,205.74
	3	18	040 005 04450	0.53	\$73.72	\$0.00	\$73.72
	3	18	040 005 04425	0.53	\$73.72	\$0.00	\$73.72
	3	18	040 005 03102	0.76	\$105.68	\$0.00	\$105.68
	3	18	040 005 03200	1.18	\$129.34	\$0.00	\$129.34
	3	18	040 005 04600	3.34	\$464.52	\$0.00	\$464.52
	3	18	040 005 04400	1.62	\$225.30	\$0.00	\$225.30
	3	18	040 005 04300	0.07	\$9.72	\$0.00	\$9.72
	3	18	040 005 04206	0.53	\$67.41	\$0.00	\$67.41
	3	18	040 005 04205	0.53	\$67.41	\$0.00	\$67.41
	3	18	040 005 04200	0.29	\$38.31	\$0.00	\$38.31
	3	18	040 005 04102	0.57	\$79.29	\$0.00	\$79.29
	3	18	040 005 04100	0.42	\$58.43	\$0.00	\$58.43
	3	18	040 005 04003	0.53	\$73.72	\$0.00	\$73.72
	3	18	040 005 04001	0.32	\$44.49	\$0.00	\$44.49
	3	18	040 005 04000	0.57	\$79.29	\$0.00	\$79.29
	3	18	040 005 03900	0.51	\$70.92	\$0.00	\$70.91
	3	18	040 005 03800	0.38	\$52.86	\$0.00	\$52.85
	3	18	040 005 03700	0.27	\$37.53	\$0.00	\$37.53
	3	18	040 005 03500	0.34	\$46.51	\$0.00	\$46.51
	3	18	040 005 03502	0.34	\$46.51	\$0.00	\$46.51
	3	18	040 005 03504	0.61	\$83.61	\$0.00	\$83.60
	3	18	040 005 03600	0.24	\$33.38	\$0.00	\$33.38
	4	18	040 005 17401	0.23	\$16.00	\$0.00	\$16.00
	4	18	040 005 17402	0.23	\$23.63	\$0.00	\$23.62
	4	18	040 005 17500	0.20	\$19.48	\$0.00	\$19.48
	4	18	040 005 17600	0.40	\$34.77	\$0.00	\$34.77
	4	18	040 005 17700	0.66	\$80.67	\$0.00	\$80.67
	4	18	040 005 17900	0.50	\$69.53	\$0.00	\$69.53
	4	18	040 005 17800	0.43	\$59.81	\$0.00	\$59.81
	4	18	040 005 18000	0.34	\$47.29	\$0.00	\$47.29
	4	18	040 005 18100	0.26	\$36.15	\$0.00	\$36.15
	4	18	040 005 18001	0.32	\$44.49	\$0.00	\$44.49
	4	18	040 005 18200	13.97	\$1,926.14	\$642.05	\$1,284.09
	4	19	040 005 19100	3.04	\$410.44	\$0.00	\$410.44
	4	19	040 005 19000	0.54	\$76.05	\$0.00	\$76.05
	4	19	040 005 19001	0.51	\$71.49	\$0.00	\$71.49
	4	19	040 005 19002	0.62	\$78.68	\$0.00	\$78.68
	4	19	040 005 18900	16.97	\$2,088.73	\$696.24	\$1,392.49
	4	20	040 005 19200	1.59	\$170.29	\$0.00	\$170.28
	4	20	040 005 19300	0.27	\$28.93	\$0.00	\$28.93
	4	20	040 005 19400	0.27	\$28.93	\$0.00	\$28.93
	4	20	040 005 19500	0.84	\$89.95	\$0.00	\$89.95
	4	20	040 005 19600	4.05	\$433.73	\$0.00	\$433.73
	4	20	040 005 19702	8.49	\$840.39	\$280.13	\$560.27
	3	19	040 005 06400	11.77	\$1,003.63	\$0.00	\$1,003.62
	3	19	040 005 05100	0.36	\$34.43	\$0.00	\$34.43
	3	19	040 005 04900	0.17	\$16.27	\$0.00	\$16.27
	3	19	040 005 05000	0.44	\$42.09	\$0.00	\$42.10
	3	19	040 005 04901	0.40	\$38.28	\$0.00	\$38.27
	3	19	040 005 05200	0.58	\$55.49	\$0.00	\$55.49
	3	19	040 005 05300	0.34	\$32.54	\$0.00	\$32.54
	3	19	040 005 05400	0.26	\$24.88	\$0.00	\$24.88
	3	19	040 005 05405	0.40	\$17.99	\$0.00	\$17.99
	3	19	040 005 06001	5.14	\$396.10	\$132.03	\$264.07
	3	19	040 005 05500	5.66	\$494.89	\$0.00	\$494.89
	3	19	040 005 05600	4.04	\$311.34	\$0.00	\$311.34
	3	19	040 005 05700	0.47	\$37.67	\$0.00	\$37.67
	3	19	040 005 05702	0.47	\$37.67	\$0.00	\$37.67

	3	19	040	005	05800	0.19	\$20.15	\$0.00	\$20.15
	3	20	040	005	05900	28.76	\$2,448.07	\$816.02	\$1,632.04
	3	20	040	005	05901	0.40	\$42.63	\$0.00	\$42.63
	3	19	040	005	06006	0.35	\$24.74	\$0.00	\$24.74
	3	19	040	005	06003	0.83	\$58.83	\$0.00	\$58.83
	3	19	040	005	06004	1.01	\$86.14	\$0.00	\$86.14
	3	19	040	005	06100	0.40	\$34.12	\$0.00	\$34.13
	3	19	040	005	06200	0.10	\$8.54	\$0.00	\$8.54
	3	20	040	005	06500	25.41	\$2,043.50	\$681.17	\$1,362.34
	3	20	040	005	06600	0.82	\$69.94	\$0.00	\$69.93
	3	20	040	005	06703	2.24	\$191.01	\$63.67	\$127.34
	3	20	040	005	06702	0.81	\$69.06	\$0.00	\$69.06
	3	20	040	005	06800	4.45	\$347.49	\$0.00	\$347.49
	3	20	040	005	06700	5.48	\$467.28	\$155.76	\$311.52
	3	20	040	005	06801	5.29	\$451.08	\$150.36	\$300.73
	4	21	040	005	20500	0.58	\$45.63	\$0.00	\$45.63
	4	21	040	005	20600	2.87	\$91.78	\$0.00	\$91.77
	4	21	040	005	20601	2.48	\$125.87	\$0.00	\$125.86
	3	21	040	005	07201	2.39	\$186.05	\$0.00	\$186.05
	3	21	040	005	07200	15.78	\$814.94	\$271.65	\$543.30
	3	21	040	005	06901	0.41	\$21.84	\$0.00	\$21.84
	3	21	040	005	07000	0.23	\$12.25	\$0.00	\$12.25
	3	21	040	005	07100	0.29	\$15.46	\$0.00	\$15.46
	3	21	040	005	07300	0.21	\$11.21	\$0.00	\$11.21
	3	21	040	005	07700	29.65	\$1,351.02	\$450.34	\$900.68
	3	21	040	005	07600	0.13	\$6.92	\$0.00	\$6.92
	3	21	040	005	07800	0.13	\$6.92	\$0.00	\$6.92
	3	22	040	005	07900	36.37	\$1,460.01	\$486.67	\$973.34
	3	22	040	005	08400	18.45	\$823.31	\$274.44	\$548.88
	3	23	040	005	08402	5.54	\$255.89	\$85.30	\$170.59
	3	23	040	005	10500	5.64	\$260.51	\$86.84	\$173.68
	3	23	040	005	13800	2.09	\$96.53	\$32.18	\$64.35
	3	23	040	005	08403	3.72	\$80.33	\$0.00	\$80.33
	3	23	040	005	08404	6.78	\$144.80	\$0.00	\$144.81
	3	23	040	005	10802	5.81	\$115.23	\$0.00	\$115.23
	3	23	040	005	10803	3.17	\$74.02	\$0.00	\$74.02
	3	23	040	005	14101	0.86	\$20.96	\$0.00	\$20.96
	3	23	040	005	14102	0.80	\$15.43	\$0.00	\$15.42
	3	24	040	005	13700	16.44	\$134.10	\$0.00	\$134.11
			040	006	99500	2.26	\$258.05	\$0.00	\$258.05
TRANSPORTATION MINISTRY					Hwy 140	2.34	\$840.39	\$0.00	\$840.40
CITY OF PORT COLBORNE					Carl Rd	1.82	\$375.51	\$0.00	\$375.51
CITY OF PORT COLBORNE					Yager Rd	1.10	\$1,696.69	\$0.00	\$1,696.69
CITY OF PORT COLBORNE					Babion Rd	3.17	\$1,548.85	\$0.00	\$1,548.84
CITY OF PORT COLBORNE					Chippawa Rd	2.36	\$1,071.20	\$0.00	\$1,071.20
CITY OF PORT COLBORNE					3rd Con Rd	4.79	\$1,766.32	\$0.00	\$1,766.32
CITY OF PORT COLBORNE					Snider Rd	0.40	\$383.14	\$0.00	\$383.14
TOTAL NON-AGRICULTURAL ASSESSMENT						264.25	\$16,030.34		\$16,030.37
TOTAL AGRICULTURAL ASSESSMENT						479.18	\$17,723.14	\$5,907.71	\$11,815.43
TOTAL ASSESSMENT						743.43	\$33,753.48		\$27,845.80
OMAFRA GRANT								\$5,907.71	
LANDOWNERS PAYMENTS									\$20,525.83
CITY OF PORT COLBORNE ASSESSMENT								\$7,319.94	\$33,753.48
ORIGINAL PERCENTAGE ASSESSMENTS FROM REPORT & BY-LAW:									
TOTAL NON-AGRICULTURAL LANDS						-5.0152 %			
TOTAL AGRICULTURAL LANDS						105.0152 %			
TOTAL ASSESSMENT						100.0000 %			



Subject: Billing of the St. John's Marsh Municipal Drain

To: Council

From: Public Works Department

Report Number: 2022-187

Meeting Date: August 23, 2022

Recommendation:

That Public Works Department – Water/Wastewater Division Report 2022-187 be received; and

That the billing for the St. John's Marsh Municipal Drain be invoiced in accordance with the Drainage Act, as outlined in Appendix C of Public Works Department Report 2022-187 be approved.

That the St. John's Marsh Drain Levy By-law and Schedule A found in Appendix B and C be approved.

Purpose:

This report has been prepared to inform Council that the Town of Fort Erie has fulfilled the requirements of the Drainage Act and subsequently completed and billed for the works of their project known as the St. John's Marsh Municipal Drain.

Staff are currently seeking permission for the passing of a City bylaw to enable the billing of the Port Colborne residents as per the assessment schedule to cover the invoice received from the Town of Fort Erie.

Background:

K. Smart Associates Limited was appointed by the Town of Fort Erie on June 14, 2002, to review and completed a new Engineer's Report for the St. John's Marsh Municipal Drain Report under Section 78 of *The Drainage Act R.S.O. 1990*.

The entirety of the project was completed by the Town of Fort Erie and the entirety of the work was within the Town of Fort Erie; however, one of the City of Port Colborne's

drainage systems, the St. John's Municipal Drain relies on said project for a sufficient outlet and therefore is assessed through this new Engineer's Report for their portion of work.

Fort Erie has completed all required steps of the Drainage Act including completion of the attached by-law typically known as a levy by-law.

Discussion:

The final cost summary provided by the Town of Fort Erie, as shown in Appendix B, for the completion of this project is \$278,570.

The portion assessed to the City of Port Colborne is \$6,980.

That amount can be broken down further as follows;

Municipal Road Allowances	\$ 1,229.00
Less: Region of Niagara assessment	\$ (679.00)
Landowner's portion	\$ 9,404.00
Less: Section 87 OMAFRA Grant	<u>\$(2,974.00)</u>
	\$ 6,980.00

The total assessment for the City's roads is \$550.00.

Prior to completion of this report, a review of the general ledger was completed to ensure all costs were included. Although this is not a City of Port Colborne Drain or project, the City of Port Colborne did incur some expenses. The City of Port Colborne was named along with the Town of Fort Erie and the City of Niagara Falls in a lawsuit filed by a resident from the City of Niagara Falls. The legal fees incurred by the City of Port Colborne to defend the City from the lawsuit totalled \$10,517.53. Since this amount was not a cost of the drain, merely an expense the City incurred, this amount cannot be assessed to the watershed.

Internal Consultations:

Consultation was held with the finance department to relay the duties required to complete the invoicing of this work.

Financial Implications:

The Town of Fort Erie has invoiced the City of Port Colborne for drainage work related to lands assessed within the City of Port Colborne. It is the City of Port Colborne's

responsibility to pay this invoice and in turn, invoice the property owners who have benefitted from the drainage work completed to recover the amount invoiced from the Town of Fort Erie.

The total incurred cost to the City of Port Colborne for the St. John's Marsh Municipal Drain is \$17,497.53. Property owners will be billed \$6,430 as per the assessment schedule. The remaining balance of \$11,067.53 will be paid through the City's approved drainage budget and consists of the City's portion of the assessment (\$549.50 for roads) and the legal fees associated with the aforementioned lawsuit (\$10,517.53).

Public Engagement:

The Drainage Act has many points of public consultation. All of these points were exercised through the completion of this report and construction of the drain.

Conclusion:

Staff would like to proceed with the passing of the by-law as defined in Section 61(1), a Levy by-law, of the Drainage Act R.S.O. 1990 to complete the billing of the drainage work. If these funds are not collected from property owners within the watershed, the City would need to absorb these costs. Approval of this report will allow staff to proceed with the billing of these works to the assessed property owners.

Appendices:

- a. Levy By-law No 93-2022 from the Town of Fort Erie for drainage works of the St. John's Marsh Municipal Drain
- b. By-law to Levy the Actual Cost Incurred in Constructing Drainage Works Known as the St' John's Marsh Municipal Drain
- c. Schedule A for By-law to Levy the Actual Cost Incurred in Constructing Drainage Works Known as the St' John's Marsh Municipal Drain

Respectfully submitted,

Alana Vander Veen
Drainage Superintendent
905-835-2900 ext. 291
Alana.VanderVeen@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.



