

**City of Port Colborne
Council Meeting Agenda**

Date: Tuesday, March 12, 2024
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

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24. Adjournment

City of Port Colborne
Public Meeting Minutes

Date: Tuesday, January 9, 2024
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Staff Present: S. Tufail, Acting City Clerk
D. Vasu, Acting Deputy Clerk (minutes)
D. Schulz, Senior Planner

1. Call to Order

Mayor Steele called the meeting to order at 6:32 p.m.

2. Adoption of Agenda

Moved By Councillor M. Bagu
Seconded By Councillor T. Hoyle

That the agenda dated January 9, 2024, be confirmed, as amended.

Carried

3. Disclosures of Interest

**3.1 Councillor E. Beauregard - Draft Plan Redline Revision and Zoning
By-law Amendment for Rosedale Estates, 2024-08**

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the consultants who worked on this development.

4. Statutory Public Meetings

4.1 Public Meeting Report for Zoning By-law Amendment at 179 Mellanby Ave. and 56/56 ½ Main St. W. - File No. D14-08-23, 2024-06

PURPOSE OF MEETING

The purpose of this meeting, pursuant to section 34 of the Planning Act, is to consider an application submitted by Rachelle Larocque of The Biglieri Group for the property on the southeast corner of Mellanby Avenue and Main Street West, municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West.

The application proposes to amend the Zoning By-law to permit a mixed-use apartment building development containing 101 residential units and 131.58 square metres of commercial space.

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 December 19, 2023. Meeting details have been provided along with the Council Agenda on the City's website and under "Current Applications".

No adverse comments have been received from internal departments or required agencies.

As of the date of this meeting, written comments have been received from Trish McCoy. The following concerns have been raised:

- Concerns with the height of the building and privacy concerns
- Will negatively impact the nearby heritage buildings
- 101 units should have parking for 101 units
- Traffic will become even worse on the island when bridges are up
- Concerned with the units not being designed to accommodate families
- Not opposed to a 4-5 storey apartment building

QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

Councillor Hoyle sought clarity regarding whether the parking lots around the proposed project and the park are owned by the City or the St. Lawrence Seaway Company (the “Seaway”).

The Senior Planner stated the lands are owned by the Seaway and Transport Canada and are leased by the City for the park.

Councillor Hoyle sought clarification whether the applicant can make an agreement with the Seaway and Transport Canada at any point in time if they choose.

The Senior Planner clarified the City would be involved in any decisions made, and that staff have been working with the applicant over this and discussion would be held between the three agencies.

Councillor Hoyle expressed concern that the development would take parking away from the park area, then sought clarification on the proposed height and dimensions of the building.

The applicant confirmed the proposed development is six stories along Main Street and eight stories stepped back.

Councillor Hoyle raised concerns on the height of the eight stories and voiced that five stories may be more suitable regarding the parking concerns raised.

Councillor Elliot stated parking is a major concern for him as well and he cannot support this due to the concerns of parking, then sought clarification on whether the applicant wants to take all the existing parking spots for the development as shown in the site plan.

The applicant confirmed the intent is not to take all the spots as the site plan was created to show the existing space, then confirmed that an already existing portion would remain for public parking and additional new parking for residents would also be created.

Councillor Elliot sought clarification on whether the applicant plans to construct new spaces within the existing lot or if a new parking lot would be constructed.

The applicant clarified that new parking lots would be constructed.

Councillor Elliot sought clarification on how many existing spaces the development would be obtaining.

The applicant clarified the development is not seeking to take any of the existing parking spaces away from the park use, and that they plan on adding new parking spaces for the use of the development.

Councillor Elliot sought clarification on how many spaces they plan to add for the development use.

The applicant was not sure of the exact number of parking spaces planned but mentioned she will calculate that number and communicate it to Council when possible.

Councillor Elliot raised concerns regarding the lack of on-street parking on both Mellanby and Main Street and that all parking for residents must be off-street parking, then raised concerns regarding the 50 planned spaces and the need for 75 more spaces to conform with the 1.25 spaces per unit mandated in the By-law as well as the lack of commercial parking.

The applicant clarified that the commercial space is catered to both residents of the development as well as community members to add to the existing commercial units of Main Street, then added that 75 more spaces would be added if the agreement with the Seaway is permitted.

Councillor Elliot sought clarification on what the total spaces are and whether a parking lot of equal size to the existing lot would be created to accommodate the development.

The applicant confirmed an additional parking lot of appropriate size to accommodate the development would be created.

Councillor Elliot raised concerns regarding the removal of green space from the existing park if this parking lot were to be built.

Councillor Elliot sought clarification on the results of the traffic that dictated there was little to no impact and whether the bridge traffic was taken into consideration.

The Senior Planner clarified the traffic impact study could be provided to Council for review.

Councillor Bruno reiterated the aforementioned concerns of the proposed parking spaces, then sought clarification on what the applicant defines as the parking area for the park.

The applicant clarified there are existing parking lots at the park and that they are not being counted within the proposed parking spaces by the development for residents parking.

Councillor Bruno sought additional clarification on what areas in the existing parking lot would be used for residential parking for the development.

The applicant clarified the spaces abutting the property to the south would be used for residential parking.

Councillor Bruno sought clarification on which parking spots were apart of the lease agreement between the City and the Seaway for the park.

The Senior Planner responded that staff could look at the existing agreement and provide an answer to Council following the meeting.

Councillor Bruno sought information regarding the background of the client.

The applicant responded the client is a developer and builder from the Niagara Region and has multiple projects within the Region.

Councillor Bruno asked if the client could provide more information on the other projects from this client in the Niagara Region.

The applicant responded she could provide that information to Council at a later date.

Councillor Bruno sought clarification on the renderings and whether the final product will match the renderings.

The applicant clarified the renderings were created by the builder and the design has been consistent throughout the project.

Councillor Bruno asked whether the applicant could provide an image where the development is superimposed into the surrounding properties.

The applicant responded an image could be created and circulated.

Councillor Bruno raised concerns regarding the Seaway agreement with the applicant.

The applicant clarified the discussions with the Seaway had begun and they wish to be open regarding the issues regarding parking following the public meeting so an agreement can be reached regarding parking moving forward.

Councillor Bruno clarified whether this agreement with the Seaway would impact the timeline of submission from the applicant.

The Senior Planner confirmed the 90-day timeline begins once application is deemed complete.

Councillor Bruno sought clarification on what happens in the event the applicant cannot reach an agreement with the Seaway regarding the timeline.

The Senior Planner clarified that the decision is dependent on how Council chooses to proceed with the property and that Council could put a hold on the property where they are approving the zoning subject to the Seaway agreement.

Councillor Bruno clarified whether the applicant could edit the application and return to Council if the acceptance is conditional.

The Senior Planner clarified the number of parking spaces would be apart of the conditions of the acceptance and the agreement with the Seaway and therefore could not be changed.

Councillor Bagu sought clarification on the carbon footprint of the building and whether it support environmental and climate change initiatives.

The applicant clarified that while she is unaware of the exact carbon footprint of the building, she is aware that there are requirements through the Building Code and incentives to include green energy and infrastructure within buildings. Additionally, the applicant stated that by intensifying the density of the downtown core active modes of transportation are promoted which in turn reduces cars and individual carbon footprints.

Councillor Bagu raised concerns regarding the walking distance to grocery stores within the City.

Councillor Bagu sought clarification on whether any units would be considered as affordable housing as defined by the Ontario government.

The applicant clarified that at this time there are no affordable housing units as per the definition proposed, however a partnership with an agency such as Niagara Regional Housing is being considered to take ownership of some of the units and provide affordable housing.

Councillor Bagu raised concerns regarding parking, in particular visitor parking for PSWs and other care givers, and regarding the relationship between the developer and adjoining property owner.

Councillor Aquillina raised concerns regarding parking and asked if there is an additional plan for the development in the scenario an agreement cannot be reached with the Seaway.

The applicant answered there is not currently a Plan B as they feel the current plan is the best use of the property and are hopeful an agreement with the Seaway can be reached.

Councillor Aquillina sought clarification on whether there will be commercial parking spaces provided for the owners of the commercial units proposed on the lower floors of the building.

The applicant clarified there are no current plans for these spaces, however this is an opportunity they could explore.

Councillor Aquillina sought clarification on whether all parking spots proposed are intended for residential use or if other uses are permitted.

The applicant clarified all current parking spots proposed are intended for residential use by tenants.

Councillor Aquillina raised concerns regarding the lowering the number of parking spots in account for the transit system due to the issues that exist with the system. Additionally raised concerns regarding visitor parking.

The applicant clarified the intent of the application is to meet all parking minimums set by the City once the agreement with the Seaway has been achieved.

Councillor Aquillina sought clarification on the holding provision that could be placed by Council and what the outcome would be if the Seaway agreement could not be achieved.

The Senior Planner clarified the applicant would have a chance to revise their plans to meet the requirements without the agreement lands.

The applicant clarified commercial parking has been allocated as part of the overall development.

Mayor Steele sought clarification on how many parking spots exist in the municipal parking lot across the street from the proposal.

The Senior Planner was unsure of the exact number but said those statistics could be found following the meeting.

Councillor Beauregard raised concerns regarding the parking spaces proposed in the site plan in comparison to the required spaces and sought

clarification on how many parking spaces are being proposed if an agreement is reached with the Seaway.

The applicant clarified 112 spaces are being proposed.

Councillor Beauregard asked whether the City of Port Colborne could help facilitate discussions with the Seaway in regard to this application.

The Senior Planner clarified City Economic Development Staff have been in contact with the property owner and the Seaway and can continue to help facilitate these discussions.

Moved By Councillor E. Beauregard

Seconded By Councillor T. Hoyle

That Development and Legislative Services – Planning Division Report 2024-06 be received for information.

Carried

a. Delegation from Biglieri Group, applicant

b. Delegation from Melissa Bigford, resident

Melissa Bigford Lofquist, resident raised concerns regarding parking for the building and commercial units, the impact to Lock 8 park space, recreational opportunities, and parking area, the building height requested, the maintenance of the leased parking spaces, the results of the traffic study in relation to the canal bridge traffic, and the environmental assessment of the area.

c. Written Delegation Material from Trish McCoy, resident

4.2 Public Meeting Report for Draft Plan Redline Revision and Zoning By-law Amendment for Rosedale Estates, 2024-08

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

PURPOSE OF MEETING

The purpose of this meeting, pursuant to sections 34 and 51 of the Planning Act, is to consider Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by the applicant Joe Tomaino of Upper

Canada Consultants on behalf of the owner Rosedale Estates Ltd. for the property known as 100 Oxford Boulevard.

The Zoning By-law Amendment proposes to amend Zoning By-law 6575/30/18 to rezone the subject lands from First Density Residential (R1), Public and Park (P), Neighbourhood Commercial (NC-31), and Fourth Density Residential (R4-32) to a site-specific Third Density Residential (R3) and Public and Park zone (P).

The proposed redline revision to the Draft Plan of Subdivision proposes to revise the approved Draft Plan of Subdivision to contain 131 single-detached dwelling lots and 118 street townhouses (total of 249 units), representing an increase from the currently approved 119 single-detached lots and 57 apartment units (176 units).

METHOD OF NOTICE

Notice of the Public Meeting was administered in accordance with Sections 34 and 51 of the Planning Act, as amended, and Ontario Regulations 544/06 and 545/06.

Notice of Public Meeting was circulated on December 19, 2023, to internal departments and required agencies. Notice was also circulated via regular mail to property owners within 120m. Meeting details have been provided along with the Council Agenda on the City's website and under "Current Applications".

As of the date of this meeting, staff have not received any adverse comments from internal City departments or required agencies.

Comments have been received from the following members of the public:

- Dave Simpson
- Keena Sceppacerqua Spadzinski
- Rob Legace
- Gary and Loretta Schneider

Requests from the public include:

- Wanting to see a fence installed along south side of the property where the subject property abuts the existing Oxford Park
- Would like to see that Oxford Park and the proposed park block remain separate
- No direct access to Oxford Boulevard, would like to see the access directly to Highway 58

These comments have been provided to City Council and will be responded to in the future recommendation report.

QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

Councillor Aquillina raised concerns regarding the extension given to the former owner that was granted to complete the necessary studies for the site that are not yet completed.

The applicant confirmed not all of the studies are completed.

Councillor Aquillina raised concerns regarding the transfer of ownership, lack of extension, and lack of completed studies following the previous granted extension.

The Senior Planner clarified that when an extension was granted in 2022 for a year there was the option for the Director of Planning to add an additional year to the extension if a Redline Plan was submitted within this timeframe. Additionally, the applicant has attended a pre-consultation appointment with the City within this timeframe to receive comments from both the City and Region regarding the requirements. The Region mentioned the archaeological assessment will still be required but can be a condition of the draft plan approval as it was previously.

Councillor Aquillina sought clarification on when the pre-consultation took place.

The Senior Planner confirmed the pre-consultation took place in early 2023.

Councillor Aquillina raised concerns regarding the traffic impacts on Oxford Boulevard.

The applicant clarified the Meadow Heights Subdivision will have to be built out sufficiently so a sufficient secondary entry point can be created to the Rosedale development.

Councillor Aquillina sought clarification on whether Oxford Boulevard would be the only entry point.

The applicant clarified there would be an additional entry point other than Oxford Boulevard.

Councillor Aquillina sought clarification on whether the traffic impact study was based on the previous plans or redline plans.

The applicant clarified the traffic study incorporates the new redline revision subdivision.

Councillor Bruno sought clarification regarding the timeline of events and approval regulations. In particular, if the redline revisions and approximate 40 percent increase in units from the approved 176 units was turned down, would the draft plan previously approved still stand.

The Senior Planner confirmed the old plan of subdivision would still stand if the redline revisions are turned down until the lapsing date of December 12, 2024, unless another extension is granted by council.

Councillor Bruno sought clarification on the following meeting date for the proposal according to the *Planning Act*.

The Senior Planner clarified the meeting would take place in early March for the Zoning By-law Amendment and that the draft plan portion is not subject to the Planning Act timelines.

Councillor Bruno notified Council he forwarded 18 additional public comments to Planning Staff, then asked whether the developer has spoken with any of the landowners on Loyalist Drive and if an entrance/exit is being considered in that area.

The applicant responded this avenue has not been explored but that he has concerns with mixing industrial and residential uses through this avenue.

Councillor Bruno raised concerns regarding the entry/exit onto Oxford Boulevard and asked if the applicant could meet or discuss plans further with residents.

The applicant answered he will bring this request to the owner.

Councillor Bruno raised concerns regarding the 40% increase in units to the existing plan and its impact on the older development in regard to traffic and egresses.

Councillor Bruno raised concerns regarding the movement of the park in the new plans.

The applicant clarified the park will be positioned in the northwest corner of the subdivision so it will abut the future park of Meadow Heights as well as the existing Hawthorne Park so residents from all three developments can access a larger park.

Councillor Bruno sought clarification on whether the traffic report would be available to the public on the website.

The Senior Planner clarified the reports are available on the website despite them not being attached to the report. Additionally, the planning report often summarizes the relevant report documents.

Councillor Elliot asked the applicant for the reasoning behind the 40% increase in units.

The applicant stated that under the direction of provincial and regional policy, the owner sought to increase the density to meet 52 jobs per hectare where 50 jobs per hectare is required to ensure all policy guidelines were accounted for and met.

Councillor Elliot asked whether the application met the density requirements prior to the 40% increase.

The applicant confirmed the plan from 1988 did not meet the density targets necessary.

Councillor Elliot sought clarification on whether staff had a concern with the density prior to this increase.

The Senior Planner clarified that as it was an already existing approved draft plan there aren't any required changes, however as there are revisions being made staff and the applicant wish to conform to more modern subdivision policies and standards.

Councillor Elliot raised concerns regarding minimum lot area reduction, minimum front yard reductions, minimum side yard reductions, and maximum lot area change to not applicable.

The Senior Planner clarified there are setbacks and landscape area provisions that still need to be maintained which impose lot coverage requirements leaving no scenario in which the building can take up the entire lot.

Councillor Elliot sought clarification on whether lot coverage also applies to secondary buildings.

The Senior Planner clarified additional limits in terms of lot coverage exist for accessory buildings as well.

The applicant clarified the setbacks will allow for limits on the lot coverage and account for smaller lot sizes for the main dwelling unit and that additional provisions exist for accessory units.

Councillor Elliot raised concerns about park space proposed with an increase in units and smaller lot sizes.

The applicant confirmed that through linking the parks together a larger park space will be accessible and that through more units more park in lieu money will be collected which will lead to improved park infrastructure.

Mayor Steele sought clarification on the size of the park.

The applicant answered he was unaware of the exact size but knew the intention was to link the parks through trail systems so residents can easily move between the three.

The Senior Planner confirmed the park block is approximately 4 acres.

Councillor Hoyle raised concerns regarding not having another entrance to the proposed subdivision, then sought clarification whether the City owns any land with access to Stonebridge Drive to address the issue.

The Senior Planner clarified the City does not own any of the property abutting Rosedale.

Councillor Bruno raised concerns regarding increased density and increased traffic on the routes presented.

Councillor Bagu sought clarification on whether staff could provide Council with the overlay the Planning Department possesses.

The Senior Planner confirmed he would send the overlay to Council.

Councillor Bruno sought clarification regarding whether the connection of existing sidewalks and upgrading of Oxford Boulevard would be the financial responsibility of the developer and what the cost would be of these upgrades.

The Senior Planner responded he would investigate this concern.

Councillor Bodner sought clarification on privacy fencing issue and whether it could be included in subdivision site plans.

The Senior Planner clarified that this could be a requirement through the subdivision agreement and that it can be an included agreement in the draft plan so Council can approve it when it returns.

Dave Simpson, resident, raised concerns regarding the original plan access to Highway 58.

The Senior Planner confirmed the original plan would still remain if the redline revision is denied and that an agreement would need to be reached with the MTO through a permit or a revision of the plan.

Councillor Aquillina sought clarification regarding what happens following the December 2024 expiry of the original plan.

The Senior Planner confirmed the applicant would need to apply with a new plan following the expiry.

Amanda Vulpatti, resident, raised concerns regarding the throughway onto Oxford Boulevard in regard to the connectivity to the original subdivision, increase in traffic, pedestrian safety, and reductions in lot setbacks and area to increase density. To address these concerns resident proposed a safety throughway to be built to Oxford Boulevard with a closed gate for safety and emergency vehicle access.

Lisa Brownrigg, resident, raised concerns regarding through traffic on Oxford Boulevard, pedestrian safety with lack of sidewalks, traffic speed concerns with lack of speed bumps, and increased noise pollution. Proposed a safety throughway to be built to Oxford Boulevard with a closed gate for safety and emergency vehicle access.

Shannon Haley, resident, raised concerns regarding increased volume of traffic, pedestrian safety issues with lack of sidewalks and streetlights, and access to Oxford Boulevard. Proposed access through Elm Street and Stonebridge Drive.

Stacy Clarke, resident, raised concerns regarding the loss of privacy, increase in density in a rural setting, and loss of green space.

Andrew Spadzinski, resident, raised concerns regarding access to Oxford Boulevard and increase in traffic, pedestrian safety with lack of sidewalks, number of people and cars underestimated for each residential unit, revisions needed to access point in 1988 plan, green space and park concerns, and on-street overflow parking concerns with limited setbacks.

Stephen Messeta, resident, raised concerns regarding increased noise and traffic due to the throughway onto Oxford Boulevard.

Loretta Schneider, resident, raised concerns regarding increase of traffic congestion on Oxford Boulevard, Runnymede, and Windsor Terrace, width of roadways, and the impact on pedestrian traffic.

Councillor Bruno raised concerns regarding traffic increase and the use of a traffic light in the area as a traffic calming measure.

Moved By Councillor T. Hoyle
Seconded By Councillor M. Aquilina

That Development and Legislative Services – Planning Division Report
2024-08 be received for information.

Carried

a. **Delegation from Joseph M. Tomaino, Senior Planner, Upper
Canada Consultants, applicant**

b. **Delegation from Joanna Iwanicki, resident**

Joanna Iwanicki resident, raised concerns regarding the use of Oxford Boulevard to access Highway 58, the impacts to traffic volume, the increased traffic at the Windsor and Highway 58 intersection at peak times without improvements, needed improvements to existing street infrastructure (lighting, sidewalks, and speed walks), pedestrian safety, and traffic volume increase as a result of the density increase. To address these concerns, it was suggested to keep the Rosedale development separate from Hawthorne Heights and close off the access to Oxford Boulevard or use the original plan of subdivision. Additional concerns were raised regarding privacy fences for existing properties

c. **Written Delegation Material from Rob Lagace, resident**

d. **Written Delegation Material from Keena Sceppacerqua
Spadzinski, resident**

5. **Procedural Motions**

6. **Information Items**

7. **Adjournment**

Mayor Steele adjourned the meeting at approximately 9:00 p.m.

William C. Steele, Mayor

Saima Tufail, Acting City Clerk

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, February 27, 2024
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Staff Present: S. Tufail, Acting City Clerk
B. Boles, Director of Corporate Services/Treasurer
S. Lawson, Fire Chief
S. Luey, Chief Administrative Officer
S. Shypowskyj, Director of Public Works
D. Vasu, Acting Deputy City Clerk
G. Long, Manager of Strategic Initiatives

1. Call to Order

Mayor Steele called the meeting to order at 6:31 p.m.

2. National Anthem

3. Land Acknowledgement

Councillor Hoyle recited the land acknowledgement.

4. Proclamations

5. Adoption of Agenda

Moved by Councillor R. Bodner
Seconded by Councillor T. Hoyle

That the agenda dated February 27, 2024, be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council - February 13, 2024

Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That the minutes of the regular meeting of Council, held on February 13, 2024, be approved as presented.

Carried

8. Staff Reports

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

That items 8.1 and 8.2 be approved, and the recommendations contained therein be adopted.

Carried

8.1 East Side Employment Lands - Design Procurement, 2024-47

That Chief Administrative Office Report 2024-47 be received; and

That Associated Engineering be awarded the contract to design the servicing infrastructure of the East Side Employment Lands (ESEL); and,

That this project be funded from the Ministry of Economic Development, Job Creation, and Trade's (MEDJCT) Southwestern Ontario Development Fund (SWODF) grant.

8.2 2023 Audit Plan, 2024-56

That Corporate Services Department Report 2024-56 be received for information.

9. Correspondence Items

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

That items 9.1 and 9.2 be received for information.

Carried

9.1 Town of Lincoln - Growth Framework to Support Canadian Municipalities

9.2 Town of Northeastern Manitoulin - Water and Wastewater Systems

10. Presentations

11. Delegations

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

14. Staff Remarks

14.1 Lock 8 and Lockview Parks Updates (Shypowskyj)

The Director of Public Works stated that a design has been prepared for the Lock 8 and Lockview Park updates, which staff are gathering feedback on to present to Council in future staff reports. He further expressed appreciation towards the Economic Development division staff for their help completing the expropriation process of the Lockview Park lands.

14.2 186 Clarence Street Gas Station Remediation Update (Lawson)

The Fire Chief stated that the owners of the former gas station at 186 Clarence Street are in the process of preparing their plans to demolish the building and remediate the site beginning May of 2024.

15. Councillors' Remarks

15.1 Congratulations to Port Colborne Operatic Society (Aquilina)

Councillor Aquilina stated that she attended the recent Port Colborne Operatic Society performance and offered her congratulations to the group for the show.

15.2 Tax Clinic (Aquilina)

Councillor Aquillina stated that a tax clinic will be starting March 13, 2024, and advised that additional information is available on the Senior Citizens Advisory Committee's Facebook page.

15.3 Port Colborne Visitor Information Centre (Bagu)

Councillor Bagu inquired about the plans to redevelop and reoccupy the vacant Port Colborne Visitor Information Centre. The Manager of Strategic Initiatives confirmed that a staff report will be presented at a future Council meeting with options for how the property should be redeveloped.

15.4 Lock 8 Park Pavilion (Bruno)

In response to Councillor Bruno's inquiry regarding the plans to improve the stability of the Lock 8 Park pavilion, the Director of Public Works stated that a staff report and recommendation will be brought to Council after public engagement process is completed.

15.5 Zoning Provisions for Parking Garages (Elliott)

In response to Councillor Elliot's inquiry regarding possible Zoning By-law amendment to include parking garage setbacks, the Chief Administrative Officer confirmed that Planning staff will provide all possible options at a future Council meeting.

16. Consideration of Items Requiring Separate Discussion

16.1 Property Standards and Vacant Building Registry By-laws, 2024-24

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That Community Safety and Enforcement Department Report 2024-24 be received; and

That the Property Standards By-law attached as Appendix A be approved; and

That the Vacant Building Registry By-law attached as Appendix B be approved; and

That the by-law attached as Appendix C, being a by-law to amend By-law 6902/50/21, the By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne (Property Standards), be approved; and

That the by-law attached as Appendix D, being a by-law to amend By-law 6902/50/21, the By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne (Vacant Building Registry), be approved.

Carried

a. Written Delegation from Steve Celestini, Property Owner

16.2 Lot Maintenance By-law, 2024-28

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

That Community Safety and Enforcement Department Report 2024-28 be received;

That the Lot Maintenance By-law attached as Appendix A be approved;
and

That the by-law attached as Appendix B, being a by-law to amend By-law 6902/50/21, the By-law to Establish a System for Administrative Penalties for Non-Parking Offences within the City of Port Colborne, be approved.

Carried

16.3 Town of Lincoln - Requesting Funding to Ensure Compliance with Accessibility for Ontarian with Disabilities (AODA)

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

That the correspondence item from the Town of Lincoln regarding Requesting Funding to Ensure Compliance with Accessibility for Ontarians with Disabilities be supported.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

20. By-laws

Moved by Councillor M. Bagu
Seconded by Councillor F. Danch

That items 20.1 to 20.9 be enacted and passed, as presented.

Carried

- 20.1 By-law for Prescribing Standards for the Maintenance and Occupancy of all Property within the City of Port Colborne, to Provide for the Enforcement of the Standards, and to Repeal By-law 4299/135/02 and all Amendments Thereto**
- 20.2 By-law to Amend AMPS Non-Parking By-law 6902/50/21 for Property Standards By-law**
- 20.3 By-law to Require the Registration of Vacant Buildings**
- 20.4 By-law to Amend AMPS Non-Parking By-law 6902/50/21 for Vacant Building Registry By-law Fees**
- 20.5 By-law to Provide for the Maintenance of Property and Land (Lot Maintenance By-law) and to repeal By-law 6574/29/18**
- 20.6 By-law to Amend AMPS Non-Parking By-law 6902/50/21 for Lot Maintenance By-law**
- 20.7 By-law to Amend By-law No. 7155/97/23, Being a By-law Being a by-law to establish fees and charges for various services**
- 20.8 By-law to Amend By-law No. 6932/80/21, Being a By-law to Appoint a Deputy Clerk (Commissioner for Taking Affidavits)**
- 20.9 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**
- 21. Procedural Motions**
- 22. Information items**
- 23. Adjournment**

Mayor Steele adjourned the meeting at approximately 7:32 p.m.

William C. Steele, Mayor

Saima Tufail, Acting City Clerk

Mayor's report to city council

Tuesday, Feb. 27, 2024

PAO conference highlights

I've been away since Sunday at the Police Association of Ontario conference.

Police across our province face unprecedented challenges.

Highlights

Great Lakes Day on Capitol Hill

Next week I will be in Washington DC for Great Lakes Day on Capitol Hill. I serve on the board of the Great Lakes St. Lawrence Cities Initiative, which is a coalition of 250 mayors from Canada and the United States working to protect the Great Lakes. We meet with federal, provincial, and state representatives on both sides of the border whenever there's an issue relating to governance, economics, and science.

Golden Puck

Both arenas at the Vale Centre were back-to-back busy all weekend with 60 games played in the the Martin Van Gool Memorial Golden Puck 58th annual tournament.

The Golden Puck Hockey Committee is featured on our Sports Wall of Fame in the Vale Health and Wellness Centre. Founded in 1964, the committee coordinated its first tournament with eight peewee novice all-star teams from across Ontario. Out-of-town players were billeted with Port Colborne families for the three-day tournament. Back then, on the Saturday night of the tournament, Golden Puck held a dinner dance in the French Hall for all the parents and volunteers.

Golden Puck has a long history in Port Colborne, and is now named for the late Martin VanGool, who volunteered almost since the beginning.

On behalf of council, I congratulate the winning teams.

In the Under-9 division, Rosedale defeated Cayuga 4-3 to win the Golden Puck title.

The Under-11 champions are West Niagara Smithville, a strong team which shut-out Port Colborne 3-0.

In the Under-13 division, Port Colborne Sailors shut out the Hespeler Shamrocks 4-0 for the championship.

Bravo to Port Colborne coach Paul Masotti and his team, for excellent leadership. Thank you to the Golden Puck Committee for your continued leadership and hospitality shown to guests to our city from across Ontario.

Operatic Society

Congratulations to members of the Port Colborne Operatic Society and their best-selling show, Something Rotten, which is in its final run this weekend in Lakeshore Catholic High School Auditorium.

The hilarious farce about “the world’s first musical” is set in the time of the William Shakespeare. The costumes alone are worth the price of admission! Something Rotten is the 78th production – yes, 78! – of the Operatic Society, which was founded in 1945. It is the oldest amateur theatre company in Niagara.

Every year, the backstage crew and on-stage stars just seem to get better. Port Colborne is so fortunate to have the Operatic Society, and a community which loves and supports the work. Bravo. There are limited tickets at the door, for anyone who hasn’t seen it yet. The final three shows are Friday and Saturday night, and Sunday afternoon.



Subject: City of Port Colborne Traffic Calming Policy

To: Council

From: Public Works Department

Report Number: 2024-44

Meeting Date: March 12, 2024

Recommendation:

That Public Works Department Report 2024-44 be received; and

That the Traffic Calming Policy attached as Appendix A of Public Works Report 2024-44 be approved.

Purpose:

The purpose of this report is to seek approval for the adoption and implementation of a comprehensive traffic calming policy. The goals of the policy are to monitor traffic calming measures for laneway, local, and collector roads in the City of Port Colborne, and improve public safety for all road users.

Background:

The responsibility for managing and maintaining the City's road network lies with the Public Works Department. The quality of life in neighborhoods is greatly influenced by the traffic conditions on residential streets. Excessive speeds and high traffic volumes in residential areas can pose significant safety risks for pedestrians, cyclists, and drivers. Introducing measures to calm traffic is essential for lowering speeds and improving safety for all road users, and is particularly vital in areas with vulnerable populations, including children, seniors, and individuals with disabilities.

To establish a consistent process when considering measures to improve traffic related concerns, Public Works staff retained the services of R.V. Anderson Associates (RVA) to assist with the development and implementation of a comprehensive Traffic Calming Policy.

The implementation of the policy will set a transparent and standardized process for addressing resident concerns about vehicle speeds and/or traffic volumes on neighbourhood streets. The traffic calming policy also aligns with the Niagara Region's Vision Zero Road Safety Initiative, which aims to eliminate all traffic fatalities and severe injuries; increase safe, healthy, and fair mobility; consider all active modes of transportation, such as driving, walking, and cycling; and reduce all collisions by promoting major road safety initiatives across Niagara.

Discussion:

Traffic calming is crucial to maintaining the safety and quality of life for residents and the community. Infrastructure staff have been actively pursuing measures to address traffic related concerns and enhance pedestrian safety. The proposed policy aims to create a safer and more livable community by addressing community concerns. Typical concerns range from excessive noise, pedestrian safety, speeding, and traffic related risks.

The effectiveness of such policies relies on several factors such as community engagement, enforcement strategies, and consideration of local traffic patterns. The implementation of the policy provides a proactive and consistent approach to managing traffic related concerns while ensuring consensus for preferred solutions in areas that warrant traffic calming measures.

Traffic calming measures encompass a variety of approaches, including both passive and physical interventions, aimed at mitigating the negative impacts of motor vehicle use, altering driver behavior, and improving conditions for non-motorized street users. These measures are effective in reducing traffic speeds and enhancing overall neighborhood safety.

The main goal of traffic calming is to encourage drivers to adopt appropriate behavior for the specific area and street type, thereby improving conditions for other street users, such as pedestrians and cyclists. By successfully implementing traffic calming measures, communities can reduce their reliance on enforcement measures and cultivate a culture of responsible driving, leading to safer and more pleasant streets for all.

Policies from municipalities of similar size and characteristics in Ontario, including the City of Thorold, Town of Bracebridge, Town of Midland, Town of Wasaga Beach, Town of Lasalle, and Town of Pelham, were reviewed during the development of this proposed policy.

Internal Consultations:

The development of the policy included collaboration between Infrastructure and Roads Division staff to ensure the process and potential measures are appropriate for the operations and maintenance of the City's road network. City staff and RVA worked collaboratively in developing a policy that aligns with best practices set by the Canadian Guide to Traffic Calming.

Financial Implications:

All costs resulting of the implementation of a future traffic calming measures will be considered on a case-by-case basis as set out in the policy.

Public Engagement:

Upon approval of this report, City staff will be working with the City's Communication Division to ensure the Traffic Calming Policy and related processes are made available on the City's website and promoted on social media.

Strategic Plan Alignment:

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

- Environment & Climate Change
 - Welcoming, Livable, Healthy Community
 - Sustainable and Resilient Infrastructure
-

Conclusion:

City staff recommend the adoption and implementation of the proposed Traffic Calming Policy. The effectiveness of traffic calming measures has been demonstrated, highlighting the need to establish a structured process for addressing all traffic-related concerns effectively.

Appendices:

- a. By-law to adopt a Traffic Calming Policy
- b. Traffic Calming Policy PowerPoint Presentation

Respectfully submitted,

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Joe Colasurdo
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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 Adopt the Traffic Calming Policy

Whereas Section 270(1) of the *Municipal Act, 2001*, requires that municipalities adopt policies regarding the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public; and

Whereas at its meeting of March 12, 2024, the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendations of Public Works Department Report No 2024-44, Subject: Traffic Calming Policy; and

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

- 1. That the policy and procedure respecting the Traffic Calming Policy in the City of Port Colborne appended hereto as Schedule "A" and made part of this By-law be approved.

Enacted and passed this _____ day of _____, 2024.

William C. Steele
Mayor

Saima Tufail
Acting City Clerk



PORT COLBORNE

TRAFFIC CALMING POLICY

City of Port Colborne

Purpose

The purpose of this policy is to provide a framework for initiating, developing, assessing, implementing, and monitoring traffic calming measures for laneway, local, and collector roads in the City of Port Colborne.

Traffic Calming Policy

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1.0 Introduction

1.1 Background

The population growth of the City of Port Colborne, which is the second among the municipalities within the Niagara Region, coupled with employment growth targets in Port Colborne and its adjacent municipalities has triggered excessive traffic volume on the City's road network. These excessive traffic volumes are creating traffic issues such, short-cutting, and speeding in many of the neighbourhoods within the City of Port Colborne.

The City is receiving numerous concerns each year from residents regarding speeding, excessive volumes, and overall neighbourhood safety. In an effort to address these concerns, staff will typically use the resources available to them such as signs, pavement marking and driver feedback boards.

1.2 What is Traffic Calming?

Traffic calming is defined as the combination of passive and physical measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users. Traffic calming measures can be effective in addressing issues related to vehicle speed, excessive traffic volume and overall neighbourhood safety. Traffic calming measures combined with engineering, educational and enforcement tools, can significantly improve the liveability and safety of neighbourhoods.

1.3 Purpose

The purpose of this policy is to provide a framework for initiating, developing, assessing, implementing, and monitoring traffic calming measures for laneway, local and collector roads in the City of Port Colborne.

Creating safer streets for the benefit of all users by addressing issues regarding speeding and excessive traffic volumes.

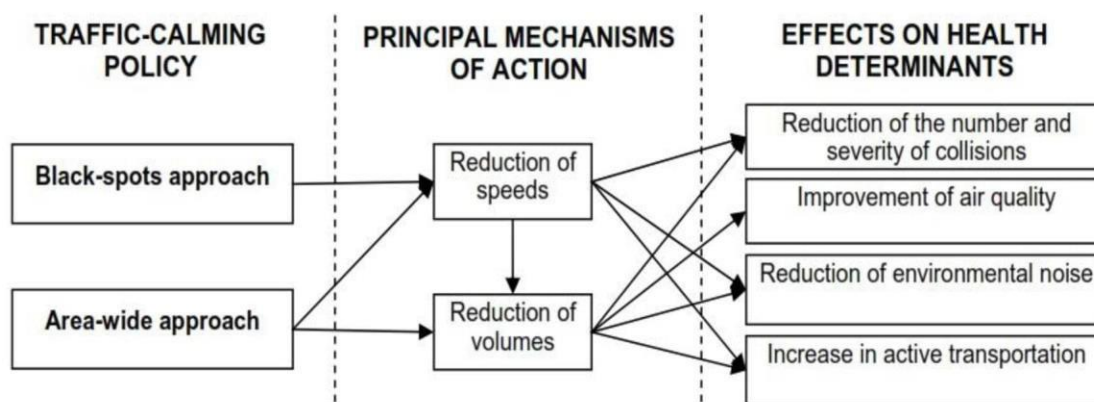
Also, the purpose of traffic calming is to restore streets to their desired function. This function is to provide both mobility and access, but in differing combinations, depending on the specific location, role and classification of the street.

Creating a policy allows the City Staff, members of Council and the public to agree on an approach and criteria that can be used objectively to respond to and prioritize requests.

1.4 Objectives

The primary objective of traffic calming is to ensure that drivers adopt a behaviour that is appropriate for the area, the type of street and its intended function, which will in turn improve conditions for other street users including pedestrians, and cyclists.

Some traffic calming measures are used to reduce excessive speeding while others may be used to reduce through traffic on local streets. Successful implementation of measures would help streets become less dependent on enforcement to ensure users adopt appropriate driving behaviour, as demonstrated within the diagram below.



Source: Salem Spitz, How Much is Too Much (Traffic), ITE Journal, May 1982

1.5 Road Classification and Appropriate Streets for Traffic Calming

The Schedule D of the City of Port Colborne Official Plan classifies the City roads into six categories: Laneway, Local Roads, Local Commercial or Industrial, Collector, Collector Commercial or Industrial, and Arterial.

Laneway, Local and collector roads are intended to provide access to properties or to connect local roads to arterial roads. These roads typically have lower volume and speed. Arterial roads are designed to efficiently move and distribute traffic across the network, including goods movement and emergency vehicles, and any traffic calming measures that interfere with this function would not be recommended. For these reasons, Laneways, Local Road and Collector Roads, that are not commercial or industrial, are considered as candidate roads for implementation of Traffic Calming Measures.

2.0 Background – Review of Documents

At the onset of the project, the 2018 TAC Canadian Guide to Traffic Calming and the Traffic Calming Policy documents from other similar size municipalities as part of best practices was reviewed.

2.1 2018 TAC Canadian Guide to Traffic Calming (CGTC)

The CGTC was reviewed, and the process recommended in the CGTC and much of its content is adopted as a background information in developing the City's Traffic Calming Policy. The CGTC can be used it as a reference to educate elected officials and the general public.

2.1.1 Factors Affecting Traffic Calming Planning

The CGTC identified the following factors that could affect the feasibility or effectiveness of a traffic calming plan.

- Legislation and Regulations: Any planned traffic calming should not conflict with the current legislation and relevant by-laws in place, at all levels of government.
- Liability: Developing a traffic calming policy is helpful to minimize potential liability for installation and impact of traffic calming that may arise from perceived conflict with other reference documents. For safety of all road users, a number of steps can be taken to minimize potential liability issues in the future: developing the policy and documenting the process which includes the design, implementation and maintenance of traffic calming measures. Support from the decision-makers would be easily made with a well-thought out process that considers all road users and affected the City staff.
- Accessibility: Traffic calming measures should consider road users of all ages and abilities that will allow them to be independent and safe.
- Enforcement: Understanding that enforcement resources are limited and that not all locations can be monitored at all times, consideration of various measures that are self-enforcing may have greater chance of success. However, these measures tend to include physical changes to the road characteristics, therefore a good balance between different types of traffic calming measures is important.
- Emergency Services: While slowing down daily vehicular traffic is the objective, this may have negative impacts on emergency services' response times. Over time, enhanced designs have been developed to minimize the impact on emergency service vehicles while still providing functionality to the general traffic. These design considerations are crucial when selecting traffic calming measures.
- Maintenance and Operations: Consultation with the maintenance and operations staff of the municipality throughout the process is important to ensure the

implementation of traffic calming measures do not conflict with their operations. Snow removal, pavement markings, damages due to roadway geometry changes are common concerns however, there may be other locally specific issues that may arise.

- Modes of Transportation: Active transportation and transit operations are important aspects to consider since the objective of traffic calming to enhance safety of all road users. Careful consideration of the measures and thorough consultation process can improve the road user's experience.
- Compatibility with Municipal Land Use and Transportation Plans: Incorporating traffic calming implementation throughout other long-range plans and policies confirms uniformity across the municipality and potentially within the region as well.

2.1.2 Guiding Principles

The CGTC identified the following as the guiding principles and general recommendations that recognize important aspects of the investigation and implementation of Traffic Calming process:

- Identify the source of the problem and quantify the extent of the problem through data collection or analysis.
- Consider first cost-effective options such as increased enforcement, education or community-led community road watch programs, installation of driver speed feedback boards, and/or better street signage.
- Consider widening the scope by studying an area-wide plan instead of a localized, street-specific plan that would likely result in displacement of traffic onto adjacent streets.
- Generally, traffic calming measures that are effective at all hours of the day and do not require the enforcement of officers are both preferred and supported.
- Verify that the intervention does not impede upon the accessibility of non-motorized modes of transportation such as pedestrians, cyclists, and wheelchairs.
- Ensure that all service providing vehicles including transit, police, fire, ambulance, garbage collection, snow plowing, and other emergency or service vehicles are able to handle the proposed infrastructure and calming measures.

- Continue to monitor any traffic calming measures for six months or a year following implementation to analyze the effectiveness and success or to prepare a contingency plan in case the measure does not produce ideal results.
- Engage with all relevant stakeholders (community, emergency service staff, transit staff, traffic engineering, public works staff, Council, other organizations) in the investigation and implementation process to reflect the needs of multiple users and analyze the traffic calming measure through different lenses. This would maximize opportunities of consensus/participation and reduce the risk of other factors not being considered in time.

2.1.3 Traffic Calming Process and Procedure

The CGTC separates the traffic calming process into following five (5) stages as shown below:



The Initiation stage is triggered by a resident or member of Council request and begins the traffic calming process. If the request is made for a suitable roadway, the Development stage begins. This stage consists of a site visit and data collection, followed by a screening that usually includes minimum requirements for traffic volumes, 85th percentile vehicular operating speeds, and resident support. Where the screening is met, draft alternatives are devised and taken to the public for Approval. The final two (2) stages include Implementation of the traffic calming measure(s) and Evaluation of results to determine if further measures are required.

2.2 Best Practices and Comparable Policies

Relevant best practices and comparable policies to the existing warrant from several other comparable municipalities in the Province of Ontario were considered. The review of six municipalities, the City of Thorold, the Town of Bracebridge, the Town of Midland, the Town of Wasaga Beach, the Town of Lasalle, and the Town of Pelham, was undertaken as they were the most relevant to the City of Port Colborne and their data is summarized in Appendix A. In developing the policy for the City, specific components of other municipal traffic calming policies were referenced.

3.0 City of Port Colborne Traffic Calming Process

The review of the CGTC, and Traffic Calming Policies of other comparable municipalities, and the input from the City staff were used as the basis of developing the City of Port

Colborne Traffic Calming process. The traffic calming process for the City is intended to provide step by step guidance from the time of receiving a request to providing solutions to the concerns, whether the result is the implementation of a traffic calming measure or to provide an alternative response. This process provides transparency and consistency for the City staff, elected officials, and the public. Traffic Calming Process Flow Chart is included in Appendix B.

3.1 Initiation

The initiation stage starts when an official request has been submitted in writing to the City Staff from any member of the public or an elected official. All traffic calming requests will be received in writing and managed by staff in one section of the Public Works Department for data management purposes. Once the request has been made, the Initial Screening and Traffic Calming Warrant will be conducted to confirm the need for a traffic calming measure. This initial process is to evaluate and screen requests to minimize the required staff effort.

Once the request has been received, the City staff will review the request and provide an update to the requestor within a 30-day review period.

As part of the City's review, City staff will conduct a field investigation (e.g., speed or traffic volumes counts) to confirm the speeding or excessive traffic volumes issue. If the study results don't confirm that there is a speeding or excessive traffic volumes issue, the City's staff will advise the requestor and process will stop.

3.1.1 Initial Screening

The initial screening criteria outlines the minimum requirements for a location to be eligible for traffic calming measures. Based on the input review of CGTC, best practices from similar municipalities, and the input provided by the City staff, the criteria is presented in Table 3-1.

Table 3-1 – City of Colborne Initial Screening Criteria

| Criteria | Requirement |
|--|--|
| Road Classification | <ul style="list-style-type: none"> Laneway, local road, and collector roads (not Collector commercial and industrial, and Arterial). Must not be designated an Emergency Services Route, Bus Route, or Truck Route. |
| Road Length | <ul style="list-style-type: none"> Street segment length must 200m in length minimum. |
| Road Gradient | <ul style="list-style-type: none"> Road grade must be less than 8% grade. |
| Traffic Volumes | <ul style="list-style-type: none"> The Average Daily Traffic (ADT) volume (over 24 hours) must be at least: <ul style="list-style-type: none"> 1,000 vehicles for a local street; and, 2,000 vehicles for a collector street |
| Posted Speed | <ul style="list-style-type: none"> The posted speed limit must be 60 km/h or less |
| Previously Evaluated or Permanent Installation Removed | <ul style="list-style-type: none"> A prior request has not been received within two (2) years or permanent traffic calming measures have not been removed from the subject street(s) in the last five (5) years |

3.1.2 Data Collection

The collection of traffic data, as deemed necessary by City Engineering Staff, will serve to provide a better understanding of the current traffic conditions and to prioritize locations for traffic calming, if warranted. The data collected will pertain to vehicle volume, vehicle speed (85th percentile¹), collisions, origin/destination study if request relates to shortcutting traffic, and site-specific information.

The City staff should review the surrounding road characteristics to determine the study area. The limits of the study area should include the section of road that is considered to have similar operating characteristics to the location of the request.

3.1.3 Traffic Calming Warrant

Once collected and summarized, the data will be run through the traffic calming warrant to determine the need for traffic calming. In order to determine if traffic calming measures are warranted a minimum of four of the seven (4/7) traffic calming warrant criteria, as outlined below, must be satisfied. If warrant criteria seven has been met, then no other warrant criteria need to be satisfied.

¹ The 85th percentile speed is the speed at which 85 percent of traffic is travelling at or below.

1. The 85th percentile speed must be greater than 10 km/h over the posted speed limit.
2. More than 5% of the total traffic on the street must be travelling more than 15km/h over the posted speed limit.
3. The average daily traffic volume (over 24 hours) must be at least: 1,000 vehicles Average Daily Traffic (ADT) volume for a local street, and 2,000 vehicles Average Daily Traffic (ADT) volume for a collector street.
4. Through traffic must be more than:
 - I. 20% of the total volume of traffic on a local street; and,
 - II. 40% of the total volume of traffic on a collector street
5. Pedestrian or cyclist generators (playground, school, multi-use pathway crossing, official cycle route, transit hub, etc.) exist on street, or in the immediate area, that creates higher than average pedestrian/cyclist activity.
6. No continuous sidewalk on the street in question.
7. If the 85th percentile speed is 15km/h or more over the posted speed limit no other warrant needs to be met.

Should a location fail to meet the warrant requirements, Council and residents will be notified in writing. The investigation for traffic calming measures will discontinue and staff will not re-evaluate the street in question at least three years from the date the evaluation was completed.

When multiple projects are warranted for traffic calming measures implementation, the City will determine the prioritization of the projects based on a point system in which each category includes points to show severity. This will assist the City in cases where available budget doesn't permit the implementation of all projects in one fiscal year.

A point system is a commonly used practice in other jurisdictions to determine the severity of the identified issues based on various attributes. The weight assigned to each of the criteria is based on the concerns and issues that has been occurring within the City. The point system for each criterion is shown in Table 3-2 is considered in consultation with the City Staff.

Table 3-2 – Traffic Calming Project Ranking Criteria

| Criteria | Requirement | Maximum Points |
|--------------------------------|---|----------------|
| Operating Speed | <ul style="list-style-type: none"> 5 points for every 2km/h that the 85th percentile speed is greater than 10km/h over speed limit. | 35 |
| Traffic Volume | <ul style="list-style-type: none"> 5 points for every 1,000 vehicles Average Daily Traffic (ADT) volume on a Local Road. 5 points for every 2,000 vehicles Average Daily Traffic (ADT) volume on a Collector Road | 20 |
| Collision History | <ul style="list-style-type: none"> 1 point assigned for each speed related collision over last 3 years. | 5 |
| Pedestrian/Cyclists Generators | <ul style="list-style-type: none"> 5 points for each pedestrian/cyclist generator within 250m radius. | 15 |
| Sidewalks | <ul style="list-style-type: none"> 5 points if no continuous sidewalk on at least one side. | 5 |
| School Zones | <ul style="list-style-type: none"> 5 points for every school with vicinity. | 20 |

3.2 Development

The purpose of the project development stage is to create a physical traffic calming plan that effectively addresses the identified issues. Once the respondents support has been confirmed, the required data is collected to assess the location against the warrant criteria and the process for selecting the appropriate traffic calming measure is followed.

The process involves the analysis and evaluation of potential solutions creating safer streets for the benefit of all users by addressing issues regarding speeding and excessive traffic volumes.

3.2.1 Initial Public Survey

Before data collection occurs, a public survey² is circulated to the residents within the study corridor to confirm that there is a neighbourhood concern regarding traffic conditions. The City will advise the residents in the subject area of the request and the process the City will follow. In order for staff to proceed, an indication of support from at least 60% of the total households with direct frontage, or flankage, onto the section of roadway that has been

² Since the Initial Public Survey is a crucial step on which the traffic calming process depends, the City staff needs to circulate the survey and collate the survey data.

identified as the location for the potential implementation of traffic calming measures, as defined by City Engineering Staff, is required. Each household is represented by one survey.

The purpose of this step is to confirm that there are others concerned about the operating conditions, in addition to the requestor, to ensure staff time and City funds get spent where the residents are most concerned.

Should the resident survey not be met then Staff will update Council accordingly and notify the residents.

3.2.2 Assessment of Traffic Calming Alternatives

All requests that reach this stage of the process have passed the initial screening process and the residents have indicated their support towards addressing the problem.

There are two traffic calming treatments:

1. Type 1 traffic calming measures. Passive traffic calming measures are low cost but effective ways of changing driver behaviour. They generally include, but not limited to, stakeholder education, flexible signage, textured/stamped asphalt, on street parking, road watch program, targeted speed limit enforcement, dynamic speed display signs, pavement marking and speed legends.
2. Type 2 traffic calming measures. These involve construction of physical vertical and horizontal deflections.

Appendix C presents the permissible Type 1 and Type 2 Traffic Calming measures for consideration.

Based on the ranking of the locations¹ based on their point totals and the annual budget, staff will recommend Type 1 and/or Type 2 treatments to make the most effective use of the available budget and achieve the desired change in driver behaviour.

The point system outlined in Table 3-2 not only determines whether a location is warranted for traffic calming, but it is also used to rank its priority against other projects. The points allocated to the severity of the problem, or the characteristics of the environment will assist staff in determining a priority ranking of locations.

3.3 Approval

Once staff have developed a proposed traffic calming strategy, it is important to determine whether the affected community will support the plan. Similar to the neighbourhood

feedback from the initial survey, resident responses are necessary at this stage to measure their agreement with traffic calming and particularly the approach that will be taken.

Regardless of the types of measures determined for the location, the affected residents will be sent information about the proposed treatment, provided contact information for questions and surveyed to indicate whether they are in favour. This survey will also outline the required level of support for approval.

For Type 1 measures, the public will be consulted via notices and for Type 2 measures, the public will be consulted via notices and a public meeting will be held. A review period of 30-days is to be given for the residents to indicate their support. A minimum of 25% of sent surveys must respond, and from this at least 60% of total respondents must be in favour of the plan.

The residents of the subject area should be advised of the results of the community survey. If the threshold for support is met, the residents will be advised that their project will proceed for prioritization with other warranted projects. If the threshold is not met, the City will not entertain a new request for a neighbourhood traffic calming study on the subject street(s) for a period of at least two (2) years.

3.4 Implementation

Upon approval of Council, resident notification, and sufficient funding, traffic calming measures will be implemented. Residents will be notified of implementation timelines through the contact mailing list. Where feasible, staff may decide it is beneficial to phase in the traffic calming plan through the use of temporary or removable traffic calming measures such as pavement markings or flexible delineators. This will allow time to examine the impact of the measures and their effectiveness before committing funding to permanent treatments.

3.5 Evaluation

City Engineering Staff will monitor the roadway to determine the effectiveness of the utilized measures and their impact on the surrounding road network. This information will be used in recommending similar measures in the future.

The City will conduct before and after studies to assess if the traffic calming plan has resulted in reduction of operating speed or/and excessive traffic volumes in the project study area.

3.6 Removal of Permanent Traffic Calming Measures

Permanent Traffic calming measures may be removed, at the request of residents provided that at least 75% of the total households on the street in question agree to the removal via a resident petition³. The number of total households would be the same residents as was initially surveyed to gauge support for traffic calming. The traffic calming measures must be installed for at least two years before acquiring the necessary signatures on the resident petition. If permanent traffic calming measures are removed, the subject street must wait at least five years before requesting a new traffic calming measure; at this point the traffic calming review process would start over. This provision does not apply to non-physical traffic calming measures.

The City reserves the right to remove traffic calming measures if it determines that these are ineffective or unsafe, or if they have created a negative impact that cannot be corrected. Should this occur, the City will mail out notifications to the effected residents informing of its decision to remove the traffic calming measure(s).

4.0 Traffic Calming Measures

The proposed traffic calming measure(s) will be in accordance with the design guidelines outlined in the Canadian Guide to Traffic Calming.

Traffic calming measures included in this policy are selected to suit the geometrics and practices within the City of Port Colborne and include measures that have been implemented in nearby municipalities. The measures are categorized into Type 1 and Type 2 as discussed in Section 3.2.2.

³ The City staff should verify the validity of the petition before recommending removal of traffic calming measure.

APPENDIX A

Best Practices and Comparable Policies



Appendix A – Comparable traffic calming policies of Municipalities in Ontario

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|------------------------------------|---|--|---|--|--|---|
| Document Name | City of Thorold Policy and Procedure Manual | Town of Bracebridge Traffic Calming Measures Manual | Town of Midland Traffic Calming Policy | Town of Wasaga Beach Traffic Calming Policy | Town of Lasalle Traffic Calming Policy | Neighbourhood Traffic Management (Policy #S801-02) |
| Document Year | 2020 | 2020 | 2021 | 2022 | 2019 | 2020 |
| Population | 23,000 | 16,000 | 16,900 | 20,700 | 30,200 | 18,192 |
| Eligible Roads | Laneway, Local & Collector | Local & Collector | Local & Collector | Local & Collector | Local & Collector | Local, collector and rural roads |
| Goals | <ul style="list-style-type: none">Guidelines for initiating, reviewing and implementing traffic calming measures.Address issues regarding <u>speeding</u> and <u>excessive traffic volumes</u>. | <ul style="list-style-type: none">Creating safer streets for the benefit of all users.Reducing the adverse effects of cut-through motor vehicle traffic on residential streets.Preserving the quality of life. | <ul style="list-style-type: none">Increase the safety of neighborhoods.Improve the livability of neighborhoods.Restore streets to their intended function.Preserve access and minimize impact to emergency services, public transit, and other maintenance services.Promote public participation and community support. | <ul style="list-style-type: none">Increase the Safety of Neighborhoods.Improve the livability of neighborhoods.Restore streets to their intended function.Maintain access routes for emergency services, public transit, and maintenance services.Promote public participation and community support. | <ul style="list-style-type: none">Address the negative effect of motor vehicle use and driver behavior.Address conflicts between road users.Implement a traffic calming policy to determine the best measures that result in the greatest improvement in the quality of life and community safety at a reasonable cost. | <ul style="list-style-type: none">Educate residents about traffic calming so they can make more informed decisions and also understand the rationale behind the Town's decision-making process.Providing a policy that Town officials and the general public are confident is an effective and fair tool in evaluating speeding and/or traffic volume problems.Provide a standard format for dealing in a consistent manner with complaints regarding speeding and traffic safety concerns.Reduce the workload and duplication of effort for Town staff in responding to resident traffic concerns.Educate people on how to create a safe and pleasant roadway environment for residents, motorists, cyclists, and pedestrians.Encourage public involvement in traffic calming activities.Educate residents on pedestrian and cyclist safety. |
| Traffic Calming Measure Categories | <ul style="list-style-type: none">Passive Traffic CalmingStakeholder Education, Pavement Markings/Material, Targeted Speed Limit Enforcement, On-Street Parking, Road Diet, Speed Display.Physical Traffic Calming<ul style="list-style-type: none">Physical Vertical Traffic Calming: Speed Cushion, Speed Hump, Speed Table, Raised Intersection, Raised Crosswalk | <ul style="list-style-type: none">Passive Traffic Calming Digital Radar Board, Turn Restrictions, Parking, Active Transportation Corridors.Physical Traffic Calming<ul style="list-style-type: none">Physical Vertical Traffic Calming: Raised Crosswalks, Raised Intersections, Speed Hump, Speed Table, Rumble Strips.Physical Horizontal Traffic Calming: Traffic Circle, Chicane, Choker, Centre Island Narrowing. | <ul style="list-style-type: none">Passive Traffic Calming Education, Community Entrance Signs, Textured Crosswalks, Target Speed Limit Enforcement, Radar Speed Display Sign, On Street Parking, Road Diet, Diagonal Parking, "Traffic Calmed Neighborhood" Signs, "Community Safety Zone" Sign, On-Road Messaging (Pavement Markings), Road Watch Program, Bicycle Boulevard. | <ul style="list-style-type: none">Speed Control Measures: Speed Bumps, Speed Humps, Speed Tables, Raised Intersections, Traffic Circles, Roundabouts, Chokers, Realigned Intersections, Neck Downs, Centre Island Narrowing.Volume Control Measures: Full or Partial Street Closures, Diagonal Diverters, Median Barriers, Forced Turn Islands.Non-Physical Measures (Passive): Speed Enforcement, Pavement Marking Legends, School Zones, Traverse Lane Markings, Lane | The Town of Lasalle breaks measure into two categories: Type 1 & Type 2 . Type 1 are measures that are effective and low cost. Type 2 are measures that are more costly and more effective. <ul style="list-style-type: none">Type 1 Traffic Calming Measures: Road Diet, Speed Display Devices, Lane Narrowing.Type 2 Traffic Calming Measures<ul style="list-style-type: none">Vertical Deflection: | The Town of Pelham broken the policy into two categories: <ul style="list-style-type: none">Passive Traffic Calming, i.e., line markings and/or signage. Passive modifications are intended to visually reduce effective lane width for a motorist and in most circumstances re-allocate some of road space to cyclists and on-street parking. These treatments have proven to be capable of reducing 85th percentile operating speeds by up to 5 km/h in other municipalities. |

Appendix A – Comparable traffic calming policies of Municipalities in Ontario

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
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| Document Year | 2020 | 2020 | 2021 | 2022 | 2019 | 2020 |
| Population | 23,000 | 16,000 | 16,900 | 20,700 | 30,200 | 18,192 |
| Eligible Roads | Laneway, Local & Collector | Local & Collector | Local & Collector | Local & Collector | Local & Collector | Local, collector and rural roads |
| Goals | <ul style="list-style-type: none">Guidelines for initiating, reviewing and implementing traffic calming measures.Address issues regarding <u>speeding</u> and <u>excessive traffic volumes</u>. | <ul style="list-style-type: none">Creating safer streets for the benefit of all users.Reducing the adverse effects of cut-through motor vehicle traffic on residential streets.Preserving the quality of life. | <ul style="list-style-type: none">Increase the safety of neighborhoods.Improve the livability of neighborhoods.Restore streets to their intended function.Preserve access and minimize impact to emergency services, public transit, and other maintenance services.Promote public participation and community support. | <ul style="list-style-type: none">Increase the Safety of Neighborhoods.Improve the livability of neighborhoods.Restore streets to their intended function.Maintain access routes for emergency services, public transit, and maintenance services.Promote public participation and community support. | <ul style="list-style-type: none">Address the negative effect of motor vehicle use and driver behavior.Address conflicts between road users.Implement a traffic calming policy to determine the best measures that result in the greatest improvement in the quality of life and community safety at a reasonable cost. | <ul style="list-style-type: none">Educate residents about traffic calming so they can make more informed decisions and also understand the rationale behind the Town's decision-making process.Providing a policy that Town officials and the general public are confident is an effective and fair tool in evaluating speeding and/or traffic volume problems.Provide a standard format for dealing in a consistent manner with complaints regarding speeding and traffic safety concerns.Reduce the workload and duplication of effort for Town staff in responding to resident traffic concerns.Educate people on how to create a safe and pleasant roadway environment for residents, motorists, cyclists, and pedestrians.Encourage public involvement in traffic calming activities.Educate residents on pedestrian and cyclist safety. |
| Traffic Calming Measure Categories | <ul style="list-style-type: none">Passive Traffic CalmingStakeholder Education, Pavement Markings/Material, Targeted Speed Limit Enforcement, On-Street Parking, Road Diet, Speed Display.Physical Traffic Calming<ul style="list-style-type: none">Physical Vertical Traffic Calming: Speed Cushion, Speed Hump, Speed Table, Raised Intersection, Raised Crosswalk | <ul style="list-style-type: none">Passive Traffic Calming Digital Radar Board, Turn Restrictions, Parking, Active Transportation Corridors.Physical Traffic Calming<ul style="list-style-type: none">Physical Vertical Traffic Calming: Raised Crosswalks, Raised Intersections, Speed Hump, Speed Table, Rumble Strips.Physical Horizontal Traffic Calming: Traffic Circle, Chicane, Choker, Centre Island Narrowing. | <ul style="list-style-type: none">Passive Traffic Calming Education, Community Entrance Signs, Textured Crosswalks, Target Speed Limit Enforcement, Radar Speed Display Sign, On Street Parking, Road Diet, Diagonal Parking, "Traffic Calmed Neighborhood" Signs, "Community Safety Zone" Sign, On-Road Messaging (Pavement Markings), Road Watch Program, Bicycle Boulevard. | <ul style="list-style-type: none">Speed Control Measures: Speed Bumps, Speed Humps, Speed Tables, Raised Intersections, Traffic Circles, Roundabouts, Chokers, Realigned Intersections, Neck Downs, Centre Island Narrowing.Volume Control Measures: Full or Partial Street Closures, Diagonal Diverters, Median Barriers, Forced Turn Islands.Non-Physical Measures (Passive): Speed Enforcement, Pavement Marking Legends, School Zones, Traverse Lane Markings, Lane | The Town of Lasalle breaks measure into two categories: Type 1 & Type 2 . Type 1 are measures that are effective and low cost. Type 2 are measures that are more costly and more effective. <ul style="list-style-type: none">Type 1 Traffic Calming Measures: Road Diet, Speed Display Devices, Lane Narrowing.Type 2 Traffic Calming Measures<ul style="list-style-type: none">Vertical Deflection: | The Town of Pelham broken the policy into two categories: <ul style="list-style-type: none">Passive Traffic Calming, i.e., line markings and/or signage. Passive modifications are intended to visually reduce effective lane width for a motorist and in most circumstances re-allocate some of road space to cyclists and on-street parking. These treatments have proven to be capable of reducing 85th percentile operating speeds by up to 5 km/h in other municipalities. |

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|---|---|--|--|---|---|---|
| | <ul style="list-style-type: none"> - Physical Horizontal Traffic Calming: Curb Extension, Raised Center Median, Chicane. Physical Obstruction Traffic Calming: Directional Closures, Raised Median Through Intersection, Right-Ins/Right-Outs, Full Closure | Physical Obstruction Traffic Calming: Obstructions, Roadway Closure. | Physical Traffic Calming <ul style="list-style-type: none"> - Physical Vertical Traffic Calming: Speed Cushion, Raised Intersection, Raised Crosswalk, Speed Table, Speed Hump, Speed Kidney. - Physical Horizontal Traffic Calming: Curb Extension, Curb Radius Reduction, Traffic Circle, Chicanes, Lateral Shift, Roundabout. - Physical Obstruction Traffic Calming: Directional Closure, Raised Median Through Intersection, Right-Ins/Right-Outs, Full Closure. | Narrowing and Shoulder Widening Through Pavement Marking, Radar Speed Display Signs, Community Safety Zones. | Speed Hump, Speed Table, Speed Cushion. <ul style="list-style-type: none"> - Horizontal Deflection: Curb Extensions, Traffic Circle, Raised Median Island. - Access/Volume Control: Diverter, Raised Median Through Intersection, Directional Closure, Right-In/Right-Out. - Passive Measures: Location-Specific Enforcement, Resident Lawn Signs, Education Campaign, Traffic-Calmed Neighborhood. | <ul style="list-style-type: none"> • Physical Traffic Calming, i.e., intrusive treatments that modify the shape and/or form of the travel lanes making it uncomfortable for drivers to attain high speeds. Physical traffic calming can be broken down into three categories: (1) vertical deflections; (2) horizontal deflections; and (3) physical obstructions. - Vertical traffic calming measures provide an obstruction that vehicles are able to travel over. - Horizontal traffic calming tries to prevent vehicles from traveling in a straight line at excessive speeds by using measures such as raised islands and curb extensions. - Physical obstructions involve a full or partial closure of the road |
| Process Steps | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Process Initiation. • Resident Survey. • Traffic Calming Warrant. • Traffic Calming Plan. • Evaluation and Monitoring. • Approval and Implementation. | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Request for Traffic Calming. • Review for Consistency. • Preliminary Traffic Calming Plan. • Notification of Area Residents. • Funding and Installation. • Evaluation. | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Traffic Calming Neighborhood Petition. • Data Collection and Analysis. • Data Collection. • Point System Assessment System. • Traffic Calming Design Considerations. • Public Information Meeting Notice. • Public Information Meeting. • Recommend Final Plan to Council. • Resident Notification. • Implementation of Traffic Calming Measure. • Evaluation and Monitoring. | <ul style="list-style-type: none"> • Initiate Traffic Calming Request. • Data Collection. • Data Assessment. • Neighborhood Petition / Survey. • Design Consideration and Community Feedback. • Finalize and Implement the Traffic Calming Plan. • Feedback Monitoring Evaluation. | <ul style="list-style-type: none"> • Initial Screening Criteria: Determine Eligibility. • Initiation. • Development (alternative. • Approval (including Public consultation). • Implementation. • Evaluation. | <ul style="list-style-type: none"> • Public Input. • Process Initiation and Pre-Screening. • Traffic Calming Ineligibility based on Pre-screening. • Traffic Calming Neighbourhood Petition. • Data Collection. • Point Assessment System. • Traffic Calming Design Considerations. • Comments from Emergency/Transit and Roads Operations. • Public Information Centre & Public Notice. • Resident Notification. • Finalize Preferred Traffic Calming Plan. • Implementation of Traffic Calming Measures. • Evaluation and Monitoring. • Removal of Traffic Calming Measures. • Special Provisions. |
| Process Initiation – List % of residents | Residents submit requests for traffic calming. The city conducts preliminary assessment to determine if the roadway meets the initial | Residents submit requests for traffic calming. Must have at least 75% support from affected households. Only one signature per household. | Residents submit requests for traffic calming. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | Residents submit requests for traffic calming. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | Residents submit requests for traffic calming. Requires 25% responses. Town will provide update within 30-day review window. | Before an area is considered for traffic calming a signed petition must be received by the Town |

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| Process Initiation – List % of residents | Residents submit requests for traffic calming. The city conducts preliminary assessment to determine if the roadway meets the initial | Residents submit requests for traffic calming. Must have at least 75% support from affected households. Only one signature per household. | Residents submit requests for traffic calming. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | Residents submit requests for traffic calming. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | Residents submit requests for traffic calming. Requires 25% responses. Town will provide update within 30-day review window. | Before an area is considered for traffic calming a signed petition must be received by the Town |