The Municipal Corporation of the Town of Fort Erie

By-law No. 93-2022

Being a By-law to Approve the Final Assessment Levy for the St. John's Marsh Municipal Drain

Whereas By-law No. 115-2016 was given first and second reading and provisionally adopted by the Municipal Council of the Town of Fort Erie on October 24th, 2016 to adopt the Engineer's Report prepared by K. Smart and Associates dated April 16, 2016 and filed with the Clerk on the same date to provide for drainage works for the St. John's Marsh Municipal Drain; and

Whereas following the Court of Revision and appeals thereto, the Decision of Court of Revision dated November 23, 2016 ordered as follows:

1. The appeal of Rob Singleton and Christopher Wegelin under Section 52(1) of the Act is denied.
2. The appeals of Lisa Viera-Ferreira under Section 52(1) of the Act is accepted.
3. Pursuant to the Engineer's request, the Report shall be amended as follows:
 - a) The appeal by Lisa Viera-Ferreira, Roll No. 020031083000000 be accepted with the revision of \$1,000.00 being transferred to the M & D Legacy property Roll No. 020031079000000 to correct an error in assessment by K. Smart Associates Limited.

Whereas following the Court of Revision and appeals thereto, the Decision of Court of Revision dated February 22, 2017 ordered as follows:

1. The Court of Revision needs further information regarding this assessment and that this information be provided by March 7, 2017. In the interim, the Legacys are encouraged to meet with Mr. Maiden and the Engineer for additional information in reference to the calculations of assessment. This meeting should take place prior to the Court reconvening; and.

Whereas the Legacys, after meeting with Mr. Maiden and the Engineer, withdrew their appeal on March 1, 2017; and

Whereas no further meeting of the Court of Revision was deemed necessary; and

Whereas the revised Engineer's Report dated November 23, 2016 reflects the Court of Revision decisions; and

Whereas By-law No. 115-2016 received third and final reading on April 4th, 2017; and

Whereas the Drainage Works was completed as per the Engineer's Report, as amended, and the total actual costs incurred were \$278,570.00 compared to an original estimated cost of

\$303,555.00. Actual costs for constructing the drain were 8.23% under the Engineer's estimate; and

Whereas a Certificate of Completion of the drainage works was dated April 27, 2020; and

Whereas Section 61(2) of the *Drainage Act* provides the council of any local municipality may provide that persons whose lands are assessed may commute for a payment in cash the assessments imposed thereon and may prescribe the terms and conditions thereof; and

Whereas pursuant to the *Drainage Act*, it is necessary that the final assessments listed in Schedule "A" attached to this by-law in the amount of \$278,570.00, shall be levied and assessed against the appropriate lands as apportioned by the revised Engineer's Report dated November 23, 2016 as amended by the Court of Revision dated November 23, 2016 prepared by K. Smart and Associates Limited;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the Treasurer invoice the City of Port Colborne the amount of \$10,633.00 in accordance with the amended assessment schedule as set out in Schedule 'A', attached hereto, and being the amounts to be charged for completing the construction of the drainage works known as the St. John's Marsh Drain for the portions of work within the City of Port Colborne, with the invoice being due within 30 days of the invoice date.
2. **That** the Treasurer invoice the City of Niagara Falls the amount of \$29,913.00 in accordance with the amended assessment schedule as set out in Schedule 'A', attached hereto, and being the amounts to be charged for completing the construction of the drainage works known as the St. John's Marsh Drain for the portions of work within the City of Niagara Falls, with the invoice being due within 30 days of the invoice date
3. **That** the final assessments listed in Schedule "A" attached to this by-law in the amount of \$238,023 shall be levied and assessed against the appropriate lands as apportioned by the Engineer's Report dated November 23, 2016 as amended by the Court of Revision Order dated is adopted and approved.
4. **That** all assessments shall be paid as follows:
 - (a) All assessments of \$5.00 or less shall be payable by the municipality from the general funds of the municipality;
 - (b) Assessments up to \$100.00 shall be added to the property tax account;
 - (c) Assessments greater than \$100.00 up to \$5,000.00 may be paid in full within ninety (90) days from the date of the assessment billing and if not, shall be distributed over five (5) years from the date of the assessment billing and shall be calculated at an interest rate of 3.95% on the date of such billing and added to the tax roll.
 - (d) Assessments greater than \$5,000.00 can be distributed over a five (5) year period with an interest rate of 3.95% or a ten (10) year period with an interest rate of 4.20% if notification is provided to the Town of Fort Erie from the benefitting land owners within ninety (90) days and added to the tax roll.

3. **That** the amount of the special rate levied upon each parcel of land or part thereof shall, where applicable in accordance with Section 2, be divided into five (5) or ten (10) equal amounts and one such amount shall be collected in each year for five (5) or ten (10) years after the passing of this by-law.
4. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 18th day of July, 2022.



Mayor



Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 93-2022 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____

Conc.	Lot	Roll No.	Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
<u>Town of Fort Erie (27-03-020-0) (Former Township of Bertie)</u>											
<u>Lands</u>											
	13NR	Pt 14	31-046-80	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	13NR	Pt 14	31-050-00	40	27	-	27	\$ -	\$ -	\$ -	\$ -
F	13NR	Pt 15	31-051-00	42	29	10	19	\$ -	\$ -	\$ -	\$ -
	14NR	Pts 11&12	31-074-20	40	27	-	27	\$ -	\$ -	\$ -	\$ -
F	14NR	Pt 12	31-078-10	3,444	2,355	785	1,900	\$ -	\$ -	\$ -	\$ -
F	14NR	Pt 13	31-079-00	5,180	3,543	1,181	2,000	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 13	31-080-00	17,376	11,884	-	500	\$ 81.16	\$ 405.79	\$ -	\$ -
	14NR	Pt 13	31-081-00	40	27	-	27	\$ 2,553.60	\$ 12,767.98	\$ 1,417.57	\$ 14,175.70
F	14NR	Pt 14	31-082-00	30,405	20,795	6,932	1,100	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 13	31-083-00	3,046	2,083	-	500	\$ 2,862.93	\$ 14,314.67	\$ 1,589.29	\$ 15,892.92
	14NR	Pt 13	31-084-00	40	27	-	27	\$ 355.15	\$ 1,775.74	\$ -	\$ -
	14NR	Pt 13	31-085-00	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 14	31-086-00	19,232	13,154	-	1,200	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 14	31-087-00	163	111	-	111	\$ 2,681.32	\$ 13,406.59	\$ 1,488.47	\$ 14,884.72
	14NR	Pt 14	31-088-00	212	145	-	145	\$ 25.01	\$ 125.03	\$ -	\$ -
	14NR	Pt 14	31-089-00	208	142	-	142	\$ 32.52	\$ 162.62	\$ -	\$ -
	14NR	Pt 13	31-090-00	42	29	-	29	\$ 31.91	\$ 159.55	\$ -	\$ -
	14NR	Pt 13	31-091-00	42	29	-	29	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 13	31-092-00	42	29	-	29	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 13	31-093-00	8,028	5,491	-	500	\$ -	\$ -	\$ -	\$ -
	14NR	Pt 14	31-094-00	271	185	-	185	\$ 1,119.47	\$ 5,597.33	\$ -	\$ -
	14NR	Pt 14	31-096-00	291	199	-	199	\$ 41.58	\$ 207.88	\$ -	\$ -
	14NR	Pt 14	31-098-00	218	149	-	149	\$ 44.64	\$ 223.22	\$ -	\$ -
	14NR	Pt 15	31-099-00	18,838	12,884	-	1,500	\$ 33.44	\$ 167.22	\$ -	\$ -
F	14NR	Pts 15&16	31-099-25	15,398	10,531	3,510	1,700	\$ 2,553.58	\$ 12,767.89	\$ 1,417.56	\$ 14,175.61
F	14NR	Pts 15&16	31-100-00	10,619	7,263	2,421	500	\$ 1,193.63	\$ 5,968.16	\$ 662.62	\$ 6,626.17
	14NR	Pt 15	31-100-01	844	577	-	577	\$ 973.91	\$ 4,869.54	\$ -	\$ -
	14NR	Pt 16	31-101-00	95	65	-	65	\$ 129.48	\$ 647.41	\$ -	\$ -
	14NR	Pt 16	31-102-00	846	579	-	579	\$ -	\$ -	\$ -	\$ -
F	15NR	Pt 11&12	31-137-01	63	43	14	29	\$ 129.79	\$ 648.95	\$ -	\$ -
F	15NR	Pt 13	31-140-00	2,504	1,713	571	1,142	\$ -	\$ -	\$ -	\$ -
F	15NR	Pt 13	31-141-00	417	285	95	190	\$ 256.07	\$ 1,280.35	\$ -	\$ -
	15NR	Pt 14	31-142-00	430	294	-	294	\$ 42.66	\$ 213.32	\$ -	\$ -
F	15NR	Pt 14	31-143-00	385	263	88	175	\$ 65.97	\$ 329.84	\$ -	\$ -
	15NR	Pt 14	31-144-00	423	289	-	289	\$ 39.33	\$ 196.63	\$ -	\$ -
	15NR	Pt 14	31-145-00	437	299	-	299	\$ 64.89	\$ 324.47	\$ -	\$ -
	15NR	Pt 14	31-146-00	582	398	-	398	\$ 67.04	\$ 335.21	\$ -	\$ -
	15NR	Pt 14	31-147-00	409	280	-	280	\$ 89.29	\$ 446.44	\$ -	\$ -
								\$ 62.75	\$ 313.74	\$ -	\$ -

Conc.	Lot	Roll No.	Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
	15NR	Pt 14	31-148-00	905	619	-	619	\$ 138.84	\$ 694.21	\$ -	\$ -
	16NR	Pt 14	31-148-10	123	84	-	84	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-148-12	111	76	-	76	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-148-14	123	84	-	84	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-148-16	123	84	-	84	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-148-18	123	84	-	84	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-148-20	142	97	-	97	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-148-22	142	97	-	97	\$ -	\$ -	\$ -	\$ -
F	15NR	Pt 15	31-149-00	5,267	3,602	1,201	2,401	\$ 538.64	\$ 2,693.21	\$ -	\$ -
F	15NR	Pt 16	31-149-01	1,094	748	249	499	\$ 111.98	\$ 559.92	\$ -	\$ -
F	15NR	Pt 16	31-150-00	1,301	890	297	593	\$ 132.97	\$ 664.87	\$ -	\$ -
	15NR	Pt 16	31-150-02	1,315	899	-	899	\$ 201.74	\$ 1,008.71	\$ -	\$ -
	16NR	Pt 11	31-160-04	90	62	-	62	\$ -	\$ -	\$ -	\$ -
F	16NR	Pts 11&12	31-162-00	1,224	837	279	558	\$ 125.20	\$ 625.99	\$ -	\$ -
F	16NR	Pts 11&12	31-162-01	514	352	117	235	\$ 52.61	\$ 263.06	\$ -	\$ -
	16NR	Pt 13	31-163-00	438	300	-	300	\$ 67.20	\$ 335.98	\$ -	\$ -
	16NR	Pt W½	31-164-00	56	38	-	38	\$ -	\$ -	\$ -	\$ -
	16NR	Pt W½	31-165-00	125	85	-	85	\$ -	\$ -	\$ -	\$ -
	16NR	Pt N½ 13 & S½ 14	31-165-10	348	238	-	238	\$ 53.39	\$ 266.94	\$ -	\$ -
	16NR	Pt S½ 14	31-165-15	63	43	-	43	\$ -	\$ -	\$ -	\$ -
	16NR	Pt S½ 14	31-165-17	111	76	-	76	\$ -	\$ -	\$ -	\$ -
	16NR	Pt S½ 14	31-166-00	118	81	-	81	\$ -	\$ -	\$ -	\$ -
	16NR	Pt S½ 14	31-166-02	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-167-00	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-168-00	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-168-01	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-169-00	40	27	-	27	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 14	31-169-01	57	39	-	39	\$ -	\$ -	\$ -	\$ -
F	16NR	Pts 15&16	31-170-00	2,496	1,707	569	1,138	\$ 255.29	\$ 1,276.46	\$ -	\$ -
	16NR	Pt 16	31-173-02	57	39	-	39	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 16	31-171-00	113	77	-	77	\$ -	\$ -	\$ -	\$ -
	16NR	Pt 16	31-171-01	166	114	-	114	\$ 25.47	\$ 127.34	\$ -	\$ -
	16NR	Pt 16	31-171-02	166	114	-	114	\$ 25.47	\$ 127.34	\$ -	\$ -
	16NR	Pt 16	31-172-00	166	114	-	114	\$ 25.47	\$ 127.34	\$ -	\$ -
	16NR	Pt 16	31-172-01	166	114	-	114	\$ 25.47	\$ 127.34	\$ -	\$ -
	16NR	Pt 16	31-172-02	166	114	-	114	\$ 25.47	\$ 127.34	\$ -	\$ -
	16NR	Pt 16	31-172-03	357	244	-	244	\$ 54.77	\$ 273.85	\$ -	\$ -
	16NR	Pt 16	31-172-04	357	244	-	244	\$ 54.77	\$ 273.85	\$ -	\$ -
	16NR	Pt 16	31-172-05	357	244	-	244	\$ 54.77	\$ 273.85	\$ -	\$ -
	16NR	Pt 16	31-172-06	357	244	-	244	\$ 54.77	\$ 273.85	\$ -	\$ -