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|---|--|---|---|---|--|---|
| | screen criteria. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | | | | | showing a minimum of 25% support for traffic calming measures. If the petition does not show the required level of interest, the area will not qualify for traffic calming. |
| Initial Screening | Initial screening criteria includes: <ul style="list-style-type: none"> • Must be laneway, local or collector roadway. • Must be under the jurisdiction of the City of Thorold. • Zoning must be primarily residential. • Be a minimum of 150m long. • Over 500 vehicles per day. • Road grade must be less than 8% grade. • The posted speed limit must be under 50 km/h. • No traffic calming installed on the same street within last 5 years. | Initial screening criteria includes: <ul style="list-style-type: none"> • Must not be designated an Emergency Services Route, Bus Route, or Truck Route. • Must be Local or Collector Road. • Collector Roads must have 75% residential. • Must take into consideration distance to driveways, manholes, fire hydrants, etc. • Only where a safe stopping sight distance can be provided. • Traffic calming measures will be monitored and evaluated for effectiveness. | Initial screening criteria includes: <ul style="list-style-type: none"> • Must be a local or collector road. • Posted speed limit be 50km/h or less. • Requested location be a minimum of 150m in length. | Initial screening criteria includes: <ul style="list-style-type: none"> • Must be a local or collector road. • Requested location be a minimum of 150m in length. • Efforts have been made to address concerns, including engineering, education, and enforcement tools. | Initial screening criteria includes: <ul style="list-style-type: none"> • Only local and collector roads • Must be primarily a residential area. • Street segment must be 200m in length minimum. • Posted speed limit must be 50 km/h or less. • No traffic calming considered along roadway in last 12 months | Initial screening criteria includes: <ul style="list-style-type: none"> • Is this a Local, Rural or Collector Road? • Is the AADT (annual average daily traffic) >1000. • Is the posted speed 50km/h? • Has the road been assumed? • Is the road section primarily residential? • Does the street provide an obvious bypass to a major intersection or road? • Is the section of road longer than 200m? • Have any previous efforts been made within the last 12 months? |
| Warrant (Yes/No) Data collection methods | If there is 51% support from the local residents and meets the initial screening process, the city will kick off the warrant process to determine if traffic calming is needed (must meet 4/7): <ul style="list-style-type: none"> • 85th percentile speed greater than 10km/h over posted speed limit. • More than 5% of traffic travelling more than 15% over posted speed limit. • AADT must be at least 2000 for local, 5000 for collector. • Through traffic must be more than 20% for local street, 40% for collector. • Pedestrian or cyclist generators exist in the vicinity. • No continuous sidewalk on subject street. • If the 85th percentile speeds are over 15 km/h over the posted speed limit, no other warrants need to be met. | <ul style="list-style-type: none"> • <u>Speed Control Criteria</u> The 85th percentile speed on a residential street must be greater than 10 km/h over the posted speed limit. The 85th percentile speed is defined as the speed at or below which 85% of all vehicles are observed to travel under free-flowing conditions past a monitored point. • <u>Traffic Diversion Criteria</u> <ol style="list-style-type: none"> a) The Average Daily Traffic (ADT) volume on the street must exceed 700 trips per day. Since traffic counts can fluctuate by 10% or more on any given day, any study that results in a volume range between 630 to 700 trips per day may justify additional traffic analysis. b) At least 25% of the daily traffic on a residential street must be cut-through. c) Special consideration may be given to streets that do not meet the 700 trips per day criteria but have 100 trips or more during the peak hour, with | <ul style="list-style-type: none"> • Vehicle volume count to determine 24-hour traffic. • Speed study to determine existing speed data. • Classification count to determine heavy vehicle traffic. • Collision data for the most recent three (3) years. • Study to quantify cut-through traffic, if necessary. • Existing roadway conditions (e.g., pavement condition, signing, marking). • Pedestrian activity. • Presence of sidewalks on one or both sides of the road. • Presence of special pedestrian generators such as schools, seniors' homes, playgrounds, etc. in the area. • History of traffic operations for the area within last 5 years | The data collected may include: <ul style="list-style-type: none"> • traffic volumes and composition (cars and trucks). • vehicle speeds. • Collisions. • sight lines related to deficient horizontal and/or vertical alignment and stopping distance. • pedestrian activity, an origin/destination study (third party study), if the request relates to shortcutting traffic, and historical site-specific information. | <ul style="list-style-type: none"> • Operating Speed - At the time of the request. • Traffic Volume - Annual traffic count program or request-specific counts if no suitable data is available (less than 5 years old). • Collision History. • Pedestrian/Cyclists Generators. • School Zone. | <ul style="list-style-type: none"> • Vehicle volume counts determine 24-hour traffic. • Speed study to determine existing speed data. • Classification count to determine heavy vehicle traffic. • Collision data for the most recent three (3) years (if available) • Study to quantify cut-through traffic, if determined necessary by staff • Existing roadway conditions (e.g., pavement condition, signing, marking). • Pedestrian activity. • Presence of sidewalks on one or both sides of the road. • Presence of special pedestrian generators such as schools, seniors homes, playgrounds, etc. in the area. |

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|--------------|---|---|---|---|--|---|
| | | at least 40% of those cut-through. The method the Town will utilize to calculate cut-through traffic will be based on normal peak hour volume to daily volumes increases of 10%, a normal acceptable industry standard. The data will be collected on suspected cut-through roadways as well as surrounding non-suspect roads. The ratio difference between the suspect and non-suspect roads, minus 10% will be deemed the percentage of cut-through traffic. The Town has a Traffic Calming Measures Evaluation Checklist. | | | | |
| Point system | <ul style="list-style-type: none">• Speed (60 points max.) – 4 points for every 1 km/h that the 85th percentile speeds are over the posted limit.• Volume (10 points max.) – 1 point for evert 100 vehicles (local roads). 1 point for every 200 vehicles (collector).• Collision History (5 points max.) – 1 point assigned for each speed related collision over last 3 years.• Pedestrian Generators (15 points max.) – 5 points for each pedestrian generator within 250m radius.• Sidewalks (5 points max.) – 5 points if no continuous sidewalk on at least one side. | <ul style="list-style-type: none">• Speed (0-35 points) – 5 points for every 2km/h that the 85th percentile speed is greater than 10km/h over speed limit.• High Speeds (0-5 points) – 5 points if minimum of 5% of daily traffic exceed speed limit by 15-20 km/h.• Volume (0-20 points) – 5 points for every 1500 ADT (Local). 5 points for every 3000 ADT (Minor Collector). 5 points for every 5000 ADT (Major Collector).• Cut-Through Traffic (0-15 points) – 5 points for every 20% cut through traffic volume. Additional 5 points for every 10% increase above additional 20%.• Collision Data (0to10 points) – 1 point for every 2 collisions over 3-year historical data.• Sidewalks (0to10 points) – 10 points for sidewalk on both sides, 5 points for sidewalk on one side and 0 points for no sidewalk. Active transportation facilities count as sidewalks when adjacent to roadway or create links.• Pedestrian Hubs (0to15 points) – 5 points for each pedestrian facility within vicinity. | Minimum point values for each road class: <ul style="list-style-type: none">• Local Road – Minimum of 35 points.• Collector Road – Minimum of 52 points. <u>Point system breakdown:</u> <ul style="list-style-type: none">• Speed (30 points max.) – 1 point for every 1 km/h over posted speed (85th percentile speeds). 2 points for every km/h that the 85th percentile speed is between 15-25 km/h over posted speed.• Volume (20 points max.) – 5 points for every 1000 AADT (Local). 5 points for every 2000 AADT (Collector).• Collision (20 points max.) – 2 points for every collision not involving vulnerable road users within past 3 years. 5 points for every collision involving vulnerable road user withing past 3 years.• Pedestrian/Cycling Generators (15 points max) – 5 points for every pedestrian-oriented facility. 5 points for a signed bicycle route or walking trail.• Sidewalks (15 points max.) – 10 points if road has no sidewalks with evidence of pedestrian | Minimum point values for each road class: <ul style="list-style-type: none">• Local Road – Minimum of 35 points.• Collector Road – Minimum of 52 points. <u>Point system breakdown:</u> <ul style="list-style-type: none">• Speed (0-35 points) – 5 points 2 km/h that the 85th percentile speed is greater than 10 km/h over speed limit.• Volume (0-20 points) – 5 points for every 500 AADT (Local). 5 points for every 1000 AADT (Collector).• Short Cutting Traffic (0-15 points) – 5 points if 25% or more shortcutting traffic. Additional 5 points for every 10% increment above 25%• Collision (0-10 points) – 1 point for every collision within the past 3 years.• Pedestrian Generators (0-15 points) – 5 points for every pedestrian-oriented facility nearby.• Sidewalks (0-5 points) – 5 points for no sidewalk with evidence of pedestrian activity.• Sightlines (0-10 points) – 0 points for excellent sightlines. 5 points | Minimum points to satisfy is 35 points. <ul style="list-style-type: none">• Operating Speed (30 points max.) – 1 point for every km/h that he 85th percentile speed between 1-15km/h over posted speed limit. 2 points for every km/h the 8th percentile speed is between 15-25 km/h over posted speed limit (except for school zone specific speed limits).• Traffic Volume (30 points max.) – 5 points for every 1000 AADT (Local). 5 points for every 2000 ADT (Collector).• Collision History (20 points max.) - 2 points for every collision not involving vulnerable road users within the past 3 years. 5 points for every collision involving vulnerable road user withing past 3 years.• Pedestrian/Cyclists Generators (10 points max.) – 5 points for every pedestrian/cyclist generator within vicinity. 5 points for walking trails and cycling routes.• School Zone (15 points max.) – 5 points for every school with vicinity. | Minimum point values for each road class: <ul style="list-style-type: none">• Local Road – Minimum of 35 points.• Collector Road – Minimum of 52 points. <u>Point system breakdown:</u> <ul style="list-style-type: none">• Speed (0-35 points) – 5 points 2 km/h that the 85th percentile speed is greater than 10 km/h over speed limit.• High Speed (0-5 points) – 5 points if minimum of 5% of daily traffic exceeds posted speed by 15-20 km/hr.• Volume (0-20 points) – Local Roadways: 5 points for every 1,500 ADT Collector Roadways: 5 points for every 2,000 ADT.• Short Cutting Traffic (0-15 points) – 5 points if 25% or more shortcutting traffic. Additional 5 points for every 10% increment above 25%.• Collision (0-10 points) – 1 point for every collision within the past 3 years.• Pedestrian Generators (0-15 points) – 5 points for every pedestrian-oriented facility nearby.• Sidewalks (0-10 points) – 10 points for no sidewalks with evidence of |

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|--|---|---|---|---|---|--|
| | | | activity. 1 point if road was no sidewalk and no sign of pedestrian activity. 5 points if road has one or two sidewalks. <ul style="list-style-type: none">• Driveways (10 points max.) – 5 points for every 100m if the driveway density exceeds 5 driveways per 100m per side. | for impaired sightlines. 10 points for very poor sightlines. <ul style="list-style-type: none">• Road Allowance Limitations Paved Width <6m (0-5 points) – 5 points for limited paved surface and/or boulevard width. | | pedestrian activity, 5 points for sidewalks on only one side. <ul style="list-style-type: none">• Pedestrian Generators (0-15 points) – 5 points for each nearby* pedestrian generator such as a school, playground, community centre, libraries, retail centres, etc. |
| Alternative Measures if Screening Criteria is not met | Council and residents notified. Traffic calming measures will not be looked at for 3 years from date of evaluation. | N/A | Locations that fail to meet are not eligible for re-evaluation for the three years unless advised otherwise by town staff. | Locations that fail to meet will result in termination of the investigation. If it does meet the requirements and the town wants to proceed, needs 60% acceptance from residents, with a minimum of 25% surveys filled out and returned to the town. | | Traffic calming measures will be considered when there is a demonstrated safety, speed or short-cutting traffic concern and acceptable alternative measures have been exhausted. |
| Monitoring and Evaluation Methods | Staff look at effectiveness and impact on roadway. Look at passive measures first, then recommend physical measures. | Prepare annual report to evaluate effectiveness of traffic calming measure. In some cases, recommendations can be made to modify the measure. | Staff look at effectiveness and impact on roadway by conducting before and after speed studies 4-6 months after installation. If a nearby street experiences an increase of 15% due to implementation of traffic calming, town will explore remedies. | Staff look at effectiveness and impact on roadway within 3 months after it was installed. This includes studying traffic volumes and speed. | Staff look at effectiveness and impact on roadway within 2 years of installation. The first year determines the initial impact. The second year determines if the impact of the measure is permanent. | Engineering staff will monitor the roadway to determine the effectiveness of the utilized measures and their impact on the surrounding road network. This information will be used in recommending similar measures in the future. In addition to conducting before and after speed studies the Town will conduct studies to assess if the traffic calming plan has resulted in significant amounts of traffic diverting to adjacent, parallel streets in some cases. These after studies will be compared with the Town's 'before' studies to determine the change in traffic volume. |
| Traffic Calming Removal Process | Comes at the request of the residents. Must have a minimum support of 75% of total households and must be installed for minimum of 2 years. | Comes at the request of the residents. Must have a minimum support of 75%. | Comes at the request of the residents and must be installed for a minimum of 2 years. Must wait 3 years before requesting new traffic calming. | Comes at the request of the residents. Must have a minimum support of 60% of total households with a minimum of 25% surveys returned to the city. Must be installed for at least 3 months. If removed, have to wait 2 years before requesting new traffic calming measures. | N/A | Traffic calming measures must be installed for at least 2 years before starting the process of removing them. A minimum of twenty-five (25) percent of property owners within the impact area must indicate their approval by signing the Traffic Calming Removal Request. |

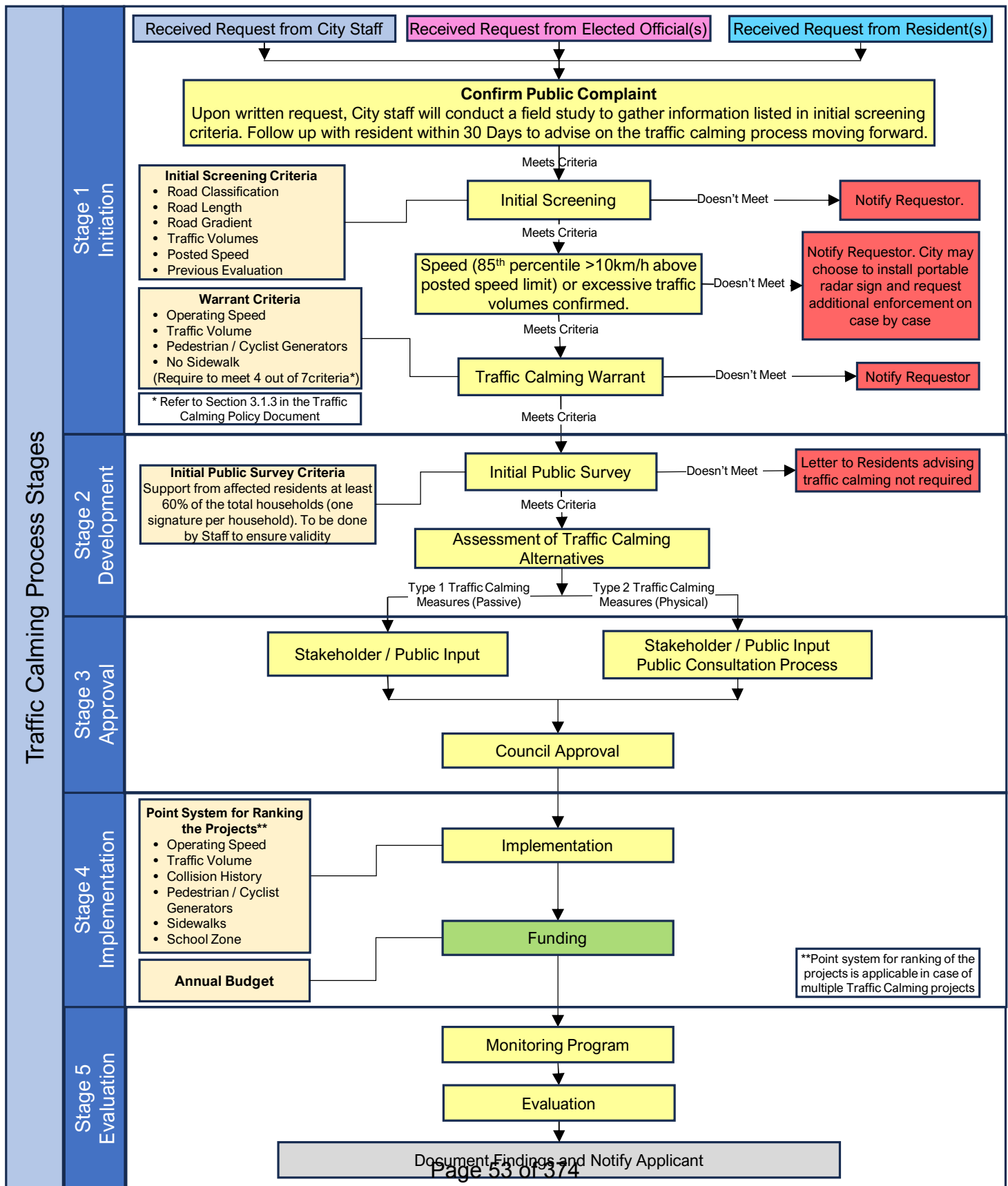
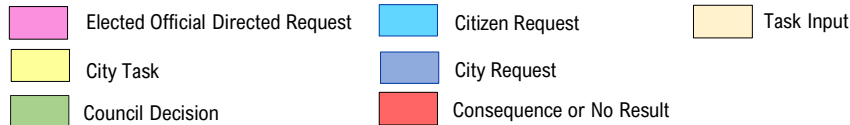
APPENDIX B

Traffic Calming Process Flow Chart



City of Port Colborne – Traffic Calming Process Flow Chart

Legend:



APPENDIX C

Detailed Traffic Calming Measures under Type 1 and Type 2



Type 1 Measures (Passive Traffic Calming Measures)

Type 1 traffic calming measures are effective methods to address concerns through less-intrusive road changes when permanent physical road geometry changes are not possible or recommended. These passive measures are typically lower in implementation cost and have a shorter turnaround time for the evaluation period, allowing the City to address more requests with the given funding and resources.

Stakeholder Education

Activities that change people's perceptions and help alter driver behaviour are most preferred. Meetings and workshops with neighbours and the City can help implement and direct traffic calming applications. Most traffic problems are a result of human behaviour. Through outreach programs and Neighbourhood watch programs such as community safety zone and the Active and Safe Routes to School program, residents can play a big part in spreading the information.



Flexible Sign

In-road flexible signs are signs installed in the centre of the road, between opposing traffic lanes and are designed to withstand impacts from, and avert damage to, vehicles if struck by collapsing and rebounding.

In-road flexible signs have a narrowing effect on the lane or roadway which can give drivers the perception of the need to slow down. They also serve as supplemental signage to existing roadside signs.



The signs do not represent a controlled crossing opportunity for pedestrians. The signs can be installed on local and collector roads with two-way traffic flow.

Textured Pavement

Textured pavement or stamped asphalt can be used alone as a traffic calming measure or in combination with other physical measures. Drivers typically slow down when crossing textured pavement due to vibration created by the pavement surface.



Targeted Speed Limit Enforcement

The City, through the Niagara Region Police, can provide targeted speed limit enforcement in response to identified operational issues. Targeted speed limit enforcement purpose is to make drivers more aware of their speed within a residential area. This measure typically only provides a temporary benefit, since speed limit enforcement is not available on a regular, on-going basis.

Speed Display

A dynamic speed display sign performs the same function as a radar trailer but is meant to be installed as a permanent device. Real-time speeds are relayed to drivers and flash when vehicle speeds exceed the posted speed limit. Dynamic speed display signs are typically placed in on a street for a period of 1 week.



On Street Parking

All roads within residential areas are built wide enough to allow on street parking on at least one side of the road. Area residents often create the opportunity to speed by introducing No Parking zones. Eliminating parked vehicles from your street significantly increases the width of the road and will increase the speed of neighbourhood traffic. There have been studies done in North America which have shown the introduction of “No Parking Zones” increased the speed of traffic by 20%.



If a speeding problem is identified on your street the City may consider asking residents to consider on street parking as a low cost way to address the problem.

Road Watch Program

The Road Watch Program is a community initiative that gives residents and visitors an opportunity to report dangerous and aggressive drivers to the road authority. Within the City of Port Colborne, the Road Watch Program can be introduced at higher priority locations.



Road Diet

A road diet refers to using pavement markings to make the travel portion of the road narrower, typically introducing bike lanes and or parking lanes. Passive speed control measures such as pavement markings attempt to change the fundamental sensory information available to drivers to influence their speed behaviour. By adding markings to the road, drivers' perceptions can be distorted creating the illusion that they are driving faster than they really are, persuading drivers to slow down. Additionally, the new road markings can serve as a warning sign; because these pavement patterns are mostly unfamiliar to road users, they violate driver expectancy causing motorists to decelerate.

Type 2 Measures (Physical Traffic Calming Measures)

Physical traffic calming can be broken down into three categories: vertical deflections, horizontal deflections and physical obstructions.

Vertical traffic calming measures provide an obstruction that vehicles are able to travel over. The change in pavement height (and sometimes pavement materials) can cause discomfort to the occupants of vehicles that are exceeding the design speed of the traffic calming measure.

Horizontal traffic calming measures tries to prevent vehicles from traveling in a straight line at excessive speeds by using measures such as raised islands and curb extensions.

Physical obstructions involve a full or partial closure of the road.

Vertical traffic calming measures

It should be noted that most vertical traffic calming measures are not preferred along roadways that are emergency vehicle routes or transit routes. To reduce the chances of potential liability issues,

vertical traffic calming measures should be signed and marked in accordance with reference material provided by the Institute of Transportation Engineers (ITE) and the Transportation Association of Canada (TAC) as provided within the Canadian Guide to Traffic Calming - Second Edition, published in February 2018.

Vertical traffic calming measures typically perform better when they are installed in a series, as opposed to a single isolated measure. The deceleration and acceleration of a vehicle, while negotiating a series of vertical traffic calming measures, is dependent on the number and spacing of the installations.

The implementation of vertical traffic calming measures can result in some traffic diverting onto parallel streets. This essentially moves the cut-through problem instead of solving it. Consideration should be placed on the concept of improving the overall neighbourhood (not just improving the street).

Vertical traffic calming measures include speed humps, speed cushions, speed tables, raised crosswalks, and raised intersections.

Speed Cushion

A common vertical traffic calming measure used is speed cushions, which are small speed humps designed to slow passenger vehicles, but are typically designed so that the wheelbase of emergency vehicles straddle the speed cushion. The wider wheelbase on emergency vehicles allows them to pass over the speed cushion without slowing down. Another technique is to use a split speed hump design with 'knock-down' post in the middle. The separation between speed cushions is designed with enough space for emergency vehicles to avoid touching the speed cushions and thus not having to slow down.



Speed Hump

Speed humps are raised areas of pavement which are rounded on top and placed cross the entire street. The height and length of the speed hump determines how fast it can be navigated without causing discomfort to the driver. Discomfort increases as the speed of the vehicle traveling over the hump increases.



Speed Table

Speed tables are flat-topped speed humps. Speed tables are typically long enough for the entire wheelbase of a passenger car to rest on the flat top. Their long flat fields give speed tables higher design speeds than speed humps. The brick or other textured materials are usually used on the flat top to improve the appearance of speed tables, draw attention to them, reduce speed, and may enhance safety. Like speed humps, discomfort increases as the speed of the vehicle traveling over the hump increases. Speed tables are good for locations where low speeds are desired, but a somewhat smooth ride is needed for larger vehicles.



Raised Intersection

Raised intersections can be used as a traffic calming measure while also alerting drivers to the potential for pedestrians or vehicles at an intersection. The flat top is provided throughout the entire intersection.



Raised Crosswalk

Raised crosswalks have a similar shape to a speed table, but the flat top contains a striped pedestrian crosswalk. These measures should be elevated to a height that matches the adjacent sidewalk, so that the raised crosswalk is flush with the curb or top of sidewalk elevation at each end. Raised crosswalks must be installed with the appropriate sidewalk transitions on both sides.



Horizontal traffic calming measures

Horizontal traffic calming measures incorporate raised islands and curb extensions to prevent vehicles from traveling in a straight line at excessive speeds. Vehicles either slow down while maneuvering around the horizontal obstacle, or slow down due to the physical perception of a narrower roadway. To reduce the chances of potential liability issues, horizontal traffic calming measures should be signed and marked in accordance with reference material provided by the Institute of Transportation Engineers (ITE) and the Neighbourhood Traffic Calming (TAC).

The implementation of horizontal traffic calming measures can result in some traffic diverting onto parallel streets. This essentially moves the problem instead of solving the problem. Consideration should be placed on the concept of improving the Neighbourhood (not just improving the street).

Horizontal traffic calming measures include curb extension, raised center medians, chicanes, neighbourhood traffic circles, roundabouts, and lateral shifts.

Curb Extension

Curb extensions (intersection and/or midblock) improve pedestrian safety by: reducing the distance that pedestrians must travel to cross a roadway; improving the visibility of pedestrians for approaching motorists; and improving the visibility of approaching vehicles for pedestrians. Curb extensions are sometimes referred to as narrowing or bulb-outs. They can be used at intersections and at midblock locations and can be used alone or in combination with a median island. In addition to their pedestrian safety benefits, curb extensions on one or both sides of the roadway also help to reduce vehicle speeds.



Raised Center Island Median

Raised median islands are another common measure, which are constructed on a two-way roadway to reduce the overall width of the adjacent travel lanes. These measures can also act as a pedestrian refuge and can be installed in combination with curb extensions. An important consideration when determining the feasibility of a raised median is adequate road width, including adequate travel lane width on either side of the median island to accommodate snow clearing efforts, as well as ensuring adequate sightlines can be maintained should vegetation be planted in the raised median. There are also ongoing operating costs associated with sustaining vegetation in the raised median islands.



Chicane

Chicanes are curb extensions that alternate from one side of the street to the other, creating S-shaped travel patterns. Raised landscaped islands or delineators are usually provided at both ends of a chicane in order to enhance the drivers awareness of the need for a lateral shift.

Along a section of roadway that contains a chicane, off-street parallel parking may be restricted along property frontages due to curb and gutter.



Physical Obstruction Traffic Calming:

Physical obstructions are the most severe traffic calming tool and are only used when it is determined a vertical or a horizontal measure won't address the identified problem. The primary purpose of physical obstructions is to eliminating short-cutting traffic by stopping specific vehicle movements. It is important to note that physical obstructions are intended to deter motor vehicle traffic only and not to obstruct bicycle or pedestrian traffic. These types of measures are typically implemented at intersections but may also be applied at some mid-block locations.

Obstructions range from those that have a relatively minor impact on vehicular access to those that severely restrict access such as a road closure. It is important to remember once the vehicle restricted movement is in place area residents have to live with it every day.

Directional Closures

Directional closures are created using a curb extension or other barrier that extends into the roadway, approximately as far as the centerline. This device obstructs one side of the roadway and effectively prohibits vehicles travelling in that direction from entering.

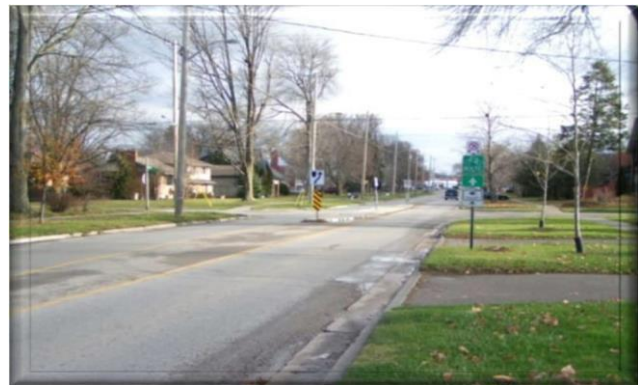
Directional closures are especially useful for controlling non-compliance of one-way road sections and are compatible with other modes such as bicycles.

At all directional closures, bicycles are permitted to travel in both directions through the unobstructed side of the road; however, some directional closures have a pathway built through the device specifically for bicycles. Since their purpose is to prevent short-cutting traffic, directional closures are applicable for use on neighbourhood streets and minor Connectors, at their intersection with Connectors and arterials.



Raised Median through Intersection

These devices may be used on the centerlines of neighbourhood and Connector roadways to prevent left-turn and through movements to and from intersecting streets. This type of device is especially effective at preventing short-cutting and through traffic while providing some secondary pedestrian safety benefits.



Rights-In/Rights Out

Right-in/right-out islands are raised triangular islands located on an intersection approach to limit the side street to right turn in and out movements. Similar to a raised median through an intersection, this device is used primarily to restrict movements to and from an intersection roadway.

Right-in/right out islands may be considered only for use in locations where neighbourhood residential streets intersect another roadway of any class. The island needs to be designed properly or vehicles will drive left around it.



Full Closure

A full closure is a barrier extending the entire width of a roadway, which obstructs all motor vehicle traffic along the roadway. A closure can change a four-way intersection to a three-way intersection, or a three-way intersection into a non-intersection. Gaps can be provided for cyclists, and they are typically passable by emergency vehicles. The purpose of a full closure is to eliminate short-cutting or through traffic.

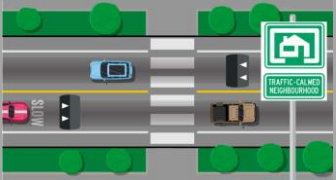




Traffic Calming

Council Presentation
Policy

March 12, 2024, 6:30 p.m. to 8:00 p.m.

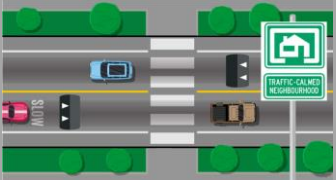


Traffic Calming Policy

Why are we here?

- The City receives various traffic related complaints from residents regarding speeding, excessive volumes, and overall neighbourhood safety.
- Currently, staff use resources available such as additional signage, pavement markings and driver feedback boards to address concerns.
- To address and streamline public concerns in a consistent manner, the City has retained R. V. Anderson Associates (RVA) to prepare a **Traffic Calming Policy** document to improve efficiencies and effectiveness related to traffic calming.
- This presentation is aimed at providing insight to the traffic calming process developed for the proposed Traffic Calming Policy and provide an avenue for members of Council to ask any questions related traffic calming and specifically the details set out in the proposed policy.



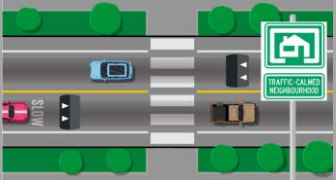


Traffic Calming Policy

Purpose and Mission of Traffic Calming Policy

- The **PURPOSE** of the Traffic Calming Policy is to provide a framework for initiating, developing, assessing, implementing, and monitoring traffic calming measures for laneway, local and collector roads in the City of Port Colborne. It serves as guidance for future traffic calming projects.
- The **MISSION** of a Traffic Calming Program is to improve community safety, preserve community character and enhance the local neighbourhoods by working with the residents.



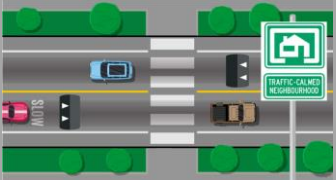


Traffic Calming Policy

What is Traffic Calming?

- Traffic calming is the combination of measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users.
- Traffic calming measures can generally be categorized as one of the following:
 - **passive** (quickly and easily installed, typically lower in implementation cost)
 - **physical** (more permanent in nature and typically involve more resources and longer timelines)
- In addition, traffic calming elements are those traffic control devices and programs that regulate, warn, guide, inform, enforce and educate motorists, bicyclists, and pedestrians.



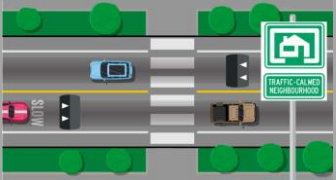


Traffic Calming Policy

How is Traffic Calming Implemented?

- Citizens play an integral role in developing traffic management programs for their streets by working with City staff, utilizing the 'Three Es' strategies:
 - **Engineering** – Physical measures and traffic calming devices constructed to lower speeds, improve safety, or otherwise reduce the impacts of automobiles.
 - **Education** – Identifying the need for traffic calming through information-sharing and awareness raising, targeting drivers, pedestrians, and cyclists **regarding** the safest, best ways to share the road.
 - **Enforcement** – Targeted police enforcement that supports neighbourhood goals.



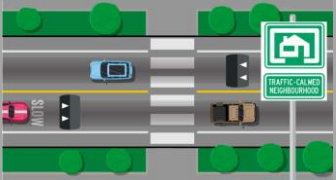


Traffic Calming Policy

What are we trying to accomplish?

- The main operational objectives of traffic calming will address:
 - 85th percentile travel speeds (the speed at which 85 percent of vehicles travel at or below on a particular street) must be greater than 10 km/h over the posted speed limit.
 - Reduce cut-through traffic.
 - Reduce collisions and improve safety for motor vehicles, pedestrian, and cyclists.
 - Adequate access and response times for emergency vehicles
 - These objectives are met through the “Three (3) E’s” as previously described.

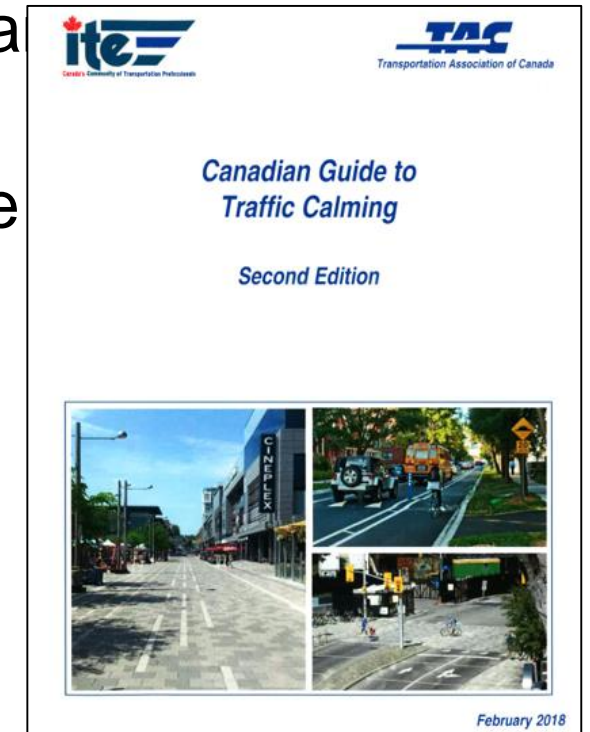


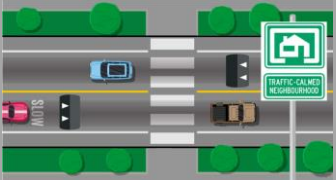


Traffic Calming Policy

Traffic Calming Policy Documents reviewed

- Reviewed the following Traffic Calming Policy documents:
 - 2018 Transportation Association Canada (TAC) Canadian Guide to Traffic Calming (CGTC)
 - Traffic Calming Policy documents from other similar size municipalities as part of best practices:
 - City of Thorold;
 - Town of Bracebridge;
 - Town of Midland;
 - Town of Wasaga Beach;
 - Town of Lasalle; and,
 - Town of Pelham.





Traffic Calming Policy

Traffic Calming Process and Procedure

- The 2018 TAC Canadian Guide to Traffic Calming separates the traffic calming process into following **five (5) stages**.

1. Initiation

Confirm public complaint, Initial Screening, and Traffic Calming Warrants.

2. Development

Initial public survey, draft alternatives prepared based on data collection, analysis and resident support.

3. Approval

Public and Council endorsement of final traffic calming plan.

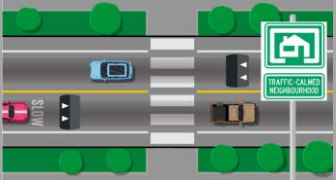
4. Implementation

Traffic calming measure(s) installed.

5. Evaluation

Traffic calming measure(s) evaluated.





Traffic Calming Policy

Stage 1: Initiation

The purpose of the **Initiation** stage is designed to determine community interest in exploring the need for traffic calming once residents' concerns have been submitted to the City.

Confirm Public Complaint:

- City staff will conduct a field study, information listed in the initial screening criteria.
- Follow up with resident within 30 Days to advise on the traffic calming process moving forward.

Data Collection:

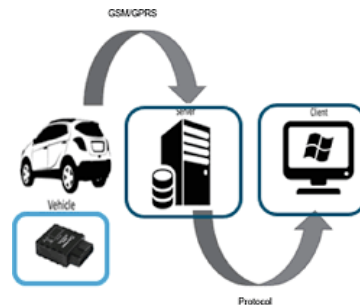
- Provide a better understanding of the current traffic conditions

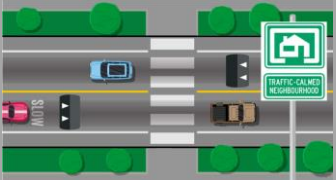
Initial Screening Criteria:

- Outlines the minimum requirements for a location to be eligible for traffic calming measures.

Traffic Calming Warrant:

- Data collected will be run through the traffic calming warrant process to determine the need for a traffic calming.





Traffic Calming Policy

Stage 1: Initiation (Cont.)

City of Port Colborne Initial Screening Criteria

| Criteria | Requirement |
|--|--|
| Road Classification | <ul style="list-style-type: none">Laneway, local road, and collector roads (not Collector commercial and industrial, and Arterial).Must not be designated an Emergency Services Route, Bus Route, or Truck Route. |
| Road Length | <ul style="list-style-type: none">Street segment length must be 200m in length at a minimum. |
| Road Gradient | <ul style="list-style-type: none">Road gradient must be less than 8% grade. |
| Traffic Volumes | <ul style="list-style-type: none">The Average Daily Traffic (ADT) volume (over 24 hours) must be at least:<ul style="list-style-type: none">1,000 vehicles for a local street; and,2,000 vehicles for a collector street. |
| Posted Speed | <ul style="list-style-type: none">The posted speed limit must be 60 km/h or less. |
| Previously Evaluated OR Permanent Installation Removed | <ul style="list-style-type: none">A prior request has not been received within two (2) years, OR Permanent traffic calming measures have not been removed from the subject street(s) in the last five (5) years. |

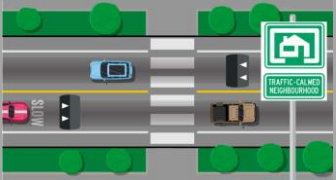


Traffic Calming Policy

Stage 1. Initiation (Cont.)

City of Port Colborne Traffic Calming Warrant

1. The 85th percentile speed must be greater than 10 km/h over the posted speed limit.
2. More than 5% of the total traffic on the street must be travelling more than 15km/h over the posted speed limit.
3. The average daily traffic volume (over 24 hours) must be at least: 1,000 vehicles Average Daily Traffic (ADT) volume for a local street, and 2,000 vehicles Average Daily Traffic (ADT) volume for a collector street.
4. Through traffic must be more than 20% of the total volume of traffic on a local street and 40% of the total volume of traffic on a collector street.
5. Pedestrian or cyclist generators (playground, school, multi-use pathway crossing, official cycle route, transit hub, etc.) exist on **the** street, or in the immediate area, that creates higher than average pedestrian/cyclist activity.
6. No continuous sidewalk on the street in question.
7. If the 85th percentile speed is 15km/h or more over the posted speed limit, no other warrant needs to be met.



Traffic Calming Policy

Stage 2: Development

The purpose of the **Development** stage is to create a traffic calming plan that effectively addresses the identified issues.

Initial Public Survey

At least 60% of the total households with direct frontage, or flankage, onto the section of roadway in favour of the potential implementation of traffic calming measures. Each household is represented by one survey.

Assessment of Traffic Calming Alternatives

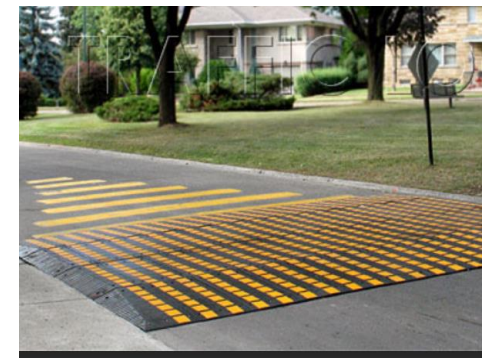
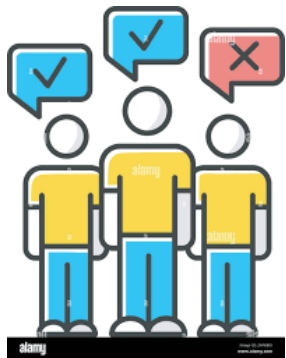
All requests that reach this stage of the process have passed the initial screening process and the residents have indicated their support towards addressing the problem.

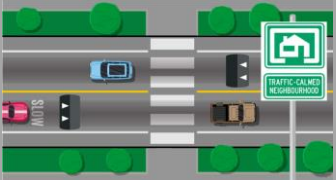
Type 1 (Passive)

Passive traffic calming measures are low cost but effective ways of changing driver behaviour.

Type 2 (Physical)

These involve construction of physical vertical and horizontal deflections.





Traffic Calming Policy

Stage 2: Development (Cont.)

Type 1 - Passive Traffic Calming Measures



Flexible
Signs



Speed
Display



On-Street Parking

Type 2 - Physical Traffic Calming Measures



Speed
Cushion
Horizontal
Deflection



Speed Hump



Speed Table



Raised
Intersection



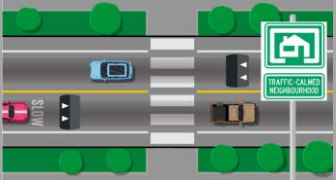
Raised Center
Island Median



Curb
Extension



Chican
e

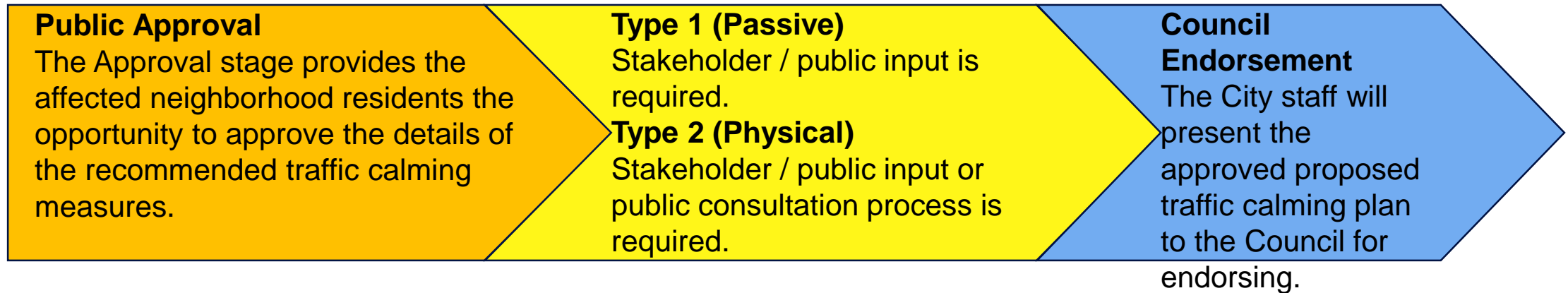


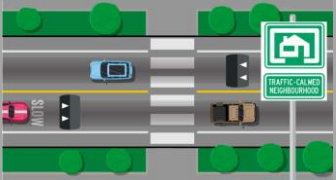
Traffic Calming Policy

Stage 3.

Approval

The **Approval** stage includes endorsement of the proposed traffic calming plan by the affected neighborhood residents and the City Council.





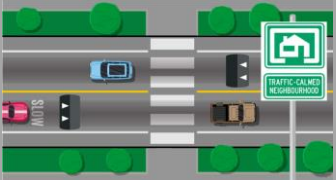
Traffic Calming Policy

Stage 4: Implementation

Upon approval of Council, resident notification, and sufficient funding, traffic calming measures will be implemented. Residents will be notified of implementation timelines through the contact mailing list.

When multiple projects are warranted for traffic calming measures implementation, the City will determine the prioritization of the projects based on

| Criteria | Requirement | Maximum Points |
|-------------------------------|---|----------------|
| Operating Speed | <ul style="list-style-type: none">5 points for every 2km/h that the 85th percentile speed is greater than 10km/h over | 35 |
| Traffic Volume | <ul style="list-style-type: none">5 points for every 1,000 vehicles Average Daily Traffic (ADT) volume on a Local Road.5 points for every 2,000 vehicles Average Daily Traffic (ADT) volume on a Collector | 20 |
| Collision History | <ul style="list-style-type: none">1 point assigned for each speed related collision over last 3 years. | 5 |
| Pedestrian/Cyclist Generators | <ul style="list-style-type: none">5 points for each pedestrian/cyclist generator within a 250m radius. | 15 |
| Sidewalks | <ul style="list-style-type: none">5 points if there is no continuous sidewalk on at least one side. | 5 |
| School Zones | <ul style="list-style-type: none">5 points for every school with vicinity. | 20 |

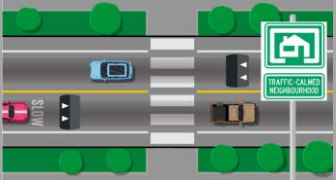


Traffic Calming Policy

Stage 5.

Evaluation

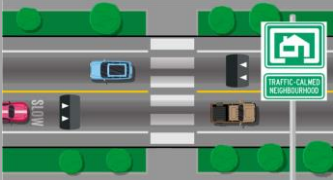
- City Staff will monitor the roadway to determine the effectiveness of the utilized measures and their impact on the surrounding road network.
- The City will conduct before and after studies to assess if the traffic calming plan has resulted in reduction of operating speed or/and excessive traffic volumes in the project study area.
- This information will be used in recommending similar measures in the future.



Traffic Calming Policy

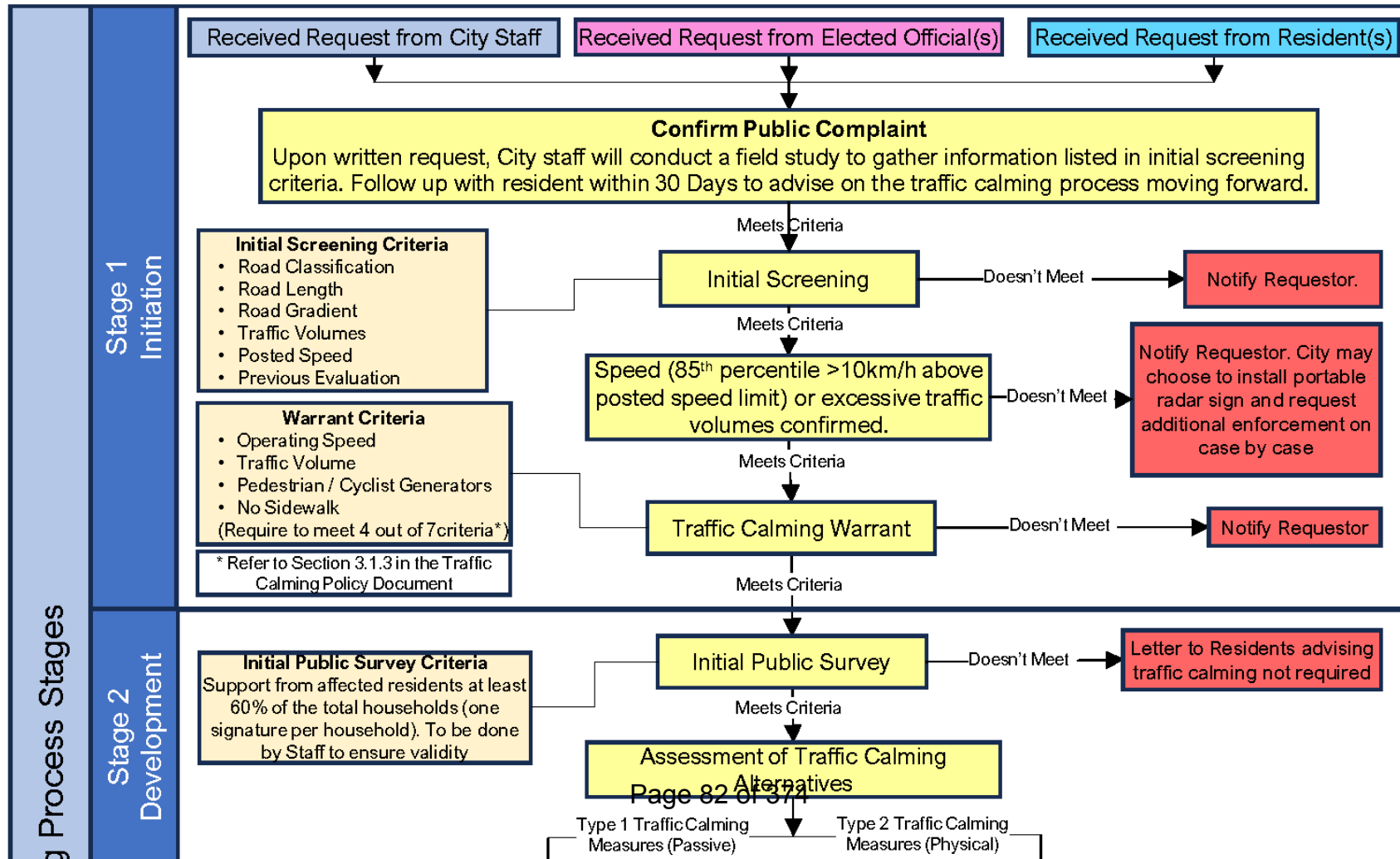
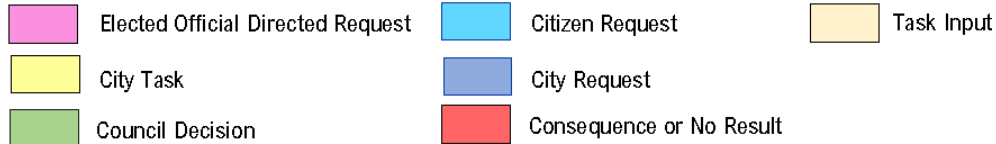
Removal of Permanent Traffic Calming Measures

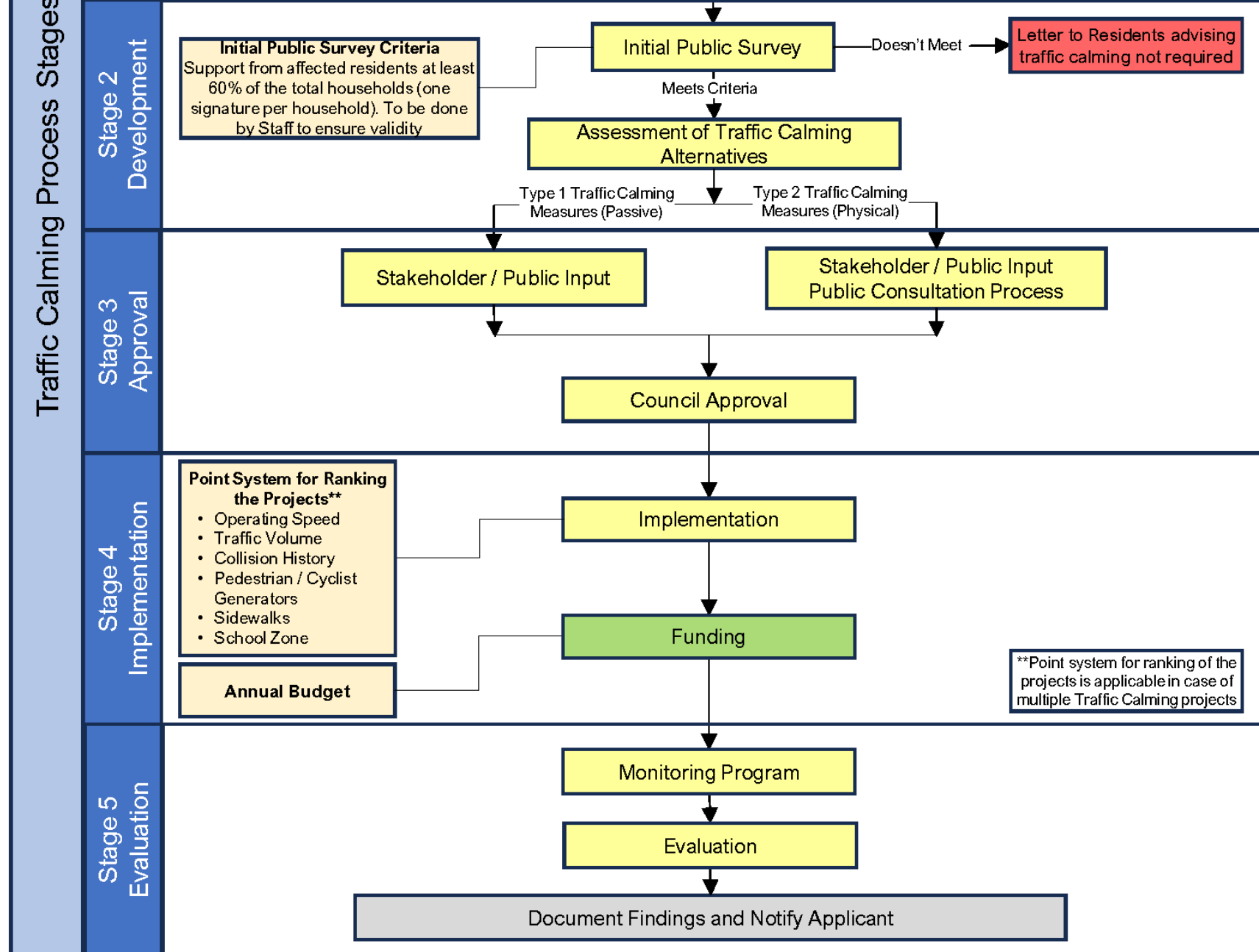
- Traffic calming measures may be removed, at the request of residents, provided that at least 75% of the total households on the street(s) in question agree to the removal via a resident petition. The number of total households would be the same residents as was initially surveyed to gauge support for traffic calming.
- Traffic calming measures must be installed for at least two (2) years before acquiring the necessary signatures on the resident petition.
- If traffic calming devices are removed, the subject street must wait at least five(5) years before requesting a new traffic calming measure; at this point the traffic calming review process would start over.



Traffic Calming Policy-Flow Chart

Legend:





Traffic Calming Policy

How does it align with the City's Strategic Pillars?



Environment & Climate
Change



Welcoming, Livable &
Healthy Community



Economic Prosperity



Increased Housing
Options



Sustainable &
Resilient
Infrastructure



Environment & Climate Change



When vehicles accelerate beyond the prescribed limits, they burn more fuel. These emissions are significant contributors to climate change and air pollution, posing serious threats to both the environment and public health.

Educating drivers about the environmental consequences of their driving habits and encouraging them to adopt more conscientious behavior while driving will help reduce the overall carbon footprint.



Welcoming, Livable & Healthy Community



To encourage a more welcoming and liveable community, the implementation of traffic calming measures and improving conditions for pedestrians, cyclists, and residents, will enhance safety and connectivity across our neighborhoods.

City Saff will continue to work with Niagara Regional Police to carry out enforcement for additional road safety measures in our Community.



Sustainable & Resilient Infrastructure



When warranted, the implementation of physical and/or passive traffic calming measures such as road marking, speed hump / cushion, and additional signage will be installed to ensure the integrity of the City's road infrastructure is maintained.

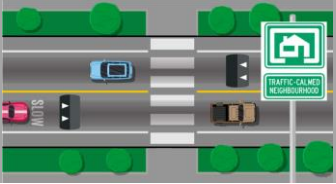


Speed
Hump



Speed
Cushion





Traffic Calming Policy



Questions?

Subject: Recommendation for Zoning By-law Amendment at 179 Mellanby Avenue and 56-56 ½ Main Street West – File No. D14-08-23

To: Council

From: Development and Legislative Services Department

Report Number: 2024-53

Meeting Date: March 12, 2024

Recommendation:

That Development and Legislative Services Department – Planning Division Report 2024-53 be received; and

That the Zoning By-law Amendment attached as in Appendix A of Report 2024-53 be approved; and

That Council require no further public notice in accordance with Section 34(17) of the *Planning Act*; and

That the City Clerk be directed to issue the Notice of Passing in accordance with the *Planning Act*.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding an application for a Zoning By-law Amendment submitted by Rachelle Larocque of the Biglieri Group on behalf of the owner 1000367026 Ontario Inc. for the lands legally known as Lots 27 and 45, and Part of William Street, Plan 784 on the southeast corner of Mellanby Avenue and Main Street West, municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West.

Background:

An application for a Zoning By-law Amendment was submitted on December 8, 2023, and deemed complete on December 19, 2023. The site is proposed to be developed as

a 101-unit mixed-use apartment building with 131.58 square metres (1,416.32 square feet) of ground floor commercial space. The following reports and studies have been submitted to inform the application and proposed development of the lands: Conceptual Site Plan, Planning Rationale Report, Building Elevations and Floor Plans, Functional Servicing Report, Noise Report, Traffic Impact Study, Phase One and Two Environmental Site Assessments, Stormwater Management Design Brief, Cultural Heritage Evaluation Report, and a Shadow Analysis. These documents can be found on the City's website under the "Current Applications" webpage.

The application for Zoning By-law Amendment proposes to change the zoning to a site-specific Downtown Commercial zone to permit an eight-storey, 101 residential unit mixed use apartment building, with 131.58 square metres (1,416.32 square feet) of ground floor commercial space. The site-specific amendment also seeks to reduce the minimum landscaped area, increase the maximum gross floor area, reduce the number of parking spaces to 0.5 spaces per unit, and establish a maximum building height of 25.9 metres (84.97 feet).

A Public Meeting was held on January 9, 2024, during which Council heard comments and questions from members of the public.

Discussion:

Planning Legislation

Planning staff reviewed these applications with consideration of several legislated 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 (2020), the Niagara Official Plan, the City of Port Colborne Official Plan, and the City of Port Colborne Comprehensive Zoning By-law 6575/30/18. For any application to be supported by Staff, it must conform to or be consistent with the aforementioned plans and legislation.

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.

Planning staff have reviewed the application in light of the provincial interests identified in Section 2 of the *Planning Act*, as well as the aforementioned planning documents, which are examined in greater detail below.

As part of this report's recommendation, staff have included a clause with respect to Section 34(17) of the *Planning Act*. Section 34(17) states:

(17) Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed by-law.

Based on the excerpt above and the changes to the recommended Zoning By-law Amendment representing minor deviations from the original request, Planning staff find it reasonable for Council to not require any further public notice with respect to this application.

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 PPS directs growth to Settlement Areas and encourages development and land use patterns to be based on densities and a mix of land uses to efficiently use land and resources. The application proposes to develop in a settlement area in which municipal services are currently available. The proposed apartment building will help contribute to an appropriate range and mix of housing types and densities within the City and immediate neighbourhood. The proposed Zoning By-law Amendment requests additional site-specific amendments that will provide an efficient and compact development within the Downtown Commercial area, which is an area in which the City supports intensification and aligns with the PPS.

Planning staff are of the opinion that the application is consistent with the policies of the PPS.

Growth Plan for the Greater Golden Horseshoe (2020)

Like the PPS, the Growth Plan also directs and encourages development in settlement areas. The subject lands are located in the "Delineated Built-up Area" where intensification is generally encouraged. The Growth Plan policies support the achievement of complete communities that are designed to support healthy and active living and meeting people's needs for daily living throughout their lifetime. The Growth Plan encourages communities that provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.

Staff are satisfied that the proposed Zoning By-law Amendment application conforms to the Growth Plan. The proposed application supports the priorities of the Growth Plan through intensification and providing a mix of housing types within the City and neighbourhood.

Niagara Official Plan (2022)

The subject property is located within the Delineated Built-Up Area according to the Niagara Official Plan (NOP). The main objectives of this section are as follows:

- Manage growth within urban areas;
- Accommodate growth through strategic intensification and higher densities;
- Promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community;

These objectives are supported by specific policies within Section 2 of the NOP. The proposed development will provide a higher density housing option and will provide intensification within the City's Built-Up Area. The proposal helps the City achieve its 30% intensification target. Overall, based on the policies of the NOP, the proposed development is generally encouraged. Staff are satisfied that the proposed Zoning By-law Amendment application conforms to the NOP. Additionally, the Niagara Region has provided comments on the proposed application and have confirmed that in their opinion, the application conforms to the NOP.

City of Port Colborne Official Plan (2017)

The subject property is located within the Built-up Area and Downtown Commercial designation according to the City's Official Plan (OP). The OP supports intensification that is accommodated within the Urban Area and where development is compatible with surrounding uses. Section 2.4.3 of the City's OP provides direction for residential development proposals as follows:

2.4.3 Intensification and Infill

As identified on Schedule A1, intensification will be encouraged specifically within local intensification areas which include the Downtown and Main Street West Development throughout the entire Built-up area, which will count towards the municipality's 15% intensification target, shall occur in accordance with the applicable policies of this Plan.

- a) *The majority of the Municipality's intensification will be accommodated within the Urban Area where the development is compatible with the surrounding uses.*
- c) *The objectives of the intensification policies of this Plan are to:*
 - i) *Revitalize and support the Downtown by promoting intensification in the Downtown areas;*
 - ii) *Encourage mixed use development in the Downtown areas which is in proximity to public transit and active transportation routes;*

iii) Provide land use policy directions for the accommodating additional growth on lands designated Urban Residential and Downtown Commercial;

Sections B and C, iv and v are not relevant to this application.



Figure 1: Schedule A1 of the OP – intensification area identified in the hatched bubble (subject property identified as the star).

2.4.3.1 Design Guidelines

- a) Infill and intensification sites should match the pre-established building character of adjacent buildings.*
- b) Where no existing or consistent character is established, infill and intensification development should be consistent with the applicable Design Guideline Policies of this Plan.*
- c) Where appropriate, the design of the development should provide linkages and connections to existing and proposed pedestrian and bicycle networks.*
- d) The design of infill and intensification development should be consistent with all other applicable policies of this Plan.*

The above guidelines are achieved through the proposed redevelopment as intensification is encouraged within the built boundary of the City and specifically in the

Urban area. The proposed residential use of the property is compatible with the surrounding residential and commercial uses.

Section 3.6 of the OP sets out the policies for developments within the Downtown Commercial designation. Residential uses such as apartment buildings are permitted in the Downtown Commercial designation, subject to the following policies (policies b, c, d, f, j, and k have been omitted as they are not relevant to this application):

- a) Any new or expanding development in the Downtown Commercial area is subject to Site Plan Control except for low density residential uses as described in Policy 3.2.1 (a), including new and expanding commercial uses.*

The proposed development will be subject to Site Plan Control prior to being permitted to begin construction.

- e) New apartment buildings shall be developed so that they are appropriately integrated into the downtown area.*

In staff's opinion, the apartment building is proposed to be developed appropriately in the downtown area. There currently exists a mix of uses in the immediate area in which the apartment building will contribute to.

- g) Adequate off-street parking facilities, including consideration for bicycles shall be required in well-organized, landscaped and well illuminated parking areas or structures.*

Concerns with respect to parking were raised at the public meeting. The proposed development will contain 51 parking spaces on-site, with additional parking proposed to be leased from the adjacent St. Lawrence Seaway lands to achieve the required 1.25 spaces per unit. Staff recognize the concerns with respect to the requested 0.5 parking spaces per unit, however it should be noted that the request is only reflective of the on-site spaces, and it does not take into account the additional proposed leased spaces.

- g) A minimum number of driveways to the site will be allowed and driveway entrances will be configured for maximum safety.*

Driveways and access to the development will be specifically reviewed through the future Site Plan Control process to ensure maximum safety and efficiency.

- h) New and expanding Commercial uses may be required to submit a Traffic Impact Assessment, prepared by a qualified professional which identifies the potential traffic generated by the development, methods of mitigating any potential impacts and any improvements that may be required to the existing road network in order to accommodate the proposed development;*

A Transportation Impact Study (TIS) was submitted as part of the complete application. The TIS investigates existing and proposed traffic conditions and concludes with the following recommendations:

- The existing Main Street Lock 8 driveway be closed to regular traffic, and the driveway function as an emergency connection to the park.
- The existing crosswalk over the Lock 8 Park driveway to Mellanby Avenue should be redesigned with a crossing treatment consistent with the OTM Book 18 – Cycling Facilities.

Staff note that both Main Street West and Mellanby Avenue are Regional roads. Based on comments received from the Niagara Region (Appendix D), some clarifications and revisions to the TIS are requested. Additionally, specific comments with respect to the TIS were received as part of the public meeting that noted the influx in traffic in the area during scenarios when the canal bridges are raised or closed for maintenance. Based on the site's context and this information, staff find it reasonable to request that the TIS be revised accordingly. A Holding Symbol (H) has been recommended to address the above information.

l) Where more detailed guidelines, policies or secondary plans have been developed by the City in accordance with the Official Plan policies, then the specific direction provided in these shall be implemented accordingly.

The Design Guidelines to follow have been reviewed through the application process.

Section 3.6.3 of the OP provides the Design Guidelines for developments within the Downtown Commercial designation. Relevant guidelines have been provided below:

- *Development will be consistent with the placement and character of the surrounding built form.*
- *The maximum height of buildings shall be six (6) storeys.*
- *Buildings should generally maintain the established building line for the front yard setback.*
- *All buildings shall front on and be oriented to the street.*
- *Corner buildings are visually prominent and the side elevations should be given equal design treatment as the main street facade, and the building identity at corner locations will be reinforced by taller building elements such as towers, entrance structures or roof elements.*

Staff find that the proposed placement of the building is consistent with the surrounding built form. Generally, buildings within the Downtown Commercial area have minimal setbacks, in order to frame the street. This proposal will be a prominent corner property within one of the City's two intensification areas, as identified in the OP. It should also be noted that the OP places a greater emphasis on intensification and infill in Downtown Commercial than it does on overall building height. Section 3.6.3.1 b) states that the maximum building height should be six storeys. However, Section 3.6.3.1 establishes the overall design guidelines for the Downtown Commercial area, these are not considered to be hard policies. The City's Zoning By-law establishes a maximum building height within the Downtown Commercial zone of 26m. In this instance, staff are

of the opinion that the Zoning By-law holds a higher standard of enforcement and law than that of a design guideline. As the Zoning By-law was implemented and approved after the OP, the Zoning By-law is deemed to conform to the OP. Based on the above, staff find that the proposal meets the intent of the intensification and infill policies of the OP and are generally consistent with the Downtown Commercial design guidelines.

Additional relevant guidelines under section 3.6.3.2 Parking, Access and Loading Areas have also been reviewed as follows:

- *Where vehicular access is required from the front to the rear of the property, reduced standards for driveway widths shall be encouraged.*
- *Service and loading areas should be oriented to the rear of the building.*
- *All parking areas shall be placed at the rear of buildings and accessed from side streets as to maintain a continuous building edge and a pedestrian-friendly street environment.*
- *Where parking areas are adjacent to side streets, a landscape buffer such as hedge or tree planting should be placed between the sidewalk and parking area.*
- *Larger parking areas are encouraged to incorporate landscape edge treatments along public streets and landscaping medians to break up larger areas of asphalt and should be designed as follows:*
 - *Screening should be provided between parking areas and adjacent residential properties.*
 - *Buffers should be located at the perimeter of the property line adjacent to parking areas and laneways to accommodate landscaping and tree planting.*
 - *Landscape islands shall be placed at the ends of all parking aisles iv) Parking aisles with a length of more than 15 stalls should be broken up with landscape islands.*
 - *All parking islands shall be planted with hardy, strongly branched and salt tolerant trees.*
 - *Large parking areas shall be broken up with linear 'pedestrian only' sidewalks planted with a consistent row of trees.*
 - *Parking for bicycles shall be included, which shall be consistent with professionally recognized guidelines.*

The above-noted guidelines have been considered through the design of the proposed site plan. The proposed site plan features reduced driveway standards which will contribute to traffic calming measures. Service and loading areas will be located to the rear of the building, and away from the street. Sufficient landscaping and details surrounding the parking lot layout will be further reviewed through the future site plan control process to follow.

In summary, the proposed development of the site meets the above policies with respect to intensification and the applicable design guidelines as the proposed

development will contribute to a variation in building typology and density. Staff find the proposal conforms with the City’s OP.

City of Port Colborne Zoning By-law 6575/30/18

The City of Port Colborne Zoning By-law 6575/30/18 currently zones the subject lands in two zones, the 179 Mellanby Avenue parcel being Fourth Density Residential (R4) and the 56-56 ½ Main Street West parcel being Downtown Commercial (DC). The Zoning By-law Amendment proposes to change the zoning of both parcels to a site-specific special provision of the Downtown Commercial (DC) zone to permit a 101-unit mixed-use apartment building with 131.58 square metres (1,416.32 square feet) of ground floor commercial space. The following site-specific amendments to the DC zone are requested:

| Table 1: Site-specific Downtown Commercial (DC) zone | | | |
|--|-----------------------------|---|--------------------------------|
| Apartment Building Provisions | | | |
| Regulation Type | Existing R4 Zone Regulation | Existing DC Zone Regulation | Proposed DC-XX Zone Regulation |
| Minimum Landscaped Area | 25% | 25% | 10.8% |
| Maximum Building Height | 20 metres | 26 metres | 25.9 metres |
| Maximum Gross Floor Area | N/A | 200% for residential uses, 100% for non-residential | 216% |
| Minimum Parking Spaces | 1.25 spaces per unit | 1.25 spaces per unit (1 space per accessory dwelling) | 0.5 spaces per unit |

Based on staff’s review of the proposed site plan and the application, the following table includes staff’s recommended site-specific amendments. The below site-specific amendments are suggested to allow for some additional minor flexibility with the parking layout on-site as well as provide a response to some of the comments/concerns heard at the Public Meeting.

| Table 2: Recommended site-specific Downtown Commercial (DC) zone |
|--|
| Apartment Building Provisions |

| Regulation Type | Existing R4 Zone Regulation | Existing DC Zone Regulation | Proposed DC-XX Zone Regulation |
|--|---|---|--|
| Minimum Landscaped Area | 25% | 25% | 10.8% |
| Maximum Building Height | 20 metres | 26 metres | 25.9 metres |
| Maximum Gross Floor Area | N/A | 200% for residential uses, 100% for non-residential | 216% |
| Minimum Parking Spaces | 1.25 spaces per unit | 1.25 spaces per unit (1 space per accessory dwelling) | 1 space per unit |
| Minimum Landscape Buffer for Parking Areas | 3 metres for lot lines not abutting a public road | 3 metres for lot lines not abutting a public road | 0 metres for lot lines not abutting a public road (Note: Parking abutting Main Street West and Mellanby Avenue will be setback at least 3 metres). |
| Minimum Driveway Width for Two-way Traffic | 7.5 metres | 7.5 metres | 6 metres |

The above site-specific amendments, as revised, will contribute to the intensification of the Downtown Commercial area in accordance with the City's OP policies. Due to the site's context in close proximity to Lock 8 Park, staff are supportive in recommending a reduced landscaped area and buffers on the subject site. Landscaping will still be provided through the landscaping buffers abutting the public roads, and the building proposes to contain a second-floor terrace with additional landscaping.

As referenced in the OP section of this report, staff is of the opinion that the height of the building fits within the Downtown Commercial area. It should be noted that the entirety of the building will not be built to the full height of 25.9 metres, and that based on the ongoing discussions with the St. Lawrence Seaway respecting the parking arrangement, the applicant may need to revisit the overall unit count/building height.

The request to increase the maximum gross floor area for residential uses of 216% represents a minor increase from the already permitted 200%. Staff are comfortable with this slight increase.