Conc.	Lot	Roll No.	Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
16NR	Pt 16	31-172-07	357	244	-		244	\$ 54.77	\$ 273.85	\$ -	\$ -
16NR	Pt 16	31-172-08	357	244	-		244	\$ 54.77	\$ 273.85	\$ -	\$ -
16NR	Pt 16	31-172-09	357	244	-		244	\$ 54.77	\$ 273.85	\$ -	\$ -
16NR	Pt 16	31-172-10	357	244	-		244	\$ 54.77	\$ 273.85	\$ -	\$ -
16NR	Pts 15&16	31-172-11	232	159	-		159	\$ 35.59	\$ 177.96	\$ -	\$ -
16NR	Pt 14	31-172-12	57	39	-		39	\$ -	\$ -	\$ -	\$ -
16NR	Pt 14	31-172-14	57	39	-		39	\$ -	\$ -	\$ -	\$ -
16NR	Pt 14	31-172-16	57	39	-		39	\$ -	\$ -	\$ -	\$ -
16NR	Pt 14	31-172-18	57	39	-		39	\$ -	\$ -	\$ -	\$ -
16NR	Pt 14	31-172-20	57	39	-		39	\$ -	\$ -	\$ -	\$ -
16NR	Pt 14	31-172-22	90	62	-		62	\$ -	\$ -	\$ -	\$ -
16NR	Pt 14	31-172-24	139	95	-		95	\$ -	\$ -	\$ -	\$ -
16NR	Pt 16	31-173-00	97	66	-		66	\$ -	\$ -	\$ -	\$ -
16NR	Pt 16	31-173-01	277	189	-		189	\$ 42.50	\$ 212.48	\$ -	\$ -
16NR	Pt 16	31-173-05	97	66	-		66	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 27	55-301-00	1,607	1,099	-		1,099	\$ 246.54	\$ 1,232.70	\$ -	\$ -
Adj. Cross	Pt 27	55-302-00	360	246	-		246	\$ 55.23	\$ 276.15	\$ -	\$ -
F Adj. Cross	Pt 27	55-303-00	1,566	1,071	357		714	\$ 160.17	\$ 800.85	\$ -	\$ -
Adj. Cross	Pt 27	55-304-00	333	228	-		228	\$ 51.09	\$ 255.44	\$ -	\$ -
Adj. Cross	Pt 27	55-305-00	83	57	-		57	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 27	55-306-00	166	114	-		114	\$ 25.47	\$ 127.34	\$ -	\$ -
Adj. Cross	Pt 27	55-307-00	429	293	-		293	\$ 65.82	\$ 329.08	\$ -	\$ -
F Adj. Cross	Pt 27	55-307-01	582	398	133		265	\$ 59.45	\$ 297.27	\$ -	\$ -
Adj. Cross	Pt 28	55-308-00	40	27	-		27	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 28	55-309-00	56	38	-		38	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 28	55-310-00	761	520	-		520	\$ 116.75	\$ 583.75	\$ -	\$ -
F Adj. Cross	Pt 28	55-311-00	568	388	129		259	\$ 58.20	\$ 291.02	\$ -	\$ -
Adj. Cross	Pt 28	55-312-00	568	388	-		388	\$ 87.14	\$ 435.70	\$ -	\$ -
Adj. Cross	Pt 28	55-313-00	554	379	-		379	\$ 84.99	\$ 424.96	\$ -	\$ -
Adj. Cross	Pt 28	55-314-00	498	341	-		341	\$ 76.40	\$ 382.01	\$ -	\$ -
Adj. Cross	Pt 28	55-315-00	360	246	-		246	\$ 55.23	\$ 276.15	\$ -	\$ -
Adj. Cross	Pt 28	55-316-00	554	379	-		379	\$ 84.99	\$ 424.96	\$ -	\$ -
F Adj. Cross	Pt 28	55-317-00	845	578	193		385	\$ 86.34	\$ 431.72	\$ -	\$ -
Adj. Cross	Pt 28	55-318-00	56	38	-		38	\$ -	\$ -	\$ -	\$ -
F Adj. Cross	Pt 29	55-319-00	610	417	139		278	\$ 62.40	\$ 312.02	\$ -	\$ -
Adj. Cross	Pt 29	55-320-00	83	57	-		57	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 29	55-321-00	83	57	-		57	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 29	55-322-00	83	57	-		57	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 29	55-323-00	83	57	-		57	\$ -	\$ -	\$ -	\$ -
Adj. Cross	Pt 29	55-324-00	1,191	815	-		815	\$ 182.72	\$ 913.59	\$ -	\$ -

			Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
F	Adj. Cross. Pt 29	55-324-01	1,080	739	246		493	\$ 110.51	\$ 552.54	\$ -	\$ -
	Adj. Cross. Pt 29	55-325-00	56	38	-		38	\$ -	\$ -	\$ -	\$ -
	Adj. Cross. Pt 29	55-326-00	56	38	-		38	\$ -	\$ -	\$ -	\$ -
F	Adj. Cross. Pt 29	55-328-00	1,025	701	234		467	\$ 104.76	\$ 523.81	\$ -	\$ -
	31-996-00		4,480	3,064	-		3,064	\$ 687.30	\$ 3,436.51	\$ -	\$ -
	Special Assessment to CPR (31-996-00)		915	1,170	-		1,170	\$ 262.50	\$ 1,312.49	\$ -	\$ -
Sub-Total (Lands):			182,185	125,148	19,750	11,400	93,998	\$ 20,576.57	\$ 102,882.92	\$ 6,575.51	\$ 65,755.12
Roads											
	Point Abino Rd.		761	520	-		520				
	Regional Rd 25 (Netherby Rd.)		37,118	25,386	-		25,386				
	Special Assessment to Reg Rd 25 (Netherby Rd.)		915	70,463	-		70,463				
	Burger Rd.		915	626	-		626				
	1/2 Townline Rd.		414	283	-		283				
	Fox Rd.		1,845	1,262	-		1,262				
	Special Assessment to Fox Rd.		1,220	1,018	-		1,018				
	College Rd.		16,205	11,083	-		11,083				
	Special Assessment to College Rd.		915	1,018	-		1,018				
	House Rd.		283	194	-		194				
	Schaubel Rd.		305	209	-		209				
	Willow Rd.		720	492	-		492				
	Lapp Rd.		235	161	-		161				
	Newgate Rd.		235	161	-		161				
Sub-Total (Roads):			62,086	112,875	-	-	112,875				
Total Assessment for Town of Fort Erie:			244,271	238,023	19,750	11,400	206,873				
City of Port Colborne (27-11-040-00) (Former Twp of Humberstone)											
Lands											
F	4 Pts 1&2	6-072-15	1,085	742	247		495				
F	4 Pt 3	6-075-00	814	557	186		371				
	4 Pt 4	6-078-00	439	300	-		300				
F	4 Pts 1 & 2	6-113-00	2,858	1,955	652		1,303				
F	5 Pt 1	6-114-00	4,157	2,843	948		1,895				
F	5 Pt 2	6-119-00	1,316	900	300		600				
F	5 Pt 2	6-120-00	236	161	54		107				
F	5 Pt 4	6-121-00	2,574	1,760	587		1,173				
	5 Pt 4	6-122-00	181	124	-		124				
		6-996-00	90	62	-		62				
Sub-Total (Lands):			13,750	9,404	2,974	-	6,430				
Roads											
	Zavitz Rd.		139	95	-		95				

Conc. Lot Roll No.			Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
1/2 Townline Road			456	312	-		312				
Regional Rd 98 (Schihi Rd.)			785	537	-		537				
Forkes Rd. E.			417	285	-		285				
Sub-Total (Roads):			1,797	1,229	-	-	1,229				
Total Assessment for City of Port Colborne:			15,547	10,633	2,974	-	7,659				
City of Niagara Falls (27-25-013-000)(Former Twp of Willoughby)											
<u>Lands</u>											
Con. C	Pt 8	1-194-00	537	367	-		367				
Con. C	Pt 8	1-195-00	744	509	-		509				
Con. C	Pt 8	1-196-00	374	256	-		256				
Con. C	Pt 8	1-197-00	471	322	-		322				
Con. C	Pt 8	1-198-00	453	310	-		310				
Con. C	Pt 9	1-199-00	1,188	813	-		813				
Con. C	Pt 9	1-200-00	1,552	1,061	-		1,061				
F	4	Pt 3	83	57	19		38				
F	4	Pt 3	263	180	60		120				
F	4	Pt 2	1,700	1,163	388		775				
F	4	Pt 1	291	199	66		133				
F	4	Pt 1	2,036	1,393	464		929				
	5	Pt 3	166	114	-		114				
F	5	Pt 3	4,515	3,088	1,029		2,059				
F	5	Pt 2	5,182	3,544	1,181		2,363				
	5	Pt 1	56	38	-		38				
F	4	Pt 1	1,385	947	316		631				
F	5	Pt 1	3,834	2,622	874		1,748				
	5	Pt 1	111	76	-		76				
	Con. C	Pt 11,1&2	3,186	2,179	-		2,179				
	Con. C	Pt 10	56	38	-		38				
F	Con. C	Pt 10	1,592	1,089	363		726				
F	Con. C	Pt 10	1,202	822	274		548				
F	Con. C	Pt 10	1,049	717	239		478				
F	Con. C	Pt 11	1,454	994	331		663				
	Con. C	Pt 11	111	76	-		76				
	Con. C	Pt 11	111	76	-		76				
	Con. C	Pt 11	484	331	-		331				
F	Con. C	Pt 11	3,202	2,190	730		1,460				
	Con. C	Pt 11	56	38	-		38				
	Con. C	Pt 11	40	27	-		27				
F	Con. C	Pt 11	2,855	1,953	651		1,302				

Conc.	Lot	Roll No.	Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Annual Payment for Properties Over \$100 Amortized for 5 years (2023 - 2027)	Total of Payments after Amortization (including Interest)	Annual Payment for Properties Over \$100 Amortized for 10 years (2023 - 2032)	Total of Payments after Amortization (including Interest)
Con. C	Pt 11	4-225-10	277	189	-		189				
Sub-Total (Lands):			40,616	27,779	6,985	-	20,794				
<u>Roads</u>											
Willow Rd.			417	285	-		285				
Lapp Rd.			458	313	-		313				
Baker Rd.			680	465	-		465				
King Rd.			956	654	-		654				
Beck Rd. -			333	228	-		228				
Durliat Rd.			180	123	-		123				
Unopened Road A			97	66	-		66				
Sub-Total (Roads):			3,121	2,135	-	-	2,135				
Total Assessments for City of Niagara Falls:			43,737	29,913	6,985	-	22,928				
Total Assessment for St. John's Marsh Drain 2016:			303,555	278,570	29,709	11,400	237,461				

Notes:

1. The above lands marked "F" are currently classified as agricultural according to the OMAFRA and are therefore entitled to a 1/3 grant .
The other lands are considered to be non-agricultural .
2. Section 21 of the Drainage Act, RSO 1990 requires that assessments be shown opposite each parcel of land and road affected. The affected parcels of land have been identified using the roll number from the last revised assessment roll for the Township. For convenience only, the owners' names as shown by the last revised assessment roll, have been included.
3. The value of the assessments identified in this schedule are estimates only, and should not be considered final.
4. This schedule is included for information purposes only. It is not an official schedule.

The Corporation of the City of Port Colborne

By-Law No. _____

Being a By-law to Levy the Actual Costs Incurred in
Constructing a Drainage Works
Known as the St. John's Marsh Municipal Drain

Whereas Section 61 Chapter D.17 of the *Drainage Act* R.S.O. 1990 authorizes a municipality, upon the completion of the drainage works, to levy the final cost thereof to the lands and roads liable, as stated in the engineer's report; and

Whereas Fort Erie By-law 115-2016, Being a By-law to Provide for Drainage Works in the Town of Fort Erie in the Regional Municipality of Niagara, known as the St. John's Marsh Municipal Drain, was enacted the 24th day of April, 2017, and provided for the construction of the St. John's Marsh Municipal Drain based on the estimates contained in the drainage report dated April 8, 2016, as submitted by Neal Morris P. Eng, from the firm of K. Smart Associates Ltd.; and

Whereas the Drainage Works was completed as per the Engineer's Report, as amended, and the total actual costs incurred were \$278,570.00 compared to an original estimated cost of \$303,555.00. Actual costs for constructing the drain were 8.23% under the Engineer's estimate; and

Whereas the Town of Fort Erie has invoiced the City of Port Colborne for drainage works related to lands assessed with the City of Port Colborne the amount of \$6,980.00 and it is the City of port Colborne's responsibility to pay this invoice and in turn, invoice the property owners who have benefitted from the drainage works.

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

1. That the Treasurer levy the amount in accordance with Schedule 'A', attached hereto, against the lands and roads in the City of Port Colborne, being the amounts to be charged for completing the construction of the drainage works known as the St. John's Marsh Drain.
2. That the owners of the property's within the City of Port Colborne have the option of submitting full payment of the net cost or make yearly payments over a period of 5 years at 5% interest per annum. The full payments not received by December 31, 2022 shall be added to the final tax bill beginning in the year 2023 and ending in the year 2027.
3. That in the event of nonpayment, the City of Port Colborne's penalty and interest charges on outstanding accounts receivable, By-law 6841/91/20 shall be followed.
4. This by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

ST. JOHN'S MARSH DRAIN
City of Port Colborne
Regional Municipality of Niagara

Scheule "A" for
By-law to Levy the Actual Cost Incurred in
Constructing Drainage Works Known as the
St.John's Marsh Municipal Drain

Conc.	Lot	Roll No.	Owner(s)	Gross Total (\$)	Actual Total	1/3 Grant (\$)	Allowance (\$)	Net (\$)	Optional Yearly Payment 5% / 5 YRS 0.230929174	Total Payments After Amortization (Including Interest)
City of Port Colborne (27-11-040-00) (Former Twp of Humberstone)										
<u>Lands</u>										
4	Pts 1&2	6-072-15	776542 Ont. Ltd.	1,085	742	247		495	114.31	571.55
4	Pt 3	6-075-00	776542 Ont. Ltd.	814	557	186		371	85.67	428.35
4	Pt 4	6-078-00	D. & S. Anderson	439	300	-		300	69.28	346.40
4	Pts 1 & 2	6-113-00	776542 Ont. Ltd.	2,858	1,955	652		1,303	300.90	1504.50
5	Pt 1	6-114-00	S. & J. Hwang	4,157	2,843	948		1,895	437.61	2188.05
5	Pt 2	6-119-00	Loeffen Farms Ltd.	1,316	900	300		600	138.56	692.80
5	Pt 2	6-120-00	2144894 Ont Ltd	236	161	54		107	24.71	123.55
5	Pt 4	6-121-00	776542 Ontario Ltd	2,574	1,760	587		1,173	270.88	1354.40
5	Pt 4	6-122-00	P. Aiello	181	124	-		124	28.64	143.20
		6-996-00	C P Rail	90	62	-		62	14.32	71.60
Sub-Total (Lands):				13,750	9,404	2,974	-	6,430		
<u>Roads</u>										
Zavitz Rd.				139	95	-		95		
1/2 Townline Road				456	312	-		312		
Regional Rd 98 (Schihi Rd.)				994	679	-		679		
Forkes Rd. E.				209	143	-		143		
Sub-Total (Roads):				1,797	1,229	-	-	1,229		
Total Assessment for City of Port Colborne:				15,547	10,633	2,974	-	7,659		

Subject: Haney Street Road Allowance – Stop Up and Close By-law and Surplus Declaration

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-186

Meeting Date: August 23, 2022

Recommendation:

That Chief Administrative Officer - Economic Development and Tourism Division Report 2022-186 be received; and

That the Stop Up and Close By-law, being a By-law to stop up and close the Haney Street Road Allowance, legally described as Haney St. PI 765 Humberstone Lying East Of King St. Except VH2791 PIN 64149-0024 be approved; and

That the Haney Street Road Allowance, legally described as Haney St. PI 765 Humberstone Lying East of King St. Except VH2791 be declared surplus.