As referenced above, the applicant is looking to reach an agreement with the St. Lawrence Seaway to lease some parking spaces from the adjacent Lock 8 Park. Should the Seaway not be in favour of such an agreement, the applicant will be required to revisit their plans and contain their parking on-site. In that scenario, staff would not be supportive of only having 0.5 parking spaces per unit located on the property and find that 1 parking space per unit is more reasonable for this area. Additionally, staff note that the City's Zoning By-law does permit required parking to be located off-site, provided the parking is used solely by individuals using the property that requires the parking lot, and is located within 46 metres of the subject property. For greater clarity, if the parking rate is set to 1 space per unit, the applicant would still be able to achieve this parking rate if they are able to reach an agreement with the Seaway, as the spaces are located close enough to the property and will be leased solely for the proposed apartment units.

Finally, staff find that reducing the minimum driveway width from 7.5 metres to 6 metres will allow for some additional flexibility on-site. Also, the OP design guidelines referenced previously support reduced driveway widths where vehicular access is provided from the front to the rear of the property.

Overall, Staff find that the proposed Zoning By-law Amendment is consistent with and conforms to the above-referenced Planning legislation. Staff recommend that the Zoning By-law Amendment, attached as Appendix A, be approved.

Adjacent Zoning and Land Use

The lands surrounding the proposed development are zoned Downtown Commercial (DC) and Public and Park (P). An excerpt from the Zoning schedule and key map has been provided below.

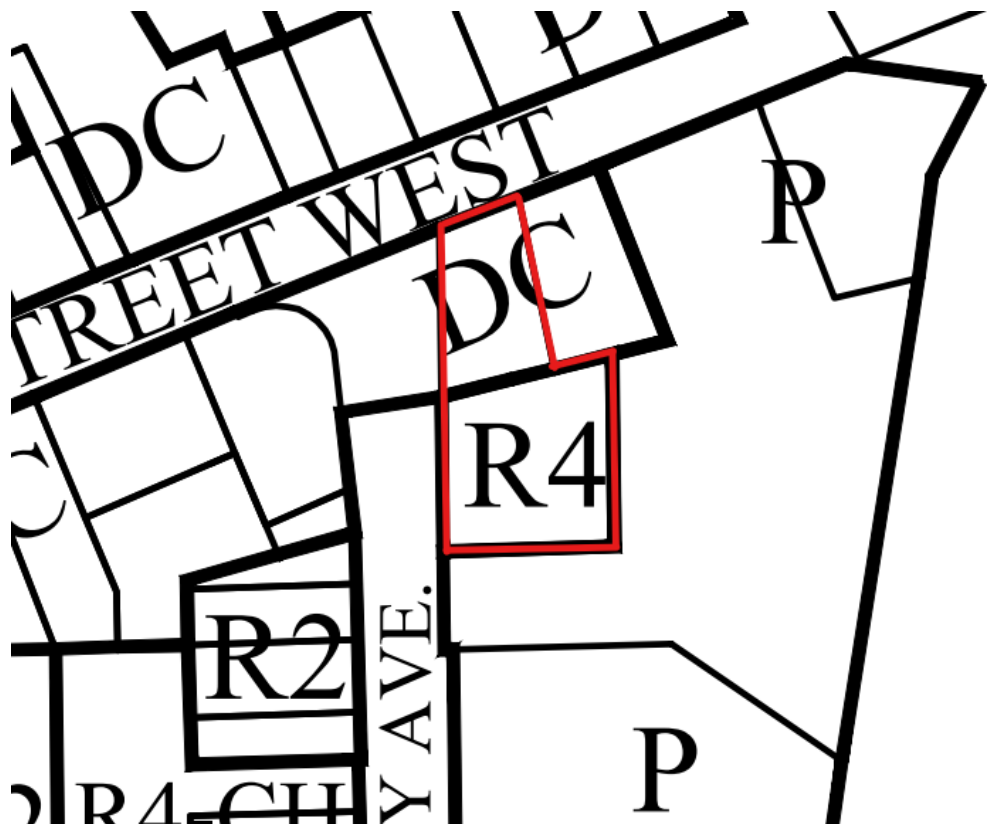


Figure 2: Excerpt from Zoning Schedule A6 (subject lands in red)

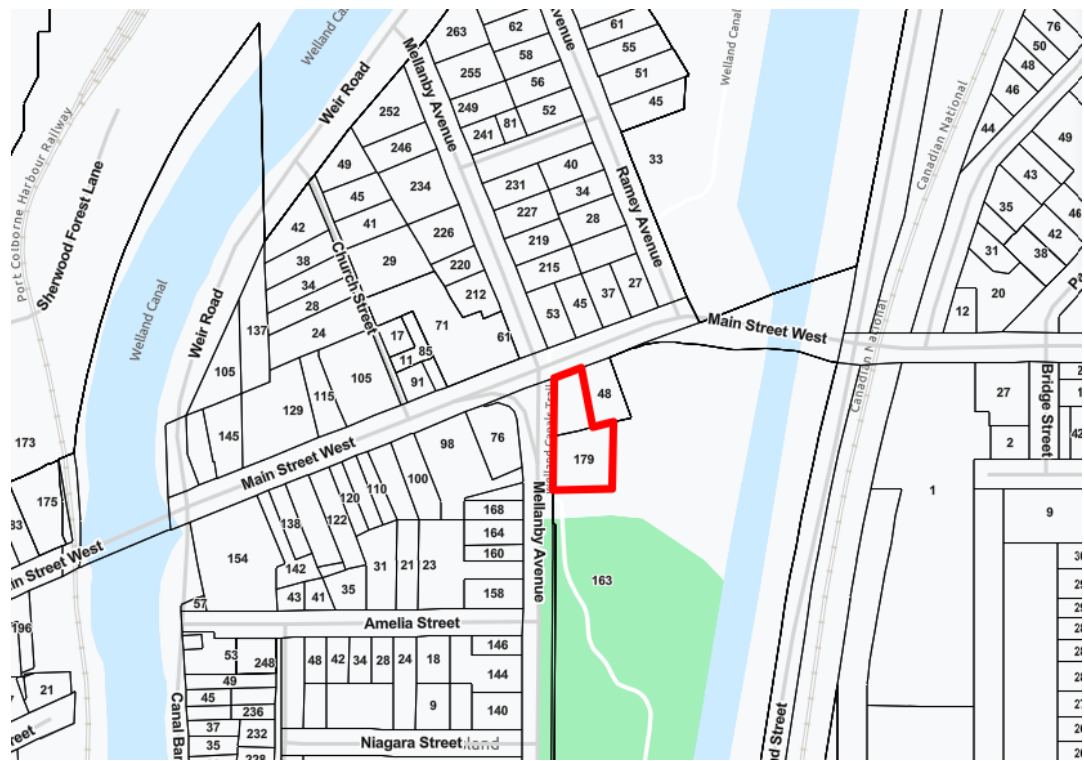


Figure 3: Location map of subject lands (shown in red)

Internal Consultations:

The application was circulated internally to applicable departments and agencies on December 18, 2023, and the following comments have been received as of the date of preparing this report:

Canadian Niagara Power (CNPI)

CNPI has no concerns with this application.

Port Colborne Fire Department

No concerns with this application.

Enbridge

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

Bell

Would like to be notified by the applicant prior to construction as there are two pedestals and buried cables in the area. Notice will help prevent any unwanted damage.

Niagara Region

(full comments attached as Appendix D)

Growth Strategy and Economic Development staff do not object to the proposed Zoning By-law Amendment application in principle; however, recommend the inclusion of holding provision (H) on the amending by-law in order to allow time for a Phase Two ESA, remediation work, and filing of an RSC to be completed. If City staff concurs with this approach, the RSC must be filed and acknowledged by the MECP before the holding provision can be removed.

Staff Response

As referenced previously, the Region has also requested some clarifications/changes to the Traffic Impact Study that was submitted. For this reason, along with additional concerns raised at the public meeting, staff will be recommending a Holding (H) provision be put in place through the amending by-law. The H provision will require an updated TIS reflecting the Region's comments, as well as include complete traffic counts for times where the canal bridges are in use or undergoing maintenance. Additionally, staff concur with the Region with respect to the inclusion of a Phase Two

Environmental Site Assessment as part of the Holding provision, however staff do not recommend including the Record of Site Condition (RSC) as part of this provision. There are sufficient safeguards in place through the future Site Plan Control process and Ontario Building Code that will prevent the project from proceeding until the RSC is filed. Staff find it redundant and inefficient to add an extra layer through the Holding provision.

Financial Implications:

The proposed intensification on the property will result in an increase in the assessment base in the City and new water and wastewater users over time.

Public Engagement:

Notice of the Public Meeting was circulated in accordance with Section 34 of the *Planning Act*. Notice was mailed to property owners within a 120-metre (393.7-foot) radius of the subject property as of December 20, 2023. As of the date of preparing this report, the following comments from the public have been received:

Trish McCoy – 18 Amelia Street

(full comment attached within Appendix E)

- The height of the building would impede on the privacy of the current residents.
- The height would dwarf all existing buildings, creating an eyesore and blocking views.
- The height will negatively impact our heritage buildings.
- The 101 units proposed should have parking accommodations for 101 units.
- Traffic is chaotic on the Island when the bridges are up and this proposal will add to the mess.

Staff Response

- Staff understand the concern with the height of the building, however the permitted height currently in the Downtown Commercial zone is 26 metres. As the 179 Mellanby Avenue parcel is also located within the Downtown Commercial Official Plan designation, staff find that it is a reasonable request given the context of the site.
- A Cultural Heritage Evaluation Report was submitted as part of the application. The report reviews the potential impact of the proposed development to the surrounding area. The report concludes with recommendations such as including exterior finishes that are complementary and in keeping with the design of surrounding buildings. It is also recommended that a vibration assessment be

undertaken prior to construction. Staff find that the above measures will assist in providing a seamless transition in the Downtown core.

- Staff note the concerns with parking and traffic and have made appropriate recommendations in response. An increased parking rate of 1 space per unit is recommended, along with a Holding provision to require an update to the Traffic Impact Study.

Melissa Bigford and Christopher Lofquist – 173 Chippawa Road

(full comment attached within Appendix E)

- Concerns with there being no parking for the retail stores/office space that will be located on the first floor.
- Concerns with potential changes to the park to accommodate parking and does not feel that this aligns with the Official Plan.
- The Downtown Commercial zone allows a height of 26 metres but not the R4 zone which only allows 20 metres.
- Who would be liable and responsible for the maintenance of the leased parking?
- Who would be responsible for snow removal of these parking spaces?
- Concerns with the entrance to the property from the park and not the street.
- Concerns with community events happening at the park and the spaces begin eliminated.
- Concerns with the Traffic Impact Study and it not accounting for bridge closures.
- Concerns with contamination and migration of dust and soil. Also, who will ensure the proper disposal of contaminated soil?
- Concerns with the Notice procedure for the Public Meeting.

Staff Response

- Parking for retail or commercial uses is not required in the Downtown Commercial zone. The applicant has indicated that they would be including a few parking spaces for their commercial operators.
- As referenced previously in this report, discussions with the Seaway are ongoing. The overall parking layout and design is subject to change through this process. Staff note that the recommendation of one parking space per unit will allow these discussions to continue while limiting the impact on the existing parking at the park. This application is to review the merits of rezoning the subject lands, ultimately the decision to permit a lease agreement will come down to the St. Lawrence Seaway and the City. In the event that a lease is not permitted, the applicant would be required to revisit the development proposal and accommodate all parking on-site.
- Staff understand the concern with the height of the building. The permitted height currently in the Downtown Commercial zone is 26 metres. While the 179 Mellanby Avenue parcel is zoned R4 (permitting a height of 20 metres), it is also

located within the Downtown Commercial Official Plan designation, staff find that it is a reasonable request given the context of the site.

- Who would be responsible for maintenance, snow removal etc.? – The holder of the lease would be responsible for this.
- The entrance to the park from Main Street will be part of the discussions with the Seaway, ultimately, it is the Seaway and City's decision to allow the entrance to remain. Again, in the event the applicant is not able to reach an agreement, the site will need to be reconfigured.
- Staff note the concerns with parking and traffic and have made appropriate recommendations in response. An increased parking rate of 1 space per unit is recommended, along with a Holding provision to require an update to the Traffic Impact Study.
- With respect to contaminated soil, the Phase Two Environmental Site Assessment along with the Record of Site Condition will have full mitigation measure in place in accordance with Provincial legislation.
- Notice for the Public Meeting was circulated in accordance with the *Planning Act*. Staff endeavor to notify through other channels such as social media, however acknowledge that this does not always happen.

Strategic Plan Alignment:

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

- Welcoming, Livable, Healthy Community
- Increased Housing Options
- Sustainable and Resilient Infrastructure

Conclusion:

Based on the review of the application and applicable Provincial, Regional, and City planning policies, Planning staff is of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms with the Growth Plan, Niagara Official Plan, and City Official Plan, and represents good planning.

Staff recommend that the Zoning By-law Amendment By-law include an increased parking rate of one space per unit, and a Holding provision requiring the resubmission of an updated Traffic Impact Study and a Phase Two Environmental Site Assessment. The recommended by-law has been attached as Appendix A.

Appendices:

- a. Zoning By-law Amendment
- b. Conceptual Site Plan/Elevations/Floor Plans
- c. Planning Rationale Report
- d. Niagara Region Comment
- e. Public Comments

Prepared by,

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Senior Planner
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david.schulz@portcolborne.ca

Respectfully submitted,

Denise Landry, MCIP, RPP
Chief Planner
(905) 835-2900 x203
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 amend Zoning By-law 6575/30/18 for the lands legally known as Lots 27 and 45, and Part of William Street, Plan 784 on the southeast corner of Mellanby Avenue and Main Street West, municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West

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 “A6” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Downtown Commercial (DC) and Fourth Density Residential (R4) to DC-79-H, being a special provision of the Downtown Commercial (DC) zone with a Holding (H) provision.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

DC-79-H

Notwithstanding the provisions of sections 3 and 23 of Zoning By-law 6575/30/18, the following regulations shall apply:

- | | |
|---|---|
| a) Minimum landscaped area | 10.8% |
| b) Maximum building height | 25.9 metres |
| c) Maximum gross floor area | 216% |
| d) Minimum parking spaces | 1 space per dwelling unit |
| e) Minimum landscaped buffer | 0 metres for lot lines not abutting a public road for parking areas |
| f) Minimum driveway width for two-way traffic | 6 metres |

The uses permitted in the DC-79 zone shall not occur until the Holding (H) symbol on the DC-79-H zone is removed. Removal of the Holding (H) symbol may only occur upon the submission and review of a Phase Two Environmental Site Assessment and revised Traffic Impact Study to the satisfaction of the Niagara Region and City of Port Colborne staff.

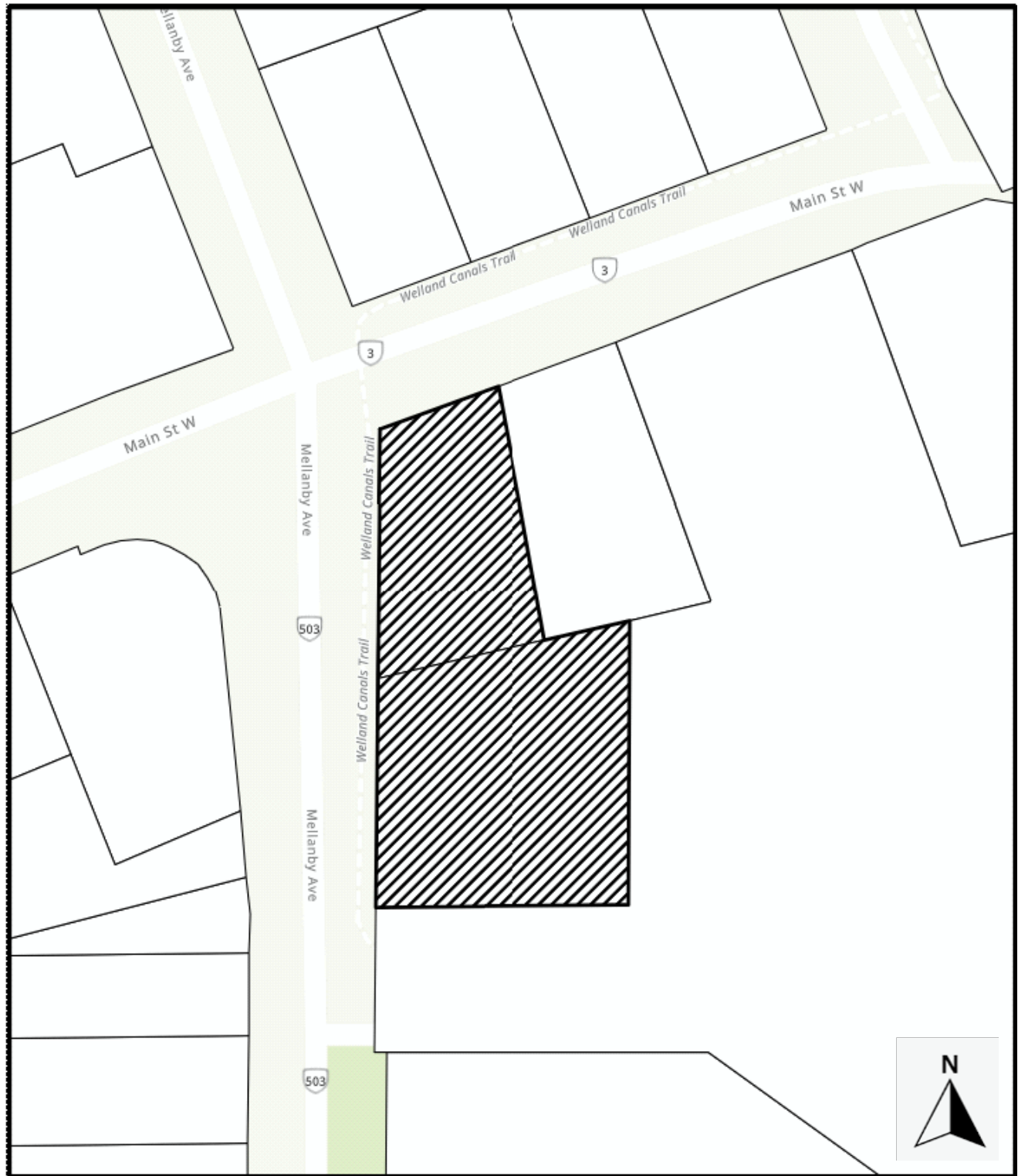
4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this day of , 2024.

William C Steele
Mayor

Saima Tufail
Acting City Clerk

Schedule "A"




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

Passed _____, 2024

Mayor

Clerk

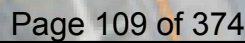
 - Lands to be rezoned to DC-79-H

February 2024

File No. D14-08-23

Drawn by: DS - City of Port Colborne
Planning Division

Not to scale

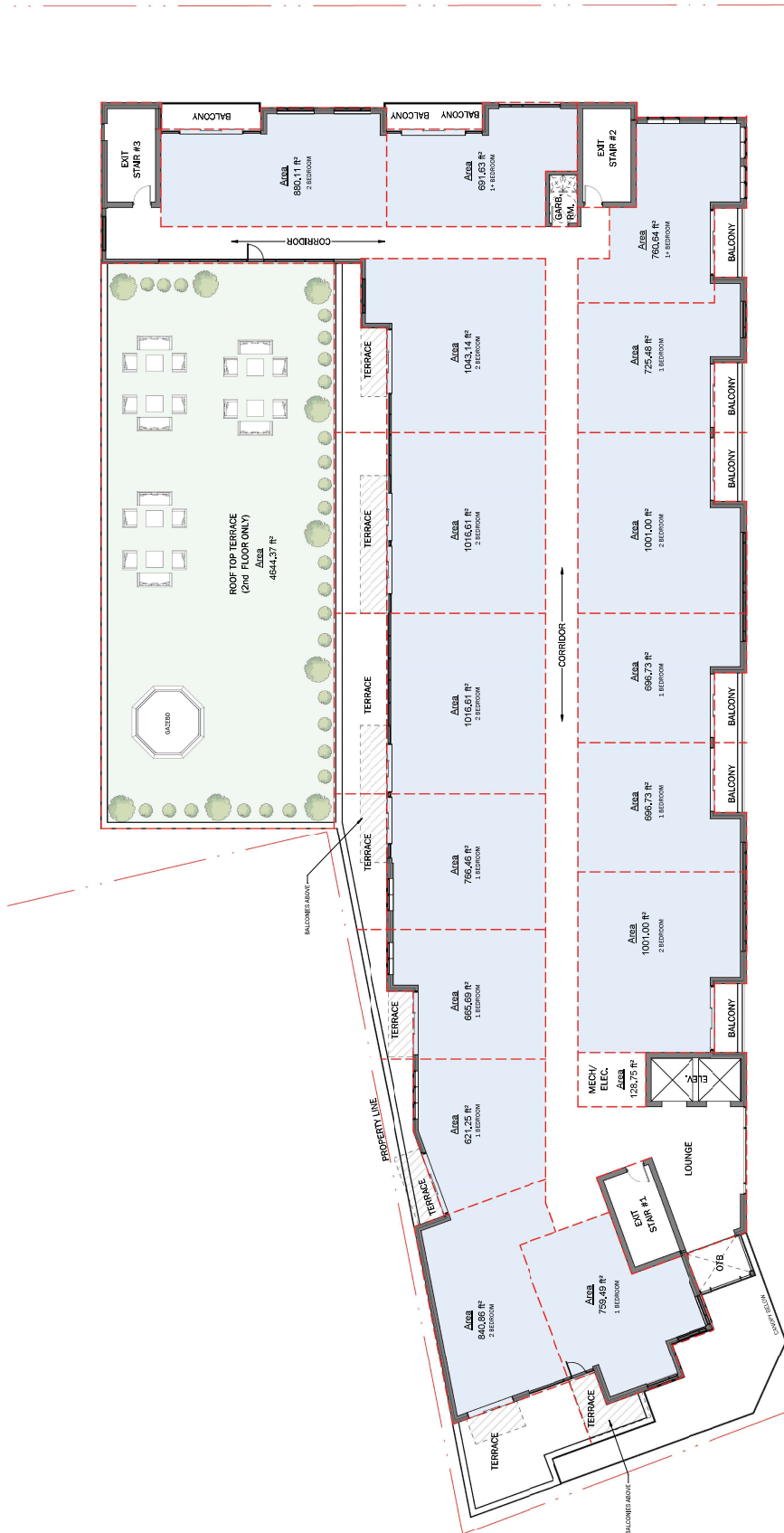












2ND - 5TH FLOOR PLATES
1" = 10'-0"
16,622 S.F. +/-
1 BED 7 UNITS
1+ BED 2 UNITS
2 BED 2 UNITS
TOTAL 16 UNITS

* DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY

A · C · K
architects
studio inc.

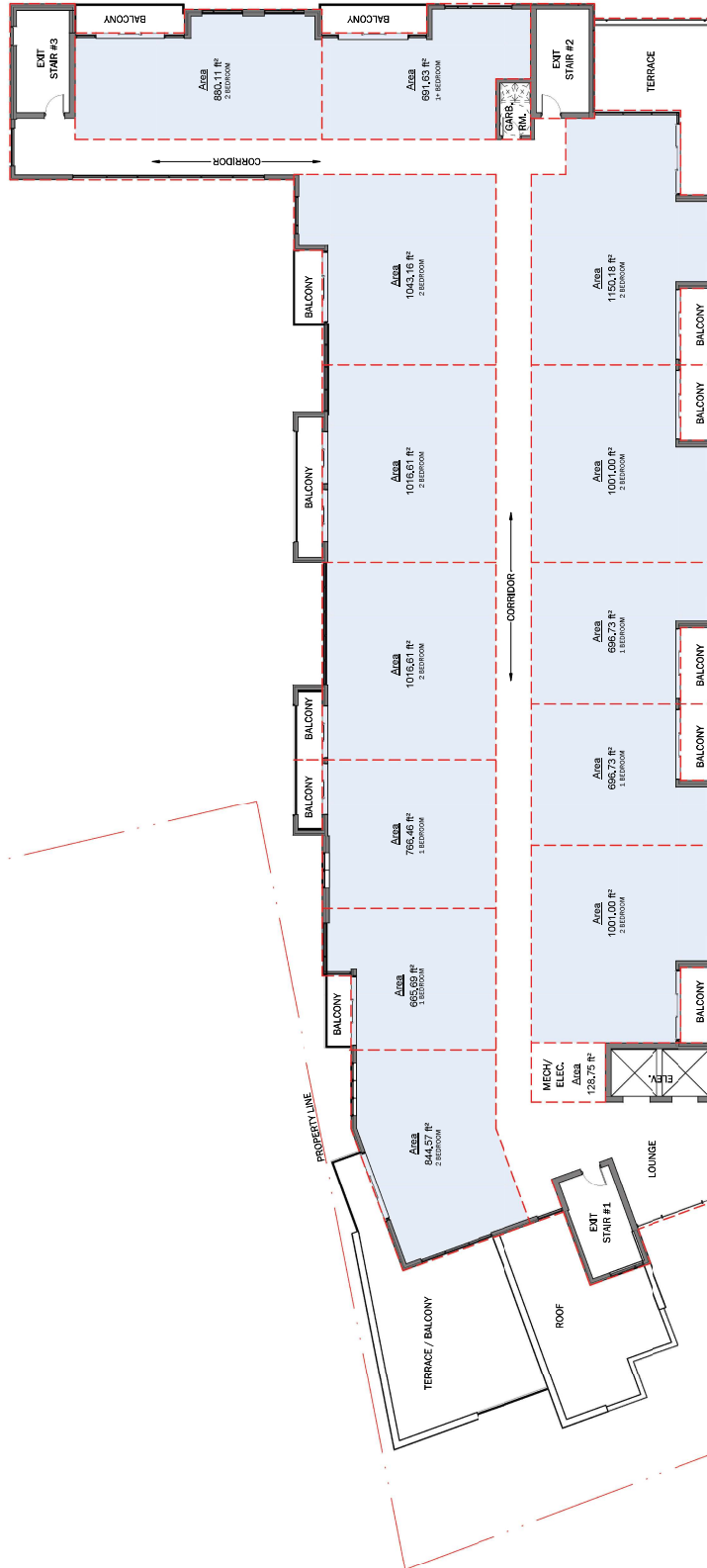
2ND-5TH FLOOR
PLATE

A2

DWG. No.
SCALE
DATE
PROJECT No.

NORTH PORT ISLAND HEIGHTS

568.55102 MAIN STREET W & 70 MELANBY AVE, PORT COLEGORNE, ON
L3K 2L5



| 6TH - 7TH FLOOR PLATES | |
|------------------------|----------|
| T = 10'-0" | |
| 14,773 S.F +/- | |
| 1 BED | 4 UNITS |
| 1+ BED | 1 UNITS |
| 2 BED | 8 UNITS |
| TOTAL | 13 UNITS |

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architects
studio inc.

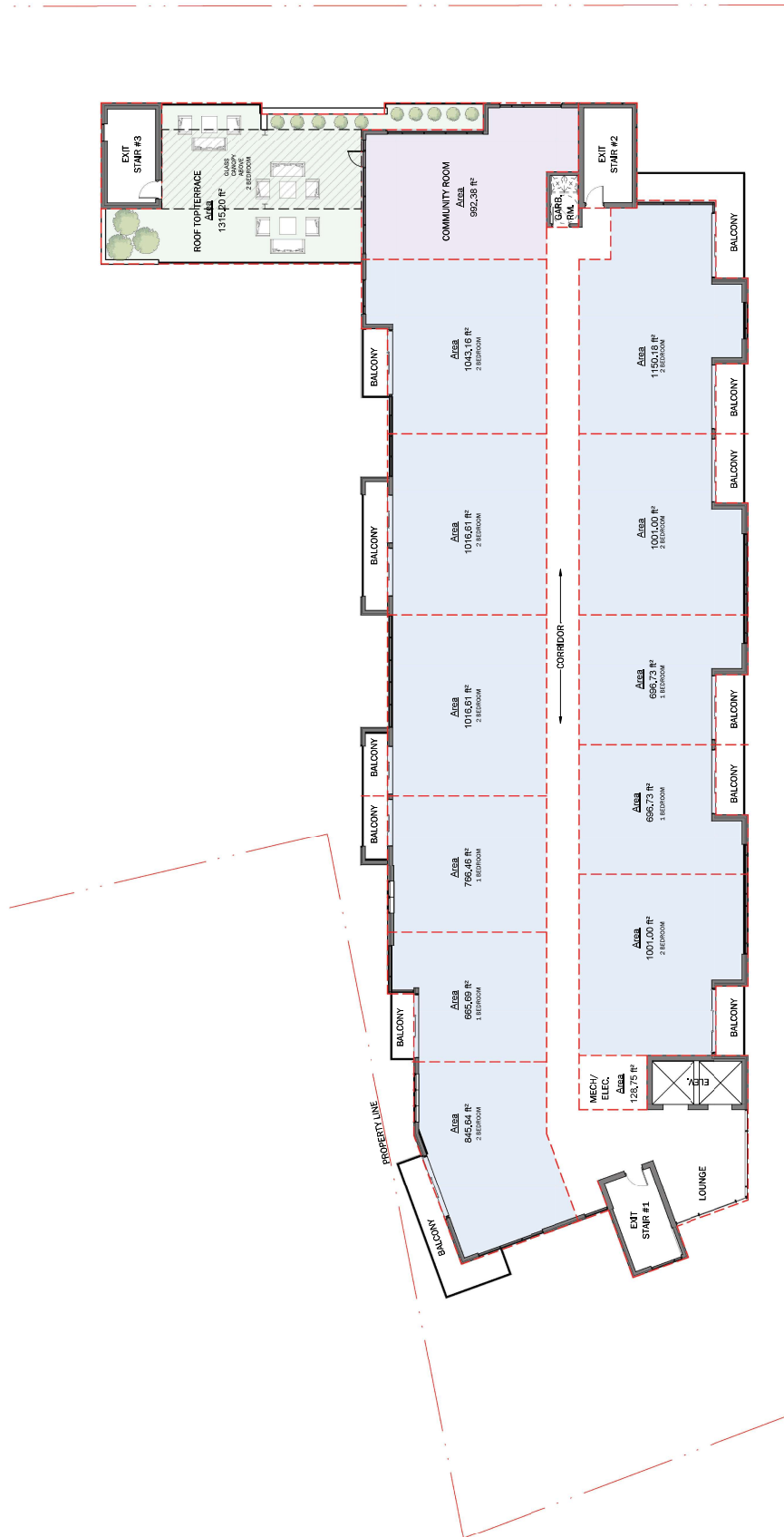
6TH - 7TH FLOOR
PLATES

DWG. No.
A3

SCALE
DATE
PROJECT No.

568.55102 MAIN STREET W & 79 MELANBY AVE, PORT COLEGORNE, ON
L3K 2L5

NORTH PORT ISLAND HEIGHTS



| | |
|-------|----------|
| 1 BED | 4 UNITS |
| 2 BED | 7 UNITS |
| TOTAL | 11 UNITS |

56 & 56 1/2 MAIN STREET W. & 179 MELLANBY AVE., PORT COLBORNE, ON
L3K 2L6



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NORTH PORT ISLAND HEIGHTS

A · C · K
architects
studio inc.

MELLANBY AVE.
ELEVATION

A5

568.55-12 MIN STREET W & 170 MELLANBY AVE, PORT COLEBORNE, ON
L3K 2L5

SCALE: AS SHOWN
DATE: MARCH 2023
PROJECT No.: 2023-144



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NORTH PORT ISLAND HEIGHTS

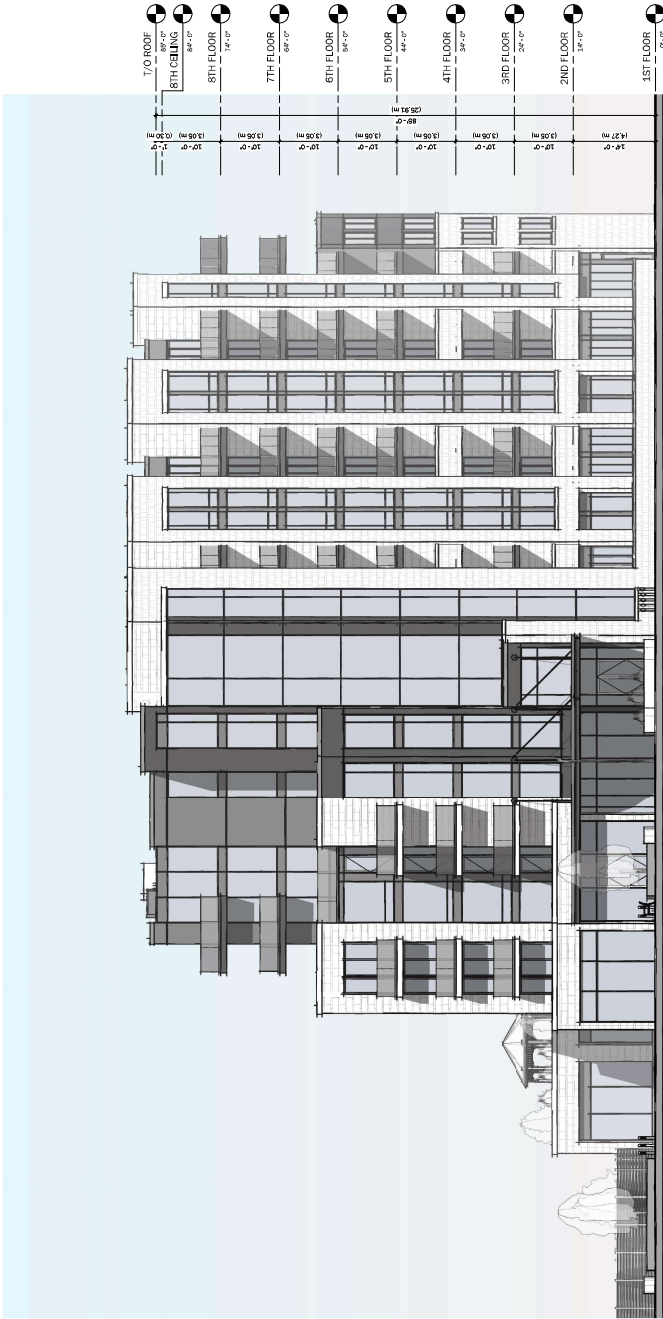
568.65-10 MAIN STREET W & 170 MELANSBY AVE, PORT COLEBORNE, ON
L3K 2L5

A · C · K
architects
studio inc.

SIDE ELEVATION

DWG. No. A6

SCALE: AS SHOWN
DATE: MARCH 2023
PROJECT No. 2023-144



NORTH (MAIN ST) ELEVATION
1" = 10'-0"

* DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY

NORTH PORT ISLAND HEIGHTS

568.65-10 MAIN STREET W & 79 MELANSY AVE, PORT COLEBORNE, ON
L3K 2L6

A · C · K
a r c h i t e c t s
s t u d i o i n c .

MAIN STREET
ELEVATION

DWG. No.

A7

SCALE
DATE
PROJECT No.

AS SHOWN
MARCH 2023
2023-144



*** DISCLAIMER: ISSUED FOR PRELIMINARY DESIGN DISCUSSION ONLY**

A · C · K
architects
STUDIO INC.

REAR ELEVATION

A8

56 & 56 1/2 MAIN STREET W. & 179 MELLANBY AVE, PORT COLBORNE, ON
L3K 2L6

SCALE: AS SHOWN
DATE: MARCH 2023
PROJECT No: 2023-144



PLANNING RATIONALE REPORT

179 Mellanby Avenue and
56-56 ½ Main Street West,
Port Colborne

Prepared For: 1000367026 Ontario Inc.



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1.0

Introduction

The Biglieri Group Ltd. (“TBG”) has been retained by 1000367026 Ontario Inc. to prepare a Planning Rationale Report and planning applications in support of the redevelopment of the lands municipally identified as 179 Mellanby Avenue and 56-56 ½ Main Street West in the City of Port Colborne (“The Subject Site”) for mixed-use high density development. The Subject Sites is legally described as LT 27 PL 784 Humberstone; PT William ST PL 784 Humberstone (Confirmed By PC 16804) as in BB68870 ; Port Colborne.

The Subject Site is located at the intersection of Main Street West (known as Regional Road 3) and Mellanby Avenue (known as Regional Road 3A). The lands are 0.52 hectares (1.313 acres) in size and is currently occupied by single-detached dwellings and commercial retail establishments.

This Planning Rationale Report has been prepared in support of applications for Zoning By-law Amendment, Site Plan Approval and Draft Plan of Condominium. The proposed development consists of one (1) eight (8) storey mixed-use (commercial/residential) condominium building with 101 units. Ground floor commercial units will face Main Street West with covered parking located on the ground floor building behind the commercial façade, as well as on the east side of the Subject Site. A total of 51 parking spaces are proposed for the Subject Site. This would provide for a parking ratio of 0.50 per unit, whereas a ration of 1.25 spaces per unit is

required. There have been on-going discussions with the St. Lawrence Seaway Authority to allow a long term lease of vacant lands to the south of the property to be used for resident parking, as well as to provide additional public spaces for Lock 8 park. At the time of submission these conversations are still on-going and no decision has been made.

Per Niagara Region’s Official Plan (the “Region OP”), the Site is designated as an *Urban (Built-Up) Area*. The Subject Site is designated as *Downtown Commercial* in the City of Port Colborne Official Plan (2017 office consolidation) (the “City OP”). The City of Port Colborne Comprehensive Zoning By-law 6575/30/18 zones the site as *DC – Downtown Commercial* and *R4 - Fourth Density Residential*.

Pursuant to TBG’s review of the relevant policy documents, an amendment is required to the in-effect Zoning By-law to support the redevelopment of the Subject Site to permit the setbacks and parking required for this mixed-use condominium development. This Planning Rationale Report will review the proposed Zoning By-law Amendment, and associated Site Plan to establish consistency and/or conformity (as appropriate) with respect to the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), The Region of Niagara Official Plan (2022), City of Port Colborne Official Plan (2017), and City of Port Colborne Zoning By-law any other associated City documents and Guidelines.

Draft Plan of Condominium Approval will also be required prior to development and will be submitted at a later date to create the tenure of the building.

2.0

Site Location & Context

2.1 Subject Site

The Subject Site is municipally known 179 Mellanby Avenue and 56-56 ½ Main Street West in the City of Port Colborne (“The Subject Site”). The Subject Sites legally described as LT 27 PL 784 Humberstone; PT William ST PL 784 Humberstone (Confirmed By PC 16804) as in BB68870 ; Port Colborne.. The Subject Site is located at the intersection of Main Street West (known as Regional Road 3) and Mellanby Avenue (known as Regional Road 3A) (**Figure 1**). The Subject Site is located on The Island within Port Colborne. This area is surrounded by the Welland Canal and features four (4) bridges split evenly on the east and west sides of The Island.

The Subject Site has approximately 80.66 metres of frontage onto Mellanby Avenue and approximately 20.12 metres of frontage onto Main Street West. The Subject Site is approximately 0.52 hectares (1.313 acres) in size and is currently occupied by single-detached dwellings and commercial retail establishments. As a result of this development, the existing dwellings and commercial building will be demolished.

The proposed development consists of one (1) eight (8) storey mixed-use (commercial/residential) condominium building with approximately 101 residential units. The units will consist of a mix of size, from 49 square meters to 119 square meters.

The development will include both attainable and age friendly units. There will be approximately nine (9) fully accessible units located on the second floor.

The proposed building will be located on the northwest portion of the Subject Site. There will be a landscaped courtyard on the east side of the building.

2.2 Surrounding Context

North: Further north along Mellanby Avenue, there are additional single-detached dwellings. There is also a commercial auto repair shop located on the northeast corner of Mellanby Avenue and Main Street West. Mellanby Avenue ends 300 meters north of the Subject Site due to the Welland Canal (**Figure 2**).

East: East of the Subject Site are single-detached dwellings along Main Street West as well as Lock 8 Gateway Park. This park consists of a botanical garden, accessible trails, a bike bath, a playground and a skateboard park (**Figure 3**).

West: West of the Subject Site are additional single-detached dwellings along Main Street West as well as additional automobile related commercial uses. Further east along Main Street West are additional commercial uses including personal service and restaurants prior to a bridge that carries over the Welland Canal (**Figure 4**).

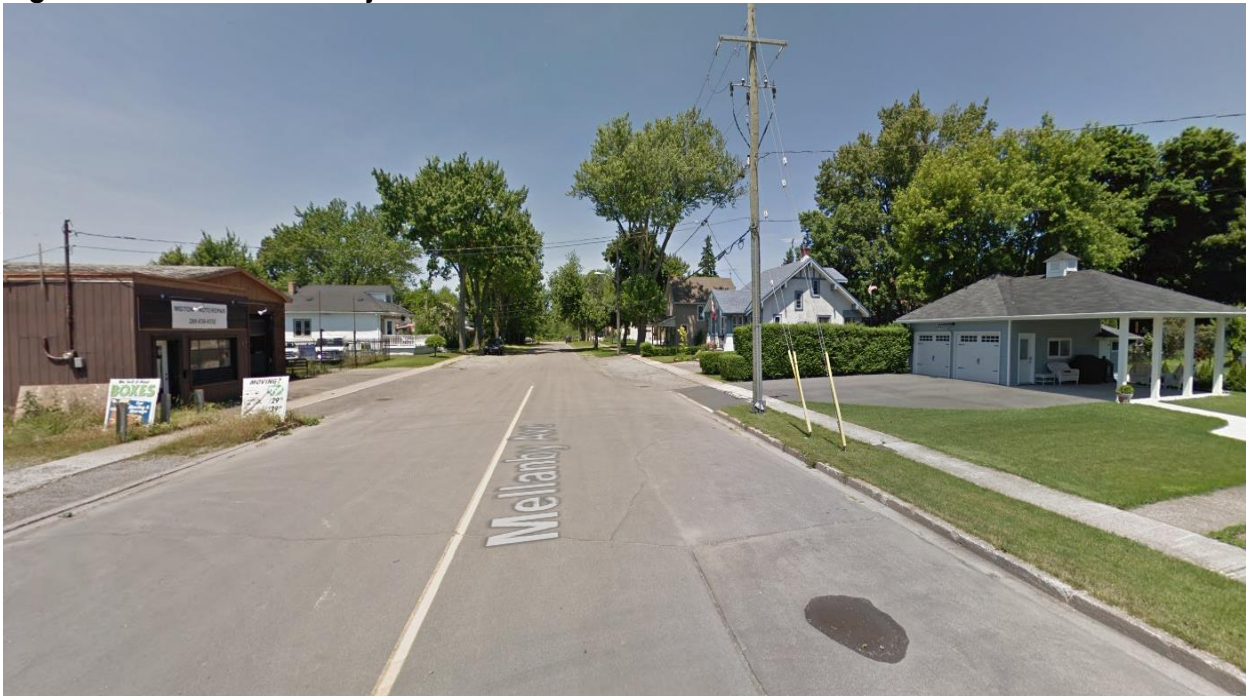
South: South of the Subject Site are additional single-detached dwellings along the south side of Mellanby Avenue. Across the street from these dwellings is a long stretch of the western portion of Lock 8 Gateway Park. The playground and skateboard park are easily accessible from this side of the park (**Figure 6**).

Figure 1. The Subject Site



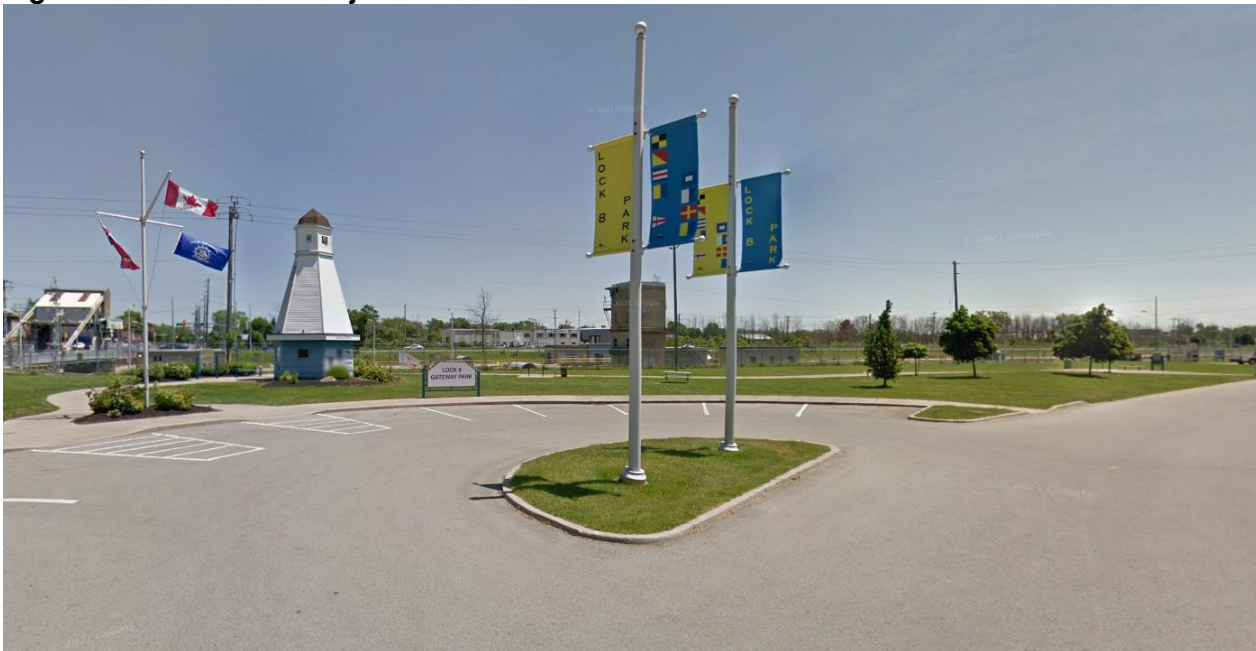
Source: Google Maps, 2023

Figure 2. North of the Subject Site



Source: Google Maps, 2023

Figure 3. East of the Subject Site



Source: Google Maps, 2023

Figure 4. West of the Subject Site



Source: Google Maps, 2023

Figure 5. South of the Subject Site



Source: Google Maps, 2023

2.2.1 Road Network

The Subject Site has frontage onto two Regional Roads, being Main Street West and Mellanby Avenue. Main Street West runs west/east and becomes Highway 3 approximately 1 kilometre east of the Subject Site. Mellanby Avenue is a north-south Regional Road. The southern portion of Mellanby Avenue alongside Lock 8 Gateway Park will be a future Highway 3 connection per the Port Colborne Official Plan.

2.2.2 Public Transit Network

The Subject Site is serviced by the Regional public transportation network. There are two main transportation services that service Port Colborne. The first, NRT OnDemand, replaced fixed bus routes in Port Colborne on December 31, 2022. NRT OnDemand allows accessible rideshare style transit access for Port Colborne residents. Pickup and drop-off locations are often within 100 meters of the origin or destination. The NRT OnDemand can take residents to any location within Port Colborne, and select destinations in other Niagara Region municipalities.

In addition to the NRT OnDemand, Port Colborne also offers an hourly shuttle service to the Downtown Welland Bus Terminal from Port Colborne City Hall, which is located approximately 2 kilometers away from the Subject Site. The terminal provides access to inter-municipal route connections as well as

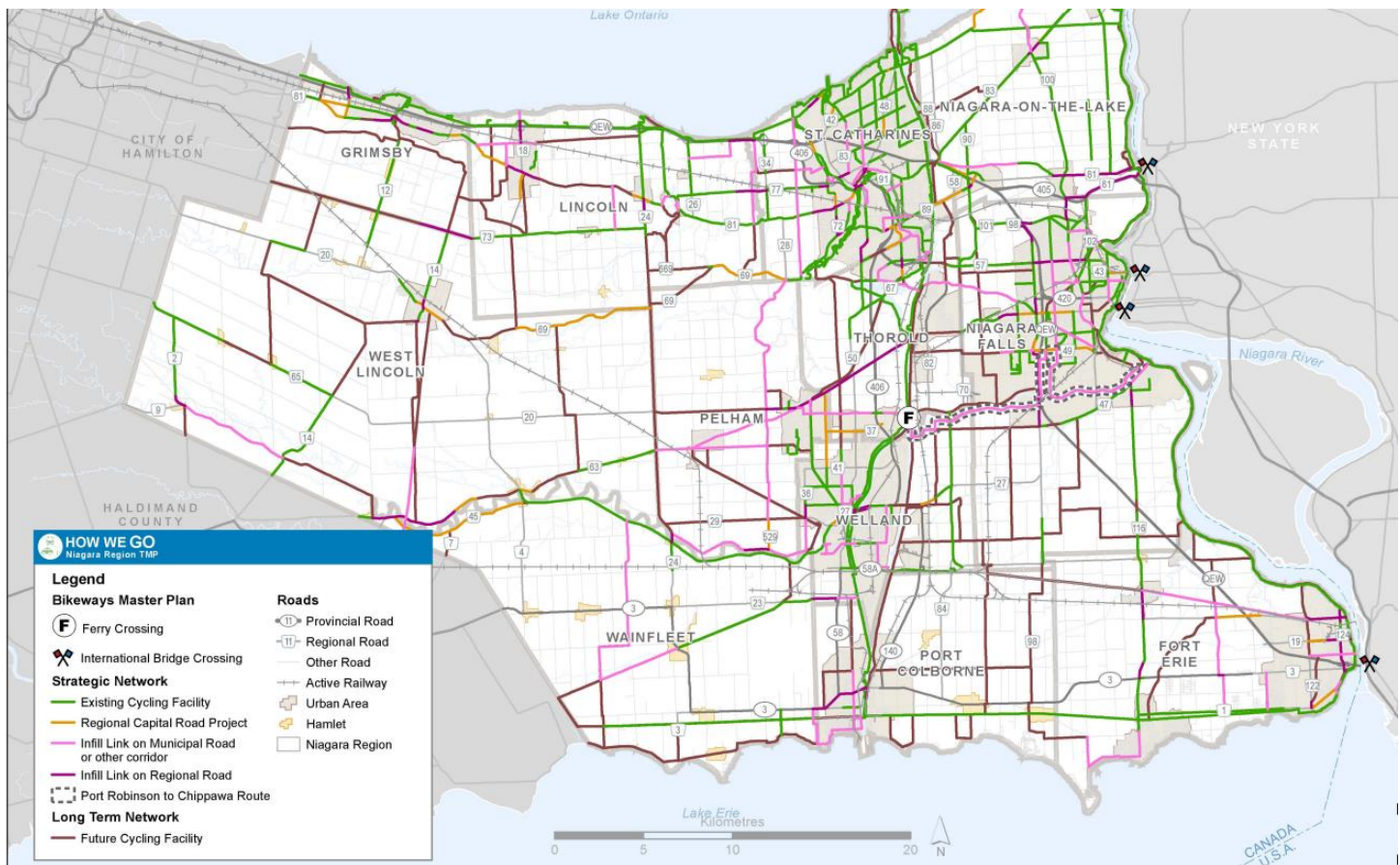
connections to GO Transit services in St. Catharines.

In terms of planned transit improvements, the Region's Transportation Master Plan indicates that the Subject Site is within an existing area served by Local Transit and is additionally marked as an area in which to improve fixed-route transit (Map 4: Conceptual Transit Network).

2.2.3 Active Transportation Network

Sidewalks are provided on the two major roads abutting the Subject Site. This includes Main Street West on the north and south sides and Mellanby Avenue on the west and east sides. Niagara Region's Transportation Master Plan identifies an existing cycling facility that cuts through Lock 8 Gateway Park (**Figure 6**; Map 3: Strategic Cycling Network). This is the only cycling network indicated on The Island. However, an additional future cycling facility is indicated on Schedule E2 of the Niagara Regional Official Plan one street east of The Island on Welland Street. The existing cycling facility, the Welland Canals Parkway Trail, that cuts through Lock 8 Gateway Park provides connectivity to St. Catharines, Welland and Thorold along an off-road multi-use path. To the south of the property, and on the east side of the Canal runs the Friendship Trail, providing an off-road connection to Fort Erie.

Figure 6. Strategic Cycling Network



Source: Niagara Region Transportation Master Plan, 2017

3.0

Proposal & Approvals

3.1 Proposal

The proposed development consists of one (1), eight (8) storey mixed-use (commercial/residential) condominium apartment with 101 units. The units will consist of a mix of sizes, from 621.25 feet squared to 1150.18 meters squared with a range of bedrooms. The commercial portion of the proposed site will be located on the ground floor and will be 131.58 meters squared. The development will include both attainable and age friendly units. There will be approximately

nine (9) fully accessible units located on the second floor.

Ground floor commercial units will face Main Street West with covered parking located on the ground floor of the residential building behind the commercial units. A total of 51 parking spaces are proposed for the Subject Site. Vehicular access is proposed by a private driveway through Mellanby Avenue. The proposed driveway is located approximately 90 metres south of Main Street West on the east side of Mellanby Avenue. A total of 14 bicycle spaces will be provided.

3.2 Required Approvals

In order to support the proposed development, an amendment is required to the in-effect Zoning By-Law to support the redevelopment of the Subject Site. This amendment would permit the setbacks required for this development. Following this application, a Site Plan and Draft Plan of Condominium will also be required.

4.0 Policy Context & Planning Analysis

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) provides overall direction on matters of provincial interest related to municipal planning decisions. The PPS was issued under Section 3 of the *Planning Act, 1990* and provides Provincial direction in terms of land use planning and development in Ontario. The current PPS came into effect on May 1st, 2020. Decisions related to planning matters, including Official Plan and Zoning By-law Amendments made under the *Planning Act*, shall be consistent with the PPS.

The PPS encourages efficient land use and development patterns to support healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (Policy 1.1.1). It also requires that municipalities accommodate an appropriate and market based range and mix of residential types (Policy 1.1.1). The PPS directs development to take place in urban areas (Policy 1.1.3). The emphasis on intensification

and infill to foster a diverse mix of housing options which can improve quality of life and social equity. The PPS directs that opportunities for transit-supportive development be promoted where appropriate to accommodate a significant supply and range of housing options through intensification and redevelopment (Policy 1.1.3.3).

With respect to housing, Section 1.4 requires provisions to be made for an appropriate range and mix of housing types and densities to meet the projected requirements of future residents by:

- permitting and facilitating all housing options and residential intensification;
- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available;
- promoting densities which efficiently use land and resources and support active transportation and transit in areas where it exists or is to be developed;
- requiring transit-supportive development and prioritizing intensification, and;
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form.

The proposed development is consistent with the policies of the PPS. The Subject Site is in an urban, built-up area, which is the target area for intensification. In terms of housing mix and uses, the proposed development provides for a high-density built form in an area where the residential housing stock is predominantly composed of single-detached dwellings. The

proposal will increase housing supply and housing choice available in the area by providing for 101 dwellings, which includes 2-bedroom options. The proposed development will make use of existing municipal infrastructure and transit, as well as is in close proximity to public services such as parks, commercial uses, and the community centre.

The development is within an area with existing municipal infrastructure which can support the proposed development, based on the preliminary engineering review completed in support of this application. The proposal will not require the extension or expansion of sewer, water, or storm infrastructure.

The proposed development will use existing municipal infrastructure and provide additional housing options for current and future residents. The proposal is an intensification project and will support the Regional Transit system in the area by providing additional density. The proposed development is consistent with the policies in the PPS.

4.2 Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (2006) (the “Growth Plan”) was approved under the authority of the *Places to Grow Act, 2005* by the Lieutenant Governor in Council of the Province of Ontario, and came into full force and effect on June 16th, 2006. The Growth Plan was further updated in July 2017, May 2019, and again on August 28th, 2020. The in-force Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe and carries forward many of the principles and policies of the PPS.

The Growth Plan introduced the concept of “complete communities” into a policy document which encouraged developments to provide a range of housing types within close

proximity to commercial and institutional uses which provide for daily needs of residents and reduce dependency on car trips. Per Section 2.2.1.4 a key component of the creation of complete communities is that they provide a diverse range and mix of housing options that accommodate people at all stages of life and accommodate the needs of all household sizes and incomes. Further to this, Section 2.2.6 directs municipalities to support housing choice through the achievement of the minimum density targets in the Growth Plan by identifying a diverse range and mix of housing options and densities to meet the projected needs of current and future residents.

Per Section 2.2.2.1a. of the Growth Plan, Niagara Region’s minimum intensification target is 50%; meaning that 50% of all new residential development must be within the *delineated built-up area*. The Region has identified intensification targets for individual municipalities within the Region, Port Colborne being given an intensification target of 30%. This mean that 30% of all new growth within Port Colborne will be required to located within the built-up area. Building upon establishing minimum intensification targets, municipalities are directed to develop a strategy to achieve their targets that identify *strategic growth areas* that are a key focus for development, identifying the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas. (Section 2.2.2.3a-b).

In accordance with the direction of the Growth Plan, the proposed development will help achieve the intensification target by providing high density residential uses while providing connectivity to existing municipal infrastructure, transit and public services. In terms of housing mix and uses, the proposed development provides for a high-density built form in an area where the residential housing stock is predominantly composed of single-detached dwellings. The proposal will increase the supply and housing choice available in the

area by providing for 101 new dwelling units. By providing for a range of unit options (one and two bedrooms) in a high-density form, the proposal is able to accommodate the needs of various household sizes and abilities, which is an essential component of complete communities.

The subject lands are also within walking distance to commercial, institutional, and recreational facilities, thereby reducing the reliance on cars for transportation. Grocery stores, emergency services, a daycare centre, and restaurants are all within walking distance of the Subject Site. The property is in a location that can support the increased density as there are services within walking distance, creating a complete community through this proposed redevelopment.

The proposed redevelopment will contribute to the creation of a complete community and provide an additional form of housing in the neighbourhood, as well as encouraging active transportation. It will contribute to the City's achievement of the intensification target of 30% and residential growth which equates to a total of 690 new units by the year 2051. It is our opinion that the development conforms to the policies in the Growth Plan.

4.3 Niagara Regional Official Plan (2022 Provincial Approved)

The Subject Site is subject to the Niagara Region Official Plan (the "Regional OP") as amended. The first Niagara Regional Official Plan was adopted by Regional Council in November 1991. The Regional Official Plan was modified and approved by the Minister of Municipal Affairs in December 1994. The Region recently completed their Municipal Comprehensive Review Process to bring their

plan into conformity with current Provincial Policy and to include growth projections to the year 2051. This updated plan was approved by the Ministry of Municipal Affairs and Housing on November 4, 2022.

The Niagara Regional Official Plan is consistent with the policies of the Province and sets a land use and planning framework for local Official Plans. The policies of the Niagara Regional Official Plan guide the physical, economic and social development of the Region to manage growth and economic development, to protect the natural environment, resources and agricultural lands, and to provide long-term goals for infrastructure investment. The policies in the Official Plan are meant to help co-ordinate more detailed planning by local municipalities. The Niagara Regional Official Plan dictates regional land use policies that have been adopted at the local level by the City of Port Colborne.

4.3.1 Urban Built-Up Area and Intensification

The Regional Official Plan designates the subject site as *Built-Up Area* under the *Urban Area* designation. Per Policy 2.2.2 Built-up Areas will be the focus of residential intensification and redevelopment within the Region over the long term. The Region has several growth management policies related to the Built-up Area, including:

- Direct a significant portion of Niagara's future growth to the *Built-up Area* through *intensification*. (Policy 2.2.2.1); and
- Build compact, mixed use, *transit-supportive*, *active transportation friendly* communities in the *Built-up Area* (Policy 2.2.1.1).

The Region implements several policies to promote intensification within the *Built-Up Area* and directs for local municipalities to generally

encourage *intensification* throughout the *Built-up Area* (Policy 2.2.2.9 and 2.2.2.10.).

The Regional OP provides an intensification target of 690 units to be built in Port Colborne by 2051, and that 30% of all new residential growth annually should be within the delineated built-up area. The proposed development will support intensification efforts through the provision of a compact, high density residential form within the *Built-Up Area* that supports the existing transit connectivity and active transportation infrastructure available in the immediate area. The proposed development would account for 14.5% of the units that the Regional Official Plan is targeting for intensification within Built-Up Areas in Port Colborne.

4.3.2 Residential Areas and Housing

Section 2.3 provides the Region's direction on housing. Policy 2.3.1, states that the Region encourages the provision of a variety of housing types within urban communities and neighbourhoods to serve a variety of people as they age through the life cycle. Policy 2.3.2 states that the Region encourages the development of both affordable and attainable housing and sets minimum targets.

Further, Policy 6.2 states the Region's desire for attractive, well designed residential development that: provides for active transportation that encourages a variety of connections to surrounding land uses; contributes to a sense of safety within the public realm; and enhances an aesthetically pleasing and functional neighbourhood.

The proposed development will create additional housing options to serve those throughout different stages of the life cycle. This can be promoted through the nine (9) fully accessible units, located on the 2nd floor of the proposed development. Further, the proposed development will provide attainable units with

the option of affordable units. This will be done through the provision of high-density residential forms that complement the surrounding lower density neighbourhoods and local businesses. The mix of densities will add variety to the neighbourhood. Furthermore, the surrounding active transportation routes and proximity to Lock Gateway 8 Park provides the proposed development with a variety of connections to surrounding land uses and provides opportunities for both passive and active recreational opportunities.

Based upon the review and analysis of the Region of Niagara Official Plan outlined above, it is our opinion that the proposed development is in conformity with the policies therein.

4.4 City of Port Colborne Plan (Office Consolidation, 2017)

The City of Port Colborne Official Plan (the "City OP") was approved by the Region of Niagara in November, 2013. The current office consolidation is dated September 2017. The main purpose of the Official Plan is to create a long-term vision for the City to guide local growth and development by designating land for various land uses and providing policies that will guide development and use of land City-wide. The Subject Site is designated as *Downtown Commercial*, within the City OP.

4.4.1 Growth Management Strategy and Vision

Section 2.1 of the City OP outlines the overarching vision for the growth and development of the City of Port Colborne. In

terms of development, the creation of complete communities, creating a mix of residential accommodations, community connectivity and accessibility of developments are identified as priorities.

The proposed development will meet these aspects of the OP vision by adding to the surrounding neighbourhood's housing typology, age-accessible units, transit connectivity and proximity to park space. The additional housing typologies that the proposed development will add will assist in creating a mix of residential accommodations for Port Colborne while simultaneously assisting in developing a complete community. The proximity of the Subject Site to the Lock 8 Gateway Park and active transportation routes allows residents to live in a highly connected area of Port Colborne while providing ample outdoor recreation space.

Section 2.2 of the City OP states the goals and strategies of growth management within the City of Port Colborne. Policy 2.2.E states that growth management should support infill and intensification in the *Downtown Commercial* designation, which the Subject Site is within. This proposed development would provide for a compact, mixed-used development within the *Downtown Commercial* designation of the City OP. This infill and intensification would comply with the strategies outlined in Section 2.2.

4.4.2 Housing and Residential

Sections 2.4.1 and 2.4.2 provide both population and housing forecasts for Port Colborne for growth until 2031. The City OP indicates that servicing and other land use policies are contingent on these figures. Section 2.4.1 indicates that the population of Port Colborne is expected to rise by 5,000 residents from the Plan's adoption to 2031. Section 2.4.2 estimates that 2,380 additional dwellings are forecasted for 2031. The

proposed development will support these intensification efforts by providing 101 additional dwellings for The City of Port Colborne, within the *Downtown Commercial* designation. It is anticipated that as a result of the recent approval of the Region's Official Plan, that the City's will be updated to reflect the new growth projections to the year 2051.

Within Section 2.4.2.1, the City OP provides additional direction and policies regarding new housing developments. These policies speak to the need for new housing developments to be accessible to basic needs, open spaces, age-friendly and accommodate the needs of all household sizes. The proposed development is within walking distance of shops, and grocery stores while being transit accessible due to the flexible nature of the NRT OnDemand service. Furthermore, the Subject Site abuts Lock 8 Gateway Park, which will provide residents ample access to outdoor spaces and active transportation routes. The proposed development will consist of a mix of unit sizes, accommodating the needs of a variety of households. In addition to this, the second floor of the proposed development will provide nine (9) fully accessible units to increase the accessibility and age-friendliness of the development.

Section 2.4.3 of the City OP further identifies areas of intensification as well as the objectives of intensification policies. This section reiterates the infill and intensification statements made in Section 2.2. The Downtown and other Built-Up Areas of Port Colborne will be the main sites for the 15% intensification targets until 2031. Section 2.4.3.C identifies the main objective of the intensification policies. Among these are the revitalization of the Downtown through intensification, the encouragement of mixed-use developments within the Downtown within transit and active transportation routes, as well as accommodating for additional lands designated as *Urban Residential* and *Downtown Commercial*. The objectives of infill and intensification as outlined by the City OP

are met by the proposed development. The Subject Site is located in the Downtown Port Colborne while being designated as *Downtown Commercial*. This land use designation is a target for infill and intensification within the City OP. Furthermore, the proposed mixed-use development within Downtown Port Colborne meets another objective of the City OP. The Subject Site has access to active transportation routes and is within a walking distance of Lock 8 Gateway Park. Although the Subject Site is not within walking distance of the hourly shuttle to the Downtown Welland Bus Terminal, the NRT OnDemand transit program allows for individuals to be well connected by public transit with easy access to many destinations within the Region of Niagara.

4.4.3 Downtown Commercial Designation

Per policy 3.6 the *Downtown Commercial* designation is intended to serve as the primary area for the selling of goods and services within Port Colborne. The primary uses under this designation include, but are not limited to: residential uses, parks, personal service shops and restaurants. The pre-consultation summary for the meeting held on October 27, 2022 confirms the proposed development's conformity with the Official Plan designation. Thus, indicating that no Official Plan Amendment is required. The height of the building will need to be analyzed further through a shadow study to ensure the negative impacts are minimized.

Policy 3.6.1.I indicates the need for a Traffic Impact Assessment to identify the potential traffic impacts of proposed commercial developments within the Downtown Commercial designation. The pre-consultation summary confirms this requirement, and one has been completed by Paradigm Transportation Solutions LTD.

Policies 3.6.2.C of the City OP includes further guidance to be used for infill and intensification projects as it pertains to the Downtown Commercial designation. This guidance states that, Mixed Use development is encouraged within the Downtown. The preferred built form for mixed use development is commercial and office uses on the ground floor, with residential units located above. (Policy 3.6.2.C). As previously identified, the proposed development is a mixed-use development. The development conforms to the direction of the City OP, as the ground floor of the Subject Site will contain approximately 131.58 square meters of commercial space. The subsequent seven (7) stories will contain approximately 101 residential units located above the commercial space.

Section 3.6.3 of the City OP provides design guidelines for the general appearance and parking within the Downtown Commercial designation. Section 3.6.3.1 discusses guidance on the general appearance for developments in the prescribed designation. The proposed development meets much of these guidelines. For example, the proposed development maximizes the number of entries to create visual interest along the sidewalk for the commercial uses (Policy 3.6.3.1.D). Further, the proposed development fronts onto the street and follows the design guidelines for corner buildings, being, the side elevations are given equal design treatments on either side, and the corner of the building is reinforced by a taller building element (Policy 3.6.3.1 G, H). Lastly, the proposed development follows the guidelines as they pertain to public open spaces. The Outdoor Amenity Space proposed for the Subject Site is located adjacent to Lock 8 Gateway Park, emphasizing the civic presence of the development and its surroundings (Policy 3.6.3.1K).

Section 3.6.3.2 discusses design guidelines as they pertain to parking, access and loading zones. Once again, the proposed development adheres to many of the relevant guidelines as

illustrated below. Per Policy 3.6.3.1.A it requires vehicular access from the front to the rear of the property. This is shown in the current conceptual plans provided by ePrime dated March 2023. Further to this, parking areas are placed at the rear of the proposed development to maintain a continuous building edge and a pedestrian-friendly street per Policy 3.6.3.2.D. Further parking and access information is provided in Section 5.4 of this report to summarize the subject site Traffic Impact Survey prepared by Paradigm Transportation Solutions LTD.

In conclusion, it is it is our professional planning opinion that the proposed development meets the goal and intent of the OP as a mixed-use built form. Further, the proposal will introduce an additional building typology in an area that predominantly provides residents with single-detached dwelling units. The proposed development supports the objectives of the Official Plan that encourage intensification, proximity to public transit and access to open space.

4.5 City of Port Colborne Comprehensive Zoning By-law 6575/30/18

The City of Port Colborne Comprehensive Zoning By-Law came into effect in 2018. The Subject Site is zoned as s *DC – Downtown Commercial and Fourth Density Residential (R4)*.

The permitted uses of *Fourth Density Residential (R4)*:

- Detached Dwelling;
- Semi-Detached Dwelling;

- Duplex;
- Triplex;
- Townhouse Block;
- Townhouse Street;
- Apartment Buildings (Private or Public);
- Boarding or Lodging House; and,
- Accessory Uses, Buildings and Structures

The permitted uses of *Downtown Commercial*:

- Animal Care Establishment;
- Apartment Buildings (Private or Public);
- Brew Pub;
- Drive-Thru Facility;
- Accessory Dwelling;
- Existing Motor Vehicle Gas Station;
- Existing Motor Vehicle Repair Garage;
- Food Vehicle;
- Hotel;
- Medical Clinic;
- Office;
- Personal Service Business
- Place of Assembly / Banquet Hall
- Place of Worship
- Private Club;
- Public Space
- Recreation Facility;
- Fast Food, Take- out or Full-Service Restaurant
- Retail Store
- Service Commercial
- Social Service Facility
- Studio
- Veterinary Clinic; and,
- Accessory Uses, Buildings and Structures

4.5.1 Proposed Zoning-By-law Amendment

In order to permit the proposed development, the Subject Site must be rezoned to be fully within the *Downtown Commercial* zone. Further, a site-specific amendment is necessary to allow for additional GFA under the current zoning as well as a decrease in the total landscaped area required. The proposed

development conforms to most of the built-form zone provisions of the *DC* Zone (See Table 1). The proposed lot coverage of the building is 2224.3 meters squared which complies to the applicable zoning. Further, the proposed height is .1 meters under the maximum allowable. The site-specific amendment would allow for the Gross Floor Area to be 216% of the total lot area as opposed to the currently allowable 100% as well as a reduction in the minimum amount of bicycle parking spaces from fifteen (15) to fourteen (14). A reduction in the minimum landscaped space is also required. The current minimum is 25% of the lot area, whereas 10.8% is being requested. A reduction to the overall parking ratio is required to allow parking of 0.5 spaces per unit, whereas the by-law requires 1.25 spaces per unit. As previously identified, there are on-going discussions with the St. Lawrence Seaway Authority to use lands to the south as parking under a long-term lease. These discussions are on-going. Should the Seaway Authority agree with our request, no amendment to the parking provisions is required.