Purpose:

This report is seeking Council approval for a Stop-up and Close By-law for the Haney Street Road Allowance, legally described as Haney St. PI 765 Humberstone Lying East Of King St. Except VH2791 PIN 64149-0024. Staff are also recommending that the parcel be declared surplus. The Haney Street Road Allowance is shown in Appendix A.

Background:

The Economic Development and Tourism Services Division has undertaken a review of City-owned property to identify potential surplus lands that could be made available to support development opportunities and expand the City's tax base. The Haney Street Road Allowance shown in Appendix A, is not required for future road and transportation purposes. The first step in this process would be a Stop Up and Close By-law.

Discussion:

The road allowance is not generating any tax revenue for the City.

Closing the road allowance would help to facilitate the development of adjoining lands and create more housing units. Staff are also recommending that the road allowance and the City owned vacant parcel shown on Appendix A be declared surplus.

Staff are working with a not-for-profit organization on a potential partnership to create more affordable housing units. A report with more details will be brought forward at the September 13th Council meeting.

Internal Consultations:

The Haney Street Road Allowance is surplus to the City's needs based on input from the City departments and has no current value to the City.

Public Works has indicated that there is no operational or transportation need for retaining the road allowance.

Financial Implications:

It is estimated that the public notice costs for advertisement will be \$2080 and will be funded from the Economic Development Land Reserve.

Public Engagement:

A public notice, along with a property map, was placed in Niagara This Week/Port Colborne Leader, July 28, 2022, and the subsequent three weeks (August 4th, August 11th, and August 18th). This notice was also posted on the City's website under Public Notices and News starting July 28, 2022.

No public comments have been received through the Clerk's Department since the notices were posted.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
- Value: Financial Management to Achieve Financial Sustainability
- Governance: Communication, Engagement, and Decision-making

Conclusion:

The Economic Development and Tourism Services Division has undertaken a review of City-owned property to identify potential surplus lands and maximize the value of City Real Estate.

The Haney Street Road Allowance has been identified by staff as surplus land that could be made available to support development opportunities. As a first step it is recommended that the Stop Up and Close By-law be approved and the property be declared as surplus.

Appendices:

- a. Map of Haney Street Road Allowance
- b. Stop-up and Close By-law

Respectfully submitted,

Bram Cotton
Economic Development Officer
(905) 835-2900 Ex 504
Bram.Cotton@portcolborne.ca

Gary Long
Manager of Strategic Initiatives
(905) 835-2900 Ex 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.

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Stop and Close for Haney Street Road Allowance, of PIN 64149-0024.

WHEREAS at its meeting of August 23, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Chief Administrative Officer Report No. 2022-168, Subject: Proposed Stop up and Close By-law for Haney Street Road Allowance; and

WHEREAS Section 27(1) of the Municipal Act, 2001, provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

WHEREAS it is deemed expedient in the interest of The Corporation of the City of Port Colborne that the road allowance set out and described in this by-law be stopped up and closed; and

WHEREAS in accordance with Section 34(1) of the Municipal Act, 2001 and By-law XXXX/XX/X of the Corporation of the City of Port Colborne, Being a By-law to Prescribe the Form and Manner and Times for the Provision of Notice in Accordance with the Municipal Act, 2001, public notice of Council’s intention to permanently close the highway set out and described in this by-law was provided; and

WHEREAS no person claiming their lands will be prejudicially affected by the by-law applied to was heard by the Council of the Corporation of the City of Port Colborne at the meeting held by the Council for that purpose on Tuesday, August 23, 2022.

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

1. That upon and after the passing of this by-law all that portion of the road allowance described as part of the original Haney Street Road allowance, of PIN 64149-0024 is hereby stopped and closed.
2. That the Mayor, the Acting City Clerk be and are hereby authorized to execute any documents that may be required for the purpose of carrying out the intent of this by-law and the Clerk is dully authorized to affix the Corporate Seal thereto.
3. That the City Solicitor be and is hereby directed to prepare and register all such documents in the proper Land Registry Office to effect the closing of the Haney Street road allowance hereinbefore described.
4. This by-law shall take effect on the day that a certified copy of the by-law is registered in the proper land registry office.


Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk



Legend

 Parcel Fabric



25.4 0 12.70 25.4 Meters

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Notes



Subject: Declaration of Surplus Land – PIN 64141-0386

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-184

Meeting Date: August 23, 2022

Recommendation:

That Chief Administrative Office - Economic Development and Tourism Division Report 2022-184 be received; and

That Council declare the City owned property legally described as Pt Lt 29 Con 2 Humberstone, P1 1 59R10207, PIN 64141-0386, shown in Appendix A, as surplus.

Purpose:

The purpose of this report is to present PIN 64141-0386, legally described as Pt Lt 29 Con 2 Humberstone, P1 1 59R10207 to Council and have the City owned property declared surplus.

Background:

The Economic Development and Tourism Services Division (EDTS) has undertaken a review of City-owned property to identify potential surplus lands that could be made available for sale to support development opportunities and expand the City's tax base. Additionally, EDTS has been tasked with reviewing any requests to purchase municipal property. An application has been made to purchase a portion of the City property which is shown in Appendix A.

Discussion:

The subject parcel is not generating any tax revenue for the City and is not required for operational or maintenance reasons.

The owner of the abutting vacant residential lands submitted a request to purchase a portion of the City's property to expand the developable area.

Declaring the property as surplus is one step in the process and, if Council chooses to proceed with this declaration, staff will bring forward a report regarding next steps for the divestment of this property in accordance with the City's Sale of Land Policy.

Internal Consultations:

The City-owned parcel shown in Appendix A, is surplus to City needs based on input from other City departments. The sale of a portion of this property would support residential real estate development of the adjoining parcels. The exact dimensions of the parcel being conveyed will need to be confirmed after further internal consultations and this will be included in a survey.

Financial Implications:

There are no financial implications at this time.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - Value: Financial Management to Achieve Financial Sustainability
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

The EDTS Division has been tasked with reviewing City-owned property that could be declared surplus and requests from individuals and companies who want to purchase municipal property.

Parts of PIN 64141-0386, legally described as Pt Lt 29 Con 2 Humberstone, P1 1 59R10207, could be used to support the development of abutting residential lands. This City parcel has been identified as surplus by staff.

It is recommended that Council declare the property as surplus to support future opportunities for residential development.

Appendices:

- a. Property Map of PIN 64141-0386

Respectfully submitted,

Bram Cotton

Economic Development Officer

(905) 835-2900 Ex. 504

Bram.Cotton@portcolborne.ca

Gary Long

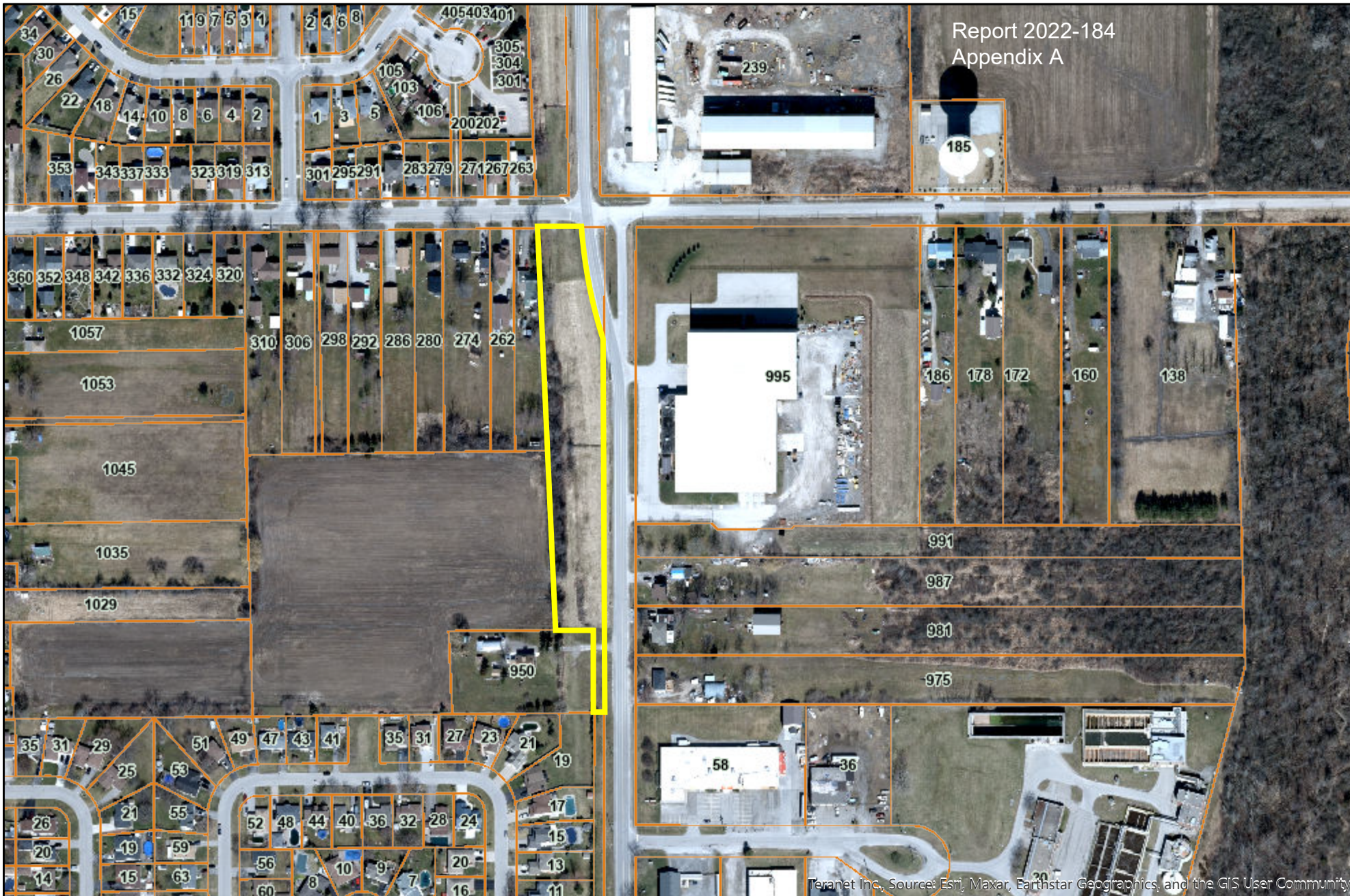
Manager of Strategic Initiatives

(905) 835-2900 Ex. 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.



Legend

★ Immunization Sites Address Points Assessment Parcels

0 0.04 0.07 0.15 0.22

Page 80 of 122

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Date: 2022-08-08 Time: 8:42 AM

Subject: Declaration of Surplus Land - PIN 64156-0026

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-183

Meeting Date: August 23, 2022

Recommendation:

That Chief Administrative Office Economic Development and Tourism Division Report 2022-183 be received; and

That Council declare the City owned property legally described as Lt 28 Con 1 Humberstone; S/T PC14323 Port Colborne, PIN 64156-0026 and shown in Appendix A, as surplus.

Purpose:

The purpose of this report is to present PIN 64156-0026, legally described as Lt 28 Con 1 Humberstone; S/T PC14323 Port Colborne and have Council declare the property as surplus.

Background:

The Economic Development and Tourism Services Division (EDTS) has undertaken a review of City-owned property to identify potential surplus lands that could be made available for sale to support development opportunities and expand the City's tax base. Additionally, EDTS has been tasked with reviewing any requests to purchase municipal property. An application has been submitted to purchase part of the City property shown in Appendix A.

Discussion:

The subject parcel is not generating any tax revenue for the City and is not required for operational or maintenance reasons. Further discussions with Public Works and Canadian Niagara Power will be required to determine final parcel dimensions.

The owners of the adjoining vacant lands contacted the City to express their interest in acquiring a portion of the City's land to expand their developable area.

Declaring the property as surplus is one step in the process, and if Council chooses to proceed with this declaration, staff will bring forward a report regarding next steps for the disposition of this parcel in accordance with the City's Sale of Land Policy.

Internal Consultations:

PIN 64156-0026 is surplus to City needs based on input from other City departments. This property could support residential real estate development of the adjoining parcel. The exact dimensions of the parcel will be confirmed by Public Works staff and CN Power and included in a survey.

Financial Implications:

There are no financial implications at this time.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - Value: Financial Management to Achieve Financial Sustainability
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

Staff from the EDTS Division are reviewing City-owned properties that could be declared surplus and requests from individuals and companies who want to purchase municipal property.

PIN 64156-0026, legally described as Lt 28 Con 1 Humberstone; S/T PC14323 Port Colborne, and shown in Appendix A, has been identified by staff as surplus. The sale of

part of this property would facilitate development opportunities and expand the City's tax base.

It is recommended that the property be declared surplus and that staff come back to Council with a report regarding disposition.

Appendices:

- a. Property Map PIN 64156-0026

Respectfully submitted,

Bram Cotton
Economic Development Officer
(905) 835-2900 Ex 504
Bram.Cotton@portcolborne.ca


Gary Long
Manager of Strategic Initiatives
(905) 835-2900 Ex 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.



Legend

 Parcel Fabric



25.4 0 12.70 25.4 Meters

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Notes



Subject: Olde Humberstone (Main St.) CIP Expansion Request

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-189

Meeting Date: August 23, 2022

Recommendation:

That Chief Administrative Officer- Economic Development and Tourism Report 2022-185 be received; and

That Council direct staff to initiate the process for amending the Olde Humberstone (Main Street) Community Improvement Plan (CIP) under Section 28 of the Planning Act.

Purpose:

The purpose of this report is to review a request received from the owners of 1 Neff Street for an expansion of the Olde Humberstone (Main Street) Community Improvement Plan (CIP) project area. The request is attached to this report as Appendix A.

Background:

The Olde Humberstone (Main Street) CIP was created in December of 2008 as it was determined that the Humberstone core was in need of targeted investment to support revitalization. Many heritage buildings in the area had fallen into disrepair and there were unfilled commercial gaps in the designated area.

The goals and objectives of the Olde Humberstone (Main Street) CIP area are as follows:

- Promote the establishment of a compact, pedestrian-oriented village center consisting of vibrant and dynamic mixed-use areas, and residential living environments that provide a broad range of housing types for an array of housing needs,

- Promote a diverse mix of residential, business, commercial, office, institutional, educational, and cultural and recreational activities for workers, visitors, and residents.
-

Discussion:

Grandstone Living Inc., owner of 1 Neff Street, have a made a formal request to have their vacant property included in the Olde Humberstone (Main Street) CIP project boundary area. Currently, the subject property abuts the CIP project boundary and they have requested that it be included in order to utilize the CIP incentives for their development.

When a CIP boundary is proposed to be amended, the City is legislated to administer the process in accordance with Section 28 of the *Planning Act*. Through the processing of the application, Section 28 requires the City to hold a Public Meeting, with Notice for said meeting being circulated no later than 20 days prior. Following the Public Meeting, a staff recommendation report will be prepared for Council's consideration. Council's decision on the proposal is not final until a 20-day appeal period has lapsed. Any member of the public that provides written or oral submissions on the proposed expansion is eligible to appeal the decision of Council.

Internal Consultations:

The request was discussed with the internal CIP working group that consists of staff from the Economic Development and Planning divisions. If Council provides direction to initiate the process to consider the expansion, a recommendation report will be brought forward to a future Council meeting.

Financial Implications:

The Planning Act requires that notice of the Public Meeting be provided in the local newspaper. The advertisement will cost no more than \$1,000 and this will be funded from the Economic Development Operating Budget.

Public Engagement:

The required advertisement of the Public Meeting will be placed in the Port Colborne Leader a minimum of 20 days prior to a Public Meeting as per the Planning Act. It is anticipated that the Public Meeting will be held on October 11, 2022. Members of the public can provide written comments or speak at the Public Meeting.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

The owners of 1 Neff Street have made a request to expand the boundary of the Olde Humberstone (Main Street) CIP area.

Staff is requesting Council direction to initiate the process to consider the expansion of the CIP area.

Appendices:

- a. Grandstone Living Inc. - Request of CIP Expansion

Respectfully submitted,

Bram Cotton
Economic Development Officer
(905) 835-2900 Ex 504
Bram.Cotton@portcolborne.ca

Gary Long
Manager of Strategic Initiatives
(905) 835-2900 Ex 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.



Tuesday July 26th 2022,

To whom it may concern,

We are requesting that our property located at 1 Neff St. Port Colborne be added to the Olde Humberstone CIP area. It currently abuts the existing CIP area.

Existing Olde Humberstone CIP area (red shading):



Sincerely,

Marc Vaillancourt

Marc Vaillancourt
President,
Grandstone Living Inc.

**Subject: Recommendation Report for a Zoning By-law Amendment
at 1498 Wilhelm Road**

To: Council

From: Development and Legislative Services Department

Report Number: 2022-188

Meeting Date: August 23, 2022

Recommendation:

That Development and Legislative Services Department Report 2022-188 be received;
and;

That Council approve the Zoning By-law Amendment attached as Appendix C, to
amend the zoning for the subject lands from Agricultural to Agricultural Residential 'AR-
56' (Part 1) and from Agricultural 'A' Zone to Agricultural Purposes Only 'APO' (Part 2);

Purpose:

The purpose of this report is to provide Council with an update and recommendation
regarding a Zoning By-law Amendment application initiated by the applicant,
Christopher Wilson, on behalf of the owner Andy Veenstra.

A complete application was received on April 15, 2022, and was deemed complete on
April 29, 2022, and is requesting to change the zoning from Agricultural to Agricultural
Residential and from Agricultural to Agricultural Purposes Only. The requested
amendment is being sought to address the condition of consent application B09-22-PC,
which was sought to sever the dwelling, which has been deemed surplus to the farming
operation, from the agricultural lands. The lands containing the existing dwelling,
identified as Part 1 on Appendix A, will be rezoned Agricultural Residential and Part 2
will be rezoned Agricultural Purposes Only.

Background:

Location:

The subject lands are located on the west side of Wilhelm Road, north of Highway 3, and south of Second Concession Road. The legal description of the property is Lot 5 on Concession 2 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1498 Wilhelm Road.

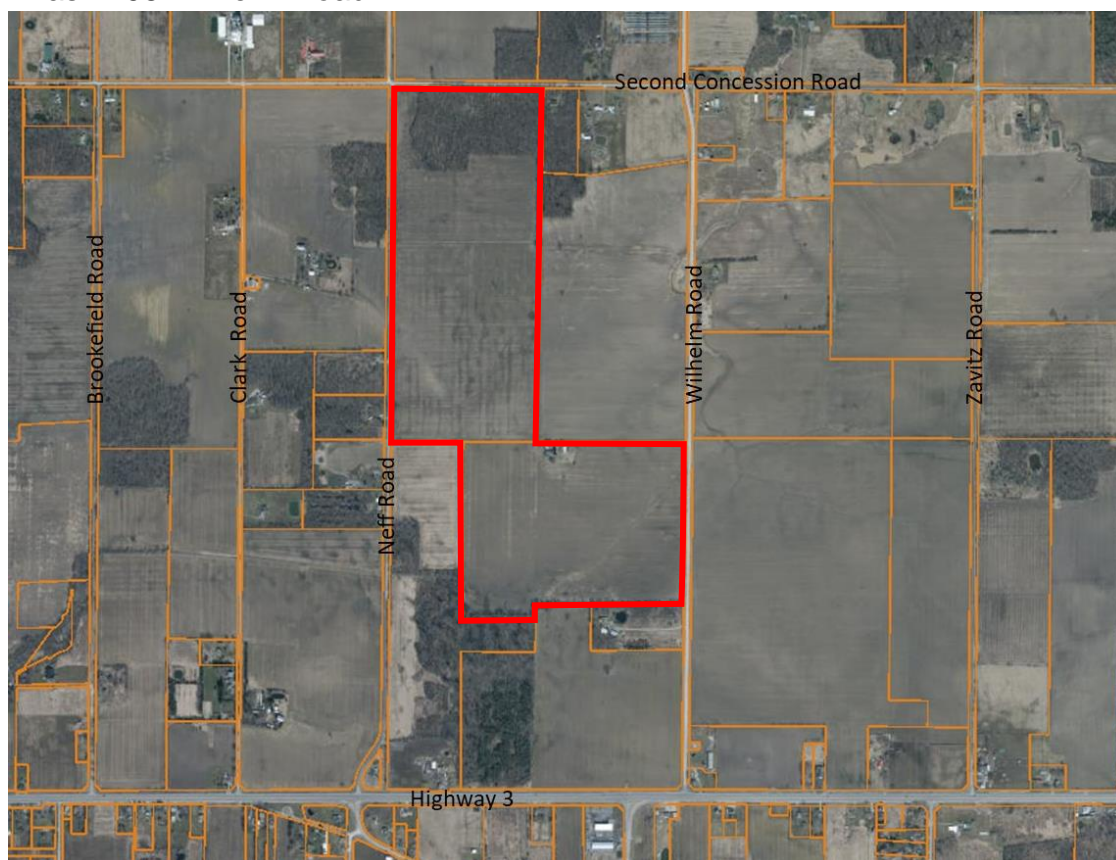


Figure 1: Location of subject lands highlighted in red, from Niagara Navigator 2020.

Surrounding Land Uses and Zoning:

The properties to the north, south, east, and west are all zoned agricultural and consist primarily of agricultural land with a detached dwelling located to the south.

Discussion:

Planning staff reviewed this application with consideration of several planning documents including the Planning Act, R.S.O, 1990, as amended, the *Provincial Policy Statement (2020)*, *A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)*, the *Regional Official Plan*, the *City of Port Colborne Official Plan* and the *City of Port Colborne Comprehensive Zoning By-law 6575/30/18*. For an application to be supported by Staff, it must conform to or be consistent with the aforementioned plans.

Planning Act

Section 2 of the Planning Act outlines matters of provincial interest.

Section 3 of the Act requires that, in exercising any authority that affects a planning matter, planning authorities “shall be consistent with the policy statements” issued under the Act and “shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be”.

Section 34 of the Act allows for the consideration of a zoning by-law amendment.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “Prime Agricultural Area” according to the PPS. Prime Agricultural Areas are to be protected for long-term agricultural use and lot creation is generally discouraged in this area and may only be permitted for a residence that has been deemed surplus to a farming operation as a result of farm consolidation.

Staff is satisfied that this application is consistent with the PPS. The applicant has submitted a list of farms under their operation and ownership, which has been attached as Appendix B, which indicates that 1498 Wilhelm Road is part of farm consolidation.

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan states that Prime Agricultural Areas will be protected for long-term agricultural use. The guiding principles of the Growth Plan also state that municipalities are to support and enhance the long-term viability and productivity of agriculture by protecting Prime Agricultural Areas and the agri-food network.

Staff is satisfied that the proposed application conforms to the Growth Plan. The application supports agricultural productivity by continuing agricultural use of the land. If Council approves the application, the lands to be zoned as Agricultural Purposes Only will result in the long-term viability and productivity of agriculture as agricultural and accessory agricultural uses will be the only permitted uses.

Regional Official Plan

The Regional Official Plan (ROP) designates the property in the Good General Agricultural Area. Section 5.B.8.1 (c) states that, as a condition of a surplus farm dwelling severance, the farm parcel must be rezoned to preclude its use for residential purposes.

Staff is satisfied that the proposed application conforms to the ROP. The proposed application is being sought as a condition of consent application B09-22-PC will be added to ensure the remnant parcel is rezoned to Agricultural Purposes Only.

City of Port Colborne Official Plan

The subject parcel is located within the Agricultural designation, according to the City's Official Plan (OP). The predominant uses in the Agricultural designation shall include, but not be limited to, the cultivation of crops on a commercial basis, the storage and processing of produce grown on the premises, raising of livestock, greenhouses, small-scale agri-tourism, value-added agricultural activities, specialty agricultural uses, and accessory agricultural uses.

Section 3.5.1 (a) states that it is the intent of the OP to preserve and protect the lands in the Agricultural Area for existing and future farming operations and to permit those uses that support or directly relate to agricultural activities. Section 3.5.3 (c) (i) states that no new residential development shall be permitted on the vacant remnant parcel of farmland created.

Staff is of the opinion that the proposed application is appropriate and compatible with the OP. There is no proposed development, and the applicant intends on using the remnant parcel for a farming operation, which aligns with the Agricultural policies of the OP.

Port Colborne Zoning By-law Amendment 6575/30/18

The subject property is currently zoned Agricultural (A). The permitted uses in this zone include but are not limited to, accessory agricultural activities, agricultural uses, agri-tourism, value-added uses, a cannabis production facility, conservation uses, detached dwellings, kennels, and accessory structures.

The application for Zoning By-law Amendment proposes to change the zoning to Agricultural Purposes Only on Part 2, and a special provision of the Agricultural Residential zone 'AR-56', on Part 1. Agricultural Purposes Only permits agricultural uses, conservation uses, and uses, structures and buildings accessory thereto including greenhouses. Agricultural Residential permits a detached dwelling and uses, structures and buildings accessory thereto. A special provision of the AR zone is required to recognize the 14.15m lot frontage where 45m is typically required in the AR zone.

Planning Staff is of the opinion that the proposed application is appropriate and compatible with the surrounding area. The proposed application is compatible with adjacent land uses as existing agricultural lands surround the subject parcel. The reduction in lot frontage to Part 1 is justified in order to preserve the most agricultural land for Part 2. Furthermore, rezoning Part 2 to Agricultural Purposes Only will preserve the remnant parcel for long-term agricultural use.

Internal Consultations:

The Notice of Public Meeting was provided to internal departments and commenting agencies on May 25, 2022. As of the date of preparing this report, the following comments have been received.

Drainage Superintendent

The parcels are within the watershed of the Peter Storm Drain. This report is in the process of being updated. Any changes will be corrected within the new report.

Fire Department

Port Colborne Fire has no objection to the proposed application

NPCA

NPCA staff have confirmed that there are no flooding concerns with the proposed application. The NPCA offers no objection to the proposed Zoning-By-law Amendment application.

Financial Implications:

This proposal may increase the assessed value of the parcel to be rezoned AR. The parcel is currently assessed at \$116,000, which is expected to increase as the existing house will no longer be considered a farm dwelling.