The built-form related zone provisions of the *DC* zone are summarized in Table 1.

Table 1. Zone Requirements for Apartment Dwelling Uses in the RH Zone

| | Required | Proposed |
|--|----------------------|---|
| Minimum Lot Frontage | No Minimum | 80.66 Meters- Mellanby Ave. 20.12 Meters- Main Street W. |
| Minimum Lot Frontage where used for Residential Purposes | 6 metres | Complies |
| Minimum Lot Area | 18 meters | 2224.3 Meters Squared (+55.6 Meters Squared for Canopy) |
| Minimum Landscape Area | 25% | 10.8% |
| Minimum Front Yard | No Minimum | Complies |
| Minimum Interior Side Yard | No Minimum | 0.0 Meters |
| Minimum Interior Side Yard abutting a Residential Zone | No Minimum | 0.0 Meters |
| Minimum Corner Side Yard | No Minimum | 0.0 Meters |
| Minimum Rear Yard | No Minimum | 0.0 Meters |
| Maximum Height | 26 Meters | 25.9 Meters |
| Maximum Gross Floor Area | 100% of the lot area | 216% of the lot area |
| Minimum Number of Parking Spaces | 1.25 spaces per unit | .5 spaces per unit |

5.0

Supporting Documents

5.1 Storm Water Design Brief

A Storm Water Management Design Brief has been prepared by Hallex Engineering Ltd. dated October 2023, and has been provided under a separate cover.

The brief discusses the drainage pattern and proposed stormwater management controls that will assist in ensuring storm flows are controlled to the pre-development flow rate. The design will utilize the existing slopes to ensure drainage will be designed according to the five and one-hundred year storm events per the City of Welland intensity-duration-frequency curve as there is not an available intensity-duration-frequency from the City of Port Colborne.

Stormwater quantity controls will be achieved by utilizing a 50mm diameter orifice plate at the outlet side of the stormwater management tank. Given the calculations and recommendations for the storm drainage system, the design considerations will be sufficient in managing storm water for the proposed development.

5.2 Heritage Impact Analysis

A Cultural Heritage Evaluation Report has been prepared by Parslow Heritage Consultancy Inc., dated April 2023, and has been provided under a separate cover.

The report reviewed, identified, evaluated and provided recommendations for mitigation options for cultural heritage impacts on the Subject Site. The site visit for the Subject Site was completed on March 8, 2023. The report indicates that 56 *Main Street West* be removed as a listed property from the municipal list of non-designated heritage properties. This recommendation was due to an evaluation of the criteria identified by O.Reg 569/22.

Further, the report proposes that the developments exterior finish matches that of the surrounding area. Additionally, the report indicates that the structures to be demolished should be salvaged for materials.

Finally, the report indicates the need for The City of Port Colborne to determine if the proposed development of 56 *Main Street West* is appropriate for the community.

5.3 Transportation Impact Study

A Transportation Impact Study has been prepared by Paradigm Transportation Solutions LTD. dated October 2023, and has been provided under a separate cover.

The Transportation Impact Study concluded that the existing traffic operations will continue operating within an acceptable level. Further, the Subject Site is expected to generate 44 new AM peak trips per hour, 61 new PM peak trips and 52 new Saturday peak trips. Intersections within the Subject Site will be able to maintain levels of

service and within their capacity with these increased trips.

The westbound queue length generated by the signalized Main Street West intersection with Mellanby Avenue is expected to extend through the Lock 8 Park Driveway to Main Street West during the AM, PM and Saturday peak hours.

Based on the research conducted in the report, it is recommended that the existing Main Street Lock 8 driveway be closed to regular traffic, and the driveway function as an emergency connection to the Park. Further, the existing crosswalk over the Lock 8 Park Driveway should be redesigned with a crossing treatment consistent with the OTM Book 18- Cycling Facilities.

Additional remedial measures can be found under the separate cover.

5.4 Noise Study

A Noise Impact Study has been prepared by dBA Acoustical Consultants, dated April 2023, and has been provided under a separate cover.

The study determined the noise impact from Main Street West and Mellanby Avenue through vehicular traffic that has the potential to impact the proposed development. The study sought to measure the potential noise impact as well as recommend any noise control measures if necessary. DBA Acoustical Consultants used the MECP Publication NPC-300 entitled "Stationary & Transportation Sources-Approval & Planning" to inform their assessment and subsequent analysis.

Through the analysis, no additional mitigation measures are necessary for the balconies. The rooftop terraces on the 2nd and 8th floors will require a minimum 1.22 metre Safety Guard Rail or Equivalent. The study reported that all windows in the building have a STC-32 rating. Finally, it is recommended that provisions and

registered warning clauses are placed on Central Air Conditioning within building units.

5.5 Environmental Site Assessment

A Phase 1 and 2 Environmental Site Assessment has been prepared by Niagara Soil Solutions LTD. dated October and November 2022, and has been provided under a separate cover.

The Phase 1 Environmental Site Assessment identified three (3) areas of potential environmental concern which required a Phase 2 Environmental Site Assessment and Excess Soils Assessment to investigate the potential contamination resulting from the deposition of fill material.

The Phase 2 Environmental Site Assessment and Excess Soils Assessment concluded that the fill material across the properties is impacted by Lead and Nickel ranging in depths from 0.5-0.7m below ground surface. These materials must be excavated and removed prior to redevelopment. Furthermore, the material must be disposed of at a Ministry of the Environment, Conservation and Parks approved landfill or placed on a re-use site where it may be buried at least 1.5 metres below the surface.

6.0

Conclusions

The Biglieri Group Ltd. ("TBG") has been retained by 1000367026 Ontario Inc. to prepare planning applications and obtain municipal approvals required to implement the proposed development on the lands municipally identified as 179 Mellanby Avenue and 56-56 ½ Main Street West in the City of Port Colborne.

The proposed development consists of one (1), eight (8) storey mixed-use (commercial/residential) condo apartment with 101 units. The units will consist of a mix of size, from 49 meters squared to 119 meters squared. A total of 51 parking spaces are proposed for the Subject Site. The development will include both attainable and age friendly units. There will be approximately nine (9) fully accessible units located on the second floor.

This Planning Report demonstrates that the proposed Site Plan and the associated Zoning By-Law Amendment is consistent with all applicable Provincial and Regional planning policies inclusive of the PPS, Growth Plan, and Regional Official Plan. Further, the proposal conforms to the intent of the City of Port Colborne Official Plan to provide for compact, mixed-use intensification within the Port Colborne downtown core. Section 4.4 of this report highlights the multiple benefits of the proposed development to the City of Port Colborne, inclusive of:

- The provision of a mix of residential unit types and sizes;

- The introduction of a new built-form in an area of Port Colborne where the residential land uses are dominated by single-detached dwellings;
- The achievement of the population density target per Policy 2.4.1;
- Providing accessibility to the adjacent Lock 8 Gateway Park and the NRT OnDemand transit program; and,
- Achieving transit-supportive development and supporting active transportation through compact, high-density, and pedestrian-oriented built form.

This Planning Rationale Report has evaluated the merits of the Proposal in the context of all applicable Provincial, Regional, and City policies and concludes that the Proposal is consistent with, or conforms to, the intent of the policy framework articulated in the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2020), and the relevant Official Plan documents. In our professional opinion the proposal represents good planning and is appropriate for approval.

Respectfully submitted,
THE BIGLIERI GROUP LTD

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Principal



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Via Email Only

January 16, 2024

Region File: D.18.07.ZA-23-0126

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

Dear Mr. Schulz:

**Re: Regional and Provincial Comments
Proposed Zoning By-law Amendment Application
City File: D14-08-23
Owner: 1000367026 Ontario Inc.
Agent/Applicant: Rachelle Larocque – The Biglieri Group
179 Mellanby Avenue and 56-56 ½ Main Street West
City of Port Colborne**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the above noted Zoning By-law Amendment (ZBA) application located on lands municipally known as 179 Mellanby Avenue and 56 – 56 ½ Main Street West in the City of Port Colborne. Regional staff received circulation of the application and materials on December 21, 2023, with the associated review fees received on January 16, 2024.

The property is designated 'Downtown Commercial' in the City of Port Colborne Official Plan and zoned 'Downtown Commercial' and 'Fourth Density Residential' in the City of Port Colborne Zoning By-law 6575/30/18. The ZBA application proposed to change the current zoning on the property to a site-specific 'Downtown Commercial' zone in order to permit an eight-storey, 101 residential unit mixed-use apartment building with 131.58 m² of ground floor commercial space. The site-specific amendment also seeks to reduce the minimum landscaped area, increase the maximum gross floor area, reduce the number of parking spaces to 0.5 spaces per unit and establish a maximum building height of 25.9 m. The proposal contemplates the use of leased parking spaces on abutting lands.

A pre-consultation meeting was held to discuss the proposal on October 27, 2022 with staff from the City and Region in attendance. Since the pre-consultation meeting, the *Niagara Official Plan, 2022* (NOP) was approved by the Province, coming into force and effect. The following comments are offered from a Provincial and Regional perspective to assist the City with their consideration of the application.

Provincial and Regional Policies

The property is within the 'Settlement Area' under the *Provincial Policy Statement, 2020* ("PPS"), designated 'Delineated Built-up Area' under *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan") and designated 'Built-Up Area' in the NOP.

The PPS directs growth to Settlement Areas, and encourages the efficient use of land, resources, infrastructure, and public service facilities that are planned or available. The Growth Plan contains policies that encourage accommodating forecasted growth in complete communities that are well designed to meet people's needs for daily living by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. To support the concept of complete communities, the Growth Plan sets minimum intensification targets within the Delineated Built-Up Area. The NOP builds on the direction of both the PPS and Growth Plan, setting the minimum intensification target for the Built-Up Area of Port Colborne to 30 percent as set out within Table 2-2 of the NOP. The NOP encourages opportunities for the integration of gentle density, and a range and mix of densities, unit sizes, and housing types, including affordable and attainable housing throughout the urban area in order to meet housing needs at all stages of life.

The proposed redevelopment of the subject lands will provide 101 new residential units, consisting of one- and two-bedroom units in an area that is serviced and in close proximity to various facilities that meet people's needs for daily living. The proposal will also contribute to the City's 30 percent intensification target as set out in the NOP. As the interface with surrounding land uses is primarily a local planning responsibility, the City should be satisfied that the proposed redevelopment is compatible with the surrounding local context and its built-form provides for a transition with nearby existing and planned land uses. Subject to the below comments, staff do not object to the proposal from a Provincial and Regional perspective.

Site Condition

The PPS and NOP state that sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects. The subject lands are currently used as both residential and commercial. The Environmental Protection Act, and regulations O. Reg. 153/04, 511/09 and 407/19, require that a Record of Site Condition (RSC) be filed on the Ministry of Environment, Conservation and Parks (MECP)

Environmental Site Registry (ESR) prior to any change in land use to a more sensitive use (i.e. commercial to residential).

Regional staff have reviewed the submitted 'Phase One Environmental Site Assessment' (ESA), prepared by Niagara Soil Solutions Ltd. (dated October 14, 2022) and the 'Preliminary Phase Two ESA and Excess Soils Assessment', prepared by Niagara Soil Solutions Ltd. (dated October 8, 2022).

The Phase One ESA included the subject properties as well as 48 Main Street West and was completed in accordance with O.Reg 153/04. The properties were developed for residential purposes, dating back to the early 1930s, with the addition of commercial use to 56 Main Street West in the early 1950s. The Phase One ESA identified 34 potentially contaminating activities (PCAs) that resulted in three on-site areas of potential environmental concern (APEC), including the importation of fill material of unknown quality, paints manufacturing, processing and bulk storage, and gasoline and associated products storage in fixed tanks. Accordingly, a Phase Two ESA was recommended to further evaluate these APECs. It was further recommended that a Designated Substance and Hazardous Materials Survey be conducted for each on-site structure to identify potential lead-based paints and asbestos-containing materials prior to demolition.

The Preliminary Phase Two ESA was completed for the subject lands (179 Mellanby Road and 56-56 ½ Main Street West). The Phase Two ESA found that the fill material across the subject lands is impacted by Metals (Lead and Nickel) ranging in depth from surface 0 m to shallow bedroom 0.5-07 m below ground surface. The qualified professional (QP) utilized the Table 7 Generic Site Condition Standards for Shallow Soils in a Non-Potable Groundwater Condition Residential property use. It was found that the soil material does not meet O.Reg 153/04 standards and therefore the soil must be excavated and removed prior to site redevelopment. Furthermore, the soil does not meet the Excess Soil Regulation 406/19 for reuse purposes and therefore it must be transferred to an approved MECP landfill or re-use site.

As of the date of this letter, no additional material has been submitted to indicate that the soil meets the MECP site condition standards, and the preliminary Phase Two ESA did not complete groundwater investigations. Accordingly, this study and filing of the RSC remains outstanding and will be required. Regional staff recommend that a holding provision (H) be placed on the amending Zoning By-law to allow time to complete the Phase Two ESA, remediation work, and ensure the requirement for a RSC is addressed. If the City concurs with a holding provision, the RSC must be filed and acknowledged by the MECP before the holding provision can be removed.

Land Use Compatibility

The PPS states that sensitive land uses (including residential) shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise, and other contaminants. Furthermore, the NOP

states that where new development for a sensitive land use is adjacent to a Regional Road, the Region may consider the need for a noise study to address traffic noise as per Provincial Guidelines. The subject lands are located along Regional Road 3 and 03A, which have high average annual daily traffic counts. Accordingly, a Noise Impact Study was requested by Regional staff at the pre-consultation meeting.

Regional staff have reviewed the submitted 'Noise Impact Study', prepared by dBA Acoustical Consultants Inc. (dated April 2023). The Study was completed in accordance with the MECP NPC-300 Environmental Noise Guideline. The Study utilized a Class 1 area, which is an acoustical environment typical of a major population centre, with background sound level dominated by the activities of people, usually road traffic. The Study also projected future road traffic out to 2043 in accordance with the Region's Traffic Noise Control Policy (PW5.NO1.0). The Study found that transportation noise sources exceeded the MECP NPC-300 guideline and therefore, the following noise control measures are required for the development:

- Provision for central air conditioning for all units;
- Sound transmission class (STC) method for construction, including 32 STC for windows, 46 STC for doors, and 32 for patio door construction; and
- Registered warning clauses (Type B and C) on title, which warn purchasers/tenants of road traffic levels and that the dwelling has been fitted with forced air heating system and ducting to accommodate central air conditioning, allowing windows and doors to remain closed.

The Study further recommends that the qualified acoustical consultant certify that the required noise control measures have been incorporated into the builder's plans prior to issuance of a building permit and that the qualified acoustical consultant certify that the required control measures have been properly installed prior to occupancy.

Regional staff note that the above noise mitigation measures, warning clauses and future requirements can be addressed through the future Draft Plan application.

Urban Design

The Region comments on urban design for development along Regional Roads, pursuant to Regional policy. The NOP contains urban design policies promoting excellence and innovation to be promoted in architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional. Regional Urban Design staff have reviewed the application and provide the following comments. At this early stage, staff provide the following suggestions:

At this early stage, staff encourage the development to include commercial uses that wrap the corner of the building at the intersection of Mellanby and Main Street West. Staff also encourage the development to consider alternative best practices for concealing the at grade parking along Mellanby Avenue. At night-time, the interiorized

parking will be visible from street. If activated spaces are not possible, a best practice approach may consider alternatives such as metal screens or lattices, living walls, high quality materials such as stone, and a layered approach to landscaping.

Through the future Draft Plan/Site Plan application, staff will review the streetscape interface between the development and Regional Roads (Main Street West and Mellanby Ave.). Staff will further request a detailed site plan, landscaping plans and details, and building elevations.

Regional Road Allowance

The subject property is situated along Regional Road 03A (Mellanby Ave) and Regional Road 3 (Main Street W). Both of these sections of road meet the current road width requirements in the NOP. However, the intersection of the two roads requires a daylight triangle of 10m x 10m for the signalized intersection. Therefore, in accordance with the approved NOP, the following daylight triangle is to be granted gratuitously to the Region as part of the future Draft Plan / Site Plan applications for the subject property:

- A 10m x 10m daylight triangle at the intersection of Regional Road 03A and Regional Road 3.

Please note that the actual width of the required daylight triangle would need to be confirmed by an Ontario Land Surveyor as the information provided is only an approximation of the requirement.

Regional Permit Requirements

Regional staff have reviewed the submitted plans and acknowledge that construction works are required within the Regional road allowance for servicing. Furthermore, there are two existing entrances on Mellanby Ave that will be required to be closed and barrier curb and boulevard restored. The civil plans are to be updated to provide the details for the closure of two entrances.

Prior to any construction taking place within the Regional Road allowance, the applicant will be required to obtain the necessary Regional Construction Encroachment and Entrance Permits from the Transportation Services Division, Public Works Department. Permit applications can be made online through the Region's website using the following link: <http://niagararegion.ca/living/roads/permits/default.aspx>

Also, please note that any signage proposed within 20 metres of the centreline of a Regional road allowance will require a Regional Sign Permit. Future Regional Permit applications can be submitted online through the Region's website using the following link: <http://niagararegion.ca/living/roads/permits/default.aspx>

Traffic Impact Study

Regional Transportation Planning staff have reviewed the Transportation Impact Study (TIS), prepared by Paradigm Transportation Solutions (dated October, 2023) and have provided the following comments:

- The report has recommended closing the access to the park from Main Street West. Regional staff support this position; however, the recommendation will need to be approved by the City to ensure they are satisfied that the park can operate without this access. Future plans are to show the proposed barrier if access is to be limited. If the access is to remain open, the TIS is to be updated to address the City's position.
- The report also recommends that the existing crosswalk over the Lock 8 Park Driveway to Mellanby Avenue be redesigned with a crossing treatment consistent with the OTM Book 18 – Cycling Facilities, as shown in Figure 3.2 (layout for a multi-use crossing treatment over a driveway). Since this access is on private property the City is to approve the upgrade and determine if the applicant is responsible for the costs to upgrade the crossing.
- Section 5 - Figure 5.1 A is identical to Figure 4.2 A, please clarify why vehicles are still illustrated to be using Main Street at Lock 8 Park Driveway on this scenario. Capacity analysis assessment and left turn lane warrants at Mellanby Avenue & Lock 8 Park Driveway to be revised accordingly.
- Appendix G/H - Left Turn Lane Warrants for the Total Traffic Horizon are not included in the report for the intersection of Mellanby Avenue at Lock 8 Park Driveway. Please include this as part of the TIS to confirm that the left turn lane is not warranted.

Servicing

The Functional Servicing Report, prepared by Hallex Engineering Ltd (dated October 19, 2023) was calculated based on the building code flows. The FSR is to be updated to calculate the anticipated flows based on the Region's Master Servicing Plan (MSP) or the City's design flows and people per unit. The site is within the Main Street Sewage Pumping Station which has a ECA capacity of 16.4 L/sec.

Therefore, based on the flows provided in this report the flows exceed the capacity of the station. The updated FSR is include analysis of the Region's station. The City is working on their Pollution Control Plan which may provide some opportunities to remove wet weather flows in the system to provide some capacity.

Stormwater Management

The submitted Stormwater Management (SWM) Design Brief, prepared by Hallex Engineering Ltd. (dated October 24, 2023) proposes the development stormwater to mainly outlet to Lockview Park. The SWM and engineering plan details will be subject to final review and approval to ensure local infrastructure requirements can be adequately addressed.

Waste Collection

Niagara Region provides curbside waste and organic collection for developments that meet the requirements of Niagara Region's Corporate Waste Collection Policy. The proposed development is eligible to receive Regional curbside waste and organic collection provided that the owners bring the waste and organics to the curbside on the designated pick up day, and that the following curbside limits are met:

Waste Collection (Mixed Use)

- Green – no limit (weekly)
- Waste – 8 containers (bi-weekly)
- **Curbside collection only**

Region staff have reviewed the submitted site plan and acknowledge that the development is proposing to utilize in-ground Molok/Earth Bin waste containers.

The applicant is advised that this method of waste storage is not eligible for Regional collection and waste collection for the subject property will be the responsibility of the owner through a private waste collection contractor and not the Niagara Region.

Circular Materials Ontario has taken over the delivery of residential Blue / Grey Box recycling collection services currently administered by Niagara Region. The most up to date information can be found on the Region's website using the following link:

<https://niagararegion.ca/projects/blue-box-transition/default.aspx>

Regional Bicycle Network

The subject property has frontage on Mellanby Avenue & Main Street West which is designated as part of the Regional Niagara Bicycling Network. If the bicycle routes are currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises. This may involve additional pavement width, elimination of on-street parking, etc.

Smart Growth Regional Development Charges Reduction Program

This program provides a financial incentive to encourage responsive development and redevelopment in Designated Exemption Areas (outlined in Appendix 2 of Report PDS 3-2022: Regional Transitional Incentive Timelines) and on brownfield sites within urban areas. The project may be eligible for a regional development charge (RDC) grant resulting in a rebate of up to 50% of the RDCs paid, subject to meeting the requisite number of Smart Growth Design Criteria under this program and meeting the transition provisions detailed below.

In order to qualify for the Smart Growth RDC grant as a brownfield site, the property must meet the definition of "Brownfield," including:

- Having been previously used for industrial, institutional, or commercial or open lands use or other use as prescribed under the Environmental Protection Act, R.S.O. 1990, c.E.19 and Ontario Regulation 153/04 thereto, each as amended from time to time;
- Requiring site remediation in accordance with a Phase 2 Environmental Site Assessment (ESA); and
- Requiring a Record of Site Condition (RSC) be filed on the Province's Brownfields Environmental Site Registry (BESR).

In the fall of 2021, Regional Council approved an extension to the SG RDC Reduction Program to **October 1, 2024**, contingent on projects meeting the transition policy, which includes that the following must be completed before October 1, 2024 to be eligible for the program:

- the Owner and Niagara Region must enter into the transition agreement;
- a preliminary assessment must be completed with Regional staff;
- all applicable RDCs must be paid;
- a building permit must have been obtained; and
- construction must have been initiated on at least one phase of the project.

If the above are completed by October 1, 2024, a formal application process follows where there is a final assessment of the approved Site Plan. Note that the formal application must be submitted within one month of the completion of the project or within five years of the executed transition agreement, whichever is earlier. Please contact sgrdc.incentives@niagararegion.ca to discuss eligibility further.

Conclusion

Growth Strategy and Economic Development staff do not object to the proposed Zoning By-law Amendment application in principle; however, recommend the inclusion of holding provision (H) on the amending by-law in order to allow time for a Phase Two ESA, remediation work, and filing of a RSC to be completed. If City staff concurs with this approach, the RSC must be filed and acknowledged by the MECP before the holding provision can be removed.

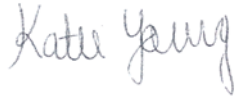
Regional staff note that additional changes to the proposed site layout and, by extension, the proposed Zoning By-law Amendment, may be warranted depending on the outcome of discussions with the Seaway regarding the use of the abutting lands. Please send copies of any updated plans and/or revised applications for Regional staff's review and further comment, as applicable.

Staff advise that all other comments with further requirements can be addressed through the future Draft Plan application for the subject lands.

January 16, 2024

Should you have any questions regarding the above comments, please contact the undersigned at Katie.Young@niagararegion.ca. Please send a copy of the staff report and Council's decision on the application.

Kind regards,



Katie Young, MCIP, RPP
Senior Development Planner

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning
Stephen Bureau, Development Approvals Technician
Shaili Shojaei, Urban Designer

David Schulz

From: Trish McCoy [REDACTED]
Sent: January 7, 2024 5:40 PM
To: David Schulz
Cc: City Clerk
Subject: File: D14-08-23

You don't often get email from [REDACTED]. [Learn why this is important](#)

To Whom it may concern ,

I am writing to convey my opposition to the application for zoning Bi-Law Amendment for 179 Mellanby Ave and 56- 561/2 Main Street West in Port Colborne . I am vehemently opposed to a site-specific downtown commercial zone to permit an eight-storey for unit mixed use apartment building .

- * The height would impede on the privacy of current residents.
- * The height would also dwarf all existing building. Would be an eye sore and block views.
- * The height and would not conform with our Heritage Buildings (in which we must preserve) .
- * The 101 units proposed should have parking accommodations for 101 units !
- * Traffic is already CHAOTIC on the Island when the bridges are up and we don't need to add to the mess .
- * The proposed apartments aren't designed to accommodate families which is needed more then anything .

Now having said that , I am not opposed to a 4 or 5 storey apartment building

PS: I would like to be notified of the decision and who voted for it and against it .

Thanks Trish
18 Amelia street PoCo

Melissa Bigford & Christopher Lofquist
173 Chippawa Rd.
Port Colborne, Ont.
L3K1T6

January 9, 2024

To: Mayor and Members of Council,--

I am speaking to you to address our concerns regarding application D-14-08-23 zoning by-law amendment and why it should be denied especially concerning the site-specific amendment to reduce the minimum landscaped area, increase the maximum gross floor area, reduce the number of parking spaces to 0.5 spaces per unit, and establish a maximum building height of 25.9 metres (84.97 feet).

There is currently no parking available for retail stores and office space that will be located on the first floor of the building. There is no street parking on Main or Mellanby Avenue...where are customers or employees going to park?

Lock 8 Gateway Park is located on the island and runs along the canal from Main Street West down to the lift bridge on Mellanby Avenue. The park is part of a larger community Canal Trail system. It is one of the city's flagship parks and ranked as the city's second most popular park in the 2020 Parks and Recreation Master Plan.

A recent study to residents put out by the city of Port Colborne described Lock 8 Gateway Park as an important green space that offers residents the opportunity to watch ships moving through the canal; have a picnic, enjoy an event, or bring your family to enjoy the playground or the Algoport Skate Park and BMX Park. The city was exploring updates to the park and looking for feedback on how residents use the park and see the space updated in the future. Nowhere did it say lease all the parking closest to the park for a 101 unit apartment building and remove the entrance off Main St, to local and tourist traffic to the park.

The city's official plan states that the purpose of a parks and open space hierarchy is to provide a wide range of recreational opportunities and to ensure that each type of open space is situated to meet the needs of an immediate neighbourhood and that the existing system of interconnected parks and open space shall be expanded and enhanced utilizing the city's Park and Recreation Master Plan. Every effort shall be made to retain and or acquire the maximum amount of land which is available. Parks shall be distinctive and express the character of the area in which they are located and parks should be framed by continuous street frontage whenever possible. Everything that currently is available at Lock 8 Gateway Park.

Section 3.13.1 of the Official Plan provides parks and open space definitions, which inform the standards and design guidelines for the City and the general policies regarding the classification of parks and open space, specifically:

City Parks which Lock 8 Gateway Park is

- a) City parks provide unique, specialized cultural and recreational activities oriented towards participation by all City residents and tourists;
- b) City Parks may include active and passive, indoor and outdoor, programming and non-programmed, casual use of all scale (ie. lights). Facility development should be integrated on each site as to minimize conflicting uses;
- c) City parks shall serve all residents of all neighborhoods throughout the City and also attract use from non-residents and tourists;
- d) City Parks can include culture, recreation and civic facilities and unique landscape and should be located on major roads for greater accessibility.

How does the removal and leasing of all the accessible parking and closure of the Main St entrance align with the official plan? How does the removal of green space align with Official Plan?

Residential land uses such as the use proposed are permitted in the Downtown Commercial designation but not in the R4 zoning at 174 Mellanby where the maximum building height is only 20 metres not the proposed 25.9 metres.

When Chestnut Park was approved to be turned into housing it was promised and approved by council that a new park would be developed at Lockview Park before the removal of neighbourhood playground at Chestnut Park. It has been over 2 years and nothing has moved forward with the installation of the new playground at Lockview Park, yet construction of the housing is well under way at Chestnut Park!! I remind council of this as now my family, friends as well as many others in the neighbourhood now take our kids to Lock 8 the closest park for our kids to utilize and play in. This proposal asks for a substantial reduction in parking for residents and visitors and the removal of green space around the park to accommodate the request. Also, a long term lease of the current Lock 8 Gateway Park parking is required which in no way should be granted. It is also asking for the removal of accessible parking located by the washrooms as well as the existing current crosswalk path to the washrooms and park from the sidewalks and walking/cycling path. The proposal only leaves 8 public parking spaces along the park, which are regularly used by workers of the Seaway and the city.

If the city does approve this: Who is liable and responsible for the maintenance of these leased parking spots? Who is responsible for snow removal of these leased parking spots? The entrance to the building main floor parking is through the city park not a side street, how is this allowed?

What will happen to the community events held at the park with the proposed restrictions and elimination of accessible and public parking?

Why was the traffic study report not included in the report to council? The traffic study did not account for increase and backed up traffic when the bridges are up or closed for maintenance? What is the true impact to the surrounding neighbourhood traffic congestion when the bridges are up?

Will development of the property create contaminated dust and soil run off into the neighbouring properties but especially the park? Who will ensure proper disposal of the contaminated soil?

We are deeply concerned with the proposal to remove green space, parking spots and restricting access from Main St. for members of the community as well as visitors to Lock 8 Gateway Park. This proposed property is too large and is not compatible with the existing neighbourhood. For the reasons stated above the zoning by-law amendment should not be approved!

Also want to note that the City of Port Colborne Facebook page did not post the public meeting notice for tonight which is normally done for any meetings ahead of time. Why was a link or notice not posted?

Yours Sincerely,

Melissa Bigford & Christopher Lofquist

Subject: Amending Legal Descriptions of Catharine Street Lands

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2024-58

Meeting Date: March 12, 2024

Recommendation:

That Chief Administrative Officer Report 2024-58 be received; and

That the by-law attached as Appendix B, being a By-law to Amend By-law 7108/50/23, be approved.

Purpose:

The purpose of this report is to amend the legal description of the subject lands in By-laws 7108/50/23 by enacting the amending by-law attached as Appendix B, to finalize the Stop-up and Close and Agreement of Purchase and Sale.

Background:

Staff presented Report 2023-81 to Council on June 23, 2023, which proposed to stop up and close part of the Catharine Street Road allowance, as depicted in Appendix A. Following the approval of Report 2023-81, staff prepared Report 2024-13, which included an Agreement of Purchase and Sale (APS) for the disposition of the subject lands to the owners of 12 Catharine Street. Council approved Report 2024-13 on February 13, 2024, which enacted By-law 7185/08/2024 and the APS attached as Schedule "A" to By-law 7185/08/2024.

The City Solicitor has identified that the legal description of the subject lands in By-law 7108/50/23 is not sufficient to complete the Stop-up and Close Process and finalize the APS, and provided the following amended legal description: "The portion of the road allowance described as part of the original Catharine Street road, being Part 1, Plan 59R-17855 (part of PIN 64457-0087 (LT)) and Part 2, Plan 59R-17855 (part of PIN 64457-0152 (LT))."

Discussion:

The City Solicitor has requested that the legal description included in By-law 7108/50/23 be corrected to: “The portion of the road allowance described as part of the original Catharine Street road, being Part 1, Plan 59R-17855 (part of PIN 64457-0087 (LT)) and Part 2, Plan 59R-17855 (part of PIN 64457-0152 (LT)).”

The City Solicitor has advised that this legal description accurately identifies the subject lands and will best facilitate the legal needs of the Stop-up and Close Process and APS, allowing this property transaction to close later in March. Based on the required amendment, the closing date for the transaction will also be amended in the APS to provide extra time to execute the required documentation.

Internal Consultations:

Economic Development staff worked with the City Solicitor and the Clerk’s Division to ensure legal and procedural compliance.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

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

- Welcoming, Livable, Healthy Community

Conclusion:

City Council enacted By-laws 7108/50/23 and 7185/08/2024 which included a Stop up and Close Process, a surplus declaration of City property, and an Agreement of Purchase and Sale for the City Property on Catharine Street. The City Solicitor has requested that the legal description of the subject lands in By-law 7108/50/23 be updated to better reflect the legal requirements for completing the Stop-up and Close process and finalizing the transaction authorized by By-law 7185/08/2024.

Appendices:

- a. Map-Catharine Street Property
- b. Being a By-law to Amend By-law 7108/50/23

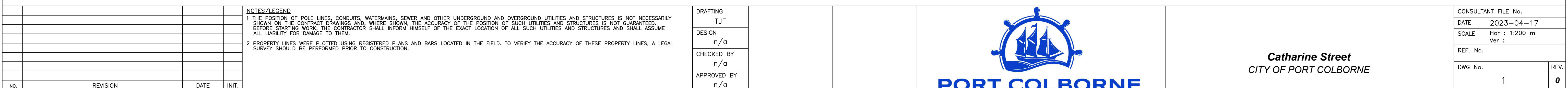
Respectfully submitted,

Bram Cotton
Economic Development Officer
905-359-2248
Bram.Cotton@portcolborne.ca

Gary Long
Manager of Strategic Initiatives
905-658-2308
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 Amend By-law 7108/50/23, Being a By-law to Stop Up and Close part of Catharine Street, described in PIN 64457-0087 as being Part of Catharine on the west side of Catharine Street south of 14 Catharine Street abutting the eastern boundary of 12 Catharine Street and being 26.4 m in length and 8.2 m in width

Whereas at its meeting of March 12, 2024, Council approved the recommendations of Chief Administrative Office Report 2024-58, Subject: Amending Legal Descriptions of Catharine Street Lands; and

Whereas the Council of the Corporation of the City of Port Colborne enacted By-law 7108/50/23 on June 23, 2023; and

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

1. That the legal description of the subject lands in By-law 7108/50/23 be amended to: “the portion of the road allowance described as part of the original Catharine Street road, being Part 1, Plan 59R-17855 (part of PIN 64457-0087 (LT)) and Part 2, Plan 59R-17855 (part of PIN 64457-0152 (LT))”.
2. That the Mayor and the Acting Clerk be and each of them is hereby authorized and directed to sign any documents necessary to complete the conditions of said agreement, and the Clerk is hereby 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 as may be required to give full force and effect to this By-law.
4. That the Acting City Clerk be authorized to make minor amendments to required documentation in this transaction, if needed.

Enacted and passed this _____ day of _____, 2024.

William C. Steele
Mayor

Saima Tufail
Acting City Clerk

Subject: Quit Claim Deed for PIN 64156-0305

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2024-59

Meeting Date: March 12, 2024

Recommendation:

That Chief Administrative Office Report 2024-59 be received; and

That the Manager of Strategic Initiatives be directed to register a Quit Claim Deed for the lands legally described as PT PK LT 6 W/S CATHERINE ST PL 987-989; and

That the Mayor and Acting City Clerk be directed to execute the documents required to complete this transaction.

Purpose:

The purpose of this report is to seek the approval of Council regarding the registration of a Quit Claim Deed for the lands legally described as PT PK LT 6 W/S CATHERINE ST PL 987-989, being PIN 64156-0305, which is a parcel of land with no known owner that abuts City-owned railway lands on Catharine Street.

Background:

The owners of the vacant lot south of 292 Catharine Street, being the lands depicted in Appendix A, have submitted a development proposal for 16 residential purpose-built rental units. The owners intend on beginning the development in 2024. To construct a driveway that meets City engineering standards, an additional parcel of land is required.

PIN 64156-0305, as depicted in Appendix B, is a parcel of land with no known owner which abuts both the City-owned railway lands to the south, and a vacant lot on Catharine Street legally described as PT PK LT 6 W/S CATHERINE ST PL 987-989 to the north. A title search completed by the City Solicitor confirmed the existence of this parcel with no registered owner.

Based on an internal review, Economic Development and Tourism Services (EDTS) division staff have determined that these lands are not being occupied by the City and there is no information available that would indicate that the City has ever possessed the subject parcel.

Public Works staff have indicated that they have no current or future use for the lands described in PIN 64156-0305. The City-contracted short line rail operator GIO Rail also has no current or future needs for the property. The 15-metre required setback from the rail line will be maintained if this report is approved.

As the subject parcel has no known owner and abuts both the vacant lot Catharine Street and the City Rail, both properties have the right to lay claim to PIN 64156-0305. A Quit Claim Deed is called a “non-warranty Deed” as the transferor is not warranting that it owns or has an interest in the property but that, if it does, it releases that interest to the transferee. This process legally articulates that the City has no interest in these lands and allow the adjoining owner to assert title.

Discussion:

The City Solicitor presented three options for consideration:

1. If the City is reasonably certain that it has never possessed any part of the “gap lands” (i.e. PIN 64156-0305) and it does not want to claim any interest in those lands, it could register a Quit Claim Deed for \$2 wherein it would release any interest that it may have in those lands (if any) to the adjoining owner. The City would effectively be saying it has no interest in those lands and will leave it to the adjoining owner to assert title, if it wants to, after that is done.
2. If the City is occupying these “gap lands”, then it should advise the owner and perhaps a deal could be made to sell the lands for fair market value. The City would agree to register the Quit Claim Deed in exchange for an agreed amount.
3. If the City is uncertain as to whether it has ever occupied these lands and it feels uncertain about releasing its interest, it could just do nothing. If the adjoining owner wanted to assert ownership over the lands in a court application, then the City would likely have to respond if it disputed the claim of ownership.

EDTS staff recommend that the City relinquish any claim on the subject lands, as described in option 1, the Quit Claim Deed process, to allow the owners of the vacant lot on Catharine Street to assert ownership and facilitate the development of the 16 residential purpose-built rental units.

Internal Consultations:

Public Works staff and Planning Division staff were consulted and neither department have any concerns. GIO Rail, the City's short line rail operator, has indicated that they have no concerns with this proposal and no current or future need for the lands.

Financial Implications:

There are no financial implications and no value assigned to the transaction because there is no known owner of the subject parcel. All costs related to this transaction will be assumed by the owners of the vacant lot on Catharine Street.

Currently there is no known owner of the subject parcel, which means that there are no property taxes paid on the property. With title asserted by the owners of the vacant lot on Catharine Street, the multi-unit residential development will increase the City's tax base and bring more residents to the downtown core.

Strategic Plan Alignment:

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

- Environment and Climate Change
 - Welcoming, Livable, Healthy Community
 - Economic Prosperity
 - Increased Housing Options
-

Conclusion:

After consulting the City Solicitor, staff recommend that a Quit Claim Deed be registered for PIN 64156-0305 to facilitate the development of 16 residential purpose-built rental units in the City's downtown core. Relinquishing the City's claim on this parcel will expand the developable land for this development, thereby increasing future tax assessment and providing needed housing options.

Appendices:

- a. Property Map – VL Catharine Street
- b. Property Map – subject parcel (PIN 64156-0305)

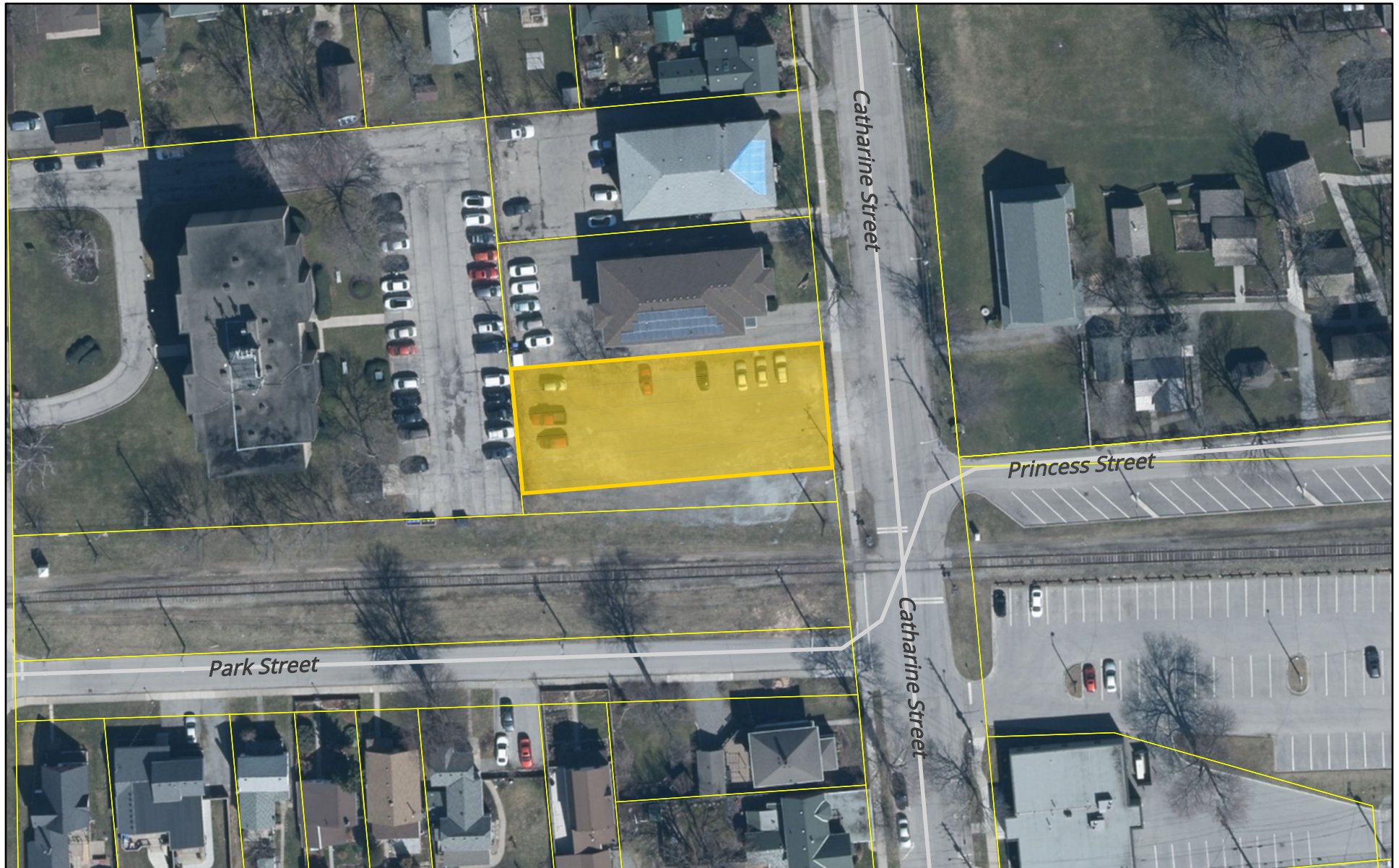
Respectfully submitted,

Bram Cotton
Economic Development Officer
905-359-2248
Bram.Cotton@portcolborne.ca




Gary Long
Manager of Strategic Initiatives
905-658-2308
Gary.Long@portcolborne.ca

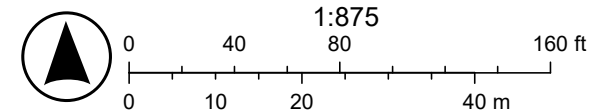
Report Approval:

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.



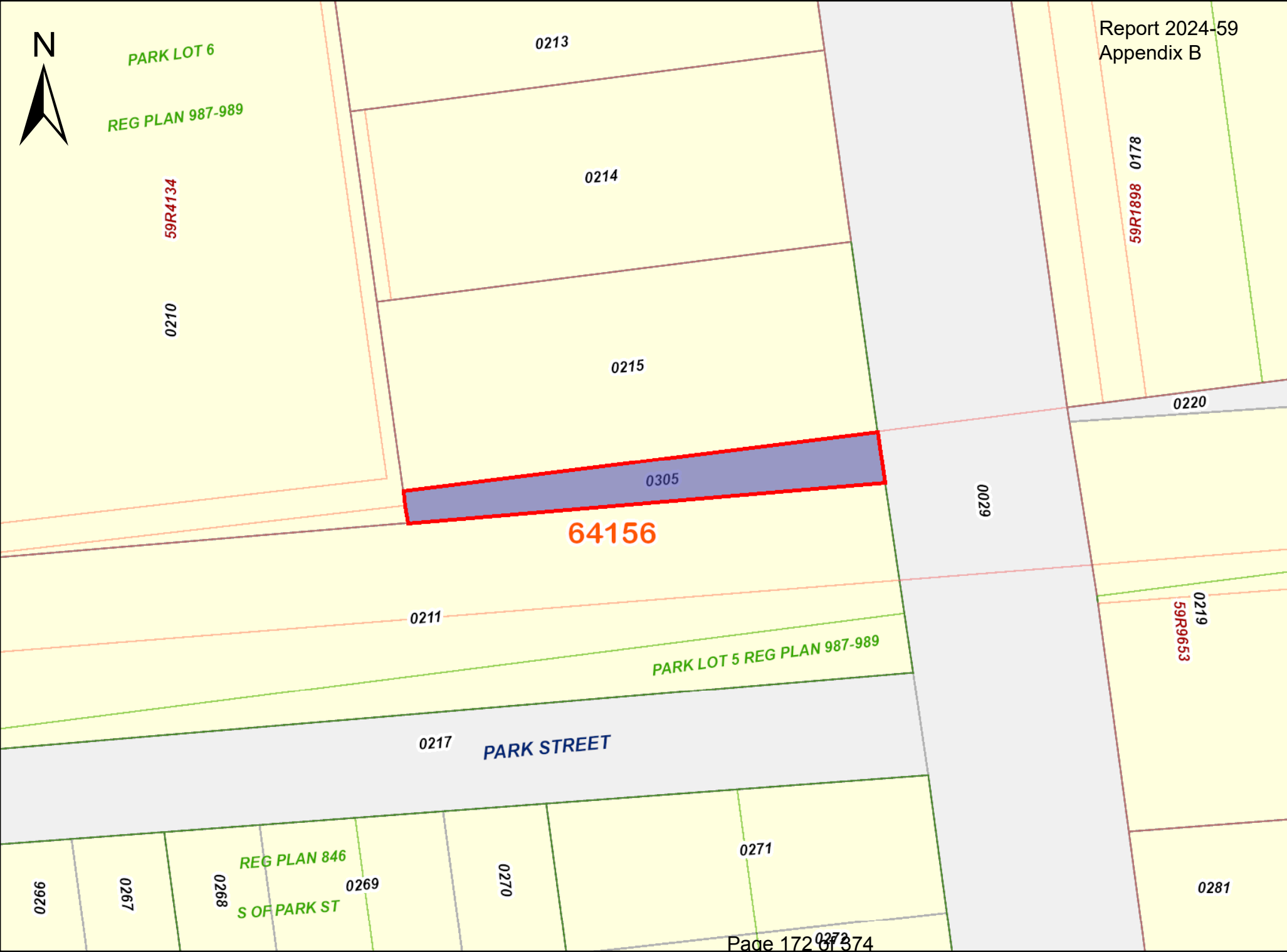
2024-01-08, 9:27:44 a.m.

 Port Colborne Boundary  Roads
 Ownership Parcel



Esri Community Maps Contributors, Province of Ontario, Niagara Region,
Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc.

City of Port Colborne



PROPERTY INDEX MAP
NIAGARA SOUTH(No. 59)

LEGEND

| | |
|----------------------------------|-------|
| FREEHOLD PROPERTY | |
| LEASEHOLD PROPERTY | |
| LIMITED INTEREST PROPERTY | |
| CONDOMINIUM PROPERTY | |
| RETIRED PIN (MAP UPDATE PENDING) | |
| PROPERTY NUMBER | 0449 |
| BLOCK NUMBER | 08050 |
| GEOGRAPHIC FABRIC | |
| EASEMENT | |

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE
PROPERTY INFORMATION AS THIS MAP MAY
NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND
DOCUMENTS RECORDED IN THE LAND
REGISTRATION SYSTEM AND HAS BEEN PREPARED
FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT
REFERENCE PLANS ARE NOT ILLUSTRATED



February 23, 2024

CL 3-2024, February 22, 2024
PEDC 2-2024, February 7, 2024
ED 3-2024, February 7, 2024

Saima Tufail, Acting City Clerk
City of Port Colborne

SENT ELECTRONICALLY

Port Colborne's Niagara Gateway Economic Zone and Centre CIP Expansion Request
ED 3-2024

Regional Council, at its meeting held on February 22, 2024, passed the following recommendation of its Planning and Economic Development Committee:

That Report ED 3-2024, dated February 7, 2024, respecting Port Colborne's Niagara Gateway Economic Zone and Centre CIP Expansion Request, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** adding Port Colborne's rural employment area as a strategic location for investment under the Gateway Economic Zone and Centre CIP, allowing for 10-year tax increment grants for eligible developments; and
2. That Report ED 3-2024 **BE CIRCULATED** to the City of Port Colborne.

A copy of ED 3-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

js

CLK-C 2024-16

cc: D. Turner, Manager, Strategic Growth Services
M. Sergi, Commissioner, Growth, Strategy and Economic Development
N. Oakes, Executive Assistant to the Commissioner, Growth, Strategy and Economic Development

Subject: Port Colborne's Niagara Gateway Economic Zone and Centre CIP Expansion Request

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 7, 2024

Recommendations

1. That Council **APPROVE** adding Port Colborne's rural employment area as a strategic location for investment under the Gateway Economic Zone and Centre CIP, allowing for 10-year tax increment grants for eligible developments; and
2. That Report ED 3-2024 **BE CIRCULATED** to the City of Port Colborne.

Key Facts

- The purpose of this report is to seek Council's approval of the expansion of the Gateway Community Improvement Plan (CIP) area to include designated rural employment areas as shown in Appendix 3, within the City of Port Colborne.
- The proposed expansion aims to stimulate economic development and attract industrial investments by designating these areas as strategic locations for investment, eligible for 10-year tax increment grants under the Gateway Economic Zone and Centre CIP.
- This expansion supports the request from the City of Port Colborne's November 28th, 2023, Council meeting, included as Appendix 2
- The report provides an overview of the rationale, expected benefits, and strategic alignment of this expansion with regional economic goals.

Financial Considerations

The Tax Increment Grant (TIG) over a 10-year period is fixed at the amount of incremental taxes resulting from the new assessment in the year MPAC adds the new assessment to the tax roll. The post-construction assessment increase creates additional taxation revenue referred to as Assessment Growth and the Region uses the revenue from the property to budget for and fund the TIG. This reduces the net assessment growth revenue available to be used each year in the budget in accordance with the Budget Planning By-law for growth-related costs, capital infrastructure and other council priorities.

Following the 10-year period, the Niagara Region will receive the full property tax value associated with developments in the Gateway Economic Zone and Centre CIP area. The owner is responsible for the upfront costs of redevelopment and must pay for the increased taxes arising from the higher assessed value. The incremental portion of the tax increase is returned in the form of a fixed grant to the local municipality, who then makes the grant payment to the applicant.

Analysis

The Gateway Economic Zone and Centre CIP, was initially established to promote projects that revitalize, strengthen, and diversify strategic zones within the Niagara Region, and it has been successful in generating additional economic growth, job creation, job retention and industrial assessment growth in the Niagara Region. The Gateway Economic Zone and Centre is comprised of the Town of Fort Erie, the City of Niagara Falls, the City of Port Colborne, the City of Thorold and the City of Welland.

The Gateway Economic Zone and Centre CIP have significantly bolstered the Niagara economy through their influential role in regional development and job creation. Since its inception, the program has been a catalyst for 30 major developments, injecting over \$300 million in construction value into the local economy. This substantial investment has not only enhanced the region's infrastructure and commercial appeal but has also been pivotal in stabilizing the job market.

The CIP has played a crucial role in retaining over 500 existing jobs, vital for sustaining the local economic fabric. Moreover, it has been instrumental in generating over 1,000 new employment opportunities, contributing to a robust and dynamic workforce in Niagara. This achievement underscores the CIP's effectiveness in fostering economic growth and employment, affirming its significant contribution to the region's prosperity.

The City of Port Colborne has requested the inclusion of the entire 921 acres of their rural employment area as seen in Appendix 3, into the Gateway Economic Zone and Centre CIP and that the rural employment area be recognized as a strategic location for investment, a classification that could allow eligible applicants a Tax-Increment Grant of up to 10 years.

The subject lands are designated Rural Employment, Environmental Protection Area, and Environmental Conservation Area in the City of Port Colborne's Official Plan, and are zoned site-specific Heavy Industry (HI), site specific Industrial Development (ID), Environmental Conservation (EC) and Environmental Protection (EP). The City of Port Colborne's Official Plan and Zoning support industrial development on the subject lands, subject to the environmental policies and regulations on a portion of the lands.

City of Port Colborne staff recommended support for expanding the Gateway Economic Centre and Zone CIP boundaries and have requested that the Niagara Region match the new boundaries. The City of Port Colborne Council approved of this recommendation at their November 28th, 2023, Council Meeting.

Regional Staff are bringing this request forward to the Committee to support and facilitate future economic growth and promote the diversification of the economy and tax base in the City of Port Colborne. Adding these strategically located properties into the Niagara Gateway CIP boundary will promote the development of the lands through new investment and bring new jobs and increased tax assessment for the City.

This expansion aligns with Niagara's Official Plan, which has identified these lands as Rural Employment Area and Niagara Economic Centre. Integrating them into the Gateway CIP acknowledges their strategic importance for regional economic growth and employment, reinforcing the plan's vision and ensuring a cohesive approach to economic development across the region. Along with the CIP area expansion, upcoming infrastructure will improve the shovel readiness of these lands and further enhance the investment potential of Port Colborne. The combined impact of these initiatives is crucial for attracting investment and ensuring Niagara's economic stability.

Alternatives Reviewed

The Committee may choose to not approve the expansion of the CIP Area and maintain the existing boundaries of the Gateway Economic Zone and Centre CIP. This alternative is not recommended. While maintaining the status quo minimizes change, it does not capitalize on the opportunity to stimulate economic growth in the City of Port

Colborne's Rural Employment Areas. This option may lead to missed opportunities for industrial development and job creation.

Relationship to Council Strategic Priorities

This report supports the following Council Strategic Priorities:

- Prosperous Region

Other Pertinent Reports

[PDS 31-2021](#) Niagara Region Incentives Policy

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Appendices

- Appendix 1 Niagara Gateway Economic Zone and Centre Community Improvement Plan
- Appendix 2 Port Colborne Report: Niagara Gateway Economic Zone and Centre CIP Expansion - 2023-219
- Appendix 3 Proposed CIP Area Expansion – Map of Area

NIAGARA GATEWAY ECONOMIC ZONE AND CENTRE COMMUNITY IMPROVEMENT PLAN



October 2012

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1.0 Introduction

1.1 Background

In recognition of the importance of cross-border trade with the United States, the Province of Ontario's Places to Grow Growth Plan for the Greater Golden Horseshoe, 2006 (referred to herein as the "Growth Plan") recognized the Niagara Gateway Economic Zone and Centre as having unique economic importance to the Greater Golden Horseshoe region and Ontario. The Growth Plan states that planning and economic development in the Gateway Economic Zone and Centre will support economic diversity and promote increased opportunities for cross-border trade, movement of goods and tourism.

The Growth Plan graphically identified the Gateway Economic Zone and Gateway Economic Centre on Schedules 2 (Places to Grow Concept), 5 (Moving People - Transit) and 6 (Moving Goods) in the Plan. The Gateway designation in Schedule 2 of the Growth Plan shows a Gateway Economic Zone stretching along the Niagara River and the Queen Elizabeth Way between the City of Niagara Falls and the Town of Fort Erie and a Gateway Economic Centre which is centered in the southern Niagara Region near the City of Welland and Port Colborne, including port facilities along the Welland Canal. In the policy section on Employment Lands, the Growth Plan textually defined the Gateway Economic Zone and Gateway Economic Centre as referring to the Settlement Areas (urban areas and rural settlement areas designated in an Official Plan) within the areas conceptually depicted on Schedules 2, 5 and 6 in the Plan.

The Niagara Gateway Economic Zone and Centre Final Report was prepared for Niagara Region by GHK in December of 2008 to provide an action plan to achieve the goals of the Province's Growth Plan for the Gateway Economic Zone and Centre, namely supporting economic diversity and promoting increased opportunities for cross-border trade, movement of goods and tourism. The Niagara Gateway Economic Zone and Centre Final Report was received by Regional Council in February of 2009, coinciding with Niagara 2031, the Region's Growth Management Strategy, which included adoption of a Preferred Growth Option for Niagara (Niagara Region Report DPD 54-2008). In May of 2009, Regional Council approved an Implementation Work Plan and Implementation Committee for the nine recommendations in the Gateway Economic Zone and Centre Final Report.

The preparation of this Gateway Economic Zone and Centre Community Improvement Plan (referred to herein as the "Gateway CIP") stems largely from Recommendation #8 of the Niagara Gateway Economic Zone and Centre Final Report (page 58) which states that "The Region of Niagara will work with the Province, local municipalities and its economic development agencies to create an attractive investment climate for its employment lands through such measures as improving their appearance, improving infrastructure, reducing the cost of servicing industrial lands, expanded targeted tax increment equivalent grant programs on a regional scale and opportunities for developing environmentally sustainable industrial buildings in such a way as to ensure sufficient employment lands are available for the future."

The Niagara Gateway Economic Zone and Centre Final Report identified incentives within a CIP as a way to make employment lands in the Gateway Economic Zone and Centre more attractive and accelerate the process of bringing these employment lands to market. The Niagara Gateway Economic Zone and Centre Final Report highlights the use of a CIP to accomplish these objectives because the Province's Growth Plan designated the Niagara Gateway Economic Zone and Centre as the only Gateway Zone and Centre in Ontario.

1.2 Purpose

Niagara Region retained RCI Consulting to prepare this Gateway CIP. The primary purpose of this Gateway CIP is to revitalize, diversify and strengthen the economy in Niagara by promoting development of the employment lands in the Gateway Economic Zone and Centre. As discussed in Section 2.0 of this Plan, Provincial and Regional Plans, policies and studies related to the Niagara Gateway Economic Zone and Centre strongly emphasize the need for economic diversification in Niagara. The development of the employment lands within the Gateway Economic Zone and Centre can play a central role in helping to diversify the economic base of Niagara.

This Gateway CIP provides a comprehensive framework for the introduction and implementation of financial incentive programs and municipal leadership actions designed to attract investment and development in targeted strategic growth sectors to employment lands in the Gateway Economic Zone and Centre. Along with a number of supporting land use plans and policies, and infrastructure and transportation improvements, it is anticipated that the Gateway CIP will play a significant role in the development of the Gateway employment lands and the revitalization and strengthening of the Regional economy through diversification. Therefore, the Gateway CIP will help to achieve the goals identified in the Province's Growth Plan and the Niagara Gateway Economic Zone and Centre Final Report for the employment lands within the Niagara Gateway Economic Zone and Centre.

1.3 Approach

Based on a review of the legislative and regulatory framework for preparation of the Gateway CIP (see Section 2.0), a CIP that offers grants and loans for development of the employment lands in the Niagara Gateway Economic Zone and Centre cannot be adopted by the upper-tier (Niagara Region) because this is not a prescribed matter under Ontario Regulation 550/06. This left Niagara Region and the five Local Municipalities in the Gateway Economic Zone and Centre (Fort Erie, Niagara Falls, Port Colborne, Thorold and Welland) with essentially two options for approaching the preparation of a CIP for employment lands in the Niagara Gateway Economic Zone and Centre:

- 1) expand the myriad of existing CIPs in the five Local Municipalities to cover the employment lands in the Gateway Economic Zone and Centre; or,
- 2) prepare a new Gateway CIP that applies only to employment lands in the Gateway Economic Zone and Centre with this Gateway CIP being endorsed by Niagara Region and adopted by the five Local Municipalities.

Approach 1 above would involve a very complex and time consuming process because the five Local Municipalities in the Gateway currently have no less than a dozen adopted and approved CIPs in place. Several of these CIPs would have to be amended to modify the incentives contained in the CIPs and then expand the financial incentives contained within each CIP to cover the employment lands in the Gateway Economic Zone and Centre. The process of undertaking and coordinating all these CIP amendments would be a monumental task. Furthermore, the amendments to the incentive programs contained in existing CIPs could compromise the intent of the original CIPs which were designed primarily to promote downtown/commercial area and brownfield redevelopment, and thereby possibly expose these existing CIPs to an appeal to the Ontario Municipal Board.

Consequently, it was determined that the preferred approach to the preparation and adoption of a Gateway CIP was Option 2) above. In consultation with the five Local Municipalities and other key stakeholders, Niagara Region led and coordinated the preparation of this "Master Gateway CIP" for employment lands within the five Local municipalities in the Gateway Economic Zone and Centre. It is intended that Niagara Region will endorse this Master Gateway CIP and then all five Local Municipalities will adopt this Master Gateway CIP. This approach ensures consistency in the incentive programs offered across all five Local Municipalities and each Local Municipality will then be able to offer grants that are partially funded by Niagara Region. This approach complies with the *Planning Act* and avoids the limitations on matters that can be addressed by an upper tier municipality in O. Reg 550/06. The MMAH was consulted on this approach and MMAH confirmed that they support municipalities working together to achieve common community improvement planning objectives.

1.4 Methodology and Consultation

A number of tasks were completed in order to provide a comprehensive foundation for the preparation of this CIP. Considerable effort was also made to consult with key stakeholders and Local Municipalities and ensure they had ample opportunity to provide input and comment on the Gateway CIP during its preparation. These tasks completed in preparation of the CIP and the various consultation sessions are briefly described below.

1.4.1 Niagara Gateway Economic Zone and Centre Implementation Committee

The Niagara Gateway Economic Zone and Centre Implementation Committee (referred to herein as the "Gateway Implementation Committee") was formed in May of 2009 to maintain oversight responsibility for implementation work related to the Niagara Gateway Economic Zone and Centre. The Gateway Implementation Committee met several times during the preparation of this CIP. These meetings allowed the consultant to:

- provide the Gateway Implementation Committee with project updates;
- plan for and discuss results of the consultation sessions; and,
- obtain comments and feedback from the Committee on key elements of the CIP.

1.4.2 Local Municipalities

In addition to Local planning and economic development staff being invited to the two stakeholder consultation sessions held during preparation of the CIP, the project consultant and Regional staff met several times with the Local Municipal CIP Coordinators during key stages of preparation of the CIP. This included meetings at the beginning of the CIP preparation process, during development of the incentive programs and municipal leadership actions, and prior to finalization of the CIP. These meetings provided an opportunity for the project consultant to provide project updates to key Local Municipal staff and obtain input and comments on the key aspects of the CIP. The Local Municipalities were also invited to provide written comments at key stages during preparation of the CIP. Written comments were received from several of the Local Municipalities during preparation of the CIP and these written comments were reviewed by the project consultant and Regional staff.

1.4.3 Background Report

The first step in preparation of this CIP was the preparation of a Background Report in July of 2011. The Background Report included:

- a) a review of relevant Provincial legislation and regulations;
- b) a review of relevant Provincial, Regional and Local planning and policy documents;
- c) a best practices review of other relevant CIPs and incentive programs; and
- d) specification of the preliminary goals, community improvement project area and incentive program concepts to be considered for inclusion in the CIP.

By way of Regional Council approving Integrated Community Planning Committee Report ICP 63-2011 in July of 2011, Regional Council directed that the Gateway CIP Background Report be used as the basis to develop a CIP for the Gateway Economic Zone and Centre. The Background Report was then sent out to 100 key stakeholders along with an invitation to attend the first Stakeholder Consultation Session.

1.4.4 Stakeholder Consultation Session #1

The first stakeholder consultation session was held on September 16, 2011 and was attended by 40 key stakeholders. The project consultant presented the Background Report and answered several questions from those in attendance. The attendees were then divided into four working groups (each led by a facilitator) and asked to comment on the:

- a) Preliminary Goals for the Gateway CIP;
- b) Recommended Community Improvement Project Area;
- c) Guiding Principles for the financial incentive program concepts and the types of financial incentive programs preferred for the Gateway CIP; and,
- d) Other strategies and actions on the part of Niagara Region and Local Municipalities that should be included in the Gateway CIP to help achieve the plan's goals.

Based on the input received from key stakeholders and the Gateway Implementation Committee, the project consultant prepared a Draft Implementation Plan in February of 2012. This Draft Implementation Plan included:

- i) augmented goals for the CIP;
- ii) a refined recommended Community Improvement Project Area;
- iii) proposed financial incentive programs to be included in the CIP; and,
- iv) proposed municipal actions to complement the proposed incentive programs.

1.4.5 Stakeholder Consultation Session #2

The Draft Implementation Plan was presented at a second Stakeholder Consultation Session held on March 8, 2012 and to the Gateway Implementation Committee on March 29, 2012. The second stakeholder consultation session was attended by 26 key stakeholders. The project consultant presented the Draft Implementation Plan and answered questions from those in attendance. The attendees were then divided into three working groups (each led by a facilitator) and asked to comment on the proposed incentive programs and municipal actions contained in the CIP. Input from the second Stakeholder Consultation Session and the Gateway Implementation Committee was then used to refine the incentive programs and municipal actions contained in this CIP.

1.4.6 Survey of Key Opinion Leaders in the Real Estate, Development and Design/Build Community

While many key leaders in the real estate, development and design build community were invited to both stakeholder consultation sessions, it was felt that not enough of these key leaders attended both sessions, and in particular the second session. Therefore, Eric P. Jones & Associates Inc. (EJA) was engaged by Niagara Region to conduct a survey of key opinion leaders in the real estate, development and design/build community regarding the incentive programs and municipal actions proposed for inclusion in the Gateway CIP and how well these match their current and future needs. This was done in conjunction with a parallel project by EJA to develop a Strategic Marketing Plan for the Niagara Gateway Economic Zone and Centre.

A list of potential respondents was drawn from the invitee list of real estate, development and design/build professionals for a roundtable held as part of the Market Research component of the aforementioned parallel project. This list was augmented by a list of potential respondents supplied by RCI Consulting resulting in a total of 28 potential respondents. In early May of 2012, each respondent was sent a direct mail and e-mail package consisting of a cover letter, the Draft Implementation Plan for the CIP, and a questionnaire regarding the incentive programs and municipal actions proposed for inclusion in the CIP.

After follow up with the potential respondents, 17 of the 28 potential respondents (61%) completed the questionnaire. The questionnaire responses were reviewed by the CIP project consultant, and minor adjustments were made to the incentive programs and municipal actions as a result of the comments received from the key leaders in the real estate, development and design build community.

~~1.4.7 Informal Public Meeting~~

~~(To be completed after informal public meeting on June 27, 2012).~~

1.5 Plan Content

This CIP is divided into the following sections:

- Section 2.0 provides a review of the legislative and regulatory framework for the CIP.
- Section 3.0 reviews the policy framework for the CIP.
- Section 4.0 specifies the goals for the CIP.
- Section 5.0 describes the Community Improvement Project Area for the CIP.
- Section 6.0 contains the municipal financial incentive programs designed to help achieve the goals of the CIP.
- Section 7.0 outlines the municipal actions designed to complement the incentive programs and help achieve the goals of the CIP.
- Section 8.0 contains a monitoring program designed to assist in monitoring progress on implementation of the CIP and the economic and other impacts of the programs contained in the CIP.
- Section 9.0 contains a basic marketing strategy for the CIP.
- Section 10.0 provides a brief conclusion to the CIP.
- Section 11.0 provides a list of references cited in the CIP.
- Appendices A to D ~~which~~ contain a number of supporting documents, including a map showing the Strategic Locations for Investment within the Gateway Community Improvement Project Area and administrative guidelines for the incentive programs contained in this CIP.

2.0 Legislative and Regulatory Framework

2.1 Municipal Act, 2001

Section 106 (1) and (2) of the *Municipal Act, 2001* prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses. Prohibited actions include:

- Giving or lending any property of the municipality, including money;
- Guaranteeing borrowing;
- Leasing or selling any municipal property at below fair market value; and
- Giving a total or partial exemption from any levy, charge or fee.

This prohibition is generally known as the “bonusing rule”. Section 106 (3) of the *Municipal Act, 2001* provides an exception to this bonusing rule for municipalities exercising powers under subsection 28 (6), (7) or (7.2) of the *Planning Act* or under section 365.1 of the *Municipal Act, 2001*. It is the exception under Section 28 of the *Planning Act* that allows municipalities with enabling provisions in their official plans to prepare and adopt community improvement plans (CIPs). CIPs provide municipalities with a comprehensive framework for the planning and provision of economic development incentives in areas requiring community improvement.

Section 365.1 of the *Municipal Act, 2001* operates within the framework of Section 28 of the *Planning Act*. A municipality with an approved community improvement plan in place that contains provisions specifying tax assistance for environmental remediation costs will be permitted to provide said tax assistance for municipal property taxes. Municipalities may also apply to the Province to provide matching education property tax assistance through the Province’s Brownfields Financial Tax Incentive Program (BFTIP).

Section 107 of the *Municipal Act, 2001* describes the powers of a municipality to make a grant, including the power to make a grant by way of a loan or guaranteeing a loan, subject to Section 106 of the *Municipal Act, 2001*. In addition to the power to make a grant or loan, these powers also include the power to:

- sell or lease land for nominal consideration or to make a grant of land;
- provide for the use by any person of land owned or occupied by the municipality upon such terms as may be fixed by council;
- sell, lease or otherwise dispose of at a nominal price, or make a grant of, any personal property of the municipality or to provide for the use of the personal property on such terms as may be fixed by council.

2.2 Planning Act

Section 28 of the *Planning Act* allows the council of a local municipality and prescribed upper-tier municipalities¹ with provisions in their official plans relating to community improvement to designate by by-law the whole or any part of the area covered by such an official plan as a “community improvement project area” (Section 28(2)) and prepare and adopt a community improvement plan (CIP) for that area (Section 28(4)). Once the CIP has been adopted by the municipality and comes into effect, the municipality may exercise

¹ Ontario Regulation 221/07 lists the Regional Municipality of Niagara as a prescribed upper-tier municipality for the purpose of subsection 28 (2) of the *Planning Act*.

authority under Section 28(6), (7) or (7.2) of the *Planning Act* or Section 365.1 of the *Municipal Act, 2001* in order that the exception provided for in Section 106 (3) of the *Municipal Act, 2001* will apply.