Public Engagement:

Notice of Public Meeting was circulated by mail to property owners within 120m of the subject property, as per Section 34 (13) of the Planning Act. A public notice sign was also posted on the property by May 25, 2022, and notices were posted on the City's website under "Current Applications". A public meeting was also held on June 14, 2022. As of the date of preparing this report, no comments from the public have been received

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
-

Conclusion:

Based on the review of the application and applicable Provincial, Regional, and City planning policies, Planning staff are of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan Regional Official Plan and City Official Plan, and represents good planning. Staff recommends that the Zoning By-law Amendment attached as Appendix C be approved.

Appendices:

- a. Survey
- b. Farm Ownership
- c. Zoning By-law Amendment

Prepared by,

Chris Roome, BURPI
Planner
905-835-2900 ext. 205
Chris.Roome@portcolborne.ca

Respectfully submitted,

Denise Landry, MCIP, RPP
Manager of Planning Services
908-838-2900 ext. 203
Denise.Landry@portcolborne.ca

Report Approval:

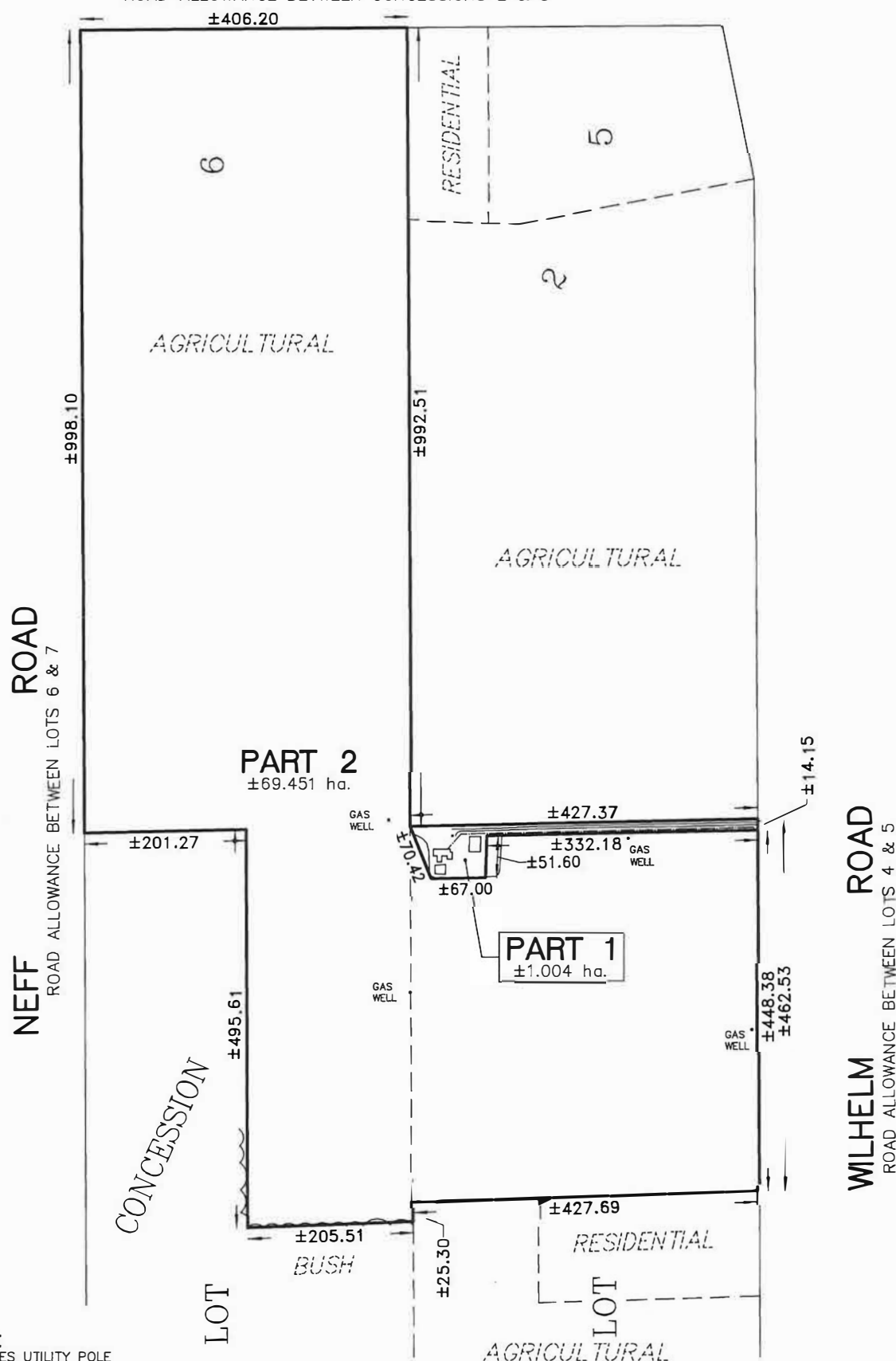
All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

SKETCH PREPARED FOR SEVERANCE/MINOR VARIANCE APPLICATION

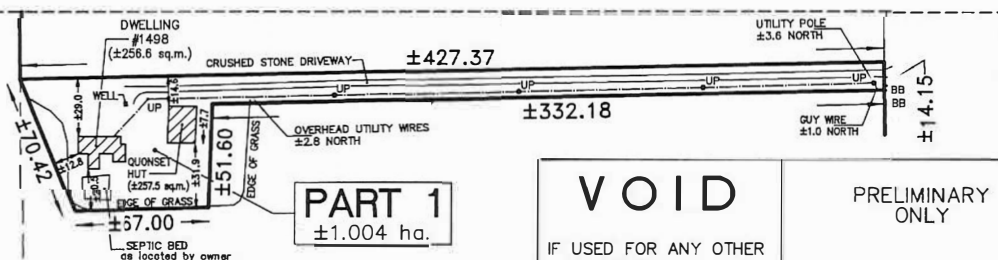
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN CURRENT SEVERANCE/MINOR VARIANCE APPLICATION. ©THIS SKETCH IS PROTECTED BY COPYRIGHT.

SECOND CONCESSION ROAD

ROAD ALLOWANCE BETWEEN CONCESSIONS 2 & 3



NOTE:
UP DENOTES UTILITY POLE
BB DENOTES BELL BOX



DETAIL
SCALE: 1:2750

PART 2
±69.451 ha.

VOID

IF USED FOR ANY OTHER
PURPOSE THAN THIS
CURRENT SEVERANCE/
MINOR VARIANCE
APPLICATION

PRELIMINARY
ONLY

APRIL 8, 2022 (rev)
JULY 8, 2021
DATE

MARK GILMORE
Outside Investment Director

LANTHIER & GILMORE SURVEYING LTD.
173 CLARENCE ST. PORT COLBORNE, ONT. (905) 835-5477

SKETCH OF PROPOSED SEVERANCE/MINOR VARIANCE
PART OF LOTS 5 & 6

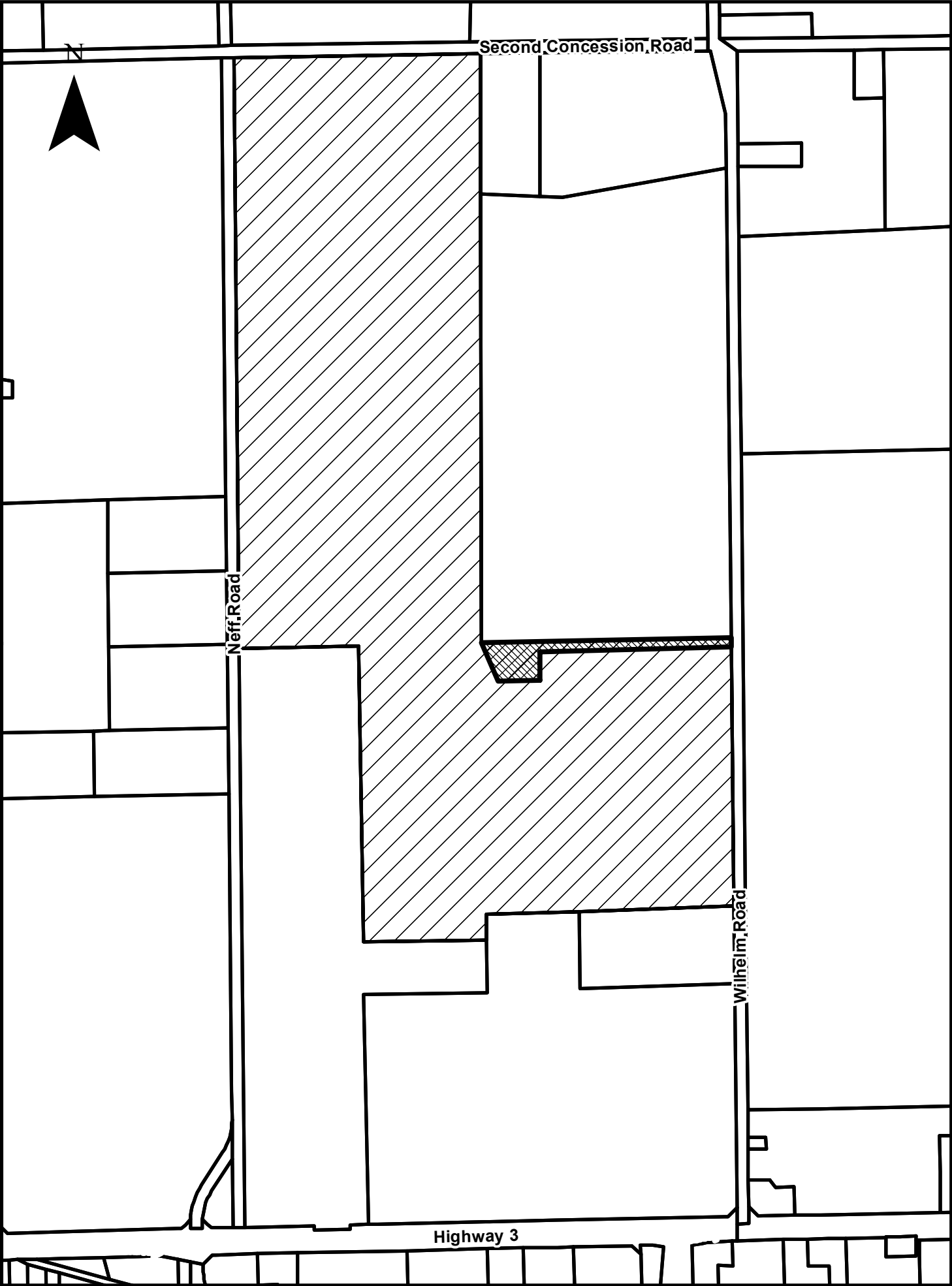
PART OF LOIS 5 &
CONCESSION 2

CONCESSION 2
GEOGRAPHIC TOWNSHIP OF HUMBERSTONE, NOW IN THE
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

DRAWN BY: CM
SCALE: 1:5500

CHECKED BY: DM
SUPPLY 22 106

Name of Property Owner	Address of Property	Legal Description of Property	Roll Numbers
Andy Veenstra Farms Ltd.	Brookfield Road	HUMBERSTONE CON 2 PT LT 10	2711-040-002-46900-0000
Andy Veenstra Farms Ltd.	Brookfield Road	CON 3 PT LT 11	2711-040-006-05205-0000
Andy Veenstra Farms Ltd.	3620 Concession 2 Rd	HUMBERSTONE CON 3 PT LT 9, PT LT 10	2711-040-006-04200-0000
Andy Veenstra Farms Ltd.	Highway 3	CON 2 PT LT 5, PT LT 6	2711-040-001-39000-0000
Andy Veenstra Farms Ltd.	1878 Sherk Road	CON 2 PT LT 12 RP59R7421 PART 1 TO PART 3	2711-040-002-49000-0000
Andy Veenstra Farms Ltd.	1878 Sherk Road	CON 2 PT LT 13, PT LT 14	2711-040-002-50600-0000
Andy & Dorothy Veenstra	Brookfield Road	CON 2 PT LT 11	2711-040-002-48825-0000
Andy & Dorothy Veenstra	3288 Concession 2 Rd	CON 3 PT LT 11 PT LT 12	2711-040-006-05300-0000
Andy & Dorothy Veenstra	Highway 3	HUMBERSTONE CON 2 PT LT 3	2711-040-001-38301-0000
Andy & Dorothy Veenstra	Zavitz Road	CON 2 PT LT 3	2711-040-006-00101-0000
Dorothy Veenstra	Highway 3	HUMBERSTONE CON 2 PT LTS 3 & 4 &RP 59R3209 PT 1 RP 59R16563 PT 2	2711-040-001-38800-0000
Dorothy Veenstra	Wilhelm Road	CON 2 PT LT 3, PT LT 4	2711-040-006-00900-0000

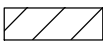


This is Schedule "A" to By-law No _____

Passed _____, 2022

Mayor

Clerk



Lands to be rezoned from A to APO



Lands to be rezoned from A to AR-56

April 2022

File No. D14-03-22

Drawn by: DS - City of Port Colborne
Planning Division

Not to scale



Subject: Recommendation Report for Development Agreement D11-05-22, 954 Wyldewood Road

To: Council

From: Development and Legislative Services Department

Report Number: 2022-190

Meeting Date: August 23, 2022

Recommendation:

That Development and Legislative Services Department -Planning Division Report 2022-190 be received; and

The execution of a Development Agreement with Plamen and Elizabeth Dimitrov be approved; and

That the Bylaw authorizing entering into the Development Agreement for 954 Wyldewood Road with Plamen and Elizabeth Dimitrov, attached as Appendix A of Development and Legislative Services Report 2022-190 be approved.

Purpose:

The purpose of this report is to obtain Council's approval to enter into a Development Agreement with Plamen and Elizabeth Dimitrov, the current owners of 954 Wyldewood Road for permission to partially demolish the existing property and use it for the storage of construction materials during the construction of a new dwelling at 954 Wyldewood Road.

Background:

On May 12, 2022, the applicant was granted a minor variance that permitted an increase in lot coverage to 15.2% where 10% is the maximum for the property. During the application process, the applicant indicated to staff that they wish to use the existing dwelling as storage for construction materials while they build their new dwelling. The proposed Development Agreement was discussed with Staff during the minor variance process, however, because the outcome of the variance was not dependent on the

applicant applying for a Development Agreement it was not made a condition of the variance, and as such, the applicant requires Council approval.

Discussion:

The development agreement is required as per section 2.8.1 (a)(i) of Zoning By-law 6575/03/18 which states that no accessory building shall be erected prior to the erection of the permitted dwelling except where it is necessary for the storage of tools and materials used in connection with the construction of the said dwelling. Furthermore, the accessory buildings may only be used for storage of construction materials related to the construction of the dwelling for a period of 18 months provided that the owner enters into a development agreement with the City to allow the temporary use.

Section 2.12 provides policies regarding multiple buildings on one lot. Except where otherwise permitted, only one principle building, including detached dwellings shall be permitted on one lot. This development agreement will help to ensure that the provisions of section 2.12 will be met by requiring that the existing dwelling be demolished.

The proposed Development Agreement will have a time restriction of 18 months to complete the construction of the house. To ensure that the terms of the agreement will be met, Staff will be collecting securities from the applicant in the amount of \$20,000. The securities will be released back to the applicant when Staff is satisfied that the terms of the agreement have been met. If Staff determines the terms have not been met, the securities will be used by the City to fulfill the terms of the agreement.

The applicant will have 18 months to complete the required works, after which the terms of the agreement must be met, or the applicant will have to apply for an extension. The agreement, attached as Appendix A, outlines the terms that must be fulfilled by the applicant.

Internal Consultations:

In consultation with Building Division Staff, three examples of demolition permits were reviewed to decide upon an amount to charge for securities. 1433 Firelane 1, 244 Humboldt Parkway, and 14 Victoria Street had a project value for demolition of \$15,000 each, except for 14 Victoria, which had a value of \$20,000. Several factors are included in these projections, including the size of the structure and the price charged by the contractor. Using these examples, Staff determined that \$20,000 would be an appropriate amount to collect from the applicant.

Financial Implications:

Securities will be collected from the applicant to ensure the terms of the agreement are fulfilled. If the terms of the agreement are not met, Staff can use the money from the securities to complete any outstanding work. After consulting with the Building Division, Staff is satisfied that the amount collected for securities is enough to cover the costs of demolition if required.

Public Engagement:

Public engagement is not required for Development Agreements.

Conclusion:

Based on the review of the application and the request by the applicant, Planning Staff have no concerns with the proposed application and recommend that the Development Agreement attached as Appendix A be approved.

Appendices:

- a. By-law and Development Agreement

Prepared by,

Chris Roome

Planner

905-835-2900 ext. 205

Chris.Roome@portcolborne.ca

Respectfully submitted by,

Denise Landry

Manager of Planning

905-835-2900 ext. 203

Denise.Landry@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.

The Corporation of the City of Port Colborne

By-law No. _____

Being a by-law to authorize entering into a
development agreement with Plamen Dimitrov and Elizabeth Dimitrov
regarding 954 Wyldewood Road.

Whereas the Council of the Corporation of the City of Port Colborne is
desirous of entering a development agreement with Plamen Dimitrov and Elizabeth
Dimitrov regarding the property legally known as Lots 4 & 5 on Plan 58 NP817, in
the City of Port Colborne, Regional Municipality of Niagara, located on the west side
of Wyldewood Road.

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 a Development
Agreement with Plamen and Elizabeth Dimitrov, which development
agreement is attached hereto as Schedule “A”;
2. That the Mayor and the Clerk are hereby authorized and directed to sign the
said development agreement and the Clerk is hereby authorized to affix the
Corporate Seal thereto.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

THIS DEVELOPMENT AGREEMENT made this ____ day of _____, 2022.

BETWEEN:

PLAMEN DIMITROV and ELIZABETH DIMITROV
Hereinafter referred to as the “**OWNERS**” of the **FIRST PART**;

and

THE CORPORATION OF THE CITY OF PORT COLBORNE
Hereinafter referred to as the “**CITY**” of the **SECOND PART**;

WHEREAS the Owner desires to develop the lands described in Schedule “A” attached hereto (hereinafter referred to as the “**Lands**”);

AND WHEREAS The applicant is required to enter into a Development Agreement to permit the partial demolition of an existing detached dwelling.

AND WHEREAS the partially demolished dwelling may be used as a temporary building for a construction camp or tool shed incidental to the construction of the primary dwelling.

NOW THEREFORE the parties hereto agree as follows:

1. The Owners hereby warrant that they are the registered Owner of the Lands described in Schedule “A” to this Development Agreement.
2. The Owner agrees that upon the execution of this Development Agreement, the Lands shall be charged with the performance of the terms of this Development Agreement and that the performance of such terms shall be binding upon the Owners, its executors, administrators, successors, assigns, heirs, and successors in title.
3. The Owner shall indemnify and save harmless the City from and against all actions, causes of action, interest, claims, demands, costs, charges, damages, expenses, and loss, which the City may at any time bear, incur, be liable for, sustain or be put to for any reason of, or on account of, or by reason of, or in consequence of, the City, as the case may be, entering into this Development Agreement.
4. The Owner acknowledges the length of this agreement shall not exceed 18 months from the registration of this agreement or until the construction works have been completed, whichever comes first.
5. The Owner acknowledges that once the construction work has been completed or the agreement expires, all existing accessory buildings on the remnant parcel must be removed.
6. As security for carrying out the provisions of this agreement, the Owner shall deposit with the City, before the execution of this agreement, a cash deposit, letter of credit, bank draft, or certified cheque in the amount of **\$20,000** satisfactory to the Treasurer, upon which the City may draw funds without the consent of the Owner, to cover the costs of the demolition of the existing dwelling, if the owner does not meet the terms of this agreement.
7. The Owner acknowledges that the City shall register this Development Agreement on title to the Lands and that such registration may only be removed with the written consent of the City.

**SIGNED, SEALED & DELIVERED
IN THE PRESENCE OF:**

OWNERS

Elizabeth Dimitrov

Plamen Dimitrov

THE CORPORATION OF THE CITY OF PORT COLBORNE

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk

SCHEDULE “A” – THE LANDS

Lots 4 & 5 on Plan 58 NP817
In the City of Port Colborne
In the Regional Municipality of Niagara

Subject: Marina Capital Project Update – Telehandler Purchase

To: Council

From: Corporate Services Department

Report Number: 2022-198

Meeting Date: August 23, 2022

Recommendation:

That Corporate Services Department – Recreation Division Report 2022-198 be received; and

That Council approve a re-allocation of \$70,000 from the Sugarloaf Marina NRBN Wi-Fi Capital Project to fund additional cots associated with the purchase of the new telehandler and accessory equipment.

Purpose:

The purpose of this report is to provide Council with an update on 2022 Capital Project Q.4 - Telehandler and Equipment purchase for Sugarloaf Marina.

Background:

Sugarloaf Marina operates a fully serviced lift operation and storage facility within the Marina grounds that provides seasonal and emergency-based haul out and launch services, as well as stepping, and un-stepping sailboat masts in addition to all other required seasonal maintenance.

In the 2022 Capital and Related Project Budget, Council approved the replacement of the telehandler at the Sugarloaf Marina with a budget of \$252,110. This budget was based on budgetary quotes received from vendors in the summer of 2021.

Discussion:

At the time of writing this report, a public procurement process has occurred. After closing out the public Request for Quotations (RFQ) for purchase of a new telehandler, the overall cost for purchase came through at \$320,000. Staff highlight that the increase to pricing originally quoted and requested as capital funding is in large part a result of inflation and supply chain issues experienced through the pandemic.

Staff recommend that the increased cost of the telehandler be funded by re-allocating savings that have been realized in the NRBN Wi-Fi enhancement project at the Sugarloaf Marina.

Internal Consultations:

Public Works Staff have identified that the acquisition of a new telehandler and optional accessories by the Marina could provide the opportunity for cross departmental equipment sharing that is not possible with the Marina's current telehandler. This could translate in an overall reduction in both contracted services, and specialized equipment rentals by other departments.

Financial Implications:

This report proposes budget adjustments to:

- increase the telehandler budget to \$320,000 from \$252,110.
- reduce the NRBN Wi-Fi enhancement budget from \$150,000 to \$82,100.

Staff propose the budget adjustment is appropriate recognizing discussions with NRBN have been put on hold. At the time of writing this report Staff are implementing a medium-term Wi-Fi solution with a capital investment of \$25,000 that will improve speeds to 500 MB per second. Going forward Staff are in discussions with other telecommunication providers with a focus to provider long-term internet services at Sugarloaf Marina and across the City.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

The telehandler is the heartbeat of the Marina's functional operations. It acts as a sky lift, crane, forklift, loader, and tow machine all in one. Without the use of a telehandler, Sugarloaf Marina would not be able to continue to offer many of the services associated with a functioning marine storage facility and lift operation, while at the same time reducing the amount of general maintenance tasks that can be completed by Staff.

Respectfully submitted,

Bryan Boles, CPA, CA, MBA
Director, Corporate Services/Treasurer
(905) 835-2900 Ext. 105
Bryan.boles@portcolborne.ca

Blair Holinaty
Supervisor, Recreation & Marina
(905) 835-2900 Ext. 538
blair.holinaty@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.



Subject: Canal Days Funding – Reconnect Ontario Grant

To: Council

From: Corporate Services Department

Report Number: 2022-193

Meeting Date: August 23, 2022

Recommendation:

That Corporate Services Department – Recreation Division Report 2022-193 be received; and

That the Chief Administrative Officer and Director of Corporate Services/Treasurer be authorized to execute the transfer payment agreement and any related documents for the Reconnect Ontario grant program.

Purpose:

The purpose of this report is to inform Council that Recreation staff completed a successful grant application for the Reconnect Ontario Grant Program, delivered by Ontario's Ministry of Tourism, Culture and Sport. Through this grant program the city will be provided with one-time funding of up to \$115,218, subject to the successful completion of a transfer payment agreement.

Background:

The Reconnect Ontario grant program was implemented to support festivals and events with a tourism economic impact to motivate visitors to rediscover the province of Ontario, reconnect people with local experiences, and generate increased tourism spending. Successful applicants of the program must demonstrate the following:

- Offer safe experiences and activations that encourage people to travel locally, participate and rediscover the beauty and diversity of all that Ontario communities have to offer.

- Draw tourists and local visitors, whether in-person or virtually, through innovative programming, and generate positive economic impact for the local community, the region, and the province.
 - Provide job opportunities for Ontarians, particularly in tourism, culture, and entertainment sectors.
 - Increase Ontario's profile through media and/or social media exposure to generate interest in future travel to the province.
-

Discussion:

Recreation staff were notified of the successful grant application on Thursday, July 28, 2022. Staff are waiting for the provincial government to provide the transfer payment agreement.

Recreation staff will direct the funding from the Reconnect Ontario Grant Program to offset costs associated with the Canal Days Marine Heritage Festival. Eligible expenses include:

- Performance fees and related expenses paid to Canadian artists, musicians, other entertainers.
 - Programming costs, including interactive, experiential and/or accessible programming, including fireworks.
 - Ontario-based production costs, including audio and visual support.
 - Marketing and advertising costs.
 - Event security, medical, police services.
 - Contract services/infrastructure.
 - Volunteer training costs.
 - Health and safety measures.
-

Internal Consultations:

Recreation staff have communicated this successful grant application with communications staff to ensure that the city provides proper recognition to the provincial government as outlined in the grant policy.

Financial Implications:

As a result of this successful grant application, the City will be receiving up to \$115,218, subject to the successful completion of a transfer payment agreement.

A costing of the 2022 Canal Days is currently underway and will be communicated to Council in the fall with a debrief report of the 2022 Canal Days event.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
 - Value: Financial Management to Achieve Financial Sustainability
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

In conclusion, Recreation staff completed a successful grant application for the Reconnect Ontario Provincial grant program. The city will be receiving up to \$115,218, subject to the successful completion of a transfer payment agreement. Staff are requesting council grant permission that once the transfer payment is received; the Chief Administrative Officer and Director of Corporate Services/Treasurer be approved to sign and execute the agreement and any related documents.

Appendices:

- a. Reconnect Ontario Program Letter

Respectfully submitted,

Luke Rowe
Event & Volunteer Coordinator
905-835-2900 ext. 566
Luke.rowe@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.

**Ministry of Tourism,
Culture and Sport**

**Ministère du Tourisme, de la
Culture et du Sport**

Minister

Ministre

6th Floor
438 University Avenue
Toronto, ON M7A 2A5
Tel: 416 326-9326

6^e étage
438, avenue University
Toronto (Ontario) M7A 2A5
Tél : 416 326-9326



July 28, 2022

Luke Rowe
Event And Volunteer Coordinator
The City of Port Colborne
66 Charlotte St
Port Colborne, ON L3K 3C8
luke.rowe@portcolborne.ca

Re: Application #2022-01-1-1665171254

Dear Mr. Rowe:

I am delighted to inform you that Canal Days Marine Heritage Festival is a successful applicant of the Reconnect Ontario 2022 program, delivered by Ontario's Ministry of Tourism, Culture and Sport. To support your event, one-time funding of up to \$115,218 will be provided under this program, subject to the successful completion of a transfer payment agreement.

Due to the significant interest in this year's program and the high volume of applications, funding through the Reconnect Ontario program was increased by \$30 million. This is a one-time increase. Future funding is not guaranteed, and applications will be measured against next year's program's criteria.

Our government recognizes the festival and event sector was hit hard by the COVID-19 pandemic and I am proud to support a record number of festivals and events this year. Investments in events such as yours will help event organizers carry out events that will motivate visitors to rediscover Ontario, generating a positive economic impact for local communities, regions and the province.

Our ministry is committed to working with you to support your event. A ministry tourism advisor will contact you shortly to outline next steps.

Thank you for your ongoing commitment to tourism and culture, and for bringing people in Ontario together.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neil Lumsden'.