Once a CIP has come into effect, the municipality may:

- i) acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28 (3) of the *Planning Act*);
- ii) construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28 (6));
- iii) sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan (Section 28 (6)); and
- iv) make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of land and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan (Section 28 (7)).

Section 28 (4.0.1) of the *Planning Act* restricts the CIP of an upper-tier municipality to dealing only with prescribed matters. Ontario Regulation 550/06 defines these prescribed matters and this regulation is described in Section 2.4 of this report.

Section 28 (7.2) of the *Planning Act* specifies that the council of an upper tier municipality may make grants or loans to the council of a lower-tier municipality and the council of a lower-tier municipality may make grants or loans to the council of the upper-tier municipality, for the purpose of carrying out a community improvement plan that has come into effect, on such terms as to security and otherwise as the council considers appropriate, but only if the official plan of the municipality making the grant or loan contains provisions relating to the making of such grants or loans. Consultation with the MMAH has confirmed that an upper tier municipality may in fact decide on a case-by-case (application by application) basis whether or not to provide grants or loans to a lower tier municipality in relation to the funding of incentive programs available in the lower tier municipality's CIP. Furthermore, the upper-tier municipality may also attach different terms and conditions as to security and otherwise to individual applications than the lower tier municipality.

Policy 12.72 of the Niagara Region Policy Plan does in fact contain such a policy and it states that "The Region may establish programs for the provision of grants and loans to local municipalities for the purpose of achieving the goals of Community Improvement Plans."

In relation to the designation of a community improvement project area for the Gateway CIP and what can be included as eligible costs in the incentive programs contained within the Gateway CIP, the definition of a "community improvement project area" and "community improvement" within Section 28 of the *Planning Act* are discussed below.

Section 28 (1) of the *Planning Act* defines a "community improvement project area" as "a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason". This definition allows municipalities to address community improvement issues that are both local in nature, e.g., downtown or commercial area

revitalization, and those issues that are more pervasive across entire municipalities, such as the promotion of brownfield redevelopment or community economic revitalization. It is also important to note that there are a variety of reasons that an area can be designated as an area in need of community improvement. The criteria for designation cover not only physical deterioration, but also faulty arrangement, unsuitability of buildings, and any other environmental, social or community economic development reasons.

Section 28 (1) of the *Planning Act* defines "community improvement" as "the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable, or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary". This represents a wide range of municipal actions that a municipality can take.

Section 28 (7.1) of the *Planning Act* provides specific guidance on the eligible costs of a CIP in relation to the municipal provision of grants and loans for the purpose of carrying out a CIP that has come into effect. Section 28 (7.1) of the *Planning Act* specifies that these eligible costs may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

There are several reasons for designating the employment lands within the settlement areas of Fort Erie, Niagara Falls, Port Colborne, Thorold and Welland as the community improvement project area for this Gateway CIP. First, many of the developed employment lands within the Gateway Economic Zone and Centre suffer from issues such as age, dilapidation, faulty arrangement and unsuitability of existing buildings. Many of the undeveloped employment lands within the Gateway Economic Zone and Centre suffer from issues such as soil bearing capacity, presence of watercourses, flooding, and other pervasive physical deficiencies that must be rehabilitated before or as these lands are developed. Next, the designation of employment lands within the Gateway Economic Zone and Centre as a community improvement project area will allow these lands to be used for the promotion of energy efficient uses, buildings and facilities. Finally, the primary reason for designating the employment lands within the Gateway Economic Zone and Centre as a community improvement project area is that the development and redevelopment of these employment lands is desirable for the community economic development reason of promoting economic rehabilitation, revitalization and diversification, both within the Gateway Economic Zone and Centre, and across the Region of Niagara as a whole. The community improvement of the employment lands within the Gateway Economic Zone and Centre is also desirable in order to meet the goals of the Province's Growth Plan and the Region's Policy Plan.

Community improvement as contemplated for the Gateway CIP would include many of the activities contained in the Section 28 *Planning Act* definition of community improvement, including planning, development, construction, reconstruction, rehabilitation and the improvement of energy efficiency. The Gateway CIP can also include recommendations for the provision of works, improvement or facilities that help create an attractive investment climate for the employment lands in the Gateway such as improving infrastructure. Therefore, based on the definition of "community improvement", "community improvement project area", and "community improvement plan" in Section 28(1) of the *Planning Act*, the *Planning Act* permits and supports a CIP that provides grants and/or loans for the development and redevelopment of designated employment lands within the settlement areas of Fort Erie, Niagara Falls, Port Colborne, Thorold and Welland in Niagara's Gateway Economic Zone and Centre.

In terms of limits on the total grants and loans that can be provided under this CIP, Section 28 (7.3) of the *Planning Act* specifies that the total of all grants and loans made in respect of particular lands and buildings under Section 28 (7) and (7.2) of the *Planning Act* and tax assistance provided under Section 365.1 of the *Municipal Act, 2001* in respect of the land and buildings shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings. As a number of other CIPs already exist in the five local municipalities, this limit on the total grants and loans that can be provided under a CIP is extended to include all applicable CIPs in Section 6.0 of this CIP.

Section 28(11) of the *Planning Act* allows a municipality to register an agreement concerning a grant or loan made under subsection 28(7) or an agreement entered into under subsection 28(10) against the land to which it applies and the municipality shall be entitled to enforce the provisions thereof against any party to the agreement and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, against any and all subsequent owners or tenants of the land.

Finally, Section 69 of the *Planning Act* allows municipalities to reduce or waive the amount of a fee in respect of a planning application where it feels payment is unreasonable. Municipalities can use this tool to waive all matter of planning application fees to promote community improvement without inclusion in a CIP. Alternatively, a municipality can collect fees and then provide a grant equal to part or all of the fees in the form of a grant, but this must be done within a CIP.

2.3 Development Charges Act

Section 5 of the *Development Charges Act* allows a municipality to exempt a type(s) of development from a development charge, but any resulting shortfall cannot be made up through higher development charges for other types of development. This allows upper and lower tier municipalities to offer partial or total exemption from municipal development charges (also known as a reduction of development charges) in order to promote community improvement. Because this financial incentive is normally offered before construction, i.e., at the time of building permit issuance, it is very attractive to developers and is a very powerful community improvement tool. This approach to providing a development charge incentive normally entails an amendment to a municipality development charges by-law.

Municipalities can also collect development charges as normal at the time of building permit issuance and then provide a grant equal to part or all of the development charges once the project is complete. This approach is usually utilized by municipalities when the amount of the development charge reduction (grant) is tied to some performance measure for the project, e.g., the level of LEED certification.

2.4 Ontario Regulation 550/06

Section 28 (4.0.1) of the *Planning Act* restricts the CIP of an upper-tier municipality to dealing only with prescribed matters. Ontario Regulation (O. Reg) 550/06 prescribes that the CIP of an upper tier municipality may deal only with the following matters:

- 1) Infrastructure within the upper tier municipality's jurisdiction;
- 2) Land and buildings within and adjacent to existing or planned transit corridors that have the potential to provide a focus for higher density mixed use development and redevelopment; and,

3) Affordable housing.

"Infrastructure" as defined in O. Reg. 550/06 means physical structures and associated facilities that form the foundation of development, including,

- a) communications systems,
- b) electric power systems, oil and gas pipelines, alternative energy systems and renewable energy systems,
- c) transportation corridors and facilities,
- d) waste management systems, and
- e) water works, wastewater works, stormwater works and associated facilities. O. Reg. 550/06, s. 1.

The adoption of an upper-tier Gateway CIP that provides incentives for the development and redevelopment of employment lands within the Niagara Gateway Economic Zone and Centre is not permitted because the provision of incentives for this purpose is not a prescribed matter under O. Reg 550/06. The Ministry of Municipal Affairs and Housing (MMAH) was consulted and confirmed this interpretation of O. Reg 550/06.

However, O. Reg 550/06 does not prevent the five Local Municipalities with designated employment lands in the Niagara Gateway Economic Zone and Centre from each adopting a Master Gateway CIP to promote the development and redevelopment of these lands for the purposes described in Section 1.2 of this Plan. Once such a Gateway CIP is endorsed by the Region and adopted by each Local Municipality in the Gateway Economic Zone and Centre, each Local Municipality could then offer grants and loans that are partially funded by Niagara Region. This is the current arrangement with Local Municipal CIP programs being partially funded by the Niagara Region Smarter Niagara Incentive Programs.

The MMAH was consulted with regard to the above described approach to preparation of this CIP and the MMAH confirmed that they support municipalities working together to achieve common objectives ~~and~~. The MMAH encouraged Niagara Region to work in partnership with the five Lower Tier councils to identify an approach that complies with the *Planning Act* and is satisfactory to the Region and the lower tier municipalities. Therefore, the approach to preparing and adopting this Gateway CIP, i.e., the Region coordinating preparation of a Master Gateway CIP with the five Local Municipalities, and then having this CIP adopted by each of the five Local Municipalities, complies with the *Planning Act*.

3.0 Policy Framework

3.1 Provincial Policy Statement, 2005

The Provincial Policy Statement (PPS) is issued under Section 3 of the *Planning Act* and provides direction on matters of provincial significance related to land use planning and development. The latest version of the PPS came into effect on March 1, 2005. The *Planning Act* requires that, “decisions affecting planning matters shall be consistent with policy statements issued under the Act”. The vision for land use planning in Ontario in the PPS states that “the long-term prosperity and social well-being of Ontarians depends on maintaining strong communities, a clean and healthy environment and a strong economy”.

Several policies in the PPS support economic development and diversification. For example, Policy 1.3.1 of the PPS states that planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) planning for, protecting and preserving employment areas for current and future uses; and,
- d) ensuring the necessary infrastructure is provided to support current and projected needs.

Policy 1.7.1 of the PPS specifies that long-term economic prosperity should be supported by a number of activities, including the:

- optimization of the long-term availability and use of land, resources, infrastructure and public service facilities;
- provision of an efficient, cost-effective, reliable multi-modal transportation system that is integrated with adjacent systems and those of other jurisdictions; and,
- the provision of opportunities for sustainable tourism development.

3.2 Places to Grow: Growth Plan for the Greater Golden Horseshoe

The key provincial policy document in relation to the Gateway CIP is the Province's *Growth Plan for the Greater Golden Horseshoe (2006)* (“Growth Plan”), released in 2006. This Plan is the Province of Ontario's growth strategy for the Greater Golden Horseshoe region, which was completed under the “Places to Grow” program. The Niagara Region is included within the Growth Plan's area. The Growth Plan is identified as “a framework for implementing the Government of Ontario's vision for building stronger, more prosperous communities by managing growth in the region to 2031”. The Growth Plan provides an overall growth strategy for the region that complements the Provincial Policy Statement (PPS) and is implemented primarily by municipal planning documents and other municipal tools.

In recognition of the importance of cross-border trade with the United States, the Growth Plan recognizes the Niagara Gateway Economic Zone and Centre as having unique economic importance to the Greater Golden Horseshoe region and Ontario. The Growth Plan graphically identifies the Gateway Economic Zone and Gateway Economic Centre on Schedules 2 (Places to Grow Concept), 5 (Moving People - Transit) and 6 (Moving Goods) in the Plan. The *Gateway* designation in Schedule 2 of the Growth Plan shows a *Gateway*

Economic Zone stretching along the Niagara River and the Queen Elizabeth Way between the City of Niagara Falls and the Town of Fort Erie and a *Gateway Economic Centre* which is centered in southern Niagara Region near the City of Welland and Port Colborne, including port facilities along the Welland Canal.

Section 6 of the Province's Growth Plan actually defines the Gateway Economic Zone and Gateway Economic Centre as the "Settlement Areas" conceptually depicted on Schedules 2, 5 and 6 that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario. The Growth Plan then further defines "Settlement Areas" as urban areas and rural settlement areas within municipalities where:

- a) development is concentrated and which have a mix of land uses; and,
- b) lands have been designated in an official plan for development over the long term planning horizon provided for in the PPS, 2005. Where there are no lands designated over the long term, the settlement area may be no larger than the area where development is concentrated.

The Growth Plan notes the importance of ensuring an adequate supply of land for employment areas and other employment uses within the Greater Golden Horseshoe. In fact, Section 2.2.6 on Employment Lands stresses the need for municipalities to promote economic development and competitiveness by providing opportunities for a diversified economic base, including a range and choice of suitable sites that support a wide range of economic activities and employment uses, as well as planning for employment areas for current and future uses and ensuring the necessary infrastructure is provided to support current and forecasted employment needs.

Section 2.2.6 of the Growth Plan states that planning and economic development in the Gateway Economic Zone and Centre will support economic diversity and promote increased opportunities for cross-border trade, movement of goods and tourism. It is the intention of the Growth Plan that local planning and economic development tools, such as a CIP, be used to help achieve these Provincial Growth Plan goals for the Niagara Gateway Economic Zone and Centre.

3.3 Navigating Our Future: Niagara's Economic Growth Strategy 2009-2012

The Region's Economic Growth Strategy was initiated by Regional Council and developed under the leadership of the Niagara Economic Development Corporation (NEDC). This Strategy presents six strategic directions and supporting action plans to foster economic growth in Niagara. Several of these strategic directions and actions are relevant to the Gateway CIP.

One of the strategic directions in the Region's Economic Growth Strategy is the creation of a competitive business environment. One of the key actions specified under this strategic direction is the implementation of a full range of Smart Growth initiatives including community improvement programs and incentives. The Region's Economic Growth Strategy also targets strategic employers in current and emerging industry clusters. Actions include supporting infrastructure developments that encourage industrial growth in Niagara, especially above the Niagara Escarpment, and developing a plan to create and implement the Niagara Gateway Economic Zone and Centre to stimulate investment, new industrial development and employment growth within the region. Again, this CIP will play a significant role in helping to achieve these strategic economic development directions.

3.4 Niagara Gateway Economic Zone and Centre Final Report

The Niagara Gateway Economic Zone and Centre Final Report was prepared in December of 2008 by GHK and received by Regional Council in February of 2009 (see Report DPD 54-2008). In May of 2009, Regional Council approved an Implementation Work Plan and Implementation Committee for the nine recommendations in the Gateway Economic Zone and Centre Final Report.

The purpose of the Niagara Gateway Economic Zone and Centre Report was to develop an action plan to promote increased opportunities for cross-border trade, goods movement, tourism and economic diversity, i.e., an action plan to achieve tangible results in making the Gateway Economic Zone and Centre a reality. The report was prepared to assist all levels of government in guiding policies and programs towards economic diversification, infrastructure planning and investment in Niagara. It was also intended to inform the Growth Management Strategy (Niagara 2031) that was being concurrently prepared at the time.

The Niagara Gateway Economic Zone and Centre Final Report was based on broad consultation with key regional stakeholders regarding their vision for the Gateway and the strengths, weaknesses, opportunities and threats it faces in moving forward. Based on this SWOT Analysis and a review of economic and other characteristics in the Gateway, the Niagara Gateway Economic Zone and Centre Final Report specifies a number of overall policy objectives and a number of recommendations for moving forward with development of the Niagara Gateway.

The report specifies key overall policy objectives in relation to employment lands within the Gateway that include the Region:

- a) working in partnership with relevant local municipalities and the Province to finance and provide adequate, fully serviced and attractive employment lands to allow job opportunities and economic diversity to expand in key economic clusters including tourism, gaming, agriculture, aerospace, logistics, food processing, health, bio-sciences, green technologies and interactive media; and,
- b) protecting employment land and ensuring lands for future employment growth.

The Report stresses that the Region's economy is underperforming and that the Region must move toward a more diversified economy that takes advantage of Niagara's location as a Gateway and diversifying into areas that support and contribute to trade and tourism.

The preparation of a Gateway CIP stems largely from Recommendation #8 in the Niagara Gateway Economic Zone and Centre Final Report which states that the Region of Niagara will work in partnership with the Province, local municipalities and economic development agencies to create an attractive investment climate for employment lands through such measures as improving their appearance, improving infrastructure, reducing the cost of servicing industrial lands, expanded targeted tax increment equivalent grant programs on a regional scale and exploring opportunities for developing environmentally sustainable industrial buildings in such a way as to ensure sufficient employment lands are available for the future. It is useful to note that this recommendation indicates that a tax increment equivalent grant program (referred to as a tax increment based grant program herein) should be targeted to specific employment sectors and that alternative means of shifting development into the Gateway, such as land use controls, would also need to be considered.

The Niagara Gateway Economic Zone and Centre Final Report suggests that the use of a CIP to accomplish the economic development objectives for the Gateway may gain some traction because the Province's Growth Plan designated the Niagara Gateway Economic Zone and Centre as the only Gateway Zone and Centre in Ontario. In this regard, Appendix C of the Niagara Gateway Economic Zone and Centre Final Report explores the question of how to offer incentives for employment lands within the Niagara Gateway Economic Zone and Centre. The report notes that there would be two options. The first option would be for the Region to prepare an upper tier CIP for the Gateway. The second option would be to create new lower tier CIPs or expand existing lower tier CIPs to offer incentives for employment lands within the Niagara Gateway Economic Zone and Centre. The ability for the Region to utilize these options and the selection of a preferred approach was discussed in Section 1.3 of this CIP.

Finally, it is important to note that in addition to Recommendation #8 to expand tax increment grants to the Gateway area, the Niagara Gateway Economic Zone and Centre Final Report also recommends that the Region explore a number of other incentive programs for the Gateway. These include:

- Recommendation #4 - prepare an analysis to determine the opportunities for establishing a Tax Increment Financing (TIF) Zone to assist with the cost of providing infrastructure within the Gateway;
- Recommendation #6 - explore options for applying to the Province to establish a "Tax Incentive Zone" within the Niagara Region; and,
- Recommendation #7 - prepare an analysis of opportunities for applying to the Federal Government to establish an Export Distribution Zone.

Consequently, it is recommended that the Region review the purpose, overlap, complexity, timing and likelihood of successful implementation of the other incentive program recommendations contained in the Niagara Gateway Economic Zone and Centre Final Report once this Gateway CIP has been endorsed by the Region and adopted by the Local Municipalities.

3.5 Regional Policy Plan Amendment 2-2009 and the Niagara Growth Management Strategy (Niagara 2031)

The preparation of the Niagara Gateway Economic Zone and Centre Final Report coincided with preparation of Niagara 2031, the Region's Growth Management Strategy. Niagara 2031 was initiated to provide an updated higher level direction for Niagara in keeping with the Province's Growth Plan for the Greater Golden Horseshoe. Niagara 2031 examined land use and supporting infrastructure to set the stage for where and how Niagara will grow until 2031. Based on Niagara 2031, in February of 2009, Regional Council adopted a preferred growth option (Option D) for Niagara through approval of Report DPD 54-2008.

In May of 2009, Regional Council adopted Regional Amendment 2-2009 to the Regional Policy Plan for the Niagara Region (RPPA 2-2009) to implement the Region's Growth Management Strategy (Niagara 2031) and bring the Region's Official Plan into conformity with the Places to Grow Growth Plan and the PPS. The Amendment updates the Region's Policy Plan, including Section 5 where Urban Policies were replaced by Sustainable Community Policies that establish a new urban vision for the long term growth and development of Niagara and new policies to foster the development of sustainable, complete urban communities.

Section 3.2 of RPPA 2-2009 identifies the Niagara Economic Gateway as a key component of the Region's urban structure. Section 8 of RPPA 2-2009 (which was added to Section 4 of the Regional Policy Plan)

contains policies for the Niagara Economic Gateway Zone and Centre. These policies reflect the policy direction provided in the Niagara Gateway Economic Zone and Centre Final Report. For example, Policy 8.1 of RPPA 2-2009 specifies that the Niagara Economic Gateway includes all Settlement Areas within Niagara Falls, Fort Erie, Thorold, Welland and Port Colborne, as adjusted from time to time.

The overall objective for the Niagara Economic Gateway is the creation of a high quality community that is sustainable. Policy 8.2 states that the Region will work in partnership with relevant local municipalities and the Province to finance and provide adequate, fully serviced and attractive employment lands to allow job opportunities and economic diversity to expand in key economic clusters including tourism, gaming, agriculture, aerospace, logistics, food processing, health, bio-sciences, green technologies and interactive media and the Region will protect employment lands and ensure lands for future employment growth.

Policy 8.8 contains the policies for the employment lands within the Niagara Economic Gateway. This policy states that the Region will work in partnership with the Province, local municipalities and economic development agencies to develop a comprehensive funding strategy to create an attractive investment climate for employment lands through such measures as improving their appearance, improving infrastructure, reducing and supporting the cost of servicing industrial lands and exploring opportunities for developing environmentally sustainable industrial buildings.

In summary, the Gateway CIP is one of the key tools that the Region and Local Municipalities can use to help achieve the above-noted Regional Policy Plan goals.

3.6 Niagara Gateway Employment Lands Study

The Niagara Gateway Employment Lands Study was completed by Dillon Consulting in July of 2011. This Study includes a review of best practices in gateway planning in North America and Europe. This review found that one of the key practices that supports the development of a successful economic gateway is the use of a toolkit of financial incentives to promote development of employment lands within the gateway. The Gateway Employment Lands Study also stresses the importance of coordinating transportation, infrastructure and land use plans for the Niagara Gateway with the economic development strategy for the Gateway.

The centre piece of the Niagara Gateway Employment Lands Study is an analysis and land use policy review of the approximately 2,020 hectares (4,990 acres) of designated employment lands within the Gateway Economic Zone and Centre. Based on the results of this land use analysis and policy review, the Gateway Employment Lands Study presents a strategy that envisions the Gateway developing with infrastructure investment, planning and marketing efforts concentrated into six strategic locations for investment, each having a focus on targeted employment sectors. These six areas are:

- i) Brock Business Park - concentration on research and development, with mixed use development creating an opportunity for incubators;
- ii) Highway 406 Economic Gateway – emphasis would be on transportation, trade, warehousing, food processing, and advanced manufacturing;
- iii) Welland Canal Green Manufacturing and Assembly Zone – focus would be on specialized industries which transport goods and materials by boat as well as dry industrial;
- iv) Fort Erie Industrial Park - opportunity for cross border trade, warehousing, logistics and light industry;

- v) Niagara Falls Priority Investment Area – secure storage area to capitalize on cross border trade industries; and,
- vi) Niagara Falls QEW Business Park – longer term opportunity for campus-style business park for business support services and tourism support services.

Regional Council approved Integrated Community Planning Committee Report ICP 63-2011 in July of 2011. This report directed that the Niagara Gateway Employment Lands Study and the Gateway CIP Background Report be used as the basis to develop an amendment to the Regional Policy Plan to define the Gateway Economic Zone and Centre and that the Gateway CIP Background Report be used as the basis to develop a CIP for the Gateway Economic Zone and Centre. Therefore, Regional Policy Plan Amendment 1-2012 and the Gateway CIP were developed concurrently and in a coordinated and complementary manner.

3.7 Regional Policy Plan Amendment 1-2012

Regional Policy Plan Amendment 1-2012 (RPPA 1-2012) was adopted by Regional Council on July 5, 2012(insert date). The purpose of this amendment is to provide strategic direction for the development of employment lands within the Gateway and outline a land use strategy to support economic development and job creation in these areas. The land use strategy contained in RPPA 1-2012 is based on the land use policy review contained in the Niagara Gateway Employment Lands Study that identified the six strategic locations for investment.

The Region conducted considerable consultation on RPPA 1-2012. The draft Amendment was circulated to the local municipalities in the Gateway, prescribed agencies and key stakeholders for comment. A stakeholder workshop was held on March 8, 2012 in conjunction with Workshop #2 on the proposed Gateway CIP to receive valuable feedback on both the draft Amendment and the proposed Gateway CIP. In addition, the Region hosted three Open Houses in the municipalities of Port Colborne, Welland and Fort Erie on March 22, 28 and 29, 2012 to receive comments and answer questions from the public regarding the proposed Amendment.

3.8 Local Official Plan Policies

In addition to the Regional Policy Plan, all of the local municipalities in the Gateway have policies in their official plans that address long term aspirations for growth and development in the Gateway. Presently, all five municipalities located within the Gateway are in the process of updating their Official Plans and each will need to adopt their own local Gateway Official Plan Amendment. **Figure 1** below summarizes the extent to which each local official plan implements policies of the Growth Plan and the Regional Policy Plan.

Figure 1 Summary of Local Official Plan Gateway Policies²

| Municipality | How the Plan Addresses the Gateway |
|-----------------------|---|
| Town of Fort Erie | <ul style="list-style-type: none"> The Town of Fort Erie Official Plan (OP) includes Gateway policies related to: signage, urban design and streetscaping of the main gateway entrances to the Town (Peace Bridge Area, QEW, Highway No. 3). The Town's OP recognizes the advantage of attracting industry based on the Town's proximity to the border. The Town's OP includes a large area of designated land for the Fort Erie Business Park, which is located along the QEW in relative close proximity to the border. Beyond the above, the land use and transportation policies in the Draft OP do not explicitly recognize the Economic Gateway Zone. |
| City of Port Colborne | <ul style="list-style-type: none"> The City of Port Colborne OP includes strategic directions regarding the City's development as an Economic Gateway. The Plan identifies key economic clusters for future development in the City, which include manufacturing, marine transportation, tourism, agriculture and retailing. To support development in the above economic clusters, the Plan encourages and supports the development of port facilities, infrastructure and transportation corridors. The Plan also seeks to extend designated industrial lands northward, along the east and west side of Welland Canal and adjacent to the proposed Niagara to GTA Corridor. The Plan also allows for a limited range of commercial uses, primarily highway-related commercial uses such as truck centres on its employment lands (particularly in locations which may receive transportation improvements). The Plan provides for open space or built gateways at major entry points into Port Colborne as well as entry into distinct districts. Note that the current draft OP was developed in advance of the release of the Growth Plan. |
| City of Niagara Falls | <ul style="list-style-type: none"> The City's OP includes policies for the development of the Gateway opportunities in the City. The City's Plan focuses on tourism development. The strategic area within the Plan for tourism investment is the Whirlpool Satellite District, which is intended to function as a gateway to the City, focusing on the development of tourism and commercial uses. The OP also has specific policies to support a series of Entrance Gateways to the City. These Entrance Gateways are intended to welcome visitors and are to |

² Figure 1 is sourced from Table 2.1 in the Niagara Gateway Employment Lands Study. July 2011. Dillon Consulting.

| Municipality | How the Plan Addresses the Gateway |
|-----------------|--|
| | be appropriately landscaped, including directional signage, information kiosks, and greening. |
| City of Thorold | <ul style="list-style-type: none"> The City of Thorold is currently in the process of preparing a first draft of its new Official Plan. At the time of writing, a copy of the draft was not available for review. |
| City of Welland | <ul style="list-style-type: none"> The Plan includes a strategic policy which identifies Welland as Economic Gateway. The Gateway policies state that the City will focus on promoting development in advanced manufacturing, green industries, health and wellness activities, transportation and cross border trade and tourism. Plan specifically designates a large stretch of employment land adjacent to Highway 406 and 140 as "Economic Gateway Centre". The designation allows for a variety of industrial uses related to manufacturing, warehousing, logistics and trade. The Plan designates a Health and Wellness Cluster as a focus for hospital, wellness and health related uses in and around King Street South and Lincoln Street. Plan states that the City may prepare a Master Plan for the Gateway Economic Centre industrial lands. |

N.B. The above-noted official plans are in various stages of completion. The above noted summarizes either draft and/or Council adopted Official Plans available as of February 2011.

4.0 Goals of the CIP

Based on the policy framework for the CIP and input from key stakeholders during and after the consultation sessions, the primary goals of the Gateway CIP are to:

- Revitalize, strengthen and diversify the Region's economy;
- Improve the attractiveness and competitiveness of the employment lands in the Gateway;
- Create new employment and retain existing employment;
- Increase property assessment and the Region's non-residential tax base; and,
- Develop energy efficient, sustainable industrial buildings.

In addition to the primary goals, additional (secondary) goals of the Gateway CIP identified by key stakeholders include:

- Increase opportunities for cross border trade, movement of goods and tourism;
- Contribute to the development of sustainable and complete communities;
- Promote efficient use of water and wastewater infrastructure;
- Support entrepreneurs and small businesses to grow;
- Strengthen business links to local institutions, especially educational institutions;
- Promote workforce development and better use of human capital; and,
- Increase the attractiveness of Niagara Region as an economic centre to the international market.

5.0 Community Improvement Project Area

The Province's Growth Plan graphically identifies the Gateway Economic Zone and Gateway Economic Centre on Schedules 2 (Places to Grow Concept), 5 (Moving People - Transit) and 6 (Moving Goods) in the Plan. The *Gateway* designation in Schedule 2 of the Growth Plan shows a *Gateway Economic Zone* stretching along the Niagara River and the Queen Elizabeth Way between the City of Niagara Falls and the Town of Fort Erie and a *Gateway Economic Centre* which is centered in southern Niagara Region near the City of Welland and Port Colborne, including port facilities along the Welland Canal.

Section 6 of the Province's Growth Plan defines the Gateway Economic Zone and Gateway Economic Centre as the "Settlement Areas" conceptually depicted on Schedules 2, 5 and 6 that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario. The Growth Plan then further defines "Settlement Areas" as urban areas and rural settlement areas within municipalities where:

- c) development is concentrated and which have a mix of land uses; and,
- d) lands have been designated in an official plan for development over the long term planning horizon provided for in the PPS, 2005. Where there are no lands designated over the long term, the settlement area may be no larger than the area where development is concentrated.

As noted in Section 1.2 of this Plan, the primary purpose of this Plan is to promote development of the employment lands in the Gateway Economic Zone and Centre. Therefore, the community improvement project area for this Plan focuses on and includes only designated employment lands in the five municipalities (Fort Erie, Niagara Falls, Port Colborne, Thorold and Welland) within the Gateway Economic Zone and Centre. Furthermore, the community improvement project area for this Plan includes only those designated employment lands that meet the test of community improvement need, i.e., lands that would not otherwise be developed but for the incentive programs and other recommended actions contained in this CIP.

This CIP, including the designation of the community improvement project area, must be in conformity with the *Planning Act*, the PPS 2005, the Province's Growth Plan and all other Provincial, Regional and Local Municipal legislation, regulations, plans and policies. The Regional Policy Plan defines "settlement areas" as the urban area, villages and hamlets. Therefore, only designated employment lands within settlement areas as defined in the Regional Policy Plan should be included in the Community Improvement Project Area for the Gateway CIP.

Based on the definition of the Niagara Gateway Economic Zone and Centre in the Provincial Growth Plan, and policy direction provided by the Growth Plan, the Niagara Gateway Economic Zone and Centre Final Report, the Niagara Gateway Employment Lands Study, the Regional Policy Plan and Local Official Plan policies, the Community Improvement Project Area for this CIP (hereinafter referred to as the "Community Improvement Project Area" or the "Gateway Community Improvement Project Area" is **"all designated employment lands in the settlement areas within Welland, Port Colborne, Niagara Falls, Fort Erie and Thorold, as amended from time to time"**.

In the above-noted definition of the Gateway Community Improvement Project Area:

- i) "designated employment lands" means lands that have been designated in the Local Official Plans for employment uses; and,
- ii) "settlement areas" means the urban area, villages and hamlets.

The Gateway Community Improvement Project Area is properly defined by the above-noted text reference. Any change to designated employment lands within settlement areas, and therefore the Gateway Community Improvement Project Area, will be captured by the above-noted text reference and will not require amendment to this Plan.

Based on the land use policy review contained in the Niagara Gateway Employment Lands Study and the accompanying RPPA 1-2012, six (6) Strategic Locations for Investment (as illustrated in **Appendix A**) have been identified within the Gateway Community Improvement Project Area as the locations where infrastructure investment, planning and marketing efforts will be concentrated. Consequently, as described in Section 6.0 of this Plan, the duration of grant payments provided under the Tax Increment Based Grant Program is also increased within the areas that are shown as Strategic Locations for Investment as compared to the balance of the Community Improvement Project Area.

6.0 Incentive Programs

6.1 Summary

The financial incentive programs contained in this CIP were developed to help achieve the primary and secondary goals identified in Section 4.0 of this CIP. However, the key purpose of the incentive programs in this CIP is to revitalize, strengthen and diversify the economy in Niagara by promoting private sector investment, development, redevelopment, and construction activity on the employment lands in the Gateway Economic Zone and Centre.

In order to help accomplish the goals of this CIP, two major incentive programs have been included in the CIP. The first is a Tax Increment Based Grant (TIBG) Program. In order to promote development in the Gateway Community Improvement Project Area that creates employment and assessment growth while also being energy efficient and sustainable, the percentage of the tax increment based grant under the TIBG Program is tied to the project's economic and environmental design performance. Furthermore, in order to prioritize development within the Gateway Community Improvement Project Area, the duration of grant payments provided under the TIBG Program is increased to 10 years in areas that are shown as Strategic Locations for Investment in Appendix A, as compared to 5 years in the balance of the Community Improvement Project Area.

The second incentive program included in this CIP is a Development Charge Grant Program that provides a grant equivalent to Regional Development Charges paid on the project, but only for projects that achieve exceptional economic and environmental design performance levels. All projects taking advantage of the TIBG Program and the Development Charge Grant Program must conform to the Region's Model Urban Design Guidelines or Local Municipal Design Guidelines that conform to the Region's Model Urban Design Guidelines.

As is the case with the existing TIBG Program under the Smarter Niagara Incentive Programs (SNIPs), the new TIBG Program included in this Gateway CIP will be a matching program between Niagara Region and the participating Local Municipalities. The Region will match the percentage of the tax increment based grant provided to a successful applicant by the Local Municipality. The duration of the tax increment based grant in each Local Municipality adopting this CIP will be based on project location (within or outside one of the Strategic Locations for Investment) and the percentage of the tax increment based grant will be based on the project's economic and environmental design performance as described in Section 6.3 below.

Consultation with the MMAH has confirmed that upper tier municipalities may in fact decide on a case-by-case (application by application) basis whether or not to provide grants or loans to a lower tier municipality in relation to the funding of incentive programs available in a Local Municipal CIP. Furthermore, the upper-tier municipality may also attach different terms and conditions as to security and otherwise to individual applications. Therefore, with regard to the incentive programs contained in this CIP, the Region retains the right to determine on an application by application basis, whether or not to provide a grant or loan to the Local Municipality, and furthermore, the terms and conditions as to security and otherwise in relation to said grant or loan.

Because this CIP covers designated employment lands in five local municipalities in the Niagara Gateway Economic Zone and Centre and because the primary goals of this CIP relate to both Regional and Local economic development goals, the administration of the TIBG Program contained in this CIP will be a shared or

joint process between the Local Municipalities and Niagara Region. This process is described in **Appendix B**. The Development Charge Grant Program will be administered by Niagara Region.

Appendices B to D contain information on the administration of the incentive programs contained in this CIP. Appendices B to D do not form part of the CIP, and therefore may be changed from time to time as required, without amendment to this Plan.

6.2 General Program Requirements

All of the incentive programs contained in this CIP will be subject to the following general requirements as well as the individual requirements specified under each incentive program. The general and program specific requirements contained in this CIP are not necessarily exhaustive, and Local Municipalities and Niagara Region reserve the right to include other requirements and conditions as deemed necessary on a property specific basis:

- a) An application for any incentive program contained in this CIP:
 - i) can be made only for properties within the Gateway Community Improvement Project Area;
 - ii) must be submitted to and approved by the Local Municipality and/or the Region (as applicable) prior to the commencement of any works to which the financial incentive program will apply and prior to application for building permit; and,
 - iii) must include plans, drawings, studies, reports, cost and economic impact estimates, contracts, construction values, certifications, and other details and information as required by the Local Municipality and the Region to satisfy the Local Municipality and the Region with respect to project design, performance and conformity with the CIP;
- b) As a condition of application approval, the applicant may be required to enter into a grant agreement with the Local Municipality and Niagara Region. This Agreement will specify the terms, duration and default provisions of the incentive to be provided:-
- c) Where other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, Federation of Canadian Municipalities, etc...) that can be applied against the eligible costs are anticipated or have been secured, these must be declared as part of the application. Accordingly, the grant may be reduced on a pro-rated basis;
- d) The Local Municipality and the Region reserve the right to audit the cost of any and all works that have been approved under any of the financial incentive programs, at the expense of the applicant;
- e) The Local Municipality and the Region are not responsible for any costs incurred by an applicant in relation to any of the programs, including without limitation, costs incurred in anticipation of a grant;
- f) If the applicant is in default of any of the general or program specific requirements, or any other requirements of the Local Municipality and/or the Region, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant;

- g) If a building that was erected, expanded or improved using a grant available under the Gateway CIP is demolished prior to expiry of the grant period, the grant is terminated and any grant amount paid is repayable to and will be recovered by the Local Municipality and the Region;
- h) The Local Municipality and the Region may discontinue any of the programs contained in the CIP at any time, but applicants with approved grants will still receive said grant, subject to meeting the general and program specific requirements;
- i) Proposed land uses must be in conformity with the Regional Policy Plan and applicable Local Official Plan(s), Zoning By-laws and other planning requirements and approvals at both the local and regional level;
- j) Retail commercial uses and residential uses will not be eligible for the incentive programs included in this CIP, and if such a use is included as an accessory use within an approved grant application, the grant provided under this CIP will be calculated only in relation to non-retail commercial uses and non-residential uses;
- k) If part or all of a building(s) in a project approved for a grant is converted to retail commercial use or residential use at any time after project completion, but prior to the cessation of grant payments, the amount of the remaining grant payments will be adjusted accordingly on a go forward basis to reflect only the remaining non-retail commercial uses and non-residential uses;
- l) All proposed works approved under the incentive programs shall conform to provincial laws, and Local Municipal and Regional guidelines, by-laws, policies, procedures, and standards;
- m) All projects approved for a Tax Increment Based Grant and a Development Charge Grant must conform to the Region's Model Urban Design Guidelines or Local Municipal Design Guidelines that conform to the Region's Model Urban Design Guidelines;
- n) All works completed must comply with the description of the works as provided in the application form and contained in the grant agreement, with any amendments as approved by the Local Municipality and the Region;
- o) All construction and improvements made to buildings and/or land shall be made pursuant to a Building Permit, and/or other required permits, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and planning approvals;
- p) Outstanding work orders, and/or orders or requests to comply, and/or other charges from the Local Municipality and the Region must be satisfactorily addressed prior to grant approval or payment;
- q) Property taxes must be in good standing at the time of program application and throughout the entire length of the grant commitment;
- r) Local Municipal and Regional staff, officials, and/or agents may inspect any property that is the subject of an application for any of the incentive programs;

- s) Local Municipal and Regional staff have the right to require annual reports from approved applicants and conduct annual inspections to ensure compliance with the grant agreement and make adjustments to incentive levels to reflect actual project performance in relation to the program requirements and the executed grant agreement;
- t) Applicants approved for the programs contained in this CIP will be required to complete the eligible works within specified timeframes; and,
- u) The total of all grants, loans and tax assistance provided in respect of the particular lands and buildings for which an applicant is making application under the programs contained in this CIP and any other applicable CIPs shall not exceed the eligible costs of the improvements to those particular lands and buildings under all applicable CIPs.

6.3 Tax Increment Based Grant Program

6.3.1 Purpose

The purpose of the Tax Increment Based Grant (TIBG) Program is to stimulate new, sustainable investment by existing businesses and new businesses in the employment lands within the Gateway Community Improvement Project Area in the form of development, redevelopment, construction, reconstruction, rehabilitation or adaptive reuse of buildings and properties.

6.3.2 Description

This program will provide a tax increment based grant following completion of an eligible project involving development, redevelopment, construction, reconstruction, rehabilitation or adaptive reuse on designated employment lands within the Gateway Community Improvement Project Area where that project creates an increase in assessment, and therefore an increase in property taxes³. The annual grant would be offered on a "pay-as-you go" basis, i.e., the applicant would initially pay for the entire cost of the eligible project. Then, when the project is complete and the following conditions have been met, the applicant would then be paid an annual grant:

- a) final building inspections have taken place;
- b) an occupancy permit has been issued (as applicable);
- c) all deficiencies have been addressed;
- d) the property has been reassessed by the Municipal Property Assessment Corporation (MPAC); and,
- e) the new property taxes have been paid in full for the year.

The annual tax increment based grant payment provided under this program will be equal to a percentage of the municipal (Local Municipal and Regional) property tax increase generated by the approved project. This percentage will be based on the as-built economic performance and environmental design performance of the project as described in **Appendix C**.

³ This program does not apply to residential uses and it does not apply to retail commercial uses. Where a project is mixed use, this program does not apply to the portion of the project containing residential or retail commercial uses.

Tax increment based grant payments for an approved project within any one of the Strategic Locations for Investment will cease when the total tax increment based grant along with all other grants, loans and tax assistance provided equals the eligible cost of improvements under all applicable CIPs, or after ten (10) years, whichever comes first. Tax increment based grant payments for an approved project outside any one of the Strategic Locations for Investment but within the Community Improvement Project Area will cease when the total tax increment based grant along with all other grants, loans and tax assistance provided equals the eligible cost of improvements under all applicable CIPs, or after five (5) years, whichever comes first.

6.3.3 Program Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the following program requirements, and subject to the availability of funding as approved by the Local Municipal Council and Regional Council:

- a) The following types of projects are considered eligible for this program:
 - i) development, redevelopment, construction, reconstruction, rehabilitation or adaptive reuse that results in an increase in the assessed value and property taxes on the property;
- b) The applicant may be required to submit a Business Plan, with said plan to the satisfaction of the Local Municipality and Niagara Region;
- c) The Local Municipality may require the applicant to submit for approval impact studies such as traffic studies and studies of microclimatic conditions (sun, shadow, wind);
- d) If during the grant period, a building receiving a TIBG is demolished, all grant payments shall cease and the Local Municipality and Niagara Region reserve the right to require repayment of the grant payments;
- d) If during the grant period, a building/property designated under the Ontario Heritage Act receiving a TIBG is demolished or any of the heritage features are altered in any way that would compromise the reasons for designation, all grant payments shall cease and the Local Municipality and Niagara Region reserve the right to require repayment of the grant payments; and,
- e) For projects on brownfield sites, the owner shall file in the Environmental Site Registry a Record of Site Condition (RSC) for the property signed by a qualified person, and the owner shall submit to the Local Municipality proof that the RSC has been acknowledged by the Ministry of Environment (MOE).

6.4 Development Charge Grant Program

6.4.1 Purpose

The purpose of the Development Charge Grant Program is to stimulate new, sustainable investment by existing businesses and new businesses in the employment lands within the Community Improvement Project Area in the form of development, redevelopment, construction, reconstruction, rehabilitation or adaptive reuse projects that achieve an exceptional level of environmental design performance.

6.4.2 Description

The Development Charge Grant Program is a grant program that would be available only to approved TIBG Program applications that qualify as “exceptional” projects. These are projects that achieve a combination of high scores on both economic performance and environmental design performance, as described in **Appendix D**. Because the eligibility of a project for the Development Charge Grant Program is based on the project's as-built TIBG Program performance score, a separate application for the Development Charge Program is not required. The Development Charge grant payment is capped at \$1.5 million.

The Development Charge Grant is provided as a grant payable after construction is complete rather than as a development charge exemption payable at the time of building permit issuance (under the Development Charges By-law) because the amount of the development charge grant is tied to as-built project performance, and as-built project performance cannot be determined prior to project completion.

While Niagara Region certainly encourages Local Municipalities in the Community Improvement Project Area to provide a similar Development Charge Grant Program for Local Municipal Development Charges, this is not considered mandatory.

6.4.3 Program Requirements

Applicants are eligible to apply for funding under this program, subject to meeting the general program requirements, the program requirements for the TIBG Program, and subject to the availability of funding as approved by the Local Municipal Council and Regional Council.

7.0 Municipal Leadership Actions

The financial incentive programs contained in this Plan are designed to directly encourage economic development and achieve the goals of this Plan for the Niagara Gateway Economic Zone and Centre. However, it is also important that the Region and Local Municipalities lead a number of other actions aimed at providing a supportive land use, transportation, infrastructure, marketing and economic development environment to help achieve the goals of this Plan. These supporting municipal leadership actions will not only actively demonstrate municipal leadership and commitment to achieving the economic development goals for the Gateway, but they will also help to generate interest from the private sector in utilizing the incentive programs contained in this Plan to undertake high performing private sector development projects in the Gateway. These Municipal Leadership Actions are summarized below, and a number of these actions were also referenced in the 2008 Niagara Gateway Economic Zone and Centre Final Report.

The Local Municipalities and Niagara Region will participate as required and appropriate to undertake the following municipal leadership actions:

- a) The full range of actions permitted under Section 28 of *Planning Act*;
- b) Creation of a coordinated institutional vehicle for implementation of the Gateway CIP;
- c) Implementation of other incentive programs recommended in the 2008 Niagara Gateway Economic Zone and Centre Final Report;
- d) Exploring funding from the Ministry of Municipal Affairs and Housing under Section 30 of the *Planning Act* for key transportation and infrastructure improvements and the preparation of secondary plans for designated employment lands in the Gateway Community Improvement Project Area;
- e) Preparation and implementation of a comprehensive Marketing Strategy for the Gateway CIP;
- f) Ensuring a strong Regional coordinator function for the incentive programs included in the Gateway CIP; and,
- g) Working with U.S. counterparts to grow economic development on both sides of border using an enhanced cross-border approach.

8.0 Monitoring Program

8.1 Purpose

The Monitoring Program set out in this section has several purposes. It is designed to:

- a) Monitor funds dispersed through the CIP incentive programs so as to determine the Local Municipal and Regional contributions toward incentive program funding;
- b) Receive and monitor feedback from applicants to the incentive programs so that adjustments can be made to the incentive programs, as required;
- c) Monitor the economic impact associated with projects taking advantage of the CIP incentive programs; and,
- d) Allow for comprehensive reporting of monitoring results to Local and Regional Councils.

This CIP is not intended to be a static planning document. It is intended to be a proactive plan to revitalize, diversify and strengthen the economy in Niagara by promoting development of the employment lands in the Gateway Economic Zone and Centre. Therefore, information obtained through the Monitoring Program should be used to periodically adjust the terms and administration of the incentive programs to make them even more relevant and user friendly. Information collected through the Monitoring Program should be utilized to provide regular reports to Local Councils and Regional Council on the amount of private sector investment being leveraged by the municipal incentive programs and the economic and other benefits associated with these private sector projects.

8.2 Description

Monitoring of the uptake and performance of the incentive programs should be done on a regular basis and these monitoring results reported to the five Local Councils and Regional Council on an annual basis. As well, feedback from users of the incentive programs should be considered and utilized to adjust the terms and administration of the incentive programs in order to improve their effectiveness and ensure that the incentive programs are effective for a range of project types and sizes in the Community Improvement Project Area. Similarly, monitoring of progress on implementation of the Municipal Leadership Actions should be done regularly and reported to Council on an annual basis.

The Regional Expeditor, in cooperation with the Local Municipal CIP Coordinators, will take the lead in monitoring and reporting Regional and Local funding of the incentive programs and project performance. This will help to standardize the format and frequency of monitoring and reporting of program results across the five Local Municipalities.

The list of variables that should be monitored on an individual project and aggregate basis for the incentive programs contained in this CIP includes, but is not necessarily limited to the following:

- i) Number of applications
- ii) \$ amount of grant;
- iii) Total \$ value of construction;
- iv) Level of LEED certification achieved or percentage of Region's Smart Growth Design Criteria incorporated into project;
- v) Square footage of employment use space constructed or rehabilitated by type (industrial sector);
- vi) Number of new businesses successfully occupying space (1, 3 and 5 year post completion);

- vii) Full-time or FTE Jobs created/maintained;
- viii) Increase in assessment value of participating property;
- ix) Increase in municipal (Local and Regional) and education property taxes of participating property; and,
- x) Number and \$ amount of program defaults.

In addition to these quantitative economic measures, the Region in coordination with the Local Municipalities, should also attempt to monitor the qualitative results of the CIP in terms of the impact of municipal leadership actions, including infrastructure and transportation improvements. Regular qualitative observations of the individual and cumulative impact of projects using CIP incentive programs and of the municipal leadership actions should be made and discussed by Local Municipal and Regional staff. This could include comments received by staff from business owners, property owners and other key opinion leaders in the real estate, development and design/build community. These qualitative measures should be regularly monitored and reported to Council along with the quantitative measures specified above.

8.3 Program Adjustments

The individual incentive programs contained in this CIP can be activated, deactivated, reduced or discontinued without amendment to this Plan. Increases in funding provided by the financial incentives contained in this CIP, or the addition of any new incentive programs to this CIP, will require a formal amendment to this Plan in accordance with Section 28 of the *Planning Act*. The Region and Local Municipalities may periodically review and adjust the terms and conditions of any of the programs contained in this Plan, without amendment to the Plan. Such minor changes will be provided to the Minister of Municipal Affairs and Housing for information purposes only.

9.0 Marketing Strategy

9.1 Key Objective and Messages

It is very important to the successful implementation of this CIP that a leadership role be taken by the Region and Local Municipalities in effectively communicating the available incentive programs and investment opportunities within the Gateway Economic Zone and Centre to property owners, business owners, developers, potential end users, and other key leaders in the industrial, real estate, development and design/build community, both within and outside Niagara.

The basic marketing strategy outlined in this section provides general guidance for the proactive and regular advertisement and marketing of the incentive programs and development opportunities within the Community Improvement Project Area. However, it is recommended that a comprehensive marketing strategy be developed and implemented that:

- a) provides direction on how to obtain information on available incentive programs, including program guides and application forms, as well as assistance and advice from municipal staff on making application for the incentive programs;
- b) informs property and business owners and developers with regard to actions planned by the Local Municipalities and the Region to improve the investment environment within the Community Improvement Project Area; and,
- c) publicizes recent development and business activity and success stories within the Community Improvement Project Area.

9.2 Target Audience

The Marketing Strategy should be targeted to:

- a) Existing property owners and business owners in the Community Improvement Project Area;
- b) Existing business owners outside Niagara, especially those with business in the targeted economic growth sectors;
- c) Business and industry associations both within and outside Niagara;
- d) Leaders in the real estate, development and design build community, both within and outside Niagara; and,
- e) The general public.

9.3 Marketing Tools

The marketing of the CIP programs and municipal leadership actions should entail a comprehensive multi-media campaign containing information, education and advertising components. The following key tools are recommended to implement the Marketing Strategy:

- a) A Publication, e.g., a newsletter, containing a description of the financial incentive programs available in the Gateway Community Improvement Project Area, including general program requirements and how to apply, highlights and updates of planned infrastructure, transportation and other improvements, and profiles of projects and new/expanded businesses that are taking advantage of the CIP incentive programs;

- b) Profiling of the incentive programs and projects that are underway or that have been completed within the Community Improvement Project Area in planning and economic development publications, newsletters and other publications published by the Local Municipalities and the Region;
- c) Stories in local media (newspaper, radio, web) regarding the CIP, progress on municipal leadership actions and project success stories in the Community Improvement Project Area;
- d) Direct (one-click) access on the Regional and Local Municipal web pages to information on available incentive programs and the aforementioned publications;
- e) Periodic presentations to the target audience that cover available incentives programs, municipal leadership actions including infrastructure and transportation improvements, and existing and new business and development success stories in the Community Improvement Project Area, and,
- f) Media Releases and profiles of successful projects and initiatives should be sent to local media within Niagara and also to media outside Niagara.

10.0 Conclusion

This "Master Gateway CIP" was prepared to provide a comprehensive framework for the introduction and implementation of financial incentive programs and municipal leadership actions designed to attract investment and development into the Gateway Community Improvement Project Area. If the CIP is successful in doing this, the CIP will help to revitalize, diversify and strengthen the economy in Niagara. Therefore, the Gateway CIP will help to ~~help~~ achieve the goals identified in the Province's Growth Plan, the Niagara Gateway Economic Zone and Centre Final Report, Niagara's Economic Growth Strategy, the Regional Policy Plan, and Local Official Plans.

In consultation with the five Local Municipalities and other key stakeholders, Niagara Region led and coordinated the preparation of this "Master Gateway CIP". It is intended that Niagara Region will endorse this Master Gateway CIP and then all five Local Municipalities would adopt this Master Gateway CIP. This approach ensures consistency in the incentive programs offered across all five Local Municipalities and each local municipality can then offer grants that are partially funded by Niagara Region. This approach complies with the *Planning Act* and associated regulations.

The preparation of this CIP has benefitted greatly from extensive consultation with key stakeholders, including key opinion leaders in the real estate, development and design/build community. The Niagara Gateway Economic Zone and Centre Implementation Committee was also kept up-to-date throughout preparation of the CIP, and they provided valuable input and advice.

The endorsement of this CIP by Niagara Region and the subsequent adoption and approval of this CIP by the Local Municipalities will provide the legislative basis and comprehensive policy framework for the provision of incentive programs designed to achieve the goals of this Plan. Successful implementation of this CIP will require a commitment by Niagara Region and the Local Municipalities to implement, fund, administer and monitor the incentive programs. Experience in other municipalities has shown that early and effective implementation of a multi-faceted marketing strategy will help to make property and business owners aware of the incentive program opportunities available through the CIP. This will result in a more successful CIP. Ongoing monitoring of the performance of the Gateway CIP and adjustments to the incentive programs contained within the CIP, will also help to ensure the long-term effectiveness of the Gateway CIP.

11.0 References

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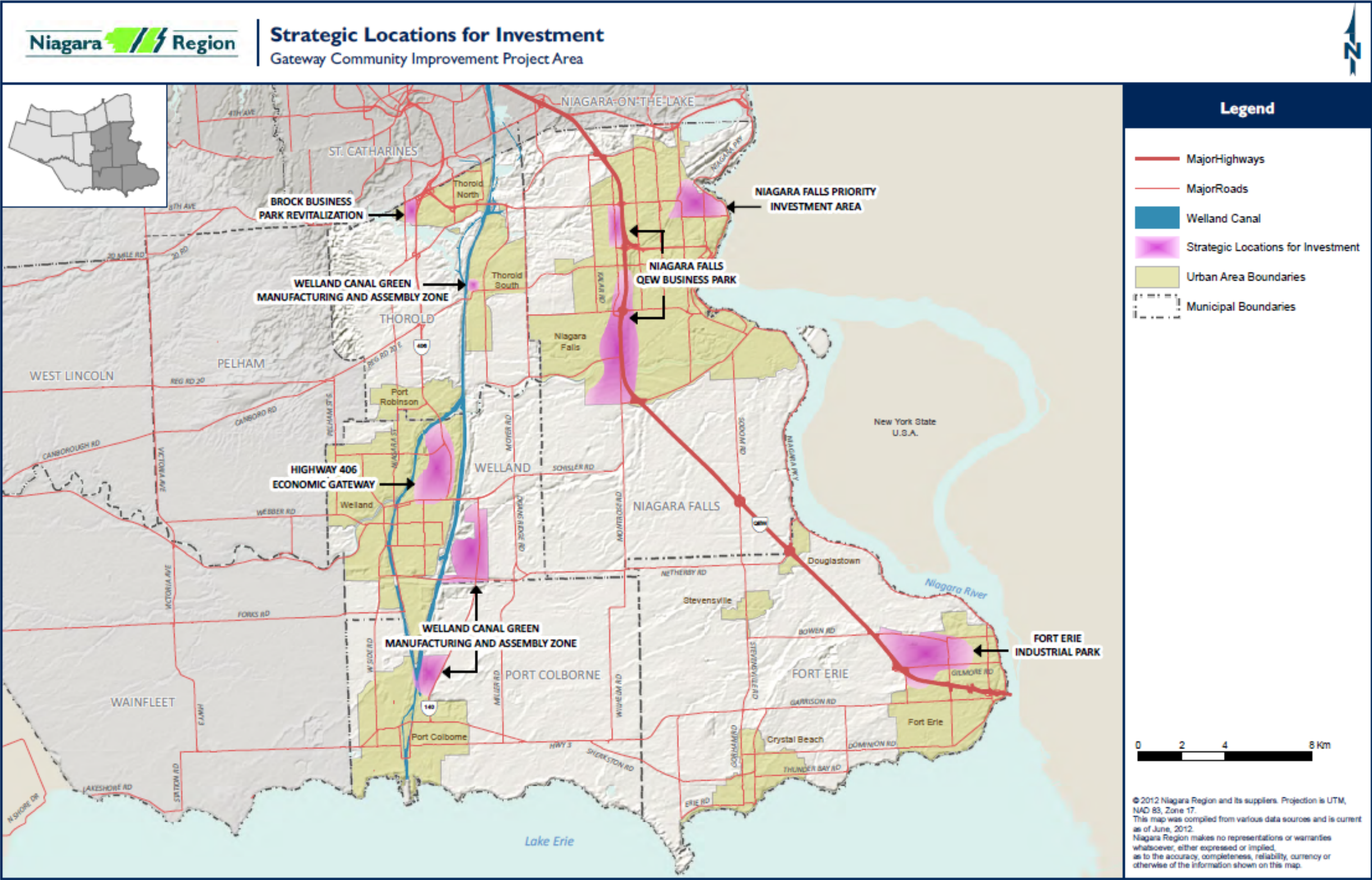
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Appendix A

Strategic Locations for Investment



Appendix B

Joint Administration Process for Tax Increment Based Grant Program

The administration of the Tax Increment Based Grant Program will be a shared or joint process between the Local Municipalities and Niagara Region. While Local Municipal CIP coordinators would receive applications for the Tax Increment Based Grant Program, Regional staff would be involved in pre-application meetings (as required), and Regional staff would also review applications to ensure all program requirements, Regional information and other requirements have been met.

Scoring of the applications using the performance matrix would be done in consultation between the Regional Incentive Programs Coordinator (Expeditor) and the Local Municipal CIP coordinator. Once the project has been scored, a grant agreement would be prepared and a recommendation report would be prepared. This recommendation report would first be forwarded to the Local Municipal Council (or Council's designate) for consideration and then to Regional Council (or Council's designate) for their consideration. Once the grant is formally approved by the respective Councils, and the grant agreement has been fully executed, the project can commence.

Once the project is complete and occupied, the Local Municipal CIP Coordinator and the Regional Expeditor would receive completion information and reports from the applicant and inspect the project (as required) to determine as built project performance and adjust the Tax Increment Grant Level accordingly. The Local Municipal CIP Coordinator and the Regional Expeditor would then request an annual or periodic report on project performance and/or conduct an inspection of the facility. Again, the Tax Increment Grant Level could be adjusted depending on ongoing project performance.

The Tax Increment Grant would be paid by the Local Municipality annually once Local and Regional staff have confirmed that all program and grant agreement requirements have been met/continue to be met. The Region would provide a grant to the Local Municipality equivalent to the Regional share of the Tax Increment Based Grant payment.

The Regional Expeditor, in cooperation with the Local Municipal CIP Coordinators, will take the lead in monitoring and reporting both project performance and Regional and Local funding of the incentive programs. This will help to standardize the format and frequency of the reporting of program results across the five Local Municipalities.

Appendix C

Tax Increment Based Grant Program Application Evaluation

1 Economic Performance

A maximum of 15 points is available for the economic performance of a project with points awarded based on a) the number of direct full-time or full-time equivalent (FTE) jobs created by the proposed business(s) (not including jobs created through construction of the building), and b) the construction value of the project, as follows:

a) Full-time or FTE Jobs Created

| Full-time Jobs Created/Retained | Points |
|---------------------------------|--------|
| 1-9 | 5 |
| 10-19 | 6 |
| 20-34 | 7 |
| 35-50 | 8 |
| 51-74 | 9 |
| 75-100 | 10 |
| 100+ | 11 |

PLUS

b) Construction Value

| Construction Value (from building permit) | Points |
|---|--------|
| \$200,000 - \$1,999,999 | 1 |
| \$2,000,000 - \$9,999,999 | 2 |
| \$10,000,000 - \$39,999,999 | 3 |
| \$40,000,000+ | 4 |

2 Environmental Design Performance

A maximum of 5 points is available for the environmental design performance of a project with points awarded based on the level of Leadership in Energy and Environmental Design (LEED) certification achieved by the project or conformity of the project with the Region's new Smart Growth Design Criteria⁴, as follows:

| Level of LEED Certification | Points |
|-----------------------------|--------|
| LEED | 2 |
| LEED Silver | 3 |
| LEED Gold | 4 |
| LEED Platinum | 5 |

OR

⁴ The new Regional Smart Growth Design Criteria are currently being developed.

| Region's Smart Growth Design Criteria | Points |
|--|--------|
| Conforms with 70% of Smart Growth Design Criteria | 2 |
| Conforms with 80% of Smart Growth Design Criteria | 3 |
| Conforms with 90% of Smart Growth Design Criteria | 4 |
| Conforms with 100% of Smart Growth Design Criteria | 5 |

3 Project Evaluation and Scoring

Combining the scores for economic performance and environmental design performance, a project can score a maximum of 20 points. The annual percentage of the municipal (Region and Local) tax increment grant provided to a project will be based on its total project performance score out of 20 as per **Table C-1** below. For example, a project that creates 40 FTE jobs, has a construction value of \$8 million and is LEED Silver certified would score 13 points out of 20 and be awarded an annual grant of 65% of the municipal property tax increase generated by the project. This grant would be paid for 10 years if the project is located within one of the Strategic Locations for Investment, and 5 years if the project is located outside one of the Strategic Locations for Investment.

Table C-1 Tax Increment Based Grant Level

| Total Score | Tax Increment Based Grant Level |
|-------------|---------------------------------|
| 0-7 | No Grant |
| 8 | 40% |
| 9 | 45% |
| 10 | 50% |
| 11 | 55% |
| 12 | 60% |
| 13 | 65% |
| 14 | 70% |
| 15 | 75% |
| 16 | 80% |
| 17 | 85% |
| 18 | 90% |
| 19 | 95% |
| 20 | 100% |

The evaluation of the Tax Increment Grant project would work as follows. Once an application is submitted, it will be evaluated to determine program eligibility. If the project is eligible for the program, Local and Regional staff would jointly evaluate and score the application. This would result in a staff report to Local and Regional Council that contains the preliminary project score based on the project performance information provided by the applicant, and a recommendation for conditional approval of the application based on the information provided by the applicant. If the application is approved by Local and Regional Council, once the project is completed, the as-built project performance score would be calculated by municipal staff. The Tax Increment Grant to be paid to the applicant as per Table C-1 above would be based on this score.

Appendix D

Development Charge Grant Program Application Evaluation

In order for a project approved to receive a TIBG to also qualify to receive a Development Charge Grant, the as-built project must achieve a score of at least 14 out of 20 in the TIBG application scoring (as shown in the green shaded area in Table C-1 in Appendix C).

The Development Grant Charge Program would work as follows. Once the TIBG application is approved and the applicant decides to proceed with the project, the applicant would pay Local and Regional development charges in full as normal, i.e., usually at the time of building permit issuance. After project completion and occupancy, the actual project performance score for purposes of determining the TIBG level would be calculated. If the score for the TIBG level equals or exceeds 14 points, a Development Charge Grant equal to the percentage of the Regional Development Charge paid by the applicant as shown in the green shaded area in Table C-1 of Appendix C would be paid to the applicant by the Local Municipality in the form of a one-time payment. This Development Charge Grant Payment would be capped at \$1.5 million. The Region would provide a grant to the Local Municipality equivalent to the Regional Development Charge Grant so that the Local Municipality can pay this grant to the successful applicant.

The Development Charge Grant Program will be administered by Niagara Region. However, the Development Charge Grant Program will utilize the same application form as the Tax Increment Based Grant Program and all applicants applying for the Development Charge Grant Program must apply for the Tax Increment Based Grant Program. The application form for the Tax Increment Based Grant Program will have a section where the applicant can indicate that they are also applying for the Development Charge Grant Program.



**Subject: Niagara Gateway Economic Zone and Centre CIP
Expansion**

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2023-219

Meeting Date: November 28, 2023

Recommendation:

That Chief Administrative Office Report 2023-219 be received; and

That Council approve expanding the Niagara Gateway Economic Zone and Centre Community Improvement Plan (NGCIP) area as outlined in Appendix A; and

That the Manager of Strategic Initiatives be directed to contact the Niagara Region Growth Strategy and Economic Development Department to request a matching of the new boundaries; and

That the Mayor and Acting City Clerk be authorized to execute any and all required documents on behalf of the City.

Purpose:

The purpose of this report is to seek Council approval for the expansion of the boundaries of the Niagara Gateway Economic Zone and Centre Community Improvement Plan (NGCIP) to further incentivize investment and facilitate economic development in the City of Port Colborne. Appendix A depicts the proposed expansion area.

Background:

The NGCIP is a Tax Increment Based Grant (TIG) Program. This program provides an incremental tax grant for completed projects within the Gateway Project Area based on the project's economic and environmental design performance. Successful applicants will receive a tax rebate of a percentage of the post-project assessed value, for a period

of 5 or 10 years depending on the location of the project. The current boundaries for a 10-year TIG are shown in yellow on Appendix A. This joint program is funded and administered by the Niagara Region and the City of Port Colborne, and it is designed to encourage the development, redevelopment, or expansion of businesses, as well as create jobs in a specific geographic location for qualifying businesses.

The TIG is a points-based system with various criteria such as environmental design performance and value of construction. The number of points determine whether development on the property qualifies for the program and a percentage of between 40% and 100% of the increased tax assessment. This amount of rebate is fixed so if the Municipal Property Assessment Corporation (MPAC) assessment continues to increase further over the 10 years, the TIG amount returned continues to stay constant. The City and Region is also protected if the property was to be reassessed at a lower tax rate in the future.

Discussion:

The subject lands, as depicted in Appendix A, are designated Rural Employment, Environmental Protection Area, and Environmental Conservation Area in the City's Official Plan, and are zoned site-specific Heavy Industry (HI), site specific Industrial Development (ID), Environmental Conservation (EC) and Environmental Protection (EP). The Official Plan and Zoning support industrial development on the subject lands, subject to the environmental policies and regulations on a portion of the lands.

Staff recommend support for expanding the boundaries and that the Niagara Region be requested to match the new boundaries. The Niagara Region Growth Strategy and Economic Development Department has been consulted, are supportive of the change, and support recommending this proposed CIP expansion to Niagara Region Council.

Economic Development and Tourism Services (EDTS) is bringing this request forward to Council to support and facilitate future economic growth and promote the diversification of the economy and tax base in the City of Port Colborne. Over the past three years, the City has seen unprecedented interest in industrial land. Adding these strategically located properties, which are zoned HI or ID, into the Niagara Gateway CIP boundary will promote the development of the lands through new investment and bring new jobs and increased tax assessment for the City.

Planning Act

Section 28 of the *Planning Act* allows for the consideration of an amendment to the existing Community Improvement Plan. Section 28 refers municipalities to follow the process of an Official Plan Amendment under Section 17 with respect to matters such as Notices, Public Meetings, and approvals.

Internal Consultations:

The EDTS team has consulted with Planning and Corporate Services (Finance) and both Divisions are in support of the NGCIP boundary expansion. The following are comments received from internal departments:

Corporate Services

The addition of these lands to the Gateway CIP area is supported by Corporate Services, as the CIP expansion would encourage industrial development, resulting in a positive impact on future tax assessments throughout the TIG period and significantly at the end of the TIG periods.

Planning Division

The Planning Division is in support of the expansion of the NGCIP identified in Appendix A. The subject lands are contiguous with the Gateway Employment Area located to the south and the expansion supports economic growth of the City by providing financial incentives to facilitate employment uses on the subject lands. The expansion supports Section 2 of the City's Official Plan that describes the vision and strategic directions for the City with a focus on supporting existing businesses and promoting new business opportunities.

Drainage Superintendent

The Drainage Superintendent has no concerns or comments for the expansion of the Gateway Community but does have concerns with the municipal drains on these parcels and how they are to be addressed, should there be proposed changes to them.

Staff Response

Any future proposed development of the subject lands would be subject to site plan approval and would need to address any concerns with the municipal drain on the subject lands as a condition of their site plan approval.

The request was also circulated to external agencies in accordance with the *Planning Act* and the following comments have been received to date:

Ministry of Transportation (MTO)

In principle, the MTO has no objection with the proposed expansion.

Subject lands are located within the Ministry's permit control limit; hence, review/approval and MTO permits are required prior to any proposed redevelopment. All new access must adhere to the Ministry's access management policies (no access to Highway 140, only permitted via existing public road connections).

Mississaugas of the Credit First Nation (MCFN)

MCFN has requested to meet with City staff to discuss the proposed NGCIP expansion.

Staff Response

Staff have arranged to meet with the MCFN prior to Council consideration of this report.

Any future proposed development of the subject lands would be subject to site plan approval and the MTO and MCFN are circulated on all applications with the opportunity to provide comments.

Niagara Peninsula Conservation Authority (NPCA)

While the NPCA does not have any objections to the expansion of the CIP Area, they note that the proposed expansion area contains large areas regulated by the NPCA under Ontario Regulation 155/06. The regulated areas are comprised of wetlands (provincially significant), 100-year flood plain, and watercourses. Any work proposed within an NPCA regulated area requires approval from the NPCA.

Financial Implications:

There are no direct costs associated with this report.

The Tax Increment Grant (TIG) over a 10-year period continues to have a net tax assessment increase, as the TIG is a fixed amount after the completion of the MPAC reassessment. Any grant received is self funded by way of the new property taxes generated.

Following the 10-year period, the City will receive the full property tax value associated with the redeveloped property. The owner is responsible for the upfront costs of redevelopment and must pay for the increased taxes arising from the higher assessed value. The incremental portion of the tax increase is returned in the form of a grant.

Public Engagement:

The City of Port Colborne held a public meeting on November 28, 2023, with 20 days notice as required by the *Planning Act*. Notice was provided through an advertisement in the Welland Tribune on or before November 8, 2023, and notice was posted on the City's website and social media pages. No comments from the public were received as of the writing of this report.

Strategic Plan Alignment:

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

- Economic Prosperity

Conclusion:

The expansion of the boundaries of the Niagara Gateway Investment Zone and Centre CIP to provide the 10-year TIG will attract investment, encourage economic development, and create jobs in Port Colborne. The addition of new industry will have an overall tax assessment increase for the City of Port Colborne over the 10 years with a significant increase at the conclusion of the TIG. Staff are recommending that Council support this boundary change and that the Council motion be forwarded to Niagara Region's Commissioner of Growth Strategy and Economic Development.

Appendices:

- a. NGCIP Expansion Area

Respectfully submitted,

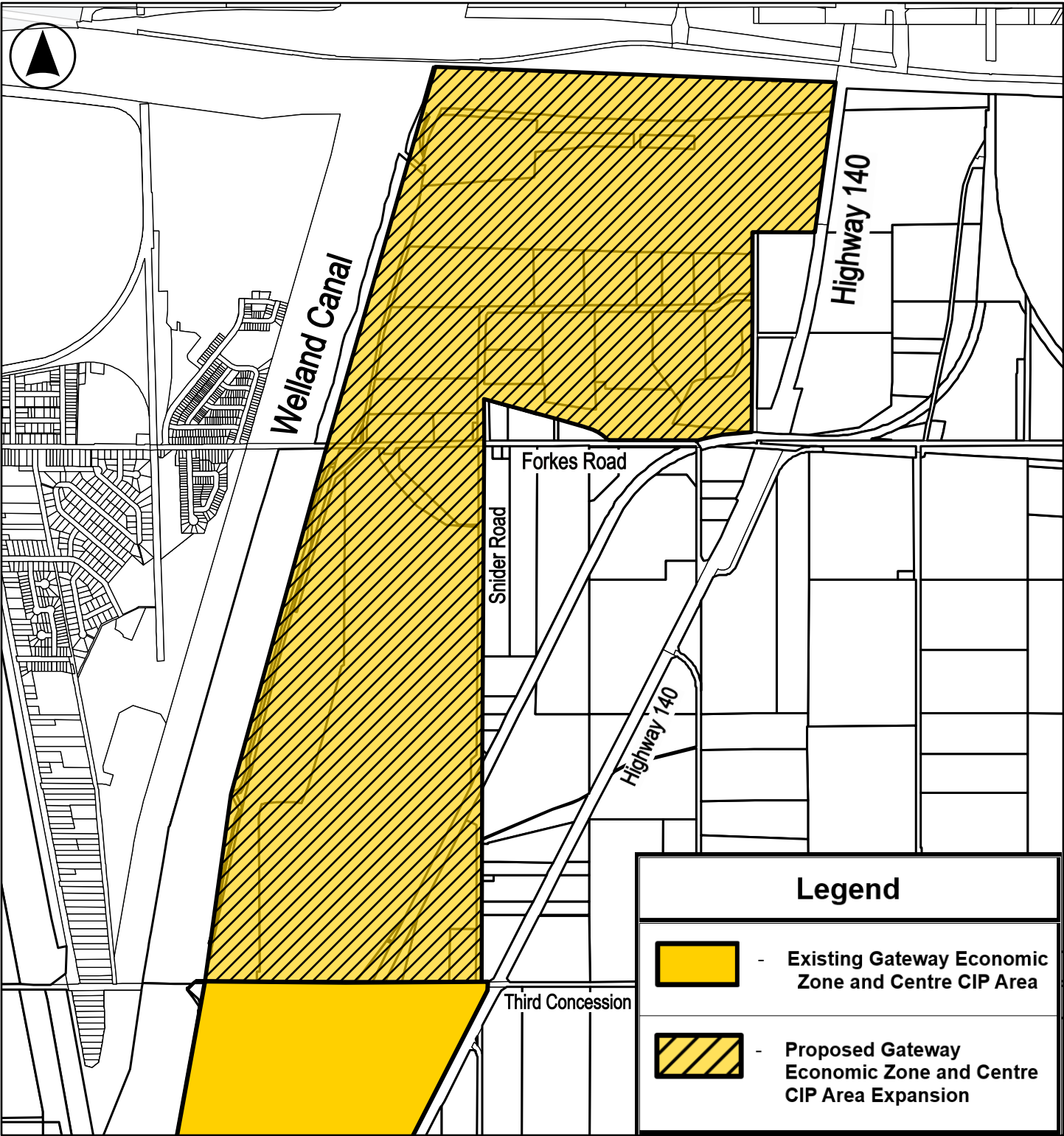
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Report Approval:

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.

Proposed Gateway CIP Area Expansion



Administration

Office of the Regional Clerk

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

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www.niagararegion.ca

February 23, 2024

CL 3-2024, February 22, 2024
PEDC 2-2024, February 7, 2024
PDS 4-2024, February 7, 2024

Local Area Municipalities

Niagara Peninsula Conservation Authority

SENT ELECTRONICALLY

Tree and Forest Canopy Project

PDS 4-2024

Regional Council, at its meeting held on February 22, 2024, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 4-2024, dated February 7, 2024, respecting Tree and Forest Canopy Project, **BE RECEIVED** and **CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

A copy of PDS 4-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

js

CLK-C 2024-17

cc: K. Costantini, Senior Planner
M. Sergi, Commissioner, Growth, Strategy and Economic Development
N. Oakes, Executive Assistant to the Commissioner, Growth, Strategy and Economic Development

Subject: Tree and Forest Canopy Project

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 7, 2024

Recommendations

1. That Report PDS 4-2024 **BE RECEIVED** for information; and
2. That a copy of Report PDS 4-2024 **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- The purpose of this report is to inform Council of the recently completed Niagara Tree and Forest Canopy Assessment project.
- Tree and forest canopy is an increasingly important topic across municipalities, this project provides baseline tree and forest canopy and land classification data for the Niagara Region.
- The tree and forest canopy assessment will inform future direction and implementation of environmental projects, including the Regional Greening Initiative and support decision making for a variety of environmental planning responsibilities.
- Final land classification results indicate that overall, Niagara Region has a 25.4% tree and forestry cover.
- The data and findings from the project will be shared with the local area municipalities to support local initiatives.

Financial Considerations

The costs associated with the Tree and Forest Canopy Assessment project were accommodated within the Council approved project budget for the Niagara Official Plan.

Analysis

This report provides an overview and results of the recently completed Niagara Region tree and forest canopy (TFC) project. The main outcome of the project is a quantified

assessment of the complete regional TFC cover (Figure 1 – Appendix 1). The project also produced a land use classification spatial dataset for the extent of the Niagara Region, which has been used to generate additional information and statistics on ecosystem services, theoretical planting opportunities, and additional study avenues. The results of the project provide baseline data for the Region's current TFC, will continue to be used to identify and carry out plantings on regional properties through the Greening Initiative, and will inform future direction and implementation of environmental projects and support decision making for a variety of environmental planning responsibilities at both the regional and local levels.

TFC coverage can impact the environmental, economic, and social aspects of our everyday lives. The TFC coverage of an area has a direct relationship to the water quality of surrounding watercourses, helps prevent erosion of soil, improves air quality, lessens UV exposure through shade provision, and enhances the health and prevalence of flora and fauna ecosystems in an area, among other benefits. Residents in a well-treed area benefit from an economic perspective, by requiring less energy resources to cool their homes in summer and heat them in winter when trees provide shade and wind blocks. Municipally, trees are the least costly approach to stormwater management by reducing the amount of run-off that enters storm systems and can also act as effective buffers to urban noise levels.

TFC coverage refers to the proportion of fixed area on the ground covered by tree crowns. Coverage is inclusive of larger forested areas, as well as small tree stand areas such as hedgerows, and individual trees, such as boulevard and yard trees. A few of Niagara's local municipalities have completed work to determine local urban canopy coverage or have conducted municipal tree inventories. This project provides a consistent approach across the entire Region, allowing results and analysis to be completed on a standardized dataset. This project represents data at a 'point-in-time' with consideration of several factors which will continue to influence and have direct effects on the composition and coverage of trees across the Region, including but not limited to climate change, invasive species and tree diseases, and land-use changes.

A consultant was retained to carry out this project and commenced work in Q1 2023. The scope of the project included creating a 1 metre raster-based dataset identifying landcover classifications across Niagara Region. Six land cover classes were identified: TFC, Grass and non-treed Vegetation, Soil and Bareland, Impervious Cover, Buildings, and Water. TFC was further analyzed and a subclass identifying orchard canopy was produced to quantify where orchard canopy is a contributor to overall canopy. The land cover classes represented the landscape from a top-down perspective, i.e., in areas

where two classes overlap, such as tree canopy overhanging a roadway, only the tree canopy was represented in the land cover classification. Figure 2 (Appendix 1) shows an example of a mapped area in St. Catharines.

Various data sources were used for the project including: Ontario Road Network (2023), Hamilton-Niagara LiDAR DSM (2021), Hamilton-Niagara LiDAR DTM (2021), Bing imagery (2021), Southwestern Ontario Orthophotography Project (2020), and Niagara Region Building Footprints (2018). Using GIS based software, classification techniques were employed to generate each land cover class including segmentation of a LiDAR based height model, random forest machine learning image classification of orthoimagery, and a manual digitization of features using orthoimagery. Additionally, a QA/QC process was carried out to validate the accuracy of the classifications using random ortho-imagery point interpretation. A total of 2,163 points were manually classified to create the ground truth dataset with accuracy results indicating a 90% confidence in the land cover classification.

The final land cover classification raster covers an area of 188,188 hectares and comprises 1.88 billion pixels at a 1-meter spatial resolution.

Results and Analysis

This report provides baseline data findings and examples of types of analysis that can be completed using the data.

Final land classification results indicate that overall, Niagara Region has a 25.4% TFC cover. The full breakdown of land classifications across the Region is as follows:

Table 1: Land Classification by Type across Niagara Region

| Land Classification | Total Hectares | % of Total Land |
|--------------------------------|----------------|-----------------|
| Tree and Forest Canopy | 46789 | 25.4 |
| Grass and non-treed Vegetation | 49205 | 26.7 |
| Soil and Bareland | 72550 | 39.3 |
| Buildings | 4591 | 2.5 |
| Impervious Cover | 11314 | 6.1 |
| Total: | 184449 | 100% |

Land classification data was further disaggregated by the 12 municipality boundaries (Table 2).

Table 2: Land Classification by Type by Municipality

| Municipality | Land Area (ha) | TFC | Grass and non-treed Vegetation | Soil and Bareland | Buildings | Impervious Cover |
|--------------------------|----------------|-----------------------------------|-----------------------------------|-----------------------------------|---------------------------------|----------------------------------|
| Fort Erie | 16,535 | 34.8% | 31.8% | 24.8% | 2.2% | 6.5% |
| Pelham | 12,580 | 31.4% | 31.2% | 31.5% | 1.9% | 4.0% |
| Niagara Falls | 20,833 | 30.5% | 35.0% | 20.9% | 3.7% | 10.0% |
| Port Colborne | 12,069 | 28.4% | 29.1% | 35.7% | 1.8% | 5.1% |
| Thorold | 8,332 | 26.6% | 32.1% | 31.7% | 2.3% | 7.3% |
| Wainfleet | 21,626 | 25.9% | 19.3% | 52.2% | 0.6% | 2.0% |
| Grimsby | 6,854 | 23.9% | 29.7% | 34.5% | 3.5% | 8.4% |
| St. Catharines | 9,598 | 22.4% | 30.3% | 15.7% | 10.6% | 21% |
| Welland | 8,112 | 22.1% | 43.3% | 16.2% | 5.5% | 12.9% |
| Lincoln | 16,217 | 21.9% | 22.6% | 48.1% | 2.4% | 5.0% |
| West Lincoln | 38,628 | 20.7% | 18.6% | 58.1% | 0.6% | 1.9% |
| Niagara-on-the-Lake | 13,108 | 18.0% | 23.4% | 49.5% | 2.8% | 6.2% |
| Regional Average: | 184,492 | 25.4% (46789 ha) | 26.7% (49205 ha) | 39.3% (72550 ha) | 2.5% (4591 ha) | 6.1% (11314 ha) |

To gain a better understanding of the overall TFC in urbanized areas, where most of Niagara's population reside, the data was additionally assessed using the boundaries of the 27 urban areas (Table 3). Overall, the average TFC coverage across all urban areas was 23.8%.

Table 3: TFC by Urban Areas

| Municipality | Urban Area | TFC |
|---------------------|---------------------|-------|
| Pelham | Fenwick | 36.2% |
| | Fonthill | 29.7% |
| Fort Erie | Crystal Beach | 31.8% |
| | Fort Erie | 36.8% |
| | Douglstown | 21.4% |
| | Stevensville | 25.0% |
| Niagara-on-the-Lake | Queenston | 46.2% |
| | Niagara-on-the-Lake | 34.5% |
| | Virgil | 19.3% |
| | St. David's | 23.8% |
| | Glendale | 13.6% |
| Niagara Falls | Niagara Falls | 25.5% |
| St. Catharines | St. Catharines | 23.1% |
| Lincoln | Vineland South | 31.2% |
| | Jordan | 26.9% |
| | Vineland | 19.9% |
| | Jordan Station | 24.6% |
| | Campden | 17.8% |
| | Beamsville | 15.6% |
| | Prudhomes | 11.9% |
| Thorold | Thorold North | 13.1% |

| Municipality | Urban Area | TFC |
|---------------|----------------------------|--------------|
| | Thorold South | 12.8% |
| | Port Robinson | 34.0% |
| Port Colborne | Port Colborne | 20.6% |
| Welland | Welland | 18.7% |
| Grimsby | Grimsby | 17.4% |
| West Lincoln | Smithville | 10.4% |
| | Urban Area Average: | 23.8% |

Additional high-level analysis was completed using the TFC data. Analysis included intersecting various Statistics Canada levels of geography and population data with the TFC data, as well as using the grass and non-treed vegetation classification layer to determine potential planting area (PPA). The total TFC and PPA of Region owned properties was also investigated. Full results are available in Appendix 2 of this report.

Agricultural TFC

The northern extent of the region, bordering the shoreline of Lake Ontario is predominantly specialty crop agriculture. Vineyards and orchards are numerous outside of settlement areas. Orchard trees aid in the reduction of carbon dioxide alongside other tree species found in Niagara and are an important contributor to the reduction of greenhouse gases. Total TFC as reported in this project is inclusive of orchard canopy, however, additional analysis was conducted to measure the contribution of orchard canopy in areas where tender fruit agriculture is prevalent. Results indicate, total TFC coverage in the Greenbelt Plan area is 23.6%, with orchards accounting for 9.9% of this coverage (i.e., 1,165 ha of the total 11,724 ha of TFC is generated from orchard canopy). Municipalities where orchard canopy is a major contributor to overall canopy, include Niagara-on-the-Lake (23% of total canopy coverage) and Lincoln (13% of total canopy coverage). Figure 3 (Appendix 1) shows a mapped representation of the location of orchard canopy in the Greenbelt Plan area.

Ecosystem Services

Ecosystem services are the ecological benefits that tree canopy provides to humans. Results of the land classification assessment were used to gauge the ecosystem services of the existing TFC at a high level. Ecosystem services of TFC in Niagara were

quantified using i-tree Eco v6 software, produced by the U.S.D.A. Forest Service. Ecosystem Services considered in this study include carbon storage and sequestration, air quality, hydrology, and oxygen production. Full results can be found in Appendix 3 of this report.

Health Impacts

Tree Canopy can have many widespread impacts, not only on the local environment, but also on the social determinants of health of individuals in the community. Environmental, economic and social factors that are impacted by tree canopy affect the health of populations. Environmental factors can include the urban heat island effect, air quality, access to greenspace and resilience to the effects of climate change. The health outcomes impacted by tree canopy end up influencing economics related to healthcare services as increased use of services can be influenced by environmental factors. A detailed literature review on health impacts related to TFC is provided in Appendix 4 of this report.

Challenges

The current replacement value of all the trees in Niagara Region, where the replacement value is the estimated local cost of replacing a tree with a similar tree, is estimated to be \$11 billion. Significant threats to Niagara's TFC include susceptibility to pests and disease, stresses associated with climate change, invasive plant species and land-use change.

Climate change poses a number of potential impacts to TFC, affecting structure, health, distribution, and ecological function. The overall impacts of climate change are highly dependent on geography, existing species compositions, and the added presence of pests and disease.

Urban forest mortality rates have been recorded in some areas across North America, with studies suggesting the annual mortality rate of mature canopy in a forest typically ranges from 1% to 3%. In urban settings, urban tree mortality is highly variable depending on planting locations and general tree maintenance and upkeep. An aim to increase the overall regional TFC would need to account for not only identifying areas where additional tree plantings could occur, but also accommodating replacing trees lost to varying threats, land use changes and other circumstances.

Opportunities

As identified, Niagara's current TFC is estimated to be 25.4%. This baseline provides a reference point to support strategies, targets, and directions aimed at improving the overall canopy across Niagara Region. Section 3.1.25.2 of the Niagara Official Plan supports opportunities for enhancement of woodland cover, including the implementation of the Regional Greening Initiative, private land stewardship, land acquisition or dedication of private land to the Region, Local Area Municipalities, Conservation Authority, or other public or private organizations for tree planting and reforestation efforts; identification of woodland enhancement areas through the completion of watershed plans, subwatershed studies, or similar plans; or required tree and woodland protection and planting through the planning application process.

In the short term, this data quantifies the spatial distribution of TFC throughout the Region and will assist in identifying opportunities for increasing sustainable tree cover on regional properties as part of the Greening Initiative, as well as provide detailed data necessary to support targeting of future initiatives. Additionally, the Region will share the results of this study and the associated data with the local municipalities, to assist with an increased understanding of the coverage across specific areas and enable use of the information to support local initiatives.

Alternatives Reviewed

This report is for information purposes only. No alternatives were reviewed.

Relationship to Council Strategic Priorities

This report supports the following Council Strategic Priorities 2023-2026:

- Green and Resilient Region: Through identification and protection of the natural environment and facilitating the development of climate-resilient communities.

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Appendices

| | |
|------------|---------------------------|
| Appendix 1 | Report PDS 4-2024 Figures |
| Appendix 2 | Additional Analysis |
| Appendix 3 | Ecosystem Services |
| Appendix 4 | Health Impacts Review |

Appendix 1
PDS 4-2024
Report Figures

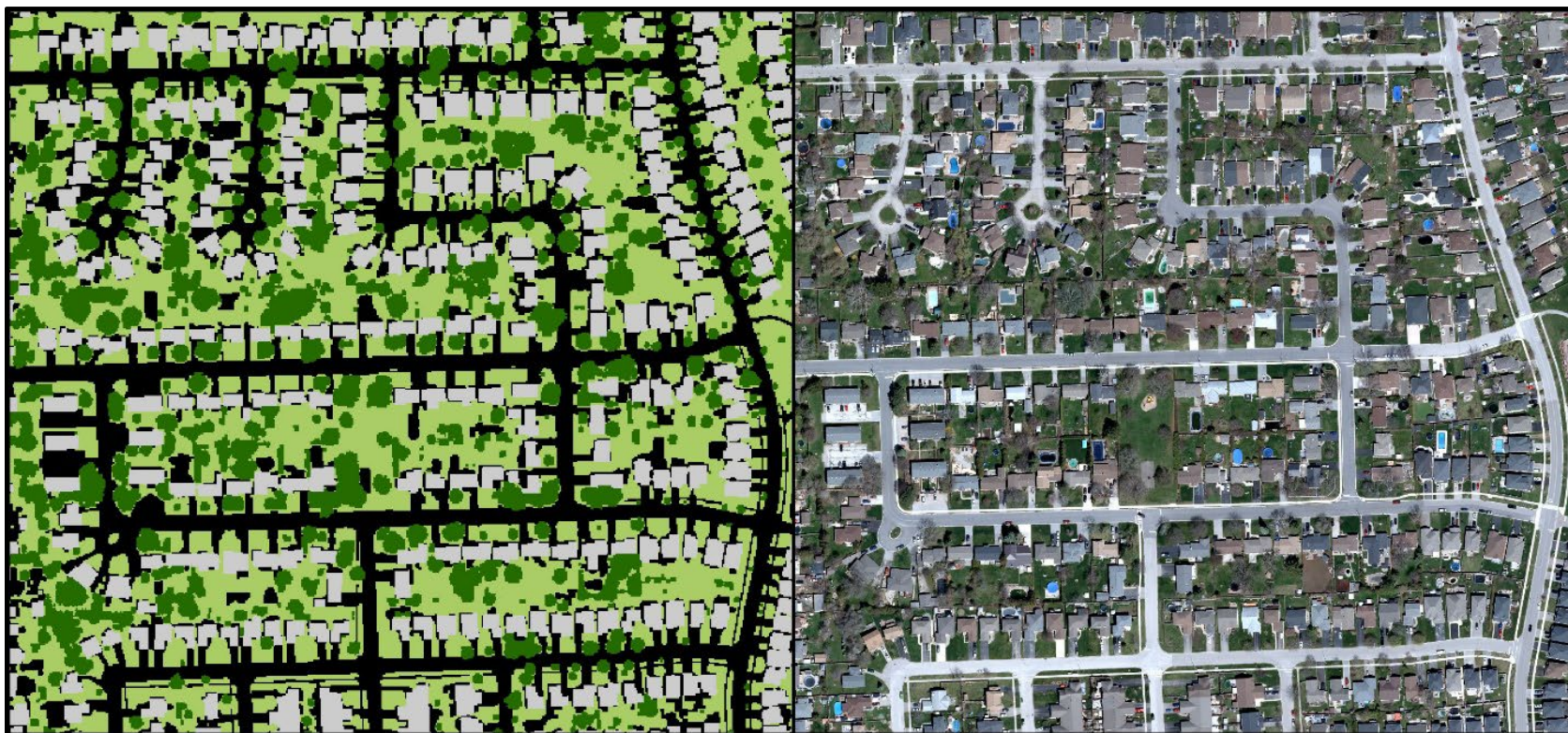


Figure 1: An area mapped with land classification data and an aerial photograph of the same area

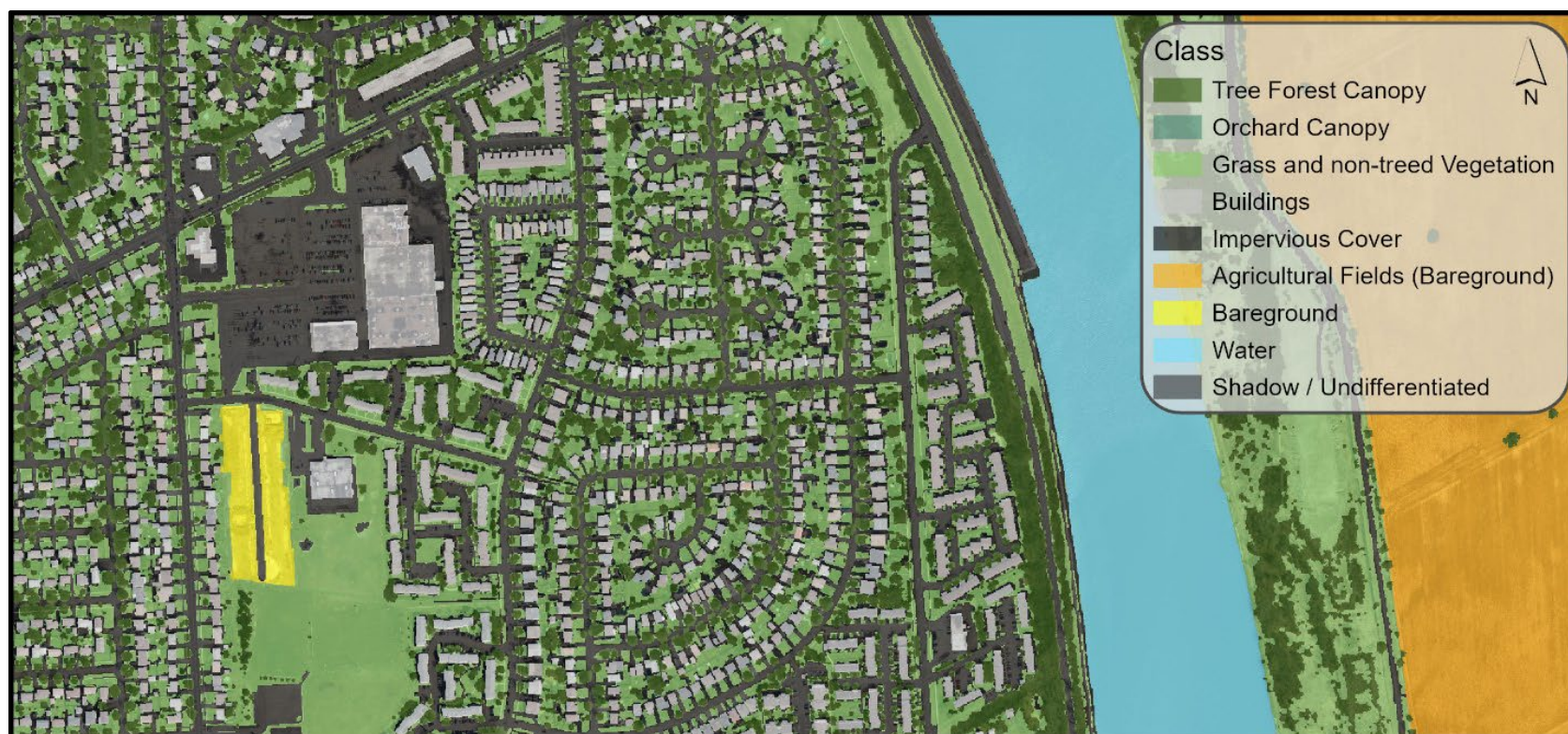


Figure 2: Example of the land classification data overlaid on aerial photography

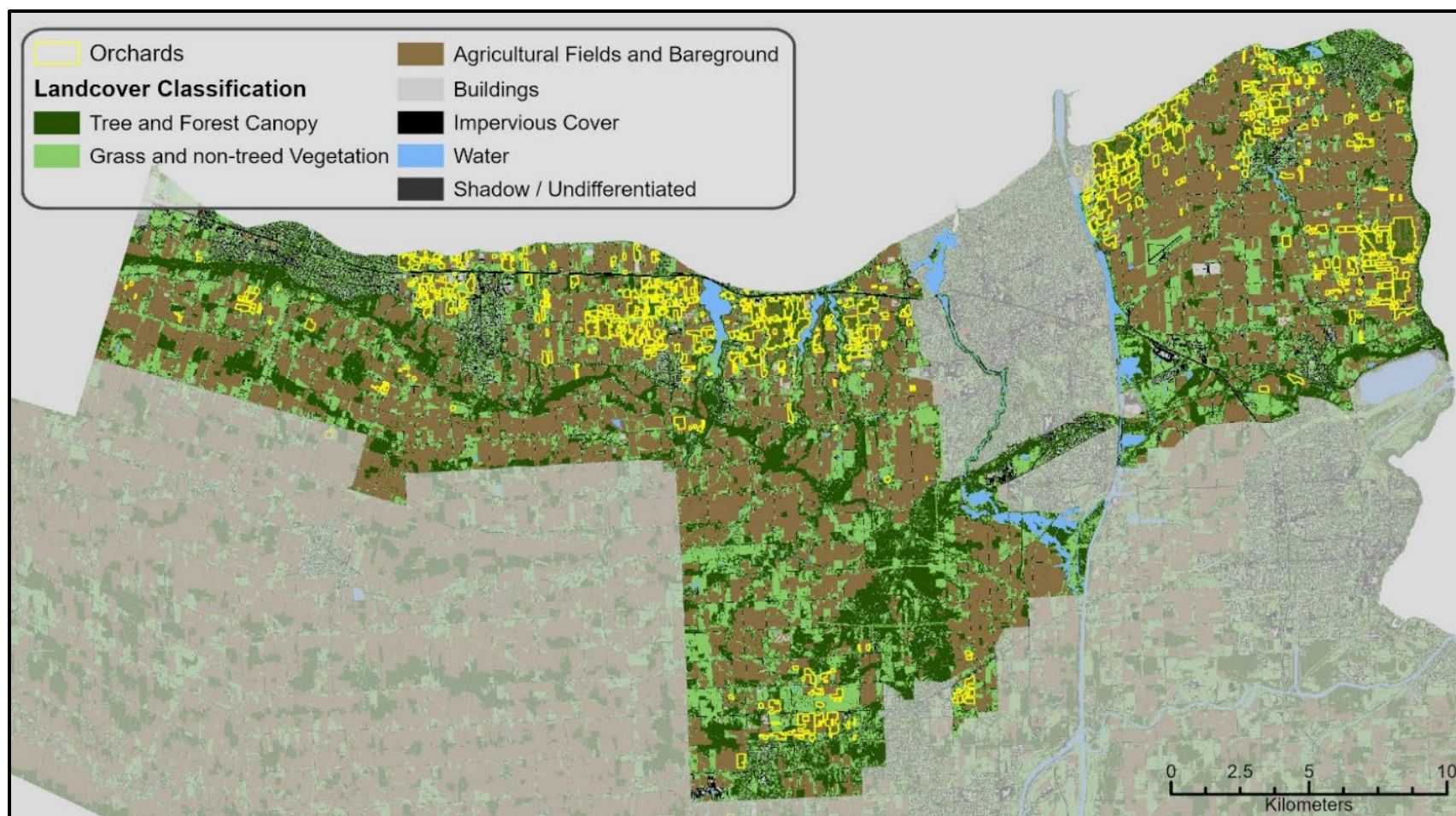


Figure 3: Orchard Canopy in the Greenbelt Plan Area

Appendix 2
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Additional Analysis

Additional Analysis

Geographic Areas

TFC distribution within urban areas was analyzed using Census based dissemination areas (DA's) as the geographical unit for analysis. Results indicate several DA's where "newer" built out residential areas had been recently established, exhibited lower overall TFC rates. This was not an unexpected result as most street and backyard trees were established post construction and have not matured enough to provide a large canopy. Older established neighbourhoods, especially those characterized by larger lots were generally found to have the highest ratios of TFC coverages (e.g., Figure 1 – the first map is a newly built neighbourhood and the second location is north St. Catharines).



Figure 1: Newly developed neighbourhood area with limited canopy coverage contrasted with an older developed neighbourhood with mature canopy coverage

DAs with a mix of commercial and residential development typically had low TFC, as the impervious surface class was very high due to parking areas (Figure 2). Rates of TFC across DAs in urban areas varied greatly (i.e., between 3.5% and 69.2% TFC), however this level of geography is valuable for providing an analysis scale appropriate for specific TFC analysis, targeting and goal setting.

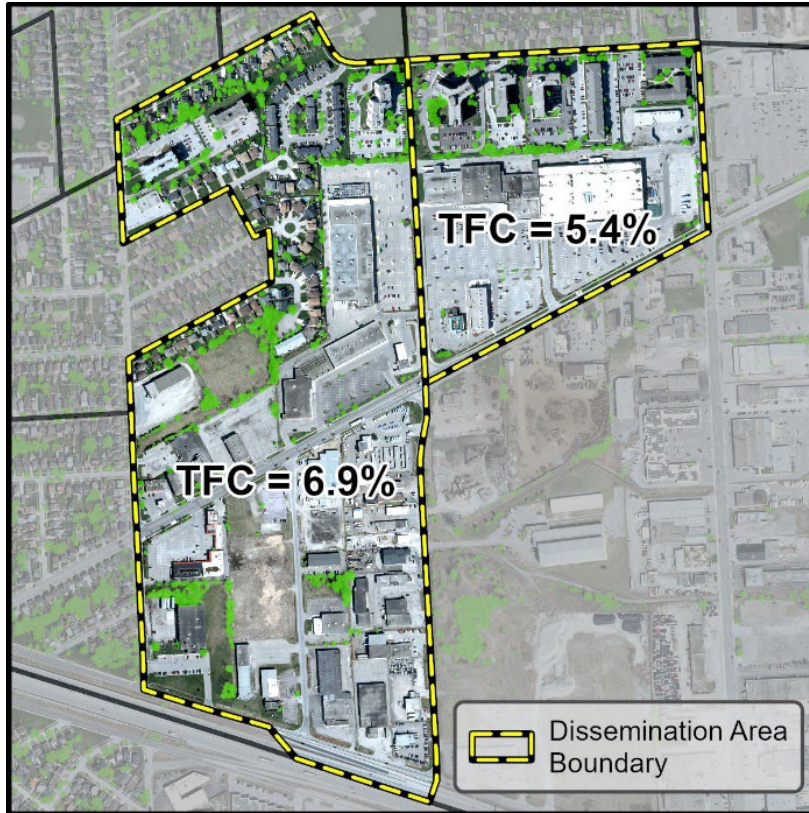


Figure 2: DAs characterized by high instances of commercial uses and impervious surfaces, resulting in low TFC rates

To characterize the relationship between population density and areas of high TFC within urban areas, the top 20 most densely populated DA's (persons/hectare – 2021 Census data) were selected. The DA's had an average 17.8% TFC cover, well below the overall regional canopy average. However, there were a few individual examples throughout the data, of areas with high population densities and strong canopy coverages, demonstrating that in some cases high canopy rates can co-exist in areas of high population densities (Figure 3).

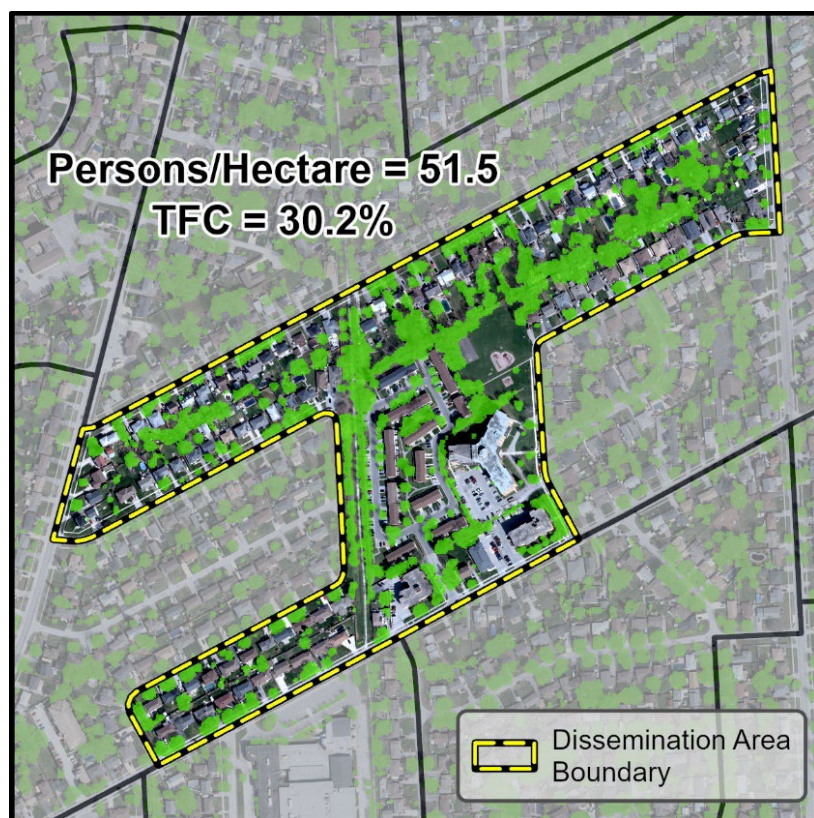


Figure 3: High population density and strong TFC coverage

Dissemination blocks (i.e., the smallest geographic area for which population and dwelling counts are shared by Statistics Canada) were also populated with TFC coverage statistics, and qualitatively mapped with a graduated colour scheme to show an increased level of information on TFC rates across urbanized areas (Figure 4). This type of information is valuable for very specific area targeting or analysis and provides greater detail on the level of cohesive coverage across an area.

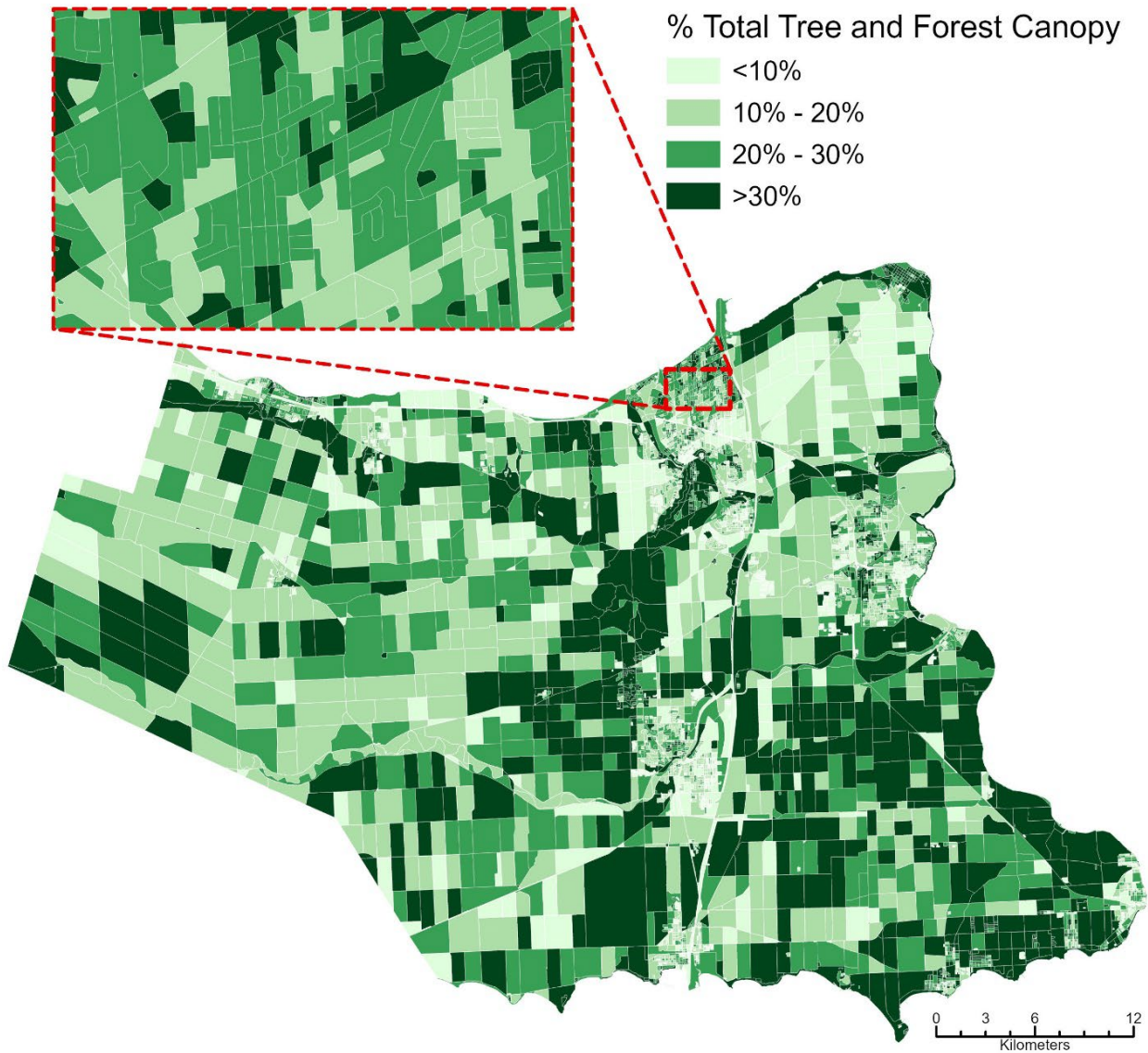


Figure 4: TFC by dissemination block

Potential Planting Area

A general approach to determining potential planting area (PPA) estimates is to examine the TFC of an area in relationship with the total grass and non-treed vegetation classification layer. Grass and non-treed vegetation areas represent land where theoretical tree planting opportunities may exist. The soil and bareland layer is typically comprised of agricultural fields, disturbed areas and gravel lots, thus it is not used in this analysis.

To accurately determine possible planting areas, grass and non-treed area data is selected and then certain lands excluded from the classification, including soccer fields, baseball diamonds and other recreational areas, railway and hydro right-of-ways, community gardens and golf courses, etc. The residual coverage is an estimated hectareage of land area that could possibly be converted to TFC. This data can be further assessed by land ownership (i.e., private land or public land) to determine where opportunities should be targeted. An example of this analysis was completed for the urban areas of Fenwick and Beamsville.

Potential planting area analysis for Fenwick and Beamsville

| Urban Area | Fenwick | Beamsville |
|--|-----------------|------------------|
| TFC | 36.2% | 15.6% |
| Total Area of UA | 250.4ha | 674.1 ha |
| PPA | 95.1 ha | 229.6 ha |
| % UA area that is PPA | 38.0 % | 34.1% |
| PPA on Private Lands | 85.4 ha (89.9%) | 167.1 ha (72.8%) |
| PPA on Public Lands (Including road ROWs) | 9.7 ha (10.1%) | 62.5 ha (27.2%) |

Regional Property Analysis

Individual properties owned by the Niagara Region were assessed for overall TFC. This analysis is beneficial to inform the ongoing planting strategies in support of the Regional Greening initiative. The resulting overall average TFC across all Region-owned parcels was 30.5%. PPA was also determined for each property. Properties were grouped by general type with results shown below. Staff anticipate assessing this data in more detail to determine future areas of opportunity for targeted TFC increases.

Regionally Owned Properties – TFC and PPA

| Niagara Region Property Type | TFC | Grass and non-Treed Vegetation (PPA) |
|---|--------|--------------------------------------|
| Niagara Region Housing | 26.7 % | 30.1 % |
| Pumping stations/Water treatment plants | 23.4% | 41.5 % |
| Offices, Police Station, Ambulance Bays, Daycares | 13.2 % | 38.5 % |

| Niagara Region Property Type | TFC | Grass and non-Treed Vegetation (PPA) |
|------------------------------|--------|--------------------------------------|
| Vacant lands | 42.0 % | 38.5 % |
| Other | 19.2 % | 43.4 % |
| Overall Average | 30.5 % | 39.2 % |

Appendix 3
PDS 4-2024
Ecosystem Services

Ecosystem Services Analysis

Carbon Storage and Sequestration

Carbon sequestration is the process of capturing and storing atmospheric carbon dioxide. Trees act as natural carbon stores by capturing carbon dioxide and storing it in their biomass and in the soil as organic carbon compounds. The region's TFC carbon storage and gross sequestration rates are estimated as follows:

- Carbon Storage: 4,265.2 metric kilotons
- CO₂ Equivalent: 15,639.2 metric kilotons
- Gross Carbon sequestration: 90.2 metric kilotons/yr
- CO₂ Equivalent: 330.9 metric kilotons/yr

The overall valuation of the carbon storage and sequestration ecosystem services from TFC is estimated to be \$489.9 million + \$10.4 million/yr. These valuation estimates are based on carbon pricing of \$114.87/metric ton.

Air Quality

TFC absorbs carbon dioxide, volatile organic compounds, nitrogen dioxide, and particulate matter, therefore improving air quality. The region's TFC is estimated to remove 2,757.7 metric tons/yr of pollution:

- CO: 15.15 metric tons/yr Carbon Monoxide
- NO₂: 257.91 metric tons/yr Nitrogen Dioxide
- O₃: 1,933.98 metric tons/yr Ozone
- PM_{2.5}: 107.36 metric tons/yr Particulate matter less than 2.5 microns in size
- SO₂: 443.31 metric tons/yr Sulphur Dioxide

Hydrology

Surface runoff from storm events is often amplified in urban areas where impervious surfaces are prevalent. Runoff can gather surface pollutants which can end up deposited in surrounding aquatic ecosystems. TFC has the ability to intercept varying degrees of rainfall. Run off avoidance also contributes to substantial cost reductions to stormwater management controls. The total avoided surface runoff from Niagara Region's TFC is estimated to be 598,000 m³/yr.

Oxygen Production

The amount of oxygen produced is directly related to the amount of carbon sequestered by trees. The region's TFC is estimated to produce 240.6 metric kilotons/yr of oxygen.

Appendix 4
PDS 4-2024
Health Impacts Assessment

Logic Model

Environmental, economic and social factors that can be impacted by tree canopy and the associated health outcomes are outlined below in Figure 1. A brief summary of recent literature on tree canopy as it relates to the identified health impacts is included below.

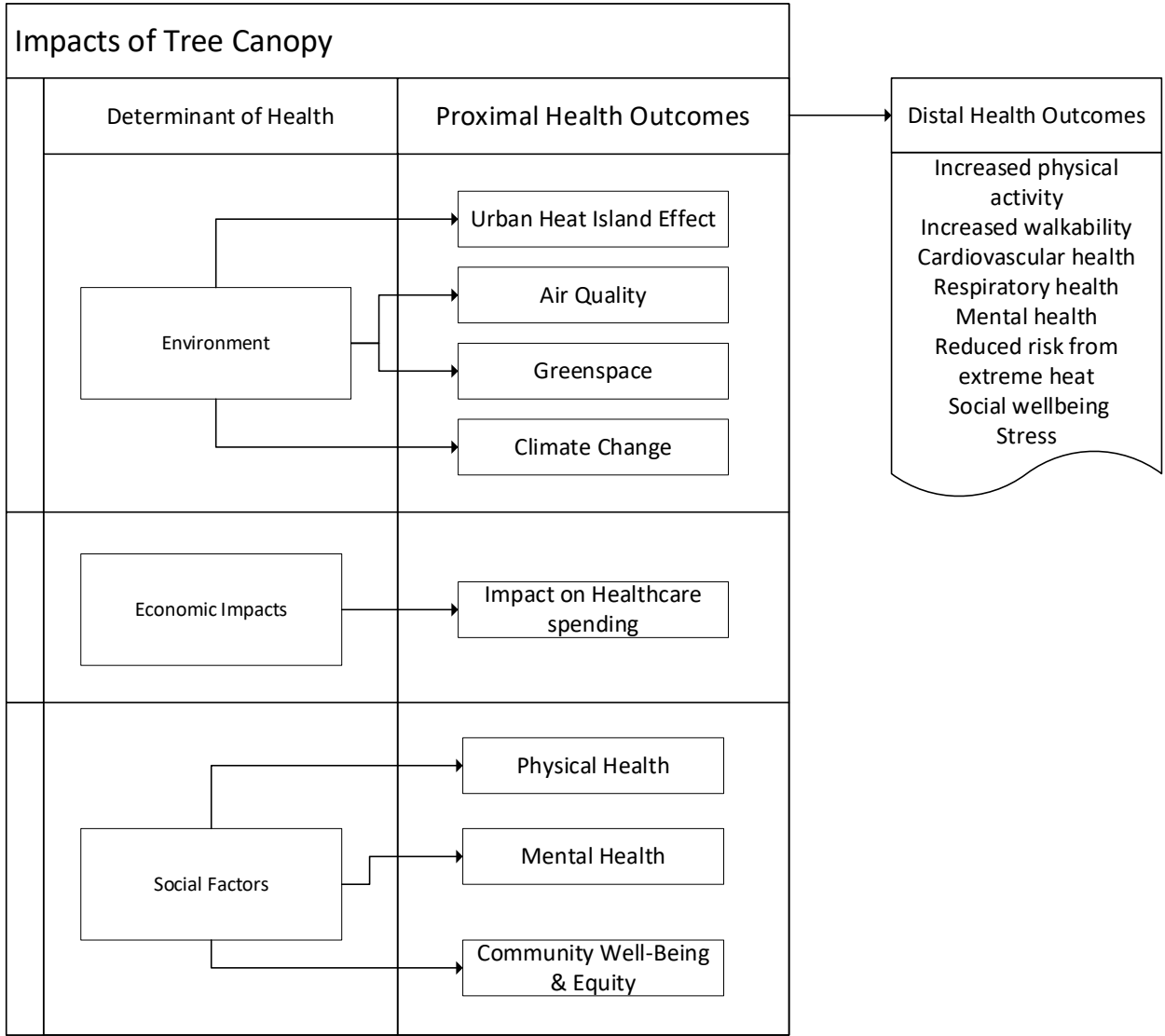


Figure 1: Logic Model

Assessment of Literature

Urban Heat Island Effect and Climate Change

The Urban Heat Island Effect is when areas in urban centres experience higher temperatures for longer periods of time, due to the lack of trees and vegetation to cool the areas, additionally these areas are often built with heat-absorbing materials.ⁱ This

results in cities becoming hotter than rural areas and can magnify the impacts of warmer temperatures, especially during extreme heat events.ⁱⁱ Temperature increases caused by the urban heat island effect can be counteracted by having a developed tree canopy present.ⁱⁱⁱ Increased canopy cover can reduce overall temperatures in the summer as well as reduce humidex values during a heat wave.^{iv}

Serious health hazards can result from an inability to cool down or as a result of continued exposure of extreme temperatures. Swelling, heat rash, fainting and heat stroke can be caused by a heat wave, additionally, pre-existing conditions such as heart disease, kidney disease, asthma, COPD and other lung conditions can be exacerbated by extreme temperatures.^v Higher mortality rates and increased use of healthcare services can be seen even during short-term rises in outdoor temperatures.^{vi} Through a heat wave in Quebec in 2018, 86 heat-related deaths occurred.^{vii} Studies have estimated that an increase in temperature of 2 – 3 degrees Celsius can translate into an increase in mortalities due to heat of 4 – 7 percent.^{viii} During periods of extreme heat, increased tree canopy cover can reduce heat stress within neighbourhoods at the street level, this can result in fewer heat-related emergency room visits and heat-related mortalities.^{ix,x}

Certain populations are more vulnerable to the impacts of heat waves and may be more likely to experience heat-related illness. Populations including young children, older populations, individuals with pre-existing health conditions, socially isolated populations, individuals with mobility issues, individuals working outdoors or homeless populations are disproportionately affected by heat-related illnesses.^{xi} As well, lower income populations may live in areas that lack green space, air conditioning and are without access to a pool, further impacting the health effects of extreme heat.^{xii} Individuals facing mobility challenges or who are socially isolated may have a harder time accessing help or moving somewhere cooler. A higher risk may also be experienced by individuals who may have limited access or understanding of information provided by public health such as a heat warning if it is only provided in English and no additional languages.^{xiii}

Urban heat islands can be reduced by expanding vegetation cover, increasing surface reflectivity of buildings and paving materials and retrofitting buildings to be more energy efficient.^{xiv} Building temperature can be reduced by having large shade trees planted beside them, reducing the need for air conditioning as well as blocking cold winds and lowering the cost of heating.^{xv} A recent study on suburban neighbourhoods in Peel Region found that during a heat wave urban trees could make it feel up to eleven degrees Celsius cooler.^{xvi} Increasing vegetative or grassy surfaces and reducing the amount of pavement or other impervious surfaces can also support decreases in temperatures.^{xvii}

A study in Toronto found that neighbourhood canopy cover had a negative correlation with the number of heat-related ambulance calls.^{xviii} Five times as many heat-related calls were seen from neighbourhoods with less than five percent canopy cover

compared to neighbourhoods with greater than five percent canopy cover.^{xix} Fifteen times as many heat-related calls were seen compared to neighbourhoods with over seventy percent tree canopy cover.^{xx} Increased canopy cover could therefore result in reduced heat-related ambulance calls.

Canada will continue to see an increase in the number of heat waves that are experienced as temperatures continue to rise due to climate change. Canada will see substantial increases in daily extreme temperatures and an increase in 'hot days' where the maximum temperature is over thirty degrees Celsius.^{xxi} By 2051-2080, Canadian urban centres are estimated to experience longer extreme heat events with four times as many days over thirty degrees Celsius.^{xxii} Climate predictions have flagged Niagara Falls – St. Catharines as one of the top ten metropolitan areas that will be at the highest risk for average length of heat waves, highest maximum temperatures and number of very hot days.^{xxiii} Communities need to build climate change resilience into their environments and tree canopy can mitigate the urban heat island effect, providing cooling and protecting people from the heat.^{xxiv}

Impact on Healthcare Spending

The relationship of tree canopy and extreme heat events has also been shown to impact the usage of health care services or systems. Studies controlling for economic status and demographics have seen lower rates of utilizing mental health services and treatments in communities with higher levels of tree cover and green space.^{xxv} Extreme heat events also cause health system strain through increased number of ambulance calls, increased number of visits to emergency departments and increased usage of telephone helplines.^{xxvi}

Tree canopy can also support long term health impacts of populations through the positive effect it has on air quality, with urban tree cover acting as a buffer to airborne pollution.^{xxvii} Increased canopy cover can filter pollutants and improve air quality, positively impacting respiratory health.^{xxviii} This impact is significant as it is estimated that in Canada each year there are approximately 21,000 premature deaths related to air pollution.^{xxix}

A study done on the tree canopy in Brampton, Ontario quantified the health benefits of canopy cover by determining their healthcare savings associated with reduced heat, lower levels of air pollutants, increased physical activity and improved mental health, which are all impacted by tree canopy levels.^{xxx} It was estimated that a scenario with a 50 % increase in tree canopy cover (current baseline canopy cover at 18.4% increasing to 27.6% cover) could equal \$2,437,363 in healthcare savings and with an 80% increase in canopy cover, savings of \$3,175,826.^{xxxi}

Physical Health, Mental Health & Greenspace

Urban forests have demonstrated positive effects on individual's health by improving mental health and encouraging the use of greenspace, increasing physical activity and

reducing stress which are associated with preventing chronic diseases.^{xxxii} Studies have demonstrated that a 30% canopy cover can provide health benefits including improved mental health, decreased incidence of heart disease, diabetes and hypertension and reduced feelings of loneliness.^{xxxiii} Mood and stress have been found to be positively impacted by exposure to natural areas including community gardens, forests or parks.^{xxxiv} Green space can impact individual's social well-being by providing space for individuals to join together and socialize as well as providing opportunities for building community networks through social activities. Higher levels of reported health and well-being, mental well-being and self-reported happiness is positively associated with spending time in a green space.^{xxxv}

Additionally, the impact tree canopy has on extreme heat events can also impact health through the mitigation of negative health effects experienced during extreme heat exposure. Increased mood and behavioural distress and exacerbated mental illnesses have been documented from experiencing extreme heat.^{xxxvi} Heat related mental health impacts are more likely to affect seniors, individuals with existing mental health conditions or individuals with chronic diseases.^{xxxvii}

Community Well-Being and Equity

Health impacts associated with tree canopy may hit certain populations disproportionately. Individuals living on lower incomes are often impacted more significantly during extreme heat events, this can be due to many reasons such as living somewhere without air conditioning, not having access to green space in their neighbourhood or not being able to access a pool.^{xxxviii} The urban heat island effect will also disproportionately magnify health impacts of heat for populations living in urban areas. Social isolation and low-income were identified risk factors for individuals who died during the heat wave in Montreal in 2018.^{xxxix} Public green spaces and tree canopy cover are less accessible to low-income and racialized communities in Toronto, meaning they experience less mitigation of the urban heat island effect.^{xl} These inequities in the availability of tree canopy and greenspace resulting because there is increased access found in affluent areas exacerbates the negative health outcomes experienced by marginalized communities without the protective factors tree canopy provides against heat and air pollution.^{xli} The ability to adapt and be resilient to the effects of climate change on health is also connected to how accessible and available emergency management and public health services are to various communities.^{xlii}

With this knowledge of how different communities could be impacted by tree canopy cover, equity can be used as a factor to identify neighbourhoods that may be especially vulnerable to extreme heat. By assessing factors such as income, age, existing canopy and access to supportive community resources such as a pool, identified communities can then be prioritized for future urban tree plantings, and/or protecting of existing canopy.^{xliii}

- ⁱ HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ⁱⁱ HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ⁱⁱⁱ Cohen, M., Burrowes, K. and Gwam, P. (2022). The Health Benefits of Parks and their Economic Impacts; Urban Institute. https://www.urban.org/sites/default/files/2022-03/the-health-benefits-of-parks-and-their-economic-impacts_0.pdf
- ^{iv} Dardir, M., Wilson, J. and Berardi U. (2023). Greenbelt Foundation; Health-Informed Heat Mitigation Approach: Case Study of The Regional Municipality of York. https://assets.nationbuilder.com/greenbelt/pages/14886/attachments/original/1692280509/GBF_HeatMitigation_SummaryReport_E-ver.pdf?1692280509
- ^v HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ^{vi} Dardir, M., Wilson, J. and Berardi U. (2023). Greenbelt Foundation; Health-Informed Heat Mitigation Approach: Case Study of The Regional Municipality of York. https://assets.nationbuilder.com/greenbelt/pages/14886/attachments/original/1692280509/GBF_HeatMitigation_SummaryReport_E-ver.pdf?1692280509
- ^{vii} Health Canada (2020). Reducing Urban Heat Islands to Protect Health in Canada. <https://www.canada.ca/content/dam/hc-sc/documents/services/health/publications/healthy-living/reducing-urban-heat-islands-protect-health-canada/Reducing-Urban-Heat-EN.pdf>
- ^{viii} Y. Wang, U. Berardi and H. Akbari (2016). Comparing the effects of urban heat island mitigation strategies for Toronto, Canada, Energy and Buildings. Vol 114, P. 2-19. <https://doi.org/10.1016/j.enbuild.2015.06.046>
- ^{ix} HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ^x Dardir, M., Wilson, J. and Berardi U. (2023). Greenbelt Foundation; Health-Informed Heat Mitigation Approach: Case Study of The Regional Municipality of York. https://assets.nationbuilder.com/greenbelt/pages/14886/attachments/original/1692280509/GBF_HeatMitigation_SummaryReport_E-ver.pdf?1692280509
- ^{xi} HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ^{xii} HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ^{xiii} Prairie Climate Centre, University of Winnipeg (2019) Heat Waves and Health: A Special Report on Climate Change in Canada. <https://healthydesign.city/wp-content/uploads/2021/06/heat-health-report.pdf>
- ^{xiv} Health Canada (2020). Reducing Urban Heat Islands to Protect Health in Canada. <https://www.canada.ca/content/dam/hc-sc/documents/services/health/publications/healthy-living/reducing-urban-heat-islands-protect-health-canada/Reducing-Urban-Heat-EN.pdf>
- ^{xv} Conway, T. and Scott, J. Urban Forests in a Changing Climate. https://d3n8a8pro7vhm.cloudfront.net/greenbelt/pages/14604/attachments/original/1600457503/UrbanForestsChangingClimate_REPORT_E-ver_REV.pdf?1600457503
- ^{xvi} Conway, T. and Scott, J. Urban Forests in a Changing Climate. https://d3n8a8pro7vhm.cloudfront.net/greenbelt/pages/14604/attachments/original/1600457503/UrbanForestsChangingClimate_REPORT_E-ver_REV.pdf?1600457503
- ^{xvii} Cohen, M., Burrowes, K. and Gwam, P. (2022). The Health Benefits of Parks and their Economic Impacts; Urban Institute. https://www.urban.org/sites/default/files/2022-03/the-health-benefits-of-parks-and-their-economic-impacts_0.pdf
- ^{xviii} Graham, D., Vanos, J., Kenny, N., & Brown, R. (2016). The Relationship between Neighbourhood Tree Canopy Cover and Heat-Related Ambulance Calls during Extreme Heat Events in Toronto, Canada. <https://www.sciencedirect.com/science/article/abs/pii/S161886671630348X?via%3Dihub>
- ^{xix} Graham, D., Vanos, J., Kenny, N., & Brown, R. (2016). The Relationship between Neighbourhood Tree Canopy Cover and Heat-Related Ambulance Calls during Extreme Heat Events in Toronto, Canada. <https://www.sciencedirect.com/science/article/abs/pii/S161886671630348X?via%3Dihub>
- ^{xx} Graham, D., Vanos, J., Kenny, N., & Brown, R. (2016). The Relationship between Neighbourhood Tree Canopy Cover and Heat-Related Ambulance Calls during Extreme Heat Events in Toronto, Canada. <https://www.sciencedirect.com/science/article/abs/pii/S161886671630348X?via%3Dihub>
- ^{xxi} Bush, E. and Lemmen, D.S., editors (2019): Canada's Changing Climate Report; Government of Canada, Ottawa, ON. 444 p. https://changingclimate.ca/site/assets/uploads/sites/2/2020/06/CCCR_FULLREPORT-EN-FINAL.pdf
- ^{xxii} HealthyDesign.City (2021) Heat Islands. <https://healthydesign.city/heat-islands/>
- ^{xxiii} Intact Centre on Climate Adaptation, University of Waterloo (2022). Irreversible Extreme Heat: Protecting Canadians and Communities from a Lethal Future. https://www.google.ca/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKewifqc-R4yDAXUVHTQIHWGLCOAQFnoECAoQAQ&url=https%3A%2F%2Fwww.intactcentreclimateadaptation.ca%2Fwp-content%2Fuploads%2F2022%2F04%2FUoW_ICCA_2022_04-Irreversible-Extreme-Heat.pdf&usq=AOvVaw2IGFommH5J7Bc6SXelxpsJ&opi=89978449
- ^{xxiv} Dardir, M., Wilson, J. and Berardi U. (2023). Greenbelt Foundation; Health-Informed Heat Mitigation Approach: Case Study of The Regional Municipality of York. <https://www.researchgate.net/profile/Umberto->

- [Berardi/publication/373330495_Health-Informed_Heat_Mitigation_Approach_Case_Study_of_The_Regional_Municipality_of_York/links/64e643300453074bda9559c/Health-Informed-Heat-Mitigation-Approach-Case-Study-of-The-Regional-Municipality-of-York.pdf?origin=publication_detail&_tp=eyJjb250ZXh0Ijp7ImZpcnN0UGFnZSI6InB1YmxpY2F0aW9uIiwicGFnZSI6InB1YmxpY2F0aW9uRG93bmVvYWQlLCJwcmV2aW91c1BhZ2UiOiJwdWJsaWNhdGlvbiJ9fQ](#)
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- ^{xxxiii} The University of British Columbia (2022). The 3-30-300 Rule. <https://magazine.alumni.ubc.ca/2022/spring-2022/environment-health-humanities/3-30-300-rule>
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- ^{xxxvii} Bush, E. and Lemmen, D.S., editors (2019): Canada's Changing Climate Report; Government of Canada, Ottawa, ON. 444 p. https://changingclimate.ca/site/assets/uploads/sites/2/2020/06/CCCR_FULLREPORT-EN-FINAL.pdf
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- ^{xl} Bush, E. and Lemmen, D.S., editors (2019): Canada's Changing Climate Report; Government of Canada, Ottawa, ON. 444 p. https://changingclimate.ca/site/assets/uploads/sites/2/2020/06/CCCR_FULLREPORT-EN-FINAL.pdf
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Memorandum

Subject: Niagara Region Transit – Port Colborne NRT OnDemand Statistics

Date: February 26, 2024

To: Saima Tufail, Acting Clerk, City of Port Colborne

From: Carla Stout, General Manager

The intent of this memo is to provide your Council with a quarterly ridership update. Attached are performance statistics for the NRT OnDemand service in Port Colborne, for the period of January 1, 2023 to December 30, 2023. This information is to be shared with your Council for their general information and review.

If there are any questions pertaining to the ridership statistics, please contact Rob Addy, Deputy General Manager Transit Operations at rob.addy@nrtransit.ca.

Please direct any questions pertaining to the Transit Special Levy, or how transit costs in your community are calculated to Todd Harrison, Commissioner/Treasurer, Niagara Region at todd.harrison@niagararegion.ca.

Respectfully,



Carla Stout, DPA
General Manager
Niagara Transit Commission

Cc: Rob Addy, Deputy General Manager, Transit Operations
Emma Braniff, Acting Manager, Specialty Services
Todd Harrison, Commissioner/Treasurer, Niagara Region

Overall NRT OnDemand Service Metrics - 2023

Data as of:
Saturday, December 30, 2023

Number of Rides

135,986

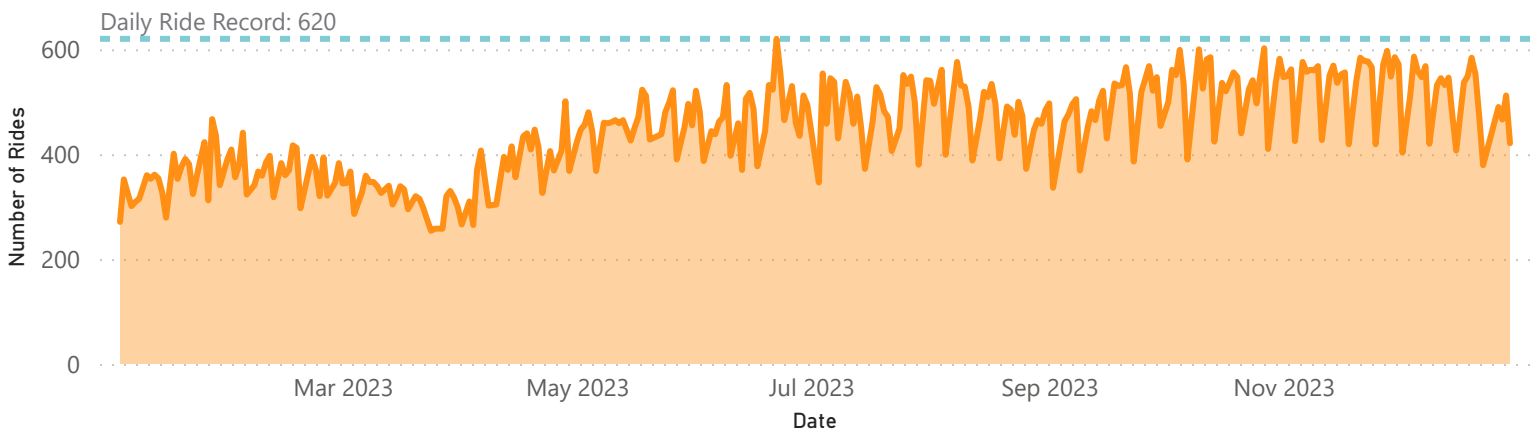
Number of Trips

122,500

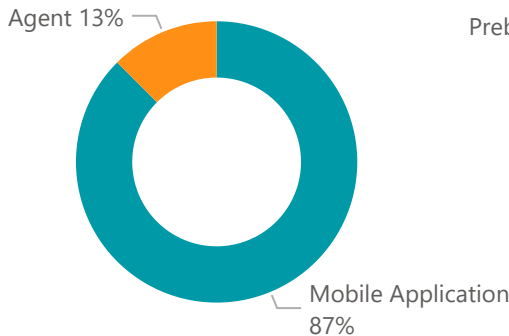
WAV Trips

1293

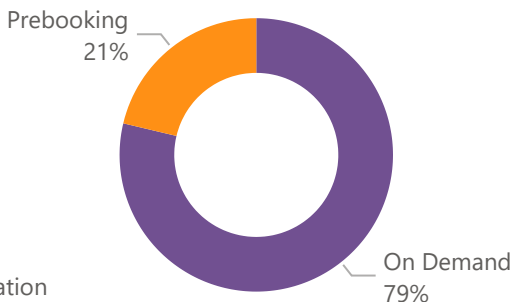
Daily Ridership



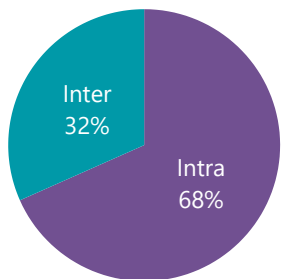
Booking Method



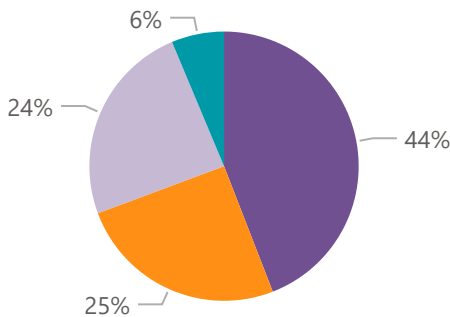
Booking Type



Inter vs. Intra-Municipal Rides



Intra-Municipal Rides



| Destination | Fort Erie Transfer Point | Grimsby | Lincoln | Pelham | Port Colborne | Seaway Mall | St Catharines Transfer Point | Wainfleet | Welland Transfer Point | West Lincoln | Total |
|------------------------------|--------------------------|---------|---------|--------|---------------|-------------|------------------------------|-----------|------------------------|--------------|--------|
| Origin | | | | | | | | | | | |
| Fort Erie Transfer Point | | | | | 426 | | | | | | 426 |
| Grimsby | | 23,700 | 6,004 | 253 | 216 | 38 | 1,627 | 51 | 203 | 2,976 | 35,068 |
| Lincoln | | 5,447 | 9,621 | 144 | 234 | 121 | 2,278 | 80 | 224 | 1,177 | 19,326 |
| Pelham | | 284 | 181 | 2,251 | 152 | 358 | 855 | 99 | 229 | 194 | 4,603 |
| Port Colborne | 593 | 219 | 227 | 149 | 17,547 | 3 | 4 | 761 | 1 | 79 | 19,583 |
| Seaway Mall | | 77 | 86 | 301 | | | | 95 | | 92 | 651 |
| St Catharines Transfer Point | | 1,270 | 1,787 | 659 | 9 | | | 73 | 2 | 300 | 4,100 |
| Wainfleet | | 49 | 61 | 123 | 749 | 90 | 53 | 1 | 67 | 52 | 1,245 |
| Welland Transfer Point | | 317 | 186 | 178 | 5 | | | 62 | | 148 | 896 |
| West Lincoln | | 2,412 | 1,161 | 180 | 86 | 108 | 464 | 59 | 148 | 4 | 4,622 |
| Total | 593 | 33,775 | 19,314 | 4,238 | 19,424 | 718 | 5,281 | 1,281 | 874 | 5,022 | 90,520 |

Overall NRT OnDemand Service Metrics - 2023

Data as of:
Saturday, December 30, 2023

INTER On-Demand Trip
Average Wait Time (min)

35.69

INTRA On-Demand Trip
Average Wait Time (min)

23.28

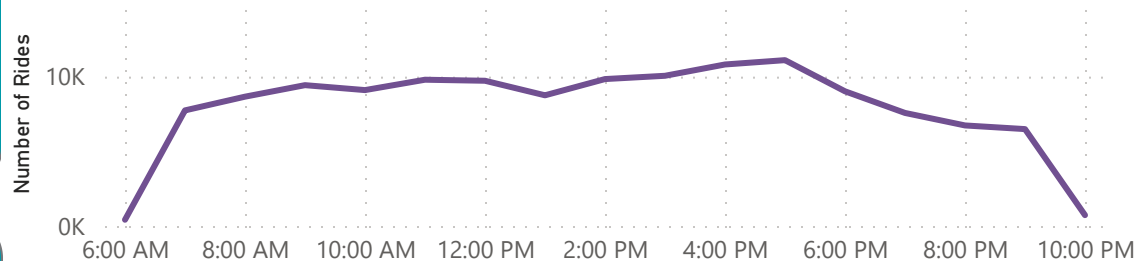
Average Trip Duration (min)

16.83

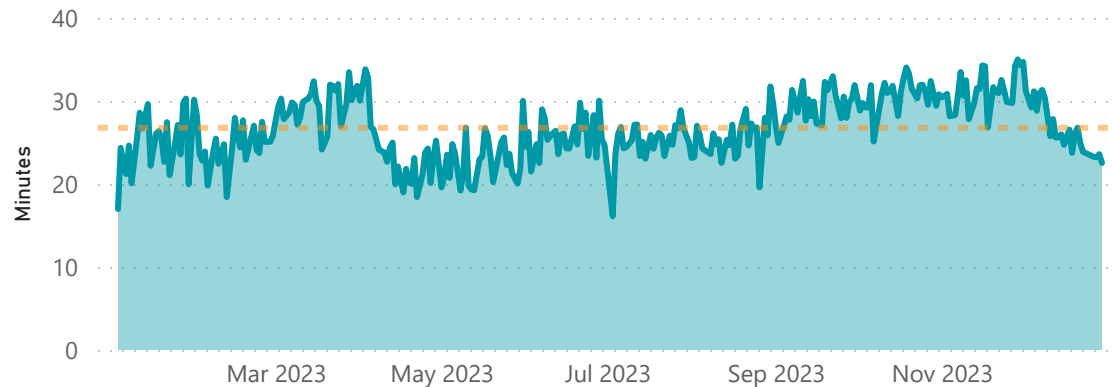
Average Trip Distance (km)

12.97

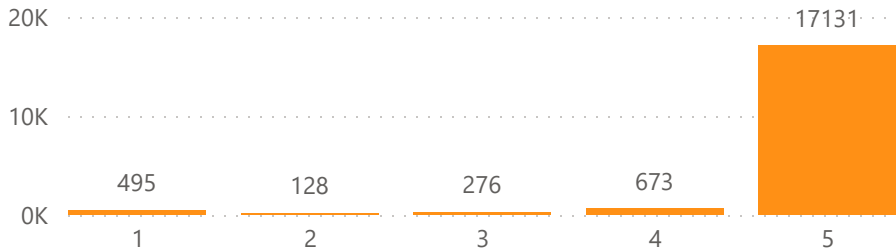
Peak Hours



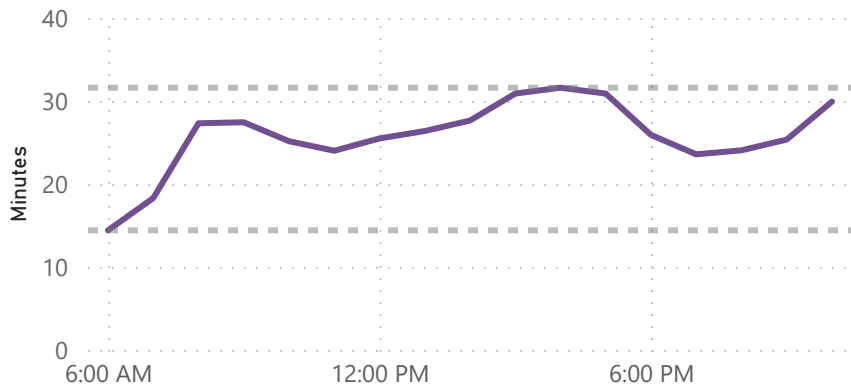
Average Daily Wait Time



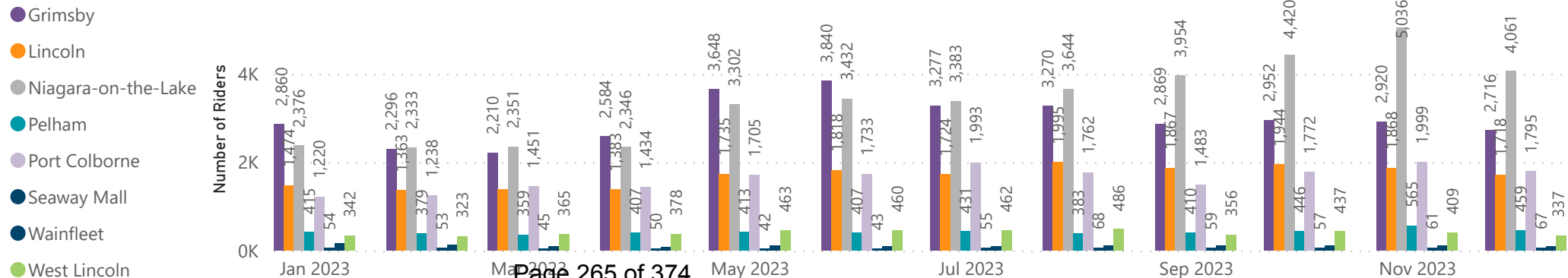
Trip Rating



Average Wait Time by Time of Day



Monthly Ridership By Ride Origin



Overall NRT OnDemand Service Metrics - 2023

Port Colborne
Origin and/or Destination Municipality

Saturday, December 30, 2023
Data as of

Number of Rides

21,474

Number of Trips

18,251

WAV Trips

217

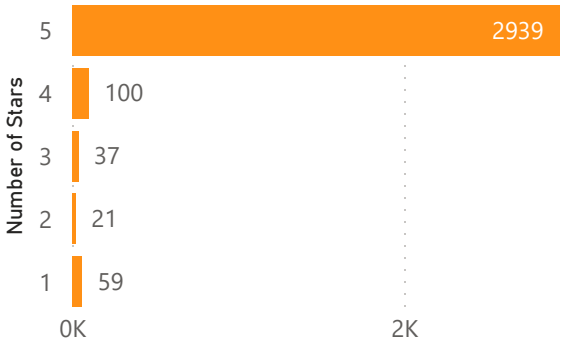
INTER On-Demand Trip
Average Wait Time (min)

31.22

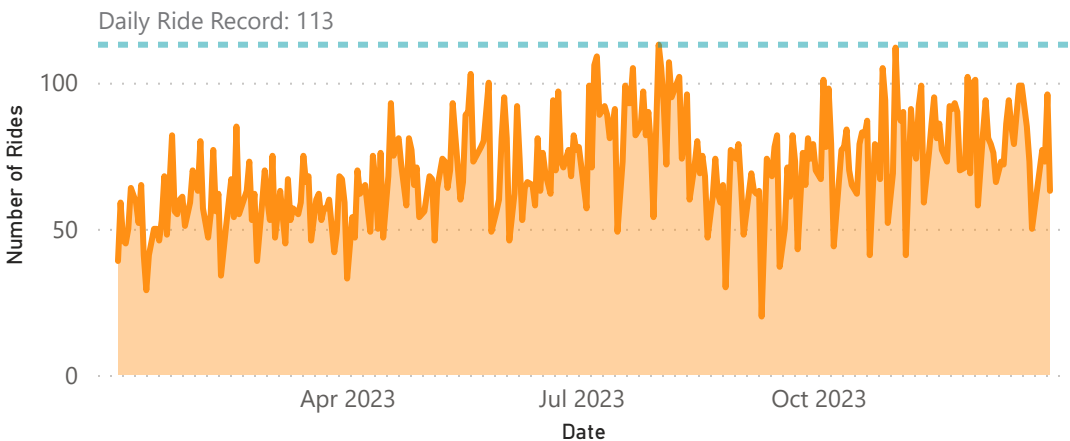
INTRA On-Demand Trip
Average Wait Time (min)

12.04

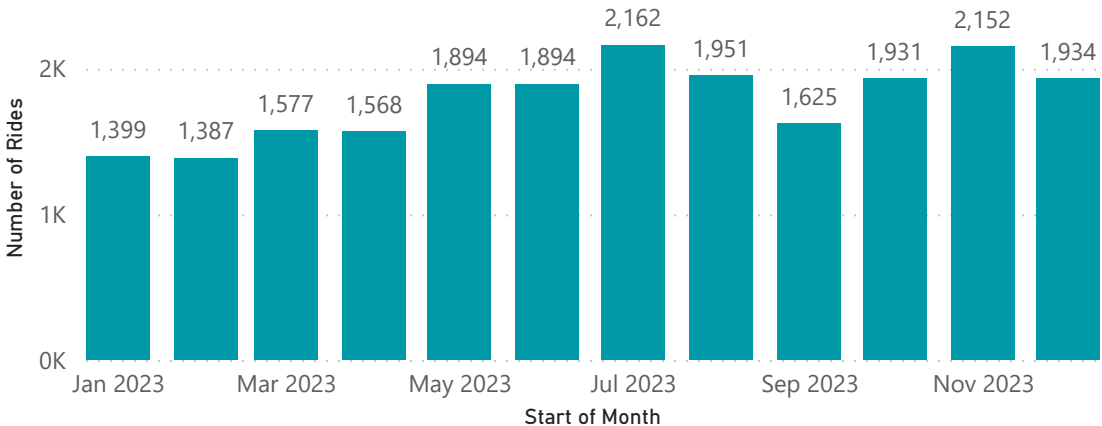
Trip Rating



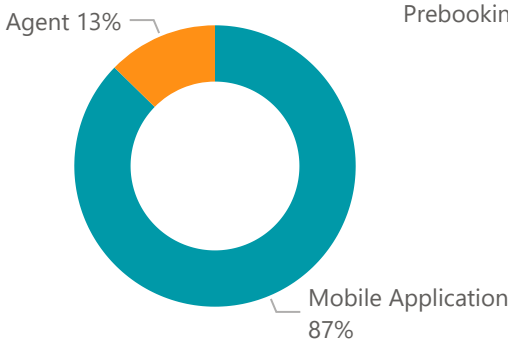
Daily Ridership



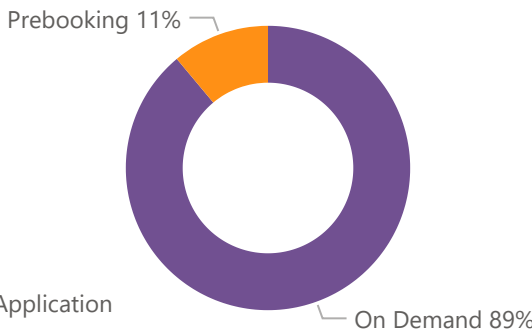
Monthly Ridership



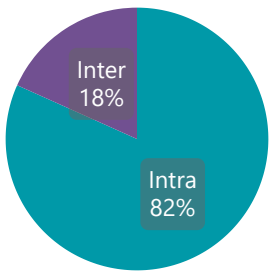
Booking Method



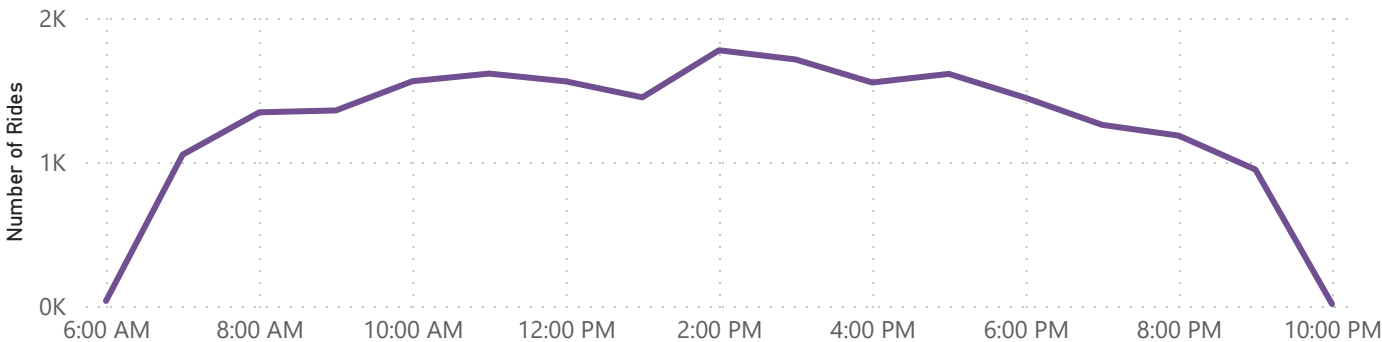
Booking Type



Inter vs. Intra-Municipal Rides



Peak Hours





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

February 28, 2024

SENT VIA EMAIL: Premier@ontario.ca

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

Dear Honourable Doug Ford:

RE: Town of Lincoln Council Resolution – Urgent Need for Increased Funding to Libraries and Museums in Ontario

Please be advised that the Council of the Corporation of the Town of Lincoln at its Council Meeting held on February 26, 2024, passed the following motion regarding an Urgent Need for Increased Funding to Libraries and Museums in Ontario:

Resolution No: RC-2024-23

Moved by Mayor Easton; Seconded by Councillor Mike Mikolic

WHEREAS the provincial funding for public libraries is currently based on population levels from 25 years ago, which fails to reflect the substantial growth and changing needs of our communities. The Town of Lincoln Council wishes to draw your attention to the "Overdue" report of 2023 from the Canadian Urban Council, which emphasizes the pivotal role libraries play in various aspects of community life, including knowledge distribution, culture, health, reconciliation, belonging, and our democracy; and

WHEREAS libraries, situated at the heart of our communities, serve as multifaceted institutions catering to diverse needs. They provide essential services such as access to culture and information, refuge for those experiencing domestic violence, election information centers, job search facilities, health clinics, language learning centers for newcomers, and spaces for educational and community events. Despite their vital role, public libraries in Ontario have not seen an increase in provincial funding for over 25 years, leading to a decrease in the value of the province's investment by over 60%; and

WHEREAS the Town of Lincoln Council urges the Provincial Government to

consider increasing provincial funding for Ontario's public libraries to address critical shared priorities and community needs. While over 90% of library funding comes from local municipal governments, provincial operating funding is crucial for providing stability to library budgets, especially in times of inflation, technological changes, and increasing demands on libraries as community hubs; and

WHEREAS the Town of Lincoln Council would like to bring to the Provincial Government's attention the pressing need to increase the funding envelope for the Community Museum Operating Grant (CMOG). The Town of Lincoln currently receives \$25,000 annually, the maximum amount through this grant, but the funding envelope has remained stagnant for over 15 years. This limitation hampers the ability of community museums to offset increasing operational expenses, impacting their role in preserving and promoting local stories, attracting cultural tourists, supplementing school curriculum, and contributing to vibrant and vital communities; and

WHEREAS the Lincoln Museum and Cultural Centre is a community hub critical to the health and vibrancy of our community. An increase in CMOG funding will enable our museum to continue its valuable service to the community, creating a sense of place, attracting cultural tourists, and preserving local stories that define our unique identity; and

WHEREAS Cultural institutions, particularly museums, play a vital role in shaping and preserving our community's identity. They contribute to tourism, social participation, senior well-being, skill-building, and learning. As the largest government funder for most of Ontario's smaller museums, municipalities create value in their communities through the work of these institutions.

THEREFORE, BE IT RESOLVED THAT the Town of Lincoln Council urges the Provincial Government to support increasing funding to both public libraries and community museums. Recognizing these institutions as national assets and strategically investing in their potential will contribute significantly to renewing post-pandemic social cohesion, economic well-being, and community resilience; and

BE IT FURTHER RESOLVED THAT this resolution be circulated to the Province, the Minister of Tourism, Culture and Sport, Association of Municipalities of Ontario (AMO), the Niagara Region, the 12 Local Area Municipalities in Niagara and all municipalities of Ontario for endorsement.

CARRIED

If you require any additional information, please do not hesitate to contact the undersigned.

Regards,



Julie Kirkelos

Town Clerk

jkirkelos@lincoln.ca

JK/dp

Cc: Premier of Ontario
Minister of Tourism, Culture and Sport
Association of Municipalities of Ontario (AMO)
Ann-Marie Norio, Clerk, Niagara Region
Local Area Municipalities
All Ontario Municipalities



Township of Perry

PO Box 70, 1695 Emsdale Road, Emsdale, ON POA 1J0

PHONE: (705)636-5941

FAX: (705)636-5759

www.townshipofperry.ca

February 26, 2024

Via Email

The Honourable Doug Ford, Premier of Ontario
Premier's Office
Room 281, Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford,

**RE: Request to the Province to Amend Blue Box Regulation for
'Ineligible' Sources**

At their last regular meeting on Wednesday February 21, 2024, the Council of the Corporation of the Township of Perry supported the following:

"Resolution #2024-52

Moved by: Paul Sowrey

Seconded by: Jim Cushman

Whereas under Ontario Regulation 391/21: Blue Box producers are fully accountable and financially responsible for their products and packaging once they reach their end of life and are disposed of, for 'eligible' sources only;

And Whereas 'ineligible' sources which producers are not responsible for include businesses, places of worship, daycares, campgrounds, public-facing and internal areas of municipal-owned buildings, and not-for-profit organizations, such as shelters and food banks;

And Whereas should a municipality continue to provide services to the 'ineligible' sources, the municipality will be required to oversee the collection, transportation, and processing of the recycling, assuming 100% of the costs;

Be it resolved that the Council of the Corporation of the Township of Perry hereby request that the province amend Ontario Regulation 391/21: Blue

...2

Box so that producers are responsible for the end-of-life management of recycling products from all sources;

And further that Council hereby request the support of all Ontario Municipalities;

And further that this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Khanjin, Minister of the Environment, Conservation, and Parks, the Honourable Graydon Smith, MPP Parry Sound-Muskoka, and to all Ontario Municipalities.

Carried."

Your attention to this matter is greatly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bm', is positioned above the typed name of the signatory.

Beth Morton
Clerk-Administrator

BM/ec

c.c. Honourable Andrea Khanjin, Minister of Environment, Conservation and Parks
Honourable Graydon Smith, MPP Parry Sound-Muskoka
All Ontario Municipalities

**The Corporation of the Municipality of St. Charles
RESOLUTION PAGE**



Regular Meeting of Council

Agenda Number: 10.9.

Resolution Number 2024-043

Title: Resolution stemming from January 17, 2024 Regular Meeting of Council - Item 10.1 - Correspondence #8

Date: February 21, 2024

Moved by: Councillor Lachance

Seconded by: Councillor Pothier

WHEREAS municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents;

AND WHEREAS, if it was not for our municipal public works employees from across the Province of Ontario maintaining our public roads systems, our communities would not be able to function as emergency personnel could not respond to calls, school buses could not get our children to school, residents would not be able to get to work, school or appointments and many more basic functions would not be able to happen;

AND WHEREAS, municipal public works departments are already feeling the impacts of a labour shortages, which will only be exasperated over the next three (3) to five (5) years, which will cause the levels of service that municipalities are able to provide to ensure the health and safety of our residents to decrease;

AND WHEREAS, there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment;

BE IT THEREFORE RESOLVED THAT the Corporation of the Municipality of St.-Charles supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue;

AND BE IT FURTHER RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles, calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund;

AND BE IT FURTHER RESOLVED THAT, a copy of this Resolution be forwarded to the Minister of Labour, Training, Immigration and Skilled Trades, David Piccini; our local Member of Provincial Parliament; the Association of Municipalities of Ontario (AMO); the Association of Ontario Road Supervisors (AORS); and all Ontario Municipalities.

CARRIED


MAYOR

**The Corporation of the Municipality of St. Charles
RESOLUTION PAGE**



Regular Meeting of Council

Agenda Number: 10.8.

Resolution Number 2024-042

Title: Resolution stemming from January 17, 2024 Regular Meeting of Council - Item 10.1 - Correspondence #8

Date: February 21, 2024

Moved by: Councillor Pothier

Seconded by: Councillor Laframboise

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Township of Asphodel-Norwood on December 12, 2023, regarding Rising Municipal Insurance Costs;

AND BE IF FURTHER RESOLVED THAT a copy of this Resolution be sent to Premier Doug Ford; Minister of Finance, Peter Bethlenfalvy; Minister of Municipal Affairs and Housing, Steve Clark; the Association of Municipalities of Ontario (AMO); our local Member of Provincial Parliament; and all Ontario Municipalities.

CARRIED


MAYOR

December 22, 2023

Sent via E-mail
david.piccinico@pc.ola.org

David Piccini, MPP
Northumberland-Peterborough South
117 Peter St
Port Hope, ON L1A 1C5

Re: Rising Municipal Insurance Costs

Dear MPP Piccini,

At its regular meeting held December 12, 2023, the Council of the Township of Asphodel-Norwood considered the above-noted matter and passed the following resolution:

WHEREAS Ontario Municipalities are experiencing higher insurance rates at each renewal with limited access to insurance providers willing to quote on municipal insurance needs;

AND WHEREAS the Township of Asphodel-Norwood's annual insurance premiums have increased from \$150,280 to \$299,729 from 2020 to 2024, representing an accumulated increase of 99.5% over this period;

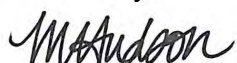
AND WHEREAS these annual increases are unsustainable and divert funds from critical municipal services as one of the most significant constraints in limiting yearly tax levy increases;

NOW THEREFORE BE IT RESOLVED that the Council of the Township of Asphodel-Norwood directs staff to send a letter to the MPP for Northumberland-Peterborough South calling for action to reduce insurance costs;

AND FURTHER BE IT RESOLVED that this Resolution be forwarded to the Association of Municipalities of Ontario (AMO), the Minister of Finance, the Minister of Municipal Affairs and Housing, and all Ontario Municipalities for support.

Trusting you will find the foregoing satisfactory, but please do not hesitate to reach out with any questions or concerns.

Sincerely,



Melanie Hudson, Acting Clerk
Township of Asphodel-Norwood

-2-

Cc: Hon. Peter Bethlenfalvy, Minister of Finance
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



Legal Services / Clerk's Department

789 Broadway Street, Box 3000
Wyoming, ON N0N 1T0

Telephone: 519-845-0801

Toll-free: 1-866-324-6912

Fax: 519-845-0818

February 23, 2024

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

Dear Premier Ford:

Re: Lambton County Council Motion

Please be advised that at its regular meeting of February 07, 2024, Lambton County Council Passed the following resolution:

#25: Ferguson/Bradley:

WHEREAS the Province of Ontario has agreed to assume responsibility for the Gardiner Expressway and the Don Valley Parkway from the City of Toronto, which will be uploaded to the Province of Ontario;

WHEREAS like the City of Toronto, The Corporation of the County of Lambton and all municipalities in the Province of Ontario are experiencing significant financial and budgetary pressures including those related to infrastructure development, maintenance and repairs, and are seeking reasonable solutions to address the same while balancing their financial books;

WHEREAS the uploading of municipal highway infrastructure to the Province of Ontario or, alternatively, appropriately increasing the Ontario Community Infrastructure Fund to Ontario municipalities will assist municipalities in addressing such financial challenges;

THEREFORE, BE IT RESOLVED:


- a) That the Province of Ontario: (i) upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally-owned highways throughout the Province of Ontario to the Ontario Ministry of Transportation; or (ii) alternatively, if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the

Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities.

- b) That a copy of this resolution be circulated to all municipalities in Ontario; the Association of Municipalities of Ontario; Sarnia-Lambton MPP, Bob Bailey; the Ontario Minister of Transportation, the Hon. Prabmeet Singh Sarkaria; and the Premier of Ontario, the Hon. Doug Ford.

Carried.

Kind Regards,

DocuSigned by:

5897867E2272445...

Olivia Leger
Clerk/County Solicitor

Encl #CC 04-10-24

cc: Association of Municipalities of Ontario
All Ontario Municipalities
Bob Bailey, M.P.P. Sarnia-Lambton Riding
Hon. Prabmeet Singh Sakaria, Ontario Minister of Transportation

**The Corporation of the Municipality of St. Charles
RESOLUTION PAGE**



Regular Meeting of Council

Agenda Number: 10.4.

Resolution Number 2024-038

Title: Resolution stemming from December 13, 2023 Regular Meeting of Council - Item 10.1 - Correspondence #10

Date: February 21, 2024

Moved by: Councillor Loftus

Seconded by: Councillor Pothier

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Corporation of the Town of Aylmer on November 15, 2023, regarding Provincial Consideration for Amendments to the Residential Tenancies Act;

AND BE IF FURTHER RESOLVED THAT a copy of this Resolution be sent to Premier Doug Ford; Minister of Municipal Affairs and Housing, Paul Calandra; Associate Minister of Housing, Rob Flack; the Association of Municipalities of Ontario (AMO); our local Member of Provincial Parliament; and all Ontario Municipalities.

CARRIED


MAYOR

November 16, 2023

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

Re: Motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act

At their Regular Meeting of Council on November 15, 2023, the Council of the Town of Aylmer endorsed the following motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act:

Whereas the Ontario government has acknowledged an affordable housing and housing supply crisis, communicating a targeted approach to build 1.5 million homes by 2031; and

Whereas nearly one-third of Ontario households rent, rather than own, according to the most recent 2021 Census of Population; and

Whereas the Ontario government has reported that Ontario broke ground on nearly 15,000 purpose-built rentals in 2022, a 7.5 percent increase from 2021 and the highest number on record, with continued growth into 2023; and

Whereas the Residential Tenancies Act, 2006, provides for the maximum a landlord can increase most tenants rent during a year without the approval of the Landlord and Tenant Board; and

Whereas the Ontario government recently strengthened protections for tenants with the intention of preserving affordability, by holding the rent increase guideline for 2024 to 2.5 percent, well below the average inflation rate of 5.9 percent; and

Whereas the rental increase guideline protection does not apply to rental units occupied for the first time after November 15, 2018, leaving an increasing number of tenants susceptible to disproportionate and unsustainable rental increases compared to those benefiting from legislated increase protection;

Now Therefore Be It Resolved that the Council of the Town of Aylmer requests provincial consideration for amendments to the Residential Tenancies Act, 2006, to ensure that all tenants benefit from protections intended to preserve affordability;

That a copy of this Resolution be sent to:

- Honourable Doug Ford, Premier of Ontario
- Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Honourable Rob Flack, Associate Minister of Housing
- The Association of Municipalities of Ontario (AMO)
- And all Ontario Municipalities.

Thank you,

Owen Jaggard

Deputy Clerk / Manager of Information Services | Town of Aylmer

46 Talbot Street West, Aylmer, ON N5H 1J7

519-773-3164 Ext. 4913 | Fax 519-765-1446

ojaggard@town.aylmer.on.ca | www.aylmer.ca

CC:

Minister of Municipal Affairs and Housing paul.calandra@pc.ola.org

Associate Minister of Housing rob.flack@pc.ola.org

Association of Municipalities of Ontario resolutions@amo.on.ca

From: TVT Deputy Clerk <DeputyClerk@tayvalleytwp.ca>
Sent: Thursday, March 7, 2024 10:47 AM
To: TVT Deputy Clerk <DeputyClerk@tayvalleytwp.ca>
Subject: Council Direction - Declaration of a Climate Change Crisis

Right Honourable Justin Trudeau, Prime Minister of Canada:

The Council of the Corporation of Tay Valley Township at its meeting on February 27th, 2024 adopted the following resolution:

RESOLUTION #C-2024-02-15

MOVED BY: Korrine Jordan

SECONDED BY: Greg Hallam

“WHEREAS, climate change annually contributes to hundreds of billions of dollars in property and infrastructure damage worldwide, stressing local to national and international economies;

WHEREAS, climate change jeopardizes the health and risks the extinction of millions of species worldwide, stressing and weakening the health and integrity of ecosystems everywhere;

WHEREAS, climate change harms the health and security of people through intense wildfires, flooding, storms, droughts, rising sea levels, the spread of invasive insects bearing diseases, negative impacts on agriculture, and food supply interruption, thus further stressing social, economic, and political systems;

WHEREAS, there is now a large body of evidence and climate change risk scenarios which point to the imperative for steep and permanent reductions in greenhouse gas emissions, immediately and in the coming decades, in order to avoid many climate change “tipping points” which, if crossed, will render further and devastating ecological, economic, and societal losses;

AND WHEREAS, a crisis can be defined as "a dangerous situation requiring immediate action";

NOW THEREFORE BE IT RESOLVED THAT, Tay Valley Township officially declares a climate change crisis for the purposes of naming, framing, and deepening our commitment in our climate action plan to protecting our local ecosystems, local economy, and our community from climate change;

THAT, this resolution be revisited each term of Council and within the first year of the new council;

AND THAT, this resolution be provided to Prime Minister Trudeau and all federal ministers with portfolios related to climate change; to all federal Opposition party leaders; to MP Scott Reid; to Premier Ford and all Ontario ministers with portfolios related to climate change; to MPP John Jordan and all other Ontario MPPs; to all Ontario Municipalities and the local media.”

ADOPTED

Aaron Watt, Deputy Clerk

Tay Valley Township

217 Harper Road, Perth, ON K7H 3C6

T: 613-267-5353 ext. 130 or 1-800-810-0161

F: 613-264-8516

E: deputyclerk@tayvalleytwp.ca

www.tayvalleytwp.ca

3rd Annual Mountainview **LemonAID Day** for FACS Niagara



Hello!

I represent

FACS NIAGARA
FOUNDATION



Kids **Helping** Kids

- Mountainview LemonAID Day is a community driven event, encouraging kids to help kids by raising funds to send children to summer camp.
- On Saturday, June 8, teams of kids and their families will set up lemonade stands across Niagara to ask for donations.



“

There are so many children in our community who deserve an opportunity to be with friends, connect with nature, and make lasting childhood memories.

Anna Bozza
FACS Niagara CEO



“

9/13/23

Hello,
I would like to thank you for both of
the Camps, especially the sleepout camp.
It was very fun, I made friends did
fun activities and learned new things.
Overall I would definitely like to go
back next year.
Sincerely,

Camp Attendee
Summer 2023

More than

\$100,000

Raised in 2023 to send local children to over 500 weeks of summer camp



In 2023



In 2022-2023



FACS Niagara served:

- An average of 400 children in care each month
- More than 600 families that receive ongoing services to help them be at their best.

FACS' goal is to give children we serve a summer camp experience!

One Hundred Stands Across Niagara

Each team will receive everything needed to run a LemonAID stand!

- LemonAID Stand & Banner
- T-shirts & hats
- Lemonade Concentrate
- Pitchers
- 100 cups and stickers & more!



100%

of proceeds go towards sending local children and youth to summer camp.



More Info

facsniagarafoundation.org

905.937.7731



FACS
NIAGARA

Family and Children's Services
Les Services à la famille
et à l'enfance de Niagara

SUPPORTING | STRENGTHENING | PROTECTING • SOUTENIR | RENFORCER | PROTÉGER



MOUNTAINVIEW
BUILDING GROUP

FACS NIAGARA 
FOUNDATION

Thank You!

Questions?



The 3rd Annual Mountainview LemonAID Day for FACS Niagara is happening June 8, 2024!

Mountainview LemonAID Day is about "Kids Helping Kids"!

Family and Children's Services Niagara is excited to inform you that the 3rd Annual Mountainview LemonAID Day is taking place Saturday, June 8, 2024 around the entire Niagara Region. Once again, we are working with Mountainview Building Group to encourage community members to raise money to send kids to camp this summer by hosting a lemonade stand.

We are very proud to say that in 2023 the event raised over \$100,000, providing over 500 weeks of summer camp for deserving kids in the care of FACS Niagara.

We are respectfully asking the City of Port Colborne to proclaim Saturday June 8th, 2024 Mountainview LemonAID Day for FACS Niagara.

What is Mountainview LemonAID Day?

It's a fun, family day that gives children and families the opportunity to give back to their community by selling lemonade and fundraising from family and friends.

Mountainview LemonAID Day is accessible to anyone! Registered teams receive everything they need to be successful including a branded lemonade stand, lemonade concentrate, pitchers, cups, t-shirts and hats. All they need to bring is a table and big smiles! When participants register through our website, they will automatically set up their own fundraising page so that they can begin accepting online donations. We challenge our young do-gooders to raise at least \$250 to send one kid to camp!



We have prizes for the team that raises the most, and the teams with the best decorated stands throughout each community.

Thank you for supporting FACS Niagara through Mountainview LemonAID Day and helping us send Niagara kids to camp this summer!

Sincerely yours,

Caroline Polgrabia
President, FACS Niagara Foundation

Port Colborne Historical and Marine Museum Board Meeting Agenda

Date: Tuesday, January 16, 2024
Time: 7:00 pm
Location: L.R. Wilson Heritage Research Archives
286 King St, Port Colborne, ON L3K 4H2

Pages

1. Call to Order
2. Disclosures of Interest
3. Adoption of Agenda
4. Approval of Minutes
5. Business Arising from the Minutes
6. Correspondence
7. Council Report
8. Curator's Report
9. Auxiliary Report
10. Friends of Roselawn Centre Liaison Report
11. Committee Report
 - 11.1 Finance Committee
 - 11.2 Membership Committee
 - 11.3 Building and Property Committee
 - 11.4 Programme Committee
 - 11.5 Fundraising Committee

1

11.6 Policy Committee

11.7 Accession Committee

11.8 Heritage Committee

12. Confidential Items

13. Director's Report

14. New Business

15. Adjournment

Port Colborne Museum, Heritage and Culture Board Meeting Minutes

Date: Tuesday, November 21, 2023
Time: 7:00 pm
Location: L.R. Wilson Heritage Research Archives
286 King St, Port Colborne, ON L3K 4H2

Members Present: E. Beauregard, Councillor
B. Heaslip
T. Huffman
C. Brema
J. Piniak
G. Hoyle
B Schneider
A Lessard
M. Heaslip

Member(s) Absent: C. MacMillan
M. Tanaszi
B. Murphy
J. Maloney
L. Brazeau

Staff Present: S. Powell Baswick, Director of Museum and Culture
M. Chamberlain, Community Engagement Officer
T. Nail, Assistant Curator

Other(s) Present: T. Hughes, member of the public.

1. Call to Order

The Chair called the meeting to order at 7:00 p.m.

2. Disclosures of Interest

N/A

3. Adoption of Agenda

Moved by C. Brema
Seconded by G. Hoyle

That the agenda dated November 21, 2023, be confirmed, as circulated or as amended.

Carried

4. Approval of Minutes

Moved by B. Heaslip
Seconded by B. Schneider

That the minutes dated October 17, 2023, be confirmed as amended.

Carried

5. Business Arising from the Minutes

N/A

6. Correspondence

Meghan Chamberlain reported one piece of correspondence from Ian Leach who shared fond memories of the Museum growing up. This message was accompanied by a donation in memoriam of volunteer Ann Elise Bull.

7. Council Report

Councillor Eric Beauregard reported that the City Council is still in the process of approving budgets for 2024.

8. Curator's Report

Tami Nail reported on behalf of Michelle Mason that the Museum had a busy fall schedule with Lantern Tours, Ghost Hunts, Speaker Series, exhibits, school tours, and more. The Speaker Series has been very well received thus far, with over 60 attendees on November 18, 2023, for Fred Addis' presentation on Don Gallinger, a local hockey legend.

Additionally, the Archivist, Dr. Michelle Vosburgh, has met with representatives from the St. Catharine's Museum, Welland Museum, and Thorold Museum to begin preliminary planning for the Bicentennial of the Welland Canal. In 2024, to mark the 200th anniversary of the Welland Canal Company's charter, there will be a traveling Speakers Series, on four Saturdays in November. The Port

Colborne event will be at the Wilson Archives on November 9, 2024, where Michelle Vosburgh will be speaking on the debates and discussions about where to put the southern terminus of the canal.

Lastly, Tehgan Porter will be finishing his position as Archival Inventory Assistant in the coming weeks.

9. Auxiliary Report

Marianne Heaslip reported that Auxiliary volunteers met on November 6, 7, and 8 for their annual Pudding Bee. Volunteers will meet again on November 27-30 to complete the pudding sauce and bag puddings on December 1. Approximately 200 puddings will be available for sale at the 47th Grand Old Christmas Festival on December 3.

Claudia Brema asked how much the packaged puddings would cost, to which Marianne replied that she was not sure but would find out and update the group.

10. Friends of Roselawn Centre Liaison Report

Arlene Lessard reported that the Friends of Roselawn Centre's annual Makers Market was a success. Assistant Curator Tami Nail and volunteers decorated the space beautifully and people were very pleased with the selection of vendors. The next newsletter is in the process of being written now and will be available in January 2024.

Arlene also announced that student memberships will be free in 2024 and that the Friends of Roselawn Centre have donated \$5000.00 to the Department of Museum and Culture to assist with the new security system for the Roselawn Centre.

11. Committee Report

11.1 Finance Committee

Bonnie Schneider reported that the total donations from January to November 20, 2023, are \$18,422.11. The breakdown of those donations is as follows: \$5624.81 in donation bin/cheques, \$1500.00 memorial bench, \$1412.30 Canada Helps, \$9895.00 Corporate Donor Drive.

11.2 Membership Committee

Claudia Brema reported that as of November 20, 2023, the Museum has received 20 new Life Patrons and 100 memberships, 45 being seniors, 40 being families, and 15 being individuals.

11.3 Building and Property Committee

Brian Heaslip began his report by bringing forward an offer from the Port Colborne Horticultural Society to volunteer their services for both the Museum and Roselawn grounds. Stephanie Powell Baswick responded to this proposal that she will meet with the society's chair and coordinate for the coming year. Both Brian and Stephanie agree that this will be a great opportunity to engage with volunteers and enhance the natural components of the grounds. Councillor Eric Beauregard confirmed with Brian that the volunteers would be using their own equipment but also suggested coordinating with pre-existing City resources if more are needed.

Brian continued his report by updating the members on the status of the following projects. The new deck/sidewalk on the Heritage Resource Centre is almost completed, the old side ramp on the William's House is being removed, and volunteers have repainted the President's Room at the Roselawn Centre. Brian ended his report by thanking City electrician Mike Kyle for his help with their projects.

11.4 Programme Committee

Tami Nail reported on behalf of John Maloney the following programming updates. Public Programmer, Sloane McDowell, had 3 successful Fall programs with Ghost Hunts having 44 participants, Lantern Tours having 54 guests, and Halloween having 160 trick or treaters. Tami Nail has been overseeing the holiday festivities to come such as Victorian decorations at the Roselawn Centre, Countdown to Christmas, and the Grand Old Christmas Festival.

Tami also reported the the annual Volunteer Appreciation would be December 12, 2023 at 7:00pm.

Lastly, Tami presented a proposal for the two Museum exhibits for 2024. The main exhibit would be 'Made in Poco' and feature local business and industry, and the featured exhibit would be the 100th anniversary of the Humberstone Shoe Company building.

Moved by A. Lessard

Seconded by B. Heaslip

To move forward with the 2024 exhibit recommendations made by staff.

Carried

11.5 Fundraising Committee

Claudia Brema reported that 177 guests attended Adam Shoalts presentation at the Roselawn Centre on November 12, 2023. A total of \$1000.00 was donated to both the Museum and Port Colborne Library for running this event. Stephanie Powell Baswick thanked committee chair Claudia Brema for presenting both the Land Acknowledgements and the event sponsors.

11.6 Policy Committee

N/A

11.7 Accession Committee

Terry Huffman reported that the next committee meeting will be November 22, 2023, at 10:00 am in the L.R. Wilson Heritage Archives.

11.8 Heritage Committee

Councillor Eric Beauregard reported that there was a motion at the latest Council Meeting from the Heritage Committee that all top properties be examined, however, staff recommended that 10 properties that have owners who express interest in designation be focused on. The resolution that was reached was to focus on the 10 properties first and to assess the additional 10 as time and funds allow,

Gary Hoyle reported that the committee met on November 20, 2023, and discussed descriptions, history, cultural aspects, and photos for prioritized properties. Two property research reports have been completed and submitted to the Heritage Committee by Archives staff with more to come.

12. Confidential Items

N/A

13. Director's Report

Stephanie Powell Baswick reported to the Board that price projections on a few outstanding capital projects have increased. The Board has applied for additional funds and the Museum has funding in reserves. Stephanie believes that the difference can be paid through operating reserves and seeks the members' approval.

Moved by B. Heaslip
Seconded by G. Hoyle

To, if required, supplement cost increases on outstanding capital projects from Museum operating reserve funds.

Carried

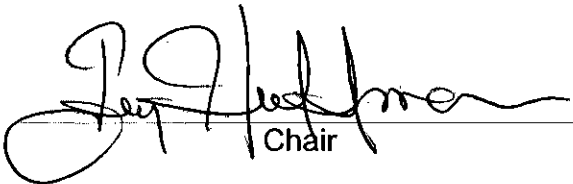
14. New Business

Terry Hughes, a volunteer for 18 years, presented his collection of Canal Days t-shirts and suggested that the original logo be included in future designs to assist in province-wide recognition of the Museum. Terry also complimented the Board by saying it is one of the best operations in all of Ontario full of enthusiastic and productive volunteers. Terry thanked the members and notified them that he will now be serving on the Welland Museum board. Terry Huffman thanked Terry Hughes in return and said that he is more than welcome to join us anytime.

Bonnie Schneider asked if there had been an update about the Main St. City Hall property. Stephanie Powell Baswick provided that the report submitted by the Board did not go to Council with the official proposal.

15. Adjournment

The Chair adjourned the meeting at approximately 8:07pm.


Chair


Staff Liaison

Port Colborne Museum, Heritage and Culture Board Meeting Minutes

Date: Tuesday, January 16, 2024
Time: 7:00 pm
Location: L.R. Wilson Heritage Research Archives
286 King St, Port Colborne, ON L3K 4H2

Members Present: C. MacMillan
E. Beauregard, Councillor
B. Heaslip
T. Huffman
C. Brema
J. Piniak
G. Hoyle
L. Brazeau

Member(s) Absent: M. Tanaszi
B. Murphy
J. Maloney
A. Lessard
B. Schneider

Staff Present: M. Mason, Museum Curator
M. Heaslip
T. Nail

1. Call to Order

The Chair called the meeting to order at 7:00pm.

2. Disclosures of Interest

N/A

3. Adoption of Agenda

AGM will be postponed until Council has appointed new Board Members, so elections can be held. Hopeful that this will happen in time for the February meeting.

Moved by C. MacMillan
Seconded by L. Brazeau

That the agenda dated January 16, 2024 be confirmed, as circulated or as amended.

Carried

4. Approval of Minutes

Moved by B. Heaslip
Seconded by C. Brema

That the minutes dated November 21, 2023 be confirmed, as circulated or amended.

Carried

5. Business Arising from the Minutes

N/A

6. Correspondence

Councilor Beauregard reported one piece of correspondence from Robert Sheele regarding a proposal to the City of Port Colborne to consider an action item to signify a strong municipal commitment toward Truth and Reconciliation. He proposes a large stone monument be erected at H.H. Knoll park that could be inscribed with a full land acknowledgement. Councilor Beauregard proposes bringing the proposal to the Heritage Committee to review, and after review it could be brought to City staffs' attention.

7. Council Report

N/A

8. Curator's Report

Michelle wished everyone back after the New Year and said she is excited for the year to come and that the Museum is always striving and growing.

Michelle announced that Meghan Chamberlain (Community Engagement Officer), Sloane McDowell (Public Programmer), and Katelynn Best (Registrar), have officially signed their full-time, permanent contracts.

The CMOG grant was received December 24, 2023.

The staff has already had 2 planning meetings for the upcoming year. Michelle is working on the 2023 Annual Report, and will be working on the upcoming Membership drive in February with Claudia. Michelle also requested that past chair, Brian Heaslip, be on the nomination committee during the AGM, which will hopefully be in February.

Claudia Brema inquired if the 2023 Annual Report would be presented to council. Michelle Mason confirmed that Stephanie Baswick will present it to council in the Spring.

9. Auxiliary Report

Marianne Heaslip reported that Auxiliary volunteers met on November 27, 28, 29, and 30th for their annual Pudding Sauce Bee. The puddings were brought back to the Tea Room on November 30th and packaged on December 1st.

Approximately 400 packages of pudding and sauce were made and although they weren't all sold at the Christmas Festival, they were all sold-out by the end of the Shopper's Week. Marianne praised all the volunteers for the tremendous amount of work that goes into preparing the puddings and sauce every year. The Tea Room had a total of 2471 visitors this season: 1645 during the summer, 186 at the Pie Social, 151 during Canal Days, and 450 during Shoppers' Week with pudding and sauce.

An Executive Meeting will be held in January to plan the 2024 season.

10. Friends of Roselawn Centre Liaison Report

Arlene Lessard reported that the Friends of Roselawn Centre had a board meeting on January 8th, 2024.

Memberships are now due. Fees are as follows:

Adults - \$15

Couples - \$25

Family - \$30

Lifetime per person - \$100

Students Free

Arlene gave kudos to the Museum staff who worked on the Countdown to Christmas for the innovative installation of classic Christmas lights. Thanks was given to Gail Todd who published the "mini-newsletter" on January 16th. The

Winter Newsletter will be out later in February. The online art auction will be held from February 3rd-10th. Many artists have already donated pieces.

There has been lots of work done at Roselawn over the past few weeks, including the rewiring of the electrical system to replace the nob and tube wiring (the nob and tube wires will remain in the walls), as well as replastering the walls and ceilings where the electrical work necessitated it.

11. Committee Report

11.1 Finance Committee

N/A

11.2 Membership Committee

Claudia Brema reported that at the end of 2023, the Museum had received 22 new Life Patrons, and 103 memberships, 46 being seniors, 41 families, 16 individuals, as well as 9 complimentary memberships to members of the French community.

11.3 Building and Property Committee

Brian Heaslip reported that the new steps and sidewalk on the southside of the Williams' house have been completed. Volunteers have been painting the President's Room at Roselawn and will paint the repaired areas after the electrical work has finished at Roselawn.

A meeting with the Horticultural Society is schedule for later in January to discuss the plans for the 2024 gardens and grounds at both the Museum and Roselawn.

The Acoustic project in the Archives is still ongoing. Samples of the acoustic panels have arrived and museum staff member, Barry Stickles has experience with installing the panels.

11.4 Programme Committee

Cheryl MacMillan reported that Public Programmer, Sloane McDowell, hosted Lakeshore Catholic High School history in the Archives last week for a program about post WWII advertising. Sloane is also planning a whole week of programming for March Break, as well as drop in programs for P.D. Days. This year for Heritage Week, February 19-23), there will be behind the scenes look at the Department of Museum and Culture. Each day of the week, a 30 minute tour of one of the buildings (Williams' House,

Archives, HRC, and Roselawn) will be offered to the community. Snippets of each tour will also be posted online.

Assistant Curator, Tami Nail, presented a report on the 2023 Grand Old Christmas Festival. Although the weather was fairly wet, and it poured rain for the last hour of the event, we still had a large turnout of around 1000 people and a very successful event with good feedback. Although we had double the amount of people in 2022 (which was a record), this year we received more donations than ever before , \$1726.10, as well as made a comparable amount of money to last year, despite the increased cost for almost all supplies. The total revenue was \$3,393.

Thank you to our sponsors and to Claudia Brema for helping contact and find sponsors. This years sponsors were:

Boggio - Candy canes, and new this year \$150 for the apples

Museum Auxiliary - \$1412 for Carriage Rides

Harvey's - \$150 for Cider

Canalside - \$150 for Chestnuts

New this year, Knights of Columbus - \$150 for Candles

We did not have a sponsor for caramel this year as DQ changed owners and we were not able to reach the new owners, even with multiple attempts. Claudia Brema reached out to the head office of McDonald's, but did not get a response in time for this year's festival, but did get a response that they were sorry to miss this year and are very interested in donating for next year.

11.5 Fundraising Committee

Claudia Brema reported that the Corporate Donor Drive raised \$10,095, including \$5,695 for the Museum, \$2,600 for Roselawn, and \$1,800 for the Archives.

11.6 Policy Committee

N/A

11.7 Accession Committee

Terry Huffman reported that the last meeting was held in November 2023, where many items were accepted. The committee recommended staff to

go through the larger groups of items, such as postcards and to bring back their recommendations to the next meeting.

A meeting is scheduled for the first quarter of the year. In the future, one of the quarterly meetings will be a Deaccessioning meeting.

11.8 Heritage Committee

Luke Brazeau reported that at the December meeting 83 Tennessee Ave and 115 Kent St properties were recommended to be designated. The next meeting, which will be held January 22, 2024 599 King St, 334 Sugarloaf St, and 352 Chippawa Rd properties will be discussed. The committee is also referring to the Ontario Heritage Act for guidelines for designation. Starting February, meetings will be held the Monday before board meetings.

12. Confidential Items

N/A

13. Director's Report

Director, Stephanie Baswick, send her regrets tonight as she will be completing the Provincial 2024 Summer Employment Opportunities Grant for an "Outreach Development Coordinator" that has a deadline of tomorrow at 5pm.

The Federal Canada Summer Jobs application was completed January 9th and applications have been made for two students:

Official Languages Coordinator to continue our work with the Francophone Community, and a Cultural Activities Leader to assist with Programming. There are two tearoom/museum students already funded.

WINNERS!

The CAO Awards of Excellence were established in 2023 and are awarded to individuals and teams who have demonstrated excellence in their work while aligning conduct to the City of Port Colborne's Corporate Values and working towards the City of Port Colborne's Vision, Mission, Values, and Strategic Plan. We had many nominations from our department and two winners. Archivist, Michelle Vosburgh was the winner of the Inclusion award and Community Engagement Officer was the winner of the Health and Safety Award!! Congratulations to Michelle and Meghan for their excellent work and awards!

Michelle Vosburgh was quoted in an article from the Brock University Archives regarding Graham Segger's new book. Michelle also read the manuscript for his new book.

14. New Business

Curator, Michelle Mason, reported that the Museum and Board also received an email from Robert Sheele asking us to consider offering out support in principle to the project proposal to the City Council of a monument with land acknowledgement. Copies of the email was distributed to all Board members.

The Board recommended that Robert gets in touch with the Indigenous Community and collaborates with them first and come back and make a presentation to the board before giving our support. Board agreed that this must be an Indigenous led project.

Moved by L. Brazeau
Seconded by C. Brema

That staff reply to Robert that the Board has received and discussed the information he sent and recommend that the Indigenous community take the lead on the project before we give our support.

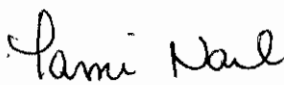
Carried

15. Adjournment

The Chair adjourned the meeting at approximately 8:00pm.



Chair



Staff Liaison

Port Colborne Public Library Board Meeting Minutes

Date: Wednesday, January 3, 2024
Time: 6:00 pm
Location: Library Auditorium, Port Colborne Public Library
310 King St, Port Colborne

Members Present: M. Cooper
B. Ingram (attended remotely)
M. Bagu, Councillor
A. Desmarais
C. MacMillan (attended remotely)
E. Tanini (attended remotely)

Member(s) Absent: B. Beck
M. Booth
H. Cooper

Staff Present: S. Therrien, Chief Executive Officer

Others Present: Rachel Tkachuk, Librarian

1. Call to Order

The Chair called the meeting to order at 6:05 p.m.

2. Land Acknowledgement

The Chair recited the Land Acknowledgement Statement.

3. Disclosures of Interest

There were no disclosures of interest.

4. Adoption of Agenda

Moved by Councillor M. Bagu
Seconded by A. Desmarais

That the agenda dated January 3, 2024 be confirmed, as circulated.

5. Approval of Minutes

Moved by A. Desmarais
Seconded by B. Ingram

That the minutes dated December 6, 2023 be adopted, as circulated.

Carried

5.1 Minutes of the December 6, 2023 meeting

6. Business Arising from the Minutes

7. Consent Items

Moved by Councillor M. Bagu
Seconded by A. Desmarais

That consent items 7.1 to 7.5 be received, as presented.

Carried

7.1 Staff Reports

a. 2024 Meeting Schedule Report

7.2 Circulation Report

a. Circulation Report, November 2023

7.3 Financial Report

a. Financial Report, December 28, 2023

7.4 Public Relations Report

a. Librarian's Report, December 2023

7.5 Media Items

a. Off the Shelf Newsletter, January/February 2024

8. Discussion Items

8.1 CEO Verbal Report - Year-end Reports

Moved by A. Desmarais
Seconded by Councillor M. Bagu

That the CEO's Report be received, as presented.

Carried

a. Capital Projects Update

The CEO reported that the elevator modernization project is scheduled for May 2024. The installation of new phones is scheduled for January 2024.

The CEO confirmed that the approved 2024 capital projects are being planned and include the following upgrades to the library facility: improvements to the stairs leading to the Children's Room; skylight repairs, window improvements, and the auditorium flooring upgrade. Repairs to the exterior doors have been completed.

b. Planning and Committees

Staff will provide final reports to the Board on the strategic plan in mid-January 2024 when all year-end statistics are available.

The Board Evaluation, work plan, and committees will be discussed at the January 2024 meeting.

8.2 CEO Verbal Report - Regional Governance Review

The Board discussed the letter drafted by local libraries on Regional Governance Review. The letter will be submitted to the Standing Committee on Heritage, Infrastructure and Cultural Policy and outlines existing shared services among libraries.

The Board addressed exploring shared library service opportunities in light of the shared services review and the announcement of a Memorandum of Understanding respecting a shared services delivery model between the City of Port Colborne and the Township of Wainfleet.

Moved by A. Desmarais

Seconded by Councillor M. Bagu

That the Board does not endorse the Regional Governance Review letter, as received; and,

That the Board explore opportunities for shared services with the Wainfleet Public Library.

Carried

9. Confidential Items

Moved by Councillor M. Bagu

Seconded by A. Desmarais

That the Board do now proceed into closed session in order to discuss items 9.1 and 9.2. at approximately 6:26 p.m.

Carried

Moved by A. Desmarais

Seconded by E. Tanini

That the Board approves the minutes of the closed portion of the December 6, 2023, as circulated.

Carried

Moved by C. MacMillan

Seconded by B. Ingram

That the CEO has the full support of the Board to hire a full-time permanent Library Services Manager; and,

That the Board will hire a CEO on or before June 1, 2024.

Carried

Moved by Councillor M. Bagu

Seconded by A. Desmarais

That the Board do now rise from closed session, with direction, at approximately 7:14 p.m.

Carried

9.1 Minutes of the closed portion of the December 6, 2023 meeting

9.2 Confidential Human Resources Matter- pursuant to Public Libraries Act, Section 16.1(4)(b) of the personal matters about an identifiable individual

10. Policies

10.1 CEO Succession Planning

Moved by A. Desmarais
Seconded by C. MacMillan

That the Board approves the CEO Succession Planning Policy (GOV-13),
as amended.

Carried

a. CEO Succession Planning Policy (GOV-13)

11. Motions

12. Notice of Motions

13. Roundtable

There were no roundtable discussion items.

14. Other Business

15. Next Meeting Date and Adjournment

The next meeting of the Board will be held February 6, 2024, in the auditorium of
the Port Colborne Public Library.

The Chair adjourned the meeting at approximately 7:25 p.m.

Board Chair

Chief Executive Officer / Board
Secretary-Treasurer

Port Colborne Public Library Board Meeting Minutes

Date: Wednesday, February 7, 2024
Time: 6:00 pm
Location: Library Auditorium, Port Colborne Public Library
310 King St, Port Colborne

Members Present: M. Cooper, Chair
M. Bagu, Councillor
H. Cooper
B. Ingram, Vice-Chair (attended virtually)
C. MacMillan
B. Beck (attended virtually)
M. Booth
E. Tanini

Member(s) Absent: A. Desmarais

Others Present: Rachel Tkachuk, Library Services Manager

1. Call to Order

The Chair called the meeting to order at approximately 6:03 p.m.

2. Land Acknowledgement

The Chair recited the Land Acknowledgement Statement.

3. Disclosures of Interest

There were no disclosures of interest.

4. Adoption of Agenda

Moved by H. Cooper
Seconded by B. Ingram

That the agenda dated February 7, 2024 be confirmed, as circulated.

Carried

5. Approval of Minutes

Moved by E. Tanini
Seconded by H. Cooper

That the January 3, 2024 meeting minutes be approved, as circulated.

Carried

5.1 Minutes of the January 3, 2024 Board Meeting

6. Confidential Items

R. Tkachuk left the meeting at 6:05 p.m.

R. Tkachuk returned to the meeting at approximately 6:31 p.m.

Moved by H. Cooper
Seconded by E. Tanini

That the Board proceed into closed session in order to discuss items 6.1 and 6.2 at approximately 6:06 p.m.

Carried

Moved by B. Ingram
Seconded by M. Booth

That the Board approves the minutes of the closed session portion of the January 3, 2024 meeting, as circulated.

Carried

Moved by B. Beck
Seconded by E. Tanini

That the Board receives the Chief Executive Officer's recommendation that the Library Services Manager be assigned the role of Interim Acting CEO; and:

That the Board appoints the Library Services Manager to the position to Interim Acting Chief Executive Officer effective February 8, 2024, as per the conditions set out in the Acting CEO Assignment Agreement.

Carried

Moved by C. MacMillan
Seconded by H. Cooper

That the Board do now rise from closed session at approximately 6:29 p.m.

Carried

6.1 Minutes of the closed portion of the January 3, 2024 meeting

6.2 Confidential Human Resources Matter- pursuant to Public Libraries Act, Section 16.1(4)(b) of the personal matters about an identifiable individual

7. Business Arising from the Minutes

8. Consent Items

Moved by H. Cooper
Seconded by M. Booth

That consent items 8.1 and 8.2 be received, as presented.

Carried

8.1 Financial Report

- a. 2024 Operating Budget Financial Report, January 31, 2024**
- b. 2023 Operating Budget Financial Report, as of January 31, 2024**

8.2 Correspondence

- a. CFLA Letter to the Parliamentary Secretary to the Minister of Canadian Heritage**

9. Discussion and Policy Items

9.1 Shared Services

The Chair reported on correspondence with Wainfleet Public Library regarding opportunities for shared services. The Chair advised the Board that he will report on any further correspondence at the March 2024 meeting.

Moved by E. Tanini
Seconded by B. Ingram

That the Board receives the Chair's update on shared services.

Carried

9.2 Policies

Moved by H. Cooper

Seconded by C. MacMillan

That the Board approves the revised Financial Oversight Policy, as presented; and,

That the Library's signing officers include Acting CEO until new CEO is hired.

Carried

a. Financial Oversight Policy

b. Signing Officers Update

c. Board-CEO Relationship

9.3 Board Governance

The Board Chair reported that he is working on items 9.3a - 9.3c and that these will be presented at the March 2024 meeting in further details.

a. Work Plan

b. Board Evaluation

c. Committees

9.4 Acting CEO's Report - Verbal

Moved by H. Cooper

Seconded by E. Tanini

That the Acting CEO's Report be received, as presented.

Carried

a. Capital and Operating Projects Update

The Acting CEO reported on the progress of the elevator modernization project that is scheduled for May 2024. Phones are

scheduled to be installed mid-February. Other projects are still in the planning stages.

b. Staffing Updates

The Acting CEO reported on staffing changes including the hiring of a new librarian and two part-time library assistants.

c. Board and Staff Online Resources

The Acting CEO reported that staff are working on completing a dedicated portal so the Board will have online access to updated resources including training and policies. The site will be ready before the next meeting.

d. Library Website

The Acting CEO presented updated information about the library's website which is part of the City of Port Colborne's larger site. The presentation included some options to update the website as recommended by the City.

Moved by H. Cooper

Seconded by C. MacMillan

That the Board adopts the City's recommendation to transfer the library's webpages to Govstack at no cost to the library.

Carried

e. Public Washroom

The Acting CEO reported on the increasing number of incidents in the public washroom including damage and drug use. Staff have reached out to the City and the police to alert them to the situation and for recommendations on new procedures. Staff are implementing new protocols to monitor and prevent incidents.

10. Motions

11. Notice of Motions

12. Roundtable

12.1 Board Training (C. MacMillan)

Trustee MacMillan shared information on board training opportunities that she will forward to the Board.

12.2 Attendance (H. Cooper)

Trustee H. Cooper gave notice to the Board that she will be unable to attend the next two meetings.

12.3 Children's Program 50th Anniversary (M. Booth)

Trustee Booth alerted the Board that the 50th anniversary of the Canadian Children's Author program is upcoming.

13. Other Business

14. Next Meeting Date and Adjournment

The next meeting of the Board will held March 6, 2024, in the Auditorium of the Port Colborne Public Library.

The Chair adjourned the meeting at approximately 7:15 p.m.

Michael Cooper, Chair

Rachel Tkachuk, Library Services
Manager/Acting CEO (Board
Secretary-Treasurer)

City of Port Colborne
Downtown Business Improvement Area

Date: Thursday, September 21, 2023
Time: 5:00 pm
Location: BIA Office- Main Training Room, Port Cares Admin Building
92 Charlotte Street, Port Colborne, L3K 3E1

Members Present: N. Gieger
R. Poisson
E. Cleveland
A. Crognale
L. Beverly
H. Hamilton

Staff Present: D.Elliott, Councillor
O. Loeffen, Business Community and Events Ambassador

1. Call to Order

The Co-Chair called the meeting to order at 5:00 p.m.

2. Land Acknowledgement

Olga Loeffen - BIA Liaison - recited the Land Acknowledgement Statement.

3. Adoption of Agenda

Moved by Larry
Seconded by Norbert

4. Disclosures of Interest

There were no disclosures of interest.

5. Approval of Minutes

No minutes to approve.

6. Staff Updates

6.1 New Terms of Reference

Moved by Ed
Seconded by Rosemari

6.2 Election

Election date set for November 1st, 2023.

2 signees are required for banking/cheque signing, with only a Co-Chair, a second is required. Rosemari volunteered.

Moved by Harry
Seconded by Ed

7. Order of Business

8. New Business

Nil.

9. Adjournment

The Co-Chair adjourned the meeting at approximately 6:15 p.m.

City of Port Colborne
Downtown Business Improvement Area

Date: Monday, November 13, 2023
Time: 6:00 pm
Location: BIA Office- Main Training Room, Port Cares Admin Building
92 Charlotte Street, Port Colborne, L3K 3E1

Members Present: H. Hamilton
A. Crognale
R. Poisson
N. Gieger
L. Beverly

Staff Present: D. Elliott, Councillor
O. Loeffen, Business Community and Events Ambassador
D. Vasu, Interim Deputy Clerk

Other(s) Present: Ben and Lisa Terreberry, Portside Petals
Sara Nunziato, Frank and Co.
Sarah Armstrong, West Street Hair Co.
Rick Hall, Poco Beautiful
Gino Stinziani, Poco Beautiful

1. Call to Order

The Co-Chair called the meeting to order at 6:15 p.m.

2. Adoption of Agenda

Adopted by Co-Chair including a few words about the importance and impact of BIA's.

3. Disclosures of Interest

There were no disclosures of interest.

4. Approval of Minutes

No minutes to approve.

5. Staff Updates

6. Confidential Items

Board proceeded into closed session in order to review the 6 board applications at approximately 6:59 p.m.

5 of the 6 applicants who applied for the board, along with Councilor Elliott proceeded to wait in Port Cares lobby for duration of the closed session.

6.1 BIA Board Election, personal matters about an identifiable individual, including municipal or local board employees

Board reviewed applicants and unanimously agreed to approve 4 of the applicants to become new board members. Nominees were chosen based on their contribution to the levy.

The board unanimously appointed the following applicants.

Sarah Armstrong

Jenni Darlow

Ben Terreberry

Sara Nunziato

Moved By Norbert Gieger

Seconded By Larry Beverly

Carried

Motion to move back into Open Session

Moved By Norbert Gieger

Seconded By Rosemari Poisson

Carried

7. New Business

Board Director Rosemari provided the following updates:

- Outstanding bills have been processed, with the change in signing authority and disclosed the current bank balance.
- Radio ads are all caught up.

- Tugboat Santa and Christmas at Mariners Park is scheduled and will be December 2nd
- The Gathering Place will hold 2 - Photos with Santa sessions
- New lights have been purchased by the BIA to be hung at King George Park
- Farmers market update.
- Fa La La Ladies night will be November 16th
- Hanging baskets have been paid for - \$3000
- Inquired about Business lighting contest, discuss what prizes could be.

8. Adjournment

Adjourned at 8pm

Moved By Larry Beverly

Seconded By Rosemari Poisson

Carried

City of Port Colborne
Downtown Business Improvement Area

Date: Wednesday, November 22, 2023
Time: 6:30 pm
Location: BIA Office- Main Training Room, Port Cares Admin Building
92 Charlotte Street, Port Colborne, L3K 3E1

Members Present: R. Poisson
A. Crognale
S. Nuziato
S. Armstrong
B. Terreberry

Staff Present: O. Loeffen, Business Community and Events Ambassador

1. Call to Order

Olga Loeffen called the meeting to order at 6:31 p.m.

2. Adoption of Agenda

Moved By Rosmari Poisson

Seconded By Ben Terreberry

That the agenda dated November 22, 2023, be approved as circulated.

Carried

3. Disclosures of Interest

4. Approval of Minutes

No minutes to approve.

5. Staff Updates

6. Order of Business

6.1 Election of Officers

No members nominated themselves for the position of treasurer.

That Rosemari Poisson be elected to serve as Chair, for a term ending on November 22, 2026.

Moved By Anna Maria Crognale

Seconded By Ben Terreberry

Carried

That Anna Maria Crognale be elected to serve as Vice-Chair, for a term ending on November 22, 2026.

Moved By Rosmari Poisson

Seconded By Sarah Armstrong

Carried

That Sara Nunziato be elected to serve as Secretary, for a term ending on November 22, 2026.

Moved By Rosmari Poisson

Seconded By Ben Terreberry

Carried

6.2 Hiring of Staff

Board agreed unanimously to hire a part-time bookkeeper.

Appointment of three Directors with signing authority to the TD banking account. Cheques issued by the Board shall be signed by two Directors with signing authority.

Nominations for TD Bank Account Co-signers, 1. Rosemari Poisson 2. Anna Maria Crognale and 3. Sara Nuziato.

Moved By Ben Terreberry

Seconded By Sarah Armstrong

Carried

6.3 Grants

Olga Loeffen (BIA Liaison) reminded board/business owners about the Canada Summer Program and application deadline in January, as well as the City of Port Colborne Community Grant.

6.4 Business Lighting Contest Prizes

Update from Rosemari that the Business Lighting Contest winners prizes will be a photo of their business captured by Chris DeLaat.

6.5 Monthly Meeting Date Proposal

Olga Loeffen (BIA Liaison) shared a recommendation from the Clerks Department for monthly meetings to take place on the 3rd Wednesday of each month. Board agrees for January the meeting will be held of the 24th.

7. New Business

Discussed if signing up for online banking is an option to have the ability to view past cheques.

8. Adjournment

8pm

Moved By Rosemari Poisson

Seconded By Anna Maria Crognale

Carried

City of Port Colborne
Downtown Business Improvement Area

Date: Wednesday, January 24, 2024
Time: 6:15 pm
Location: BIA Office- Main Training Room, Port Cares Admin Building
92 Charlotte Street, Port Colborne, L3K 3E1

Member(s) Present R. Poisson
 A. Crognale
 L. Beverly
 Jenni Darlow
 Sarah Armstrong
 Ben Terreberry

Member(s) Absent:
 H. Hamilton
 Sara Nunziato
 Jenni Darlow

1. Call to Order

The Chair called the meeting to order at 6:23 p.m.

2. Adoption of Agenda

Moved By Larry Beverly

Seconded By Ben Terreberry

Agenda Adopted

3. Declaration of Pecuniary Interest

There were no disclosures of interest.

4. Confidential Items

Board proceeded into closed session at approximately 6:15 p.m. to discuss financial spending from 2023. No formal motion was made.

Closed session ended at 6:40.

4.1 2023 Budget Review

5. Approval of Minutes

Minutes not approved, not reviewed by all board members.

6. Staff Updates

6.1 Chair Report

Chair let board know that:

- 2/3 co-signers have filled out the paperwork at TD
- She is currently speaking with former treasurer to access past records
- all outstanding bills are currently caught up

Moved by Ben T. and Seconded by Larry B.

6.2 Councilors Report

Councilor Elliott referenced:

- Canal Days presentation to Council, and the 60K visitors during 4 days of the festival, including cancellation of concerts on Monday at H.H. Knoll Lakeview Park
- Provided a West Street hydro update and let the board know that the beautification of West Street would have to be postponed since grant money earmarked for this will now be spent on hydro changes

Greg Hibbinbotham (City of Port Colborne Tourism Coordinator) reiterated that West Street beautification is not forgotten and that new funding

opportunities are being pursued. When it comes to West Street Hydro communication will be active from City Hall to residents/business owners.

The BIA has requested that construction not occur during tourism/high season and they're curious about power interruptions.

Moved by Sarah A. and Seconded by Ben

7. New Business

7.1 2024 Cruise Ship Season Overview

a. Delegation from Greg Higginbotham - Tourism Coordinator

- Approx. 50 cruise ships are scheduled to dock in Port Colborne
- West Street docking update - Snider Marine Terminal can expand its services from the East side to West Street, a proposal was submitted to the Seaway in October 2023 and is currently under review by the Seaway and Transport Canada. Greg is optimistic that ships will dock on the West side this season
- Snider docks is agreeable to signage on their property
- Dock 18.1 does not require dredging, it's ship-ready, and currently the only one on the West side that's operational. This dock can only accommodate smaller ships, none of the Viking ships
- City staff are currently working on 2024 shore excursions, including Viking offering historical walking tours, with cycling tours and fishing charters in the works.
- City needs BIAs support through promotions, offers, have businesses create an enticing draw
- City staff would like to work with the BIA and host an Open House to find a way to collaborate with businesses to create a draw for more cruisers to come into Port Colborne, shop local
- Cruisers are allowed to walk out of the docking area onto Clarence Street, and have been allowed since mid summer of last year. Boarder security has been provided to accommodate for this.

Questions from board members:

- How do we provide pamphlets to cruisers?
- Will there be a shuttle provided this year?
 - Last two years the City provide a shuttle for at least part of each season, costing \$13K-\$15K each season
 - Shuttle service can have a tailored schedule with a minimum of 3 hours per day when it's hired
 - Past shuttles were filled at approx. 50% capacity
 - Is the BIA interested in funding the shuttle service?

7.2 2024 Budget Planning

- 2023 spending was reviewed.
- Proposed budget for 2024 was reviewed, a typo was noticed so the updated budget will be shared at the February meeting for approval.
- CRA access is being investigated

Motioned by Anna Maria C. and Seconded by Sarah A.

8. Other Business

Banners: Alexander F. let board know that the Royal Canadian Legion is interested in rolling out a banner program much like Dunnville does, where 3 months of the year the light poles along Clarence Street. They want to know if the BIA wants to participate with their own banners? The cost would be roughly \$300 per custom banner. Alexander will provide details from the vendor once the Legion learns more.

BIA Website: City staff are offering to help with the current website, including email domains reflective of the website url vs using gmail accounts.

9. Next Meeting

February 21st, 2024 at 6:30 at Port Cares.

10. Adjournment

Adjourned at 8:47pm

Motioned by Ben T. and Seconded by Anna Maria C.

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Adopt the Traffic Calming Policy

Whereas Section 270(1) of the *Municipal Act, 2001*, requires that municipalities adopt policies regarding the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public; and

Whereas at its meeting of March 12, 2024, the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendations of Public Works Department Report No 2024-44, Subject: Traffic Calming Policy; and

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

- 1. That the policy and procedure respecting the Traffic Calming Policy in the City of Port Colborne appended hereto as Schedule "A" and made part of this By-law be approved.

Enacted and passed this _____ day of _____, 2024.

William C. Steele
Mayor

Saima Tufail
Acting City Clerk



PORT COLBORNE

TRAFFIC CALMING POLICY

City of Port Colborne

Purpose

The purpose of this policy is to provide a framework for initiating, developing, assessing, implementing, and monitoring traffic calming measures for laneway, local, and collector roads in the City of Port Colborne.

Traffic Calming Policy

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1.0 Introduction

1.1 Background

The population growth of the City of Port Colborne, which is the second among the municipalities within the Niagara Region, coupled with employment growth targets in Port Colborne and its adjacent municipalities has triggered excessive traffic volume on the City's road network. These excessive traffic volumes are creating traffic issues such, short-cutting, and speeding in many of the neighbourhoods within the City of Port Colborne.

The City is receiving numerous concerns each year from residents regarding speeding, excessive volumes, and overall neighbourhood safety. In an effort to address these concerns, staff will typically use the resources available to them such as signs, pavement marking and driver feedback boards.

1.2 What is Traffic Calming?

Traffic calming is defined as the combination of passive and physical measures that reduce the negative effects of motor vehicle use, alter driver behaviour and improve conditions for non-motorized street users. Traffic calming measures can be effective in addressing issues related to vehicle speed, excessive traffic volume and overall neighbourhood safety. Traffic calming measures combined with engineering, educational and enforcement tools, can significantly improve the liveability and safety of neighbourhoods.

1.3 Purpose

The purpose of this policy is to provide a framework for initiating, developing, assessing, implementing, and monitoring traffic calming measures for laneway, local and collector roads in the City of Port Colborne.

Creating safer streets for the benefit of all users by addressing issues regarding speeding and excessive traffic volumes.

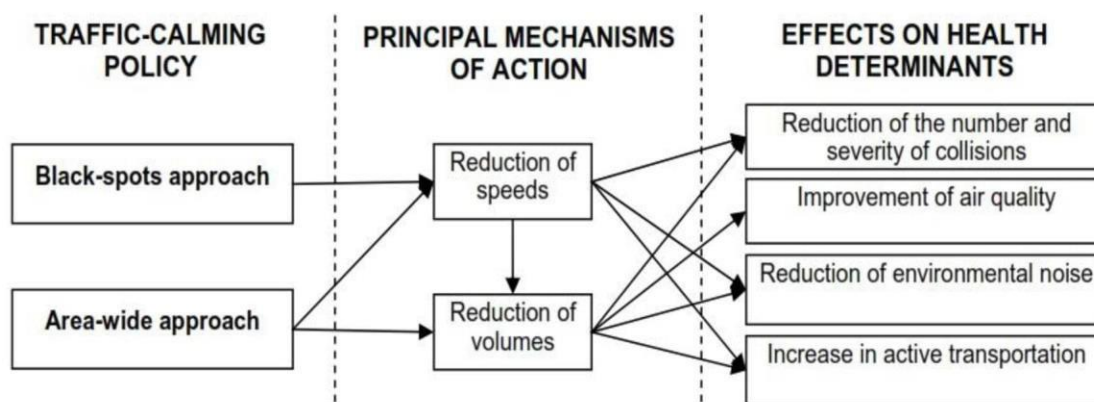
Also, the purpose of traffic calming is to restore streets to their desired function. This function is to provide both mobility and access, but in differing combinations, depending on the specific location, role and classification of the street.

Creating a policy allows the City Staff, members of Council and the public to agree on an approach and criteria that can be used objectively to respond to and prioritize requests.

1.4 Objectives

The primary objective of traffic calming is to ensure that drivers adopt a behaviour that is appropriate for the area, the type of street and its intended function, which will in turn improve conditions for other street users including pedestrians, and cyclists.

Some traffic calming measures are used to reduce excessive speeding while others may be used to reduce through traffic on local streets. Successful implementation of measures would help streets become less dependent on enforcement to ensure users adopt appropriate driving behaviour, as demonstrated within the diagram below.



Source: Salem Spitz, How Much is Too Much (Traffic), ITE Journal, May 1982

1.5 Road Classification and Appropriate Streets for Traffic Calming

The Schedule D of the City of Port Colborne Official Plan classifies the City roads into six categories: Laneway, Local Roads, Local Commercial or Industrial, Collector, Collector Commercial or Industrial, and Arterial.

Laneway, Local and collector roads are intended to provide access to properties or to connect local roads to arterial roads. These roads typically have lower volume and speed. Arterial roads are designed to efficiently move and distribute traffic across the network, including goods movement and emergency vehicles, and any traffic calming measures that interfere with this function would not be recommended. For these reasons, Laneways, Local Road and Collector Roads, that are not commercial or industrial, are considered as candidate roads for implementation of Traffic Calming Measures.

2.0 Background – Review of Documents

At the onset of the project, the 2018 TAC Canadian Guide to Traffic Calming and the Traffic Calming Policy documents from other similar size municipalities as part of best practices was reviewed.

2.1 2018 TAC Canadian Guide to Traffic Calming (CGTC)

The CGTC was reviewed, and the process recommended in the CGTC and much of its content is adopted as a background information in developing the City's Traffic Calming Policy. The CGTC can be used it as a reference to educate elected officials and the general public.

2.1.1 Factors Affecting Traffic Calming Planning

The CGTC identified the following factors that could affect the feasibility or effectiveness of a traffic calming plan.

- Legislation and Regulations: Any planned traffic calming should not conflict with the current legislation and relevant by-laws in place, at all levels of government.
- Liability: Developing a traffic calming policy is helpful to minimize potential liability for installation and impact of traffic calming that may arise from perceived conflict with other reference documents. For safety of all road users, a number of steps can be taken to minimize potential liability issues in the future: developing the policy and documenting the process which includes the design, implementation and maintenance of traffic calming measures. Support from the decision-makers would be easily made with a well-thought out process that considers all road users and affected the City staff.
- Accessibility: Traffic calming measures should consider road users of all ages and abilities that will allow them to be independent and safe.
- Enforcement: Understanding that enforcement resources are limited and that not all locations can be monitored at all times, consideration of various measures that are self-enforcing may have greater chance of success. However, these measures tend to include physical changes to the road characteristics, therefore a good balance between different types of traffic calming measures is important.
- Emergency Services: While slowing down daily vehicular traffic is the objective, this may have negative impacts on emergency services' response times. Over time, enhanced designs have been developed to minimize the impact on emergency service vehicles while still providing functionality to the general traffic. These design considerations are crucial when selecting traffic calming measures.
- Maintenance and Operations: Consultation with the maintenance and operations staff of the municipality throughout the process is important to ensure the

implementation of traffic calming measures do not conflict with their operations. Snow removal, pavement markings, damages due to roadway geometry changes are common concerns however, there may be other locally specific issues that may arise.

- Modes of Transportation: Active transportation and transit operations are important aspects to consider since the objective of traffic calming to enhance safety of all road users. Careful consideration of the measures and thorough consultation process can improve the road user's experience.
- Compatibility with Municipal Land Use and Transportation Plans: Incorporating traffic calming implementation throughout other long-range plans and policies confirms uniformity across the municipality and potentially within the region as well.

2.1.2 Guiding Principles

The CGTC identified the following as the guiding principles and general recommendations that recognize important aspects of the investigation and implementation of Traffic Calming process:

- Identify the source of the problem and quantify the extent of the problem through data collection or analysis.
- Consider first cost-effective options such as increased enforcement, education or community-led community road watch programs, installation of driver speed feedback boards, and/or better street signage.
- Consider widening the scope by studying an area-wide plan instead of a localized, street-specific plan that would likely result in displacement of traffic onto adjacent streets.
- Generally, traffic calming measures that are effective at all hours of the day and do not require the enforcement of officers are both preferred and supported.
- Verify that the intervention does not impede upon the accessibility of non-motorized modes of transportation such as pedestrians, cyclists, and wheelchairs.
- Ensure that all service providing vehicles including transit, police, fire, ambulance, garbage collection, snow plowing, and other emergency or service vehicles are able to handle the proposed infrastructure and calming measures.

- Continue to monitor any traffic calming measures for six months or a year following implementation to analyze the effectiveness and success or to prepare a contingency plan in case the measure does not produce ideal results.
- Engage with all relevant stakeholders (community, emergency service staff, transit staff, traffic engineering, public works staff, Council, other organizations) in the investigation and implementation process to reflect the needs of multiple users and analyze the traffic calming measure through different lenses. This would maximize opportunities of consensus/participation and reduce the risk of other factors not being considered in time.

2.1.3 Traffic Calming Process and Procedure

The CGTC separates the traffic calming process into following five (5) stages as shown below:



The Initiation stage is triggered by a resident or member of Council request and begins the traffic calming process. If the request is made for a suitable roadway, the Development stage begins. This stage consists of a site visit and data collection, followed by a screening that usually includes minimum requirements for traffic volumes, 85th percentile vehicular operating speeds, and resident support. Where the screening is met, draft alternatives are devised and taken to the public for Approval. The final two (2) stages include Implementation of the traffic calming measure(s) and Evaluation of results to determine if further measures are required.

2.2 Best Practices and Comparable Policies

Relevant best practices and comparable policies to the existing warrant from several other comparable municipalities in the Province of Ontario were considered. The review of six municipalities, the City of Thorold, the Town of Bracebridge, the Town of Midland, the Town of Wasaga Beach, the Town of Lasalle, and the Town of Pelham, was undertaken as they were the most relevant to the City of Port Colborne and their data is summarized in Appendix A. In developing the policy for the City, specific components of other municipal traffic calming policies were referenced.

3.0 City of Port Colborne Traffic Calming Process

The review of the CGTC, and Traffic Calming Policies of other comparable municipalities, and the input from the City staff were used as the basis of developing the City of Port

Colborne Traffic Calming process. The traffic calming process for the City is intended to provide step by step guidance from the time of receiving a request to providing solutions to the concerns, whether the result is the implementation of a traffic calming measure or to provide an alternative response. This process provides transparency and consistency for the City staff, elected officials, and the public. Traffic Calming Process Flow Chart is included in Appendix B.

3.1 Initiation

The initiation stage starts when an official request has been submitted in writing to the City Staff from any member of the public or an elected official. All traffic calming requests will be received in writing and managed by staff in one section of the Public Works Department for data management purposes. Once the request has been made, the Initial Screening and Traffic Calming Warrant will be conducted to confirm the need for a traffic calming measure. This initial process is to evaluate and screen requests to minimize the required staff effort.

Once the request has been received, the City staff will review the request and provide an update to the requestor within a 30-day review period.

As part of the City's review, City staff will conduct a field investigation (e.g., speed or traffic volumes counts) to confirm the speeding or excessive traffic volumes issue. If the study results don't confirm that there is a speeding or excessive traffic volumes issue, the City's staff will advise the requestor and process will stop.

3.1.1 Initial Screening

The initial screening criteria outlines the minimum requirements for a location to be eligible for traffic calming measures. Based on the input review of CGTC, best practices from similar municipalities, and the input provided by the City staff, the criteria is presented in Table 3-1.

Table 3-1 – City of Colborne Initial Screening Criteria

| Criteria | Requirement |
|--|--|
| Road Classification | <ul style="list-style-type: none"> Laneway, local road, and collector roads (not Collector commercial and industrial, and Arterial). Must not be designated an Emergency Services Route, Bus Route, or Truck Route. |
| Road Length | <ul style="list-style-type: none"> Street segment length must 200m in length minimum. |
| Road Gradient | <ul style="list-style-type: none"> Road grade must be less than 8% grade. |
| Traffic Volumes | <ul style="list-style-type: none"> The Average Daily Traffic (ADT) volume (over 24 hours) must be at least: <ul style="list-style-type: none"> 1,000 vehicles for a local street; and, 2,000 vehicles for a collector street |
| Posted Speed | <ul style="list-style-type: none"> The posted speed limit must be 60 km/h or less |
| Previously Evaluated or Permanent Installation Removed | <ul style="list-style-type: none"> A prior request has not been received within two (2) years or permanent traffic calming measures have not been removed from the subject street(s) in the last five (5) years |

3.1.2 Data Collection

The collection of traffic data, as deemed necessary by City Engineering Staff, will serve to provide a better understanding of the current traffic conditions and to prioritize locations for traffic calming, if warranted. The data collected will pertain to vehicle volume, vehicle speed (85th percentile¹), collisions, origin/destination study if request relates to shortcutting traffic, and site-specific information.

The City staff should review the surrounding road characteristics to determine the study area. The limits of the study area should include the section of road that is considered to have similar operating characteristics to the location of the request.

3.1.3 Traffic Calming Warrant

Once collected and summarized, the data will be run through the traffic calming warrant to determine the need for traffic calming. In order to determine if traffic calming measures are warranted a minimum of four of the seven (4/7) traffic calming warrant criteria, as outlined below, must be satisfied. If warrant criteria seven has been met, then no other warrant criteria need to be satisfied.

¹ The 85th percentile speed is the speed at which 85 percent of traffic is travelling at or below.

1. The 85th percentile speed must be greater than 10 km/h over the posted speed limit.
2. More than 5% of the total traffic on the street must be travelling more than 15km/h over the posted speed limit.
3. The average daily traffic volume (over 24 hours) must be at least: 1,000 vehicles Average Daily Traffic (ADT) volume for a local street, and 2,000 vehicles Average Daily Traffic (ADT) volume for a collector street.
4. Through traffic must be more than:
 - I. 20% of the total volume of traffic on a local street; and,
 - II. 40% of the total volume of traffic on a collector street
5. Pedestrian or cyclist generators (playground, school, multi-use pathway crossing, official cycle route, transit hub, etc.) exist on street, or in the immediate area, that creates higher than average pedestrian/cyclist activity.
6. No continuous sidewalk on the street in question.
7. If the 85th percentile speed is 15km/h or more over the posted speed limit no other warrant needs to be met.

Should a location fail to meet the warrant requirements, Council and residents will be notified in writing. The investigation for traffic calming measures will discontinue and staff will not re-evaluate the street in question at least three years from the date the evaluation was completed.

When multiple projects are warranted for traffic calming measures implementation, the City will determine the prioritization of the projects based on a point system in which each category includes points to show severity. This will assist the City in cases where available budget doesn't permit the implementation of all projects in one fiscal year.

A point system is a commonly used practice in other jurisdictions to determine the severity of the identified issues based on various attributes. The weight assigned to each of the criteria is based on the concerns and issues that has been occurring within the City. The point system for each criterion is shown in Table 3-2 is considered in consultation with the City Staff.

Table 3-2 – Traffic Calming Project Ranking Criteria

| Criteria | Requirement | Maximum Points |
|--------------------------------|---|----------------|
| Operating Speed | <ul style="list-style-type: none"> 5 points for every 2km/h that the 85th percentile speed is greater than 10km/h over speed limit. | 35 |
| Traffic Volume | <ul style="list-style-type: none"> 5 points for every 1,000 vehicles Average Daily Traffic (ADT) volume on a Local Road. 5 points for every 2,000 vehicles Average Daily Traffic (ADT) volume on a Collector Road | 20 |
| Collision History | <ul style="list-style-type: none"> 1 point assigned for each speed related collision over last 3 years. | 5 |
| Pedestrian/Cyclists Generators | <ul style="list-style-type: none"> 5 points for each pedestrian/cyclist generator within 250m radius. | 15 |
| Sidewalks | <ul style="list-style-type: none"> 5 points if no continuous sidewalk on at least one side. | 5 |
| School Zones | <ul style="list-style-type: none"> 5 points for every school with vicinity. | 20 |

3.2 Development

The purpose of the project development stage is to create a physical traffic calming plan that effectively addresses the identified issues. Once the respondents support has been confirmed, the required data is collected to assess the location against the warrant criteria and the process for selecting the appropriate traffic calming measure is followed.

The process involves the analysis and evaluation of potential solutions creating safer streets for the benefit of all users by addressing issues regarding speeding and excessive traffic volumes.

3.2.1 Initial Public Survey

Before data collection occurs, a public survey² is circulated to the residents within the study corridor to confirm that there is a neighbourhood concern regarding traffic conditions. The City will advise the residents in the subject area of the request and the process the City will follow. In order for staff to proceed, an indication of support from at least 60% of the total households with direct frontage, or flankage, onto the section of roadway that has been

² Since the Initial Public Survey is a crucial step on which the traffic calming process depends, the City staff needs to circulate the survey and collate the survey data.

identified as the location for the potential implementation of traffic calming measures, as defined by City Engineering Staff, is required. Each household is represented by one survey.

The purpose of this step is to confirm that there are others concerned about the operating conditions, in addition to the requestor, to ensure staff time and City funds get spent where the residents are most concerned.

Should the resident survey not be met then Staff will update Council accordingly and notify the residents.

3.2.2 Assessment of Traffic Calming Alternatives

All requests that reach this stage of the process have passed the initial screening process and the residents have indicated their support towards addressing the problem.

There are two traffic calming treatments:

1. Type 1 traffic calming measures. Passive traffic calming measures are low cost but effective ways of changing driver behaviour. They generally include, but not limited to, stakeholder education, flexible signage, textured/stamped asphalt, on street parking, road watch program, targeted speed limit enforcement, dynamic speed display signs, pavement marking and speed legends.
2. Type 2 traffic calming measures. These involve construction of physical vertical and horizontal deflections.

Appendix C presents the permissible Type 1 and Type 2 Traffic Calming measures for consideration.

Based on the ranking of the locations¹ based on their point totals and the annual budget, staff will recommend Type 1 and/or Type 2 treatments to make the most effective use of the available budget and achieve the desired change in driver behaviour.

The point system outlined in Table 3-2 not only determines whether a location is warranted for traffic calming, but it is also used to rank its priority against other projects. The points allocated to the severity of the problem, or the characteristics of the environment will assist staff in determining a priority ranking of locations.

3.3 Approval

Once staff have developed a proposed traffic calming strategy, it is important to determine whether the affected community will support the plan. Similar to the neighbourhood

feedback from the initial survey, resident responses are necessary at this stage to measure their agreement with traffic calming and particularly the approach that will be taken.

Regardless of the types of measures determined for the location, the affected residents will be sent information about the proposed treatment, provided contact information for questions and surveyed to indicate whether they are in favour. This survey will also outline the required level of support for approval.

For Type 1 measures, the public will be consulted via notices and for Type 2 measures, the public will be consulted via notices and a public meeting will be held. A review period of 30-days is to be given for the residents to indicate their support. A minimum of 25% of sent surveys must respond, and from this at least 60% of total respondents must be in favour of the plan.

The residents of the subject area should be advised of the results of the community survey. If the threshold for support is met, the residents will be advised that their project will proceed for prioritization with other warranted projects. If the threshold is not met, the City will not entertain a new request for a neighbourhood traffic calming study on the subject street(s) for a period of at least two (2) years.

3.4 Implementation

Upon approval of Council, resident notification, and sufficient funding, traffic calming measures will be implemented. Residents will be notified of implementation timelines through the contact mailing list. Where feasible, staff may decide it is beneficial to phase in the traffic calming plan through the use of temporary or removable traffic calming measures such as pavement markings or flexible delineators. This will allow time to examine the impact of the measures and their effectiveness before committing funding to permanent treatments.

3.5 Evaluation

City Engineering Staff will monitor the roadway to determine the effectiveness of the utilized measures and their impact on the surrounding road network. This information will be used in recommending similar measures in the future.

The City will conduct before and after studies to assess if the traffic calming plan has resulted in reduction of operating speed or/and excessive traffic volumes in the project study area.

3.6 Removal of Permanent Traffic Calming Measures

Permanent Traffic calming measures may be removed, at the request of residents provided that at least 75% of the total households on the street in question agree to the removal via a resident petition³. The number of total households would be the same residents as was initially surveyed to gauge support for traffic calming. The traffic calming measures must be installed for at least two years before acquiring the necessary signatures on the resident petition. If permanent traffic calming measures are removed, the subject street must wait at least five years before requesting a new traffic calming measure; at this point the traffic calming review process would start over. This provision does not apply to non-physical traffic calming measures.

The City reserves the right to remove traffic calming measures if it determines that these are ineffective or unsafe, or if they have created a negative impact that cannot be corrected. Should this occur, the City will mail out notifications to the effected residents informing of its decision to remove the traffic calming measure(s).

4.0 Traffic Calming Measures

The proposed traffic calming measure(s) will be in accordance with the design guidelines outlined in the Canadian Guide to Traffic Calming.

Traffic calming measures included in this policy are selected to suit the geometrics and practices within the City of Port Colborne and include measures that have been implemented in nearby municipalities. The measures are categorized into Type 1 and Type 2 as discussed in Section 3.2.2.

³ The City staff should verify the validity of the petition before recommending removal of traffic calming measure.

APPENDIX A

Best Practices and Comparable Policies



Appendix A – Comparable traffic calming policies of Municipalities in Ontario

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|------------------------------------|---|--|---|--|---|---|
| Document Name | City of Thorold Policy and Procedure Manual | Town of Bracebridge Traffic Calming Measures Manual | Town of Midland Traffic Calming Policy | Town of Wasaga Beach Traffic Calming Policy | Town of Lasalle Traffic Calming Policy | Neighbourhood Traffic Management (Policy #S801-02) |
| Document Year | 2020 | 2020 | 2021 | 2022 | 2019 | 2020 |
| Population | 23,000 | 16,000 | 16,900 | 20,700 | 30,200 | 18,192 |
| Eligible Roads | Laneway, Local & Collector | Local & Collector | Local & Collector | Local & Collector | Local & Collector | Local, collector and rural roads |
| Goals | <ul style="list-style-type: none"> Guidelines for initiating, reviewing and implementing traffic calming measures. Address issues regarding <u>speeding</u> and <u>excessive traffic volumes</u>. | <ul style="list-style-type: none"> Creating safer streets for the benefit of all users. Reducing the adverse effects of cut-through motor vehicle traffic on residential streets. Preserving the quality of life. | <ul style="list-style-type: none"> Increase the safety of neighborhoods. Improve the livability of neighborhoods. Restore streets to their intended function. Preserve access and minimize impact to emergency services, public transit, and other maintenance services. Promote public participation and community support. | <ul style="list-style-type: none"> Increase the Safety of Neighborhoods. Improve the livability of neighborhoods. Restore streets to their intended function. Maintain access routes for emergency services, public transit, and maintenance services. Promote public participation and community support. | <ul style="list-style-type: none"> Address the negative effect of motor vehicle use and driver behavior. Address conflicts between road users. Implement a traffic calming policy to determine the best measures that result in the greatest improvement in the quality of life and community safety at a reasonable cost. | <ul style="list-style-type: none"> Educate residents about traffic calming so they can make more informed decisions and also understand the rationale behind the Town's decision-making process. Providing a policy that Town officials and the general public are confident is an effective and fair tool in evaluating speeding and/or traffic volume problems. Provide a standard format for dealing in a consistent manner with complaints regarding speeding and traffic safety concerns. Reduce the workload and duplication of effort for Town staff in responding to resident traffic concerns. Educate people on how to create a safe and pleasant roadway environment for residents, motorists, cyclists, and pedestrians. Encourage public involvement in traffic calming activities. Educate residents on pedestrian and cyclist safety. |
| Traffic Calming Measure Categories | <ul style="list-style-type: none"> Passive Traffic Calming Stakeholder Education, Pavement Markings/Material, Targeted Speed Limit Enforcement, On-Street Parking, Road Diet, Speed Display. Physical Traffic Calming <ul style="list-style-type: none"> Physical Vertical Traffic Calming: Speed Cushion, Speed Hump, Speed Table, Raised Intersection, Raised Crosswalk | <ul style="list-style-type: none"> Passive Traffic Calming Digital Radar Board, Turn Restrictions, Parking, Active Transportation Corridors. Physical Traffic Calming <ul style="list-style-type: none"> Physical Vertical Traffic Calming: Raised Crosswalks, Raised Intersections, Speed Hump, Speed Table, Rumble Strips. Physical Horizontal Traffic Calming: Traffic Circle, Chicane, Choker, Centre Island Narrowing. | <ul style="list-style-type: none"> Passive Traffic Calming Education, Community Entrance Signs, Textured Crosswalks, Target Speed Limit Enforcement, Radar Speed Display Sign, On Street Parking, Road Diet, Diagonal Parking, "Traffic Calmed Neighborhood" Signs, "Community Safety Zone" Sign, On-Road Messaging (Pavement Markings), Road Watch Program, Bicycle Boulevard. | <ul style="list-style-type: none"> Speed Control Measures: Speed Bumps, Speed Humps, Speed Tables, Raised Intersections, Traffic Circles, Roundabouts, Chokers, Realigned Intersections, Neck Downs, Centre Island Narrowing. Volume Control Measures: Full or Partial Street Closures, Diagonal Diverters, Median Barriers, Forced Turn Islands. Non-Physical Measures (Passive): Speed Enforcement, Pavement Marking Legends, School Zones, Traverse Lane Markings, Lane | <p>The Town of Lasalle breaks measure into two categories: Type 1 & Type 2.</p> <p>Type 1 are measures that are effective and low cost.</p> <p>Type 2 are measures that are more costly and more effective.</p> <ul style="list-style-type: none"> Type 1 Traffic Calming Measures: Road Diet, Speed Display Devices, Lane Narrowing. Type 2 Traffic Calming Measures <ul style="list-style-type: none"> Vertical Deflection: | <p>The Town of Pelham broken the policy into two categories:</p> <ul style="list-style-type: none"> Passive Traffic Calming, i.e., line markings and/or signage. Passive modifications are intended to visually reduce effective lane width for a motorist and in most circumstances re-allocate some of road space to cyclists and on-street parking. These treatments have proven to be capable of reducing 85th percentile operating speeds by up to 5 km/h in other municipalities. |

Appendix A – Comparable traffic calming policies of Municipalities in Ontario

| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
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| Goals | <ul style="list-style-type: none">Guidelines for initiating, reviewing and implementing traffic calming measures.Address issues regarding <u>speeding</u> and <u>excessive traffic volumes</u>. | <ul style="list-style-type: none">Creating safer streets for the benefit of all users.Reducing the adverse effects of cut-through motor vehicle traffic on residential streets.Preserving the quality of life. | <ul style="list-style-type: none">Increase the safety of neighborhoods.Improve the livability of neighborhoods.Restore streets to their intended function.Preserve access and minimize impact to emergency services, public transit, and other maintenance services.Promote public participation and community support. | <ul style="list-style-type: none">Increase the Safety of Neighborhoods.Improve the livability of neighborhoods.Restore streets to their intended function.Maintain access routes for emergency services, public transit, and maintenance services.Promote public participation and community support. | <ul style="list-style-type: none">Address the negative effect of motor vehicle use and driver behavior.Address conflicts between road users.Implement a traffic calming policy to determine the best measures that result in the greatest improvement in the quality of life and community safety at a reasonable cost. | <ul style="list-style-type: none">Educate residents about traffic calming so they can make more informed decisions and also understand the rationale behind the Town's decision-making process.Providing a policy that Town officials and the general public are confident is an effective and fair tool in evaluating speeding and/or traffic volume problems.Provide a standard format for dealing in a consistent manner with complaints regarding speeding and traffic safety concerns.Reduce the workload and duplication of effort for Town staff in responding to resident traffic concerns.Educate people on how to create a safe and pleasant roadway environment for residents, motorists, cyclists, and pedestrians.Encourage public involvement in traffic calming activities.Educate residents on pedestrian and cyclist safety. |
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| Criteria | City of Thorold | Town of Bracebridge | Town of Midland | Town of Wasaga Beach | Town of Lasalle | Town of Pelham |
|---|---|--|--|---|---|---|
| | <ul style="list-style-type: none"> - Physical Horizontal Traffic Calming: Curb Extension, Raised Center Median, Chicane. Physical Obstruction Traffic Calming: Directional Closures, Raised Median Through Intersection, Right-Ins/Right-Outs, Full Closure | Physical Obstruction Traffic Calming: Obstructions, Roadway Closure. | Physical Traffic Calming <ul style="list-style-type: none"> - Physical Vertical Traffic Calming: Speed Cushion, Raised Intersection, Raised Crosswalk, Speed Table, Speed Hump, Speed Kidney. - Physical Horizontal Traffic Calming: Curb Extension, Curb Radius Reduction, Traffic Circle, Chicanes, Lateral Shift, Roundabout. - Physical Obstruction Traffic Calming: Directional Closure, Raised Median Through Intersection, Right-Ins/Right-Outs, Full Closure. | Narrowing and Shoulder Widening Through Pavement Marking, Radar Speed Display Signs, Community Safety Zones. | Speed Hump, Speed Table, Speed Cushion. <ul style="list-style-type: none"> - Horizontal Deflection: Curb Extensions, Traffic Circle, Raised Median Island. - Access/Volume Control: Diverter, Raised Median Through Intersection, Directional Closure, Right-In/Right-Out. - Passive Measures: Location-Specific Enforcement, Resident Lawn Signs, Education Campaign, Traffic-Calmed Neighborhood. | <ul style="list-style-type: none"> • Physical Traffic Calming, i.e., intrusive treatments that modify the shape and/or form of the travel lanes making it uncomfortable for drivers to attain high speeds. Physical traffic calming can be broken down into three categories: (1) vertical deflections; (2) horizontal deflections; and (3) physical obstructions. - Vertical traffic calming measures provide an obstruction that vehicles are able to travel over. - Horizontal traffic calming tries to prevent vehicles from traveling in a straight line at excessive speeds by using measures such as raised islands and curb extensions. - Physical obstructions involve a full or partial closure of the road |
| Process Steps | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Process Initiation. • Resident Survey. • Traffic Calming Warrant. • Traffic Calming Plan. • Evaluation and Monitoring. • Approval and Implementation. | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Request for Traffic Calming. • Review for Consistency. • Preliminary Traffic Calming Plan. • Notification of Area Residents. • Funding and Installation. • Evaluation. | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Traffic Calming Neighborhood Petition. • Data Collection and Analysis. • Data Collection. • Point System Assessment System. • Traffic Calming Design Considerations. • Public Information Meeting Notice. • Public Information Meeting. • Recommend Final Plan to Council. • Resident Notification. • Implementation of Traffic Calming Measure. • Evaluation and Monitoring. | <ul style="list-style-type: none"> • Initiate Traffic Calming Request. • Data Collection. • Data Assessment. • Neighborhood Petition / Survey. • Design Consideration and Community Feedback. • Finalize and Implement the Traffic Calming Plan. • Feedback Monitoring Evaluation. | <ul style="list-style-type: none"> • Initial Screening Criteria: Determine Eligibility. • Initiation. • Development (alternative. • Approval (including Public consultation). • Implementation. • Evaluation. | <ul style="list-style-type: none"> • Public Input. • Process Initiation and Pre-Screening. • Traffic Calming Ineligibility based on Pre-screening. • Traffic Calming Neighbourhood Petition. • Data Collection. • Point Assessment System. • Traffic Calming Design Considerations. • Comments from Emergency/Transit and Roads Operations. • Public Information Centre & Public Notice. • Resident Notification. • Finalize Preferred Traffic Calming Plan. • Implementation of Traffic Calming Measures. • Evaluation and Monitoring. • Removal of Traffic Calming Measures. • Special Provisions. |
| Process Initiation – List % of residents | Residents submit requests for traffic calming. The city conducts preliminary assessment to determine if the roadway meets the initial | Residents submit requests for traffic calming. Must have at least 75% support from affected households. Only one signature per household. | Residents submit requests for traffic calming. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | Residents submit requests for traffic calming. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | Residents submit requests for traffic calming. Requires 25% responses. Town will provide update within 30-day review window. | Before an area is considered for traffic calming a signed petition must be received by the Town |

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| Process Steps | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Process Initiation. • Resident Survey. • Traffic Calming Warrant. • Traffic Calming Plan. • Evaluation and Monitoring. • Approval and Implementation. | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Request for Traffic Calming. • Review for Consistency. • Preliminary Traffic Calming Plan. • Notification of Area Residents. • Funding and Installation. • Evaluation. | <ul style="list-style-type: none"> • Initial Screening Criteria Determine Eligibility. • Traffic Calming Neighborhood Petition. • Data Collection and Analysis. • Data Collection. • Point System Assessment System. • Traffic Calming Design Considerations. • Public Information Meeting Notice. • Public Information Meeting. • Recommend Final Plan to Council. • Resident Notification. • Implementation of Traffic Calming Measure. • Evaluation and Monitoring. | <ul style="list-style-type: none"> • Initiate Traffic Calming Request. • Data Collection. • Data Assessment. • Neighborhood Petition / Survey. • Design Consideration and Community Feedback. • Finalize and Implement the Traffic Calming Plan. • Feedback Monitoring Evaluation. | <ul style="list-style-type: none"> • Initial Screening Criteria: Determine Eligibility. • Initiation. • Development (alternative. • Approval (including Public consultation). • Implementation. • Evaluation. | <ul style="list-style-type: none"> • Public Input. • Process Initiation and Pre-Screening. • Traffic Calming Ineligibility based on Pre-screening. • Traffic Calming Neighbourhood Petition. • Data Collection. • Point Assessment System. • Traffic Calming Design Considerations. • Comments from Emergency/Transit and Roads Operations. • Public Information Centre & Public Notice. • Resident Notification. • Finalize Preferred Traffic Calming Plan. • Implementation of Traffic Calming Measures. • Evaluation and Monitoring. • Removal of Traffic Calming Measures. • Special Provisions. |
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|---|--|---|---|---|--|---|
| | screen criteria. Needs support of at least 51% of affected residents. Over 51% then triggers the investigation. | | | | | showing a minimum of 25% support for traffic calming measures. If the petition does not show the required level of interest, the area will not qualify for traffic calming. |
| Initial Screening | Initial screening criteria includes: <ul style="list-style-type: none"> • Must be laneway, local or collector roadway. • Must be under the jurisdiction of the City of Thorold. • Zoning must be primarily residential. • Be a minimum of 150m long. • Over 500 vehicles per day. • Road grade must be less than 8% grade. • The posted speed limit must be under 50 km/h. • No traffic calming installed on the same street within last 5 years. | Initial screening criteria includes: <ul style="list-style-type: none"> • Must not be designated an Emergency Services Route, Bus Route, or Truck Route. • Must be Local or Collector Road. • Collector Roads must have 75% residential. • Must take into consideration distance to driveways, manholes, fire hydrants, etc. • Only where a safe stopping sight distance can be provided. • Traffic calming measures will be monitored and evaluated for effectiveness. | Initial screening criteria includes: <ul style="list-style-type: none"> • Must be a local or collector road. • Posted speed limit be 50km/h or less. • Requested location be a minimum of 150m in length. | Initial screening criteria includes: <ul style="list-style-type: none"> • Must be a local or collector road. • Requested location be a minimum of 150m in length. • Efforts have been made to address concerns, including engineering, education, and enforcement tools. | Initial screening criteria includes: <ul style="list-style-type: none"> • Only local and collector roads • Must be primarily a residential area. • Street segment must be 200m in length minimum. • Posted speed limit must be 50 km/h or less. • No traffic calming considered along roadway in last 12 months | Initial screening criteria includes: <ul style="list-style-type: none"> • Is this a Local, Rural or Collector Road? • Is the AADT (annual average daily traffic) >1000. • Is the posted speed 50km/h? • Has the road been assumed? • Is the road section primarily residential? • Does the street provide an obvious bypass to a major intersection or road? • Is the section of road longer than 200m? • Have any previous efforts been made within the last 12 months? |
| Warrant (Yes/No) Data collection methods | If there is 51% support from the local residents and meets the initial screening process, the city will kick off the warrant process to determine if traffic calming is needed (must meet 4/7): <ul style="list-style-type: none"> • 85th percentile speed greater than 10km/h over posted speed limit. • More than 5% of traffic travelling more than 15% over posted speed limit. • AADT must be at least 2000 for local, 5000 for collector. • Through traffic must be more than 20% for local street, 40% for collector. • Pedestrian or cyclist generators exist in the vicinity. • No continuous sidewalk on subject street. • If the 85th percentile speeds are over 15 km/h over the posted speed limit, no other warrants need to be met. | <ul style="list-style-type: none"> • <u>Speed Control Criteria</u> The 85th percentile speed on a residential street must be greater than 10 km/h over the posted speed limit. The 85th percentile speed is defined as the speed at or below which 85% of all vehicles are observed to travel under free-flowing conditions past a monitored point. • <u>Traffic Diversion Criteria</u> <ol style="list-style-type: none"> a) The Average Daily Traffic (ADT) volume on the street must exceed 700 trips per day. Since traffic counts can fluctuate by 10% or more on any given day, any study that results in a volume range between 630 to 700 trips per day may justify additional traffic analysis. b) At least 25% of the daily traffic on a residential street must be cut-through. c) Special consideration may be given to streets that do not meet the 700 trips per day criteria but have 100 trips or more during the peak hour, with | <ul style="list-style-type: none"> • Vehicle volume count to determine 24-hour traffic. • Speed study to determine existing speed data. • Classification count to determine heavy vehicle traffic. • Collision data for the most recent three (3) years. • Study to quantify cut-through traffic, if necessary. • Existing roadway conditions (e.g., pavement condition, signing, marking). • Pedestrian activity. • Presence of sidewalks on one or both sides of the road. • Presence of special pedestrian generators such as schools, seniors' homes, playgrounds, etc. in the area. • History of traffic operations for the area within last 5 years | The data collected may include: <ul style="list-style-type: none"> • traffic volumes and composition (cars and trucks). • vehicle speeds. • Collisions. • sight lines related to deficient horizontal and/or vertical alignment and stopping distance. • pedestrian activity, an origin/destination study (third party study), if the request relates to shortcutting traffic, and historical site-specific information. | <ul style="list-style-type: none"> • Operating Speed - At the time of the request. • Traffic Volume - Annual traffic count program or request-specific counts if no suitable data is available (less than 5 years old). • Collision History. • Pedestrian/Cyclists Generators. • School Zone. | <ul style="list-style-type: none"> • Vehicle volume counts determine 24-hour traffic. • Speed study to determine existing speed data. • Classification count to determine heavy vehicle traffic. • Collision data for the most recent three (3) years (if available) • Study to quantify cut-through traffic, if determined necessary by staff • Existing roadway conditions (e.g., pavement condition, signing, marking). • Pedestrian activity. • Presence of sidewalks on one or both sides of the road. • Presence of special pedestrian generators such as schools, seniors homes, playgrounds, etc. in the area. |

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|--------------|---|---|---|---|--|---|
| | | at least 40% of those cut-through. The method the Town will utilize to calculate cut-through traffic will be based on normal peak hour volume to daily volumes increases of 10%, a normal acceptable industry standard. The data will be collected on suspected cut-through roadways as well as surrounding non-suspect roads. The ratio difference between the suspect and non-suspect roads, minus 10% will be deemed the percentage of cut-through traffic. The Town has a Traffic Calming Measures Evaluation Checklist. | | | | |
| Point system | <ul style="list-style-type: none">• Speed (60 points max.) – 4 points for every 1 km/h that the 85th percentile speeds are over the posted limit.• Volume (10 points max.) – 1 point for evert 100 vehicles (local roads). 1 point for every 200 vehicles (collector).• Collision History (5 points max.) – 1 point assigned for each speed related collision over last 3 years.• Pedestrian Generators (15 points max.) – 5 points for each pedestrian generator within 250m radius.• Sidewalks (5 points max.) – 5 points if no continuous sidewalk on at least one side. | <ul style="list-style-type: none">• Speed (0-35 points) – 5 points for every 2km/h that the 85th percentile speed is greater than 10km/h over speed limit.• High Speeds (0-5 points) – 5 points if minimum of 5% of daily traffic exceed speed limit by 15-20 km/h.• Volume (0-20 points) – 5 points for every 1500 ADT (Local). 5 points for every 3000 ADT (Minor Collector). 5 points for every 5000 ADT (Major Collector).• Cut-Through Traffic (0-15 points) – 5 points for every 20% cut through traffic volume. Additional 5 points for every 10% increase above additional 20%.• Collision Data (0to10 points) – 1 point for every 2 collisions over 3-year historical data.• Sidewalks (0to10 points) – 10 points for sidewalk on both sides, 5 points for sidewalk on one side and 0 points for no sidewalk. Active transportation facilities count as sidewalks when adjacent to roadway or create links.• Pedestrian Hubs (0to15 points) – 5 points for each pedestrian facility within vicinity. | Minimum point values for each road class: <ul style="list-style-type: none">• Local Road – Minimum of 35 points.• Collector Road – Minimum of 52 points. <u>Point system breakdown:</u> <ul style="list-style-type: none">• Speed (30 points max.) – 1 point for every 1 km/h over posted speed (85th percentile speeds). 2 points for every km/h that the 85th percentile speed is between 15-25 km/h over posted speed.• Volume (20 points max.) – 5 points for every 1000 AADT (Local). 5 points for every 2000 AADT (Collector).• Collision (20 points max.) – 2 points for every collision not involving vulnerable road users within past 3 years. 5 points for every collision involving vulnerable road user withing past 3 years.• Pedestrian/Cycling Generators (15 points max) – 5 points for every pedestrian-oriented facility. 5 points for a signed bicycle route or walking trail.• Sidewalks (15 points max.) – 10 points if road has no sidewalks with evidence of pedestrian | Minimum point values for each road class: <ul style="list-style-type: none">• Local Road – Minimum of 35 points.• Collector Road – Minimum of 52 points. <u>Point system breakdown:</u> <ul style="list-style-type: none">• Speed (0-35 points) – 5 points 2 km/h that the 85th percentile speed is greater than 10 km/h over speed limit.• Volume (0-20 points) – 5 points for every 500 AADT (Local). 5 points for every 1000 AADT (Collector).• Short Cutting Traffic (0-15 points) – 5 points if 25% or more shortcutting traffic. Additional 5 points for every 10% increment above 25%• Collision (0-10 points) – 1 point for every collision within the past 3 years.• Pedestrian Generators (0-15 points) – 5 points for every pedestrian-oriented facility nearby.• Sidewalks (0-5 points) – 5 points for no sidewalk with evidence of pedestrian activity.• Sightlines (0-10 points) – 0 points for excellent sightlines. 5 points | Minimum points to satisfy is 35 points. <ul style="list-style-type: none">• Operating Speed (30 points max.) – 1 point for every km/h that he 85th percentile speed between 1-15km/h over posted speed limit. 2 points for every km/h the 8th percentile speed is between 15-25 km/h over posted speed limit (except for school zone specific speed limits).• Traffic Volume (30 points max.) – 5 points for every 1000 AADT (Local). 5 points for every 2000 ADT (Collector).• Collision History (20 points max.) - 2 points for every collision not involving vulnerable road users within the past 3 years. 5 points for every collision involving vulnerable road user withing past 3 years.• Pedestrian/Cyclists Generators (10 points max.) – 5 points for every pedestrian/cyclist generator within vicinity. 5 points for walking trails and cycling routes.• School Zone (15 points max.) – 5 points for every school with vicinity. | Minimum point values for each road class: <ul style="list-style-type: none">• Local Road – Minimum of 35 points.• Collector Road – Minimum of 52 points. <u>Point system breakdown:</u> <ul style="list-style-type: none">• Speed (0-35 points) – 5 points 2 km/h that the 85th percentile speed is greater than 10 km/h over speed limit.• High Speed (0-5 points) – 5 points if minimum of 5% of daily traffic exceeds posted speed by 15-20 km/hr.• Volume (0-20 points) – Local Roadways: 5 points for every 1,500 ADT Collector Roadways: 5 points for every 2,000 ADT.• Short Cutting Traffic (0-15 points) – 5 points if 25% or more shortcutting traffic. Additional 5 points for every 10% increment above 25%.• Collision (0-10 points) – 1 point for every collision within the past 3 years.• Pedestrian Generators (0-15 points) – 5 points for every pedestrian-oriented facility nearby.• Sidewalks (0-10 points) – 10 points for no sidewalks with evidence of |

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|--|---|---|---|---|---|--|
| | | | activity. 1 point if road was no sidewalk and no sign of pedestrian activity. 5 points if road has one or two sidewalks. <ul style="list-style-type: none">• Driveways (10 points max.) – 5 points for every 100m if the driveway density exceeds 5 driveways per 100m per side. | for impaired sightlines. 10 points for very poor sightlines. <ul style="list-style-type: none">• Road Allowance Limitations Paved Width <6m (0-5 points) – 5 points for limited paved surface and/or boulevard width. | | pedestrian activity, 5 points for sidewalks on only one side. <ul style="list-style-type: none">• Pedestrian Generators (0-15 points) – 5 points for each nearby* pedestrian generator such as a school, playground, community centre, libraries, retail centres, etc. |
| Alternative Measures if Screening Criteria is not met | Council and residents notified. Traffic calming measures will not be looked at for 3 years from date of evaluation. | N/A | Locations that fail to meet are not eligible for re-evaluation for the three years unless advised otherwise by town staff. | Locations that fail to meet will result in termination of the investigation. If it does meet the requirements and the town wants to proceed, needs 60% acceptance from residents, with a minimum of 25% surveys filled out and returned to the town. | | Traffic calming measures will be considered when there is a demonstrated safety, speed or short-cutting traffic concern and acceptable alternative measures have been exhausted. |
| Monitoring and Evaluation Methods | Staff look at effectiveness and impact on roadway. Look at passive measures first, then recommend physical measures. | Prepare annual report to evaluate effectiveness of traffic calming measure. In some cases, recommendations can be made to modify the measure. | Staff look at effectiveness and impact on roadway by conducting before and after speed studies 4-6 months after installation. If a nearby street experiences an increase of 15% due to implementation of traffic calming, town will explore remedies. | Staff look at effectiveness and impact on roadway within 3 months after it was installed. This includes studying traffic volumes and speed. | Staff look at effectiveness and impact on roadway within 2 years of installation. The first year determines the initial impact. The second year determines if the impact of the measure is permanent. | Engineering staff will monitor the roadway to determine the effectiveness of the utilized measures and their impact on the surrounding road network. This information will be used in recommending similar measures in the future. In addition to conducting before and after speed studies the Town will conduct studies to assess if the traffic calming plan has resulted in significant amounts of traffic diverting to adjacent, parallel streets in some cases. These after studies will be compared with the Town's 'before' studies to determine the change in traffic volume. |
| Traffic Calming Removal Process | Comes at the request of the residents. Must have a minimum support of 75% of total households and must be installed for minimum of 2 years. | Comes at the request of the residents. Must have a minimum support of 75%. | Comes at the request of the residents and must be installed for a minimum of 2 years. Must wait 3 years before requesting new traffic calming. | Comes at the request of the residents. Must have a minimum support of 60% of total households with a minimum of 25% surveys returned to the city. Must be installed for at least 3 months. If removed, have to wait 2 years before requesting new traffic calming measures. | N/A | Traffic calming measures must be installed for at least 2 years before starting the process of removing them. A minimum of twenty-five (25) percent of property owners within the impact area must indicate their approval by signing the Traffic Calming Removal Request. |

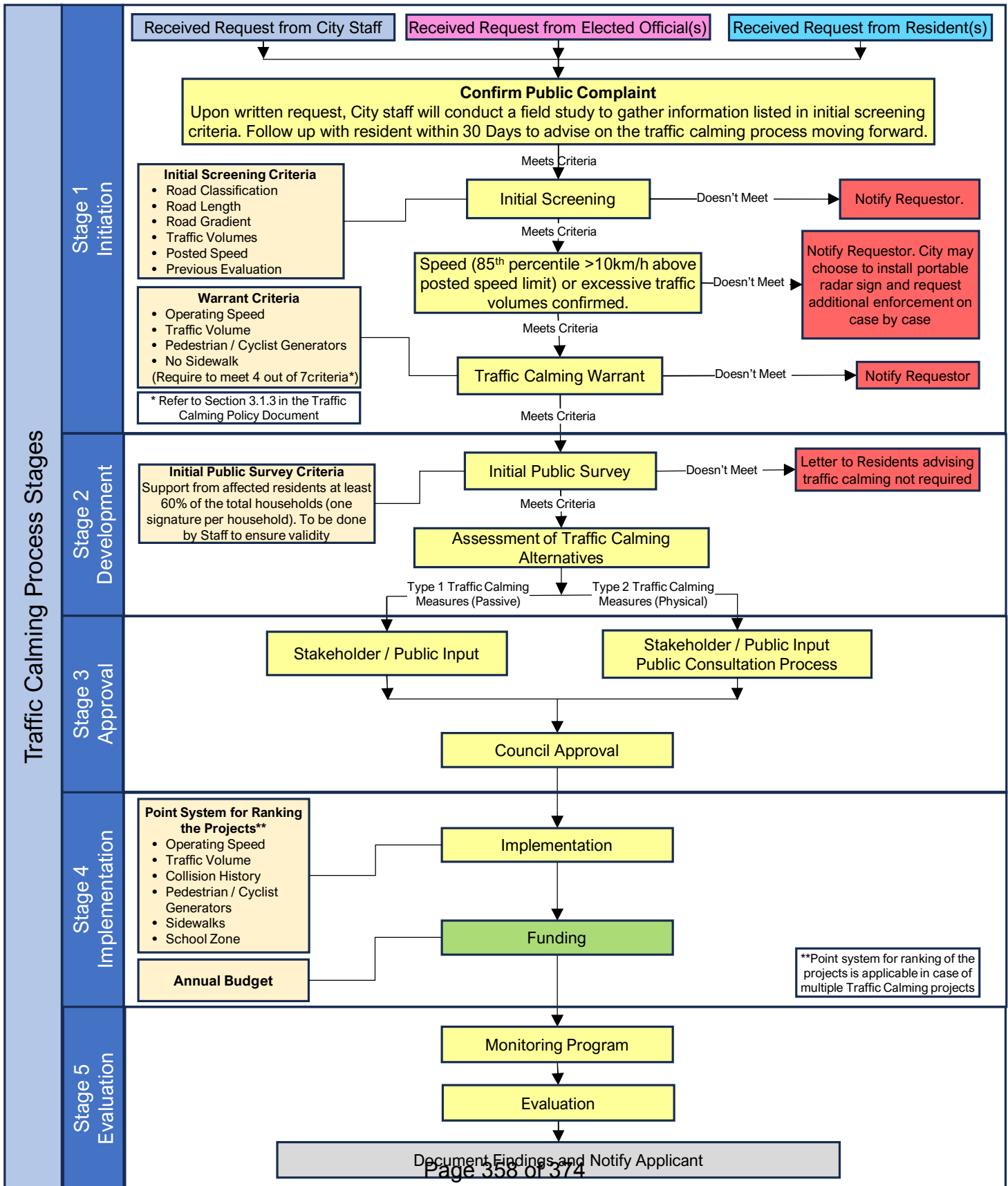
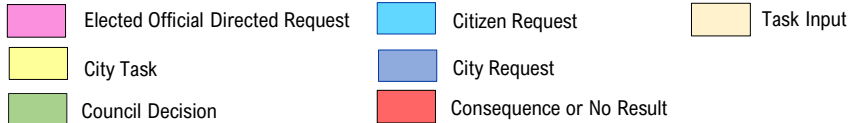
APPENDIX B

Traffic Calming Process Flow Chart



City of Port Colborne – Traffic Calming Process Flow Chart

Legend:



APPENDIX C

Detailed Traffic Calming Measures under Type 1 and Type 2



Type 1 Measures (Passive Traffic Calming Measures)

Type 1 traffic calming measures are effective methods to address concerns through less-intrusive road changes when permanent physical road geometry changes are not possible or recommended. These passive measures are typically lower in implementation cost and have a shorter turnaround time for the evaluation period, allowing the City to address more requests with the given funding and resources.

Stakeholder Education

Activities that change people's perceptions and help alter driver behaviour are most preferred. Meetings and workshops with neighbours and the City can help implement and direct traffic calming applications. Most traffic problems are a result of human behaviour. Through outreach programs and Neighbourhood watch programs such as community safety zone and the Active and Safe Routes to School program, residents can play a big part in spreading the information.



Flexible Sign

In-road flexible signs are signs installed in the centre of the road, between opposing traffic lanes and are designed to withstand impacts from, and avert damage to, vehicles if struck by collapsing and rebounding.

In-road flexible signs have a narrowing effect on the lane or roadway which can give drivers the perception of the need to slow down. They also serve as supplemental signage to existing roadside signs.



The signs do not represent a controlled crossing opportunity for pedestrians. The signs can be installed on local and collector roads with two-way traffic flow.

Textured Pavement

Textured pavement or stamped asphalt can be used alone as a traffic calming measure or in combination with other physical measures. Drivers typically slow down when crossing textured pavement due to vibration created by the pavement surface.



Targeted Speed Limit Enforcement

The City, through the Niagara Region Police, can provide targeted speed limit enforcement in response to identified operational issues. Targeted speed limit enforcement purpose is to make drivers more aware of their speed within a residential area. This measure typically only provides a temporary benefit, since speed limit enforcement is not available on a regular, on-going basis.

Speed Display

A dynamic speed display sign performs the same function as a radar trailer but is meant to be installed as a permanent device. Real-time speeds are relayed to drivers and flash when vehicle speeds exceed the posted speed limit. Dynamic speed display signs are typically placed in on a street for a period of 1 week.



On Street Parking

All roads within residential areas are built wide enough to allow on street parking on at least one side of the road. Area residents often create the opportunity to speed by introducing No Parking zones. Eliminating parked vehicles from your street significantly increases the width of the road and will increase the speed of neighbourhood traffic. There have been studies done in North America which have shown the introduction of “No Parking Zones” increased the speed of traffic by 20%.



If a speeding problem is identified on your street the City may consider asking residents to consider on street parking as a low cost way to address the problem.

Road Watch Program

The Road Watch Program is a community initiative that gives residents and visitors an opportunity to report dangerous and aggressive drivers to the road authority. Within the City of Port Colborne, the Road Watch Program can be introduced at higher priority locations.



Road Diet

A road diet refers to using pavement markings to make the travel portion of the road narrower, typically introducing bike lanes and or parking lanes. Passive speed control measures such as pavement markings attempt to change the fundamental sensory information available to drivers to influence their speed behaviour. By adding markings to the road, drivers' perceptions can be distorted creating the illusion that they are driving faster than they really are, persuading drivers to slow down. Additionally, the new road markings can serve as a warning sign; because these pavement patterns are mostly unfamiliar to road users, they violate driver expectancy causing motorists to decelerate.

Type 2 Measures (Physical Traffic Calming Measures)

Physical traffic calming can be broken down into three categories: vertical deflections, horizontal deflections and physical obstructions.

Vertical traffic calming measures provide an obstruction that vehicles are able to travel over. The change in pavement height (and sometimes pavement materials) can cause discomfort to the occupants of vehicles that are exceeding the design speed of the traffic calming measure.

Horizontal traffic calming measures tries to prevent vehicles from traveling in a straight line at excessive speeds by using measures such as raised islands and curb extensions.

Physical obstructions involve a full or partial closure of the road.

Vertical traffic calming measures

It should be noted that most vertical traffic calming measures are not preferred along roadways that are emergency vehicle routes or transit routes. To reduce the chances of potential liability issues,

vertical traffic calming measures should be signed and marked in accordance with reference material provided by the Institute of Transportation Engineers (ITE) and the Transportation Association of Canada (TAC) as provided within the Canadian Guide to Traffic Calming - Second Edition, published in February 2018.

Vertical traffic calming measures typically perform better when they are installed in a series, as opposed to a single isolated measure. The deceleration and acceleration of a vehicle, while negotiating a series of vertical traffic calming measures, is dependent on the number and spacing of the installations.

The implementation of vertical traffic calming measures can result in some traffic diverting onto parallel streets. This essentially moves the cut-through problem instead of solving it. Consideration should be placed on the concept of improving the overall neighbourhood (not just improving the street).

Vertical traffic calming measures include speed humps, speed cushions, speed tables, raised crosswalks, and raised intersections.

Speed Cushion

A common vertical traffic calming measure used is speed cushions, which are small speed humps designed to slow passenger vehicles, but are typically designed so that the wheelbase of emergency vehicles straddle the speed cushion. The wider wheelbase on emergency vehicles allows them to pass over the speed cushion without slowing down. Another technique is to use a split speed hump design with 'knock-down' post in the middle. The separation between speed cushions is designed with enough space for emergency vehicles to avoid touching the speed cushions and thus not having to slow down.



Speed Hump

Speed humps are raised areas of pavement which are rounded on top and placed cross the entire street. The height and length of the speed hump determines how fast it can be navigated without causing discomfort to the driver. Discomfort increases as the speed of the vehicle traveling over the hump increases.



Speed Table

Speed tables are flat-topped speed humps. Speed tables are typically long enough for the entire wheelbase of a passenger car to rest on the flat top. Their long flat fields give speed tables higher design speeds than speed humps. The brick or other textured materials are usually used on the flat top to improve the appearance of speed tables, draw attention to them, reduce speed, and may enhance safety. Like speed humps, discomfort increases as the speed of the vehicle traveling over the hump increases. Speed tables are good for locations where low speeds are desired, but a somewhat smooth ride is needed for larger vehicles.



Raised Intersection

Raised intersections can be used as a traffic calming measure while also alerting drivers to the potential for pedestrians or vehicles at an intersection. The flat top is provided throughout the entire intersection.



Raised Crosswalk

Raised crosswalks have a similar shape to a speed table, but the flat top contains a striped pedestrian crosswalk. These measures should be elevated to a height that matches the adjacent sidewalk, so that the raised crosswalk is flush with the curb or top of sidewalk elevation at each end. Raised crosswalks must be installed with the appropriate sidewalk transitions on both sides.



Horizontal traffic calming measures

Horizontal traffic calming measures incorporate raised islands and curb extensions to prevent vehicles from traveling in a straight line at excessive speeds. Vehicles either slow down while maneuvering around the horizontal obstacle, or slow down due to the physical perception of a narrower roadway. To reduce the chances of potential liability issues, horizontal traffic calming measures should be signed and marked in accordance with reference material provided by the Institute of Transportation Engineers (ITE) and the Neighbourhood Traffic Calming (TAC).

The implementation of horizontal traffic calming measures can result in some traffic diverting onto parallel streets. This essentially moves the problem instead of solving the problem. Consideration should be placed on the concept of improving the Neighbourhood (not just improving the street).

Horizontal traffic calming measures include curb extension, raised center medians, chicanes, neighbourhood traffic circles, roundabouts, and lateral shifts.

Curb Extension

Curb extensions (intersection and/or midblock) improve pedestrian safety by: reducing the distance that pedestrians must travel to cross a roadway; improving the visibility of pedestrians for approaching motorists; and improving the visibility of approaching vehicles for pedestrians. Curb extensions are sometimes referred to as narrowing or bulb-outs. They can be used at intersections and at midblock locations and can be used alone or in combination with a median island. In addition to their pedestrian safety benefits, curb extensions on one or both sides of the roadway also help to reduce vehicle speeds.



Raised Center Island Median

Raised median islands are another common measure, which are constructed on a two-way roadway to reduce the overall width of the adjacent travel lanes. These measures can also act as a pedestrian refuge and can be installed in combination with curb extensions. An important consideration when determining the feasibility of a raised median is adequate road width, including adequate travel lane width on either side of the median island to accommodate snow clearing efforts, as well as ensuring adequate sightlines can be maintained should vegetation be planted in the raised median. There are also ongoing operating costs associated with sustaining vegetation in the raised median islands.



Chicane

Chicanes are curb extensions that alternate from one side of the street to the other, creating S-shaped travel patterns. Raised landscaped islands or delineators are usually provided at both ends of a chicane in order to enhance the drivers awareness of the need for a lateral shift.

Along a section of roadway that contains a chicane, off-street parallel parking may be restricted along property frontages due to curb and gutter.



Physical Obstruction Traffic Calming:

Physical obstructions are the most severe traffic calming tool and are only used when it is determined a vertical or a horizontal measure won't address the identified problem. The primary purpose of physical obstructions is to eliminating short-cutting traffic by stopping specific vehicle movements. It is important to note that physical obstructions are intended to deter motor vehicle traffic only and not to obstruct bicycle or pedestrian traffic. These types of measures are typically implemented at intersections but may also be applied at some mid-block locations.

Obstructions range from those that have a relatively minor impact on vehicular access to those that severely restrict access such as a road closure. It is important to remember once the vehicle restricted movement is in place area residents have to live with it every day.

Directional Closures

Directional closures are created using a curb extension or other barrier that extends into the roadway, approximately as far as the centerline. This device obstructs one side of the roadway and effectively prohibits vehicles travelling in that direction from entering.

Directional closures are especially useful for controlling non-compliance of one-way road sections and are compatible with other modes such as bicycles.

At all directional closures, bicycles are permitted to travel in both directions through the unobstructed side of the road; however, some directional closures have a pathway built through the device specifically for bicycles. Since their purpose is to prevent short-cutting traffic, directional closures are applicable for use on neighbourhood streets and minor Connectors, at their intersection with Connectors and arterials.



Raised Median through Intersection

These devices may be used on the centerlines of neighbourhood and Connector roadways to prevent left-turn and through movements to and from intersecting streets. This type of device is especially effective at preventing short-cutting and through traffic while providing some secondary pedestrian safety benefits.



Rights-In/Rights Out

Right-in/right-out islands are raised triangular islands located on an intersection approach to limit the side street to right turn in and out movements. Similar to a raised median through an intersection, this device is used primarily to restrict movements to and from an intersection roadway.

Right-in/right out islands may be considered only for use in locations where neighbourhood residential streets intersect another roadway of any class. The island needs to be designed properly or vehicles will drive left around it.



Full Closure

A full closure is a barrier extending the entire width of a roadway, which obstructs all motor vehicle traffic along the roadway. A closure can change a four-way intersection to a three-way intersection, or a three-way intersection into a non-intersection. Gaps can be provided for cyclists, and they are typically passable by emergency vehicles. The purpose of a full closure is to eliminate short-cutting or through traffic.



The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 for the lands legally known as Lots 27 and 45, and Part of William Street, Plan 784 on the southeast corner of Mellanby Avenue and Main Street West, municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West

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 “A6” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Downtown Commercial (DC) and Fourth Density Residential (R4) to DC-79-H, being a special provision of the Downtown Commercial (DC) zone with a Holding (H) provision.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

DC-79-H

Notwithstanding the provisions of sections 3 and 23 of Zoning By-law 6575/30/18, the following regulations shall apply:

- | | |
|---|---|
| a) Minimum landscaped area | 10.8% |
| b) Maximum building height | 25.9 metres |
| c) Maximum gross floor area | 216% |
| d) Minimum parking spaces | 1 space per dwelling unit |
| e) Minimum landscaped buffer | 0 metres for lot lines not abutting a public road for parking areas |
| f) Minimum driveway width for two-way traffic | 6 metres |

The uses permitted in the DC-79 zone shall not occur until the Holding (H) symbol on the DC-79-H zone is removed. Removal of the Holding (H) symbol may only occur upon the submission and review of a Phase Two Environmental Site Assessment and revised Traffic Impact Study to the satisfaction of the Niagara Region and City of Port Colborne staff.

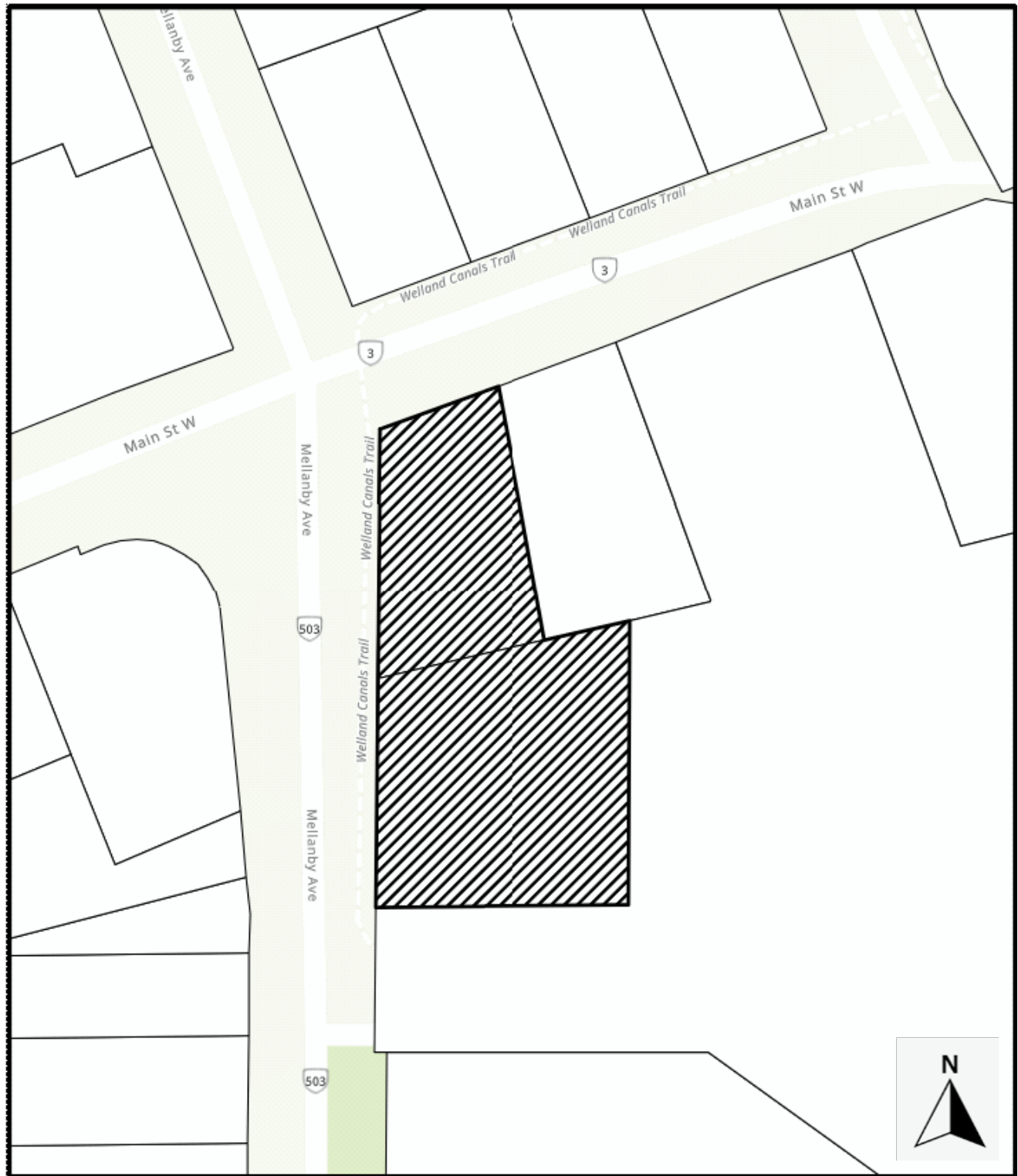
4. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
5. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this day of , 2024.

William C Steele
Mayor

Saima Tufail
Acting City Clerk

Schedule "A"




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

Passed _____, 2024

Mayor

Clerk

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 - Lands to be rezoned to DC-79-H

February 2024

File No. D14-08-23

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 Amend By-law 7108/50/23, Being a By-law to Stop Up and Close part of Catharine Street, described in PIN 64457-0087 as being Part of Catharine on the west side of Catharine Street south of 14 Catharine Street abutting the eastern boundary of 12 Catharine Street and being 26.4 m in length and 8.2 m in width

Whereas at its meeting of March 12, 2024, Council approved the recommendations of Chief Administrative Office Report 2024-58, Subject: Amending Legal Descriptions of Catharine Street Lands; and

Whereas the Council of the Corporation of the City of Port Colborne enacted By-law 7108/50/23 on June 23, 2023; and

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

1. That the legal description of the subject lands in By-law 7108/50/23 be amended to: “the portion of the road allowance described as part of the original Catharine Street road, being Part 1, Plan 59R-17855 (part of PIN 64457-0087 (LT)) and Part 2, Plan 59R-17855 (part of PIN 64457-0152 (LT))”.
2. That the Mayor and the Acting Clerk be and each of them is hereby authorized and directed to sign any documents necessary to complete the conditions of said agreement, and the Clerk is hereby 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 as may be required to give full force and effect to this By-law.
4. That the Acting City Clerk be authorized to make minor amendments to required documentation in this transaction, if needed.

Enacted and passed this _____ day of _____, 2024.

William C. Steele
Mayor

Saima Tufail
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 March 12, 2024

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 March 12, 2024, upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 12th day of March, 2024.

William C. Steele
Mayor

Saima Tufail
Acting City Clerk