The Honourable Neil Lumsden
Minister of Tourism, Culture and Sport

Board of Directors Meeting Highlights – July 15, 2022

On Friday, July 15, 2022, the Board of Directors of the Niagara Peninsula Conservation Authority (NPCA) held its regular monthly meeting in a hybrid electronic format with a limited number of Board Members attending proceedings at the Ball's Falls Centre for Conservation. Highlights from the meeting included:

Contract Award – Gonder's Flats Wetland Enhancement Project

The Board of Directors approved the contract award for the work taking place as part of the Gonder's Flats Wetland Enhancement Project adjacent to the Niagara River in the Town of Fort Erie. The contract in the amount of \$122,600 was awarded to Anthony's Excavating Central Inc..

The NPCA partnered with several local organizations and successfully secured \$80,000 toward the implementation of this project thanks to contributions from Ducks Unlimited Canada, Land Care Niagara, and the Niagara Community Foundation.

2022 NPCA Conservation Awards

The Board of Directors were updated on the NPCA Conservation Awards and were requested to share the application process for the Award of Merit with a broad network of stakeholders, community groups, general public and partners in conservation. Nominations for the Award of Merit were open as of July 11, 2022 and are set to close on August 5, 2022. Award of Merit recipients are to be recognized at the Conservation Awards event on September 21, 2022.

Conservation Authorities Act Transition Quarterly Progress Report Ontario Regulation 687/21: Transition Plan and Agreements for Programs and Services

The Board of Directors were updated on the NPCA's first quarterly progress report under Ontario Regulation 687/21 submitted to the Ministry of Environment, Conservation and Parks (MECP). The first quarterly report outlined the consultation steps that have been undertaken to date with the NPCA's three participating municipalities, the City of Hamilton, Haldimand County and the Regional Municipality of Niagara. These meetings have consisted of discussion on cost apportionment agreements for Category 3 Services such as restoration and stewardship and Category 2 Services such as plan reviews.

NPCA Section 28 Compliance and Enforcement Procedure Manual

The Board of Directors approved the NPCA Section 28 Compliance and Enforcement Procedural Manual following a presentation from Jason Culp, Manager, Compliance & Enforcement. The Procedural Manual is to serve as an internal NPCA guidance document and training resource and

as a valuable reference and communications tool for NPCA staff, Board members, NPCA agency partners, residents and the general public. The Procedural Manual will be made available to the public through the Compliance and Enforcement webpage on the NPCA website.

Single Source Contracts for the NPCA Policy Document Review and Procedural Manual Phase 2 Project

In the absence of bids and in order to move forward with the Phase 2 workplan and deliver an updated Policy Document and new Procedural Manual by the end of 2022, the Board approved two consultant firms through its Non-Competitive Procurement process.

Planning Solutions Inc. was retained at a cost of \$68,000 to undertake the Policy Document Review Phase 2 to lead the public and stakeholder engagement and assist staff with preparing the policies and manual.

North-South Environmental Inc. was retained for \$62,983 to lead the work on the Buffer Width Discussion Paper and advise staff on any revisions to the buffer policies and development of technical guidance documents related to buffers.

Links to Agendas, Minutes and Video:

<https://npca.ca/about/board-meetings>

The Corporation of the City of Port Colborne

By-Law no. _____

Being a by-law to amend the assessment schedule and to levy the actual costs incurred for the maintenance of drainage works known as the Indian Creek, Wagner and Haun Municipal Drains

Whereas By-law No. 3469/50/97, Being By-law's to Provide for Drainage Works in the City of Port Colborne in the Regional Municipality of Niagara for the Indian Creek, Wagner and Haun Municipal Drains Municipal Drains, was enacted on the 12th day of April 1999, and provide for the update of assessment schedules, as submitted by Wiebe Engineering Inc.; and

Whereas Section 74, Chapter D.17 of the *Drainage Act, R.S.O. 1990* (the Act) compels each municipality to maintain that portion of a drainage works within its limits; and

Whereas Section 61(1) of the Act authorizes a municipality, upon the completion of the maintenance of the drainage works, to levy the final cost thereof to the lands and roads liable, as stated in the Engineer's Report, so as to recover the cost of said maintenance; and

Whereas in compliance with such duty, the municipality has carried out maintenance of said drainage works as per the design of the Engineer's Report, and the total actual cost incurred was \$78,583.53;

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

1. That By-law No.3469/50/97 is hereby amended by replacing the assessment schedule with the schedules appended hereto.
2. That the cost of the Indian Creek, Wagner and Haun Municipal Drains as provided for in By-law No. 3469/50/97, be levied against the lands and roads as set out in the assessment schedule in the Engineer's Report dated April 21, 1997, as amended, pro rata and as listed in the actual assessment column, more particularly shown on the schedules attached hereto, to be levied and collected in the same manner as taxes.
3. The invoiced amount will be automatically added to the billable tax accounts.
4. The properties within the watershed will receive invoices of the billable amount.
5. That the payments that have not been received within 90 days of the date of the notice, will accrue interest of 1.25% monthly.
6. That this by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting, City Clerk

The Corporation of the City of Port Colborne

By-Law No. _____

Being a By-law to Levy the Actual Costs Incurred in
Constructing a Drainage Works
Known as the St. John's Marsh Municipal Drain

Whereas Section 61 Chapter D.17 of the *Drainage Act* R.S.O. 1990 authorizes a municipality, upon the completion of the drainage works, to levy the final cost thereof to the lands and roads liable, as stated in the engineer's report; and

Whereas Fort Erie By-law 115-2016, Being a By-law to Provide for Drainage Works in the Town of Fort Erie in the Regional Municipality of Niagara, known as the St. John's Marsh Municipal Drain, was enacted the 24th day of April, 2017, and provided for the construction of the St. John's Marsh Municipal Drain based on the estimates contained in the drainage report dated April 8, 2016, as submitted by Neal Morris P. Eng, from the firm of K. Smart Associates Ltd.; and

Whereas the Drainage Works was completed as per the Engineer's Report, as amended, and the total actual costs incurred were \$278,570.00 compared to an original estimated cost of \$303,555.00. Actual costs for constructing the drain were 8.23% under the Engineer's estimate; and

Whereas the Town of Fort Erie has invoiced the City of Port Colborne for drainage works related to lands assessed with the City of Port Colborne the amount of \$6,980.00 and it is the City of port Colborne's responsibility to pay this invoice and in turn, invoice the property owners who have benefitted from the drainage works.

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

1. That the Treasurer levy the amount in accordance with Schedule 'A', attached hereto, against the lands and roads in the City of Port Colborne, being the amounts to be charged for completing the construction of the drainage works known as the St. John's Marsh Drain.
2. That the owners of the property's within the City of Port Colborne have the option of submitting full payment of the net cost or make yearly payments over a period of 5 years at 5% interest per annum. The full payments not received by December 31, 2022 shall be added to the final tax bill beginning in the year 2023 and ending in the year 2027.
3. That in the event of nonpayment, the City of Port Colborne's penalty and interest charges on outstanding accounts receivable, By-law 6841/91/20 shall be followed.
4. This by-law shall come into force and take effect on the day of its final passing.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Stop and Close for Haney Street Road Allowance, of PIN 64149-0024.

WHEREAS at its meeting of August 23, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Chief Administrative Officer Report No. 2022-168, Subject: Proposed Stop up and Close By-law for Haney Street Road Allowance; and

WHEREAS Section 27(1) of the Municipal Act, 2001, provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

WHEREAS it is deemed expedient in the interest of The Corporation of the City of Port Colborne that the road allowance set out and described in this by-law be stopped up and closed; and

WHEREAS in accordance with Section 34(1) of the Municipal Act, 2001 and By-law XXXX/XX/X of the Corporation of the City of Port Colborne, Being a By-law to Prescribe the Form and Manner and Times for the Provision of Notice in Accordance with the Municipal Act, 2001, public notice of Council's intention to permanently close the highway set out and described in this by-law was provided; and

WHEREAS no person claiming their lands will be prejudicially affected by the by-law applied to was heard by the Council of the Corporation of the City of Port Colborne at the meeting held by the Council for that purpose on Tuesday, August 23, 2022.

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

1. That upon and after the passing of this by-law all that portion of the road allowance described as part of the original Haney Street Road allowance, of PIN 64149-0024 is hereby stopped and closed.
2. That the Mayor, the Acting City Clerk be and are hereby authorized to execute any documents that may be required for the purpose of carrying out the intent of this by-law and the Clerk is dully authorized to affix the Corporate Seal thereto.
3. That the City Solicitor be and is hereby directed to prepare and register all such documents in the proper Land Registry Office to effect the closing of the Haney Street road allowance hereinbefore described.
4. This by-law shall take effect on the day that a certified copy of the by-law is registered in the proper land registry office.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 respecting the lands legally known as Lot 5 on Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1498 Wilhelm Road.

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule “A” attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule “A3” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A3 from A to APO and AR-56.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

AR-56

Notwithstanding the provisions of the Agricultural Residential (AR) zone, the following regulations shall apply:

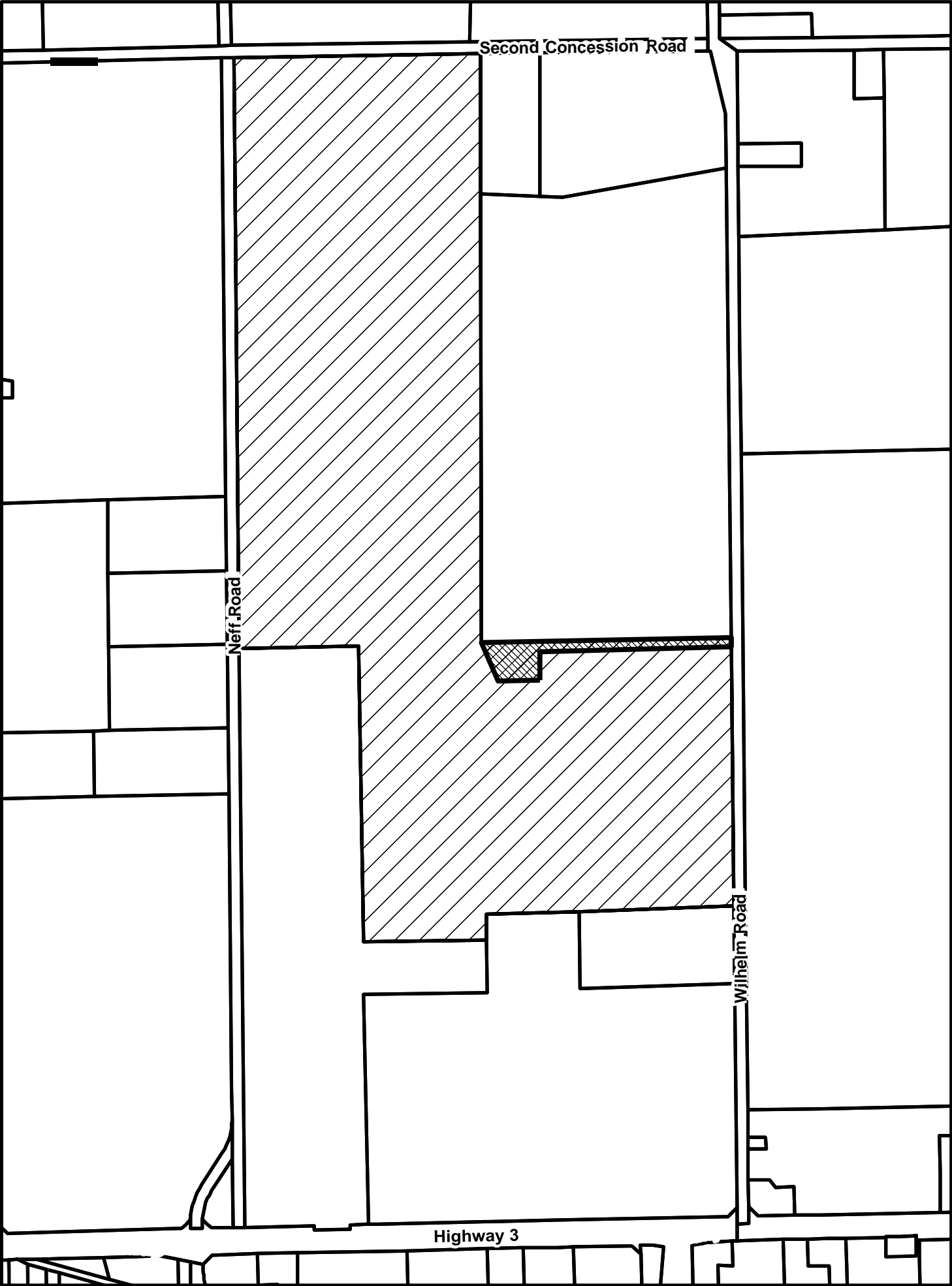
- | | |
|-------------------------|--------|
| a) Minimum lot Frontage | 14.15m |
|-------------------------|--------|
4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the Planning Act.
5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the Planning Act

That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.

Enacted and passed this day of , 2022.

William C Steele
Mayor

Nicole Rubi
Acting City Clerk

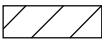


This is Schedule "A" to By-law No _____

Passed _____, 2022

Mayor

Clerk



Lands to be rezoned from A to APO



Lands to be rezoned from A to AR-56

April 2022

File No. D14-03-22

Drawn by: DS - City of Port Colborne
Planning Division

Not to scale

The Corporation of the City of Port Colborne

By-law No. _____

Being a by-law to authorize entering into a
development agreement with Plamen Dimitrov and Elizabeth Dimitrov
regarding 954 Wyldewood Road.

Whereas the Council of the Corporation of the City of Port Colborne is
desirous of entering a development agreement with Plamen Dimitrov and Elizabeth
Dimitrov regarding the property legally known as Lots 4 & 5 on Plan 58 NP817, in
the City of Port Colborne, Regional Municipality of Niagara, located on the west side
of Wyldewood Road.

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 a Development
Agreement with Plamen and Elizabeth Dimitrov, which development
agreement is attached hereto as Schedule “A”;
2. That the Mayor and the Clerk are hereby authorized and directed to sign the
said development agreement and the Clerk is hereby authorized to affix the
Corporate Seal thereto.

Enacted and passed this 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

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 August 23, 2022

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 August 23, 2022 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 23rd day of August, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk