

**City of Port Colborne  
Special Meeting of Council 26-18  
Tuesday, November 13, 2018  
Council in Closed Session – 5:30 p.m.  
Committee Room 3, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor John Maloney
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Council in Closed Session:**

- (i) Motion to go into Closed Session

That Council do now proceed into closed session in order to address the following matter(s):

- a) Minutes of the closed portion of the following Council meeting: September 24, 2018
- b) Planning and Development Department, By-law Enforcement Division Report 2018-144, concerning an update with respect to ongoing property investigations, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(b), personal matters about an identifiable individual, including municipal or local board employees and Subsection 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

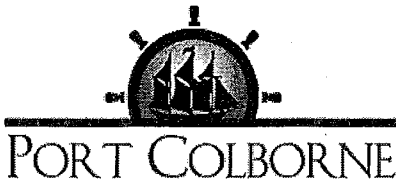
- (ii) Disclosures of Interest (closed session agenda)

- (iii) Consideration of Closed Session Items

- (iv) Motion to Rise With Report

- 6. Disclosures of Interest Arising From Closed Session:**
- 7. Report and Motions Arising From Closed Session:**
- 8. Adjournment:**

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**City of Port Colborne**  
**Regular Meeting of Committee of the Whole 20-18**  
**Tuesday, November 13, 2018 – 6:30 p.m.**  
**Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor John Maloney
2. **National Anthem:** Joel Longfellow
3. **Introduction of Addendum and Delegation Items:**
4. **Confirmation of Agenda:**
5. **Disclosures of Interest:**
6. **Adoption of Minutes:**
  - (a) Regular meeting of Committee of the Whole 20-18, held on October 9, 2018.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**
  - (a) Mario Madia, Vice President Finance, Administration & IT, YMCA of Niagara and Sharon Schilz, Centre Manager, Port Colborne YMCA will be providing an update on the operations of the Port Colborne YMCA (Page No. 11)
10. **Delegations (10 Minutes Maximum):**

Nil.
11. **Mayor's Report:**
12. **Regional Councillor's Report:**
13. **Councillors' Items:**
  - (a) Councillors' Issues/Enquiries
  - (b) Staff Responses to Previous Councillors' Enquiries
14. **Consideration of Items Requiring Separate Discussion:**
15. **Notice of Motion:**
16. **Adjournment:**

**Upcoming Committee of the Whole and Council Meetings**

Monday, November 26, 2018 Committee of the Whole/Council – 6:30 P.M.

Monday, December 3, 2018 Inaugural Meeting (Newly Elected Council) –  
6:30 P.M.

Monday, December 10, 2018 Committee of the Whole/Council – 6:30 P.M.

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

## Committee Items:

Notes	Item	Description / Recommendation	Page
JDM BB RB AD FD YD DE BK JM	1.	<p><b>Corporate Services Department, Finance Division, Report 2018-148, Subject: Port Colborne Welland LINK Proposed Bus Schedule Change</b></p> <hr/> <p>That the Port Colborne Welland LINK bus schedule change to accommodate the pilot project of providing two (2) additional trips, one early morning and one later evening, and the 15 minute change to the current arrival and departure times for the transit service as described in Corporate Services Department, Finance Division Report 2018-148, be approved, effective January 1, 2019.</p> <p>That the pilot project be funded from the Operating Transit Reserve Fund.</p>	19
JDM BB RB AD FD YD DE BK JM	2.	<p><b>Corporate Services Department, Finance Division, Report 2018-146, Subject: Welland Transit Renewal Agreement for Port Colborne Transit Services</b></p> <hr/> <p>That the renewal of the Transit Agreement with Welland Transit for Transit Services be approved for a two-year term to March 31, 2020.</p> <p>That the City Clerk and the Mayor be authorized to execute the Transit Agreement.</p>	25
JDM BB RB AD FD YD DE BK JM	3.	<p><b>Corporate Services Department, Finance Division, Report 2018-147, Subject: Cancellation, Reduction or Refund of Realty Tax</b></p> <hr/> <p>That the applications pursuant to Section 357/358 of the <i>Municipal Act, 2001</i>, as amended, 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) be approved to cancel or reduce taxes in the total amount of \$2,796.15.</p>	37
JDM BB RB AD FD YD DE BK JM	4.	<p><b>Engineering and Operations Department, Engineering Division, Report 2018-149, Subject: Tendering for Project 2018-03, Water Meter &amp; Meter Chamber Installations (Two Locations)</b></p> <hr/> <p>That Project 2018-03, Water Meter and Meter Chamber Installations (Two Locations), be awarded to V. Gibbons Contracting Ltd. of Stevensville, Ontario for the total tendered contract price of \$210,423.50 plus applicable taxes.</p> <p>That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared.</p> <p>That funding for Project 2018-03 be financed under the 2018 Water Capital Budget.</p>	41

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JDM	BB	RB	5.	<p><b>Community and Economic Development Department, Parks and Recreation Division, Report 2018-145, Subject: Annual Lighted Santa Claus Parade – Road Closures and Parking Restrictions</b></p>	45
AD	FD	YD			
DE	BK	JM		<ol style="list-style-type: none"> <li>1. That the road closures necessary for the Annual Lighted Santa Claus Parade event on Saturday, December 1, 2018, as outlined in Community and Economic Development, Report 2018-145, be approved;</li>   <li>2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging: <ul style="list-style-type: none"> <li>• Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and</li> <li>• Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and</li> <li>• Fielden Avenue, at the western limit of Delhi Street.</li> </ul> </li>   <li>3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging and to provide for a safe viewing area of the parade: <ul style="list-style-type: none"> <li>• Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;</li> <li>• West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and</li> <li>• Charlotte Street, from the western limit of Elm Street to the eastern limit of West Street.</li> </ul> </li>   <li>4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 1, 2018, to restrict through traffic onto the parade route: <ul style="list-style-type: none"> <li>• North and west intersections of Steele Street and Elgin Street;</li> <li>• East intersection of Steele Street at Carter Street;</li> <li>• East intersection of Steele Street at Park Street;</li> <li>• East intersection of Steele Street at Tugboat Lane;</li> <li>• West and south intersections of Steel Street and Clarence Street;</li> <li>• North and south intersections of Fielden Avenue at Clarence Street;</li> </ul> </li> </ol>	

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		<ul style="list-style-type: none"> <li>• North and south intersections of Elm Street at Clarence Street;</li> <li>• North and south intersections of Catharine Street at Clarence Street;</li> <li>• North and south intersections of King Street at Clarence Street;</li> <li>• North and east intersections of West Street at Clarence Street;</li> <li>• South intersection of West Street at Charlotte Street;</li> <li>• North and south intersections of King Street at Charlotte Street; and</li> <li>• East and north intersections of Charlotte Street and Catharine Street.</li> </ul> <p>5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;</p> <p>6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the parade route.</p>																
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>6.</p>	<p><b>Planning and Development Department, By-law Enforcement Division, Report 2018-143, Subject: Accessible Parking – Charlotte Street</b></p> <hr/> <p>That By-law 4310/146/02, Being a by-law to regulate on and off street parking for persons with disabilities, be further amended by adding to Schedule “I” the following:</p> <table border="1" data-bbox="429 1373 1359 1564"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th colspan="2">Column 3</th> <th>Column 4</th> </tr> <tr> <th>Highway</th> <th>Side</th> <th>From</th> <th>To</th> <th>Times/Days</th> </tr> </thead> <tbody> <tr> <td>Charlotte St.</td> <td>North</td> <td>55m west of Catharine St.</td> <td>5.5m west therefrom</td> <td>Anytime</td> </tr> </tbody> </table>	Column 1	Column 2	Column 3		Column 4	Highway	Side	From	To	Times/Days	Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime	<p>51</p>
Column 1	Column 2	Column 3		Column 4														
Highway	Side	From	To	Times/Days														
Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime														

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JDM AD DE	BB FD BK	RB YD JM	7.	<p><b>Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries</b></p> <hr/> <p>That a Site Alteration Permit be approved for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:</p> <ul style="list-style-type: none"> <li>i) That the Ministry of Natural Resources consents to change the type of rehabilitation program.</li> <li>ii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.</li> <li>iii) That a Site Alteration Permit fee of \$1,320 be submitted to the Department of Planning and Development.</li> </ul> <p><b>Note: This item needs to be pulled for separate consideration.</b></p> <p><b>Note:</b> At its meeting of October 9, 2018 Council deferred the above report.</p>	55
JDM AD DE	BB FD BK	RB YD JM	8.	<p><b>Planning and Development Department, Planning Division, Report 2018-142, Subject: Cannabis Dispensary and Production</b></p> <hr/> <p>That staff be directed to undertake a study of the City's Official Plan policy, Zoning By-law standards and regulations and implementation procedures pertaining to retail cannabis production and report back to Council with recommendations.</p> <p>That an Interim Control By-law, pursuant to Section 38 of the <i>Planning Act</i>, be approved for a period of up to one year, prohibiting retail cannabis production on all properties in the City.</p> <p>That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and that the Notice of Decision required by the <i>Planning Act, R.S.O. 1990</i>, as amended, be processed by staff.</p>	77

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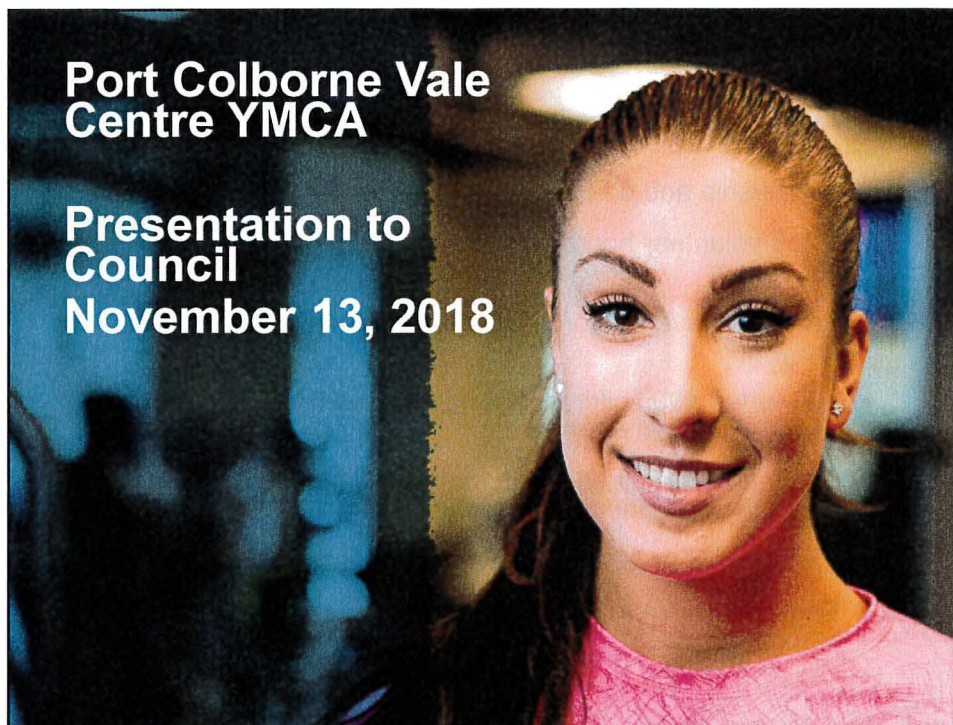


JDM	BB	RB	9.	<p><b>Planning and Development Department, Planning Division, Report 2018-150, Subject: Recommendation Report for Zoning By-law Amendment D14-03-18, 1937 Brookfield Road</b></p> <p>That the Zoning By-law Amendment, attached to Planning and Development Department, Planning Division Report 2018-150 as Appendix B, be approved rezoning the land from “Agricultural” to AR-49” and “Agricultural Purposes Only”.</p>	81
AD	FD	YD			
DE	BK	JM			
<b>Miscellaneous Correspondence</b>					
JDM	BB	RB	10.	<p><b>Memorandum from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism</b></p> <p>That the memorandum received from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism, be received for information; and</p> <p>That the Chief Administrative Officer be directed to:</p> <ul style="list-style-type: none"> <li>• Create a mandate for this group as a task force similar to the East Village                             <ul style="list-style-type: none"> <li>• Membership would include:                                     <ul style="list-style-type: none"> <li>○ Minimum two city councillors</li> <li>○ One representative from each BIA</li> <li>○ One representative from the NRP</li> <li>○ One representative from Port Cares</li> <li>○ One business representative – currently Fred Davies</li> <li>○ One member of the public – currently Rick Osborne</li> </ul> </li> </ul> </li> </ul> <p>That once the group is established, it be directed to:</p> <ul style="list-style-type: none"> <li>• Send a letter to the Police Services Board inviting them back to Port Colborne to hold a future board meeting.</li> <li>• Arrange for an expression of interest for closed circuit television monitoring in the downtown area and beyond</li> <li>• Arrange for an expression of interest for private security officers</li> <li>• Establish a Community Watch Program</li> </ul>	97
AD	FD	YD			
DE	BK	JM			

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JDM AD DE	BB FD BK	RB YD JM	11.	<p><b>Region of Niagara, Linking Niagara Transit Committee Session Re: Universal Support Person Pass / Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Financial Impact Analysis</b></p> <hr/> <p>That the correspondence received from the Region of Niagara, Linking Niagara Transit Committee Session, Re: Universal Support Person Pass, Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Impact Analysis, be received for information.</p>	99
JDM AD DE	BB FD BK	RB YD JM	12.	<p><b>Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport</b></p> <hr/> <p>That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport, be received for information.</p>	151
<b>Outside Resolutions – Requests for Endorsement</b>					
Nil.					
<b>Responses to City of Port Colborne Resolutions</b>					
Nil.					

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## Topics

- Highlights from the 2017/ 2018 year Port Colborne YMCA
- Review of the 2012-2017 financial results
- Comparison of 2017/18 fiscal performance to budget
- Actions related to Bill 148 (minimum wage increase) and impact on Port Colborne YMCA



## Port Colborne YMCA Year 6 Highlights

- Leadership and development of more than 75 staff
- 1,256 volunteer hours provided by more than 50 volunteers
- Served an average of 2327 members on roll throughout the year
- Supported 400 children, individuals and families through YMCA Financial Assistance.
- Engaged 460 children and youth continuously in swim lessons strengthening their skills.
- Partnered with 22 Community Organizations.
- Engaged children and youth participants with 1640 camper days.



## Port Colborne, year six results...

The YMCA is meeting or exceeding its promise to serve the community with an average of 11,225 community accesses monthly by both YMCA members and community participants.

### Enhancing Health and Strengthening all Families

- 56.9% joined as a family
- 117,250 membership card swipes
- 4542 Family and Individual Swim Passes
- 7056 Guest Passes



## The YMCA continues to have significant and positive impact on the Port Colborne community

- Community access to YMCA programs increased consistently each year, growing to over 17,000 annually in Year 6.



## The YMCA continued to expand program offerings based on community feedback and interest

- YMCA continues to provide leadership for a number of community events.
- YMCA has been actively involved in many City of Port Colborne events including:
  - Canal Days
  - Canada Day Event
  - Community Awareness Day
  - Sports Fest
  - Vale Day
  - New Year's Eve Family Celebration
  - Family Day



*Painting Port Colborne Rocks*



## More program investments and improvements

- Launch of new adult programs Barre and expanded offerings in Yoga, Aqua Fitness and Small Group training
- Relaunch of Personal Training
- New approach to New member Orientation
- Revised and refreshed approach to marketing, communication, lead generation and new member incentives
- Implemented new national aquatics standards
- Enhanced Child Protection Standards
- Introduction of more skill based sports program for children



## Supporting Participation for All A revised approach to YMCA Financial

**The YMCA is a place of inclusiveness; open to all regardless of background or circumstance, helping to strengthen families and communities.**

- YMCA Financial Assistance is offered to individuals and families unable to afford to participate due to their financial circumstance.
- Assistance is offered in a confidential manner based on individual circumstances. In 2017/2018 more than
- 17% of Port Colborne YMCA Members ( 400 individuals) benefited from YMCA financial assistance.



## How we did in the first 5 years?

5 YEAR ACTUAL REVENUE AND EXPENSES	2016-17 Actuals	2015-16 Actuals	2014-15 Actuals	2013-14 Actuals	Feb-Aug 13 Actuals
Total Revenue	1,217,405	1,158,957	1,167,996	1,196,997	584,559
Expenses					
Total Expenses (Operating)	952,503	893,684	896,138	960,518	537,446
Operating Net	264,902	265,273	271,858	236,479	47,113
Deferred Capital Depreciation & Admin	259,548	269,499	257,232	231,409	56,245
Total Net	5,354	(4,226)	14,626	5,070	(9,132)



## How we did in the current year versus budget?

Year 6 Annual Budget vs Actuals : September 2017 - August 2018			
Members On-roll, Year-to-date Average	2,356	2,327	
Budgeted Revenue and Expenses	Annual Budget	Actuals	Variances
Total Revenue	1,221,960	1,225,726	3,766
Total Expenses	1,009,065	1,012,494	3,429
Operating Net	212,895	213,232	337
Deferred Capital Depreciation	159,900	157,644	(2,256)
Administrative Overhead (10% of total expenses)	100,907	101,249	343
Total Net	(47,912)	(45,661)	2,250



## Bill 148 Minimum Wage Increase-What have we done?

### Pre January 1, 2018:

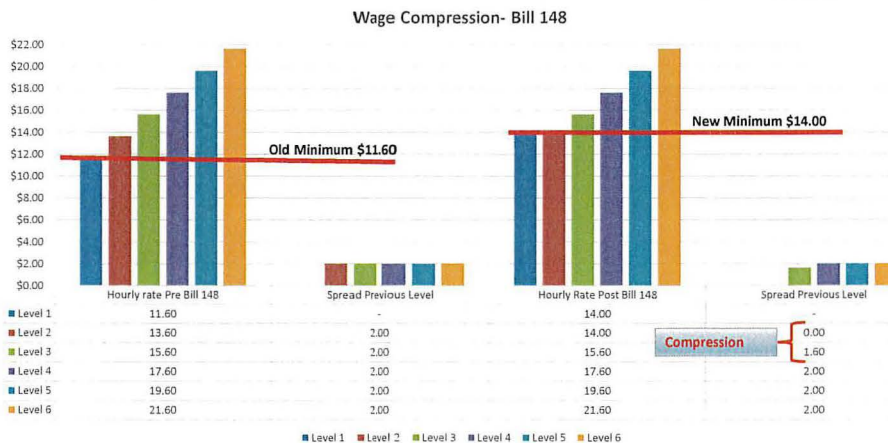
- October, 2017 HFA price increase
- Engaged external HR Consultant to review overall compensation strategy
- New shared service agreements CEO, VP HFA
- Administrative office relocated within our Welland HFA Centre

### Post January 1, 2018:

- Successfully implemented Phase One of Bill 148
- Annual HFA price increases
- Improve program quality
- Focus on program membership retention and growth
- Discussions with YMCA of Oakville and HamiltonBurlingtonBrantford on possible combination



## Bill 148 – Wage Compression





## Bill 148 – Impact on Port Colborne YMCA

IMPACT OF BILL 148 ON PORT COLBORNE YMCA					
January 1, 2018 to August 31, 2018					
	# of Jobs	Actual	Regular	% Increase	Difference
		Regular	Wages if No Bill 148		
At Minimum	48	\$139,365	\$115,324	20.8%	\$24,041
Other Bands Impacted	33	\$220,440	\$198,018	11.3%	\$22,422
<b>Total Wage Impact</b>					<b>\$46,463</b>
<b>OT, Stat, Vac pay &amp; Other benefits</b>					<b>\$9,293</b>
<b>TOTAL IMPACT</b>					<b>\$55,756</b>



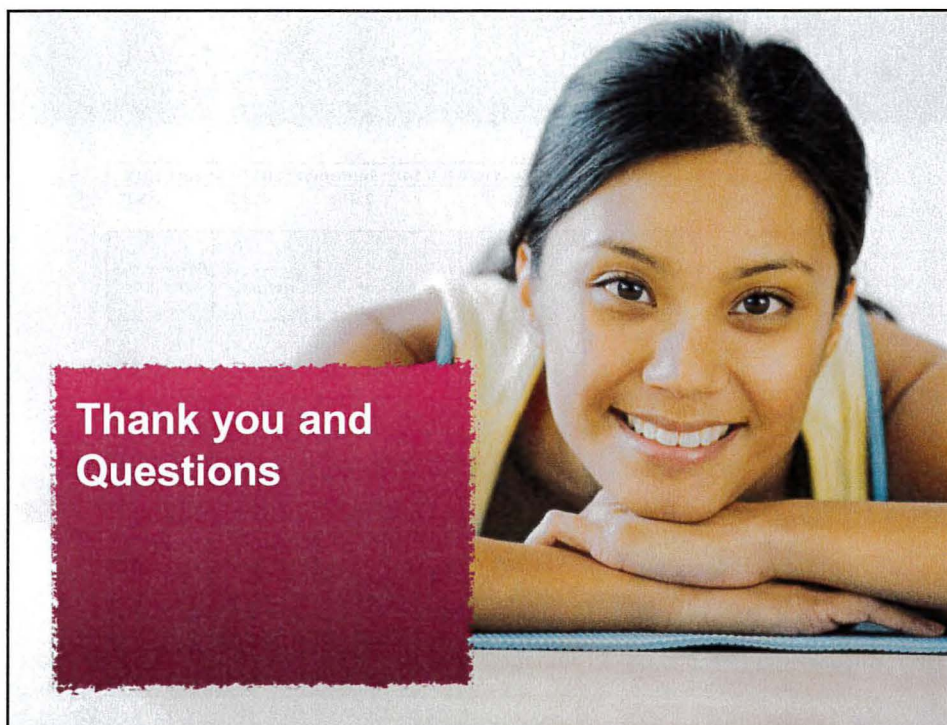
## Result in 2017/18 w/o Bill 148

Year 6 Annual Budget vs Actuals with and w/o Bill 148 : September 2017 - August 2018			
Members On-roll, Year-to-date Average	2,356	2,327	2,327
Budgeted Revenue and Expenses	Annual Budget	Actuals	Actuals w/o Bill 148
<b>Total Revenue</b>	<b>1,221,960</b>	<b>1,225,726</b>	<b>1,225,726</b>
Wages & Benefits	896,750	888,356	832,600
Supplies - Program, Cleaning and Maintenance	70,533	81,723	81,723
Other Direct Expenses (repairs, training, etc.)	41,781	42,415	42,415
<b>Total Expenses</b>	<b>1,009,065</b>	<b>1,012,494</b>	<b>956,738</b>
<b>Operating Net</b>	<b>212,895</b>	<b>213,232</b>	<b>268,988</b>
Deferred Capital Depreciation	159,900	157,644	157,644
Administrative Overhead (10% of total expenses)	100,907	101,249	95,674
<b>Total Net</b>	<b>(47,912)</b>	<b>(45,661)</b>	<b>15,670</b>



## Summary and Next Steps

- Continued focus on improving HFA programs
- Focus on membership retention and growth
- First 5 years successful in service delivery and financially
- Bill 148 resulted in dramatic cost increase for YMCA in total and Port Colborne specifically
- YMCA of Niagara is grateful for the partnership with the City of Port Colborne and the opportunity to serve its' citizens
- At the start of this past fiscal year YMCA had requested support from the City of Port Colborne in the amount of \$22,118 to help offset Bill 148 costs and now respectfully requests that these funds be provided to the YMCA





Report Number: 2018-148

Date: November 13, 2018

**SUBJECT: Port Colborne Welland LINK Proposed Bus Schedule Change**

**1) PURPOSE:**

To request Council's consideration and approval of a further schedule change for the Port Colborne Welland LINK Bus to accommodate two (2) additional trips, to provide additional and enhanced service, by adding one earlier morning trip and one later evening trip as a four (4) month pilot project, as recommended by the Transit Advisory Committee.

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

The LINK bus route and schedule has been in place for nine (9) years. Port Colborne started the service with three (3) trips and this was extended to six (6) trips when the Regional Transit came into effect, including Saturday service. The Region of Niagara covers the cost of the additional trips including the Saturday trips for all times of service.

On July 9, 2018, Council approved Corporate Services Department, Finance Division Report 2018-96, for the service to be extended to nine (9) trips between the municipalities versus the current six (6) trips, at no additional cost due to a change in the route, which provided additional time to accommodate the additional trips.

**3) STAFF COMMENTS AND DISCUSSIONS**

The Transit Advisory Committee has received many complaints and inquiries with the concern of the lack of public transit in the early morning and late evening in order to have students reach morning classes and return home later in the evening. In addition, the concern was expressed that customers working out of town did not have the opportunity to arrive to work on time in the mornings.

After considerable review and discussion with Welland Transit management and City staff, it was proposed to the Transit Advisory Committee that the service could be extended to eleven (11) trips between the municipalities versus the current nine (9) trips as a four (4) month pilot project. The ridership can be reviewed to determine if the service should continue.

It is proposed to add an earlier morning trip and a later evening trip and a 15-minute change to the current arrival and departure times. The first bus will leave City Hall at 6:30 am instead of 7:15 am and the last evening bus will leave Welland at 7:30 pm instead of 6:45 pm. In addition, the times of arrival and departure will be on the half hour and the hour, which makes it easier for customers to remember the bus schedule times. The new trips will allow students to arrive in Welland and transfer to a bus that will take them to Niagara College and Brock University for early morning classes.

This increase in the level of service provides greater options for all customers connecting to municipal (travelling throughout Welland), inter-municipal (regional), and intercity (Coach Canada) services. The proposed scheduled arrival/departure times are consistent and easier to service more customers. The extra trips provide for enhanced access for customers travelling for employment, academic, medical and social services. The evening service departure from Welland provides an earlier option for Port Colborne residents to travel home. From the Welland Terminal customers can connect to the Niagara College bus, Welland Transit bus or the Regional bus.

See the attached proposed schedule Appendix B and the current Schedule A which shows the 2 additional trips and the current trips being revised by 15 minutes to accommodate arrival and departure times on the half hour and hour.

The Transit Advisory Committee reviewed the proposed schedule of times including the extra trips to be recommended to City Council for approval.

With the two (2) additional trips, it adds 2 hours of service time to the current schedule and a cost of service provided is \$190.00 per day to be shared 50/50 between the Region and the City. Until such time that the Region approves their budget, for which Regional staff are proposing to their Council, the uploading of Port Colborne's LINK to be part of Regional Transit effective January 1, 2019 with the option of uploading September 1, 2019, Port Colborne must budget for the additional cost of the increased level of service.

The total additional cost for the period of January 1 to April 30, 2019 is \$15,770, of which Port Colborne's share is \$7,885. The total additional cost for the period of May 1 to August 31, 2019 is \$16,150, of which Port Colborne's share is \$8,075. There are funds available in the Operating Transit Reserve Fund to finance the four (4) month pilot project and an extension for another four (4) months if determined to be continued. It is tentative that the Region will upload the LINK service effective January 1 or September 1, 2019, therefore the funding from the reserve fund will be dependent on when the Region may take over the service.

It is recommended that the proposed changes take effect on January 1, 2019. Customers will be notified on the bus, posted on the web site and through social media. In order for the service to be implemented effective January 1, 2019, Council will have to approve this change prior to budget to allow Welland Transit time to adjust their staff schedules, print new schedules and market the changes to the public.

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

- a) Do nothing is not recommended, as the proposed changes provide enhanced service to the transit system and addresses concerns of customers with regard to scheduling.
- b) Council could propose alternative times to provide the service.

- c) Council can elect to add the early morning trip at 6:30 am and remove the last morning trip at 9:30 am to keep three (3) morning trips and not add the evening trip in order to keep the total trips to nine (9). The times can still be adjusted by 15 minutes to the half hour and hour arrival and departures.
- d) It is recommended that Council approve the proposed changes to the LINK time schedule by adding two (2) additional trips, one early morning and one later evening, and the 15 minute change to the current arrival and departure times as shown in Appendix B. The additional cost of \$7,885 for the four (4) month pilot project be funded from the Operating Transit Reserve Fund and upon review, the additional four (4) months be funded from the same reserve fund until such time that the Region takes over the LINK service.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not applicable.

**6) ATTACHMENTS**

- Appendix A – Current Port Colborne Welland LINK Schedule
- Appendix B – Proposed Port Colborne Welland LINK Schedule

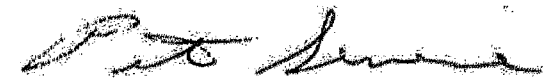
**7) RECOMMENDATION**

That the Port Colborne Welland LINK bus schedule change to accommodate the pilot project of providing two (2) additional trips, one early morning and one later evening, and the 15 minute change to the current arrival and departure times for the transit service as described in Corporate Services Department, Finance Division Report 2018-148, be approved, effective January 1, 2019.

That the pilot project be funded from the Operating Transit Reserve Fund

**8) SIGNATURES**

Prepared on October 29, 2018 by:



Peter Senese  
Director of Corporate Services

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

## Port Colborne – Welland LINK

**Effective September 1, 2018**

<b>P.C. City Hall Departure</b>	<b>Ontario &amp; King (Hospital)</b>	<b>Welland Terminal Arrival</b>	<b>Welland Terminal Departure</b>	<b>Ontario &amp; King (Hospital)</b>	<b>P.C. City Hall Arrival</b>
7:15 am		7:42 am	7:45 am		8:10 am
8:15 am		8:42 am	8:45 am		9:10 am
9:15 am		9:42 am	9:45 am*		
12:15 pm		12:42 pm	12:45 pm		1:10 pm
1:15 pm		1:42 pm	1:45 pm		2:10 pm
2:15 pm		2:42 pm	2:45 pm*		
			4:45 pm		5:10 pm
5:15 pm		5:42 pm	5:45 pm		6:10 pm
6:15 pm		6:42 pm	6:45 pm		7:10 pm
7:15 pm*					

\*Bus returns to Welland garage

**PORT COLBORNE LINK**

**Proposed Revision – Sept. 26<sup>th</sup>, '18**

**Port Colborne Arrival/Departure**

6:30 am  
7:30 am  
8:30 am  
9:30 am

**Welland Arrival/Departure**

7:00 am  
8:00 am  
9:00 am  
10:00 am

**Port Colborne Arrival/Departure**

12:30 pm  
1:30 pm  
2:30 pm

**Welland Arrival/Departure**

1:00 pm  
2:00 pm  
3:00 pm

**Welland Arrival/Departure**

4:30 pm  
5:30 pm  
6:30 pm  
7:30 pm

**Port Colborne Arrival/Departure**

5:00 pm  
6:00 pm  
7:00 pm  
8:00 pm\*

\*Bus returns to Welland Garage for 8:20 pm

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Report Number: 2018-146

Date: November 13, 2018

**SUBJECT: Welland Transit Renewal Agreement for Port Colborne Transit Services**

**1) PURPOSE**

To request Council's approval of the renewal agreement for transit services provided by Welland Transit for the Community Bus and Port Colborne-Welland LINK as recommended by the Transit Advisory Committee.

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

The Welland Transit Division provides public transportation within Port Colborne known as the Port Colborne Community Bus and the Port Colborne Welland LINK for bus service between Port Colborne and Welland. This service commenced on March 31, 2008, with extensions through until March 31, 2018.

**3) STAFF COMMENTS AND DISCUSSIONS**

To continue the services of public transportation, City staff, along with Welland Transit management reviewed and discussed the renewal of the agreement. The renewal was prolonged to negotiate the sharing of the LINK cost with the Region of Niagara. Effective June 1, the Region will share the costs 50/50 with the City. The Transit Advisory Committee discussed the renewal of the Welland Transit Agreement along with the services provided. The routes and times have been reviewed over the years and revised to improve the levels of service.

Some minor housekeeping changes are required to the existing agreement. The Community Bus schedule is unchanged and the LINK encompasses the most recent route change and time schedule changes. Schedule B to the agreement provides for the LINK service April 1 to August 31 with 6 trips while Schedule B1 accounts for the change in the number of trips from 6 to 9 trips effective September 1, as approved by Council. The City continues to pay the original monthly cost to December 31, 2018 and the Region is reimbursing the City for its cost sharing in the amount of \$20,000. Effective January 1, 2019, the City and the Region will be sharing the cost of services directly with Welland Transit as per Schedule B1.

It is the Transit Advisory Committee's recommendation to extend the current contract with Welland Transit Service for a two-year term to March 31, 2020. This two-year period should provide the Region time to determine the logistics of taking over operations of the LINK. Regional staff are proposing in the Region's 2019 budget to allocate funds for the LINK transit. The Committee will continue to review its status each year to determine the service to be provided in the future. The Committee is very pleased with the service provided by Welland Transit. The 2018 operating budget includes the current level of service for transit and staff will include the costing for the 2019 budget.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

- a) Do nothing is not recommended. The transit service will continue to be provided through the services of Welland Transit.
- b) Council can adjust the term of the agreement or cease services with Welland Transit. This is not recommended as the service is well used by the public. Welland Transit has provided a good level of service.
- c) It is recommended that Council approve the renewal of the current Transit Service Agreement with Welland Transit for a two-year period to March 31, 2020. The Committee will review the status each year to determine the services to be provided in the future. This was recommended by the Transit Advisory Committee.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not applicable.

**6) ATTACHMENTS**

Renewed Agreement and Schedules

**7) RECOMMENDATION**

That the renewal of the Transit Agreement with Welland Transit for Transit Services be approved for a two-year term to March 31, 2020.

That the City Clerk and the Mayor be authorized to execute the Transit Agreement

**8) SIGNATURES**

Prepared on October 21, 2018 by:

Reviewed and respectfully submitted by:



Peter Senese  
Director of Corporate Services

C. Scott Luey  
Chief Administrative Officer

**THIS AGREEMENT** made this     day of, 2018,

Between:

**THE CORPORATION OF THE CITY OF WELLAND**

(hereinafter referred to as "Transit")

OF THE FIRST PART

AND

**THE CORPORATION OF THE CITY OF PORT COLBORNE**

(hereinafter referred to as the "City")

OF THE SECOND PART

**WHEREAS** Transit has agreed to provide transit services to the City (the "Services") within Port Colborne and to and from the City of Welland with respect to the transit routes, as more particularly described in Schedules "A" and "A1" and being the Port Colborne East and West Community and the Port Colborne Welland Link (collectively referred to herein as the "**Routes**");

**AND WHEREAS** the City has agreed to provide compensation for the provision of the Transit Services as detailed herein;

**AND WHEREAS** this Agreement replaces and terminates the agreement between the parties dated March 31, 2008 and all amendments thereto.

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. In the Agreement "Service Cost" shall mean, for the year April 1st, 2018 to March 31, 2019 (the "Initial Year"), the amounts set forth in Schedules 'B', 'B1', and 'B2' hereof, and for any subsequent years, the amounts mutually agreed upon by the parties. The City acknowledges that the Service Cost can be increased or decreased in accordance with Schedule "C" – Fuel reconciliation Clause.
2. The Agreement shall be a two (2) year term (the "Term") commencing on the 1st day of April 2018 and terminating on the 31<sup>st</sup> day of March 2020, subject to section 3 hereof.
3. This Agreement may be terminated by either party, upon written notice to the other no later than 150 days before March 31st in any year of the term. If this Agreement is terminated, Transit shall be responsible to calculate the pro-rated Service Cost for the period prior to termination and bill the same to the City.
4. The Administrator for the City or their designate and the Transit Manager for the Transit or designate, shall meet not later than January 31<sup>st</sup> in each year of the Term for the purpose of negotiating a number of matters and such negotiation shall involve:
  - (i) determining the need to amend the Schedules hereto or the routes;
  - (ii) resolving any differences of opinion between the parties;
  - (iii) providing monitoring and reporting performance to the Transit; and
  - (iv) conducting a fare review.
5. Transportation data pertaining to the Services, as may be reasonably required, shall be available to both parties during normal working hours upon request.
6. Each of the parties shall maintain and provide proof of general liability insurance of not less than \$15,000,000 naming the other party as an additional insured. The proof of insurance shall be satisfactory to the other party acting reasonably and shall contain a provision requiring the insurer to serve the other party a least thirty(30) days written notice of any cancellation of such policy. In addition, Transit agrees to maintain vehicle liability insurance at not less than \$ 10,000,000.
7. Each party (the "Indemnifying Party") agrees to indemnify and hold harmless the other party from and against all actions, causes of actions, liabilities, claims and demands whatsoever, including third party claims with respect to any damage or loss whatsoever (including without limitation, direct or indirect, special or incidental or consequential bodily injury or loss of life) arising or resulting out of any negligence by the Indemnifying Party in connection with the Services provided under this Agreement.

8. Transit will not be held responsible for any service disruptions due to unforeseen circumstances (i.e. weather, accidents, strikes, traffic congestion, detours, road closures and mechanical breakdowns). The responsibilities of Transit shall be as follows:

- (i) to operate the Routes in accordance with the schedules set out in Schedule 'A' and 'A1' attached hereto;
- (ii) at its sole cost and expense, to provide the necessary buses and manpower to operate the Services including all administration and licensing requirements;
- (iii) at its sole cost and expense, to maintain all buses in a good and safe working order and condition;
- (iv) not to change the hours or the level of service with respect to the Routes within the City of Port Colborne limits, without the prior written consent of the City;
- (v) to invoice the City monthly for the Service Cost, with a monthly ridership report;
- (vi) to credit the City for all cash fares received, to be credited on each monthly invoicing, in addition, to credit the City for any bus passes sold on behalf of the City;
- (vii) to provide Transit information to customers, as well as assist with marketing initiatives including print and website materials;
- (viii) to work with the City to support post-secondary transportation connections, including monthly post-secondary ridership totals;
- (ix) to work with the City to ensure fare media employed on the City's transit services are acceptable to Transit;
- (x) to provide any bus stop signage to the City for installation;
- (xi) to appoint one person to the Port Colborne Transit Advisory Committee;
- (xii) to ensure accessibility standards are in compliance with the Accessibility for Ontarians with Disabilities Act (Ontario) with regard to the operation of the buses and the Operators; and
- (xiii) to investigate any new revenue sources, such as advertising, and other cost saving measures which could reduce the Service Cost.

9. The responsibilities of the City shall be as follows:

- (i) to pay the Transit a monthly fee within 30 days of receipt of invoice based upon the Service Cost as set out in Schedules; 'B', 'B1', and 'B2' to this Agreement and as amended from time to time pursuant to the terms of this Agreement for the provision of the Services;
- (ii) to work with Transit to ensure there are common fares;
- (iii) to ensure the City will sell all bus passes at City Hall to be part of the City's revenue;
- (iv) to maintain all stops and or shelters on the bus routes within the municipal boundaries of Port Colborne;
- (iv) to determine the level of service to be operated on the Routes and to give to Transit at least one hundred and fifty days (150) days written notice prior to March 31 in any year of any service changes. Such changes are to be agreed to by Transit and then any increase or reduction in the level of service shall be accompanied by a corresponding increase or reduction in the Service Cost agreed upon by the parties, acting reasonably, and pro-rated by the increase or decrease in the number of days of service being provided and the number of hours of Services provided;
- (v) to directly bill the Region of Niagara for the amounts owing from Niagara College Student Administrative Council and Brock University Students' Union for the negotiated U PASS amount with all such funds to be paid to and retained by the City;
- (vi) to provide for the installation of benches and shelters, as required;
- (vii) to provide Transit with proper notice of any construction, road closures and winter events which may interrupt the transit service; and
- (viii) to ensure that all bus stops and amenities comply with the Accessibility for Ontarians with Disabilities Act (Ontario).

10. Any notices permitted or required under this Agreement shall be given by personal delivery, email or sent by prepaid registered mail to the parties at the following addresses. Notices sent by registered mail shall be deemed to be received three regular business days after mailing and notices personally delivered shall be deemed received on the day they are delivered and notices sent by email shall be deemed received on the next business day.

To the City at: City Hall, Attention: City Clerk  
66 Charlotte Street  
Port Colborne, Ontario  
L3K 3C8

To Transit at: City Hall, Attention: City Clerk  
60 East Main Street  
Welland, Ontario L3B 3X4

11. Any and all disputes, claims or controversies arising out of or in any way connected with this Agreement, its negotiation, performance, breach, existence or validity shall be referred to and finally settled by binding arbitration conducted by three arbitrators in accordance with the Arbitration Act (Ontario). The place of the arbitration shall be in Port Colborne, Ontario. The language of the arbitration shall be English. The parties shall each appoint an arbitrator within 10 days following written notification of a dispute by one of the parties to the other. If a party fails to appoint an arbitrator within such a 10 day period, the parties agree that the party who has selected an arbitrator may make application to a judge of the Ontario Superior Court of Justice (the "Court") for the appointment of the second arbitrator; the appointment of the Court of the second arbitrator shall be final and binding. The two arbitrators so appointed shall be within 10 days following their appointment select a third arbitrator, failing which the parties agree to make application to the Court for the appointment of a third arbitrator; the appointment by the Court of the third arbitrator shall be final and binding. The parties agree that the third arbitrator shall chair the arbitration. The arbitration shall be carried out in accordance with the Arbitration Act (Ontario). Any decisions so made by the arbitrators shall be final and binding upon the parties and there shall be no appeal from the decision of the arbitrators. The cost of the arbitration (other than the legal fees and disbursements of each party's legal counsel) shall be borne equally by the parties.
12. This Agreement shall be binding upon the parties hereto, their successors and assigns and time shall be of the essence.
13. This Agreement and the Schedules hereto constitute the entire agreement between the parties pertaining to the subject matter of this Agreement and supersede all prior agreements, understandings, negotiations and discussions, whether oral or written. There are no conditions, warranties, representations or other agreements between the parties in connection with the subject matter of this Agreement, whether oral or written, expressed or implied, statutory or otherwise, except as specifically set out in this Agreement.
14. Nothing in the Agreement shall be deemed in any way or for the purpose to constitute any party, the partner of any other party.
15. No modification, supplement, termination, waiver or amendment to the Agreement may be made unless agreed to by the parties in writing.
16. The rights of either party hereunder shall not be assignable without the prior written consent of the other party, which consent shall not be unreasonably withheld.
17. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals duly attested to by the hands of the proper signing officers in that behalf.

**THE CORPORATION OF THE CITY OF WELLAND**

\_\_\_\_\_  
Frank Campion, Mayor

\_\_\_\_\_  
Carmela Radice, Acting City Clerk

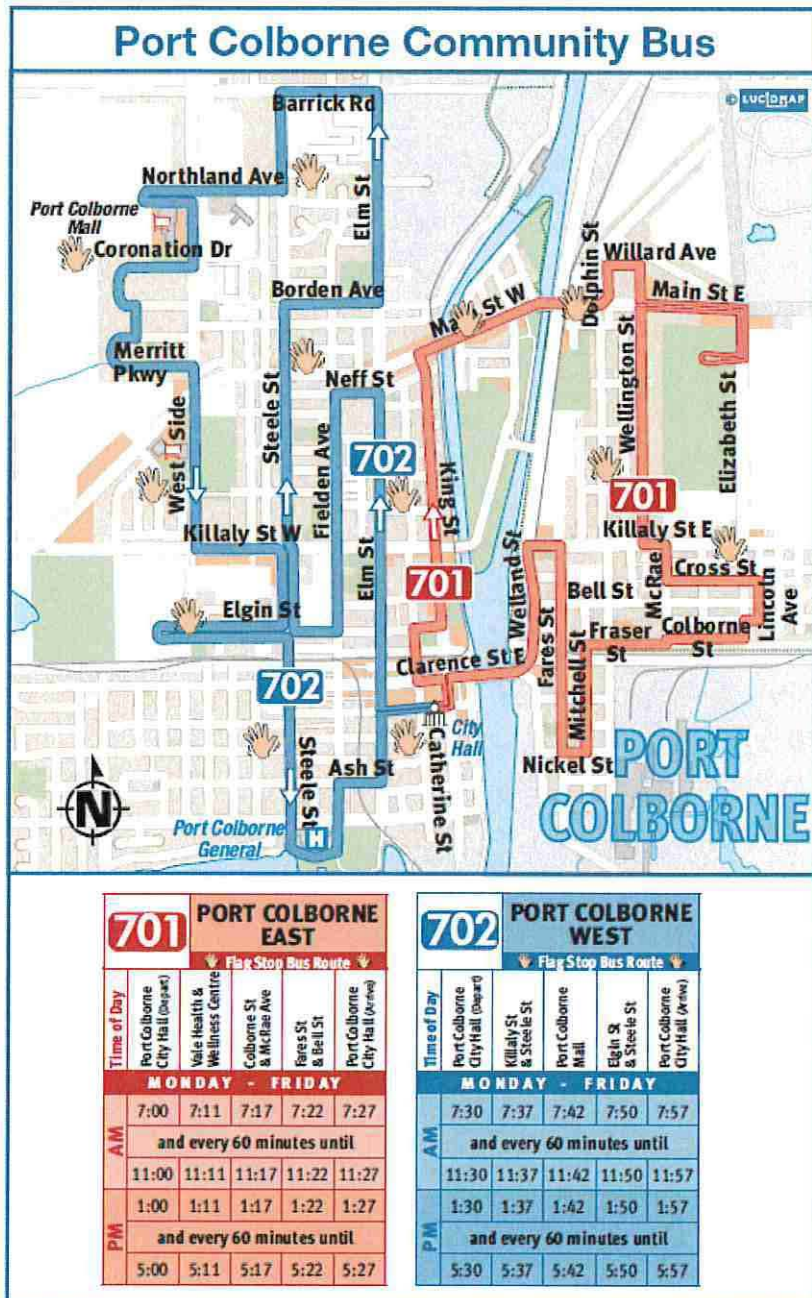
**THE CORPORATION OF THE CITY OF PORT COLBORNE**

\_\_\_\_\_  
John Maloney, Mayor

\_\_\_\_\_  
Amber LaPointe, City Clerk

# Schedule A

## Port Colborne Community Bus Routes & Schedules



Please see City of Port Colborne or Welland Transit web site for fare structure information for Port Colborne Community and Link bus services

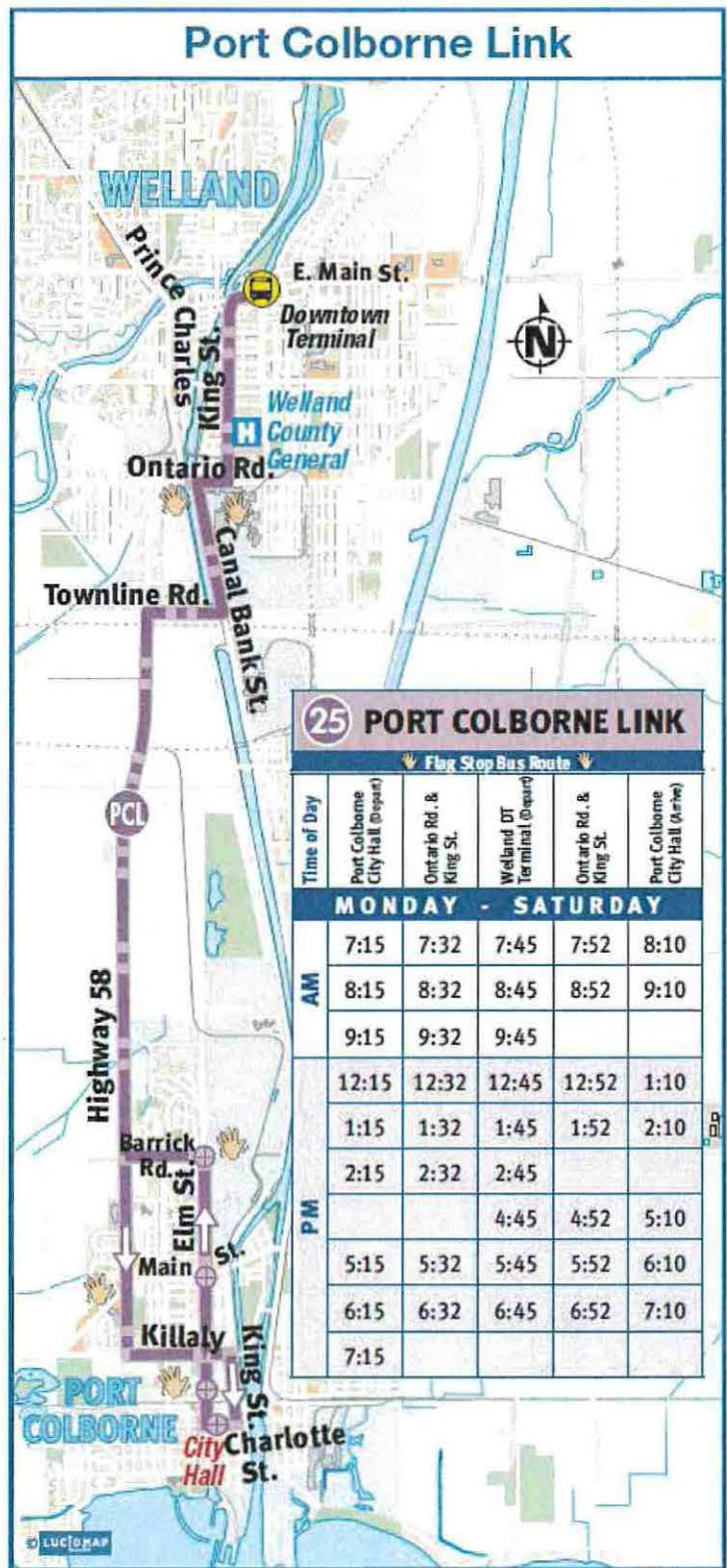


### Flag Stop for Port Colborne only

You can board the bus by waving to the driver as the bus approaches. Look for the waving hand symbol on the maps, which highlights areas where Flag Stop is in effect.

# Schedule A1

## Port Colborne Link Route & Schedule



## Schedule 'B'

### Port Colborne LINK Costing

	P. C. Depart	Well. Arrive	Well Depart	P.C. Arrive
Morning trips	7:15 AM	7:54 AM	7:54 AM	8:20 AM
	8:20 AM	8:59 AM	8:59 AM	9:25 AM
Afternoon trips	12:05 PM	12:44 PM	12:44 PM	1:10 PM
	1:15 PM	1:54 PM	1:54 PM	2:20 PM
Evening trips	5:10 PM	5:49 PM	5:49 PM	6:15 PM
	6:20 PM	6:59 PM	6:59 PM	7:25 PM

April 1st, 2018 to August 31st, 2018

Total hours of service per day - 8 hrs 40 min.

City - 5.78 hrs/day and Region - 2.89 hrs /day

Total service days - 107

Hourly cost of service - \$95.00

Daily cost of service for the City - \$549.10

**Total Cost of Service - \$88,130.55**

(City - \$58,753.70 & Region pays \$29,376.85)

\*\* The City is responsible to bill the Region for assuming the cost of an additional 1.445 hrs/day in sharing 50% of the cost for June to December, 2018. (144 days@1.445 hrs/day@\$95/hr = \$19,768.00)



## Schedule 'B1'

### Port Colborne LINK Costing

	P. C. Depart	Well. Arrive	Well Depart	P.C. Arrive
Morning trips	7:15 AM	7:40 AM	7:45 AM	8:10 AM
	8:15 AM	8:40 AM	8:45 AM	9:10 AM
	9:15 AM	9:40 AM	9:45 AM	

Afternoon trips	12:15 PM	12:40 PM	12:45 PM	1:10 PM
	1:15 PM	1:40 PM	1:45 PM	2:10 PM
	2:15 PM	2:40 PM	2:45 PM	

Evening trips			4:45 PM	5:10 PM
	5:15 PM	5:40 PM	5:45 PM	6:10 PM
	6:15 PM	6:40 PM	6:45 PM	7:10 PM
	7:15 PM**			

\*\* Customers may travel back to Welland to Canal Bank and Ontario St.

#### **September 1st, 2018 to December 31st, 2018**

Total hours of service per day - 8 hrs 40 min.

City - 5.78 hrs/day and Region - 2.89 hrs /day

Total service days - 82

Hourly cost of service - \$95.00\*

Daily cost of service for the City - \$549.10

**Total Cost of Service - \$67,539.30**

(City - \$45,026.20 & Region - \$22,513.10)

#### **January 1st, 2019 to March 31st, 2019**

Total hours of service per day - 9 hrs 15 min.

City - 4.625 hrs/day and Region - 4.625 hrs /day

Total service days - 62

Hourly cost of service - \$95.00\*

Daily cost of service for the City - \$439.38

**Total Cost of Service - \$54,483.12**

(City - \$27,241.56 & Region - \$27,241.56)

\* This hourly rate shall change if Region of Niagara assumes payment of the service.

## Schedule 'B2'

### Port Colborne Community Costing

<b>701</b>		<b>PORT COLBORNE EAST</b>				
		👉 Flag Stop Bus Route 👈				
Time of Day	Port Colborne City Hall (Depart)	Vale Health & Wellness Centre	Colborne St & McRae Ave	Fares St & Bell St	Port Colborne City Hall (Arrive)	
<b>MONDAY - FRIDAY</b>						
<b>AM</b>	7:00	7:11	7:17	7:22	7:27	
	<b>and every 60 minutes until</b>					
	11:00	11:11	11:17	11:22	11:27	
<b>PM</b>	1:00	1:11	1:17	1:22	1:27	
	<b>and every 60 minutes until</b>					
	5:00	5:11	5:17	5:22	5:27	

<b>702</b>		<b>PORT COLBORNE WEST</b>				
		👉 Flag Stop Bus Route 👈				
Time of Day	Port Colborne City Hall (Depart)	Killaly St & Steele St	Port Colborne Mall	Elgin St & Steele St	Port Colborne City Hall (Arrive)	
<b>MONDAY - FRIDAY</b>						
<b>AM</b>	7:30	7:37	7:42	7:50	7:57	
	<b>and every 60 minutes until</b>					
	11:30	11:37	11:42	11:50	11:57	
<b>PM</b>	1:30	1:37	1:42	1:50	1:57	
	<b>and every 60 minutes until</b>					
	5:30	5:37	5:42	5:50	5:57	

The Port Colborne Community East and West Routes constitute the following hours and subsequent costing;

Hours of Service: 11.33 hrs per day (including 'Travel Time' paid to Bus Operators)

Days of Service: 250 days per year (Mon. to Fri. less 10 statutory holidays)

Hourly Cost of Service: \$95.00 per hour

**Total Annual Cost of Service: \$269,087.50**

Daily cost of service for the City - \$1,076.35

## **Schedule 'C'**

### **Fuel Reconciliation Clause**

Before the execution of the Agreement, the parties shall agree on a price/litre for diesel fuel, which shall be known as the 'Base Rate.' The Base Rate will be calculated based on the average price of diesel fuel/litre over the previous year, plus ten (10) percent.

At the end of each year of the Agreement or portion thereof, WT shall calculate the average diesel fuel price/litre for that term, which shall be known as the 'Average Rate.'

The Base Rate shall then be subtracted from the Average rate and multiplied by the number of litres of diesel fuel consumed during the execution of this Agreement.

### **Example:**

Base rate - (Avg. price of fuel for previous year was \$1.20/litre + 10%)	\$1.32/litre
Average Rate (Surcharge) - (Annual Fuel Expense / litres consumed)	\$1.36/litre
Average Rate (Rebate) - (Annual Fuel Expense / litres consumed)	\$1.28/litre
Total litres of diesel fuel consumed during term of Agreement	20,000 litres

### **Fuel Surcharge Fee**

Litres Used X (Average Rate – Base Rate)

$$20,000 \times (\$1.36 - \$1.32) = \$800.00$$

### **Fuel Rebate Fee**

Litres Used X (Average Rate – Base Rate)

$$20,000 \times (\$1.28 - \$1.32) = (\$800.00)$$

The parties further agree that any Fuel Surcharge or Rebate Fee, if applicable, shall be paid to the benefiting party within two (2) months of completing the Fuel Reconciliation calculations.

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**Corporate Services Department  
Finance Division**

**Report Number: 2018-147**

**Date: November 13, 2018**

**SUBJECT: Cancellation, Reduction or Refund of Realty Tax**

**1) PURPOSE**

The purpose of this report is to seek approval of Council in order to cancel, reduce or refund realty tax of the applicant in accordance with the recommendations of the Municipal Property Assessment Corporation (MPAC) Assessor.

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

Under section 357/358 of the *Municipal Act, 2001*, as amended, an application to Council may be made by the taxpayer for the cancellation, reduction or refund of tax levied in the current and previous year for specific purposes. In some cases, a review may increase the property assessment and increase a property's tax levied.

Once an application is received from a taxpayer under Section 357/358 and processed by staff, the application is forwarded to MPAC for a revised assessment recommendation. These applications are then returned to the municipality for staff to calculate the amount of cancellation or adjustment of taxes.

Section 357 Application Numbers 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) were received and are in the Treasurer's possession.

**3) STAFF COMMENTS AND DISCUSSIONS**

The attached summary report has been prepared encompassing the applications received to date and to submit such report to the Committee of Council for approval.

Staff recommends Council approval of the recommendation of the MPAC assessor for the Section 357 applications. It is a rarity that the taxpayer challenges any recommendation, however, if such did occur, staff would request MPAC to attend the committee meeting to defend or amend the recommendation. Staff have received no objections from the taxpayers.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

Application Numbers 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) under Section 357/358 have been received and require Council's approval. The total amount of reduction or cancellation of taxes is \$2,796.15, of which \$909.13 is the municipal portion.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not applicable.

**6) ATTACHMENTS**

Schedule 1. Calculation of adjustments based on the Assessor's reports and comments.

**7) RECOMMENDATION**

That the applications pursuant to Section 357/358 of the *Municipal Act, 2001*, as amended, 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) be approved to cancel or reduce taxes in the total amount of \$2,796.15.

**8) SIGNATURES**

Prepared on Oct 24, 2018 by:



Andrea Hawkins  
Tax Clerk

Reviewed by:



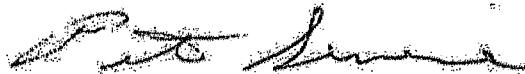
Stephen Corr  
Manager of Revenue & Taxation

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

Reviewed by:



Peter Senese  
Director of Corporate Services



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Report Number: 2018-149

Date: November 13, 2018

**SUBJECT: Tendering for Project 2018-03, Water Meter & Meter Chamber Installations (Two Locations)**

**1) PURPOSE:**

This report was prepared by Brian Kostuk under the authorization of Chris Lee, Director of Engineering and Operations. The purpose of this report is to inform Council of the outcome of the tender proceedings for the installation of two water meters, including precast concrete meter chambers, and to obtain approval from Council to award the contract to the lowest bidder.

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

Over the years, staff have provided various reports to Council detailing efforts to find and address the source(s) of higher than average unaccounted for water volumes in the Port Colborne Distribution System. One source of unaccounted for water that was identified in a Water Loss Investigation report, prepared by Amec Earth and Environmental Inc. in 2008 (contract approved by Council in Engineering and Operations Report 2008-3), was the use of unmetered fire service lines on private property. Historically, it was presumed that fire service lines, which supply water to private hydrants, sprinkler systems, and standpipe systems, were used solely for fire protection/suppression purposes, and therefore these lines were not metered, as there would be no consumption.

However, short-term investigations of several unmetered fire service lines by Amec in 2008 identified that some of the City's customers with unmetered fire services appeared to be using more water than they were being billed for. Amec recommended that the City consider either installing fire service meters at these locations, or conducting further monitoring of these fire services to verify the consultant's findings. Staff decided that it would be prudent to verify the consultants' findings and did so in 2014, confirming that there was sufficient unmetered usage to justify the cost of installing fire service meters on existing unmetered fire service lines.

While some usage of private hydrants is expected (i.e., to conduct periodic fire flow tests or for fire suppression purposes), it is unknown why there would be consistent usage from private fire systems. It is possible that private hydrants could be used for non-fire purposes such as washing equipment or supplementing process water, or they could potentially be leaking underground. It is even possible that the unmetered fire service, rather than the domestic service, was inadvertently tapped and connected to by unknowing contractors and/or personnel to supply water to parts of a building.

Beginning in 2014, recognizing that water usage from private fire service lines does occur, the City's Director of Engineering and Operations directed that all new fire service line installations, that would service one or more private hydrants, would require the building permit applicant to purchase and install a fire service meter at the property line. This was

to ensure that any usage of the fire service line would be metered and the customer would be billed for the water that passed through the meter. To date, two applicants have been required under this process to install fire service meters at the property line.

Aware of the difficulty of requesting property owners with existing private fire systems purchase and install fire service meters when they were not required to do so on their original building permits, staff requested capital funding in 2015 and 2016 to install fire service meters at various industrial facilities. Recognizing that the cost of installing a fire service meter on existing fire services is likely to be recouped in a relatively short timeframe, Council approved that funding. In 2017, as part of Project 2016-16, Elm Street Watermain Replacement, a fire service meter was installed at the Region's Seaway Pollution Control Plant.

To further ensure that any water usage from existing unmetered fire service lines is captured, tender 2018-03, Water Meter & Meter Chamber Installations (Two Locations), was issued in September, 2018. By approving the tender results, Council will ensure that any consumption from two additional fire service lines will be metered. Based on previous field studies, it is anticipated the revenue generated from the new meters will cover the costs of the installations over a relatively short period of time.

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

The documents prepared by staff for this contract called for:

- Installation of two City-supplied water meters, supply and installation of two precast concrete meter chambers, and all piping and appurtenances required, at 1555 Elm Street and 55 Invertose Drive.
- Live-tapping the existing water services to minimize disruption to the operation of the businesses located on the affected properties.
- Installation of a gravel access driveway at one location, including extending an existing culvert to pass underneath.
- Re-instatement of any areas disturbed during construction.

This project has the potential to extend into 2019, pending restrictions that may result from weather conditions.

During the tender process, a total of four (4) contractors took out documents. At the time of tender closing, one (1) contractor submitted pricing. The results of that tender opening are listed below. The entire tender process and opening proceedings adhered to policies and past practices as previously adopted and endorsed by Council.

#### **PRICES AS QUOTED for Project 2018-03, Water Meter & Meter Chamber Installations (Two Locations)**

1) V. Gibbons Contracting Ltd.	\$210,423.50
--------------------------------	--------------

The tender document submitted by V. Gibbons Contracting Ltd. of Stevensville, Ontario, was found to be complete in all aspects with regard to specifications, details, and format.

The tendered amount, excluding applicable taxes, totals \$210,423.50. In addition, \$3,703.45 for the non-rebated portion of H.S.T. must be added. This results in a total expected cost of \$214,126.95. The 2018 Water Capital Budget currently has a balance of funds totalling \$174,459.00. It is recommended that council approve the additional \$39,667.95 required to complete the project.

V. Gibbons Contracting Ltd. has carried out previous works of this nature within the City of Port Colborne and has been a contractor for several other municipalities within the Region. Their most recent project with the City of Port Colborne included the 2016 Frozen Water Service Replacements project.

It is the recommendation of staff that Council accept the lowest priced tender as submitted by V. Gibbons Contracting Ltd. and award to them Project 2018-03, Water Meter & Meter Chamber Installations (Two Locations). This will allow the City to enter into an agreement with V. Gibbons Contracting Ltd. and to initiate construction as soon as scheduling allows.

**Chief Administrative Officer's Comments:**

Because only three of the City's nine Council Members have been elected to the 2019-2022 term of Council, the current Council is in a lame duck position. This means that Council cannot commit to an unbudgeted expenditure greater than \$50,000. This provision does not apply to this contract, however, due to the fact that the amount has been budgeted in previous water budgets. This report only seeks to secure additional funding of \$39,667.95 – an amount less than the \$50,000 limit.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing.**

If council decides not to award the contract, the City would continue to lose revenue to unmetered water usage. This option is not recommended.

**b) Separate the two installations.**

Staff could try to re-negotiate the tender with V. Gibbons Contracting Ltd. to install only one of the water meters and push the second installation to a further date when additional funding is available. This could potentially cost the City more in total as some of the materials and labour are currently priced as a complete package and could increase in price if separated. This could also cause V. Gibbons Contracting Ltd. to pull out of the project if scheduling becomes an issue. Additionally, it is currently unknown if these two sites have internally connected their water services. If so, and the City proceeds with installing only one meter, it could provide false readings. This option is also not recommended.

**c) Award the contract.**

If the tender is accepted, the water meters and chambers can be installed as planned and revenue can begin to be collected for all usage of City-supplied water. This is the

recommended option.

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

N/A

**6) ATTACHMENTS:**

None.

**7) RECOMMENDATION:**

That Project 2018-03, Water Meter & Meter Chamber Installations (Two Locations), be awarded to V. Gibbons Contracting Ltd. of Stevensville, Ontario for the total tendered contract price of \$210,423.50 plus applicable taxes.


That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared.

That funding for Project 2018-03 be financed under the 2018 Water Capital Budget.

**8) SIGNATURES:**

Prepared on October 31, 2018, by:

Reviewed by:

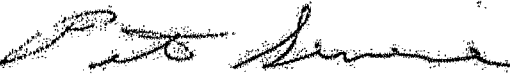


Brian Kostuk, C.Tech.  
Design Technologist

Chris Lee  
Director of Engineering and Operations

Reviewed by:

Reviewed and respectfully submitted by:



Peter Senese  
Director of Corporate Services

Scott Luey  
Chief Administrative Officer



Report Number: 2018-145

Date: November 13, 2018

**SUBJECT: Annual Lighted Santa Claus Parade - Road Closures and Parking Restrictions**

**1) PURPOSE:**

The purpose of this report is to recommend road closures and parking restrictions for the management and control of vehicular traffic for the purposes of the Annual Lighted Santa Claus Parade (the "Parade"). Road closures and parking restrictions will facilitate Parade movement, help manage traffic, and will allow for the safe passage of pedestrians throughout the event area.

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

The Annual Lighted Santa Claus Parade takes place on the first Saturday in December each year. This year, the Parade will take place on Saturday, December 1, 2018 beginning at 6:30 p.m., with staging to begin at 4:00 p.m.

The parade is a significant community event, being one of the only night parades in the Niagara Region, that attracts visitors from across the Region and beyond. The parade will begin at Port Colborne High School and finish at the Market Square parking lot, directly across from City Hall.

**3) STAFF COMMENTS AND DISCUSSIONS**

In order to facilitate this year's parade, staff recommend temporary road closures and parking restrictions on Saturday, December 1, 2018 from 4:00 p.m. until 7:00 p.m., for the purpose of staging parade floats, as follows:

- Fielden Avenue, from the southern limit of Killaly Street, to the southern limit of Elgin Street;
- Elgin Street, from the eastern limit of Steele Street, to the western limit of Elm Street; and
- Fielden Avenue, at the western limit of Delhi Street.

This request will provide parade marshals a safe and orderly area for parade floats to assemble prior to the start of the parade at approximately 6:30 p.m.

In addition, staff recommend the following areas be closed to street parking on Saturday, December 1, 2018 from 4:00 p.m. until 9:00 p.m., in order to provide for safe viewing areas from boulevards/sidewalks, and to ensure floats can move freely throughout the route and disperse at the end, as follows:

- Clarence Street, from the western limit of Steele Street, to the eastern limit of West Street;
- West Street, from the northern limit of Clarence Street, to the southern limit of

- Charlotte Street; and
- Charlotte Street, from the western limit of Elm Street, to the eastern limit of West Street.

The City's Operations Division will block off all parking stalls and provide waste receptacles along the parade route.

Further, staff recommend temporary (barricaded) road closures to restrict vehicular traffic at intersections throughout the route, as follows:

- North and west intersections of Steele Street and Elgin Street;
- East intersection of Steele Street at Carter Street;
- East intersection of Steele Street at Park Street;
- East intersection of Steele Street at Tugboat Lane;
- West and south intersections of Steele Street and Clarence Street;
- North and south intersections of Fielden Avenue at Clarence Street;
- North and south intersections of Elm Street at Clarence Street;
- North and south intersections of Catharine Street at Clarence Street;
- North and south intersections of King Street at Clarence Street;
- North and east intersections of West Street at Clarence Street;
- South intersection of West Street at Charlotte Street;
- North and south intersections of King Street at Charlotte Street; and
- East and north intersections of Charlotte Street and Catharine Street

The parade route is attached as Appendix "A". Road closures and parking restrictions are applicable to ambulance, police and/or fire services vehicles or any other vehicles required in the case of an emergency, which may include public works and public utility vehicles or vehicles authorized by permit only.

Prior to the commencement of the parade, the City's roads crew will begin to close the above intersections with barricades starting at the high school. Once all intersections are closed, the parade will commence.

In order to facilitate the parade along West Street, closure of Bridge 21 will be required. Staff will communicate with the St. Lawrence Seaway Management Corporation Traffic Control Centre Supervisor, and provide the necessary details for the bridge closure.

The parade is scheduled to begin at 6:30 p.m., leaving Port Colborne High School on Elgin Street at Steele Street and continuing south on Steele Street. The parade will then turn left onto Clarence Street, travel east to West Street, then turn right onto West Street and then south to Charlotte Street. The parade will then turn right onto Charlotte Street and continue to travel west to Catharine Street where the parade entries will disperse.

Traffic will be regulated with the assistance of Niagara Regional Police traffic services as a rolling closure, and once the last parade float followed by the police escort has passed, each temporary barricade will be removed by the City's roads crew. A media notice will be prepared and distributed notifying the community of the closures.

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

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

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

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

Council may provide alternative direction regarding the parade and/or road closures and parking restrictions. This option is not recommended.

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

The Community and Economic Development Department is currently in the process of exploring methods in which to collect and analyze data to assist in measuring the impact that events, sports and recreation activities have on the City's economy and tourism. Once this information is available, it will be included in future reports presented to Council. Although this data and analysis is not yet available, it is reasonable to expect the event will have some positive impact on the participating businesses and surrounding area.

#### **6) ATTACHMENTS**

Appendix "A" – Annual Lighted Santa Claus Parade Route Map

#### **7) RECOMMENDATION**

1. That the road closures necessary for the Annual Lighted Santa Claus Parade event on Saturday, December 1, 2018, as outlined in Community and Economic Development, Report 2018-145, be approved;
2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging:
  - Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and
  - Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and
  - Fielden Avenue, at the western limit of Delhi Street.
3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging and to provide for a safe viewing area of the parade:
  - Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;
  - West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and
  - Charlotte Street, from the western limit of Elm Street to the eastern limit of West

Street.

4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 1, 2018, to restrict through traffic onto the parade route:
  - North and west intersections of Steele Street and Elgin Street;
  - East intersection of Steele Street at Carter Street;
  - East intersection of Steele Street at Park Street;
  - East intersection of Steele Street at Tugboat Lane;
  - West and south intersections of Steel Street and Clarence Street;
  - North and south intersections of Fielden Avenue at Clarence Street;
  - North and south intersections of Elm Street at Clarence Street;
  - North and south intersections of Catharine Street at Clarence Street;
  - North and south intersections of King Street at Clarence Street;
  - North and east intersections of West Street at Clarence Street;
  - South intersection of West Street at Charlotte Street;
  - North and south intersections of King Street at Charlotte Street; and
  - East and north intersections of Charlotte Street and Catharine Street.
5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;
6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the Parade route.

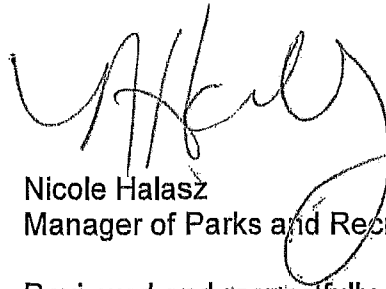
8) **SIGNATURES**

Prepared on October 11, 2018 by:



Luke Rowe,  
Event Coordinator

Reviewed by:



Nicole Halasz  
Manager of Parks and Recreation

Reviewed by:



Ashley Grigg  
Director of Community and Economic  
Development

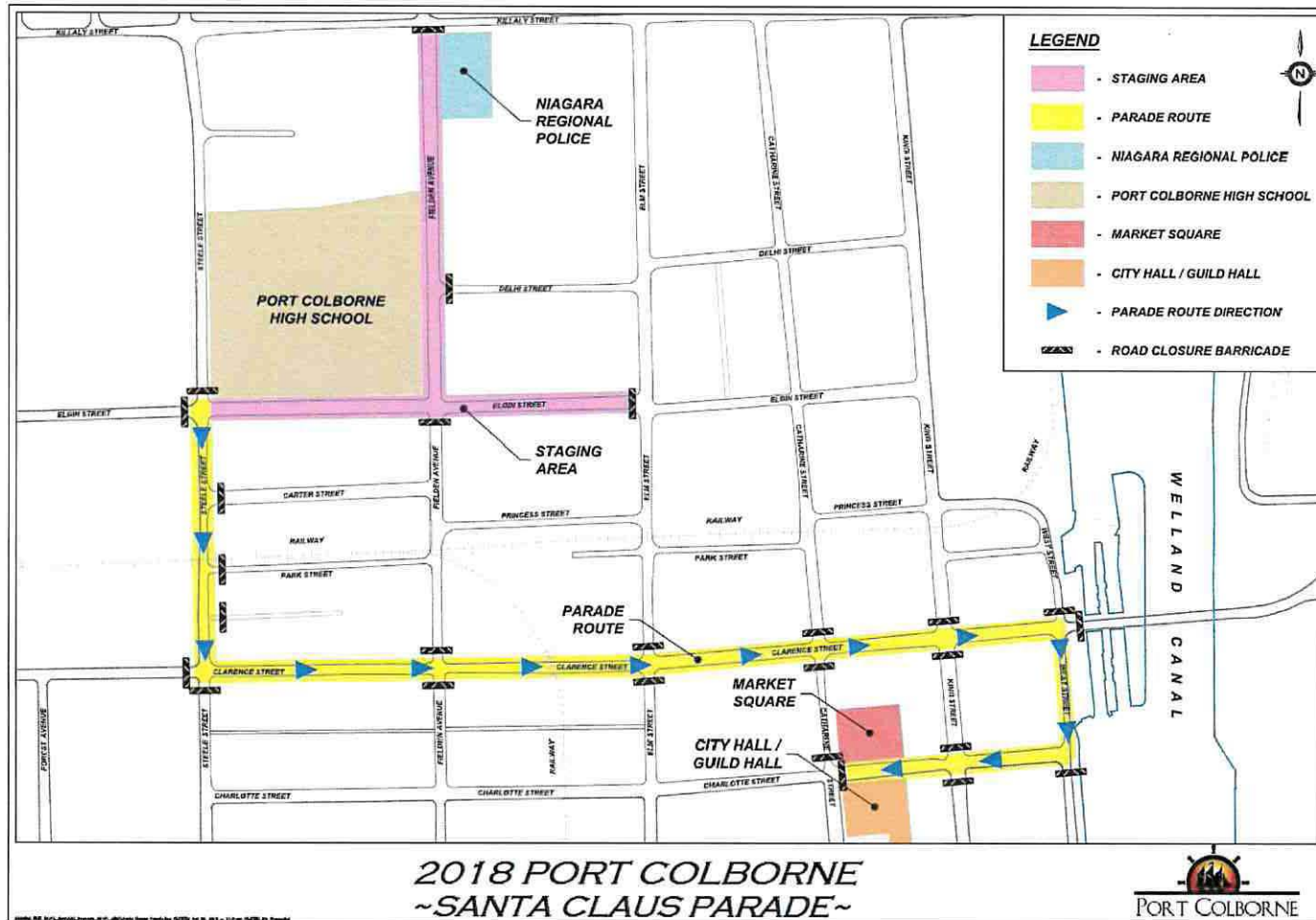
Reviewed and respectfully submitted by:



C. Scott Luey,  
Chief Administrative Officer



## Appendix "A" to Community and Economic Development, Parks and Recreation Division Report 2018-145



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Report Number: 2018-143

Date: November 13, 2018

**SUBJECT: Accessible Parking – Charlotte Street**

**1) PURPOSE**

This report was prepared by Sherry Hanson, Supervisor, By-law Enforcement Division under the direction of Dan Aquilina, Director of Planning and Development. The purpose of this report is to review the parking request from Larry Boggio for the temporary medical offices erected during construction of a new facility.

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

Mr. Boggio requested erecting additional accessible stalls and to revamp the parking in the area, as a temporary building is now blocking the driveway access. By-law 4310/146/02 being “A By-law prescribing on and off-street parking for persons with disabilities with the City of Port Colborne”, Schedule “I” sets out and establishes designated parking spaces on streets and highways.

**3) STAFF COMMENTS AND DISCUSSIONS**

The location of accessible parking spaces, should be located on a hard and level surface at or near an entrance. This property is located on the north side of Charlotte Street, west of Catharine Street. The request is to install additional parking spaces and an accessible parking space on Charlotte Street as space would allow. The parking area in front has one (1) accessible parking stall and 2 hour parking surrounding this area.

Accessibility Advisory Committee comments:

At its July 10, 2018 meeting, the Accessibility Advisory Committee recommended to Council that an on-street accessible parking space be added outside of 97 Charlotte Street.

Staff should ensure that the additional parking space adheres to the Integrated Accessible Standard Regulations of the Ontarians with Disabilities Act, 2005, S.O. 2005, c.11.

Engineering Division comments:

The Engineering and Operations has no objection to the creation of an accessible parking stall at this location. A curb cut, sign, post and stall painting will be required and the Engineering and Operational Services will arrange upon approval.

By-law Enforcement Division comments:

The By-law Enforcement Division will reevaluate the on-street parking upon the completion of this construction project to ensure parking stalls do not block any proposed driveway curb cuts.



**4) OPTIONS AND FINANCIAL CONSIDERATIONS**

One (1) sign indicating an accessible parking space will need to be installed as well as marking out and painting the stalls and the accessible parking permit symbol. Further, the area would require relining of the parking stalls.

**a) Do Nothing**

This option would deny the request and the spaces would not be designated.

**b) Other Options**

None.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

This section is currently not applicable.

**6) ATTACHMENTS**

Attachment 'A' – Letter from Boggio Family of Pharmacies

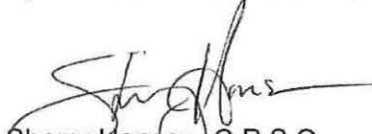
**7) RECOMMENDATION**

That By-law 4310/146/02, being a by-law to regulate on and off street parking for persons with disabilities, be further amended by adding to Schedule "I" the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
Charlotte St	North	55m west of Catharine St.	5.5m west therefrom	Anytime

**8) SIGNATURES**

Prepared on November 10, 2017 by:



Sherry Hanson, C.P.S.O.  
Supervisor, By-law Enforcement Division

Reviewed by:



Dan Aquilina, MCIP, RPP, CPT  
Director of Planning and Development

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

Reviewed by:



Chris Lee  
Director of Engineering and Operations



Boggio Investments · 200 Catharine St. · Port Colborne · ON · 905-834-3514

July 12, 2018



RE: 97 & 103/105 Charlotte St.  
Street Parking

To Whom It May Concern:

We would like to have more parking spaces in front of the two doctor's offices on Charlotte St. The temporary Doctor's Office in the trailer will be there for at least another 16 months.

There is currently 1 wheelchair parking space and 1 general space that the paint is very faint in front of 97 Charlotte. We would like to have a total of 3 spaces in front of 103/105 Charlotte. There are laneways there not but can not be accessed and will be removed once construction is completed. With limited parking available it would be very beneficial to patients if we could have more parking spaced properly marked on the street.

I have included pictures so that you can see where we would like the new parking spaces.

Thank you,

A handwritten signature in blue ink that reads 'Larry Boggio'. The signature is written in a cursive style with a long, sweeping flourish extending from the end of the name.

Larry Boggio



Planning and Development Department  
Planning Division

DEFERRED.  
~~APPROVED BY~~  
COUNCIL

Report Number: 2018-138

Date: October 9, 2018

OCT 09 2018

**SUBJECT: Site Alteration Permit - Port Colborne Quarries**

CITY CLERK  
CITY OF PORT COLBORNE

**1) PURPOSE:**

The purpose of the report is to seek Council's consideration of a Site Alteration Permit received from Port Colborne Quarries (PCQ).

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

At an April 26, 2010 meeting, Council directed staff to prepare a Site Alteration By-law for consideration after concerns were expressed by several residents about the placement of fill onto a vacant lot on the northeast corner of Highway 58 and Barrick Road.

On July 28, 2010, Council approved a Site Alteration By-law 5528/125/10 through Planning and Development Report No. 2010-62. The by-law prohibits and regulates: "the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land within the city of Port Colborne".

On July 23, 2017, an application was submitted by PCQ for the placement of approved Ministry of the Environment, Conservation, and Parks (MOECP) Table 1 clean inert fill in Pit 1 to bring the property to original grade. Their application was accompanied by a "Planning Report-Site Alteration Permit" prepared by IBI Group (attached as Appendix A)

The placement of fill in Pit 1 is not specifically mentioned in a 1982 Site Plan Agreement as a form of rehabilitation. Clause 23 of the agreement states as follows:

*"The Quarries agree to the undertaking and maintenance of a rehabilitation program compatible to the program contemplated in clause 14 of this agreement for that area west of Snider Road, being part of Lots 23 and 24, Concession 2".*

Clause 14 states:

*"The Quarries has as a condition of licensing pursuant to the Pits and Quarries Control Act, agreed to undertake and maintain a rehabilitation program comprising a passive recreational lake which would only be used by sail boats, canoes and row boats. The Quarries, however, reserve the right to change the type of rehabilitation program subject to concurrence by both the Ministry of Natural Resources and the City of Port Colborne and the resultant amending of this Agreement."*

The 1982 agreement makes no mention of timelines by which this is supposed to be completed, nor does the agreement specify what a rehabilitation program compatible to a "passive recreational lake" is.

### 3) STAFF COMMENTS AND DISCUSSIONS

PCQ would like approval to be able to place clean fill in Pit 1 for a period up to 20 years using their current access at Ramey Road. The by-law only grants approval for six months and may be extended, however, a 20-year period was not intended for extensions which is why staff is requesting Council's consideration.

As confirmed by legal counsel, Paragraph 14 references rehabilitation as a condition of licensing, not as a Site Plan Agreement condition. The paragraph also permits PCQ to change the type of rehabilitation program with the consent of the Ministry and the City.

As Pit 1 was not licensed, the City has no authority to require a particular form of rehabilitation for this pit nor does the Site Plan Agreement require an amendment.

The Ministry of Natural Resources has identified an Earth Science Area (ANSI) along the quarry wall which is identified in the Official Plan. The ANSI represents a 12.1 m section of Bertie Formation dolostones. The contact between the Devonian and Silurian is exposed in the form 0.6 to 1 m relief erosional surface which occurs 2-3 m below the top of the western quarry face.

PCQ was made aware that this feature can't be backfilled. PCQ will work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of an educational/public access and is recommended as a condition of approval.

The final consideration for Council is determination of the applicable fee as there is no existing fee in the by-law that covers the application.

The following are the existing Site Alteration Fees:

1. Basic Fee for affected land area of 1 hectare for a 6 month permit	\$100.00
2. Additional fee per hectare or fraction thereof over one hectare	\$20.00/ha
3. Maximum fee for a 6 month permit	\$1,000.00
Example: 15 ha = \$100 + (\$20 x 14ha) = \$380.00	
Note: Fees include inspection of control plans and site by City staff	
4. Permit Extension Fee – fee per hectare	\$20.00/ha
Example: same 15 ha site = (\$20.00 x 15 ha) = \$300.00	

Pit 1 is approximately 67 hectares in size. Using the above chart, a \$1,320 fee (\$100 for 1 hectare + 66 hectares x \$20 = \$1,320) is recommended for a 20-year permit.

For Council's information, applications submitted by PCQ for Official Plan and Zoning By-law amendment (files D14-05-16 & D09-01-16) for Pits 1 and 2 for future land use have not yet been submitted for consideration. City and Regional planning staff have continued discussions with PCQ about a policy, land use and a secondary planning basis. Once matters have been satisfactorily addressed, a report will be submitted for Council's consideration.



**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing.**

Council could decide to not grant approval of the Site Alteration Permit.

**Other Options**

Council can make the approval conditional on other reasonable matters or change the permit fee to a different amount.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A

**6) ATTACHMENTS**

Appendix A - Planning Report - Site Alteration Permit

**7) RECOMMENDATION**

That a Site Alteration Permit be approved for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:

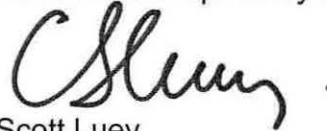
- i) That the Ministry of Natural Resources consents to change the type of rehabilitation program.
- ii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.
- iii) That a Site Alteration Permit fee of \$1,320 be submitted to the Department of Planning and Development.

Prepared on September 28, 2018 by:



Dan Aquilina, MCIP, RPP, CPT  
Director of Planning and Development

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

FINAL

# Planning Report – Site Alteration Permit Port Colborne Quarries Inc.

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1937 2<sup>nd</sup> Concession Road, Port Colborne, ON



Prepared for Port Colborne Quarries Inc.  
by IBI Group  
July 24, 2018

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# 1 Introduction

The following Report has been prepared to support an application for a Site Alteration Permit for lands owned by Port Colborne Quarries Inc. (PCQ) to implement a staged clean fill program requiring the importation of clean inert fill. The following approval is required:

- Site Alteration Permit from the City of Port Colborne, pursuant to By-Law No. 5528/125/10 being a By-Law to *prohibit or regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land within the City of Port Colborne.*

The subject lands are part of a series of quarries owned by PCQ, known as Pit 1, Pit 2 and Pit 3. The properties are located in the central portion of the municipality, just outside and to the northeast of the existing built-up area, near the intersection of Highway 140 and Highway 3. The subject site, referred to by PCQ as Pit 1, is approximately 67 hectares (166 acres) in size and is currently used as an aggregate processing facility to support the quarrying activity taking place in Pit 2 and 3. The subject lands are a former, unlicensed extraction site and represent an open pit landscape whereas Pits 2 and 3 are regulated under the Aggregate Resources Act (ARA) - Licence 4444. Backfilling has occurred in Pit 1 for side-slope stabilization using imported material.

The legal description of the subject site is Part Lots 23 and 24, Concession 2 (Former Township of Humberstone), City of Port Colborne, Regional Municipality of Niagara.

The purpose of this application is to permit the importation of clean inert fill that meets Ministry of Environment (MOE) *Table 1 Standards for soil, ground water and sediment under Part XV.1 of the Environmental Protection Act*, so that the site may be returned to original grade and ultimately re-zoned for mixed-use industrial development.

## 1.1 History

According to PCQ staff, quarrying initially began on the subject lands sometime between 1954 and 1955 under the ownership of the Grey Nuns. Shortly thereafter, the lands were purchased by Canada Steamship Lines and under their ownership, the level of quarrying activity escalated. It is believed that during the peak production years, the quarry had as many as 60 employees with an annual production in the range of 2 million tonnes. By 1971 when the provincial Pits and Quarries Control Act (P&QCA) came into effect, the site was completely exhausted of its' aggregate reserves and consequently, the site did not get licensed under the aforementioned Act. As such, the Pit 1 reserves were fully extracted in a span 16 years.

Because the subject lands were never licensed under either the P&QCA or the ARA, Pit 1 does not have any stipulated progressive and/or final rehabilitation requirements.

## 1.2 Purpose of Planning Report

It is the intent of PCQ to import a sufficient amount of backfill material to Pit 1 in order to bring the lands back to their pre-extraction grade, with a vision they be repurposed in the long-term as a mixed-use industrial development. Based on this, the purpose of this report is to provide the City of Port Colborne with the necessary information to evaluate and approve the issuance of a Site Alteration Permit.

## 1.3 Regulatory Context

A Site Plan Agreement, dated February 4, 1982 was signed between the City of Port Colborne (City) and PCQ to regulate quarrying activity associated with Pits 2 and 3 and that Agreement was registered on title as Instrument No. RO385360. Subsequently, PCQ prepared formal Site Plans that addressed all the issues contained in the Agreement as well as the prescribed requirements of the Aggregate Resources Act (ARA 1991). Those plans were ultimately approved by the Ministry of Natural Resources (MNR) as Licence 4444 on January 15, 2007.

Most recently, PCQ has received a legal opinion which concluded that, through the legislative authority held by MNRF, the Minister retains sole authority to licence and enforce all lands designated in the Province as it relates to aggregate extraction, and therefore, the aforementioned Agreement was probably never enforceable and currently is inoperative based on Section 66.1 of the Aggregate Resources Act.

## 2 Existing Conditions

### 2.1 Location

The subject site is bound by 2<sup>nd</sup> Concession Road to the north, Snider Road to the east, Highway 3 to the south and Highway 140 to the west. The northwest corner of the property is traversed by the Chippawa Road right-of-way resulting in a triangular shaped parcel that is independent of the subject application and not owned by Port Colborne Quarries Inc. The site is accessed from Ramey Road which is off of 2<sup>nd</sup> Concession Road. Refer to Figure 1 – Site Location Map.

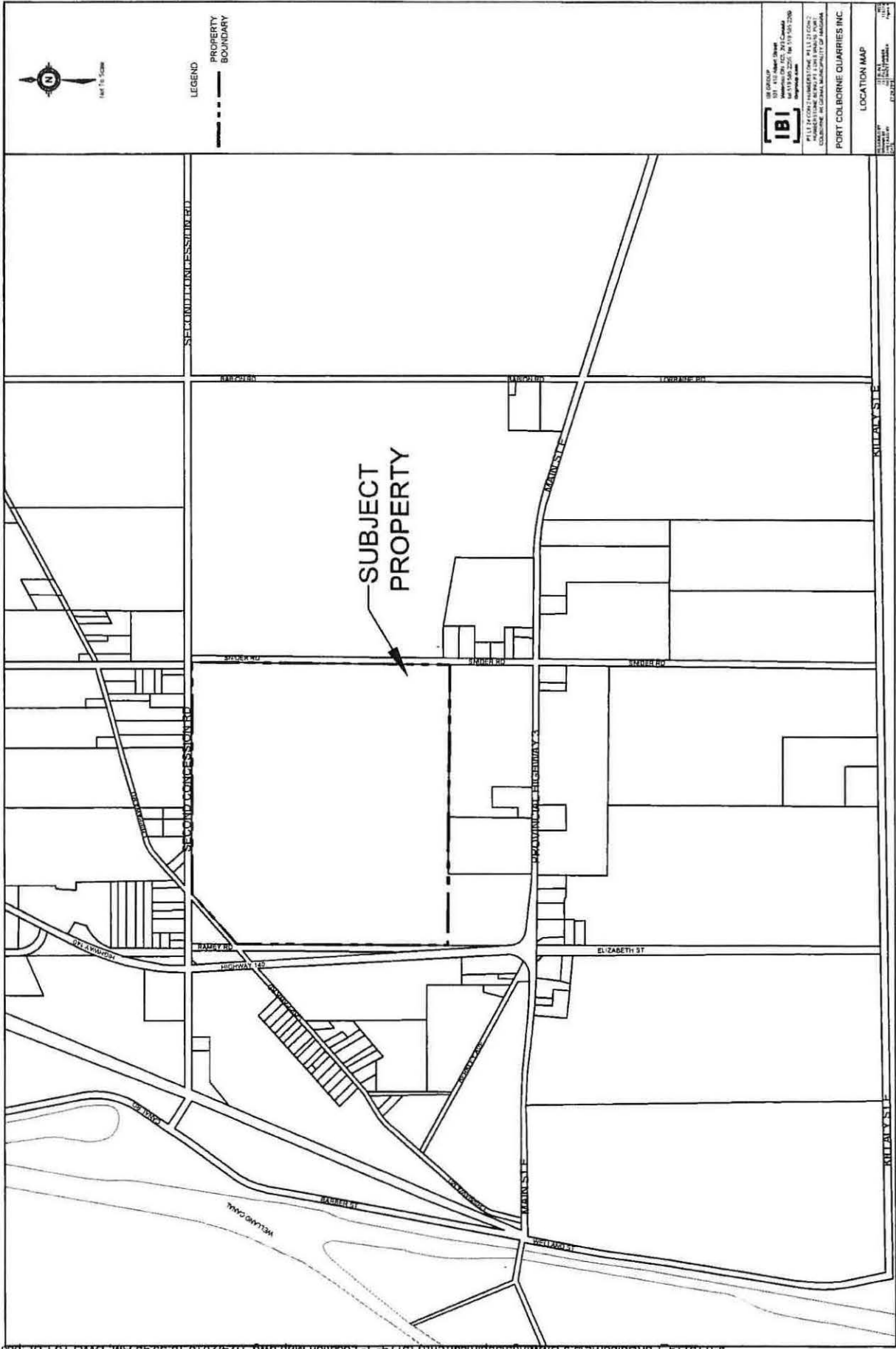
### 2.2 Existing Uses

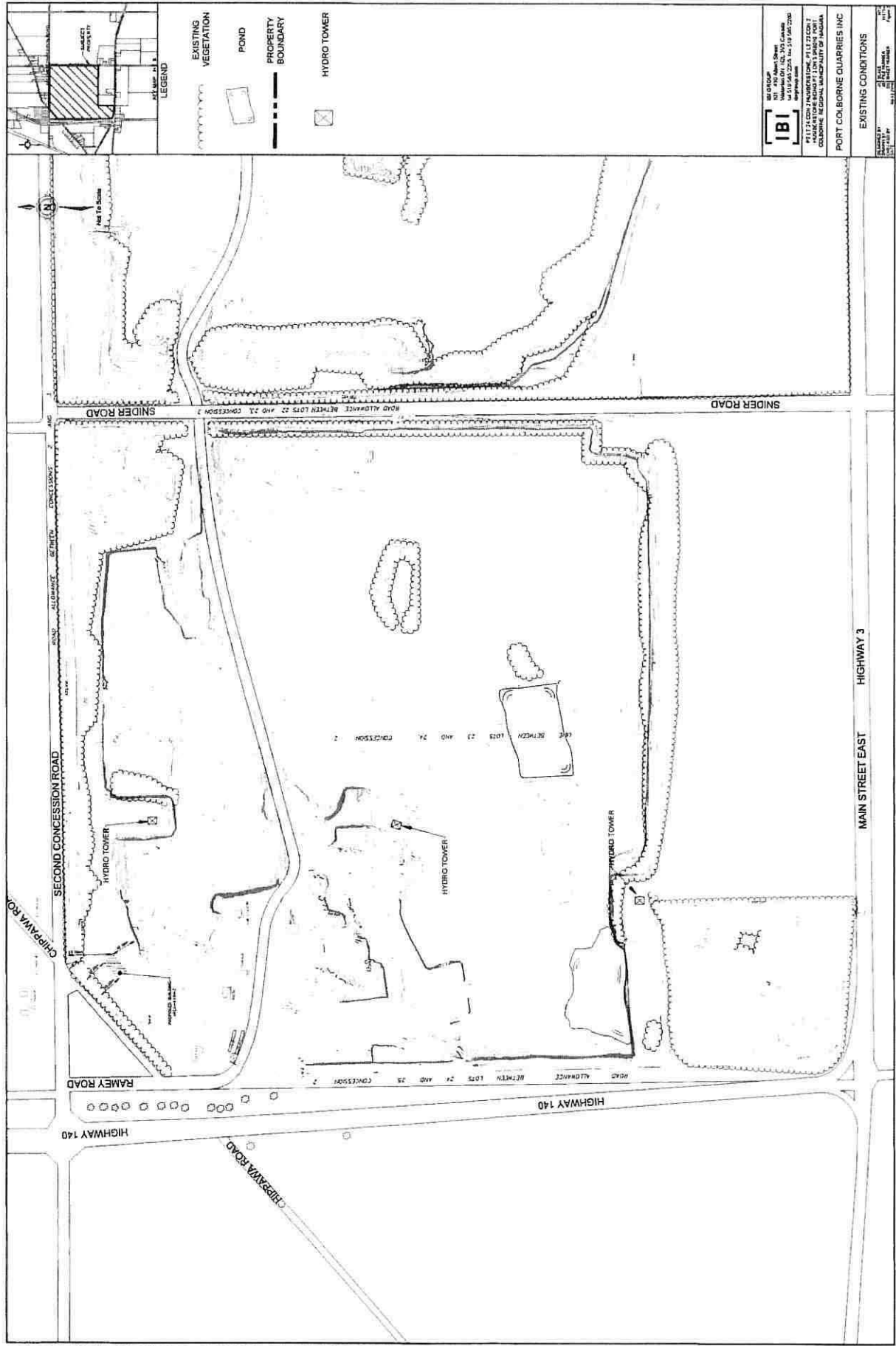
As mentioned, the site is a depleted quarry which currently hosts an aggregate processing facility to support the adjacent PCQ operation located just east of Snider Road. Associated with the processing equipment are a series of wash ponds located along the site's southern boundary, as well as stockpiles of processed material (crushed, screened, blended) which are dispersed throughout the central portion of the site. Accessory uses include an office, a scale house, shed and warehouse, being located at the site's entrance near Ramey Road. An easement in favour of Ontario Hydro traverses the property in a north/south direction including two large towers/pylons. In the southwest corner of the site is a 5.27 hectare parcel of land that represents a jog in the property boundary. These lands are outside the limits of the former quarry but form part of the overall PCQ land holdings. These lands are undisturbed and are occupied by a grove of trees. Refer to Figure 2, Existing Conditions Map.

### 2.3 Surrounding Uses

Surrounding uses include:

- North: Single-use rural residential dwellings are located to the north of the site between 2<sup>nd</sup> Concession Road and Chippawa Road. However they are set back well enough from the 2<sup>nd</sup> Concession Road right-of-way. Further north are agricultural lands.
- East: The east of the property is occupied by the active PCQ operation (ARA Licence 4444). This operation flanks both sides of Babion Road and comprises the west quarry (Pit 2) and the east quarry (Pit 3). Pit 2 has been depleted and is currently being rehabilitated.







Pit 3 is currently engaged in active extraction. An internal haul route connects all three properties.

West: The west property line abuts the Highway 140 right-of-way. Beyond the right-of-way are agricultural lands, environmental lands and the existing built-up areas of Port Colborne.

South: Agricultural uses predominate the lands abutting the south property line and further to the south is Highway 3.

Refer to Figure 3, Zoning Provisions Map for the zoning relating to the subject lands as well as those surrounding the site. The following is a description of those zoning categories:

Subject Site

- MAO Mineral Aggregate Operations
- MAO-38-H Mineral Aggregate Operations permitting concrete manufacturing plant subject to a (H) provision requiring a Site Plan Agreement
- L1-35 Light Industrial permitting a Hotel
- Environmental Protection (pertaining to an identified ANSI - geological formation)

Abutting Lands Owned by PQC

- MAO Mineral Aggregate Operations

Other Surrounding Lands

- A Agriculture
- AR Agricultural Residential
- LI Light Industrial
- R1 First Density Residential
- RD Residential Development

### 3 Proposed Clean Fill Program

#### 3.1 Vision

The purpose of requesting a Site Alteration Permit is to initiate a clean fill program that will allow Pit 1 to be backfilled back to its' pre-extraction grades in order to accommodate the development of a mixed-use industrial development. Planning for the proposed industrial development is intended to occur subsequent to the clean fill program and as such, a future zone change application will be required to permit the final land use.

The subject site is well-suited as a mixed-use industrial development as it is within the Region's delineated urban area as identified on Schedule A of the Regional Official Plan and shown as "Industrial" on the City of Port Colborne Official Plan- Schedule A.

The site occupies a prominent location at the intersection of Highway 140 and Highway 3, which are key transportation corridors within Port Colborne and the southern Ontario region at large. It is in close proximity to the Welland Canal allowing for additional access and connectivity. Thus in terms of location, the site enjoys direct access to major transportation corridors, while being buffered from existing sensitive uses; making it well-suited for future industrial/employment.

#### 3.2 Source Material

The fill program will entail the importation of inert fill that meets the applicable MOECP guidelines in effect at the time of importation and all the material is to meet the *Table 1 Standards for soil, ground water and sediment under Part XV.1 of the Environmental Protection Act*. Should the standards change over the course of time, the new in-effect standard will be



**LEGEND**

- EXISTING VEGETATION
- POND
- PROPERTY BOUNDARY
- HYDRO TOWER
- ZONING BOUNDARY
- MINERAL AGGREGATE OPERATIONS (MAO)
- LIGHT INDUSTRIAL (LI)
- ENVIRONMENTAL PROTECTION OVERLAY

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 ibigroup.com

PROJECT: ZONING MAP, PORT COLBORNE QUARRIES INC.  
 DATE: 10/10/2014

**PORT COLBORNE QUARRIES INC.**

**ZONING MAP**

DRAWN BY: [Name] DATE: [Date]  
 CHECKED BY: [Name] DATE: [Date]  
 DESIGNED BY: [Name] DATE: [Date]

applied. All material entering the facility will be laboratory tested and certified by the *source site* prior to being accepted. All documents will be maintained on-site and be made available to the City, Region, and MOECP upon request.

The fill material will be obtained from sources locally regionally and potentially further afield if available, and typically would be excess spoil material being removed from active construction sites that otherwise would be directed to municipal landfills, and thereby reducing the lifespan of those facilities.

In addition, and further to clause 6 of the City's Site Alteration By-Law No. 5528/125/10, Port Colborne Quarries will agree to release and indemnify that City with respect to any liability that may arise in the event that fill contains contaminants within the meaning of the *Environmental Protection Act*.

### 3.3 Volume, Staging and Estimated Duration

The proposed fill program will proceed in five (5) stages starting from the north east corner of the site moving southward and around the existing processing equipment. During the latter stages as the site fills, the existing aggregate processing equipment will be dismantled and decommissioned. Refer to Figure 4, Fill Staging Program Map.

As the backfill material is imported to the site, it will be sufficiently compacted to meet the necessary specifications for engineered fill that is suitable for industrial development uses. Refer to Figure 5, Final Pit 1 Elevations.

Based on topographical information provided by Russel Technical Surveys, a cut/fill analysis was completed to fully backfill the Pit 1 lands. It has been calculated that the approximate volume of fill required is 6.15 million cubic metres. Using a conversion factor of 2.0 T/cubic metres plus an additional 15% to account for compaction, the estimated quantity of material required is +/-14.1 MT.

The estimated life of the fill program is upwards of twenty (20) years.

### 3.4 Truck Movements

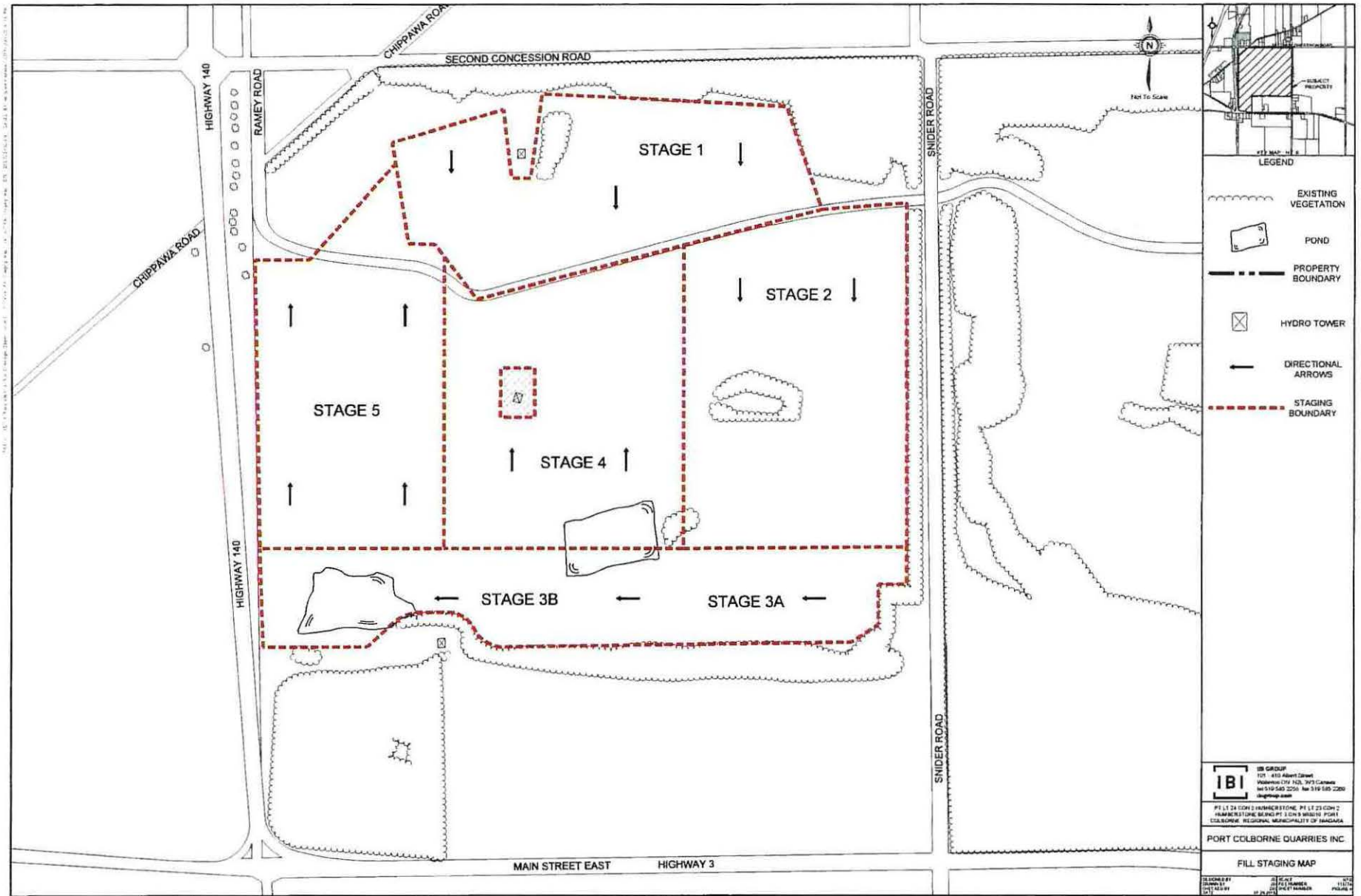
Currently trucks entering and exiting the site use the access at Ramey Road which connects the site to 2<sup>nd</sup> Concession Road. This access is proposed will be retained and no additional accesses are proposed. Refer to Figure 6, Proposed Truck Movements for Fill Material.

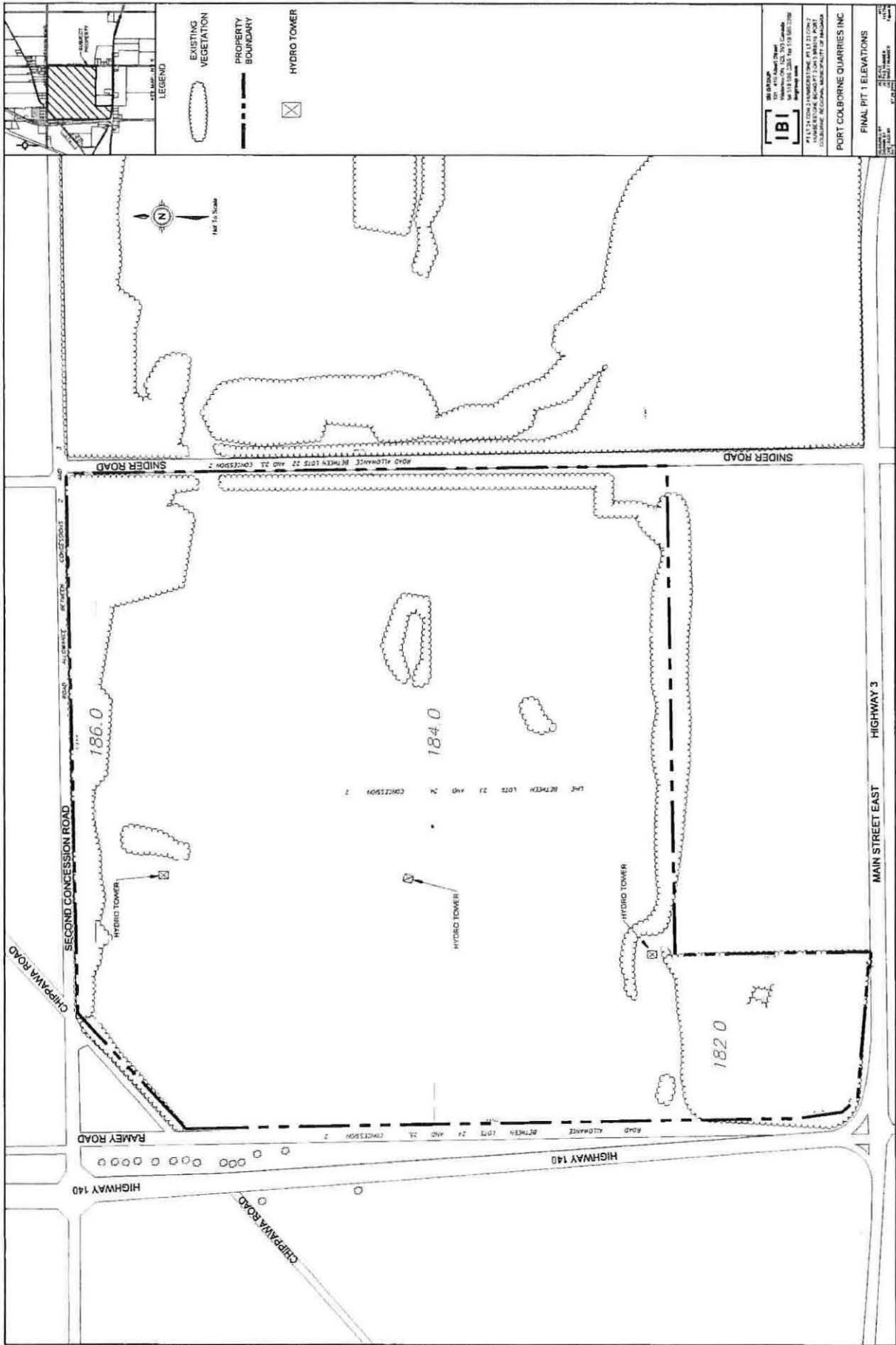
## 4 Land Use Compatibility

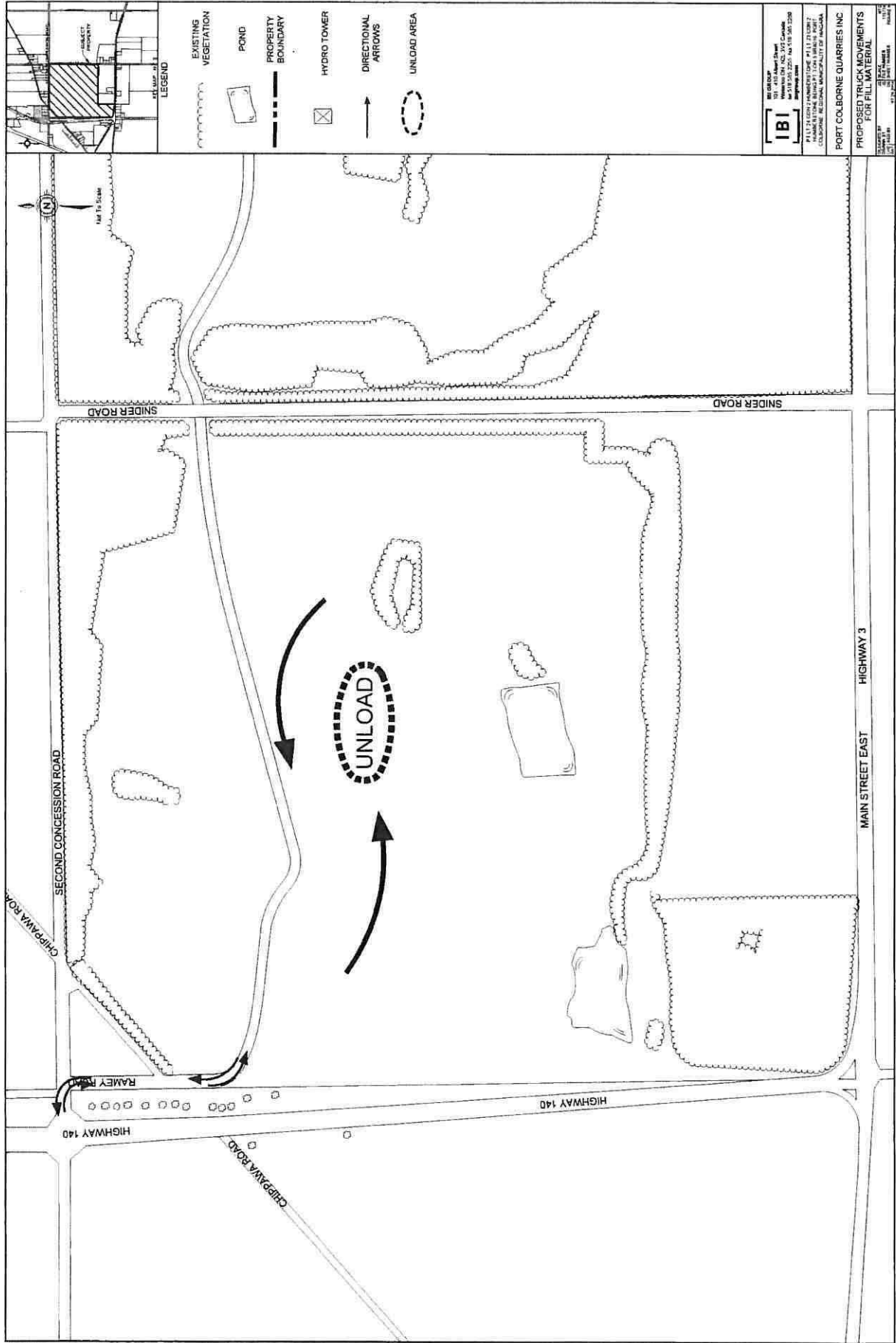
The City (D. Aquilina) requested PCQ to have regard for two specific clauses within the 1982 Site Plan Agreement:

*Clause 14:*

*[PCQ] has as a condition of licensing pursuant to the P&QCA, agreed to undertake and maintain a rehabilitation program comprising a passive recreational lake which would only be used by sail boats, canoes and row boats. [PCQ], however, reserve the right to change the type of rehabilitation program subject to concurrence by both the Ministry of Natural Resources and the City of Port Colborne and the resultant amending of this Agreement.*







*Clause 23:*

*[PCQ] agrees to the undertaking and maintenance of a rehabilitation program compatible to the program contemplated in Clause 14 of this Agreement for that area west of Snider Road, being Part of Lots 23 and 24 Concession 2.*

Notwithstanding the PCQ position relating to the Site Plan Agreement as described above, we provide the following professional planning opinion of these clauses:

Clause 23 is requesting that the final land use of Pit 1 be compatible to the final land use of Pits 2 and 3, and the final land use of Pit 2 and 3, (as being described in Clause 14), is proposed to be a passive recreational lake. Of note:

- It is acknowledged that the final land use of Pit 2 and 3 is for a passive recreational lake, (as proposed by the existing ARA approved Site Plans).
- Clause 23 requests that the final land use of Pit 1 should be compatible to the final land use of Pits 2 and 3.

It is our position that compatible is not defined as meaning the same or identical, but rather development that can co-exist in harmony with the surrounding area or co-exist without causing undue adverse impacts on the surrounding properties. As noted above, the intent of PCQ is that Pit 1 be returned to its' original pre-extraction grade and ultimately be re-zoned for a mixed-use industrial development.

The question therefore is whether a mixed-use industrial development is a compatible use with a passive recreational lake?

As a starting point, the types of industrial uses which might be proposed by such a development should be clarified. The following list represents the City of Port Colborne permitted uses for the following zoning categories: Light Industrial, Heavy Industrial, Gateway Industrial and Industrial Development:

- Adult Oriented Entertainment Establishment;
- Car wash;
- Contractor's Yard;
- Crematorium;
- Education Facility;
- Industry, Light;
- Medical Marihuana Production Facility;
- Motor Vehicle Repair Garage;
- Public Use;
- Research Facility;
- Transportation Depot;
- Food Vehicle;
- Office;
- Retail Store;
- Restaurant, Fast-Food;
- Restaurant, Full-Service;
- Restaurant, Take-Out
- Heavy Equipment Sales and Service;
- Industry, Heavy;
- Multi-modal Storage Facility;

- Agricultural Farm Related Commercial or Industrial; and
- Warehouse.

Based on these uses, it is our opinion that typical land compatibility issues which could potentially arise between the two uses would include the following:

- Noise Impacts: Within the above list of possible land uses, some have the potential to be a generator or source of industrial type noise and therefore could potentially be deemed to be in conflict with a “passive recreational lake” that is perceived as a pastoral or quiet setting.

We note the following:

- Any industrial development being proposed would be required to meet all applicable MOECP Guidelines for noise including a recognition of all off-site sensitive land uses. Along portions of both the Pit 1 and 2 lands, perimeter berms were constructed as part of the extraction operation which parallel Snider Road. The berms are generally 2.0 – 3.0 metres in height and will provide a break in the landscape for noise attenuation. However, if the proposed industrial noise source is determined to exceed MOECP noise limits, there remains sufficient buffer land available within the Pit 1 lands to accommodate additional attenuation measures (i.e., higher berms), if necessary.
- The separation distance between any proposed industrial uses and the proposed lake include:
  - Future rear yard development setbacks associated with individual industrial uses which currently vary from 8.0 metres to 30.0 metres,
  - The width of the untraveled but open Snider Road is 20.0 metres,
  - The setback between Snider Road and the proposed water’s edge is 45.0 metres.

The result is a minimum separation distance ranging from 73 metres to 95 metres. When one considers that the minimum separation distance prescribed by the ARA for buffers between active extraction and existing residential uses is 30.0 metres, we can therefore conclude that the proposed industrial use buffer, being 2½ to 3 times wider, can be deemed as a significant separation buffer.

- The proposed lake will be +/-11.0 metres lower than the surrounding lands (i.e., creating a bathtub like landscape) and with the buffer lands being significantly vegetated, the lake site will be substantially secluded from the Pit 1 lands, all helping to attenuate noise levels.
- Visual Impact: Based on the proposed industrial uses which might be permitted, some would permit buildings up to 11.0 metres in height, and the presence of such tall buildings in close proximity to a passive recreational lake might be deemed as out of character.

We note the following:

- As noted above, given the separation distance (75 metres to 93 metres), the existing and mature vegetation within the intervening lands, the existing perimeter berms, and the elevation difference with the proposed lake being significantly below grade; we have concluded that potentially only the uppermost portion of an 11.0 metre building would be visible from the lake. Based on this, it would be our position if such a building was constructed in proximity to Snider Road, it would not be imposing upon the lake users.



- **Traffic Impacts:** Although traffic concerns are typically identified as a land use conflict issue with new development, no such issues are expected with this site.

We note the following:

- The existing Snider Road which divides the two sites is an open road but posted with caution signs signifying it as a clay road, whereby it is only usable for safe travel by regular road vehicles during short dry periods of the year. As such, this road is rarely used and without any upgrades, will remain as such.
- It is anticipated that the mix-use industrial development lands will utilize the access points currently used by the quarry operation, thereby egressing onto Highway 140 with no traffic interacting with the lake lands.

- **Dust Impacts**

The specifics of the mixed use industrial will not be refined for many years, but it is anticipated that the development will be developed with full urban cross-section (paved roads, curbs/gutters, municipal servicing) with each lot required to meet the City's Site Plan standards for landscaping and setback requirements. Based on this, it is not anticipated that there will be any greater chance for the production of fugitive dust than from any other existing urban land use within the City of Port Colborne.

- **Odour**

Given the uses being suggested, we do not believe that any of them could be considered as a source of noxious odours.

## 5 Review of Existing Land Use Policy

The final land use envisioned by PCQ is for a mixed-use industrial development will conform to current local and Regional Official Plan designations as an industrial/ employment and gateway economic centre as detailed below. Detailed plans, drawings and reports pertaining to the proposed mixed-use industrial development will be provided as part of a comprehensive rezoning application and Site Plan application in the future.

### 5.1 Niagara Region Official Plan 2014

The subject lands are within the Urban Area Boundary of the Regional Official Plan and are identified as the "Designated Greenfield Area" per Schedule A-Regional Structure. They are also shown as being within the Gateway Economic Centre per Schedule G1.

An amendment to the Regional Official Plan is therefore not required to implement the fill program.

### 5.2 City of Port Colborne Official Plan 2017

The lands are currently designated 'Mineral Aggregate Operations' and 'Industrial/Employment Area' per Schedule A of the Port Colborne Official Plan.

An amendment to the City's Official Plan is therefore not required to implement the fill program.

### 5.3 City of Port Colborne Zoning By-Law No. 6575/30/18

The lands are zoned MAO (Mineral Aggregate Operations) and MAO-38-H. The southwest corner of the property which is not disturbed and outside of the former quarry area is zoned LI-

35 (Light Industrial). Uses permitted in the MAO zone are limited to extraction and processing of mineral and aggregate materials; accessory buildings and agricultural uses. Special provision 38-H allows for concrete product manufacturing.

A segment of the property along Highway 140 is zoned Environmental Protection and is identified as an Area of Natural and Scientific Interest (ANSI) of the Earth Science category. The significance of this ANSI lies in the fact that it is a representative sequence of the Bertie Formation with a major disconformity. The *Earth Science Inventory Checklist* associated with this ANSI dated July 1980, does not indicate the limits/size of the ANSI. It is being recommended that PCQ work with the applicable government agencies to determine appropriate limits and preservation techniques so to conserve the ANSI and if possible, to provide appropriate interpretive and educational uses whilst maintaining normal site activities. This might take the form of an area left exposed and ultimately accessed by the public via a short trail / staircase to a viewing platform with interpretive signing.

An amendment to the Zoning By-Law is not required to implement the Site Alteration Permit Program.

## 5.4 City of Port Colborne Site Alteration By-Law

Approval for a clean fill program is subject to the City's Site Alteration By-Law 5528/125/10 which requires the issuance of a Permit to alter grades and/or place fill. This report and accompanying Control Plans have been prepared to support the application for a Site Alteration Permit.

## 5.5 Niagara Peninsula Conservation Authority

The subject property is also under the jurisdiction of the Niagara Peninsula Conservation Authority. (NPCA). Portions of the property along the southern boundary are identified within the Regulation Limit. Based on the staging program being proposed herein, no portion of the NPCA Regulation Area will be impacted for a minimum of 7-8 years. At such time when the lands may be impacted, PCQ will initiate the applicable NPCA approvals as may be required.

## 5.6 MOECC- Management of Excess Soil

The Government of Ontario encourages the "beneficial reuse of excess soil in a manner promoting sustainability and the protection of the environment." To that effect, in 2017 the Ministry of Environment and Climate Change, released a document entitled "Management of Excess Soil - A Guide for Best Management Practices". The document highlights procedures and protocols for the operation of fill sites while safeguarding against environmental impacts. The document notes that it is appropriate for excess soils to be reused to facilitate the transition and rehabilitation of a pit/quarry, through to a future land use. Given this context, the proposed fill program furthers the overall directives of the MOECC (now MOECP) and meets the growing needs of the construction industry.

# 6 Approvals Required

Based on the above, a Site Alteration Permit is required from the City of Port Colborne.

Port Colborne Quarries Inc. requests a Permit for Site Alteration to implement a Clean Fill Program at their site located on 1937 2<sup>nd</sup> Concession Road. The program entails staged backfilling and compaction of imported inert clean fill that meets the applicable MOECC soil, ground water and sediment standards. We understand that the current requirement would be to

meet *ON Regulation 153/04* Table 1 standards. The volume of fill required to be brought onto the site is approximately 14.1 million tonnes, and the estimated life span of the Program is +/-20 years. The ultimate use for the subject property is intended to be mixed-use industrial which will be in keeping with the policy direction provided by both the Region of Niagara Official Plan and the City of Port Colborne Official Plan.

## 7 Conclusion

In conclusion, it is recommended that this Planning Report fulfills the requirements of the City's Site Alteration By-Law 5528/125/10 and that this be the basis for issuing a Site Alteration Permit.

Yours truly

IBI GROUP



David R. Sisco, BA, MCIP, RPP  
Associate, Senior Planner

DRS/baw  
Encl.



I hereby certify that this Planning Report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planner's Institute Act, 1994.

July 24<sup>th</sup> 2018  
Date

David R. Sisco, BA, MCIP, RPP  
David R. Sisco, BA, MCIP, RPP

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Report Number: 2018-142

Date: November 13, 2018

**SUBJECT: Cannabis Dispensary and Production**

**1) PURPOSE:**

The purpose of this report is to provide Council with information about cannabis legislation as it relates to the October 9, 2018 motion to consider an Interim Control By-law that would require staff to study all planning policy and regulations before any cannabis production facilities are permitted in the City.

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

On October 9, 2018, Council passed the following motion:

That the Director of Planning and Development be directed to review the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.

On June 20, 2018, the federal government passed the *Cannabis Act* which addressed the production, distribution, sales, cultivation, consumption and possession of recreational cannabis. Prior to October 17, 2018, it was illegal to buy, possess or use cannabis for anything other than authorized medical or research purposes.

In 2017, the Province of Ontario had originally introduced legislation that nonmedical cannabis was to be sold and available through select stores operated by the Alcohol and Gaming Commission of Ontario (AGCO). After the election in 2018, the Province of Ontario shifted their position to allow the private sector to sell recreational cannabis in retail stores licenced through the AGCO.

On September 27, 2018, the Province announced plans to have regulations in place by April 1, 2019 for private retail sale of cannabis (dispensary).

On August 13, 2018, the Province, through an amendment to the *Cannabis Act* (Bill 36), stated that a municipality "may pass a resolution by January 22, 2019 prohibiting cannabis retail stores from being located in the municipality. Such a prohibition may be lifted by a later resolution passed by the municipality, but a municipality's decision to do so is final and may not be further reversed."

On October 17, 2018, recreational cannabis (up to 30 grams) can be legally ordered online (Ontario Cannabis Store website) from the Province of Ontario where it will be delivered to the home and would follow strict federal rules.

In 2014, a Zoning By-law Amendment was passed to define and permit Medical Marihuana Production Facilities in the Rural and Agricultural Areas of the City. This

included specific zoning provisions (e.g. setbacks) and definitions of “Medical Marihuana Production Facility” and “Sensitive Land Use”.

Upon review of the provincial legislation, it is silent about the production of cannabis and in particular regulations about locations where cannabis can be grown for licensed retailers.

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

#### Cannabis Dispensary

Retail sale of cannabis is now only available through the Ontario Cannabis Store website. On April 1, 2019, the Province will have regulations in place for private retail sale of cannabis. Matters regarding locations of stores where permissible, setbacks, number of stores etc. will be in place by April 1, 2019.

The AGCO will oversee the licensing of retail sales locations. The AGCO will provide the City and the public with a 15-day notification period of a proposed store site to receive public input and hear concerns from the local community.

Bill 36, an amendment to the *Cannabis Act* prohibits a municipality to pass any Planning Act by-law (interim control, zoning) relating to the sale of cannabis.

#### Cannabis Production

In discussion with the Senior Policy and Program Advisor with the Ontario Ministry of the Attorney General, Ontario Legalization of Cannabis Secretariat, the Ontario Cannabis Retail Corporation (the OCRC) will be the only authorized online retailer of recreational cannabis in the province. The OCRC will also be the province’s only wholesaler and distributor of recreational cannabis to private retail sales locations.

What this does is eliminate properties in the City that can legally grow cannabis to be then sold in privately owned retail stores. The OCRC will follow licensing requirements of the federal government for cannabis cultivation.

Similar to medical marihuana production facilities, the City could define cannabis production facilities and put provisions in place where they may be located, setback requirements, etc. in the event that the OCRC obtains their cannabis through a Port Colborne supplier.

Therefore, staff recommend that Council first authorize a study of these issues and enact an Interim Control By-law for all properties in the municipality to consider any permissible locations for cannabis production.

This Interim Control By-law would prohibit cannabis production facilities as defined in the draft Interim Control By-law. Passage of this by-law provides advance notice to all residents, corporations, tenants, property owners and landlords of the City’s intention to study issues associated with these uses with the aim of potentially providing municipal regulations in the future.

The matter of opting in or out of cannabis retail sales will be considered by the new Council on December 10, 2018.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing**

Council could decide to not pass an Interim Control By-law to study and regulate cannabis production.

**Other Options**

Although regulations in the Zoning By-law are in place for medical marihuana production facilities, Council may want to also consider the use for further study as part of the interim control by-law.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Cannabis sale and production was an interest of Council to regulate.

**6) ATTACHMENTS**

Appendix A – Draft Interim Control By-law

**7) RECOMMENDATION**

That staff be directed to undertake a study of the City's Official Plan policy, Zoning By-law standards and regulations and implementation procedures pertaining to retail cannabis production and report back to Council with recommendations.

That an Interim Control By-law, pursuant to Section 38 of the *Planning Act*, be approved for a period of up to one year, prohibiting retail cannabis production on all properties in the City.

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and that the Notice of Decision required by the *Planning Act, R.S.O. 1990*, as amended, be processed by staff.

**8) SIGNATURES**

Prepared on October 25, 2018 by:



Dan Aquilina, MCIP, RPP, CPT  
Director of Planning and Development

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

The Corporation of the City of Port Colborne

By-law no.

Being a by-law to adopt an Interim Control By-law for all lands within the City of Port Colborne

Whereas Section 38 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, authorizes Council to adopt an Interim Control By-law, provided Council has by resolution directed that a review or study be undertaken of land use planning policies; and

Whereas the Council of The Corporation of the City of Port Colborne passed a resolution on October 9, 2018 directing that a review be undertaken in respect of the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.

Whereas the Council of The Corporation of the City of Port Colborne considers it necessary to enact an Interim Control By-law with respect to the lands described in Section 1 of this by-law, and only as it applies to the use of land, premises, or partial use of premises, for either of the uses described in Section 2 a) of this by-law, to allow it time to consider its land use planning policies as directed.

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

1. This Interim Control By-law applies to all lands zoned in Zoning By-law 6575/30/18 of The Corporation of the City of Port Colborne to prohibit the use of land, premises, or partial use of premises within such lands, for the use as described in Section 2 a) of this by-law.
2. The following use is prohibited under this by-law:
  - a) a facility or land for the growing of cannabis.
3. In this by-law, the following definitions apply:
  - a) "Cannabis": means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marihuana shall have the same definition
  - b) "Cannabis Production Facility": means the use of land, buildings or structures for the cultivation, processing, packaging and shipping of cannabis not licensed by Health Canada.
4. This by-law shall be in effect for a period of one year from the date of passage hereof.

Enacted and passed this xxxxx day of xxx, 2018.

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John Maloney  
Mayor

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Amber LaPointe  
City Clerk



Report Number: 2018-150

Date: November 13, 2018

**SUBJECT: Recommendation Report for Zoning By-law Amendment D14-03-18,  
1937 Brookfield Road**

**1) PURPOSE:**

The purpose of the report is to provide Council with a recommendation regarding a proposed Zoning By-law Amendment initiated by Brian Lambie on behalf of the owner Andy Veenstra Farms Ltd for the property legally known as Part Lot 10, Concession 2, Former Township of Humberstone, in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 1937 Brookfield Road.

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

The application for Zoning By-law Amendment proposes to change the zoning from Agricultural to Agricultural Purposes Only and Agricultural Residential. The Zoning By-law Amendment is being sought to satisfy a condition for a farm-consolidation severance.

The area that will be rezoned to Agricultural Purposes Only is approximately 19.2 ha and is presently used for agricultural purposes with no buildings or structures.

The area that will be rezoned to Agricultural Residential is approximately 0.71 ha and is presently occupied by a single detached dwelling and three agricultural or accessory buildings. No new development is anticipated as a result of this application. While all structures on the area being rezoned to Agricultural Residential meet required setbacks staff notes that a special provision will be required to recognize total and accessory lot coverage requirements.

The areas for each zone have been adjusted slightly to meet requirements of the Niagara Region for the septic system on the area being rezoned to Agricultural Residential. Due to minor nature of this adjustment staff is comfortable moving forward with a recommendation report without an additional public meeting.

On September 24, 2018, staff presented Planning and Development Department, Planning Division Public Meeting Report 2018-131 as part of the statutory public meeting. The public meeting was held to discuss the Zoning By-law Amendment application. The Minutes of Public Meeting are attached to this report as Appendix C.

**3) STAFF COMMENTS AND DISCUSSIONS**

The Notice of Public Meeting was circulated to required agencies and property owners within 120 metres of the property on August 31, 2018. Public notice signs were posted on the property on or before September 4, 2018. A public notice was also posted on the City's website on August 31, 2018. A public open house was on September 17, 2018. At the time of writing this report, staff has not received any comments from the public.

The following comment (full comments available in Appendix C) was received from a commenting agency:

**Niagara Region Planning & Development Services:**

Regional Planning and Development staff have no objection to the proposed Zoning By-law Amendment from a Provincial or Regional Perspective, subject to the satisfaction of any local requirements.

Regional staff recommend that the amending Zoning By-law should not be passed until the configuration of Part 2 is confirmed or modified to satisfy private septic system requirements through the future consent application.

**Planning Division Review**

City of Port Colborne Official Plan

The City of Port Colborne Official Plan designates the property as **Agricultural**. Lands designated Agriculture are Prime Agricultural Areas as defined by the Provincial Policy Statement and as identified on the Agricultural Land Base Map of the Regional Policy Plan and are used primarily for agricultural purposes.

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

The City of Port Colborne Zoning By-law 6575/30/18, zones the property **Agricultural** which permits the following uses: accessory agricultural activities; agriculture use; agri-tourism and value added uses; conservation uses; dwelling, detached existing at the date of the passing of this by-law as a principal use on a new lot; dwelling, detached as a principal use on an existing lot of record; kennel; medical marihuana production facility; and uses, structures and buildings accessory thereto.

The application for Zoning By-law Amendment proposes to change the zoning to Agricultural Purposes Only and Agricultural Residential. Agricultural Purposes Only permits agricultural uses, conservation uses, and uses, structures and buildings accessory thereto including greenhouses. Agricultural Residential permits dwelling, detached and uses, structures and buildings accessory thereto.

Adjacent Zoning and Land Use

<b>Northwest</b> Use: Agricultural Zone: Agricultural	<b>North</b> Use: Agricultural Zone: Agricultural	<b>Northeast</b> Use: Agricultural Zone: Agricultural
<b>West</b> Use: Agricultural and Residential Zone: Agricultural and Agricultural Residential	<b>Applicant's Property</b>	<b>East</b> Use: Agricultural Zone: Agricultural and A-10
<b>Southwest</b> Use: Agricultural and Residential Zone: Agricultural and Agricultural Residential	<b>South</b> Use: Agricultural and Residential Zone: Agricultural and Agricultural Residential	<b>Southeast</b> Use: Agricultural Zone: Agricultural

Conclusion

The Region's comment regarding the lot sizing has been addressed through a revision of the size of areas being rezoned, which is reflected in the updated schedule to the zoning by-law.

The area being rezoned to Agricultural Residential requires a special provision to recognize existing lot coverage on the lot. The Agricultural Residential zone has a total lot coverage maximum of 10% and an accessory lot coverage maximum of 1%. As approved by the Committee of Adjustment, the new lot has a total coverage of 13.7% and an accessory lot coverage of 10.2%. Therefore, staff recommends this area be rezoned to AR-49 with provisions to recognize existing lot coverage.

Staff has received no other comments and therefore recommends approval of the zoning by-law as it complies with City policies and will not result in any land-use conflicts with surrounding properties.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing**

Not an option as Council is statutorily obligated to make a decision on the proposed applications.

**b) Other Options**

Though not recommended, Council could deny the applications.

Council could request additional information or further changes from staff.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A

**6) ATTACHMENTS**

Appendix A: Zoning By-law Amendment  
Appendix B: Public & Agency Comments  
Appendix C: Draft Minutes of Public Meeting

**7) RECOMMENDATION**

That the Zoning By-law Amendment, attached to Planning and Development Department, Planning Division Report 2018-150 as Appendix B, be approved rezoning the land from "Agricultural" to "AR-49" and "Agricultural Purposes Only".

That staff be directed to prepare the Notice of Passing in accordance with the *Planning Act* and circulate to all applicable parties.

**8) SIGNATURES**

Prepared on November 1, 2018 by:



Evan Acs, MA, MSc  
Planner

Reviewed by:



Dan Aquilina, MCIP, RPP, CPT  
Director of Planning and Development

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer

ZONING BY-LAW AMENDMENT

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. \_\_\_\_\_

BEING A BY-LAW TO AMEND ZONING BY-LAW 6575/30/18 RESPECTING LANDS LEGALLY DESCRIBED AS PART LOT 10, CONCESSION 2, MUNICIPALLY KNOWN 1937 BROOKFIELD ROAD.

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

AND WHEREAS, the Council of the Corporation of the City of Port Colborne desires to amend the said by-law;

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

- 1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
- 2. That the Zoning Map referenced as Schedule "A" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Agricultural to AR-49 and Agricultural Purposes Only.
- 3. That Section 37 entitled SPECIAL EXCEPTIONS AND PROVISIONS of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

AR-49

Notwithstanding the provisions of the Agricultural Residential Zone, the following special regulations shall apply:

- a) Maximum Lot Coverage 13.7%
- b) Accessory Lot Coverage 10.2%



- 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
John Maloney, MAYOR

\_\_\_\_\_  
Amber LaPointe, CLERK



<p>THIS IS SCHEDULE "A" TO BY-LAW NO _____</p> <p>PASSED THE _____, 2018</p> <p>_____</p> <p>MAYOR</p> <p>_____</p> <p>CLERK</p>	<p> LANDS TO BE REZONED FROM AGRICULTURAL TO AR-49</p> <p> LANDS TO BE REZONED FROM AGRICULTURAL TO AGRICULTURAL PURPOSES ONLY</p> <p>FILE NO: D14-03-18</p> <p>DRAWN BY: CITY OF PORT COLBORNE PLANNING DIVISION</p> <p>NOT TO SCALE NOVEMBER 2018</p>
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**Via Email Only**

September 20, 2018

File: D.18.07.ZA-18-103

Evan Acs  
Planner  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Dear Mr. Acs:

**Re: Regional and Provincial Review Comments  
Zoning By-law Amendment Application  
City's File No: D14-03-18  
Applicant: Andy Veenstra Farms Ltd.  
Solicitor: Brian Lambie  
Address: 1937 Brookfield Road  
City of Port Colborne**

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Regional Planning and Development Services Staff has reviewed the application for the above-noted Zoning By-law Amendment related to the lands municipally known as 1937 Brookfield Road in the City of Port Colborne. The Zoning By-law Amendment application proposes to rezone the lands from Agricultural to Agricultural Purposes Only (APO) for Part 1 ( $\pm 19.264$ ha/ 47.6023ac) and Agricultural Residential for Part 2 (0.674ha/ 1.66ac) as identified on the submitted sketch. The Zoning By-law Amendment is being sought to satisfy anticipated conditions for a future farm-consolidation (surplus farm dwelling) severance. A pre-consultation meeting for this proposal was held on May 24<sup>th</sup> 2018 at the City of Port Colborne between the agent, owner, and Region and City staff. The following Provincial and Regional comments are provided to assist the City in considering the application.

**Provincial and Regional Policies**

The 2014 Provincial Policy Statement (PPS) designates the subject land as within a "prime agricultural area". Such lands shall be protected for long-term use for agriculture.

The PPS notes that in prime agricultural areas, all types, sizes, and intensities of agricultural uses shall be promoted and protected in accordance with Provincial standards. Lot creation in prime agricultural areas is discouraged, however, may be permitted for a residence surplus to a farming operation as a result of farm consolidation.

According to the Regional Official Plan (ROP), the subject lands are outside of the Urban Area Boundary for the City of Port Colborne, and are designated within the Good General Agricultural Area. The ROP states that in the Good General Agricultural Areas, the predominant use of land will be for agriculture of all types, including livestock operations as well as associated value retention uses. The ROP notes that within Good General Agriculture Areas consents are permitted for surplus farm dwellings as a result of a farm consolidation provided that no future residential dwelling is permitted on the remaining agricultural land.

**Private Servicing**

Regional Private Sewage System (PSS) staff have reviewed the application for a Zoning Amendment and note that a subsequent severance is proposed, as shown on the sketch provided. The following comments have been provided to assist with the future consent application.

A septic permit was issued by the Region's Health Department in 1981 for the existing system currently servicing the dwelling at 1937 Brookfield Road; the system is a Rotodisk tank connected to a partly raised leaching bed area, located on the east side of the dwelling. Based on Regional PSS inspection and the information included with the permit, the proposed northerly lot line for Part 2 does not appear to meet the minimum setback of 3 metres from the sewage system as required by the Ontario Building Code. In addition, although the proposed new lot will be approximately 1.6 acres in size, multiple existing structures limit the amount of land available for a replacement septic system with spare area, which must also be shown on the sketch.

Further information regarding private servicing and lot size/ configuration will be required with the future consent application.

**Conclusion**

Regional Planning and Development staff have no objection to the proposed Zoning By-law Amendment from a Provincial or Regional Perspective, subject to the satisfaction of any local requirements.

Regional staff recommend that the amending Zoning By-law should not be passed until the configuration of Part 2 is confirmed or modified to satisfy private septic system requirements through the future consent application.

If you have any questions or wish to discuss these comments, please contact me at extension 3590 or Richard Wilson (Senior Planner) at extension 3391.

Please send notice of the City's decision on this application and circulate the related consent application for Regional review.

Kind Regards,



Ayla Alves  
Development and Planning Student  
Niagara Region

CC. Aimee Alderman – MSc, Development Planner, Development Planning Services, Niagara Region  
Richard Wilson – MCIP, RPP Senior Development Planner, Development Planning, Niagara Region  
Tanya Killins – Private Sewage System Inspector, Planning and Development Services, Niagara Region



**City of Port Colborne  
Special Council Meeting 23-18  
Minutes**

**Date:** September 24, 2018

**Time:** 6:30 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
D. Elliott, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)

Absent: Y. Doucet, Councillor (due to vacation)  
J. Mayne, Councillor (due to a leave of absence)

**Staff Present:** E. Acs, Planner  
D. Aquilina, Director of Planning and Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. National Anthem:**

Joel Longfellow sang O Canada.

**3. Confirmation of Agenda:**

**No. 139** Moved by Councillor R. Bodner  
Seconded by Councillor A. Desmarais

That the agenda dated September 24, 2018 be confirmed,  
as circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Nil.

**5. Public Hearing Under the Planning Act:**

Application for Zoning By-law Amendment

Planning and Development Department, Planning Division, Report 2018-131,  
Subject: Public Meeting Report for Zoning By-law Amendment D14-03-18, 1937  
Brookfield Road

(i) Purpose of Meeting:

Mr. Acs advised that the purpose of the meeting, pursuant to 34 of the  
*Planning Act*, is to consider an application submitted by agent Brian

Lambie on behalf of owner Andy Veenstra Farms Ltd for the lands legally known as Part of Lot 10, Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1937 Brookfield Road.

The application for Zoning By-law Amendment proposes to change the zoning from Agricultural to Agricultural Purposes Only and Agricultural Residential. The Zoning By-law Amendment is being sought to satisfy anticipated conditions for a farm-consolidation severance.

(ii) Method of Notice:

Notice of the Public Meeting was administered in accordance with Section 34 of the *Planning Act*, as amended, and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property on August 31, 2018. A sign was posted on the property by September 4, 2018. Notice was also posted on the City's Website.

The Planning and Development Department hosted a public open house for this application on September 17, 2018. Notice of the public open house was included on the notice of public meeting.

As of the date of this meeting, staff have not received any written comments from members of the public.

The following agency provided comment:

Regional Municipality of Niagara:

Regional Planning and Development staff have no objection to the proposed Zoning By-law Amendment from a Provincial or Regional Perspective. Regional staff recommend that the amending Zoning By-law should not be passed until the completion of the future consent application.

(iii) Explanation of Procedure to be Followed:

The procedure to be followed this evening will be to present Planning and Development Department, Planning Division Report 2018-131, Subject: Public Meeting Report for Zoning By-law Amendment D14-03-18, 137 Brookfield Road hear any comments from the applicant, receive questions of clarification from Council to the applicant or Planning Staff, open the meeting to the public for comments and questions, announce the requirements under the Planning Act for written notice of passage of the proposed zoning by-law amendment, and a brief explanation of future meetings regarding the application.

(iv) Presentation of Application for Zoning By-law Amendment:

Mr. Acs provided a powerpoint presentation with respect to Planning and Development Department, Planning Division Report 2018-131, Subject: Public Meeting Report for Zoning By-law Amendment D14-03-18, 137 Brookfield Road. A copy of the presentation is attached.

Location and Context

The property is located at 1937 Brookfield Road, at the corner of Brookfield Road and Second Concession. The property currently has a single detached dwelling with several farm buildings. Most of the land is under cultivation. To the north is agricultural land. To the east is agricultural land with a residence. To the south is agricultural land with

some residential dwellings. To the west is agricultural land with some residential dwellings.

City of Port Colborne Official Plan

The City of Port Colborne Official Plan designates the property as Agricultural. Lands designated Agriculture are Prime Agricultural Areas as defined by the Provincial Policy Statement and as identified on the Agricultural Land Base Map of the Regional Policy Plan and are used primarily for agricultural purposes.

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

The City of Port Colborne Zoning By-law 6575/30/18, zones the property Agricultural which permits the following uses: accessory agricultural activities; agriculture use; agri-tourism and value added uses; conservation uses; dwelling, detached existing at the date of the passing of this by-law as a principal use on a new lot; dwelling, detached as a principal use on an existing lot of record; kennel; medical marijuana production facility; and uses, structures and buildings accessory thereto.

The application for Zoning By-law Amendment proposes to change the zoning to Agricultural Purposes Only and Agricultural Residential. Agricultural Purposes Only permits agricultural uses, conservation uses, and uses, structures and buildings accessory thereto including greenhouses. Agricultural Residential permits dwelling, detached and uses, structures and buildings accessory thereto.

(v) Comments of Applicant:

Brian Lambie provided a presentation on behalf of owner Andy Veenstra Farms Ltd for the lands legally known as Part of Lot 10, Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 1937 Brookfield Road.

Mr. Lambie advised that the residence at 1937 Brookfield Road is surplus to his client's needs and that his client has applied for a severance, a condition of which will be re-zoning of the property. Mr. Lambie advised that the re-zoning of the vacant land to Agricultural Purposes Only would prevent a dwelling from being built on that parcel and re-zoning the residence to Agricultural Residential would allow only a residence to be built on that parcel.

(vi) Questions of Clarification to Applicant/Planning Staff:

Mr. Acs read the following statement:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before a decision on the proposed Zoning By-law Amendment is passed by Council, the person or public body is not entitled to appeal the decision of the City of Port Colborne Council to Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submission to the City of Port Colborne before a decision on the proposed Zoning By-law Amendments is passed by Council, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there is reasonable grounds to do so."

Mr. Acs advised interested members of the public to sign-in on the sheet provided to request future notice about the application.

In response to a question by Councillor Bodner, Mr. Lambie advised that the proposed re-zoning is allowed under the City's Official Plan.

In response to a question from Councillor Kenny, Mr. Acs advised that there were no attendees other than Mr. Lambie at the public open house held on September 17, 2018.

(vii) Oral Presentations and/or Questions from the Public:

Nil.

(viii) Announcement Respecting Written Notice of Passage of Zoning By-law Amendment:

Mr. Acs read the following statement:

"If you wish to be notified of the approval of the zoning by-law amendment you must make a written request to the clerk. Only those persons and public bodies that give the clerk a written request for the notice of the adoption and passing of a zoning by-law amendment will be given notice."

(ix) Explanation of Future Meetings:

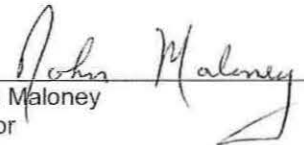
Mr. Acs advised that the proposed Zoning By-law Amendment would be placed on Council's agenda at a future meeting.

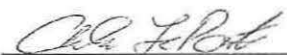
6. **Adjournment:**

**No. 140** Moved by Councillor B. Kenny  
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately  
6:46 p.m.

CARRIED.

  
John Maloney  
Mayor

  
Amber LaPointe  
City Clerk

Minutes prepared by the Department of Planning and Development.

AL/ea

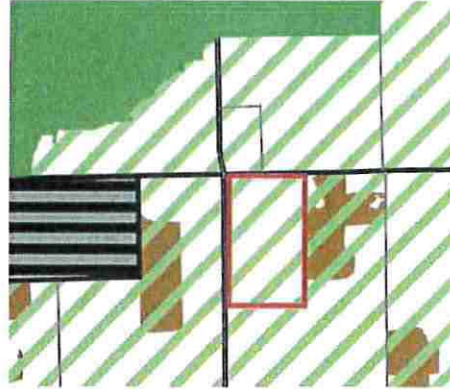
# Proposed Zoning By-law Amendment for 1937 Brookfield Road

Agent: Brian Lambie  
Owner: Andy Veenstra Farms Ltd  
File: D14-03-18

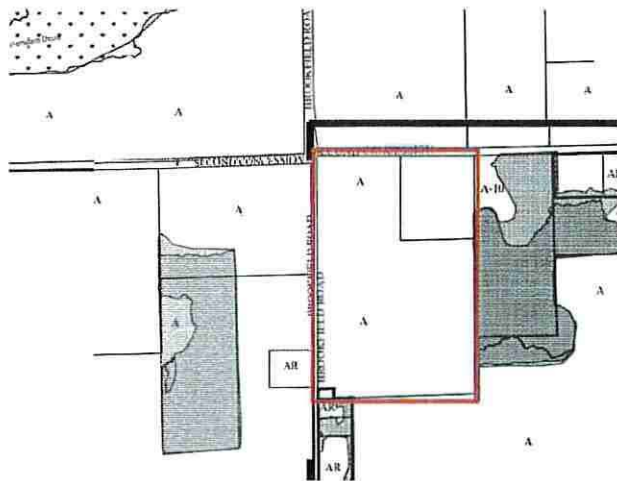
## Location & Context



### Current Official Plan Designation



### Current Zoning



## Purpose of Application

- The application for Zoning By-law Amendment proposes to change the zoning from Agricultural to Agricultural Purposes Only and Agricultural Residential. The Zoning By-law Amendment is being sought to satisfy anticipated conditions for a farm-consolidation severance.
- This property is also subject of Consent to Sever Application B12-18-PC.

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NOV 06 2018

CHIEF ADMINISTRATIVE OFFICER

905-835-2900 Ext. 306

TO: Mayor Maloney and Members of City Council

FROM: Scott Luey, CAO

DATE: November 13, 2018

RE: Follow-up from September 10, 2018 Public Meeting re Vandalism

As a follow-up to the September 10, 2018 Public Meeting concerning vandalism in the city, particularly the downtown core, I called a meeting of interested parties to discuss next steps.

Invited to the meeting were:

Mayor John Maloney  
Ward One Councillor John Mayne  
Ward One Councillor Dave Elliott  
– he was unable to attend so Councillor Angie Desmarais came in his place  
Betty Konc – Chair – Port Colborne Downtown BIA  
Fred Davies – Business Owner  
Christine Clark-Lafleur – Executive Director, Port Cares  
Staff Sgt. Rob LaPlante – Niagara Regional Police

The group met on September 27<sup>th</sup>. The next steps that came from that meeting included finding out more information about:

- Community Safety Grants
- Community Watch Programs
- Closed Circuit Cameras
- Community Safety Plan Legislation
- Other members for working group – Main Street BIA, Rick Osborne of Ozzy's Garage

The group met again on October 9, 2018. The Main Street BIA and Rick Osborne were both invited to the meeting, with only Rick Osborne attending. Councillor Desmarais attended again as well.

**Community Safety Grants** – There may be some capital funding through the Ontario Trillium Foundation.

**Community Watch Programs** – There are several programs available – Neighbourhood Watch, Business Watch, Cottage Watch, Road Watch and Rural Watch. None currently exist in the Niagara Region and Niagara Regional Police (NRP) are currently not involved. We need to determine what would be best for our community.

**Closed Circuit Cameras** – We looked into the program in downtown St. Catharines. This was an initiative of the NRP seven years ago. It continues to be funded by NRP. Need to get someone

in to determine what we need. A call was put into our security company, Pinder's, to see if they could provide a quote, but they have not yet returned our call.

**Community Safety Plan Legislation** – Section 195 of Bill 175, Safer Ontario Act, 2018 calls for every municipal council to prepare and, by resolution, adopt a community safety and well-being plan. This bill came into effect on March 8, 2018 and we must do this within two years. Some sections of this bill have already been repealed by the new government, so we may need to wait to see if this becomes a true requirement.

The group really felt that we need to get some real statistics together through monitoring in order to make our case with the police as well as let the individuals who are causing the vandalism know we are watching.

Going forward, this working group is asking City Council to:

- Create a mandate for this group as a task force similar to the East Village
- Membership would include:
  - Minimum two city councillors
  - One representative from each BIA
  - One representative from the NRP
  - One representative from Port Cares
  - One business representative – currently Fred Davies
  - One member of the public – currently Rick Osborne
  
- Send a letter to the Police Services Board inviting them back to Port Colborne to hold a future board meeting.
  
- Arrange for an expression of interest for closed circuit television monitoring in the downtown area and beyond
  
- Arrange for an expression of interest for private security officers
  
- Establish a Community Watch Program

It was suggested at the meeting that perhaps 1% of the budget could be set aside for community safety. For 2019, we could even look at .5% with activities starting in July and then a further .5% in the 2020 budget.

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7  
Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977  
www.niagararegion.ca

October 10, 2018

**Council Session, October 4, 2018**  
**Linking Niagara Transit Committee Session, September 12, 2018**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

**RE: Universal Support Person Pass  
Inter-Municipal Transit Service Implementation Strategy, and  
Inter-Municipal Transit Financial Impact Analysis  
Minute Item 10.2.5, CL 63-2016, October 4, 2018**

Regional Council at its meeting held on October 4, 2018, passed the following recommendations of its Linking Niagara Transit Committee:

That Report LNTC-C 20-2018, dated July 25, 2018, respecting Universal Support Person Pass, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Committee **ENDORSE** the Universal Support Person Pass, outlined in Appendices 1 and 2 of Report LNTC-C 20-2018;
2. That Report LNTC-C 20-2018 **BE CIRCULATED** to the Local Area Municipalities; and,
3. That the Local Area Municipalities that currently operate transit services - City of Niagara Falls, City of Welland, St. Catharines Transit Commission, Town of Fort Erie, City of Port Colborne, Town of Pelham, Town of Niagara-on-the-Lake, Town of Lincoln and City of Thorold – **BE REQUESTED** to take necessary steps toward implementation of the Universal Support Person Pass, as outlined in Appendices 1 and 2 of Report LNTC-C 20-2018.

That Report LNTC-C 21-2018, dated September 12, 2018, respecting Inter-Municipal Transit (IMT) Service Implementation Strategy and Report LNTC-C 22-2018, dated September 12, 2018, respecting Inter-Municipal Transit Financial Impact Analysis, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That this report **BE REVIEWED** in conjunction with the Inter-Municipal Transit (IMT) Financial Impact Analysis (LNTC-C 22-2018) and the IMT Capital Plan 2019 (LNTC-C 23-2018);
2. That the IMT Service Implementation Strategy outlined in this report **BE ENDORSED**;
3. That the framework outlined in Appendix 1 of Report LNTC-C 21-2018 **BE ENDORSED** for the development of a business case relating to the governance of transit services in Niagara;
4. That, together with LNTC-C 22-2018 and LNTC-C 23-2018, Report LNTC-C 21-2018 **BE RECOMMENDED** through Public Works Committee to the Budget Review Committee for 2019 Budget deliberations; and,
5. That Report LNTC-C 21-2018 **BE DISTRIBUTED** to Local Area Municipalities for their information;
6. That Report LNTC-C 22-2018 **BE REVIEWED** in conjunction with the Inter-Municipal Transit (IMT) Service Implementation Strategy (LNTC-C 21-2018) and the IMT Capital Plan 2019 (LNTC-C 23-2018);
7. That staff **BE DIRECTED** to continue working with Local Transit operators to measure future financial impacts resulting from the implementation of the 2019 Inter-Municipal Transit Service Plan; and
8. That Report LNTC-C 22-2018 **BE DISTRIBUTED** to the local area municipalities for their information.
9. That Niagara Region **CONSIDER** funding the cost of the Pelham, Port Colborne and Fort Erie feeder routes effective January 1, 2019.

A copy of reports LNTC-C 20-2018, LNTC-C 21-2018, LNTC-C 22-2018 and LNTC-C 23-2018 are enclosed for your reference

Yours truly,



Ann-Marie Norio  
Regional Clerk

CLK-C 2018-124  
:MT

cc: M. Robinson, Director, GO Implementation Office, Niagara Region  
R. Tripp, Commissioner, Public Works, Niagara Region

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**Subject:** Universal Support Person Pass

**Report to:** Linking Niagara Transit Committee

**Report date:** Wednesday, July 25, 2018

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## Recommendations

1. That Committee **ENDORSE** the Universal Support Person Pass outlined in Appendices 1 and 2 of this report.
2. That Report LNTC-C 20-2018 **BE CIRCULATED** to the Local Area Municipalities; and
3. That the Local Area Municipalities that currently operate transit services - City of Niagara Falls, City of Welland, St. Catharines Transit Commission, Town of Fort Erie, City of Port Colborne, Town of Pelham, Town of Niagara-on-the-Lake, Town of Lincoln and City of Thorold – **BE REQUESTED** to take necessary steps toward implementation of the Universal Support Person Pass as outlined in appendices 1 and 2 of Report LNTC-C 20-2018.

## Key Facts

- *Accessibility for Ontarians with Disabilities Act (AODA), 2005 – O. Reg. 429/07* section 4 requires valid, fare paying customers with a disability be able to travel accompanied by a support person (if required) for communication, mobility, personal care or medical needs while travelling on public transit.
- The *Niagara Transit Service Delivery and Governance Strategy, 2017* (Dillon Report) supports the need for a seamless customer experience when travelling in different municipal transit systems in Niagara.
- The Universal Support Person Pass (USPP) herein has been developed and endorsed for implementation by the Inter-Municipal Transit Working Group.
- Pending approval, the Universal Support Person Pass will roll-out to existing specialized transit customers beginning in September, 2018 with full implementation for conventional transit effective January 1, 2019.

## Financial Considerations

Implementation of the Universal Support Person Pass requires a one-time capital expenditure of approximately \$3,500 to facilitate the purchase of the card printing technology which can be accommodated within the existing budget. The staff time required to process applications can be accommodated with the current staff complement.

## **Analysis**

In compliance with the AODA (2005), any individuals with a disability requiring an accompanying support person to travel on public transit will be eligible to apply for the Universal Support Person Pass. This legislative compliance also requires that the pass be recognized by all transit systems across Ontario.

This initiative is another example of the Inter-Municipal Working Group's (IMTWG) customer facing improvements to enhance the rider experience, create further integration among Niagara's transit systems and create a seamless, harmonized policy.

Appendix 1 contains the USPP application which requires the applicant be assessed by a medical professional consistent with those recognized by the AODA. Approved applicants will receive the Pass which they will present to transit drivers with their full fare at the point of boarding the bus, enabling their support person to travel with them at no additional charge.

Beginning in September 2018 each Niagara transit provider offering specialized transit service will contact their customers who have already been identified as requiring a support person. These clients will be given the option to receive a Universal Support Person Pass and will need to authorize the current transit provider share their personal information with Niagara Region for the express purpose of processing and issuing the Pass. Niagara Region will be responsible for maintaining the Universal Support Person Pass database and issuing the Passes.

The validity of the card will extend for two years, in keeping with the interim branding of Moving Transit Forward.

Throughout the fall of 2018 a communications plan will be put in place to inform the public and client group of the roll-out for the Universal Support Person Pass for conventional transit, effective January 2019.

Pending Committee's endorsement, the Universal Support Person Pass report will be circulated for adoption by each municipality offering transit service.

## **Alternatives Reviewed**

The IMTWG considered whether each municipality should independently maintain their own client list and issue passes. This alternative was not recommended in keeping with the principles of the MOU for a streamlined and customer-centric approach.

## Relationship to Council Strategic Priorities

The enabling actions outlined in this report, supported by leadership of the LNTC and the work of the IMTWG will advance the Council Strategic Priority to "...support municipalities in developing a long-term solution for inter-municipal transit".

## Other Pertinent Reports

LNTC-C 4-2018

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### Prepared by:

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Project Coordinator  
GO Implementation Office

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### Recommended by:

Ron Tripp, P.Eng.  
Commissioner  
Public Works Department

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### Submitted by:

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Chief Administrative Officer

*This report was prepared in collaboration with the IMTWG in consultation with Matt Robinson, Director - GO Implementation Office; Rob Salewytch, Transit Planning Coordinator – GO Implementation Office; Steve Murphy, Policy and Sustainability Analyst – Niagara Region; Sterling Wood, Legal Counsel – Niagara Region*

## Appendices

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## Niagara Region Transit

### APPLICATION FOR SUPPORT PERSON PASS, CONVENTIONAL TRANSIT

You may be eligible for a Support Person Pass if you are unable to travel independently and require assistance on conventional transit.

**Please note that all conventional transit is fully accessible for those with mobility, visual, cognitive or other disabilities.**

In order to be eligible to have a support person accompany you free of charge on any conventional transit service, you are required to:

- complete Part “A” of this application
- have your health care provider complete Part “B” of this application – a listing of approved professionals is found on the last page of this application package

If approved, a Support Person Pass will be issued to you which enables you to travel with one passenger of your choice at no additional charge. Please note that you will be required to present your Support Person Pass at the time of boarding in order to receive this benefit.

Submit Part “A” and “B” of this application to:

In Person	Niagara Region	By Fax	905-685-0013
By Mail	Transportation Services 1815 Sir Isaac Brock Way P.O. Box 1042 Thorold, ON L2V 4T7	By-email	transit@niagararegion.ca

**Please note the following excerpt taken from the *Integrated Accessibility Standards (IASR) Act., Regulation 191-11***

*38.(1) No conventional transportation service provider and no specialized transportation service provider shall charge a fare to a support person who is accompanying a person with a disability, where the person has a need for a support person.*

*(2) It is the responsibility of a person with a disability to demonstrate to a transportation service provider described in subsection (1) their need for a support person to accompany them on the conventional or specialized transportation service and to ensure that the appropriate designate for a support person is in place.*

For questions please contact:  
905—980-6000, ext. 3550 or 1-888-263-7215, ext.3550

# PART "A" Support Person Pass Application Form – Personal Information

## Section 1.

### PERSONAL INFORMATION

_____		_____		Date of Birth: _____ / _____ / _____		
(last name)	(first name)	(mo)	(day)	(year)		
_____		_____		_____		
(street address)	(street name)	(postal code)	(name of residence: if applicable)			
_____		_____		_____		
(day time phone)	(evening phone)	(mobile or TTY phone)	(e-mail)			

I hereby certify to the best of my knowledge that the information given in this application is correct. By signing below, I hereby authorize the Regional Municipality of Niagara or their agents to use this application to determine my eligibility by reviewing the information contained herein. I further authorize the Health Care Professional who signed Part "B" of this application to release any information to the Regional Municipality of Niagara or their agents for purposes of determining eligibility. In addition, I certify that my consent is freely given to the Regional Municipality of Niagara or their agents to share the information contained within this application with other transit service providers for the purpose of providing this service.

By signing below, I am aware that my continued eligibility may be re-assessed from time to time by the Regional Municipality of Niagara or their agents.

\_\_\_\_\_  
Signature of applicant

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Signature of Guardian or Power of Attorney (proof may be required)

\_\_\_\_\_  
Date:

(if required)

\_\_\_\_\_  
Name (please print) of Guardian or Power of Attorney

\_\_\_\_\_  
Address of Guardian or Power of Attorney

## PART "A" Support Person Application Form

### Section 2.

1. How does your disability prevent you from accessing conventional transit services independently?

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2. Please describe the type of assistance your support person will provide during your transit trip.

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DRAFT

**OFFICE USE ONLY**

Review Date: \_\_\_\_\_ ( mm – dd-yyyy)

Approved     Permanent     Temporary: Until \_\_\_\_\_

## PART “B” Support Person Application Form – Medical Information TO BE COMPLETED BY A HEALTH CARE PROFESSIONAL

### To the Health Care Professional:

You are being asked by the applicant named in either Part A of this application to provide information regarding their ability to make use of one of the following transit options:

Part A Support Person Card Identification – if approved, this allows the transit user to have a support person ride free with them on any conventional transportation. (Conventional transit is also fully accessible with low floor service, wheelchair or scooter acces and other disabilities)

Please review Part “A” of this application to understand the intent of the applicant.

An applicant’s eligibility for a Support Person Card is directly dependent on their inability to use conventional, accessible transportation independently. It does not necessarily depend on medical problems such as cardiovascular diseases, pulmonary disease or old age, but they may be taken into consideration as additional factors. In addition, a lack of local conventional transit does not constitute eligibility for specialized transit services.

**Please note that all conventional transit is fully accessible for those with mobility, visual, cognitive or other disabilities.**

Please complete the following:

\_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(applicants last name) (applicants first name) (mo) (day) (year)

1. In your professional opinion does the applicant have a disability that requires them to have a support person in order to use conventional, accessible transit? (i.e., they are not able to self-direct their own care while on board the vehicle)  
 yes  no
  
2. If this is a temporary condition, please advise of an approximate date that the applicant could begin to independently use conventional accessible transit. Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(mo) (day) (year)

I have read Part A in its entirety

Name of Health Care Professional: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

To the Health Care Professional completing this form, please note if you are a Member of:

- The College of Physiotherapists of Ontario.
- The College of Physicians and Surgeons of Ontario
- The College of Occupational Therapists of Ontario
- The College of Audiologists and Speech-Language Pathologists of Ontario.
- The College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario
- The College of Chiropractors of Ontario.
- The College of Optometrists of Ontario.
- The College of Nurses of Ontario
- The College of Psychologists of Ontario

\_\_\_\_\_  
(please print title and name)

\_\_\_\_\_  
(signature)

Applications are to be submitted to:

In Person	Niagara Region	By Fax	905-685-0013
By Mail	Transportation Services 1815 Sir Isaac Brock Way P.O. Box 1042 Thorold, ON L2V 4T7	By-email	transit@niagararegion.ca



This pass can only be used by a person who, because of disability, requires a support person for assistance as certified by a regulated healthcare professional.

The fare paying pass holder can be accompanied by one support person at no additional cost when using any conventional and/or specialized transit services in any Ontario.

This card is not transferrable and must be surrendered for inspection upon request of the driver. When using, pass holders may be required to provide proof of identity.

Niagara  Region

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**Subject:** Inter-Municipal Transit (IMT) Service Implementation Strategy

**Report to:** Linking Niagara Transit Committee

**Report date:** Wednesday, September 12, 2018

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## Recommendations

1. That this report **BE RECEIVED** for information and reviewed in conjunction with the Inter-Municipal Transit (IMT) Financial Impact Analysis (LNTC-C 22-2018) and the IMT Capital Plan 2019 (LNTC-C 23-2018);
2. That the IMT Service Implementation Strategy outlined in this report **BE ENDORSED**;
3. That the framework outlined in Appendix 1 **BE ENDORSED** for the development of a business case relating to the governance of transit services in Niagara;
4. That together with LNTC-C 22-2018 and LNTC-C 23-2018, this report **BE RECOMMENDED** through Public Works Committee to the Budget Review Committee for 2019 Budget deliberations;
5. That this report **BE DISTRIBUTED** to Local Area Municipalities for their information.

## Key Facts

- The purpose of this report is to propose an accelerated IMT Service Implementation Strategy for service enhancements which are based in part, on recommendations outlined in the Dillon Report<sup>1</sup>.
- The proposed IMT Service Implementation Strategy consists of three phases, undertaken in tandem with ongoing information gathering for transit services governance discussions:

Phase 1 (September 2018): Optimization of existing IMT services, plus Wave 1 customer service improvements.

Phase 2 (Fall/ Winter 2019/2020): Increased IMT service to 30 minute frequency plus new Link service into West Niagara and Pelham, transferred ownership/operations of Port Colborne and Fort Erie Link service, expanded Sunday /Holiday service, and Wave 2 of customer service improvements.

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<sup>1</sup> Niagara Transit Service Delivery and Governance Strategy, January 2017

Phase 3 (Fall 2020): Strategic long-term service planning and major capital investment decisions driven by transit governance structure.

- Detailed financial impacts and capital requirements related to the proposed IMT Service Implementation Strategy are outlined in reports LNTC-C 22-2018 and LNTC-C 23-2018.
- The proposed IMT service enhancements are required independently from the implementation of a new transit governance structure; however, the accelerated timeline demonstrates Niagara Region’s commitment towards IMT and will streamline any potential transition resulting from the future governance decision.
- The accelerated timeline correlates with Niagara’s desire for an accelerated implementation of daily GO Rail Service, as it is critical for the Region to establish a fully operational IMT service in advance of daily GO Rail Service arrival to Niagara in or before 2021.

## Financial Considerations

The detailed five year financial impact forecast associated with the proposed IMT Service Implementation Strategy (outlined in Appendix 1) is provided in report LNTC-C 22-2018. The summarized capital and operating expenditures for Niagara Region Transit (NRT) are presented in Table 1 below. A full description of Phase 1 and Phase 2 service changes are described in the “Analysis” section of this report and outlined in Appendix 2.

**Table 1: Financial Outlook from proposed NRT Service Plan**

	2017	2018	2019	2020	2021	2022
	Base Service	Phase 1 (Sep 2018)	Phase 2 (Sep 2019)	Continue Phase 2	New Base Service	
<b>Service hours</b>	<b>41,000</b>	<b>48,000</b>	<b>89,000</b>	<b>149,000</b>	<b>151,000</b>	<b>151,000</b>
Existing Fleet / Replacements	11			2	7	7
Incremental Fleet Requirements		+6	+14			
<b>Total Fleet</b>	<b>11</b>	<b>17</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>
<b>Capital Cost</b>		<b>\$3,275,000</b>	<b>\$13,900,000</b>	<b>\$ 1,500,000</b>	<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>
<b>Net Operating Cost</b>	<b>\$2,687,778</b>	<b>\$3,121,086</b>	<b>\$ 8,326,780</b>	<b>\$13,631,299</b>	<b>\$13,918,019</b>	<b>\$14,282,263</b>
Vce. (Year over Year)		\$ 433,308	\$ 5,205,694	\$ 5,304,519	\$ 286,719	\$ 364,245
Incremental Impact (Chg over 2017 Base)		\$ 433,308	\$ 5,639,002	\$10,943,521	\$11,230,240	\$11,594,485

## Capital Impacts

In addition to the 11 buses currently owned by the Region, the proposed IMT Service Implementation Strategy requires 6 additional buses in 2018 and another 14 buses in



2019, bringing the NRT fleet to 31 buses by 2020. The delivery of September 2018 NRT service levels requires substantial use of fleet owned by the local transit operators. By eliminating this reliance, the local operators will be better positioned to meet local pressures for planned local service expansions without incremental capital expenditures as a result of deploying local buses for NRT routes. Table 2 below illustrates changes to the local fleet as a result of the IMT service improvements, accompanied by the anticipated changeover year.

**Table 2: Local Transit Bus Redeployment from NRT Routes**

	Local Operator	# Buses	Supplied By	Change Over Date
<b>Post Secondary Routes</b>				
NFT - Route 21	NFT/ SCT/ WT	3 to 4	NFT/ SCT/ WT	Sep-19
SCT - Route 26	SCT	2	SCT	Sep-19
SCT - Route 27	SCT	1	SCT	Sep-18
WT - Brock Link	WT	1	WT	Sep-19
WT - NOTL Link	WT	1	WT	Sep-19
<b>Feeder Routes</b>				
Port Colborne Link	WT	1	WT	Sep-19
Fort Erie Link	NFT	1	NFT	Sep-19

Operating Budget Impacts

The proposed IMT Service Implementation Strategy requires \$13.9M in annual net operating expenses once all service enhancements are implemented (the detailed annual net operating impact is provided in LNTC-C 22-2018). Phase 1 service enhancements, which impact the Q4-2018 budget, have been managed in-year through post-secondary student contract negotiations. However, the annualized cost impact for the 2018 and 2019 service enhancements create additional budgetary pressures until 2021 which will require special funding considerations. The estimated annual net operating budget stabilizes in 2021 when annual service hours reach full implementation at 151,000 hours. The primary operating impact is driven by annual service hours increasing from the current base of 41,000 hours; however, additional cost drivers include:

- Marketing, promotion, and signage
- Intelligent Transportation Systems (ITS)
- Staffing requirements due to increased service hours – 2 FTE

To date, local transit partners have operated post-secondary student routes on a cost recovery basis. The proposed Phase 1 and Phase 2 service enhancements will shift ridership which in turn impacts revenue and Provincial Gas Tax (PGT) funding. A full financial impact analysis is outlined in report LNTC-C 22-2018.

## Analysis

### A. IMT Service Enhancement and Governance Strategy

The LNTC-approved workplan (LNTC 1-2018) outlines a number of initiatives and studies to improve transit services in Niagara, including continuous information gathering to aid the governance structure decision. All initiatives and studies must be carried out while achieving the following objectives:

- Adhering to the agreed upon guiding principles of customer focused service delivery
- Integrating with local transit services and ensuring that service delivery is not adversely impacted
- Respecting fiscal responsibility to improve economic development opportunities across the Region

These objectives can be achieved through the proposed IMT Service Implementation Strategy in Appendix 1. Phase 1 and Phase 2 service enhancements are identified in Table 3, while Phase 3 service enhancements are outlined in Table 4 below.

**Table 3: IMT Service Enhancements (Phase 1 and Phase 2)**

Phasing	Accelerated Timelines	Enhancements / Improvements
Phase 1	Sept. 2018	<ul style="list-style-type: none"> <li>• Optimization (rationalization) of the post-secondary IMT routes with NRT Routes               <ul style="list-style-type: none"> <li>○ NRT 60/65 and 70/75   SCT 27   NFT 21</li> </ul> </li> <li>• Customer Service improvements – Wave 1               <ul style="list-style-type: none"> <li>○ Trip Planner/ Transit App/ Uniform Customer Service Policies/ Consolidated after hour call handling</li> <li>○ Branding strategy and communications approach</li> </ul> </li> <li>• Information gathering for the next phases               <ul style="list-style-type: none"> <li>○ Provincial Gas Tax Impact Analysis</li> <li>○ Specialized Transit Study</li> </ul> </li> </ul>
Phase 2	Sept. 2019 / Jan. 2020	<ul style="list-style-type: none"> <li>• Merging of all remaining post-secondary student IMT routes with NRT routes (completion of rationalization process)               <ul style="list-style-type: none"> <li>○ NRT 40/45   WT Brock and NOTL links   SCT 26</li> </ul> </li> <li>• NRT Service Enhancements:               <ul style="list-style-type: none"> <li>○ Half-hour frequency on mainline high volume routes, with peak period 20 minute frequency</li> <li>○ extended service hours on the existing feeder routes</li> <li>○ new IMT service to West Niagara (Pilot)</li> <li>○ new feeder links (Pilot)</li> </ul> </li> <li>• In/off corridor short-term improvements</li> <li>• Customer Service improvements – Wave 2               <ul style="list-style-type: none"> <li>○ Consolidated transit map</li> <li>○ One customer call centre</li> <li>○ Uniform fare policies</li> </ul> </li> </ul>

Phasing	Accelerated Timelines	Enhancements / Improvements
		<ul style="list-style-type: none"> <li>○ Short-term technology improvements - fare collection</li> <li>● Information gathering for next Phase (all municipal transit systems in Niagara)</li> <li>○ Transit assets and inventory study</li> <li>○ Transit human resources study</li> <li>○ Three/ five year detailed transit service plan &amp; financial assessment study</li> <li>○ Bus Rapid Transit (BRT) hubs location study</li> <li>○ Transit governance alternatives – Business Case</li> </ul>
	Fall 2019 / Fall 2020	<ul style="list-style-type: none"> <li>● <b>Transit Governance Decision</b></li> <li>● <b>New Transit Structure Set-up</b></li> </ul>

Depending on the service enhancements, timing and completion of the necessary studies during Phase 2, some of the items identified in Phase 3 could be initiated earlier.

**Table 4: Local and IMT Long-Term Service Enhancements (Phase 3)**

Phasing	Accelerated Timelines	Enhancements / Improvements
Phase 3	Post-governance decision  (Sept. 2020, background work to be carried out during Phase 1 and Phase 2)	<ul style="list-style-type: none"> <li>● Decision by new transit governing body on long-term plans and capital investments                             <ul style="list-style-type: none"> <li>○ 10-year transit strategic plan</li> <li>○ Farebox integration</li> <li>○ Intelligent Transportation Systems upgrades</li> <li>○ Transit Maintenance Garage(s) and Operations Centre</li> <li>○ Transit Hubs improvements</li> <li>○ Other transit infrastructure-related upgrades for accessibility, and in-corridor and off corridor works</li> </ul> </li> <li>● Customer Service Improvements – Wave 3                             <ul style="list-style-type: none"> <li>○ Fully integrated and Presto compliant fare collection system</li> <li>○ Mobility management – first mile and last mile solutions</li> </ul> </li> </ul>

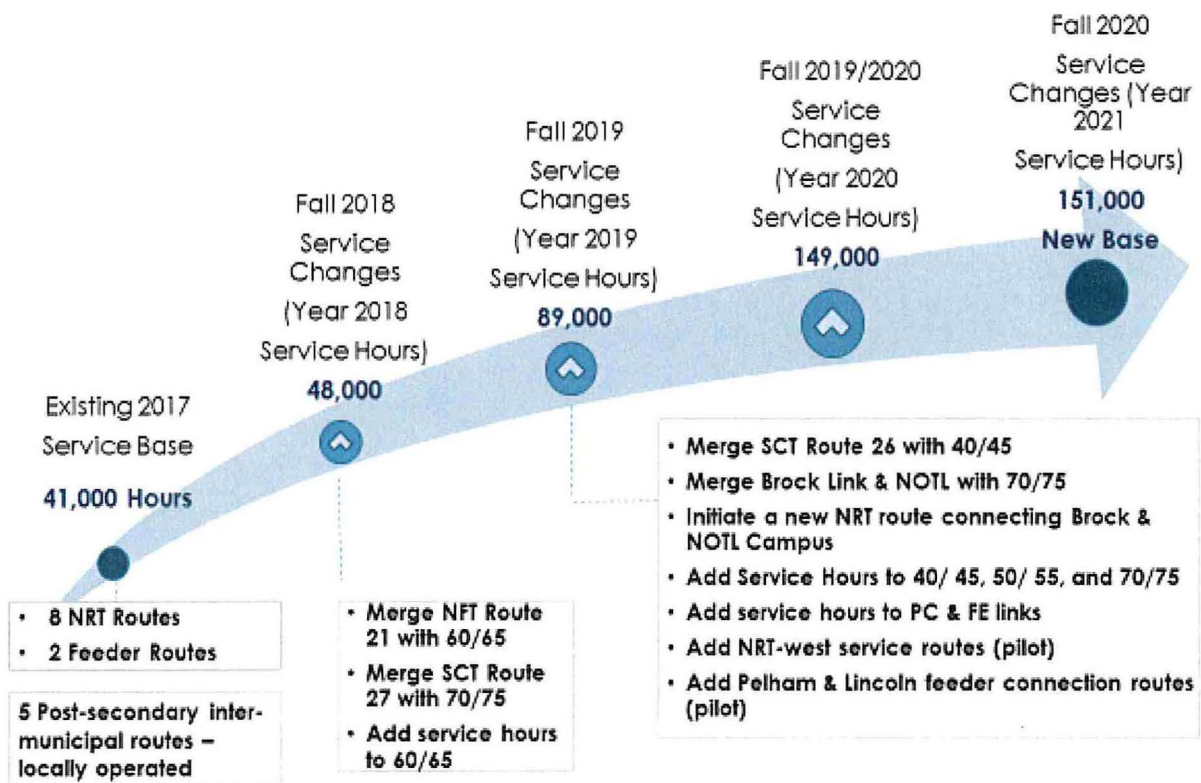
The proposed IMT Service Implementation Strategy (Appendix 1) incorporates a complete systems approach by optimizing the existing IMT service delivery prior to the implementation of additional service enhancements. Concurrent information gathering and studies will inform both IMT service delivery optimization efforts and the decision on determining a transit governance structure. Customer focused service improvements will remain an underlying theme and will support long-term planning, service delivery, and capital investments through an integrated transit system once the new transit governance structure is decided upon.

The three phases of the IMT Service Implementation Strategy described within Tables 3 and 4 above ensure that local and IMT services are well-integrated and become fully operational prior to the planned arrival of daily GO Rail Service Expansion to Niagara and the 2021 Canada Summer Games.

*B. IMT Service Enhancements and Implementation Strategy*

Figure 1 below illustrates the proposed IMT Service Implementation Strategy for Phase 1 and Phase 2 service enhancements beginning with the base service of 41,000 service hours which is equivalent to the 2017 NRT service levels (as described in PW 19-2018). The proposed plan increases service hours by 7,000 in the fall of 2018 (Phase 1), 41,000 by 2019 (Phase 2) with full annualized implementation of Phase 1 and 2 creating an additional 101,000 service hours by 2020 (detailed service plan/map provided in Appendix 2). In addition, the Wave 1 and Wave 2 customer service improvements outlined in Table 3 above will establish the foundation for Wave 3 customer service improvements.

**Figure 1: IMT Service Enhancements and Implementation Strategy\***

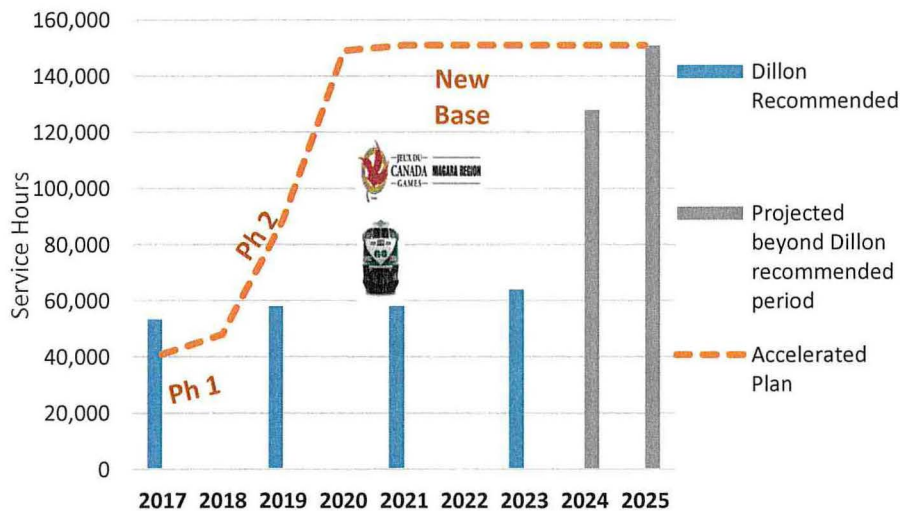


\*Subject to Regional Council Approval

*C. Proposed IMT Service Implementation Strategy vs. Dillon Report Recommendation*

The accelerated IMT Service Implementation Strategy is depicted in Figure 2 below, in comparison to the service hours recommended in the Dillon Report (detailed comparison provided in Appendix 3). The key differences between the Dillon Report and the accelerated strategy are discussed below:

**Figure 2: Proposed IMT Service Hours vs. Dillon Report Recommendation**



Proposed Accelerated IMT Service Implementation Strategy

- Service hours are based on weekday 30 minute headway on all NRT mainline routes, with 20 minute headway on high demand mainline routes
- Accelerated implementation of 30 minute service on IMT routes with expanded hours
- Introduction of the new West Niagara IMT pilot service connecting the GO Transit stops
- Enhanced feeder services and new feeder links

Dillon Report Recommendations

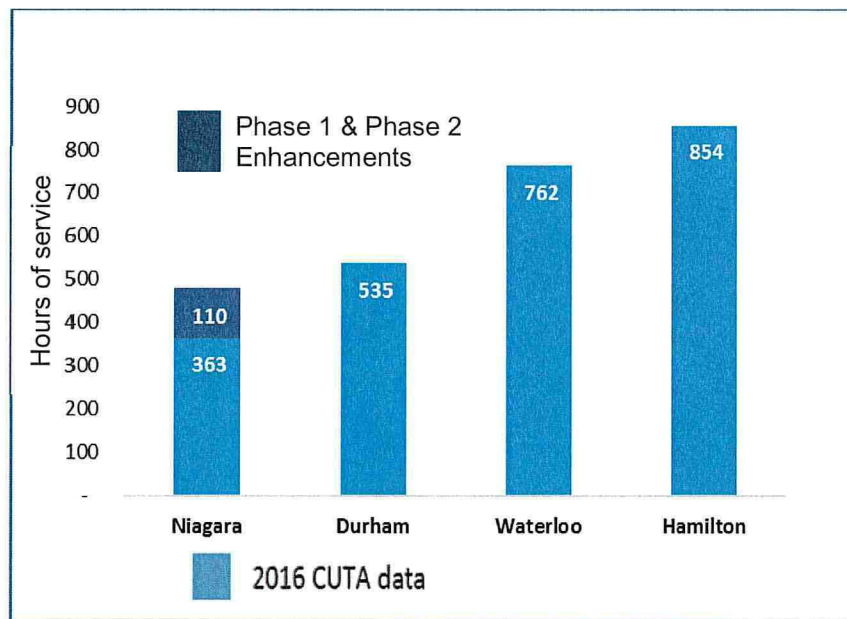
- Service hours based on 60 minute headway (one hour frequency) on most NRT routes with 30 minute AM peak headways on some mainline routes.

- 30 minute service all-day on all NRT routes post-consolidation

*D. Peer System Comparison of Service Levels*

Figure 3 below displays how Niagara's municipal transit service hours will compare to peer transit systems in the GTA after the proposed Phase 1 and Phase 2 service enhancements are implemented. It is important to note that Durham (DRT), Waterloo (GRT), and Hamilton (HSR) are operated as single-tier system, whereas Niagara is a two-tiered system.

**Figure 3: Peer System Comparison of Transit Service Hours**



*E. Rationale for accelerated IMT Service Implementation Strategy*

A number of factors have driven the demand for an accelerated implementation of IMT service enhancement. Factors are discussed below by order of significance:

1. Daily GO Rail Service Expansion to Niagara (2021)

Work related to Niagara's daily GO Rail Service Expansion is proceeding rapidly. Metrolinx has approved functional station designs for Grimsby and St. Catharines GO Stations, while the Niagara Falls functional station design is in its advanced stages of approval in consultation with the City and Region.

Station designs are based on multi-modal level of service hierarchy which places much greater value on transit connections compared to private automobile. Additionally, Metrolinx is shifting towards a system-wide approach targeted at reducing the automobile mode share split for station access in upcoming years<sup>2</sup>.

The Region has now completed its GO Hub and Transit Stations Study. Secondary Plans for each of Niagara's confirmed and identified GO Station sites have been approved. Local municipalities confirmed to receive GO Rail Service include: Grimsby by 2021, and St. Catharines and Niagara Falls by 2023; while Lincoln (Beamsville) has been identified as a future potential GO Station location. The Region and its local municipal partners remain actively involved with advocating for daily GO Rail Service to be established prior to the Government of Ontario's committed 2021-2023 timeline, and have indicated a commitment to have transit connections in place to fully leverage the daily GO train service.

Each Secondary Plan establishes transit-supportive land use permissions around their respective GO Station. Furthermore, each Plan identifies capital work improvements necessary to enable safe and convenient access to the GO Station for all modes of travel. An accelerated IMT Service Implementation Strategy will increase the degree of certainty in relation to the expected level of transit service delivery to each GO Station. This will assist with informing and accommodating transit services through design considerations undertaken as part of the identified capital work projects.

Factors such as Metrolinx's shift towards a greater emphasis on reducing the mode share split of private automobile in relation to GO Station access, overall benefits to development and redevelopment opportunities through an enhanced transit services, and Niagara's assertive advocacy with Metrolinx and the Government of Ontario for an accelerated implementation of daily GO Rail Service, make it critical for the Region to pursue and establish a fully operational IMT service delivery in advance of GO Rail Service arrival. Accelerating the IMT Service Implementation Strategy will demonstrate Niagara's commitment to its 2015 GO Rail Business Case, as well as encourage Metrolinx to accelerate its timing for daily GO Rail Service Expansion to Niagara.

## 2. LNTC - Transit Coordination and Working Group Deliberations

Significant discussions have occurred under the LNTC working groups, namely the IMT-Coordination Committee (consisting of four major transit systems) and IMT-Working Group (consisting of all 13 Niagara municipalities) on the LNTC workplan related transit service enhancements and customer service

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<sup>2</sup> GO Rail Station Access Plan, December 2016 (Metrolinx)

improvements. These discussions have significantly informed the phasing plan. Key recommendations from the deliberations are discussed below:

- *Implement 30 minute IMT Mainline Service:* The IMT-Coordination Group has advocated for better integration of IMT routes with local transit routes. Niagara’s major local transit systems have significant portions of routes with 30 minute headway service. Adjusting the IMT mainline routes to a 30 minute from the current 60 minute headway service will increase frequency, reliability, consistency and connectivity of transfers from one route (and system) to another. Table 5 below summarizes the current and proposed states.

**Table 5: Niagara Transit Systems – 30 Minute Service Delivery Projection**

	2018		2021
	Total # of routes	# of routes with 30 min service	Proposed # of routes with 30 min service
St. Catharines Transit	52	34	34
Niagara Falls Transit	24	14	19
Welland Transit	10	8	8
Niagara Region Transit	10	0	8
<b>Niagara Transit Systems combined</b>	<b>96</b>	<b>56</b>	<b>69</b>
<b>% of Total System</b>		<b>58%</b>	<b>72%</b>

- *Harmonize Weekend and Holiday services:* Currently, major local transit systems have weekend service and have varying levels of holiday service (from no service to reduced service). NRT does not operate on Sundays and Holidays, and requires alignment with local systems.
- *Enhance IMT operational service hours:* NRT currently operates between 7a.m. and 9p.m. These hours should be expanded to 7a.m. to 11p.m. to accommodate shift workers and post-secondary student needs. Hours of service on the existing feeder routes and any new mainline or feeder route also need to be expanded and aligned for consistent service coverage and to accommodate effective transfers.
- *Implement IMT West Niagara Service:* New IMT service to West Niagara is identified as priority to connect west Niagara communities to Niagara’s transit network, and to have an established transit service in advance of the GO Rail Service Expansion to Grimsby by 2021.
- *Upload, enhance, and add new inter-municipal feeder routes:* Currently, local municipalities and the Region cost-share on the existing Port Colborne and Fort Erie feeders. These links are inter-municipal connections and it is logical to upload them as part of the Regional system. Additionally, there is a need to



connect the newly-created Pelham and Lincoln local transit systems with the IMT system to fully leverage transit connectivity.

- *Customer Improvements:* Carry out short-term customer facing improvements (Wave 1 and Wave 2) towards building a transit brand.
- *Develop a Business Case for transit governance decision:* Complete background studies and information gathering on transit assets inventory, human resources, legal, and financial aspects to develop a Business Case that will help develop options to guide the governance decision making process.

### 3. Post-Secondary Student Union negotiations

Positive discussions regarding the future U-Pass agreements have occurred between Brock University Student Union (BUSU), Niagara College Student Administrative Council (NCSAC), Niagara Region and the major transit partners. Key outcomes from these discussions include:

- General consensus on replacing student charter routes with enhanced public transit routes, with frequent connections to campus hubs.
- Harmonization of U-Pass payments across the local transit systems based on ridership (taps), and opportunities for future alignment of tap rates equivalent to bulk ridership discounted monthly pass rates.
- Reducing the number of U-Pass agreements and moving towards a unified approach for future planning. Information sharing on post-secondary student ridership growth and related service costs will help substantiate possible future U-Pass fare requests.

A significant portion of the Phase 1 and Phase 2 IMT service enhancements are based on discussions with NCSAC to rationalize the student charter routes as part of the NRT routes. However, as shown in Table 1 above, these enhancements require substantial increases to service hours which drive the incremental operating and capital costs to NRT in the short term.

### 4. Region Equal Partner in Governance Discussions

With the 2017 triple-majority, Niagara Region has committed to undertaking a significant investment in the future development of the IMT system. As noted above, the existing NRT service delivery does not match the service delivery of our local municipal transit partners. This service delivery misalignment becomes a disadvantage to transit users by limiting transit route options and delaying transfers between local and inter-municipal systems. Furthermore, the

misalignment becomes a significant barrier of entry to those considering transit as an alternative mode of transportation by significantly increasing travel times.

A fully operational IMT service delivery by the end of 2019 is critical to enable the Region to establish itself as an equal transit partner within Niagara and moves toward a transit model which is aligned with and complementary to local transit service delivery. Furthermore, it will allow the Region to monitor and optimize service delivery prior to major upcoming milestones such as the arrival of daily GO Rail Service Expansion to Niagara, and the 2021 Canada Summer Games.

The Public Transit Infrastructure Fund (PTIF) Phase 2 funding was announced in March 2018 with a total of \$148.4 million for Niagara transit systems (\$81.3 in Federal and \$67.1 Provincial), over 10 years. Further details are pending; however, the Province has indicated that the majority of funding would occur during the backend of the 10-year program allocation in 2025/26 through 2028/29. An accelerated IMT Service Implementation Strategy would establish a new transit governance structure prior to the major investment decisions outlined in Phase 3 (Table 4) of this report providing opportunity for alignment of PTIF funds in a system-wide approach.

An accelerated IMT Service Implementation Strategy will improve the Region's ability to build relationships with future transit users through offering a robust transit system that is able to accommodate the needs of its users. The accelerated Service Implementation Strategy will implement significant operational and customer service enhancements to provide users with a frequent, reliable, and seamless transit service. These enhancements will improve users' overall experience of the system, gaining their trust and increasing the likelihood of individuals choosing the transit system as a primary means of transportation in the future. In addition, the accelerated strategy also considers projected growth in post-secondary populations, and the expected increases in demand associated to this growth.

Based on the reasons discussed in this report, the IMTCC, IMTWG and Region Transit staff submit that the Region should capitalize on the opportunities associated with accelerating the IMT Service Implementation Strategy.

## **Alternatives Reviewed**

An alternative was to have a protracted IMT service implementation by going through the process of a transit governance decision in advance of the Phase 1 and Phase 2 service enhancements. This approach was not preferred due to the need to bring the

IMT service into a truly 'inter-municipal' state with connections to west Niagara. In addition, the protracted implementation would forgo the benefits relating to effective governance deliberations that having transit service levels at par with the major local transit service levels would have. Not accelerating the timeline would also represent a significant lost opportunity to encourage Metrolinx to accelerate their timeline for daily GO Train service to coincide with the Canada 2021 Summer Games. Additionally, the information gathering inputs required for the governance decision will take time to collect, and would lead to the postponing of post-secondary route optimization, implementation of new IMT West Niagara routes, and enhanced and new feeder routes.

## **Relationship to Council Strategic Priorities**

Moving People and Goods:

People need reliable and effective transportation modes that allow them to easily move from where they live to places such as work, leisure, health care, and education. In conjunction with LNTC-C 22-2018 and LNTC-C 23-2018, this plan directly advances the following key Council Strategic Priorities:

- Provincial commitment to GO Rail expansion in Niagara
- Support local municipalities in developing long-term solution for transit.

## **Other Pertinent Reports**

- LNTC-C 22-2018 IMT Financial Impact Analysis
- LNTC-C 23-2018 IMT Capital Plan 2019
- PW 19-2018 Niagara Region Transit 2018 Service Agreement

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### **Prepared by:**

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Transportation Lead  
GO Implementation Office

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### **Recommended by:**

Ron Tripp, P. Eng  
Commissioner  
Public Works Department

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### **Submitted by:**

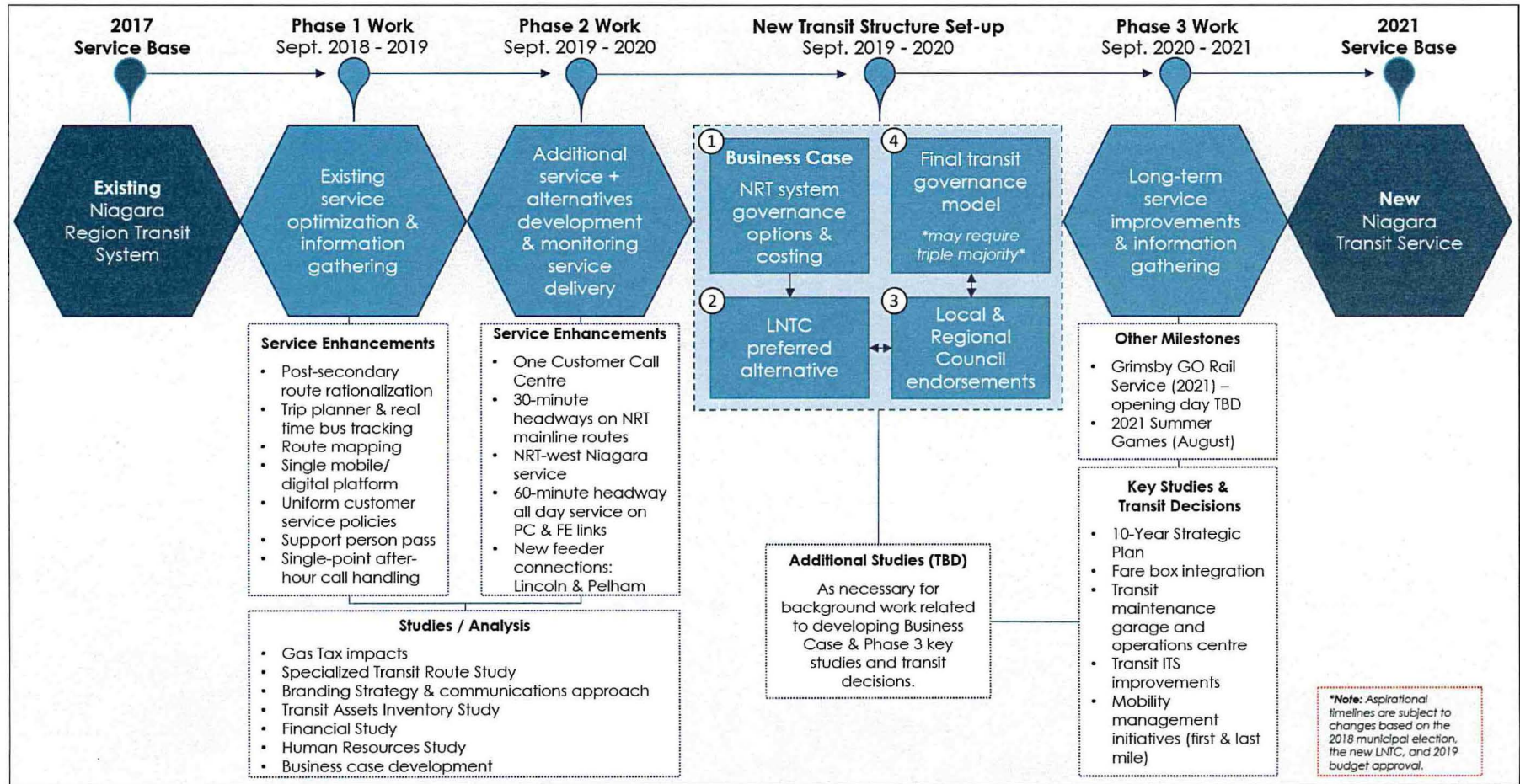
Carmelo D'Angelo, BSc, MPA  
Chief Administrative Officer

This report was prepared in consultation with the Transit Operators and Members of the Inter-Municipal Transit Working Group; Matt Robinson, Director, GO Implementation Office; Robert Salewytch, Transit Service Planning Coordinator; Alex Morrison, Planner, Planning and Development Services; and reviewed by Heather Talbot, Financial and Special Projects Consultant, Financial Management and Planning, and Helen Chamberlain, Director of Financial Management and Planning/Deputy Treasurer, Enterprise Resource Management Services.

## **Appendices**

- Appendix 1 IMT Service Implementation Strategy & Governance Guiding Framework
- Appendix 2 IMT Phase 1 and Phase 2 Enhancements Plan / Map
- Appendix 3 Proposed Service Plan / Dillon Report Comparison

IMT Service Implementation Strategy and Governance Guiding Framework (with Timeline\*)



**Dillon recommended timelines vs. Accelerated Service Implementation Plan**

		Service delivery timeline							Service delivery beyond Dillon Report	
		2017	2018	2019	2020	2021	2022	2023	2024 <sup>1</sup>	2025 <sup>1</sup>
Operating hours	Dillon	53,400	--	58,100	--	--	--	64,000	128,000	151,000
	Accelerated	41,000	48,000	89,000	148,000	151,000	151,000	151,000	151,000	151,000
Operating costs	Dillon	\$3,116,800	--	\$4,282,300	--	--	--	\$5,677,000	\$11,354,000	\$12,500,000
	Accelerated	--	\$3,185,000	\$6,905,000	\$12,484,000	\$12,500,000	\$12,500,000	\$12,500,000	\$12,500,000	\$12,500,000
Frequency of service delivery	Dillon	Hourly	Hourly	Hourly	Hourly	Hourly	Hourly	All routes hourly with some routes 30min at peak times	Most routes 30min & 20min at peak times	All routes 30min & 20min at peak times
	Accelerated	Hourly	Hourly	All routes hourly & 30min during peak times	All routes 30min & 20min at peak times	All routes 30min & 20min at peak times	All routes 30min & 20min at peak times	All routes 30min & 20min at peak times	All routes 30min & 20min at peak times	All routes 30min & 20min at peak times

**Notes:**

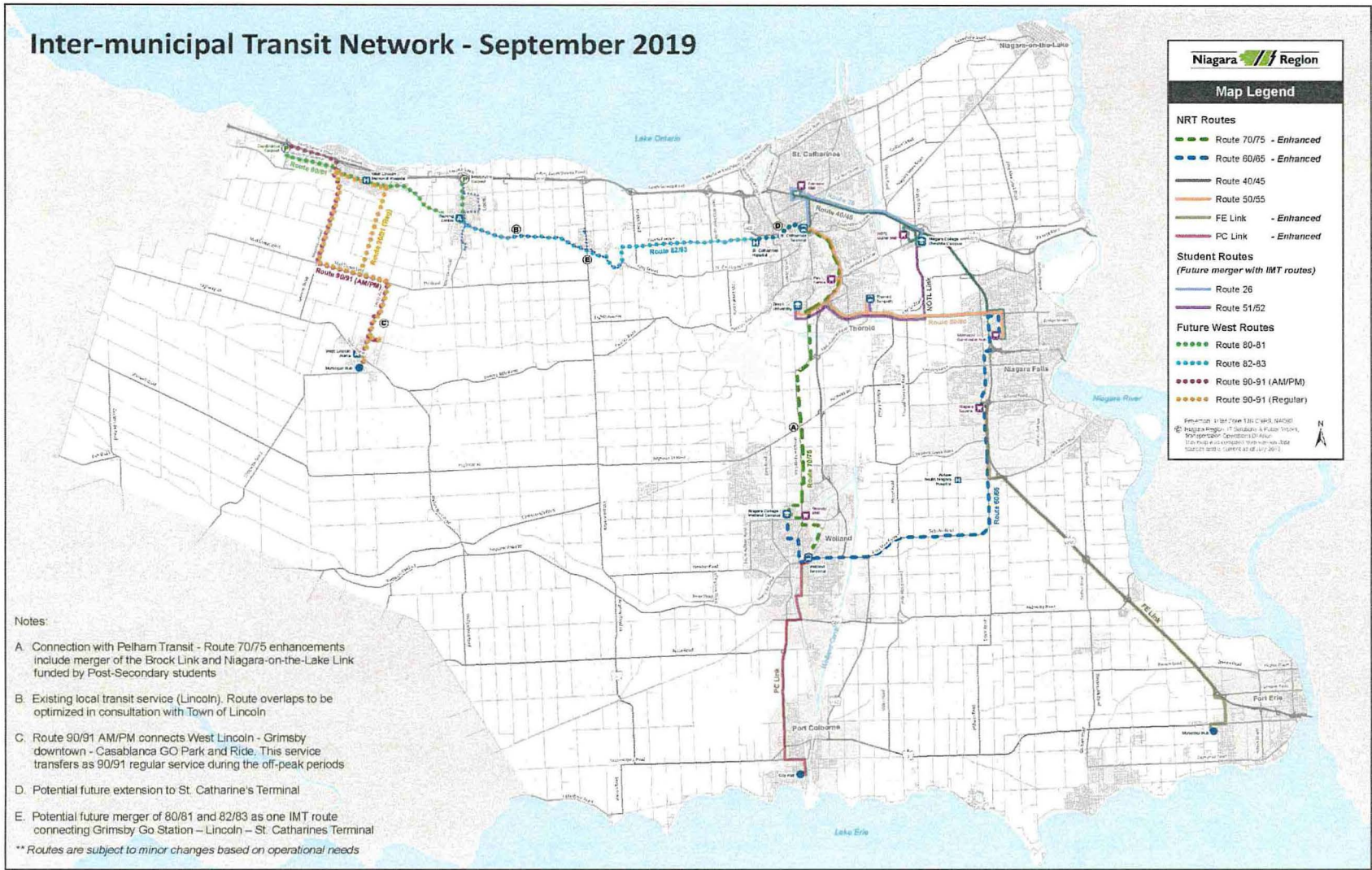
<sup>1</sup> Assuming the service delivery enhancements would be carried out in 2024 and 2025.  
The operating costs/expenditures are assumed to be flat lined, indicating no growth.

Niagara Region Transit Service Enhancements Staging Plan					
	2017 Base Service	2018 Phase 1 (Sept)	2019 Phase 2 (Sept)	2020 Phase 2 (continued)	2021 New Base Service
Routes 40/45	Mon – Fri 8 a.m. – 10 p.m. Sat 8 a.m. – 10 p.m. 60 minute headway		Add 30 minute Service Add 20 Minute peak Service Add Sunday and Holiday Service		Mon – Fri 30 min + 20 Min Peak
Routes 40/45A	Mon – Fri 7-9 a.m., 3-6 p.m. Sat – No Service 30 Min Headway		Add May – Aug Service Merge NRT Route 40/45A and SCT Route 26 into NRT Route 40/45		Sat 60 Min
Routes 50/55	Mon-Fri 7 AM - 9 PM Mon-Thu extended hours to 11 PM Sat 7 AM – 9 PM 60 Min Headway	Extend Service Hours on Fridays (Jan – Apr and Sept – Dec)	Add 30 minute Service Add Sunday and Holiday Service	Add 20 minute peak service	Mon – Fri 30 min + 20 Min Peak  Sat 60 Min
Routes 60/65	Mon – Fri 7 a.m. – 9 p.m. Sat 7 a.m. – 9 p.m. 60 minute headway	Merge NFT Route 21 Add 30 minute service Add 20 minute peak service	Add Sunday and Holiday Service		Mon – Fri 30 min + 20 Min Peak  Sat 60 Min
Routes 70/75	Mon – Fri 7 a.m. – 9 p.m. Sat 7 a.m. – 9 p.m. 60 minute headway	Merge STC Route 27 Add 30 minute peak service	Add 20 minute peak service Merge WT Brock Link and Brock Link		Mon – Fri 30 min + 20 Min Peak  Sat 60 Min
Port Colborne Feeder Link	Mon – Sat 7 a.m. – 9 a.m. 12 p.m. – 2:30 p.m.	Direct Route to Welland Transit Terminal Add 3 Trips	Upload the Link as part of NRT Add Service Hours	Add 30 minute peak service Add Sunday and Holiday service	Mon – Fri 60 min + 30 Min Peak  Sat 60 Min
Fort Erie Feeder Link	Mon – Sat 6:15 - 8:30 a.m. 11:15 a.m. – 1:30 p.m. 4 – 7:30 p.m. 60 minute headway	Direct route to Niagara Square Add 3 trips	Upload the Link as part of NRT Add Service Hours	Add 30 minute peak service Add Sunday and Holiday service	Mon – Fri 60 min + 30 Min Peak  Sat 60 Min
Routes 80/81	N/A	N/A	Initiate NRT West Niagara Pilot Project in consultation with IMTWG	Add Service as Required	TBD in Consultation with IMTWG
Routes 90/91	N/A	N/A	Initiate NRT West Niagara Pilot Project in consultation with IMTWG	Add Service as Required	TBD in Consultation with IMTWG
Pelham feeder Link (Pilot)	Pelham Transit connects with NRT at Seaway Mall		Initiate NRT Feeder Link to Pelham in consultation with IMTWG	Add Service as Required	TBD in Consultation with IMTWG
Lincoln Feeder Link (Pilot)	N/A	N/A	Initiate new Lincoln Feeder in consultation with IMTWG	Add Service as Required	TBD in Consultation with IMTWG

Notes:

Sunday and Holiday Hours are to be developed in consultation with the IMTWG

Operating Hours: The Mainline Routes i.e. Routes 40-75 approximately between 7 a.m. to 11 p.m. starting September 2019. The Feeder Routes approximately between 6:30 a.m. – 9:30 p.m. depending on the route links to Mainline Routes





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**Subject:** Inter-Municipal Transit Financial Impact Analysis

**Report to:** Linking Niagara Transit Committee

**Report date:** Wednesday, September 12, 2018

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## Recommendations

1. That this report **BE RECEIVED** for information and reviewed in conjunction with the Inter-Municipal Transit (IMT) Service Implementation Strategy (LNTC-C 21-2018) and the IMT Capital Plan 2019 (LNTC-C 23-2018);
2. That staff **BE DIRECTED** to continue working with Local Transit operators to measure future financial impacts resulting from the implementation of the 2019 Inter-Municipal Transit Service Plan; and
3. That this report **BE DISTRIBUTED** to the local area municipalities for their information.

## Key Facts

- The purpose of this report is to provide the estimated financial impacts resulting from the proposed inter-municipal transit (IMT) service implementation strategy outlined in LNTC-C 21-2018 and to seek approval for a multi-year transit implementation plan to maximize the full impact of and alignment with the arrival of daily GO Train to Niagara by (or before) 2021.
- The five year Niagara Region Transit (NRT) net operating impact is estimated at \$39.8 million (M) plus \$17.2M for new capital. The proposed IMT service plan will result in an annual net growth of \$75,000 in provincial gas tax (PGT) funds to the region. The annual incremental net operating and capital expenditures cannot be accommodated within the 2019 budget guidance and require special funding considerations.
- A separate general levy of 1.5% in year 1 plus 1.53% in year 2 would be required to fund this proposed strategy.
- Incremental revenue from joint U-Pass negotiations with Niagara College Student Administrative Council (NCSAC) and Brock University Student Union (BUSU) are estimated to generate new revenue for NRT, St. Catharines Transit (SCT), Niagara Falls Transit (NFT) and Welland Transit (WT) beginning in September 2018. Port Colborne Transit (PC) and Fort Erie Transit (FE) will realize net operating cost savings beginning in September 2019. The operational savings and incremental revenue would be reinvested into local or regional transit.
- The elimination of post-secondary student charter routes will result in a redistribution of PGT from the local operators to the Region. The estimated increases from

forthcoming PGT allocations plus the municipal savings through avoided capital expenditures exceed the reductions in municipal PGT due to ridership shifts.

- One of the guiding principles agreed to by the local operators as part of the Dillon Report was that local transit operators are "Fiscal Responsibility and Affordability with no negative impacts on local transit revenues" as outlined in the unanimous transit Memorandum of Understanding signed in 2017. To this end, staff continue to work alongside transit partners to quantify the impacts to PGT, operating costs, and capital impacts of the consolidation of routes proposed in this report.
- Together with other municipal partners, Niagara advanced a discussion about provincial funding and the importance of investment in Niagara's future transit and GO expansion at the recent AMO conference in a meeting with the new Minister of Transportation. Discussions are ongoing with MTO at both the political and staff levels to seek opportunities to expand and enable the transit plan outlined in this report.

## **Financial Considerations**

The analysis provides a five year financial impact forecast for local and Regional operating costs, revenues, PGT and capital requirements based on the proposed operating plan and ridership forecasts. Baseline information was compiled using the most recent available Canadian Urban Transit Association (CUTA) statistics (results provided in Table 1 below) and validated by each local transit agency.

The purpose of the analysis is to measure the financial impact to each transit operator resulting from the IMT service enhancements (outlined in LNTC-C 21-2018) which were based on, in part, by the recommendations presented in the 2017 Niagara Transit Service Delivery and Governance Strategy (Dillon Report) .

The Dillon Report outlined a strategy to optimize and improve existing IMT services by reducing duplication between the NRT and the service chartered by the post-secondary institutions. Discussions between staff from Niagara Region, the municipal transit operators, NCSAC, and BUSU have determined that all Inter-municipal U-Pass funded post-secondary charter services should be consolidated and replaced with enhancements to existing NRT fixed route services. While the service chartered by the post-secondary institutions are currently operated at full cost recovery, the increased service hours on existing NRT routes will provide better service to all residents within the Niagara Region and not just serve the needs of a select group of travellers. It is worth noting that students comprise over 70% of NRT ridership and 47% of total revenue in 2017.

The financial estimates provided in this analysis differ from those in the Dillon Report in two ways: one being the removal of all charter services as described above; the other being financing for the capital investments necessary to support the service changes. In order to only measure the financial impacts pertaining to the service changes

described above, all other municipal transit services are assumed to be status quo over the estimation period. The 2016-2017 baseline (status quo) information is provided in Table 1 below.

**Table 1: Existing Service Financial Information (based on CUTA 2016/17)**

2016/2017 CUTA REPORTED STATISTICS	Total Population		Total Boardings		Total Revenues		Total Operating Costs		2016/2017 Net Operating Cost		2016-17 PGT Allocation	PGT used for Operating Expenses
		% of Total		% of Total		% of Total		% of Total		% of Total		
Niagara Region	447,876	100%	253,723	3%	911,773	4%	3,373,814	8%	2,462,041	11%	763,416	267,309
Fort Erie	30,710	7%	56,526	1%	36,972	0%	664,370	2%	627,398	3%	269,544	118,912
Niagara Falls	88,071	20%	2,310,328	25%	5,849,507	27%	13,082,641	30%	7,233,134	34%	1,322,877	532,000
Niagara-on-the-Lake	17,511	4%	19,483	0%	186,622	1%	547,389	1%	360,767	2%	135,348	135,106
Pelham	17,110	4%			-			0%			-	-
Port Colborne	18,306	4%	21,410	0%	54,870	0%	300,826	1%	245,956	1%	156,892	99,465
St. Catharines (incl. Thorold)	151,914	34%	5,842,960	62%	11,725,275	54%	21,103,898	49%	9,378,623	44%	2,769,046	-
Welland	52,293	12%	920,675	10%	3,096,779	14%	4,285,037	10%	1,188,258	6%	663,023	-
Other Municipalities	71,961	16%										
<b>Niagara System Total</b>	<b>447,876</b>	<b>100%</b>	<b>9,425,105</b>	<b>100%</b>	<b>21,861,798</b>	<b>100%</b>	<b>43,357,975</b>	<b>100%</b>	<b>21,496,177</b>	<b>100%</b>	<b>6,080,146</b>	<b>1,152,792</b>

- base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics
- Municipal PGT received from Provincial Government 2016/17 fiscal year allocations

The base estimates above do not include Pelham and the pilot transit operations within Lincoln since these systems are new and were not reported in 2016 CUTA data; however, these estimates will be added as information becomes available. The 2016/17 total net cost to operate transit in Niagara was \$21.5M (\$43.4M in total operating costs and \$21.8M in total revenues). Niagara's total annual PGT allocation across all systems was \$6.1M of which \$1.2M was allocated to operating expenses and not capital investment as the funding is primarily intended. The use of PGT to offset operating costs, while minimizing the annual impact to the operating budget, requires capital replacement expenditures to be borne by either a single large capital expenditure or financing.

The annual financial impacts to capital and operating expenditures are provided in Table 2 below for each transit operator. The total five year cumulative impact for both capital and operating across all systems is \$51.6M. The proposed service enhancements/expansions for NRT require an additional \$39.8M in net operating costs and \$17.2M for new capital. This does not take into consideration the operational savings (increased revenues) to the local municipalities which should be reinvested into local or regional transit. A more detailed breakdown of the operating and capital net impacts are presented in Appendix 1, along with recommended opportunities for local reinvestment of any savings realized with the implementation of this service plan.

**Table 2: Forecast Financial Impact from proposed NRT Service Plan**

Total Financial Impact Cost/(Savings) compared to 2017 base service		2017 Fleet #	2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact	2022 Fleet #
Niagara Region	Operating	11	433,308	3,479,498	8,784,017	9,070,736	9,434,981	31,202,541	31
	Financing/OH				2,159,504	2,159,504	2,159,504	8,638,016	
	Capital		3,275,000	13,875,246	(106,672)	(233,532)	(355,613)	16,454,429	
Fort Erie	Operating		-	76,720	(159,432)	(161,869)	(164,307)	(408,888)	
	Capital		-	(36)	961	2,223	2,928	6,077	
Niagara Falls	Operating	40	(54,384)	(106,645)	(263,385)	(447,589)	(539,691)	(1,411,695)	40
	Capital		(31,785)	(14,297)	(67,881)	(61,128)	(47,423)	(222,513)	
Port Colborne	Operating		-	(70,998)	(169,991)	(170,866)	(171,741)	(583,597)	
	Capital		-	(33)	1,096	2,047	2,696	5,805	
St. Catharines	Operating	78	(80,753)	(198,590)	(301,186)	(408,549)	(462,231)	(1,451,308)	78
	Capital		(39,039)	(46,406)	(39,380)	(8,151)	10,528	(122,449)	
Welland	Operating	18	(4,216)	3,988	(37,401)	(80,369)	(101,852)	(219,850)	15
	Capital		-	(45,027)	(110,724)	(54,967)	(20,883)	(231,602)	
Pelham Financials will be included when available									
Niagara Transit System	Operating	147 buses	293,956	5,343,477	10,012,126	9,960,998	10,154,663	35,765,219	164 buses
	Capital		3,204,175	13,769,447	(322,601)	(353,507)	(407,767)	15,889,747	
<b>Total Financial Impact</b>			<b>3,498,131</b>	<b>19,112,924</b>	<b>9,689,525</b>	<b>9,607,491</b>	<b>9,746,896</b>	<b>51,654,967</b>	

- base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics
- The 2018 Niagara Region operating (\$433,308) and capital (\$3.3M) impacts were accommodated in the 2018 budget
- Capital estimates include changes in PGT; for example Niagara Region cumulative requirement is \$17.2M in capital but will receive an estimated \$0.7M in PGT

During the pilot phase of NRT, PGT had been used to support operating costs for both NRT and Niagara Specialized Transit (NST) resulting in insufficient capital reserves for expansion and long term capital reinvestment. As a result, the 2019 capital investment of \$13.9M will require debt financing (3% interest rate over 10-year debt term), therefore included in the \$39.8M net operating expense is the principle and interest repayments.

The net operating cost of NRT (based on forecast in Table 2) in relation to the 2018 municipal tax levy is presented in Table 3 below. The required general levy increase to fund the service changes beginning September 2019 is estimated at 1.5% in 2019 plus an additional 1.53% in 2020. The net operating budget beyond 2020 is estimated to grow with inflation and will align with other programs and services within the Niagara Region.

**Table 3: Forecast Incremental General Tax Levy Requirements for Region**

Incremental Impact relative to 2018 General Tax Levy	2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
Niagara Region		1.50%	1.53%	0.08%	0.11%	3.22%
Total Niagara Area Transit System		0.79%	1.27%	-0.02%	0.05%	2.09%

The June 14, 2018 Budget Review Committee of the Whole, 2019 Departmental and ABC guidance was approved at 1.5% with options to be presented to Council for a possible increase of 0.5% for a total 2% increase. As CSD 35-2018 noted in Table 1,

the pressures currently identified for all existing Regional services (net of all estimated assessment growth) total 2.6% of the 2018 levy and this estimate did not include increases for NRT or IMT consolidation work. The council strategic priority pressures totalled a further 1.1% and only included an estimate of \$0.7M for NRT. This estimate is now at \$5.2 M which will put further pressure on the 2019 budget relative to guidance. It is not anticipated that these service costs can be accommodated within the guidance approved or without a need to reduce service levels in another area. In the absence of the Sustainability Review to identify opportunities for operational savings to be introduced into the 2020 and future budgets, Council support for additional budget guidance of 1.5% in excess of the potential 2% approved by BRCOTW is being requested.

### Provincial and Federal Capital Investment Funds

There are two sources of funding from other levels of government for transit:

- New – The Public Transit Infrastructure Fund (PTIF) will provide short-term funding to help accelerate municipal investments to support the rehabilitation of transit systems, new capital projects, and planning and studies for future transit expansion to foster long-term transit plans.
- Existing – PGT comes from the Province's collection of 14.7 cents for every litre of gasoline sold in Ontario of which 2.0 cents is provided to municipalities to help fund local public transit improvements. The total provincial funding was announced to increase from the current 2.0 cents per litre to 4.0 cents per litre by 2022.

The municipal allocations received through the PGT and PTIF programs are determined in part by ridership (with the remainder being through population), and can be used for future capital replacements once the full NRT fleet is obtained. The proposed route consolidations and elimination of locally operated post-secondary routes result in a transfer of ridership from local transit operators to NRT, which in turn impact the distribution of Niagara's overall PGT allocation. The federal PTIF funding is fixed over the estimation period and will not be impacted during this transition; however the PGT is allocated annually and will be impacted by changes in ridership.

Under the PGT program, municipalities qualify for gas tax funding if they contribute financially to public transit services themselves where the total share allocated is determined by a formula of 70 percent based on ridership and 30 percent based on population. The current provincial envelope based on this formula generates approximately \$0.27 cents per transit ride and \$9.18 per capita. Based on the proposed NRT service plan, ridership impacts and increase in the funding envelope from the province, the estimated total PGT allocated to Niagara for transit investment is \$40.8M over the next 5 years, growing from an estimated \$6.4M per year to \$11.7M per year. The individual forecasts are presented in Table 4 below.

**Table 4: Estimated PGT Funding available to fund Capital Investments**

Provincial Gas Tax Projections (based on Proposed NR Operational Plan)	2018	2019	2020	2021	2022	2018 - 2022 Cummulative Capital Funds
Niagara Region	676,775	773,679	875,076	1,078,979	1,541,201	4,945,709
Fort Erie	285,076	297,931	324,655	390,599	522,568	1,820,829
Niagara Falls	1,401,055	1,451,730	1,591,260	1,903,248	2,527,614	8,874,908
Port Colborne	151,021	153,382	167,347	205,580	282,093	959,423
St. Catharines (incl. Thorold	2,882,397	2,984,901	3,231,405	3,881,374	5,182,122	18,162,199
Welland	691,259	712,940	730,144	842,445	1,121,112	4,097,900
Niagara-on-the-Lake	143,487	166,140	182,696	219,715	293,800	1,005,839
Pelham	147,658	155,398	171,121	206,278	276,634	957,089
<b>Total Transit System</b>	<b>6,378,728</b>	<b>6,696,102</b>	<b>7,273,705</b>	<b>8,728,217</b>	<b>11,747,144</b>	<b>40,823,895</b>

One of the guiding principles agreed to by the local operators as part of the Dillon Report was that local transit operators are "Fiscal Responsibility and Affordability with no negative impacts on local transit revenues" as outlined in the unanimous transit Memorandum of Understanding signed in 2017. To this end, staff continue to work alongside transit partners to quantify the impacts to PGT, operating costs, and capital impacts of the consolidation of routes proposed in this report. Ongoing dialogue with MTO regarding the PGT impacts could result in transition costs as we move from redundant routes to the consolidation, however with the multi-year lag time between ridership reporting and PGT calculations and subsequent payments, these numbers remain an estimated forecast and will not be immediately realized.

## Analysis

Niagara's 13 municipalities, through the Inter-Municipal Transit Working Group (IMTWG) and under the direction of the LNTC have conducted a detailed financial analysis on the proposed inter-municipal transit service enhancements/expansions outlined in LNTC-C 21-2018. The IMTWG finance team, through extensive collaboration, have reviewed and established an agreed upon baseline (provided in Table 1) which has formed the basis of the strategic analytical review and recommendations.

Inter-municipal transit has a number of benefits to the region, each local municipality and its residents. The Dillon Report concluded, "the introduction, improvement and expansion of inter-municipal transit provides cross-boundary mobility to education, employment, and medical; supports transit ridership to future GO train service in Niagara; facilitates economic development by connecting the workforce and supporting sustainable community development; and contributes to a high quality of life for Niagara residents".

The results from this analysis provide a 5 year financial impact forecast for both local and regional operating costs, revenues, PGT and capital requirements. This analysis is based on NRT service enhancements and expansions (outlined in LNTC-C 21-2018) and the elimination of all locally operated post-secondary service routes that duplicate NRT services (as outlined in the Dillon Report). In order to measure local transit impacts pertaining only to the elimination of the locally operated post-secondary student services this analysis assumes that all other local service levels were held constant over the estimation period.

The FE and PC 'Link' routes provide inter-municipal services which are currently funded through a cost sharing model between the local provider and the Region. Future Link services (outlined in LNTC-C 21-2018) will be provided for and funded solely by the Niagara Region. The financial impacts pertain to change in the following routes only:

### **2017 Locally Operated U-Pass Funded Routes**

St. Catharines Transit

- #26 Downtown St. Catharines to NOTL Glendale Campus
- #27 St. Catharines Downtown to Niagara College Welland Campus

Niagara Falls Transit

- #21 Niagara Falls to Niagara College

Welland Transit

- Brock Link: Brock to Niagara College Welland Campus
- NOTL Link: Niagara College Welland Campus to NOTL/Glendale Campus

### **Inter-Municipal Fixed/Mainline Routes**

Niagara Region Transit

- Route 40 - Niagara Falls to St. Catharines
- Route 45 - St. Catharines to Niagara Falls
- Route 50 - Niagara Falls to St. Catharines
- Route 55 - St. Catharines to Niagara Falls
- Route 60 - Niagara Falls to Welland
- Route 65 - Welland to Niagara Falls
- Route 70 - St. Catharines to Welland
- Route 75 - Welland to St. Catharines

Fort Erie Link\* - Operated by Niagara Falls Transit

Port Colborne Link\* - Operated by Welland Transit

\* Baseline represents only the local share of Link routes

As outlined in LNTC-C 21-2018, the 2019 NRT fixed route service enhancements increase frequency from one hour to 30 minutes on all NRT routes with supplementary

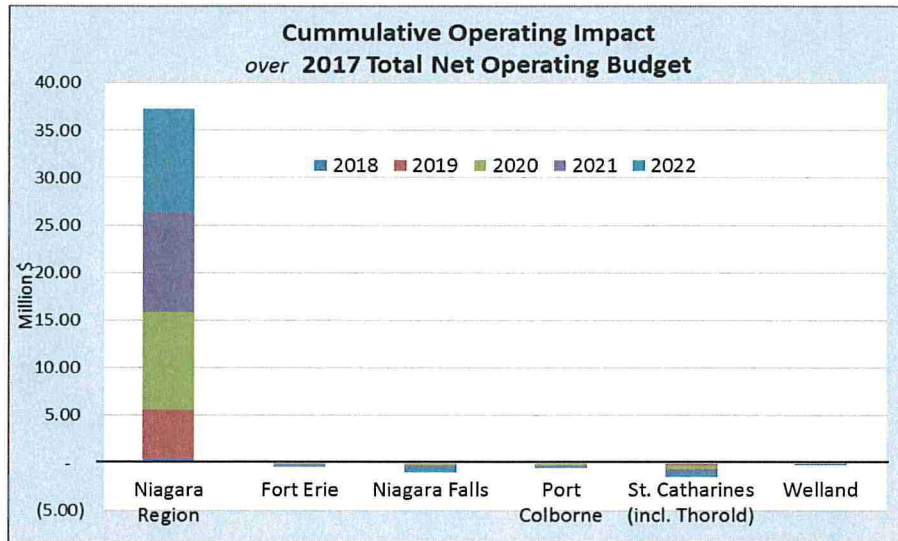
20 minute service during peak periods to create seamless alignment with local service hours and frequency. The FE and PC Link routes (once route operation is fully assumed by the Region), along with new feeder routes to West Niagara and other municipalities, will subsequently see implementation of full day hourly service to effectively align the other mainline routes. In addition, all routes will see implementation of daily service including Sundays and Holidays, to also effectively align the service levels provided by the local transit operators.

The annual net operating cost estimates rely heavily on the revenue projections and estimated ridership. The ridership forecasts have assumed steady modest growth based on historical evidence, however there are a number of assumed annual increases projected in NCSAC U-Pass revenue which have, at the time of this report submission, not yet been secured through contract negotiations. (Further to delegate authority report please see appendix 2 for details around negotiations). The base revenue from NCSAC was equivalent to \$20/month per student (87% discount on a regular monthly pass of \$160), and allowed for travel on regional and local transit. The 2018-2019 NCSAC joint negotiations have secured additional funds equivalent to \$30/month per student (79% discount on a regular monthly pass). While the projected NCSAC U-Pass revenue for 2021 has not been secured, the estimated \$52 per student per month (67% discount on regular monthly pass) is believed to be a reasonable rate given the level of inter-municipal service outlined in LNTC-C 21-2018 and other comparable post-secondary transit pass rates. The total NCSAC revenue is shared between all transit operators and is based on NRT service costs and local ridership U-Pass tap recovery rates. Currently BUSU transit revenue is largely negotiated with SCT with smaller allocations to other transit operators.

The aforementioned locally operating post-secondary routes are currently operated at full cost recovery therefore the local transit net financial operating impact from their consolidation is zero. However, through the collaborative efforts of the IMTWG, the fare equalization among local transit operators and joint negotiations with NCSAC and BUSU on projected revenues are estimated to increase as reflected in Table 2 operating impacts above. The recovery rates for U-Pass rides on other local routes, known as “tap” revenue (‘tap’ being the student rate charged per ride using their authorized post-secondary student card), previously varied by operator (from \$0.26 to \$0.60 per ride). Joint negotiations for the 2018-2019 school year aligned all tap rates at \$0.60 per ride with projections of \$0.75 in 2019-2020, \$1.00 in 2020-2021 and \$1.25 in 2021-2022. The incremental revenue, or net operating surpluses to local transit operators should be re-invested back into the enhancement of local services or used to mitigate the increasing cost of regional transit services (depicted in Graph 1 below).

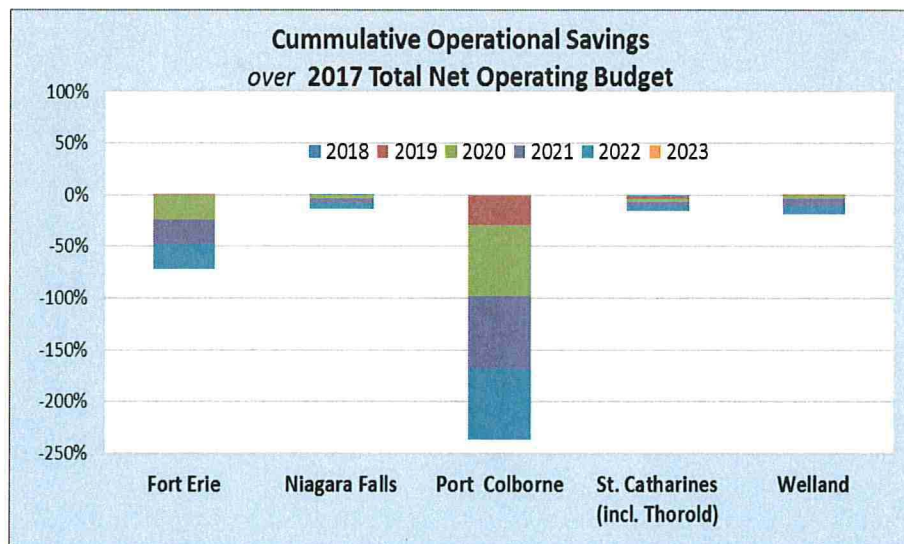


**Graph 1: Relative Operating Impact over Base 2017 Total Net Operating Budget**



The five year cumulative savings (i.e. incremental revenue) is greatest at SCT and lowest at WT. However, in relation to the 2017 local transit system net operating budgets (provided in Table 1), the average annual savings are larger for WT (3.7%) compared to NFT (3.6%) and SCT (3.1%). Under the 2019 IMT service plan, which transfers all operating costs to the Region beginning in September 2019, the average annual savings is 48% for PC and 14% for FE (savings results depicted for all transit operators in Graph 2 below).

**Graph 2: Operational Savings relative to Base 2017 Total Net Operating Budget**



Currently, NRT does not have sufficient fleet to service all NRT routes; therefore SCT, NFT and WT use their own local fleet to deliver some NRT routes. The capital expenditures outlined in Table 2 for 2018 and 2019 (LNTC-C 23-2018) will replace locally-provided buses delivering NRT routes with NRT buses and allow for local buses to be redeployed. In addition, Regionally-owned buses will reduce the operating capital premium paid by the Region for locally-provided buses thereby reducing overall hourly operating costs. The elimination of post-secondary routes will also result in redeployment of capital at SCT and NFT, and a reduction in fleet size at WT (from 18 buses to 15 buses).

The capital impacts outlined in Table 2 are the combined result of changes in PGT funding and capital asset requirements. The results indicate overall savings to SCT, NFT, and WT despite reductions in PGT from lost ridership. The annual savings are estimated through reduced capital investment (i.e. buses, farebox, ITS) to service post-secondary routes and the NRT routes. The savings are shown based on the estimated reduction in annualized capital replacements (estimated at a minimum of \$54,000 a year per bus being \$650,000 purchase price and 12 year replacement schedule). The savings from reduced annual requirement for adequate asset management planning is estimated based on the number of buses (or bus hours) each local transit operator is able to redeploy or remove from their fleet as a result of the proposed operational plan.

A breakdown of the summarized operating and capital estimates in Table 2 are provided in Appendix 1. While a portion of PGT is used for some local transit operating expenses, the PGT impacts were included under capital and not operating since this funding is intended to foster long-term transit planning and is primarily intended to be used for capital replacements.

## **Alternatives Reviewed**

The financial analysis is based on the proposed timeline of no later than September 2019 for all service changes. An alternative timeline extending and staggering route changes with implementation dates beyond September 2019 was analysed. The overall costs are assumed to increase annually by inflation and would spread across a longer time frame therefore reducing the required taxation implications in a given year. Alternative dates beyond September 2019 are not recommended due to the necessity of enhanced inter-municipal service delivery required to support the arrival of daily GO Rail expansion to Niagara on or before 2021. With Niagara actively and assertively pursuing an acceleration of the timelines for introduction of GO Rail service from Metrolinx and the Government of Ontario, it is critical to have local transit available in advance of the arrival of daily GO Rail service.

## **Relationship to Council Strategic Priorities**

This proposal aligns with Council strategic priority of Moving People and Goods.

## Other Pertinent Reports

LNTC-C 21-2018 - IMT Service Implementation Strategy  
LNTC-C 23-2018 - IMT Capital Plan, 2019  
PW 26-2018 Delegated Authority for Niagara Region Transit U-Pass Agreements  
LNTC-C 8-2018 - Niagara Region Transit Operating Agreement  
CAO 8-2017 - Niagara Region's Transit Service Delivery and Governance Strategy

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Commissioner  
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Services

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### Submitted by:

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Chief Administrative Officer

This report was prepared by Heather Talbot, Financial and Special Project Consultant, Financial Management and Planning, in consultation with the Transit Operators and the Inter-Municipal Transit Working Group; Matt Robinson, Director, GO Implementation Office, Kumar Ranjan, Transportation Lead GO Implementation Office, Robert Salewysch, Transit Planning Coordinator; Alex Morrison, Planner, Planning and Development Services; and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer. The IMTWG provided significant input into this analysis, particularly Tim Luey (SCT), Dave Stuart (WT), and Carla Stout (NFT).

## Appendices

Appendix 1 Detailed Financial Impact by Transit Operator  
Appendix 2 Summary of NCSAC U-Pass Negotiations

## Detailed Financial Impact by Transit Operator

The following financial tables provide a breakdown by transit operator for individual operating and capital impacts. Included in the operating impacts are estimates for changes to net direct operating costs including fare equalization, indirect costs, and incremental revenue obtained through NCSAC and BUSU tap recovery rates. The ridership changes influence PGT funds and are therefore estimated as capital impacts. The capital impacts derived through PGT are divided into changes in base ridership PGT at current funding level (2 cents per litre), base ridership at future potential funding (increasing to 4 cents per litre) and reductions in cross transit ridership (transfers between transit systems). Additional capital impacts are estimated through service changes and subsequent changes in capital requirements.

### Niagara Region

The annual net operating cost estimates rely heavily on the revenue projections and estimated ridership. The total estimated 2022 revenue for NCSAC U-Pass privileges is \$5.6M with \$3.3M going to NRT and \$2.3M going to local transit operators. Based on the 2018 full enrollment of 9,000 students this equates to an annual fee of \$624 compared to 12 monthly passes for \$1,900. The 2018 estimated U-Pass uptake at NCSAC is 55% or 4,950 students and would generate \$6.3M if they each purchased 8 months at full cost (\$160.00). Based on our current pass revenue share of 55% to NRT and 45% to local this would generate \$3.4M for the Region and \$2.8M to the local transit operators.

Table 5: Niagara Region Transit Operating and Capital Budget Impact

<i>Net Cost/(Savings) compared to 2017 base service</i>	2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
<b>Niagara Region</b>						
<b>Operating</b>						
Net Direct Operating Cost	433,308	3,313,808	8,365,731	8,638,796	8,985,696	\$29,737,339
Contingency (5%)	-	165,690	418,287	431,940	449,285	\$ 1,465,202
Capital Debt Financing	-	1,629,504	1,629,504	1,629,504	1,629,504	\$ 6,518,016
Marketing, Promotion & Signage	-	200,000	200,000	200,000	200,000	\$ 800,000
Information Technology Services (ITS)	-	30,000	30,000	30,000	30,000	\$ 120,000
FTE's & Training	-	300,000	300,000	300,000	300,000	\$ 1,200,000
<b>Capital</b>						
Current PGT - Base Ridership Change	-	(21,500)	(83,439)	(146,354)	(149,859)	\$ (401,152)
Future PGT Opportunity	-	(3,254)	(23,233)	(87,178)	(205,754)	\$ (319,419)
Lost Cross Transit PGT	-	-	-	-	-	\$ -
Incremental Capital Requirement	3,275,000	13,900,000	-	-	-	\$17,175,000
<b>Net Financial Impact</b>	<b>3,708,308</b>	<b>19,514,248</b>	<b>10,836,849</b>	<b>10,996,708</b>	<b>11,238,873</b>	<b>\$56,294,986</b>

Note: base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics

The historic use of PGT for operating expenses has been eliminated in the 2019 net operating budget. The additional \$267,000 in annual PGT plus the incremental PGT from the proposed service changes should be allocated for future capital replacement. Opportunities also exist in Fort Erie and Port Colborne for additional PGT with changes in MTO and CUTA reporting. These opportunities are described in more detail below.

### St. Catharines

The incremental tap revenue realized through joint NCSAC negotiations may allow for reinvestment in local services. The reduction in PGT is offset by the reduced capital requirements to service the post-secondary routes however there will not be a reduction in SCT fleet but rather a capital redeployment to meet other service pressures.

Table 6: St. Catharines Transit Operating and Capital Budget Impact

<i>Net Cost/(Savings) compared to 2017 base service</i>		2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
<b>St. Catharines</b>							
<b>Operating</b>	Net Operating Cost	-	-	(16,705)	(16,705)	(16,705)	\$ (50,115)
	Tap Revenue	(80,753)	(198,590)	(284,481)	(391,844)	(445,526)	\$ (1,401,193)
<b>Capital</b>	Current PGT - Base Ridership Change	-	5,703	25,427	43,551	43,551	\$ 118,232
	Future PGT Opportunity	-	(679)	786	13,615	31,734	\$ 45,456
	Lost Cross Transit PGT	-	687	1,490	1,766	2,325	\$ 6,268
	Incremental Capital Requirement	(39,039)	(52,117)	(67,083)	(67,083)	(67,083)	\$ (292,405)
<b>Net Financial Impact</b>		<b>(119,792)</b>	<b>(244,996)</b>	<b>(340,566)</b>	<b>(416,700)</b>	<b>(451,703)</b>	<b>\$ (1,573,757)</b>

Note: base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics

### Niagara Falls

Currently, \$532,000 of the total annual PGT funding is applied to operating costs, the incremental revenue realized through the increased U-Pass tap rates could offset the need for PGT and direct more funds into future capital investment /replacement.

The reduction in PGT is offset by the reduced capital requirements to service the post-secondary routes however there will not be a reduction in NFT fleet but rather a capital redeployment to meet other service pressures. NFT is in the final stage of completing its 30 minute headway service levels and have advised NRT that locally-provided buses delivering NRT service in 2018 are required effective September 2019 to deliver local service. This will allow for net new service enhancements at the local level in Niagara Falls.

Table 7: Niagara Falls Transit Operating and Capital Budget Impact

<i>Net Cost/(Savings) compared to 2017 base service</i>		2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
<b>Niagara Falls</b>							
<b>Operating</b>	Net Operating Cost	-	-	(9,376)	(9,376)	(9,376)	\$ (28,128)
	Tap Revenue	(54,384)	(108,333)	(256,196)	(441,026)	(533,440)	\$ (1,393,379)
<b>Capital</b>	Current PGT - Base Ridership Change	-	15,798	31,595	31,595	31,595	\$ 110,584
	Future PGT Opportunity	-	-	3,399	9,877	23,022	\$ 36,299
	Lost Cross Transit PGT	-	687	1,490	1,766	2,325	\$ 6,268
	Incremental Capital Requirement	(31,785)	(30,781)	(104,366)	(104,366)	(104,366)	\$ (375,664)
<b>Net Financial Impact</b>		<b>(86,169)</b>	<b>(122,630)</b>	<b>(333,454)</b>	<b>(511,529)</b>	<b>(590,239)</b>	<b>\$ (1,644,021)</b>

Note: base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics

## Welland

Current discussions are underway between Welland and the IMTWG finance team to confirm the most recent ridership impacts resulting from the proposed service changes. The IMTWG finance team continues to review the numbers to ensure they appropriately capture the operating and forecasted ridership that respects the consolidation efforts, while balancing the current and short term impacts of these efforts.

As a result of the 2019 IMT route consolidation which incorporates new rider-driven service changes including adding a new stop at the Niagara College Welland Campus, the annual ridership impact is estimated at approximately 205,000 less rides for the elimination of the locally operated post-secondary routes plus upwards of 100,000 from lost cross-transit rides (resulting from NRT 60/65 now traveling one stop beyond the Welland Transit terminal to the college campus). The projected annual ridership reductions may reduce annual tap revenues in 2019 by \$4,000 (compared to the 2017 base of \$120,000); however as tap recovery rates increase beyond \$0.60 per ride, expected losses in ridership are compensated by increased tap recovery rates resulting in annual savings.

Table 8: Welland Transit Operating and Capital Budget Impact

<i>Net Cost/(Savings) compared to 2017 base service</i>		2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
<b>Welland</b>							
<b>Operating</b>	Net Operating Cost	-	-	(7,016)	(7,016)	(7,016)	\$ (21,047)
	Tap Revenue	(4,216)	3,988	(30,386)	(73,353)	(94,837)	\$ (198,804)
<b>Capital</b>	Current PGT - Base Ridership Change	-	-	22,957	55,019	55,019	\$ 132,994
	Future PGT Opportunity	-	(1,162)	(980)	17,200	40,090	\$ 55,148
	Lost Cross Transit PGT	-	10,302	29,798	35,315	46,508	\$ 121,923
	Incremental Capital Requirement	-	(54,167)	(162,500)	(162,500)	(162,500)	\$ (541,667)
<b>Net Financial Impact</b>		<b>(4,216)</b>	<b>(41,039)</b>	<b>(148,126)</b>	<b>(135,336)</b>	<b>(122,736)</b>	<b>\$ (451,452)</b>

Note: base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics

Currently the PGT allocation to Welland is comprised of 68% funding through population and 32% through ridership; therefore ridership impacts do not translate into significant impacts on annual PGT allocations (as seen in PGT projections outlined in Table 4 under Financial Considerations). Overall, the reductions in PGT are estimate to be less than the gains realized through the provincial increased funding from 2 cents to 4 cents per litre.

Table 9: Welland Transit PGT per Bus Impact

Provincial Gas Tax Projections (based on Proposed NR Operational Plan)	2016-2017	2021	2022
PGT Allocation	663,023	842,445	1,121,112
Bus Fleet	18	15	15
<b>PGT per Bus</b>	<b>36,835</b>	<b>56,163</b>	<b>74,741</b>

In addition, the reduction in PGT is offset by the reduced capital requirements to service the post-secondary routes thereby reducing the overall fleet at WT. The reduced fleet size and increased overall PGT allocations result in a net capital gain for future capital replacement. The 2016-17 PGT funding provided \$36,835 per bus per year, the funding available per bus after all route consolidations, is estimated at \$56,000 by 2021 and \$74,000 by 2022.

### Fort Erie

The 2019 NRT service plan will transfer Fort Erie's (FE) share of the FE Link service to NRT. The reduction in operating costs results in more than a 26% cost savings to FE transit. The reduction in PGT is less than 1% of their 2016-17 allocation. FE Transit applied \$118,000 of PGT funding to their 2016 operating costs. The cost savings associated with the 2019 NRT service plan reduces FE Transit's the net operating budget by \$164,000 which is greater than the PGT funding utilized for operating expenses. The net savings to FE transit is \$55,000 which should be re-invested back into local or regional transit service expansions.

Table 10: Fort Erie Operating and Capital Budget Impact

<i>Net Cost/(Savings) compared to 2017 base service</i>	2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
<b>Fort Erie</b>						
<b>Operating</b>						
Net Operating Cost	-	76,720	(159,432)	(159,432)	(159,432)	\$ (401,575)
Tap Revenue	-	-	-	(2,438)	(4,875)	\$ (7,313)
<b>Capital</b>						
Current PGT - Base Ridership Change	-	-	941	1,694	1,694	\$ 4,329
Future PGT Opportunity	-	(36)	20	530	1,234	\$ 1,748
Lost Cross Transit PGT	-	-	-	-	-	\$ -
Incremental Capital Requirement	-	-	-	-	-	\$ -
<b>Net Financial Impact</b>	-	<b>76,684</b>	<b>(158,470)</b>	<b>(159,646)</b>	<b>(161,379)</b>	<b>\$ (402,810)</b>

Note: base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics

Table 11: Fort Erie Transit Spending and PGT Opportunity

	2016-2017	2021	2022
Net Operating	627,398	463,091	463,091
less PGT used for Operating	118,912	-	-
Revenue	36,972	27,290	27,835
<b>Municipal own Spending on Transit</b>	<b>545,458</b>	<b>490,381</b>	<b>490,927</b>
PGT Actual 2018	285,076		
PGT Forecast without 75% threshold	285,076	390,599	522,568
PGT Forecast with 75% threshold		367,786	368,195
<b>Lost PGT</b>	-	<b>(22,813)</b>	<b>(154,373)</b>

The total annual PGT allocation is based on a formula where funding cannot exceed 75% of a municipality's own spending on transit. The use of PGT for operating costs can reduce the eligible amount the province will allocate. The cost savings will reduce

the necessity of using PGT for operating expenses and increase the available funds for capital investment/replacement. However, as the provincial envelope increases to 4.0 cents per litre, the reduced net operating costs will result in a lost opportunity of up to \$154,000 in PGT funding for FE Transit by 2022 (and each year thereafter). An opportunity to recover this potential lost funding is through joint reporting through NRT.

### Port Colborne

The 2019 NRT service plan will transfer Port Colborne's (PC) share of the PC Link service to NRT. The reduction in operating costs results in more than a 70% cost savings to PC transit. The reduction in PGT is less than 2% of their 2016-17 allocation. PC Transit applied \$99,000 of PGT funding to their 2016 operating costs and reduced their eligible PGT funding by an estimated \$20,000. The cost savings associated with the proposed NRT service plans reduces the net operating budget by \$171,000 which is greater than the PGT funding utilized for operating expenses. The net savings to PC transit is \$110,000 which should be re-invested back into local or regional transit service expansions.

Table 12: Port Colborne Operating and Capital Budget Impact

<i>Net Cost/(Savings) compared to 2017 base service</i>		2018	2019	2020	2021	2022	2018 - 2022 Cummulative Impact
<b>Port Colborne</b>							
<b>Operating</b>	Net Operating Cost	-	(70,998)	(169,991)	(169,991)	(169,991)	\$ (580,972)
	Tap Revenue	-	-	-	(875)	(1,750)	\$ (2,625)
<b>Capital</b>	Current PGT - Base Ridership Change	-	-	1,040	1,559	1,559	\$ 4,159
	Future PGT Opportunity	-	(33)	56	488	1,136	\$ 1,647
	Lost Cross Transit PGT	-	-	-	-	-	\$ -
	Incremental Capital Requirement	-	-	-	-	-	\$ -
<b>Net Financial Impact</b>		-	(71,031)	(168,896)	(168,819)	(169,045)	\$ (577,791)

Note: base financial data collected from IMTWG for 2017 statistics or used 2016 reported CUTA statistics

Using the similar PGT analysis applied to FE Transit, the reduced net operating costs for PC Transit will result in a lost opportunity of up to \$213,000 of PGT funding by 2022 (and each year thereafter). As is the case with FE Transit, an opportunity to recover this potential lost funding is through joint reporting through NRT.

Table 13: Port Colborne Transit Spending and PGT Opportunity

	2016-2017	2021	2022
Net Operating	245,956	74,215	74,215
less PGT used for Operating	99,465	-	-
Revenue	54,870	16,556	16,888
<b>Municipal own Spending on Transit</b>	<b>201,361</b>	<b>90,771</b>	<b>91,102</b>
PGT Actual 2018	151,021		
PGT Forecast without 75% threshold	174,981	205,580	282,093
PGT Forecast with 75% threshold	151,021	68,078	68,327
<b>Lost PGT</b>	<b>(23,960)</b>	<b>(137,501)</b>	<b>(213,766)</b>



## Summary of NCSAC U-Pass Negotiations

### What We Heard From NCSAC (Mar. 2018)

- Find efficiencies to IMT system by removing redundancies (charter routes)
- Connect Niagara College (Welland) campuses with IMT routes
- Year-round service (Sept. through August)
- Reduce myriad of contracts – NCSAC as customer vs. contractor
- NCSAC willing to contribute their fair share towards service enhancements
- Acknowledge student contributions in Niagara for transit among lowest in provincial comparator institutions

Table 14: Outlook for future fare revenues – NCSAC

	2018-19	2019-20	2020-21
	(Million)	(Million)	(Million)
<b>IMT Projected Operating Costs</b>	<b>\$8.1</b>	<b>\$13.1</b>	<b>\$15.1</b>
<b>Revenues - NCSAC</b>			
<b>Revenues IMT Routes</b>			
• (Niagara Region)	<b>\$2.7*</b>	<b>\$3.8</b>	<b>\$4.3</b>
<b>Revenues Local Routes</b>			
<b>Rate (cents/ tap)</b>	60	75	100
• Niagara Falls	\$0.5	\$0.7	\$0.9
• St. Catharines	\$0.3	\$0.3	\$0.4
• Welland	\$0.1	\$0.2	\$0.2
<b>Sub-total (Local)</b>	<b>\$0.9</b>	<b>\$1.2</b>	<b>\$1.6</b>
<b>Total (IMT + Local)</b>	<b>\$3.6</b>	<b>\$4.9</b>	<b>\$5.9</b>

\*Includes revenues for Pelham, Fort Erie, Port Colborne, #26, Brock link and NOTL Link routes that go to St. Catharines Transit and Welland Transit in 2018-19

Note: Revenue request could be affected by changes to operating costs beyond 2% inflation and changes to the adult fare rates

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**Subject:** Inter-Municipal Transit Capital Plan, 2019

**Report to:** Linking Niagara Transit Committee

**Report date:** Wednesday, September 12, 2018

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## Recommendations

That this report **BE RECEIVED** for information and reviewed in conjunction with the Inter-Municipal Transit (IMT) Service Implementation Strategy (LNTC-C 21-2018) and the IMT Financial Impact Analysis (LNTC-C 22-2018).

## Key Facts

- The purpose of this report is to summarize the Niagara Region Transit (NRT) forecasted total capital cost requirements resulting from the proposed inter-municipal transit (IMT) service implementation strategy outlined in LNTC-C 21-2018.
- The estimated five year NRT total capital cost is \$28.7M.
- The Phase 1 service plan, beginning September 2018, will require three buses in addition to the current NRT fleet of 11 buses. Two refurbished buses were purchased from St. Catharines with 2018 capital funds.
- The Phase 2 service plan, beginning September 2019, will require an additional 17 buses, 3 of which will be procured in 2018 with existing 2018 capital funds. The total fleet size required to accommodate all incremental service hours proposed in Phase 1 and Phase 2 is 31 buses.
- Together with other municipal partners, Niagara advanced a discussion about provincial funding and the importance of investment in Niagara's future transit and GO expansion at the recent AMO conference in a meeting with the new Minister of Transportation. Discussions are ongoing with MTO at both the political and staff levels to seek opportunities to expand and enable the transit plan outlined in the inter-municipal transit (IMT) service implementation strategy (LNTC-C 21-2018).

## Financial Considerations

The Dillion Report<sup>1</sup> outlines operational improvements required to implement a consolidated and enhanced inter-municipal transit system. In order to realize these improvements, over the next five years (2018 through 2022) a total of \$28.7M is required to resource NRT capital needs outlined in LNTC-C 21-2018.

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<sup>1</sup> Niagara Transit Service Delivery and Governance Strategy, 2017

2018 approved capital expenditures of \$3.3M were required for the refurbishment of three 40-foot buses (\$0.4M), the purchase of one 40-foot bus (\$0.8M) plus the purchase of two 60-foot articulated buses (\$2.1M). The refurbished buses have been procured and will be in service prior to September 2018 for Phase 1 implementation. The balance of 2018 capital expenditures are being procured in advance of Phase 2 implementation and will be utilized to meet the enhanced service requirements of Phase 2. The approved 2018 NRT capital budget for \$3M was initiated through PW 19-2018, and the remainder is being covered through the capital variance reserve.

An additional \$13.9M is required to be expended in 2019 in order to acquire four 60-foot articulated buses (\$4.0M) and ten 40-foot buses (\$6.5M) as well as a total of \$3.4M for a smartcard fare box, transit stop upgrades, ITS components (mobile ticketing and Wi-Fi) and refurbishments. All three new bus purchases in 2018 as well as 2019 capital expenditures will be procured and in service prior to Phase 2 implementation of September 2019.

From 2020-2022 total capital requirements are forecasted at \$11.5M in order to replace and refurbish existing fleet as the useful life of these assets are diminished from operations.

## **Analysis**

The current NRT fleet size of 11 buses is insufficient to meet the service levels targeted for Phase 1 and Phase 2. In 2017, NRT provided 41,000 service hours. The proposed IMT Service Implementation Strategy outlined in LNTC-C 21-2018 requires an increase to 48,000 service hours in 2018; 89,000 service hours in 2019; and targeting 151,000 service hours once both Phase 1 and Phase 2 service levels are annualized.

Phase 1 implementation is targeted for September 2018 and Phase 2 implementation is targeted for September 2019 as outlined in LNTC-C 21-2018. In order to meet the implementation targets and increased service levels, NRT's fleet size will require 14 buses for Phase 1 rollout and 31 total buses for Phase 2 rollout. A total NRT fleet size of 31 is required in order to continue to meet desired service levels of 151,000 hours as projected in LNTC-C 21-2018. The increased bus fleet will require future maintenance refurbishments to ensure they remain operational throughout their full useful lives as well as future capital replacement expenditures once they are no longer functional.

A lag time of approximately 9-12 months exists between procurement and fleet delivery. Therefore in order to meet implementation timeline targets, it is imperative that the capital requirements forecasted are procured well in advance of service enhancement, as outlined above and further detailed in LNTC-C 21-2018. Successful implementation and realization of timeline targets will help facilitate the development and finalization of a governance framework for the IMT transit service and eliminate the requirement for NRT to rely on local transit fleet on inter-municipal routes.

At this time, the capital forecast does not include major capital needs contained in Phase 3 enhancements as outlined in LNTC-C 21-2018. The capital forecast will be refined as more information becomes available through various studies that are being undertaken during the Phase 1 and Phase 2 enhancements.

### **Alternatives Reviewed**

The forecasted capital requirements were based on an accelerated timeline of September 2019 for implementation for Phase 1 and Phase 2 service changes. A delayed timeline extending implementation dates further was considered. The overall capital costs are assumed to escalate annually at inflation; however, the capital requirements would not change. Alternative dates beyond September 2019 are not recommended so that the benefits of enhanced service can be realized as quickly as possible and implemented in advance or in conjunction with the arrival of daily GO Rail Expansion into the Niagara Region.

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

Moving People and Goods:

People need reliable and effective transportation modes that allow them to easily move from where they live to places such as work, leisure, health care, and education. In conjunction with LNTC-C 22-2018 and LNTC-C 23-2018, this plan directly advances the following key Council Strategic Priorities:

- Provincial commitment to GO Rail expansion in Niagara
- Support local municipalities in developing long-term solution for transit.

### **Other Pertinent Reports**

LNTC-C 21-2018 IMT Service Implementation Strategy  
LNTC-C 22-2018 IMT Financial Impact Analysis  
LNTC-C 8-2018 - Niagara Region Transit Operating Agreement  
CAO 8-2017 - Niagara Region's Transit Service Delivery and Governance Strategy

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**Prepared by:**

Matt Greenfield, CPA, CA  
Program Financial Analyst  
Enterprise Resource Management  
Services

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**Recommended by:**

Ron Tripp, P. Eng.  
Commissioner  
Public Works Department

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**Submitted by:**

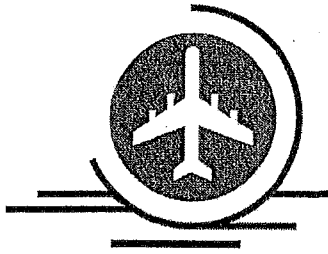
Carmelo D'Angelo, BSc, MPA  
Chief Administrative Officer

This report was prepared by Matt Greenfield, Program Financial Analyst, Enterprise Resource Management Services, in consultation with the Transit Operators, Members of the Inter-Municipal Transit Working Group; Matt Robinson, Director, GO Implementation Office; Kumar Ranjan, Transportation Lead GO Implementation Office; Robert Salewytch, Transit Service Planning Coordinator; and reviewed by Heather Talbot, Financial and Special Projects Consultant, Financial Management and Planning, and Helen Chamberlain, Director of Financial Management Planning and Deputy Treasurer, Enterprise Resource Management Services.

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OCT 09 2018

CORPORATE SERVICES  
DEPARTMENT



**NIAGARA CENTRAL**  
*Airport Commission*

P. O. Box 234  
L3B 5P4

WELLAND, ONTARIO

**October 10, 2018**

City Clerk City of Port Colborne 66 Charlotte Street Port Colborne, Ontario L3K 3C8 Via email to <a href="mailto:ashleygrigg@portcolborne.ca">ashleygrigg@portcolborne.ca</a>	City Clerk City of Welland 60 East Main Street Welland, Ontario L3B 3X4 Via email to <a href="mailto:clerk@welland.ca">clerk@welland.ca</a>
Chief Administrative Officer/Clerk Township of Wainfleet 31940 Highway 3 P.O. Box 40 Wainfleet, Ontario L0S 1V0 Via email to <a href="mailto:wkolasa@wainfleet.ca">wkolasa@wainfleet.ca</a>	Town Clerk Town of Pelham 20 Pelham Town Square P.O. Box 400 Fonthill, Ontario L0S 1E0 Via email to <a href="mailto:nbozzato@pelham.ca">nbozzato@pelham.ca</a>

**Mayors and Councils of City of Port Colborne, City of Welland, Township of Wainfleet, and the Town of Pelham:**

Following is brief synopsis of issues and developments at Niagara Central Dorothy Rungeling Airport through the third quarter of 2018 for your information:

**Condition and Maintenance:**

- Cost of completion of repairs to Taxiway Alpha, and repairs to the Secondary Runway and Taxiway Bravo was submitted in the 2018 capital budget. Estimates within the budget were received. Norjohn completed the work and submitted an invoice slightly higher than their estimate. However, some quality issues and an explanation for the cost overrun need to be completed before payment is issued. Meetings are scheduled for early in the 4<sup>th</sup> quarter. Remedial treatment to the treated surfaces is expected to result in safe use for 10+ years.
- Line Painting of the Secondary Runway will be scheduled following completion of any remedial work that will be undertaken to deal with issues.

### **Other Repair and Maintenance Issues:**

- MOE has reviewed plans of new septic system designed by the engineering firm AMEC (now Wood Group) to replace the current greater than 70 year old system, and has agreed that our system will need to service a daily capacity of under 10,000 litres daily. Wood Group's technical data has been provided to contractors for estimates. To date, we have not received any acceptable estimates: the industry is exceptionally busy at this time which has resulted in unusually high cost estimates for the work to be done. We do not anticipate construction of the septic system until 2019. There are no environmental or health issues associated with our continuing use of our current system until it is replaced.
- The runway lighting system is still operational but will require renovation as they system is aged. However, we have been offered a large inventory of spare parts which we can acquire for the cost of transportation. Acquisition of these spares will allow our current system to function into the middle to long term without additional capital cost.

### **Request to Upload Control and Governance of NCDRA to Region:**

- On September 26, 2016, Regional Council passed a motion supporting in principle that the Region adopt sole-responsibility for operations and governance of Niagara District and Niagara Central Dorothy Rungeling Airports. Subject to completion of a phase 2 environmental assessment at each location paid for by the current owners/operators, Regional staff is authorized to initiate negotiations with funding partners of both airports to transition responsibility.
- The required Environmental Assessment of NCDRA was substantially completed during the 3<sup>rd</sup> quarter of 2017, and the Phase 2 report was forwarded to the Region.
- Niagara Central Airport Commission and NCDRA staff worked with our stakeholder municipalities to facilitate the negotiation process with the Region to make the transition of control to the Region. Mayors and CAO's met in the 1<sup>st</sup> quarter to develop a process to develop a common negotiating position with which to approach Region.
- NCDRA and NDA Chairs and/or Commissions met on 3 occasions to discuss the development of an integrated position from which to negotiate with the Region. NDA Commission passed a resolution to work collaboratively with NCDRA to develop such a position, using NCDRA's position as a starting point. The NDA resolution has been received and NCAC responded with comments. The objective is to bring the integrated position to the Region for Regional Staff and staff selected from NCDRA stakeholder municipalities to work on during the campaign period so that new Councils can consider the outcome as soon as possible.
- At this time, we do not anticipate the discussion to be completed before the coming municipal elections.

### **Growth:**

The local chapter of the Canadian Owners and Pilots Association (COPA Flight 149) suggested that NCDRA rehabilitate the abandoned runway as a grass strip. They offered to participate in



the cost of construction and to undertake the maintenance of the strip. A plan and budget of this conversion was approved by NCAC. The work has been largely completed as follows:

- Excavation of a road a 1900 ft. roadbed on the south side of hangars along Taxiway Bravo provided soil to cover the abandoned runway. The roadbed is now accepting fill from the wider community to eventually become the access to additional hangar lots required when lots along Bravo are leased.
- The abandoned runway has been prepared, graded, and covered with the roadbed excavate provided above.
- Preparation and seeding of the soil to create the grass strip was undertaken and completed by COPA.
- Cost of excavation and placement of the soil was undertaken by NCDRA and completed below the upset limit of \$15,000.00, including HST.
- Cost of finishing the grass strip was undertaken and completed by COPA, who have committed to maintaining the grass strip hereafter.

### **Administration**

- When our manager resigned for reasons of health, the uncertainty of the discussion re ongoing governance and control of the airports made hiring a permanent replacement difficult and unwise. Therefore, NCAC developed a temporary management model for the airport consisting of a combination of an Interim Supervisor (paid) to oversee day to day operations and the involvement of the Chair (unpaid) to do the broader management functions. NCAC will need to reconsider the management model in the next quarter following the outcome of municipal elections.
- Substantial progress has been made in converting our bookkeeping processes to Quickbooks, which will be extremely valuable in allowing management to access financial information as required in real time. It is anticipated that the use of Quickbooks will be fully in place for 2019. A bookkeeper who is fully versed in the use of Quickbooks will be contracted to do the bookkeeping for NCDRA.
- NCDRA will lease a 44 HP Kubota Tractor c/w sweeper, mower, front-end loader, and blade early in the 4<sup>th</sup> Quarter.
  - The primary justification for the tractor is the new need to keep the surfaces on the runways and taxiways swept, which would otherwise be done at considerable contractor cost.
  - The lease cost, plus the cost of labour for the hours of use, of the new equipment will be completely covered by reductions in current contractor cost for grass trimming and non-runway/taxiway snow removal, so no additional maintenance budget is anticipated.

- Lease arrangements are no down payment, 0% interest, and no buy-out cost at the end of the lease. The lease is with a local Wainfleet supplier.
- NCDRA will acquire insurance policies to replace existing policies early in the 4<sup>th</sup> Quarter.
  - Premium cost of liability coverage exactly as current will be approximately \$1800.00 less per year.
  - Currently, we are covered by Welland's loss policy, with our share of the City's premium being approximately \$9,000.00 annually. We will acquire our own loss policy with an annual premium of approximately \$5700.00, and it will include protection for environmental issues which does not exist in the current policy.

#### **Airport Activities:**

- Activities are now winding down from its usual summer level, though the airport is still quite busy at the end of the 3<sup>rd</sup> Quarter.
- The incident between aircraft on runway 05/23 in October resulted in the cleanup of spilled fuel, the cost of which will be borne by the insurance coverage of the aircraft involved. This item remains outstanding. Legal action commenced during the 2<sup>nd</sup> Quarter continues.
- Signage properly displaying the name of Niagara Central Dorothy Rungeling Airport is now completed both at the intersection of Webber and Effingham and on the South wall of Hangar 1. See photo at the end of this report.

#### **Air Race Classic:**

- As reported in NCDRA 3<sup>rd</sup> Quarter 2015, NCAC agreed in principle to the proposal that NCDRA be the terminus of the 2019 (44<sup>th</sup>) Air Race Classic. The Air Race Classic is an annual event in which 50 women pilots plus crew fly legs of a 2500 mile course across North America over a 4 day period. The community of terminus (finish line) airport experiences the positive impact of the end-of-race gala and associated celebration.
- The ARC Committee chaired by and largely made up of tenants and users of NCDRA, meets regularly with our management as it prepares for the event in June 2019.
- Economic impact of this event to the Region is conservatively estimated at approximately \$650,000.00. Budget of up to \$40,000.00 is planned to be raised through fundraising, but NCAC will include red-circled funds in the 2019 budget to backstop if necessary.

#### **Fundraising:**

Discussions regarding application of Section 110 of the Ontario Municipal Tax Act will depend on the outcome of negotiations around Region's uplift of control of the airport.

#### **Potential Future Capital Projects to Increase Revenue:**

Two capital projects that can increase revenues are available as “low hanging fruit”, should NCAC and our stakeholder municipalities choose to consider them:

- An investment of \$40,000.00 to \$50,000.00 in a card lock fuel sales system
  - Can effectively double current net profits on fuel sales
  - Has a payback of 12 to 18 months on current volumes
  - Will likely increase sales volumes by being available 24/7.
- Construction of 3 10-unit “Tee-Hangars” over 5 years
  - Rental income of each hangar will cover cost of money plus produce substantial net revenue
  - Revenue from 3 such hangars (total of 30 rental units) would make NCDRA self-sufficient: ie, be totally reliant on its own earnings to cover all costs, based on the current model of airport operations
  - Demand for rental hangar space is increasing as more airports around nearby populations centre (Toronto, Hamilton) are closing.
  - Relatively inexpensive “Pole Barn” construction will produce adequate hangar facility for this purpose.
  - Very rough estimate of \$200,000.00 per tee-hangar, total estimated \$600,000.00 investment

**Niagara Central Airport Commission Members, 2015 through 2018:**

Welland	Jim Larouche John Mastroianni Leo Van Vliet
Port Colborne	Barbara Butters (Vice-Chair) Bea Kenny
Wainfleet	Ted Hessels
Pelham	Richard Rybiak (Chair)

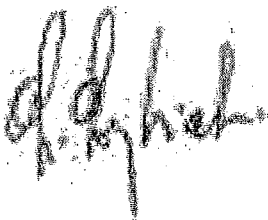
**In Closing:**

As this is the final quarterly report for this term, I want to thank my colleagues on NCAC for their extraordinary dedication, commitment, and wise counsel for the welfare and advancement of NCDRA as an effective, efficient, safe public airport which is a credit to its municipal stakeholders.

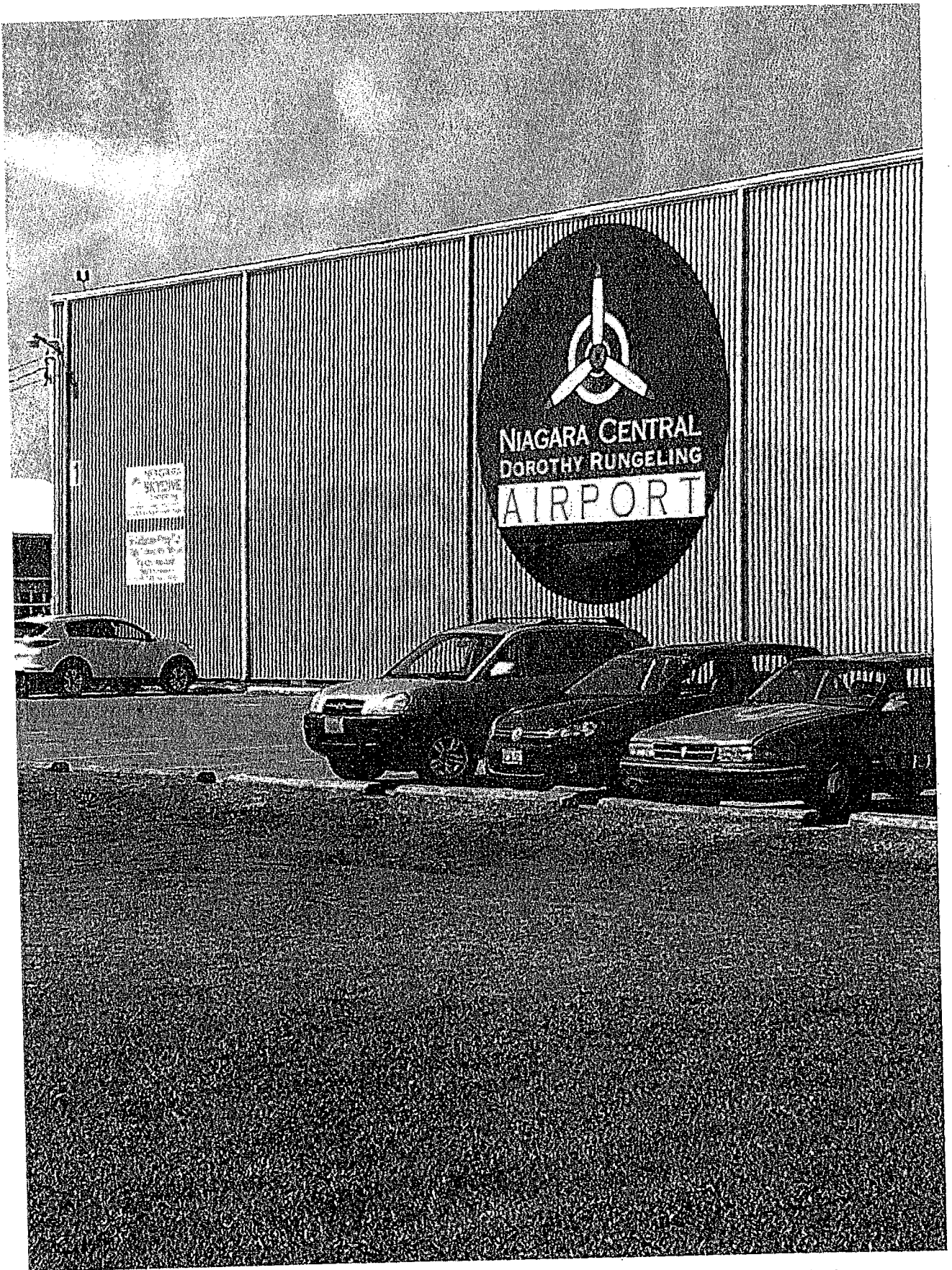
I also want to thank Dave Devine (Manager) and Bob Cullen (Interim Supervisor) for their hard work, their ability to interact with airport users, and their ingenuity at accomplishing so much with the resources at their disposal.

I also want to thank Mayors and Councils of our 4 municipal stakeholders, who never failed to provide NCDRA with the support and resources it needed to continue to deliver excellent service to its tenants, users, and to their municipal constituents.

Sincerely,

A handwritten signature in dark ink, appearing to read "R. Rybiak". The signature is written in a cursive style with some loops and flourishes.

**Richard Rybiak**  
**Chair, Niagara Central Airport Commission**



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**City of Port Colborne  
Regular Committee of the Whole Meeting 20-18  
Minutes**

- Date:** October 9, 2018
- Time:** 6:32 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)
- Absent:** A. Desmarais, Councillor (due to a personal commitment)  
D. Elliott, Councillor (due to a work commitment)  
Y. Doucet, Councillor (due to vacation)  
J. Mayne, Councillor (due to a leave of absence)
- Staff Present:** T. Cartwright, Fire Chief  
A. Grigg, Director of Community and Economic Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)  
T. Rogers, Acting Director of Planning and Development  
P. Senese, Director of Corporate Services  
S. Shypowskyj, Acting Director of Engineering and Operations

Also in attendance were interested citizens, members of the news media and WeeStream.

1. **Call to Order:**

Mayor Maloney called the meeting to order.

2. **Introduction of Addendum Items:**

Nil.

3. **Confirmation of Agenda:**

Moved by Councillor B. Kenny  
Seconded by Councillor B. Butters

That the agenda dated October 9, 2018 be confirmed, as circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Councillor Butters declared an indirect pecuniary interest with regard to item 4, Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne Re: Request for Poppy Week, October 26th – November 11th, 2018, as she is a member of the Royal Canadian Legion, Branch 56. Councillor Butters refrained from discussing or voting on this item.

**5. Adoption of Minutes:**

**(a) Regular meeting of Committee of the Whole 19-18, held on September 24, 2018**

Moved by Councillor F. Danch  
Seconded by Councillor R. Bodner

- (a) That the minutes of the regular meeting of the Committee of the Whole 19-18, held on September 24, 2018, be approved as presented.

CARRIED.

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

The following item was identified for separate discussion:

Items 2 and 4.

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

Moved by Councillor F. Danch  
Seconded by Councillor B. Kenny

That items 1 to 9 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Items:**

**1. Corporate Services Department, Finance Division, Report 2018-141, Subject: 2017 Audited Financial Statements**

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Committee of the Whole recommends:

That the 2017 draft audited Financial Report for the year ended December 31, 2017 be approved.



**3. Planning and Development Department, Planning Division, Report 2018-107, Subject: Railway Station Interpretive Board Funding Request**

Committee of the Whole recommends:

That staff be directed to fund up to \$1,750 towards the creation and installation of an interpretive board for the former Canadian National Railway station on King Street from the 2018 Heritage Port Colborne budget.

**5. Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay**

Committee of the Whole recommends:

That the correspondence received from Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay, be received for information.

**6. Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report to Council, April 1 to June 30, 2018**

Committee of the Whole recommends:

That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report, April 1 to June 30, 2018, be received for information.

**7. Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018), be received for information.

**8. Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018), be received for information.

**9. City of St. Catharines Re: The Right of Passage**

## Committee of the Whole recommends:

That the resolution received from the City of St. Catharines in support of the resolution from the Town of Fort Erie Re: The Right of Passage, be received for information.

CARRIED.

8. **Presentations:**

Nil.

9. **Delegations:**

By general consensus this item of the Committee of the Whole Agenda was brought forward for consideration during the Items Requiring Separate Discussion. The minutes reflect the order of the agenda.

10. **Mayor's Report:**

A copy of the Mayor's Report is attached.

11. **Regional Councillor's Report:**

Nil.

12. **Councillors' Items:**

a) **Niagara Regional Housing presentation at Regional Council (Butters)**

In response to an inquiry by Councillor Butters, Mayor Maloney advised that he was unsure if the hybrid model of governance structure for Niagara Regional Housing will include more representation from municipalities.

b) **Interim Control By-law, Cannabis Production Facilities (Butters)**

Moved by Councillor B. Butters  
Seconded by Councillor B. Kenny

That the Director of Planning and Development be directed to review the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.

CARRIED.

c) **Crosswalk at the corner of Catharine and Clarence Streets (Mayor)**

In response to an inquiry from Mayor Maloney, the Acting Director of Engineering and Operations advised that work on the crosswalk at the corner of

Catharine and Clarence Streets began the first week of October and is expected to be completed by the end of October. The Director advised that feeds are being run for hydro, the Region of Niagara will complete the electrical work and the contractor will complete the sidewalks.

**d) Candidates Night – United Church, Sherkston (Bodner)**

Councillor Bodner announced a meet and greet with ward 4, Mayoral and Regional Councillor candidates is planned for October 14, 2018 from 2-4 p.m.

**Staff Responses to Previous Councillor Enquiries:**

**a) Fire Prevention Week Open House – October 13 (Cartwright)**

The Fire Chief advised that Fire Prevention Week is from October 7-13, with an Open House being held on Saturday, October 13 from 10 a.m.-2 p.m. at the Fire Station at 3 Killaly Street West.

**b) Smoke and Carbon Monoxide Alarms – October (Cartwright)**

The Fire Chief advised that during the month of October the Fire Department will be giving away free smoke and carbon monoxide alarms to Port Colborne homeowners of a single-family residence.

**c) Good news story re the Fire Prevention Program (Cartwright)**

The Fire Chief advised that Fire Fighters attended a property and installed smoke alarms, charged, and successfully prosecuted the landowner. The Fire Chief further advised that the alarm went off in the house recently at 1 a.m. and alerted the tenants who were able to get themselves and their four children from the house and the Fire Department was able to quickly extinguish the fire.

**d) Centennial Beach (Grigg)**

The Director of Community and Economic Development advised that there was a noticeable increase in attendees at the beach and staff are reviewing the requirements for waste receptacles, parking etc., which will be presented during the 2019 budget deliberations.

**13. Consideration of Items Requiring Separate Discussion:**

**2. Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries**

Moved by Councillor B. Butters  
Seconded by Councillor R. Bodner

That a Site Alteration Permit be approved for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:

- i) That the Ministry of Natural Resources consents to change the type of rehabilitation program.
- ii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.
- iii) That a Site Alteration Permit fee of \$1,320 be submitted to the Department of Planning and Development.

Moved in deferral by Councillor B. Kenny  
Seconded by Councillor F. Danch

That consideration of a Site Alteration Permit for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period be deferred to the November 13, 2018 meeting of the Committee of the Whole.

CARRIED.

**4. Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne Re: Request for Poppy Week, October 26th – November 11th, 2018**

Moved by Councillor B. Kenny  
Seconded by Councillor R. Bodner

That October 26th – November 11th, 2018 be proclaimed as “Poppy Week” in the City of Port Colborne in accordance with the request received from Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne.

CARRIED.

**14. Notice of Motion:**

Nil.

**15. Adjournment:**

Moved by Councillor F. Danch  
Seconded by Councillor B. Kenny

That the Committee of the Whole meeting be adjourned at approximately 6:52 p.m.

CARRIED.



## PORT COLBORNE

### Mayor's Report to the October 9, 2018 Council Meeting

#### **Fire Prevention Week**

This week is Fire Prevention Week across Ontario and another reminder to everyone to be fire safe.

Please ensure your smoke detectors and carbon monoxide detectors are in good working condition and if you are unsure, please give our Fire Department a call and they will come out for an inspection.

This coming Saturday, October 13<sup>th</sup> there will be an Open House at the Fire Hall from 10 a.m. to 2 p.m. with activities for the whole family.

Hope to see you there.

#### **Municipal Election**

The Clerk has asked me to remind everyone that the Municipal Election is Monday, October 22<sup>nd</sup> and that the Advance Polls open this week.

The first two advance polls will be held at the Bocce Club at the Vale Health & Wellness Centre on Wednesday October 10<sup>th</sup> and Saturday October 13<sup>th</sup> from 10 a.m. to 8 p.m.

The final advance poll will be held in the Council Chambers at City Hall on Wednesday, October 17<sup>th</sup> from 10 a.m. to 8 p.m.

Election Day is Monday, October 22<sup>nd</sup> and there are 8 regular polling stations established.

Please check your Voter Registration Card for the location of your polling station.

The polling stations are also listed on our website or you can drop by City Hall to inquire.

On Thursday, October 11<sup>th</sup> the Port Colborne Wainfleet Chamber of Commerce is hosting a Meet and Greet and Mayoral Debate at the Roselawn Centre starting at 5:30 p.m.

Details are available on the Chamber of Commerce website.

Let's all PORTicipate and vote.

## **Scott Lawson – Deputy Fire Chief**

I would like to extend our congratulations to our new Deputy Fire Chief, Scott Lawson who also recently graduated from the Association of Municipal Clerks and Treasurers of Ontario's Executive Diploma in Municipal Management.

Working towards a professional designation is a significant milestone requiring years of hard work, acumen, intellect and sacrifice. The sense of accomplishment when it is complete, speaks for itself.

Scott, we look forward to working with you in your new role.



**City of Port Colborne  
Regular Meeting of Council 27-18  
Tuesday, November 13, 2018  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor John Maloney
2. **Introduction of Addendum Items:**
3. **Confirmation of Agenda:**
4. **Disclosures of Interest:**
5. **Adoption of Minutes:**
  - (a) Regular meeting of Council 25-18, held on October 9, 2018.
6. **Determination of Items Requiring Separate Discussion:**
7. **Approval of Items Not Requiring Separate Discussion:**
8. **Consideration of Items Requiring Separate Discussion:**
9. **Proclamations:**

Nil.
10. **Minutes of Boards, Commissions & Committees:**
  - (a) Minutes of the Port Colborne Transit Advisory Committee Meeting of May 23, 2018 and September 26, 2018
  - (b) Minutes of the Port Colborne Public Library Board Meeting of September 11, 2018
  - (c) Minutes of the Canal Days Advisory Committee Meeting of July 18, 2018 and September 19, 2018
  - (d) Minutes of the Port Colborne Active Transportation Committee Meeting of September 17, 2018
11. **Consideration of By-laws:**
12. **Adjournment:**

## Council Items:

Notes	Item	Description / Recommendation
JDM BB RB AD FD YD DE BK JM	1.	<p><b>Corporate Services Department, Finance Division, Report 2018-148, Subject: Port Colborne Welland LINK Proposed Bus Schedule Change</b></p> <hr/> <p>That the Port Colborne Welland LINK bus schedule change to accommodate the pilot project of providing two (2) additional trips, one early morning and one later evening, and the 15 minute change to the current arrival and departure times for the transit service as described in Corporate Services Department, Finance Division Report 2018-148, be approved, effective January 1, 2019.</p> <p>That the pilot project be funded from the Operating Transit Reserve Fund.</p>
JDM BB RB AD FD YD DE BK JM	2.	<p><b>Corporate Services Department, Finance Division, Report 2018-146, Subject: Welland Transit Renewal Agreement for Port Colborne Transit Services</b></p> <hr/> <p>That the renewal of the Transit Agreement with Welland Transit for Transit Services be approved for a two-year term to March 31, 2020.</p> <p>That the City Clerk and the Mayor be authorized to execute the Transit Agreement.</p>
JDM BB RB AD FD YD DE BK JM	3.	<p><b>Corporate Services Department, Finance Division, Report 2018-147, Subject: Cancellation, Reduction or Refund of Realty Tax</b></p> <hr/> <p>That the applications pursuant to Section 357/358 of the <i>Municipal Act, 2001</i>, as amended, 2018-03 (465 Main St W), 2018-03 (93 Nickel St) and 2018-06 (550 Elizabeth St) be approved to cancel or reduce taxes in the total amount of \$2,796.15.</p>
JDM BB RB AD FD YD DE BK JM	4.	<p><b>Engineering and Operations Department, Engineering Division, Report 2018-149, Subject: Tendering for Project 2018-03, Water Meter &amp; Meter Chamber Installations (Two Locations)</b></p> <hr/> <p>That Project 2018-03, Water Meter and Meter Chamber Installations (Two Locations), be awarded to V. Gibbons Contracting Ltd. of Stevensville, Ontario for the total tendered contract price of \$210,423.50 plus applicable taxes.</p> <p>That a contract by-law, whereby the City enters into a Contract Agreement with the contractor be prepared.</p> <p>That funding for Project 2018-03 be financed under the 2018 Water Capital Budget.</p>



<p>JDM BB RB</p>	<p>5.</p>	<p><b>Community and Economic Development Department, Parks and Recreation Division, Report 2018-145, Subject: Annual Lighted Santa Claus Parade – Road Closures and Parking Restrictions</b></p>
<p>AD FD YD</p>	<p>1. That the road closures necessary for the Annual Lighted Santa Claus Parade event on Saturday, December 1, 2018, as outlined in Community and Economic Development, Report 2018-145, be approved;</p>	
<p>DE BK JM</p>	<p>2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging:</p>	
	<ul style="list-style-type: none"> <li>• Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and</li> <li>• Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and</li> <li>• Fielden Avenue, at the western limit of Delhi Street.</li> </ul>	
	<p>3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 1, 2018, for the purpose of parade staging and to provide for a safe viewing area of the parade:</p>	
	<ul style="list-style-type: none"> <li>• Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;</li> <li>• West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and</li> <li>• Charlotte Street, from the western limit of Elm Street to the eastern limit of West Street.</li> </ul>	
	<p>4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 1, 2018, to restrict through traffic onto the parade route:</p>	
	<ul style="list-style-type: none"> <li>• North and west intersections of Steele Street and Elgin Street;</li> <li>• East intersection of Steele Street at Carter Street;</li> <li>• East intersection of Steele Street at Park Street;</li> <li>• East intersection of Steele Street at Tugboat Lane;</li> <li>• West and south intersections of Steel Street and Clarence Street;</li> <li>• North and south intersections of Fielden Avenue at Clarence Street;</li> </ul>	

		<ul style="list-style-type: none"> <li>• North and south intersections of Elm Street at Clarence Street;</li> <li>• North and south intersections of Catharine Street at Clarence Street;</li> <li>• North and south intersections of King Street at Clarence Street;</li> <li>• North and east intersections of West Street at Clarence Street;</li> <li>• South intersection of West Street at Charlotte Street;</li> <li>• North and south intersections of King Street at Charlotte Street; and</li> <li>• East and north intersections of Charlotte Street and Catharine Street.</li> </ul> <p>5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;</p> <p>6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the parade route.</p>															
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>6.</p>	<p><b>Planning and Development Department, By-law Enforcement Division, Report 2018-143, Subject: Accessible Parking – Charlotte Street</b></p> <hr/> <p>That By-law 4310/146/02, Being a by-law to regulate on and off street parking for persons with disabilities, be further amended by adding to Schedule "I" the following:</p> <table border="1" data-bbox="507 1384 1439 1570"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th colspan="2">Column 3</th> <th>Column 4</th> </tr> <tr> <th>Highway</th> <th>Side</th> <th>From</th> <th>To</th> <th>Times/Days</th> </tr> </thead> <tbody> <tr> <td>Charlotte St.</td> <td>North</td> <td>55m west of Catharine St.</td> <td>5.5m west therefrom</td> <td>Anytime</td> </tr> </tbody> </table>	Column 1	Column 2	Column 3		Column 4	Highway	Side	From	To	Times/Days	Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime
Column 1	Column 2	Column 3		Column 4													
Highway	Side	From	To	Times/Days													
Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime													

<p>JDM BB RB AD FD YD DE BK JM</p>	<p>7.</p>	<p><b><u>Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries</u></b></p> <p>That a Site Alteration Permit be approved for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period subject to the following conditions:</p> <ul style="list-style-type: none"> <li>i) That the Ministry of Natural Resources consents to change the type of rehabilitation program.</li> <li>ii) That Port Colborne Quarries work with applicable agencies to ensure a portion of the ANSI remains exposed and to help create a form of public access for educational purposes.</li> <li>iii) That a Site Alteration Permit fee of \$1,320 be submitted to the Department of Planning and Development.</li> </ul> <p><b>Note: This item needs to be pulled for separate consideration.</b></p> <p><b>Note:</b> At its meeting of October 9, 2018 Council deferred the above report.</p>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>8.</p>	<p><b><u>Planning and Development Department, Planning Division, Report 2018-142, Subject: Cannabis Dispensary and Production</u></b></p> <p>That staff be directed to undertake a study of the City's Official Plan policy, Zoning By-law standards and regulations and implementation procedures pertaining to retail cannabis production and report back to Council with recommendations.</p> <p>That an Interim Control By-law, pursuant to Section 38 of the <i>Planning Act</i>, be approved for a period of up to one year, prohibiting retail cannabis production on all properties in the City.</p> <p>That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and that the Notice of Decision required by the <i>Planning Act</i>, R.S.O. 1990, as amended, be processed by staff.</p>

<p>JDM BB RB AD FD YD DE BK JM</p>	<p>10.</p>	<p><b><u>Memorandum from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism</u></b></p> <p>That the memorandum received from Scott Luey, Chief Administrative Officer Re: Follow-up from September 10, 2018 Public Meeting re Vandalism, be received for information; and</p> <p>That the Chief Administrative Officer be directed to:</p> <ul style="list-style-type: none"> <li>• Create a mandate for this group as a task force similar to the East Village             <ul style="list-style-type: none"> <li>• Membership would include:                 <ul style="list-style-type: none"> <li>○ Minimum two city councillors</li> <li>○ One representative from each BIA</li> <li>○ One representative from the NRP</li> <li>○ One representative from Port Cares</li> <li>○ One business representative – currently Fred Davies</li> <li>○ One member of the public – currently Rick Osborne</li> </ul> </li> </ul> </li> </ul> <p>That once the group is established, it be directed to:</p> <ul style="list-style-type: none"> <li>• Send a letter to the Police Services Board inviting them back to Port Colborne to hold a future board meeting.</li> <li>• Arrange for an expression of interest for closed circuit television monitoring in the downtown area and beyond</li> <li>• Arrange for an expression of interest for private security officers</li> <li>• Establish a Community Watch Program</li> </ul>
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>11.</p>	<p><b><u>Region of Niagara, Linking Niagara Transit Committee Session Re: Universal Support Person Pass / Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Financial Impact Analysis</u></b></p> <p>That the correspondence received from the Region of Niagara, Linking Niagara Transit Committee Session, Re: Universal Support Person Pass, Inter-Municipal Transit Service Implementation Strategy and Inter-Municipal Transit Impact Analysis, be received for information.</p>

JDM	BB	RB	12.	<p><b>Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport</b></p> <p>That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Updates regarding Niagara Central Dorothy Rungeling Airport, be received for information.</p>
AD	FD	YD		
DE	BK	JM		
<b>Outside Resolutions – Requests for Endorsement</b>				
Nil.				
<b>Responses to City of Port Colborne Resolutions</b>				
Nil.				

**Consideration of By-laws  
(Council Agenda Item 11)**

By-law No.	Title
6622/77/18	Being a by-law to authorize entering into a franchise agreement between the Corporation of the City of Port Colborne and Enbridge Gas Distribution Inc.
6623/78/18	Being a by-law to authorize entering into a transit agreement (renewal) with the Corporation of the City of Welland – Transit Division, for the Local Community Bus and the Link to Welland
6624/79/18	Being a by-law to authorize entering into a contract agreement with V. Gibbons Contracting Ltd. Re tender 2018-03, Water Meter and Meter Chamber Installations
6625/80/18	Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the Annual Lighted Santa Claus Parade
6626/81/18	Being a by-law to amend By-law no. 4310/46/02, Being a by-law prescribing on and off street parking for persons with disabilities within the City of Port Colborne
6627/82/18	Being a by-law to adopt an Interim Control By-law for all lands within the City of Port Colborne
6628/83/18	Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as part lot 10, concession 2, municipally known as 1937 Brookfield Road
6629/84/18	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 November 13, 2018

The Corporation of the City of Port Colborne

By-law no. 6622/77/18

A By-law to Authorize a Franchise Agreement Between The Corporation of the City of Port Colborne and Enbridge Gas Distribution Inc.

Whereas the Council of The Corporation deems it expedient to enter into the attached franchise agreement with Enbridge Gas Distribution Inc.; and

Whereas the Ontario Energy Board by its Order issued pursuant to The *Municipal Franchises Act* on the 30th day of August, 2018 has approved the terms and conditions upon which and the period for which the franchise provided the attached agreement is proposed to be granted, and has declared and directed that the assent of the municipal electors in respect of this by-law is not necessary.

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

1. That the attached franchise agreement between The Corporation of the City of Port Colborne and Enbridge Gas Distribution Inc., is hereby authorized and the franchise provided therein is hereby granted.
2. That the Mayor and the Clerk are hereby authorized and instructed on behalf of The Corporation to enter into and execute under its corporate seal and deliver the aforesaid agreement, which agreement is hereby incorporated into and shall form part of this by-law.

Enacted and passed the 13th day of November, 2018.

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John Maloney  
Mayor

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Carrie McIntosh  
Deputy Clerk

## Model Franchise Agreement

THIS AGREEMENT effective this        day of        , 20    .

BETWEEN: The Corporation of The City of Port Colborne hereinafter called the  
"Corporation"

- and -

Enbridge Gas Distribution Inc. hereinafter called the "Gas Company"

**WHEREAS** the Gas Company desires to distribute, store and transmit gas in the Municipality upon the terms and conditions of this Agreement;

**AND WHEREAS** by by-law passed by the Council of the Corporation (the "By-law"), the duly authorized officers have been authorized and directed to execute this Agreement on behalf of the Corporation;

**THEREFORE** the Corporation and the Gas Company agree as follows:

### Part I - Definitions

1. In this Agreement:

- a. "decommissioned" and "decommissions" when used in connection with parts of the gas system, mean any parts of the gas system taken out of active use and purged in accordance with the applicable CSA standards and in no way affects the use of the term 'abandoned' pipeline for the purposes of the Assessment Act;
- b. "Engineer/Road Superintendent" means the most senior individual employed by the Corporation with responsibilities for highways within the Municipality or the person designated by such senior employee or such other person as may from time to time be designated by the Council of the Corporation;
- c. "gas" means natural gas, manufactured gas, synthetic natural gas, liquefied petroleum gas or propane-air gas, or a mixture of any of them, but does not include a liquefied petroleum gas that is distributed by means other than a pipeline;
- d. "gas system" means such mains, plants, pipes, conduits, services, valves, regulators, curb boxes, stations, drips or such other equipment



as the Gas Company may require or deem desirable for the distribution, storage and transmission of gas in or through the Municipality;

- e. "highway" means all common and public highways and shall include any bridge, viaduct or structure forming part of a highway, and any public square, road allowance or walkway and shall include not only the travelled portion of such highway, but also ditches, driveways, sidewalks, and sodded areas forming part of the road allowance now or at any time during the term hereof under the jurisdiction of the Corporation;
- f. "Model Franchise Agreement" means the form of agreement which the Ontario Energy Board uses as a standard when considering applications under the Municipal Franchises Act. The Model Franchise Agreement may be changed from time to time by the Ontario Energy Board;
- g. "Municipality" means the territorial limits of the Corporation on the date when this Agreement takes effect, and any territory which may thereafter be brought within the jurisdiction of the Corporation;
- h. "Plan" means the plan described in Paragraph 5 of this Agreement required to be filed by the Gas Company with the Engineer/Road Superintendent prior to commencement of work on the gas system; and
- i. whenever the singular, masculine or feminine is used in this Agreement, it shall be considered as if the plural, feminine or masculine has been used where the context of the Agreement so requires.

## **Part II - Rights Granted**

2. To provide gas service:

The consent of the Corporation is hereby given and granted to the Gas Company to distribute, store and transmit gas in and through the Municipality to the Corporation and to the inhabitants of the Municipality.

3. To Use Highways.

Subject to the terms and conditions of this Agreement the consent of the Corporation is hereby given and granted to the Gas Company to enter upon all highways now or at any time hereafter under the jurisdiction of the Corporation and to lay, construct, maintain, replace, remove, operate and repair a gas system for the distribution, storage and transmission of gas in and through the Municipality.

4. Duration of Agreement and Renewal Procedures.

- a. If the Corporation has not previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law.

or

- b. If the Corporation has previously received gas distribution services, the rights hereby given and granted shall be for a term of 20 years from the date of final passing of the By-law provided that, if during the 20-year term this Agreement, the Model Franchise Agreement is changed, then on the 7th anniversary and on the 14th anniversary of the date of the passing of the By-law, this Agreement shall be deemed to be amended to incorporate any changes in the Model Franchise Agreement in effect on such anniversary dates. Such deemed amendments shall not apply to alter the 20-year term.
- c. At any time within two years prior to the expiration of this Agreement, either party may give notice to the other that it desires to enter into negotiations for a renewed franchise upon such terms and conditions as may be agreed upon. Until such renewal has been settled, the terms and conditions of this Agreement shall continue, notwithstanding the expiration of this Agreement. This shall not preclude either party from applying to the Ontario Energy Board for a renewal of the Agreement pursuant to section 10 of the Municipal Franchises Act.

### Part III - Conditions

5. Approval of Construction
  - a. The Gas Company shall not undertake any excavation, opening or work which will disturb or interfere with the surface of the travelled portion of any highway unless a permit therefor has first been obtained from the Engineer/Road Superintendent and all work done by the Gas Company shall be to his satisfaction.
  - b. Prior to the commencement of work on the gas system, or any extensions or changes to it (except service laterals which do not interfere with municipal works in the highway), the Gas Company shall file with the Engineer/Road Superintendent a Plan, satisfactory to the Engineer/Road Superintendent, drawn to scale and of sufficient detail considering the complexity of the specific locations involved, showing the highways in which it proposes to lay its gas system and the particular parts thereof it proposes to occupy.
  - c. The Plan filed by the Gas Company shall include geodetic information for a particular location:
    - i. where circumstances are complex, in order to facilitate known projects, including projects which are reasonably anticipated by the Engineer/Road Superintendent, or
    - ii. when requested, where the Corporation has geodetic information for its own services and all others at the same location.
  - d. The Engineer/Road Superintendent may require sections of the gas system to be laid at greater depth than required by the latest CSA standard for gas pipeline systems to facilitate known projects or to correct known highway deficiencies.
  - e. Prior to the commencement of work on the gas system, the Engineer/Road Superintendent must approve the location of the work as shown on the Plan filed by the Gas Company, the timing of the work and any terms and conditions relating to the installation of the work.
  - f. In addition to the requirements of this Agreement, if the Gas Company proposes to affix any part of the gas system to a bridge, viaduct or other structure, if the Engineer/Road Superintendent approves this proposal, he may require the Gas Company to comply with special

conditions or to enter into a separate agreement as a condition of the approval of this part of the construction of the gas system.

- g. Where the gas system may affect a municipal drain, the Gas Company shall also file a copy of the Plan with the Corporation's Drainage Superintendent for purposes of the Drainage Act, or such other person designated by the Corporation as responsible for the drain.
- h. The Gas Company shall not deviate from the approved location for any part of the gas system unless the prior approval of the Engineer/Road Superintendent to do so is received.
- i. The Engineer/Road Superintendent's approval, where required throughout this Paragraph, shall not be unreasonably withheld.
- j. The approval of the Engineer/Road Superintendent is not a representation or warranty as to the state of repair of the highway or the suitability of the highway for the gas system.

#### 6. As Built Drawings

The Gas Company shall, within six months of completing the installation of any part of the gas system, provide two copies of "as built" drawings to the Engineer/Road Superintendent. These drawings must be sufficient to accurately establish the location, depth (measurement between the top of the gas system and the ground surface at the time of installation) and distance of the gas system. The "as built" drawings shall be of the same quality as the Plan and, if the approved pre-construction plan included elevations that were geodetically referenced, the "as built" drawings shall similarly include elevations that are geodetically referenced. Upon the request of the Engineer/Road Superintendent, the Gas Company shall provide one copy of the drawings in an electronic format and one copy as a hard copy drawing.

#### 7. Emergencies

In the event of an emergency involving the gas system, the Gas Company shall proceed with the work required to deal with the emergency, and in any instance where prior approval of the Engineer/Road Superintendent is normally required for the work, the Gas Company shall use its best efforts to immediately notify the Engineer/Road Superintendent of the location and nature of the emergency and the work being done and, if it deems appropriate, notify the police force, fire or other emergency services having jurisdiction. The Gas Company shall provide the Engineer/Road Superintendent with at least one 24 hour emergency contact for the Gas Company and shall ensure the contacts are current.

8. Restoration

The Gas Company shall well and sufficiently restore, to the reasonable satisfaction of the Engineer/Road Superintendent, all highways, municipal works or improvements which it may excavate or interfere with in the course of laying, constructing, repairing or removing its gas system, and shall make good any settling or subsidence thereafter caused by such excavation or interference. If the Gas Company fails at any time to do any work required by this Paragraph within a reasonable period of time, the Corporation may do or cause such work to be done and the Gas Company shall, on demand, pay the Corporation's reasonably incurred costs, as certified by the Engineer/Road Superintendent.

9. Indemnification

The Gas Company shall, at all times, indemnify and save harmless the Corporation from and against all claims, including costs related thereto, for all damages or injuries including death to any person or persons and for damage to any property, arising out of the Gas Company operating, constructing, and maintaining its gas system in the Municipality, or utilizing its gas system for the carriage of gas owned by others. Provided that the Gas Company shall not be required to indemnify or save harmless the Corporation from and against claims, including costs related thereto, which it may incur by reason of damages or injuries including death to any person or persons and for damage to any property, resulting from the negligence or wrongful act of the Corporation, its servants, agents or employees.

10. Insurance

- a. The Gas Company shall maintain Comprehensive General Liability Insurance in sufficient amount and description as shall protect the Gas Company and the Corporation from claims for which the Gas Company is obliged to indemnify the Corporation under Paragraph 9. The insurance policy shall identify the Corporation as an additional named insured, but only with respect to the operation of the named insured (the Gas Company). The insurance policy shall not lapse or be cancelled without sixty (60) days' prior written notice to the Corporation by the Gas Company.
- b. The issuance of an insurance policy as provided in this Paragraph shall not be construed as relieving the Gas Company of liability not covered by such insurance or in excess of the policy limits of such insurance.

- c. Upon request by the Corporation, the Gas Company shall confirm that premiums for such insurance have been paid and that such insurance is in full force and effect.

#### 11. Alternative Easement

The Corporation agrees, in the event of the proposed sale or closing of any highway or any part of a highway where there is a gas line in existence, to give the Gas Company reasonable notice of such proposed sale or closing and, if it is feasible, to provide the Gas Company with easements over that part of the highway proposed to be sold or closed sufficient to allow the Gas Company to preserve any part of the gas system in its then existing location. In the event that such easements cannot be provided, the Corporation and the Gas Company shall share the cost of relocating or altering the gas system to facilitate continuity of gas service, as provided for in Paragraph 12 of this Agreement.

#### 12. Pipeline Relocation

- a. If in the course of constructing, reconstructing, changing, altering or improving any highway or any municipal works, the Corporation deems that it is necessary to take up, remove or change the location of any part of the gas system, the Gas Company shall, upon notice to do so, remove and/or relocate within a reasonable period of time such part of the gas system to a location approved by the Engineer/Road Superintendent.
- b. Where any part of the gas system relocated in accordance with this Paragraph is located on a bridge, viaduct or structure, the Gas Company shall alter or relocate that part of the gas system at its sole expense.
- c. Where any part of the gas system relocated in accordance with this Paragraph is located other than on a bridge, viaduct or structure, the costs of relocation shall be shared between the Corporation and the Gas Company on the basis of the total relocation costs, excluding the value of any upgrading of the gas system, and deducting any contribution paid to the Gas Company by others in respect to such relocation; and for these purposes, the total relocation costs shall be the aggregate of the following:
  - i. the amount paid to Gas Company employees up to and including field supervisors for the hours worked on the project plus the current cost of fringe benefits for these employees,

- ii. the amount paid for rental equipment while in use on the project and an amount, charged at the unit rate, for Gas Company equipment while in use on the project,
  - iii. the amount paid by the Gas Company to contractors for work related to the project,
  - iv. the cost to the Gas Company for materials used in connection with the project, and
  - v. a reasonable amount for project engineering and project administrative costs which shall be 22.5% of the aggregate of the amounts determined in items (i), (ii), (iii) and (iv) above.
- d. The total relocation costs as calculated above shall be paid 35% by the Corporation and 65% by the Gas Company, except where the part of the gas system required to be moved is located in an unassumed road or in an unopened road allowance and the Corporation has not approved its location, in which case the Gas Company shall pay 100% of the relocation costs.

#### **Part IV - Procedural And Other Matters**

##### **13. Municipal By-laws of General Application**

The Agreement is subject to the provisions of all regulating statutes and all municipal by-laws of general application, except by-laws which have the effect of amending this Agreement.

##### **14. Giving Notice**

Notices may be delivered to, sent by facsimile or mailed by prepaid registered post to the Gas Company at its head office or to the authorized officers of the Corporation at its municipal offices, as the case may be.

##### **15. Disposition of Gas System**

- a. If the Gas Company decommissions part of its gas system affixed to a bridge, viaduct or structure, the Gas Company shall, at its sole expense, remove the part of its gas system affixed to the bridge, viaduct or structure.
- b. If the Gas Company decommissions any other part of its gas system, it shall have the right, but is not required, to remove that part of its gas system. It may exercise its right to remove the decommissioned parts of its gas system by giving notice of its intention to do so by filing a Plan

as required by Paragraph 5 of this Agreement for approval by the Engineer/Road Superintendent. If the Gas Company does not remove the part of the gas system it has decommissioned and the Corporation requires the removal of all or any part of the decommissioned gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in any highway, the Corporation may remove and dispose of so much of the decommissioned gas system as the Corporation may require for such purposes and neither party shall have recourse against the other for any loss, cost, expense or damage occasioned thereby. If the Gas Company has not removed the part of the gas system it has decommissioned and the Corporation requires the removal of all or any part of the decommissioned gas system for the purpose of altering or improving a highway or in order to facilitate the construction of utility or other works in a highway, the Gas Company may elect to relocate the decommissioned gas system and in that event Paragraph 12 applies to the cost of relocation.

16. Use of Decommissioned Gas System

- a. The Gas Company shall provide promptly to the Corporation, to the extent such information is known:
  - i. the names and addresses of all third parties who use decommissioned parts of the gas system for purposes other than the transmission or distribution of gas; and
  - ii. the location of all proposed and existing decommissioned parts of the gas system used for purposes other than the transmission or distribution of gas.
- b. The Gas Company may allow a third party to use a decommissioned part of the gas system for purposes other than the transmission or distribution of gas and may charge a fee for that third party use, provided
  - i. the third party has entered into a municipal access agreement with the Corporation; and
  - ii. the Gas Company does not charge a fee for the third party's right of access to the highways.
- c. Decommissioned parts of the gas system used for purposes other than the transmission or distribution of gas are not subject to the provisions of this Agreement. For decommissioned parts of the gas system used for purposes other than the transmission and distribution of gas, issues



such as relocation costs will be governed by the relevant municipal access agreement.

17. Franchise Handbook

The Parties acknowledge that operating decisions sometimes require a greater level of detail than that which is appropriately included in this Agreement. The Parties agree to look for guidance on such matters to the Franchise Handbook prepared by the Association of Municipalities of Ontario and the gas utility companies, as may be amended from time to time.

18. Agreement Binding Parties

This Agreement shall extend to, benefit and bind the parties thereto, their successors and assigns, respectively.

IN WITNESS WHEREOF the parties have executed this Agreement effective from the date written above.

THE CORPORATION OF THE CITY OF PORT COLBORNE

By: \_\_\_\_\_

By: \_\_\_\_\_

Duly Authorized Officer

ENBRIDGE GAS DISTRIBUTION INC.

By: Malini Girdhar \_\_\_\_\_

Malini Girdhar  
Vice President  
Market Development,  
Regulatory & Public Affairs



By: James Lord \_\_\_\_\_

James Lord  
Vice President, Law



DATED this            day of            , 20    .

THE CORPORATION OF THE  
CITY OF PORT COLBORNE

- and -

ENBRIDGE GAS DISTRIBUTION INC.

FRANCHISE AGREEMENT

**ENBRIDGE GAS DISTRIBUTION INC.**  
500 Consumers Road  
North York, Ontario  
M2J 1P8

Attention: Regulatory Affairs Department

The Corporation of the City of Port Colborne

By-law no. 6623/78/18

Being a by-law to authorize entering into a Transit Agreement (renewal) with the Corporation of the City of Welland – Transit Division, for the Local Community Bus and the Link to Welland

Whereas at its meeting of November 13th, 2018 the Council of The Corporation of the City of Port Colborne approved the recommendations of the Corporate Services Department, Finance Division, Report 2018-146, Subject: Welland Transit Renewal Agreement for Port Colborne Services; and

Whereas the Council of The Corporation of the City of Port Colborne is desirous of entering into a renewal of the current Transit Agreement for a further two year period to March 31, 2020 with the City of Welland – Transit Division, respecting the Local Community Bus and the Link to Welland.

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

1. That The Corporation of the City of Port Colborne enter into a Transit Agreement renewal with The Corporation of the City of Welland – Transit Division.
2. That the Mayor and Clerk be and hereby authorized and directed to sign the said Transit Agreement and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed the 13<sup>th</sup> day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

**THIS AGREEMENT** made this     day of, 2018,

Between:

**THE CORPORATION OF THE CITY OF WELLAND**

(hereinafter referred to as "Transit")

OF THE FIRST PART

AND

**THE CORPORATION OF THE CITY OF PORT COLBORNE**

(hereinafter referred to as the "City")

OF THE SECOND PART

**WHEREAS** Transit has agreed to provide transit services to the City (the "Services") within Port Colborne and to and from the City of Welland with respect to the transit routes, as more particularly described in Schedules "A" and "A1" and being the Port Colborne East and West Community and the Port Colborne Welland Link (collectively referred to herein as the "**Routes**");

**AND WHEREAS** the City has agreed to provide compensation for the provision of the Transit Services as detailed herein;

**AND WHEREAS** this Agreement replaces and terminates the agreement between the parties dated March 31, 2008 and all amendments thereto.

**NOW THEREFORE THIS AGREEMENT WITNESSETH** that in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. In the Agreement "Service Cost" shall mean, for the year April 1st, 2018 to March 31, 2019 (the "Initial Year"), the amounts set forth in Schedules 'B', 'B1', and 'B2' hereof, and for any subsequent years, the amounts mutually agreed upon by the parties. The City acknowledges that the Service Cost can be increased or decreased in accordance with Schedule "C" – Fuel reconciliation Clause.
2. The Agreement shall be a two (2) year term (the "Term") commencing on the 1st day of April 2018 and terminating on the 31<sup>st</sup> day of March 2020, subject to section 3 hereof.
3. This Agreement may be terminated by either party, upon written notice to the other no later than 150 days before March 31st in any year of the term. If this Agreement is terminated, Transit shall be responsible to calculate the pro-rated Service Cost for the period prior to termination and bill the same to the City.
4. The Administrator for the City or their designate and the Transit Manager for the Transit or designate, shall meet not later than January 31<sup>st</sup> in each year of the Term for the purpose of negotiating a number of matters and such negotiation shall involve:
  - (i) determining the need to amend the Schedules hereto or the routes;
  - (ii) resolving any differences of opinion between the parties;
  - (iii) providing monitoring and reporting performance to the Transit; and
  - (iv) conducting a fare review.
5. Transportation data pertaining to the Services, as may be reasonably required, shall be available to both parties during normal working hours upon request.
6. Each of the parties shall maintain and provide proof of general liability insurance of not less than \$15,000,000 naming the other party as an additional insured. The proof of insurance shall be satisfactory to the other party acting reasonably and shall contain a provision requiring the insurer to serve the other party a least thirty(30) days written notice of any cancellation of such policy. In addition, Transit agrees to maintain vehicle liability insurance at not less than \$ 10,000,000.
7. Each party (the "Indemnifying Party") agrees to indemnify and hold harmless the other party from and against all actions, causes of actions, liabilities, claims and demands whatsoever, including third party claims with respect to any damage or loss whatsoever (including without limitation, direct or indirect, special or incidental or consequential bodily injury or loss of life) arising or resulting out of any negligence by the Indemnifying Party in connection with the Services provided under this Agreement.

8. Transit will not be held responsible for any service disruptions due to unforeseen circumstances (i.e. weather, accidents, strikes, traffic congestion, detours, road closures and mechanical breakdowns). The responsibilities of Transit shall be as follows:

- (i) to operate the Routes in accordance with the schedules set out in Schedule 'A' and 'A1' attached hereto;
- (ii) at its sole cost and expense, to provide the necessary buses and manpower to operate the Services including all administration and licensing requirements;
- (iii) at its sole cost and expense, to maintain all buses in a good and safe working order and condition;
- (iv) not to change the hours or the level of service with respect to the Routes within the City of Port Colborne limits, without the prior written consent of the City;
- (v) to invoice the City monthly for the Service Cost, with a monthly ridership report;
- (vi) to credit the City for all cash fares received, to be credited on each monthly invoicing, in addition, to credit the City for any bus passes sold on behalf of the City;
- (vii) to provide Transit information to customers, as well as assist with marketing initiatives including print and website materials;
- (viii) to work with the City to support post-secondary transportation connections, including monthly post-secondary ridership totals;
- (ix) to work with the City to ensure fare media employed on the City's transit services are acceptable to Transit;
- (x) to provide any bus stop signage to the City for installation;
- (xi) to appoint one person to the Port Colborne Transit Advisory Committee;
- (xii) to ensure accessibility standards are in compliance with the Accessibility for Ontarians with Disabilities Act (Ontario) with regard to the operation of the buses and the Operators; and
- (xiii) to investigate any new revenue sources, such as advertising, and other cost saving measures which could reduce the Service Cost.

9. The responsibilities of the City shall be as follows:

- (i) to pay the Transit a monthly fee within 30 days of receipt of invoice based upon the Service Cost as set out in Schedules; 'B', 'B1', and 'B2' to this Agreement and as amended from time to time pursuant to the terms of this Agreement for the provision of the Services;
- (ii) to work with Transit to ensure there are common fares;
- (iii) to ensure the City will sell all bus passes at City Hall to be part of the City's revenue;
- (iv) to maintain all stops and or shelters on the bus routes within the municipal boundaries of Port Colborne;
- (iv) to determine the level of service to be operated on the Routes and to give to Transit at least one hundred and fifty days (150) days written notice prior to March 31 in any year of any service changes. Such changes are to be agreed to by Transit and then any increase or reduction in the level of service shall be accompanied by a corresponding increase or reduction in the Service Cost agreed upon by the parties, acting reasonably, and pro-rated by the increase or decrease in the number of days of service being provided and the number of hours of Services provided;
- (v) to directly bill the Region of Niagara for the amounts owing from Niagara College Student Administrative Council and Brock University Students' Union for the negotiated U PASS amount with all such funds to be paid to and retained by the City;
- (vi) to provide for the installation of benches and shelters, as required;
- (vii) to provide Transit with proper notice of any construction, road closures and winter events which may interrupt the transit service; and
- (viii) to ensure that all bus stops and amenities comply with the Accessibility for Ontarians with Disabilities Act (Ontario).

10. Any notices permitted or required under this Agreement shall be given by personal delivery, email or sent by prepaid registered mail to the parties at the following addresses. Notices sent by registered mail shall be deemed to be received three regular business days after mailing and notices personally delivered shall be deemed received on the day they are delivered and notices sent by email shall be deemed received on the next business day.

To the City at: City Hall, Attention: City Clerk  
66 Charlotte Street  
Port Colborne, Ontario  
L3K 3C8

To Transit at: City Hall, Attention: City Clerk  
60 East Main Street  
Welland, Ontario L3B 3X4

11. Any and all disputes, claims or controversies arising out of or in any way connected with this Agreement, its negotiation, performance, breach, existence or validity shall be referred to and finally settled by binding arbitration conducted by three arbitrators in accordance with the Arbitration Act (Ontario). The place of the arbitration shall be in Port Colborne, Ontario. The language of the arbitration shall be English. The parties shall each appoint an arbitrator within 10 days following written notification of a dispute by one of the parties to the other. If a party fails to appoint an arbitrator within such a 10 day period, the parties agree that the party who has selected an arbitrator may make application to a judge of the Ontario Superior Court of Justice (the "Court") for the appointment of the second arbitrator; the appointment of the Court of the second arbitrator shall be final and binding. The two arbitrators so appointed shall be within 10 days following their appointment select a third arbitrator, failing which the parties agree to make application to the Court for the appointment of a third arbitrator; the appointment by the Court of the third arbitrator shall be final and binding. The parties agree that the third arbitrator shall chair the arbitration. The arbitration shall be carried out in accordance with the Arbitration Act (Ontario). Any decisions so made by the arbitrators shall be final and binding upon the parties and there shall be no appeal from the decision of the arbitrators. The cost of the arbitration (other than the legal fees and disbursements of each party's legal counsel) shall be borne equally by the parties.
12. This Agreement shall be binding upon the parties hereto, their successors and assigns and time shall be of the essence.
13. This Agreement and the Schedules hereto constitute the entire agreement between the parties pertaining to the subject matter of this Agreement and supersede all prior agreements, understandings, negotiations and discussions, whether oral or written. There are no conditions, warranties, representations or other agreements between the parties in connection with the subject matter of this Agreement, whether oral or written, expressed or implied, statutory or otherwise, except as specifically set out in this Agreement.
14. Nothing in the Agreement shall be deemed in any way or for the purpose to constitute any party, the partner of any other party.
15. No modification, supplement, termination, waiver or amendment to the Agreement may be made unless agreed to by the parties in writing.
16. The rights of either party hereunder shall not be assignable without the prior written consent of the other party, which consent shall not be unreasonably withheld.
17. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals duly attested to by the hands of the proper signing officers in that behalf.

**THE CORPORATION OF THE CITY OF WELLAND**

\_\_\_\_\_  
Frank Campion, Mayor

\_\_\_\_\_  
Carmela Radice, Acting City Clerk

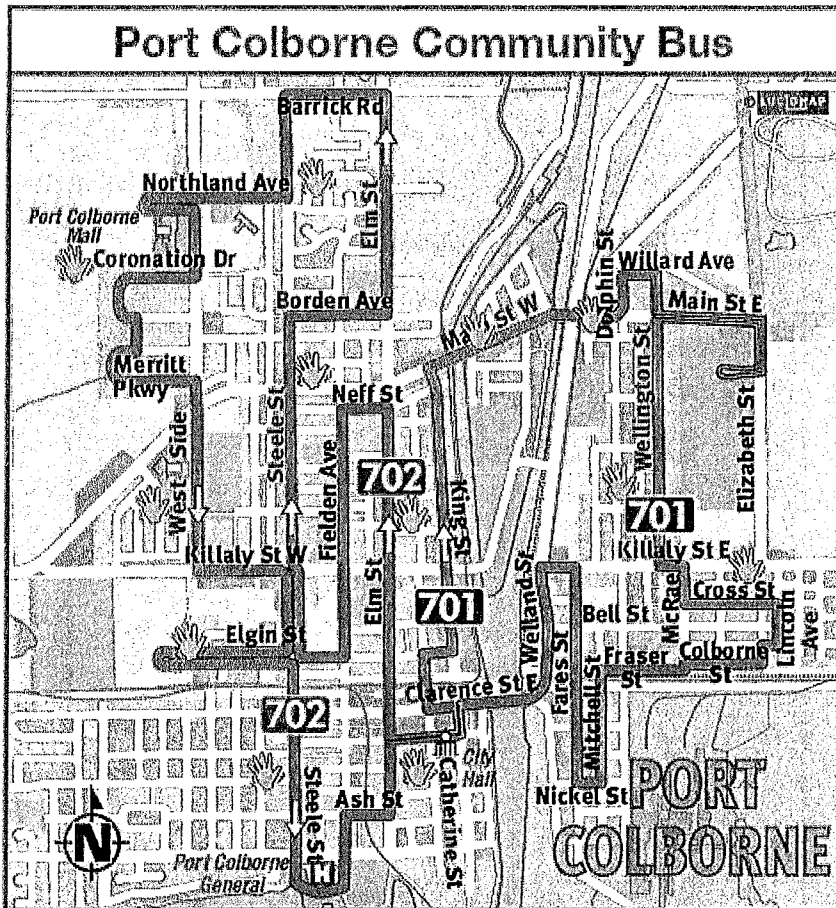
**THE CORPORATION OF THE CITY OF PORT COLBORNE**

\_\_\_\_\_  
John Maloney, Mayor

\_\_\_\_\_  
Carrle McIntosh, Deputy Clerk

# Schedule A

## Port Colborne Community Bus Routes & Schedules



<b>701</b>		<b>PORT COLBORNE EAST</b>				
▼ Flag Stop Bus Route ▼						
Time of Day	Port Colborne City Hall (opac)	Vale Health & Wellness Centre	Colborne St & McKee Ave	Fraser St & Bell St	Port Colborne City Hall (over)	
<b>MONDAY - FRIDAY</b>						
AM	7:00	7:11	7:17	7:22	7:27	
	and every 60 minutes until					
	11:00	11:11	11:17	11:22	11:27	
PM	1:00	1:11	1:17	1:22	1:27	
	and every 60 minutes until					
	5:00	5:11	5:17	5:22	5:27	

<b>702</b>		<b>PORT COLBORNE WEST</b>				
▼ Flag Stop Bus Route ▼						
Time of Day	Port Colborne City Hall (opac)	Killaly St & Steele St	Port Colborne Mall	Elgin St & Steele St	Port Colborne City Hall (over)	
<b>MONDAY - FRIDAY</b>						
AM	7:30	7:37	7:42	7:50	7:57	
	and every 60 minutes until					
	11:30	11:37	11:42	11:50	11:57	
PM	1:30	1:37	1:42	1:50	1:57	
	and every 60 minutes until					
	5:30	5:37	5:42	5:50	5:57	

Please see City of Port Colborne or Welland Transit web site for fare structure information for Port Colborne Community and Link bus services

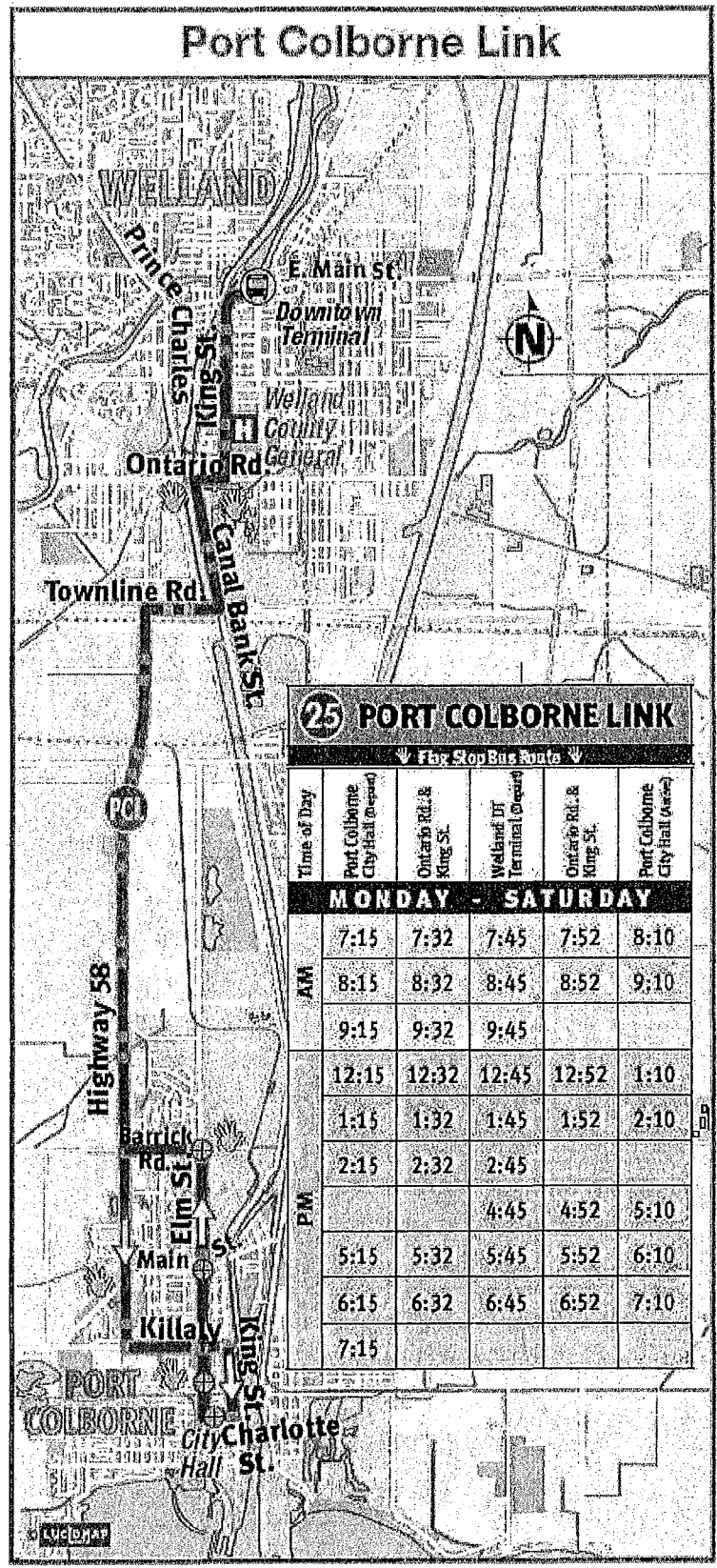


### Flag Stop for Port Colborne only

You can board the bus by waving to the driver as the bus approaches. Look for the waving hand symbol on the maps, which highlights areas where Flag Stop is in effect.

# Schedule A1

## Port Colborne Link Route & Schedule





## Schedule 'B'

### Port Colborne LINK Costing

	P. C. Depart	Well. Arrive	Well Depart	P.C. Arrive
Morning trips	7:15 AM	7:54 AM	7:54 AM	8:20 AM
	8:20 AM	8:59 AM	8:59 AM	9:25 AM
Afternoon trips	12:05 PM	12:44 PM	12:44 PM	1:10 PM
	1:15 PM	1:54 PM	1:54 PM	2:20 PM
Evening trips	5:10 PM	5:49 PM	5:49 PM	6:15 PM
	6:20 PM	6:59 PM	6:59 PM	7:25 PM

April 1st, 2018 to August 31st, 2018

Total hours of service per day - 8 hrs 40 min.

City - 5.78 hrs/day and Region - 2.89 hrs /day

Total service days - 107

Hourly cost of service - \$95.00

Daily cost of service for the City - \$549.10

**Total Cost of Service - \$88,130.55**

(City - \$58,753.70 & Region pays \$29,376.85)

\*\* The City is responsible to bill the Region for assuming the cost of an additional 1.445 hrs/day in sharing 50% of the cost for June to December, 2018. (144 days@1.445 hrs/day@\$95/hr = \$19,768.00)

## Schedule 'B1'

### Port Colborne LINK Costing

	P. C. Depart	Well. Arrive	Well Depart	P.C. Arrive
Morning trips	7:15 AM	7:40 AM	7:45 AM	8:10 AM
	8:15 AM	8:40 AM	8:45 AM	9:10 AM
	9:15 AM	9:40 AM	9:45 AM	

Afternoon trips	12:15 PM	12:40 PM	12:45 PM	1:10 PM
	1:15 PM	1:40 PM	1:45 PM	2:10 PM
	2:15 PM	2:40 PM	2:45 PM	

Evening trips			4:45 PM	5:10 PM
	5:15 PM	5:40 PM	5:45 PM	6:10 PM
	6:15 PM	6:40 PM	6:45 PM	7:10 PM
	7:15 PM**			

\*\* Customers may travel back to Welland to Canal Bank and Ontario St.

#### **September 1st, 2018 to December 31st, 2018**

Total hours of service per day - 8 hrs 40 min.

City - 5.78 hrs/day and Region - 2.89 hrs /day

Total service days - 82

Hourly cost of service - \$95.00\*

Daily cost of service for the City - \$549.10

**Total Cost of Service - \$67,539.30**

(City - \$45,026.20 & Region - \$22,513.10)

#### **January 1st, 2019 to March 31st, 2019**

Total hours of service per day - 9 hrs 15 min.

City - 4.625 hrs/day and Region - 4.625 hrs /day

Total service days - 62

Hourly cost of service - \$95.00\*

Daily cost of service for the City - \$439.38

**Total Cost of Service - \$54,483.12**

(City - \$27,241.56 & Region - \$27,241.56)

\* This hourly rate shall change if Region of Niagara assumes payment of the service.

## Schedule 'B2'

### Port Colborne Community Costing

<b>701</b>		<b>PORT COLBORNE EAST</b>				
		<b>Flag Stop Bus Route</b>				
Time of Day	Port Colborne City Hall (Depart)	Vale Health & Wellness Centre	Colborne St & McRae Ave	Fares St & Bell St	Port Colborne City Hall (Arrive)	
<b>MONDAY - FRIDAY</b>						
<b>AM</b>	7:00	7:11	7:17	7:22	7:27	
	<b>and every 60 minutes until</b>					
	11:00	11:11	11:17	11:22	11:27	
<b>PM</b>	1:00	1:11	1:17	1:22	1:27	
	<b>and every 60 minutes until</b>					
	5:00	5:11	5:17	5:22	5:27	

<b>702</b>		<b>PORT COLBORNE WEST</b>				
		<b>Flag Stop Bus Route</b>				
Time of Day	Port Colborne City Hall (Depart)	Killaly St & Steele St	Port Colborne Mall	Elgin St & Steele St	Port Colborne City Hall (Arrive)	
<b>MONDAY - FRIDAY</b>						
<b>AM</b>	7:30	7:37	7:42	7:50	7:57	
	<b>and every 60 minutes until</b>					
	11:30	11:37	11:42	11:50	11:57	
<b>PM</b>	1:30	1:37	1:42	1:50	1:57	
	<b>and every 60 minutes until</b>					
	5:30	5:37	5:42	5:50	5:57	

The Port Colborne Community East and West Routes constitute the following hours and subsequent costing;

Hours of Service: 11.33 hrs per day (including 'Travel Time' paid to Bus Operators)

Days of Service: 250 days per year (Mon. to Fri. less 10 statutory holidays)

Hourly Cost of Service: \$95.00 per hour

**Total Annual Cost of Service: \$269,087.50**

Daily cost of service for the City - \$1,076.35

## **Schedule 'C'**

### **Fuel Reconciliation Clause**

Before the execution of the Agreement, the parties shall agree on a price/litre for diesel fuel, which shall be known as the 'Base Rate.' The Base Rate will be calculated based on the average price of diesel fuel/litre over the previous year, plus ten (10) percent.

At the end of each year of the Agreement or portion thereof, WT shall calculate the average diesel fuel price/litre for that term, which shall be known as the 'Average Rate.'

The Base Rate shall then be subtracted from the Average rate and multiplied by the number of litres of diesel fuel consumed during the execution of this Agreement.

### **Example:**

Base rate - (Avg. price of fuel for previous year was \$1.20/litre + 10%)	\$1.32/litre
Average Rate (Surcharge) - (Annual Fuel Expense / litres consumed)	\$1.36/litre
Average Rate (Rebate) - (Annual Fuel Expense / litres consumed)	\$1.28/litre
Total litres of diesel fuel consumed during term of Agreement	20,000 litres

### **Fuel Surcharge Fee**

Litres Used X (Average Rate – Base Rate)

$$20,000 \times (\$1.36 - \$1.32) = \$800.00$$

### **Fuel Rebate Fee**

Litres Used X (Average Rate – Base Rate)

$$20,000 \times (\$1.28 - \$1.32) = (\$800.00)$$

The parties further agree that any Fuel Surcharge or Rebate Fee, if applicable, shall be paid to the benefiting party within two (2) months of completing the Fuel Reconciliation calculations.

The Corporation of the City of Port Colborne

By-law no. 6624/79/18

Being a by-law to authorize entering into a contract agreement with  
V. Gibbons Contracting Ltd. Re tender 2018-03,  
Water Meter and Meter Chamber Installations

Whereas at its meeting of November 13, 2018 the Council of The Corporation of the City of Port Colborne approved the recommendations of the Engineering and Operations Department, Engineering Division, Report 2018-149, Subject: Tendering for project 2018-03, Water Meter & Meter Chamber Installations (Two Locations); and

Whereas the Council of The Corporation of the City of Port Colborne is desirous of entering into a contract agreement with V. Gibbons Contracting Ltd. regarding tender 2018-03, Water Meter and Meter Chamber Installations.

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

1. That The Corporation of the City of Port Colborne enter into a contract agreement with V. Gibbons Contracting Ltd. regarding tender 2018-03, Water Meter and Meter Chamber Installations.
2. That the Mayor and the Clerk be and each of them is hereby authorized and directed to sign said agreement, together with any documents necessary to complete the conditions of said agreement, and the Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 13th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

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The Corporation of The City of Port Colborne

By-law No. 6625/80/18

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the Annual Lighted Santa Claus Parade

Whereas at its meeting of November 13, 2018, the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-145, Subject: Annual Lighted Santa Claus Parade - Road Closures and Parking Restrictions; and

Whereas Council has jurisdiction, as defined in Section 28 of the *Municipal Act, 2001*, S.O. 2001, c.25, over municipal highways; and

Whereas the municipality is granted the power under Sections 11(3) and 27(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to pass by-laws with respect to highways within its jurisdiction and to close a highway temporarily for any purpose specified in the by-law; and

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the Annual Lighted Santa Claus Parade; and

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

1. That in this by-law "Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor (not including those participating in festival), road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this By-law at any time during the hours of 4:00 p.m. to 7:00 p.m. on December 1, 2018.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 4:00 p.m. to 7:00 p.m. on December 1, 2018.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours 4:00 p.m. to 7:00 p.m. on December 1, 2018.
5. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "B" attached hereto and made part of this by-law at any time during the hours of 4:00 p.m. to 9:00 p.m. on December 1, 2018.
6. The highways or portions thereof as set out on Schedule "B" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 4:00 p.m. to 9:00 p.m. on December 1, 2018.
7. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "B" attached hereto and made part of this by-law during the hours 4:00 p.m. to 9:00 p.m. on December 1, 2018.
8. That there will be temporary barricade road closures at the intersections to restrict through traffic onto the parade route as set out in Schedule "C" attached hereto and made part of this by-law during the hours of 6:30 p.m. to 9:00 p.m. on December 1, 2018. That each temporary barricade road closure be removed as the parade passes each of the intersections as set out in Schedule "C".

9. The provisions of this by-law shall not apply to ambulances, police or fire services vehicles or public utility emergency vehicles, authorized event vehicles or any other vehicles required in the case of emergency.
10. Any person violating the provisions this By-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.
11. This By-law shall take effect on the date and times prescribed and on the placing of proper barricades and signs.

Enacted and passed this 13th day of November, 2018.

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John Maloney  
Mayor

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Carrie McIntosh  
Deputy Clerk



Schedule "A" to By-law No. 6625/80/18

<u>Highway</u>	<u>From</u>	<u>To</u>
Fielden Avenue	Southern limit of Killaly Street	Southern limit of Elgin Street
Elgin Street	Western limit of Elm Street	Eastern limit of Steele Street
Fielden Avenue	Western limit of Delhi Street	Western limit of Delhi Street

Schedule "B" to By-law No. 6625/80/18

<u>Highway</u>	<u>From</u>	<u>To</u>
Clarence Street	Western limit of Steele Street	Eastern limit of West Street
West Street	Northern limit of Clarence Street	Southern limit of Charlotte Street
Charlotte Street	Western limit of Elm Street	Eastern limit of West Street

Schedule "C" to By-law No. 6625/80/18

- North and west intersections of Steele Street and Elgin Street;
- East intersection of Steele Street at Carter Street;
- East intersection of Steele Street at Park Street;
- East intersection of Steele Street at Tugboat Lane;
- West and south intersections of Steel Street and Clarence Street;
- North and south intersections of Fielden Avenue at Clarence Street;
- North and south intersections of Elm Street at Clarence Street;
- North and south intersections of Catharine Street at Clarence Street;
- North and south intersections of King Street at Clarence Street;
- North and east intersections of West Street at Clarence Street;
- South intersection of West Street at Charlotte Street;
- North and south intersections of King Street at Charlotte Street; and
- East and north intersections of Charlotte Street and Catharine Street.

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The Corporation of the City of Port Colborne

By-law no. 6626/81/18

Being a by-law to amend By-law no. 4310/146/02, being  
a by-law prescribing on and off street parking  
for persons with disabilities within the City of Port Colborne

Whereas the Council of the Corporation of the City of Port Colborne enacted By-law 4310/146/02, Being a By-law Prescribing On and Off-Street Parking for Persons With Disabilities Within the City of Port Colborne, on the 25<sup>th</sup> day of November 2002; and

Whereas, By-law 4310/146/02 has been amended from time to time; and

Whereas Council is desirous of further amending By-law 4310/146/02 in accordance with the recommendations of Planning and Development Department, By-law Enforcement Division Report 2018-143, Subject: Accessible Parking - Charlotte Street, adopted on November 13, 2018; and

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

1. That Schedule "I" to Bylaw 4310/146/02 as amended, be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
Charlotte St.	North	55m west of Catharine St.	5.5m west therefrom	Anytime

2. The provisions of this by-law shall take effect on passing, subject to the display of official signs.

Enacted and passed this 13th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

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The Corporation of the City of Port Colborne

By-law no. 6627/82/18

Being a by-law to adopt an Interim Control by-law for all lands within the City of Port Colborne

Whereas Section 38 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, authorizes Council to adopt an Interim Control By-law, provided Council has by resolution directed that a review or study be undertaken of land use planning policies; and

Whereas the Council of The Corporation of the City of Port Colborne passed a resolution on October 9, 2018 directing that a review be undertaken in respect of the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.

Whereas the Council of The Corporation of the City of Port Colborne considers it necessary to enact an Interim Control By-law with respect to the lands described in Section 1 of this by-law, and only as it applies to the use of land, premises, or partial use of premises, for either of the uses described in Section 2 a) of this by-law, to allow it time to consider its land use planning policies as directed.

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

1. This Interim Control By-law applies to all lands zoned in Zoning By-law 6575/30/18 of The Corporation of the City of Port Colborne to prohibit the use of land, premises, or partial use of premises within such lands, for the use as described in Section 2 a) of this by-law.
2. The following use is prohibited under this by-law:
  - a) a facility or land for the growing of cannabis.
3. In this by-law, the following definitions apply:
  - a) "Cannabis": means a cannabis plant, including the phytocannabinoids produce by or found in such a plant regardless of whether that part has been processed or not and any substance or mixture of substances that contains or has on it and part of such a plant and any substance that is identical to a phytocannabinoid produced by or found in such a plant regardless of how the substance was obtained. Marihuana shall have the same definition
  - b) "Cannabis Production Facility": means the use of land, buildings or structures for the cultivation, processing, packaging and shipping of cannabis not licensed by Health Canada.
4. This by-law shall be in effect for a period of one year from the date of passage hereof.

Enacted and passed this 13th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

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The Corporation of the City of Port Colborne

By-law no. 6628/83/18

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as part lot 10, concession 2, municipally known as 1937 Brookfield Road

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

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

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

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Agricultural to AR-49 and Agricultural Purposes Only.
3. That Section 37 entitled SPECIAL EXCEPTIONS AND PROVISIONS of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

AR-49

Notwithstanding the provisions of the Agricultural Residential Zone, the following special regulations shall apply:

- |                           |       |
|---------------------------|-------|
| a) Maximum Lot Coverage   | 13.7% |
| b) Accessory Lot Coverage | 10.2% |

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 13th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

SCHEDULE "A"



THIS IS SCHEDULE "A" TO BY-LAW NO 6628/83/18

PASSED THE 13TH DAY OF NOVEMBER 2018

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

▣ LANDS TO BE REZONED FROM AGRICULTURAL TO AR-49

▨ LANDS TO BE REZONED FROM AGRICULTURAL TO AGRICULTURAL PURPOSES ONLY

FILE NO: D14-03-18

DRAWN BY: CITY OF PORT COLBORNE PLANNING DIVISION

NOT TO SCALE NOVEMBER 2018

The Corporation of the City of Port Colborne

By-Law no. 6629/84/18

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 November 13, 2018.

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 November 13, 2018 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 except where the approval of the Ontario Municipal Board is required, in which case the effective date shall be the day after the approval of the Ontario Municipal Board is obtained or such other day as the Ontario Municipal Board may order; 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 13th day of November, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Carrie McIntosh  
Deputy Clerk

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**City of Port Colborne  
Regular Council Meeting 25-18  
Minutes**

**Date:** October 9, 2018

**Time:** 6:52 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)

Absent: A. Desmarais, Councillor (due to a personal commitment)  
D. Elliott, Councillor (due to a work commitment)  
Y. Doucet, Councillor (due to vacation)  
J. Mayne, Councillor (due to a leave of absence)

**Staff Present:** T. Cartwright, Fire Chief  
A. Grigg, Director of Community and Economic Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)  
T. Rogers, Acting Director of Planning and Development  
P. Senese, Director of Corporate Services  
S. Shypowskyj, Acting Director of Engineering and Operations

Also in attendance were interested citizens, members of the news media and WeeStream.

1. **Call to Order:**

Mayor Maloney called the meeting to order.

2. **Introduction of Addendum Items:**

Nil.

3. **Confirmation of Agenda:**

**No. 150** Moved by Councillor F. Danch  
Seconded by Councillor B. Kenny

That the agenda dated October 9, 2018 be confirmed, as  
circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Councillor Butters declared an indirect pecuniary interest with regard to item 4, Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne Re: Request for Poppy Week, October 26th – November 11th, 2018, as she is a member of the Royal Canadian Legion, Branch 56. Councillor Butters refrained from discussing or voting on this item.

**5. Adoption of Minutes:**

**No. 151** Moved by Councillor R. Bodner  
Seconded by Councillor F. Danch

- (a) That the minutes of the special meeting of Council 22-18, September 24, 2018, be approved as presented.
- (b) That the minutes of the special meeting of Council 23-18, September 24, 2018, be approved as presented.
- (c) That the minutes of the regular meeting of Council 24-18, September 24, 2018, be approved as presented.

CARRIED.

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

Item 4.

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

**No. 152** Moved by Councillor B. Kenny  
Seconded by Councillor B. Butters

That items 1 to 9 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

CARRIED.

**Motions Arising from Committee of the Whole Meeting:**

**(a) Interim Control By-law, Cannabis Production Facilities (Butters)**

Council resolved:

That the Director of Planning and Development be directed to review the Official Plan policy, Zoning By-law standards, and implementation procedures as they relate to cannabis production facilities within the City of Port Colborne and to report back to Council with recommendations with respect to an Interim Control By-law.

**Items:**

1. **Corporate Services Department, Finance Division, Report 2018-141, Subject: 2017 Audited Financial Statements**

Council resolved

That the 2017 draft audited Financial Report for the year ended December 31, 2017 be approved.

2. **Planning and Development Department, Planning Division, Report 2018-138, Subject: Site Alteration Permit – Port Colborne Quarries**

Council resolved:

That consideration of a Site Alteration Permit for Port Colborne Quarries for the placement of approved MOECP Table 1 clean inert fill in Pit 1 for a 20-year period be deferred to the November 13, 2018 meeting of the Committee of the Whole.

3. **Planning and Development Department, Planning Division, Report 2018-107, Subject: Railway Station Interpretive Board Funding Request**

Council resolved:

That staff be directed to fund up to \$1,750 towards the creation and installation of an interpretive board for the former Canadian National Railway station on King Street from the 2018 Heritage Port Colborne budget.

5. **Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay**

Council resolved:

That the correspondence received from Jim Fisher, Director of Conservation Policy, Delta Waterfowl – The Duck Hunters Organization Re: Comments regarding Hunting in Gravelly Bay, be received for information.

6. **Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report to Council, April 1 to June 30, 2018**

Council resolved:

That the correspondence received from Niagara Regional Housing Re: Niagara Regional Housing Quarterly Report, April 1 to June 30, 2018, be received for information.

**7. Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018)**

Council resolved:

That the correspondence received from the Region of Niagara Re: 2017 Reserve Water and Wastewater Treatment Capacities (PDS Report 33-2018), be received for information.

**8. Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018)**

Council resolved:

That the correspondence received from the Region of Niagara Re: Regional Incentive Delivery and Eligibility in 2019 (PDS Report 31-2018), be received for information.

**9. City of St. Catharines Re: The Right of Passage**

Council resolved:

That the resolution received from the City of St. Catharines in support of the resolution from the Town of Fort Erie Re: The Right of Passage, be received for information.

CARRIED.

**8. Consideration of Items Requiring Separate Discussion:**

**4. Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne Re: Request for Poppy Week, October 26th – November 11th, 2018**

**No. 153** Moved by Councillor B. Kenny  
Seconded by Councillor F. Danch

That October 26th – November 11th, 2018 be proclaimed as “Poppy Week” in the City of Port Colborne in accordance with the request received from Carol Madden, Poppy Chairman, Royal Canadian Legion, Branch 56, Port Colborne.

CARRIED.

**9. Proclamations:**

**No. 154** Moved by Councillor R. Bodner  
Seconded by Councillor B. Kenny



That I, Mayor John Maloney do hereby proclaim October 26th, 2018 to November 11th, 2018 as “Poppy Week” in the City of Port Colborne in honour of the men and women from Port Colborne who gave their lives during the two world wars, the Korean War and the Afghanistan War.

Further, that the citizens of the City of Port Colborne are encouraged to participate in Remembrance Day services to be held at H.H. Knoll-Lakeview Park on Sunday, November 11, 2018 at 10:45 a.m.

CARRIED.

**10. Minutes of Boards, Commissions & Committees:**

**No.155** Moved by Councillor F. Danch  
Seconded by Councillor R. Bodner

- a) That the minutes of the Environmental Advisory Committee meeting of May 9, 2018, be received.
- b) That the minutes of Port Colborne Public Library Board meeting of July 10, 2018, be received.
- c) That the minutes Social Determinants of Health Advisory Committee – Everyone Matters meetings of February 1, 2018 and May 3, 2018, be received

CARRIED.

**11. Consideration of By-laws:**

**No. 156** Moved by Councillor B. Kenny  
Seconded by Councillor F. Danch

That the following by-laws be enacted and passed:

- 6620/75/18 Being a by-law to adopt a Policy and Procedure for disposal of Surplus property in Port Colborne
- 6621/76/18 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 October 9, 2018

CARRIED.

**12. Adjournment:**

**No. 157** Moved by Councillor F. Danch  
Seconded by Councillor R. Bodner

That the Council meeting be adjourned at approximately 6:56 p.m.  
CARRIED.

\_\_\_\_\_  
John Maloney  
Mayor  
AL/cm

\_\_\_\_\_  
Amber LaPointe  
City Clerk

**PORT COLBORNE TRANSIT ADVISORY COMMITTEE MEETING  
WEDNESDAY, MAY 23, 2018  
COMMITTEE ROOM 2 ENGINEERING & OPERATIONS CENTRE**

City of Port Colborne  
**RECEIVED**

**OCT 22 2013**

CORPORATE SERVICES  
DEPARTMENT

**Attendance:**

Scott Mathieson, Denise Archer, Melissa Bigford, Dave Stuart, Bea Kenny, Jim Huppunen, Peter Senese, Stephen Corr, Mayor John Maloney, Janice Peyton

**Regrets:**

Yvon Doucet, Casey Biko, Casey Forgeron

Melissa called the meeting to order at 3:00 p.m.

**1. Adoption of Agenda**

Moved by B. Kenny  
Seconded by D. Archer

That the agenda dated May 23, 2018 be accepted as presented.  
CARRIED.

**2. Disclosures of Interest**

Nil.

**3. Approval of Minutes of March 28, 2018**

Moved by B. Kenny  
Seconded by J. Maloney

That the minutes of March 28, 2018 be approved as presented.  
CARRIED.

**4. Actions Arising from Previous Minutes**

a) Bus Stop at Canadian Tire – Request for Bench

The request for a bench at the Port Colborne Mall Canadian Tire was denied as the property is slated for redevelopment. This will be revisited in a year's time.

Peter suggested replying back to ask for consideration of including a bench at the bus stop within the redevelopment. Melissa will send an email.

b) Regional Transit Update – Dave

Dave gave an update on Regional Transit. The two committees are continuing to meet and make progress and are working on obtaining uniform policies and procedures and fare structure. Regional service will be extended for the next five years. A three year agreement has been signed with the option for a two year extension. The committees have been working with the post secondary institutions and have been working on a code of conduct and route structures. Gas tax/MTO items are being worked out. Everything is moving in a good direction and moving along well.

c) Upcoming Agreement Renewal with Welland Transit

Peter and Dave have met with the Region to discuss and sort out details with the link to try to make it more efficient by adding trips between Port Colborne and Welland. Nine trips are proposed instead of the current six trips with a revised route schedule at no additional cost. This revision was suggested in order to consistently meet up with bus departures in Welland. A copy of the proposed revision is attached to the minutes.

Peter advised that one other option is to move the schedule ahead by one hour for Brock University students, as Brock classes start at 8 a.m. This would eliminate the 9:15 am trip.

Bus stops can be identified along the route. Dave commented that the busses can stop at any bus stop along King Street in Welland.

Moved by D. Archer  
Seconded by S. Mathieson

That the Transit Committee accept the new proposal of increasing the routes to 9 trips instead of 6 trips with the revised route schedule.  
CARRIED.

Denise commented that she would like the 915am trip to remain. It was the consensus of the committee to keep the 9:15 route.

Peter advised that the Region has raised the trans-cab issue again, asking to consider providing subsidized cab fare in the rural area, outside of the municipal boundaries to the nearest bus stop. The consensus of the committee was not to revisit trans-cab.

Once all details have been resolved the agreement with Welland Transit will go to Council for approval and will be signed.

d) Community Transportation Grant Program

Peter advised that, unfortunately, the application for Saturday service has been denied. Application will be made again, when the opportunity arises.

1. **Information Items**

a) Report 2018-68 Re: Port Colborne Community Bus Rate Increase

A copy of the above referenced report was provided for information. This report was approved by Council, and is effective July 1, 2018. Notifications will be posted on the busses, in the newsletter, on the website and on social media. A copy of the report is attached to the minutes.

6. **Other Business**

a) Revenue and Ridership by Route

Dave provided a summary of ridership from January 1, 2018 to April 30, 2018. A copy is attached to the minutes.

Dave will provide additional ridership comparisons at a future meeting and will provide student ridership. Dave will provide information to Peter for a ridership report for Council.

b) New Vicinity Busses

Dave advised that a new bus with seating for 24 will be dedicated to the PC Link.

8. **Next Meeting**

The next meeting of the Transit Advisory Committee will be held on Wednesday, September 26, 2018 at 3:00 p.m. There will be no summer meeting.

9. **Adjourn**

Moved by B. Kenny  
Seconded by A. Stockwell

That there being no further business to discuss, the meeting be adjourned at 4:10 p.m.  
CARRIED.

# PORT COLBORNE LINK

## Proposed Revision

### Port Colborne Departure

7:15 am  
8:15 am  
9:15 am

### Welland Departure

7:45 am  
8:45 am  
9:45 am

### Port Colborne Departure

12:15 pm  
1:15 pm  
2:15 pm

### Welland Departure

12:45 pm  
1:45 pm  
2:45 pm

### Welland Departure

4:45 pm  
5:45 pm  
6:45 pm

### Port Colborne Departure

5:15 pm  
6:15 pm  
7:15 pm\*

\*Bus returns to Welland garage for 7:35 pm

### Benefits of Revision

- Eliminates the circuitous Welland north end loop and provides greater options for customers connecting to municipal (travel throughout Welland), inter municipal (regional), and inter city (Coach Canada) services.
- Nine trips between municipalities versus the current six. One additional trip in the morning, afternoon, and evening. Further, the scheduled arrival / departure times are consistent and easier to convey to customers.
- These extra trips provide enhanced access for individuals travelling for; employment, academic, medical, and social services.
- The evening service departure from Welland provides an earlier option for Port Colborne residents to travel home.
- This Terminal to City Hall connection assists with various fare media challenges regarding the type of ticket/pass accepted in each municipality.



Report Number: 2018-68

Date: May 14, 2018

**SUBJECT: Port Colborne Community Bus Rate Increase**

**1) PURPOSE**

To request that Council consider a rate increase for the Cash Fare, the 10 Ride Econo Pass and the Monthly Pass (Unlimited Rides) Fares for the Community Bus as recommended by the Transit Advisory Committee.

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

When Welland Transit was approved to operate the transit system in 2008, the Cash Fares, 10 Ride Econo Pass and Monthly Pass (Unlimited Rides) Fares for the Port Colborne Community Bus were established at the same rates as the Welland Transit Fares for consistency between the two transit systems.

Currently, the Port Colborne Cash Fare is \$2.75 for an Adult, a Student and a Senior, the 10 Ride Econo Pass is \$24 for an Adult, \$21 for a Student and \$19 for a Senior and the Monthly Pass (Unlimited Rides) is \$78 for an Adult, \$68 for a Student and \$59 for a Senior. The Cash Fares and 10 Ride Econo Pass Fares have not increased since August 1, 2015 and the Monthly Pass (Unlimited Rides) Fares have not increased since July 1, 2016.

Last year, Welland Transit increased their fares for the Cash Fare to \$3 for an Adult, a Student and a Senior, increased their fares for the 10 Ride Econo Pass to \$25.00 for an Adult, to \$22 for a Student and to \$21 for a Senior and increased the Fares for a Monthly Pass (Unlimited Rides) to \$85 for an Adult, to \$75 for a Student and to \$65 for a Senior, effective June 4, 2017. These increases are based on transit costs that continue to rise, with fuel costs, labour costs and general operating costs.

**3) STAFF COMMENTS AND DISCUSSIONS**

With the increased cost to operate the transit system, Welland Transit's cost of providing the service to Port Colborne has increased, as presented to Council during the 2018 budget deliberations. Council approved at the March 6, 2018 budget meeting, that the rates should be increased to mirror the Welland Transit fares and other regional transit system fares.

Staff brought Council's recommendation to the Transit Advisory Committee at their meeting of March 28, 2018 and accepted that the fares for Port Colborne Transit should remain consistent with Welland Transit Fares. The new rates for the Cash Fares, the 10 Ride Econo Pass Fares and the Monthly Pass (Unlimited Rides) Fares will be effective July 1, 2018. The new fare rates will be displayed on the bus, in the City Hall lobby and on the web site.

The new fares are consistent with Welland Transit. The transit bus passes provide an additional incentive for riders to purchase passes and not rely on cash fares. Passes can be purchased at City Hall.

It is noted that all other fares will remain the same with no increases.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

**a) Do nothing**

With increased costs and the standardizing of rates across the region, an increase to the Cash Fares, the 10 Ride Econo Pass Fares and the Monthly Pass (Unlimited) Fares for the Community Bus is required. This is not recommended.

**b) Other options**

It is recommended that Council approves the increases for the Cash Fares from \$2.75 to \$3 for an Adult, a Student and a Senior, the increases for the 10 Ride Econo Pass from \$24 to \$25 for an Adult, from \$21 to \$22 for a Student and from \$19 to \$2 for a Senior and the increases for the Monthly Pass from \$78 to \$85 for an Adult, from \$68 to \$75 for a Student and from \$59 to \$65 for a Senior effective July 1, 2018.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not applicable.

**6) ATTACHMENTS**

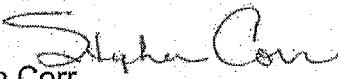
Schedule A – Port Colborne Transit Fare Structure Proposal

**7) RECOMMENDATION**

That the Port Colborne Transit Fare Structure attached to Corporate Services Department, Finance Division Report No. 2018-68, be approved, effective July 1, 2018.

**8) SIGNATURES**


Prepared on May 2, 2018 by:

  
Stephen Corr  
Manager of Revenue and Taxation

Reviewed by:

  
Peter Senese  
Director of Corporate Services

Reviewed and respectfully submitted by:

  
C. Scott Luey  
Chief Administrative Officer



Schedule A

**Port Colborne Transit**  
**Fare Structure Proposal**

Category	Current Fare	July 1 <sup>st</sup> , 2018 Fare
<b><u>Cash Fares</u></b>		
Adult, Student, Senior	\$2.75	\$3.00
Children (12 and under)	\$1.50	\$1.50
Children (12 and under) with paying adult (max. 4 children per adult)	Free	Free
<b><u>Econo Pass (10 rides)</u></b>		
Adult/Post-Secondary	\$24.00	\$25.00
Student (Secondary)	\$21.00	\$22.00
Senior	\$19.00	\$21.00
<b><u>Monthly Pass (unlimited rides)</u></b>		
Adult/Post-Secondary	\$78.00	\$85.00
Student (Secondary)	\$68.00	\$75.00
Senior	\$59.00	\$65.00
<b><u>Link Services Fares</u></b>		
Port Colborne – Cash Fare	\$4.00	\$4.00
Link Service 10 ride pass	\$35.00	\$35.00

# EVENT SUMMARY (ROUTESUM) REPORT

JANUARY 01, 2018 - APRIL 30, 2018

4 MONTH

## GARAGE DATA SYSTEM - WELLAND TRANSIT

### Revenue and Ridership By Route

Route	Current Revenue	Unclassified Revenue	Dump Count	Preset	Token Count	Ticket Count	Pass Count	Bill Count	Ridership
29 LINK	6,537.05	645.30	272	0	0	0	2,125	187	5,357
30 COMM.	5,015.15	512.40	425	0	0	0	125	70	4,687
<b>TOTAL</b>	<b>11,552.20</b>	<b>1,157.70</b>	<b>697</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,250</b>	<b>257</b>	<b>10,044</b>

### Search Criteria:

Location: I  
 Period: All  
 Weekday: All  
 Route: 29, 30  
 Run: All  
 Fareset: All  
 Trip: All  
 Bus: All  
 Filter: Current Revenue + Ridership > 0  
 Event Overflow: No event overflow occurred for the search criteria.

PORT COLBORNE TRANSIT ADVISORY COMMITTEE MEETING  
WEDNESDAY, SEPTEMBER 26, 2018  
COMMITTEE ROOM 2 ENGINEERING & OPERATIONS CENTRE

City of Port Colborne  
**RECEIVED**  
OCT 22 2018  
CORPORATE SERVICES  
DEPARTMENT

**Attendance:**

Scott Mathieson, Melissa Bigford, Dave Stuart, Bea Kenny, Jim Huppunen, Peter Senese, Stephen Corr, Mayor John Maloney, Scott Luey, Janice Peyton

Rob Salewytch, Niagara Regional Transit Service Planning Coordinator was also in attendance.

**Regrets:**

Yvon Doucet, Denise Archer

Melissa called the meeting to order at 3:10 p.m.

Note: there was no quorum for this meeting, discussion only. No voting took place.

1. **Disclosures of Interest**

Nil.

2. **Approval of Minutes of March 28, 2018**

Deferred.

3. **Actions Arising from Previous Minutes**

a) Regional Transit Update – Dave Stuart

Dave gave an update on Regional Transit. The committees continue to meet to discuss challenges and solutions. Dave advised that one of the main challenges is that there is more ridership than can be accommodated, especially in the Niagara Falls area. More conversation is taking place with student bodies of Niagara College and Brock Universities as transit representatives try to achieve more involvement from the schools.

b) Agreement Renewal with Welland Transit

The agreement renewal with Welland Transit is ongoing. There are a few items outstanding that need to be worked out collectively. The Region will be sharing in the cost of the link from June to December 2018 at 50% of the cost and forward. The fee schedule is currently being finalized.

Dave provided ridership numbers up to August 2018. A copy is attached to the minutes. Dave is pleased with the numbers and hopes to see

stronger numbers with the added trips. As of September 2<sup>nd</sup>, three additional trips have been added for a total of nine trips per day.

#### 4. Information Items

##### a) Bringing Transit to Innisfil

Innisfil, Ont., partners with Uber to provide public transit service article was provided for information. A copy is attached to the minutes. Rob commented that if there was a budget for this method of providing public transit it is worth considering, as Port Colborne would see significantly more ridership for the cost. This works very well in Innisfil and there are no capital costs. This would service all areas, without the wait. Jim added that this method could be used for the Gasline area.

#### 6. Other Business

##### a) PC Service Link Enhancements, Scott Luey, CAO

CAO Scott Luey attended on behalf of Port Colborne resident Andrea Gauthier. A letter from Ms. Gauthier regarding her concern for lack of public transit in Port Colborne was provided. A copy of the letter is attached to the minutes. Scott explained that Ms. Gauthier would like a 6:45 am departure from Port Colborne considered, in order to get students to Niagara on the Lake Niagara College campus in time for 8:30 classes. Also in her letter, Ms. Gauthier stated that there is a problem with transit for students that have evening classes, which is more common then ever before this year. Much discussion took place regarding financial implications should additional trips be necessary. The addition of trips would have to be presented to Council for consideration. All agreed that in order to reach the NOTL destination on time the link bus would have to leave Port Colborne at 6:45 am. Dave advised that now students are reaching their destination on time because the bus drivers have been communicating with each other and waiting for anyone who needs to catch the Niagara College bus to Niagara on the Lake. Dave assured the committee that the bus drivers will continue to work together to help students reach their destination in time for classes. Peter would like to know where the ridership is and requested the number of riders in each trip in order to determine if the schedule should be shifted from 7:15 am to a 6:15 am start. Dave will provide the ridership information and will also provide the cost of adding 6:15 am as an additional trip. Ms. Gauthier's concerns will be considered during budget deliberations for the 2019 transit budget.

##### b) PC Service Link Enhancements, Rob Salewytch, RMON

A proposed revision to the current Port Colborne Link schedule was provided. A copy is attached to the minutes. Rob advised that the Region

is planning to upload the Port Colborne and Fort Erie Link costs. Peter will bring the costing of the proposed revision to the link to the 2019 budget deliberations, as we need to plan to pay for 50% of the fees in case the Regional Council does not approve the proposal for the Region to take over the link. If approved by Regional Council, Port Colborne will have more funds available for the community bus routes. If/when the Region takes over the link they will enhance the hours.

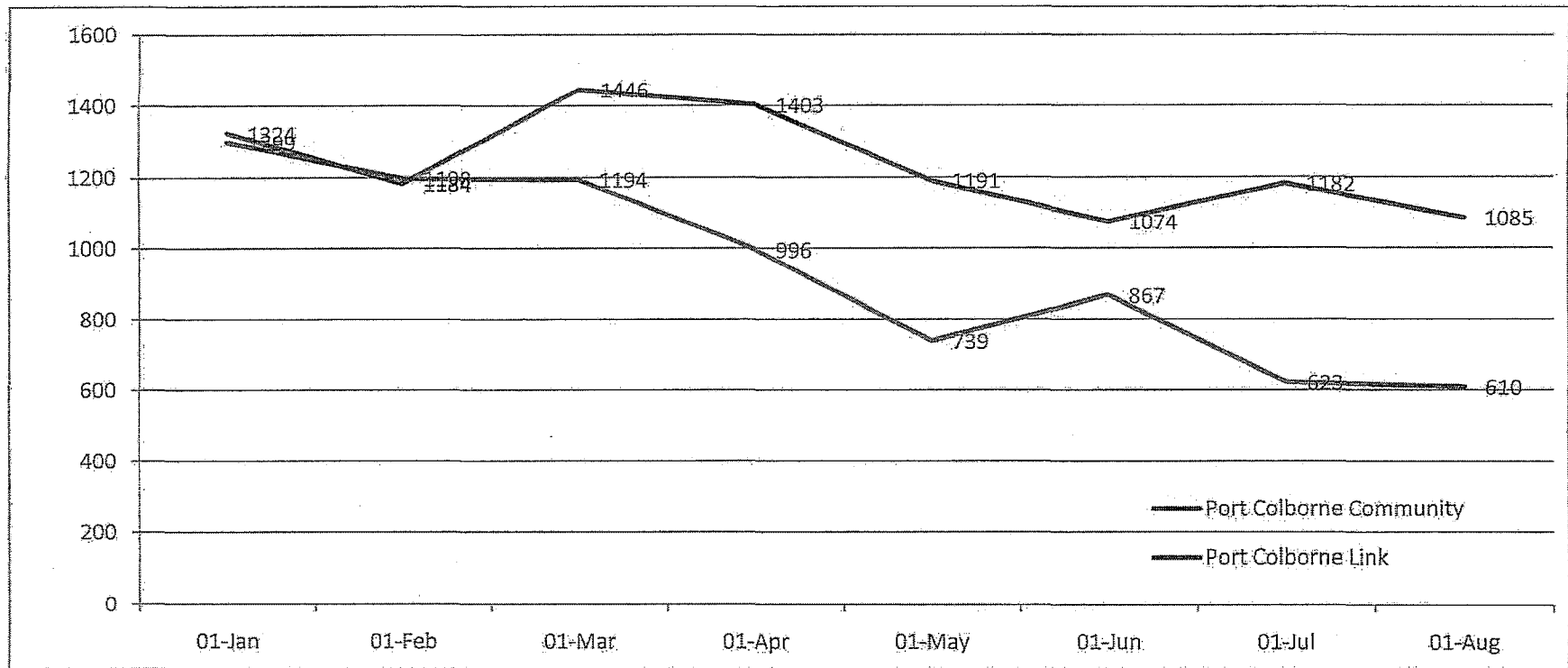
8. **Next Meeting**

The next meeting of the Transit Advisory Committee will be held on Wednesday, October 17, 2018 at 3:00 p.m.

9. **Adjourn**

There being no further business to discuss, the meeting be adjourned at 4:15 p.m.

# 2018 Port Colborne Ridership



**PC Community – 9,889**

**PC Link – 7,526**

**Total Ridership to date – 17,415**

## Innisfil, Ont., partners with Uber to provide public transit service

The town of Innisfil, Ont., is subsidizing the cost of rides for its residents with Uber Canada, offering flat rates to travel to certain public hubs and offering a discount for travel anywhere else within the community.

Innisfil Deputy Mayor Lynn Dollin said the option made sense given the demographic breakdown of the town, which sees a population of about 36,000 scattered over about 270 square kilometres largely consisting of gravel roads and rural areas.

"The issue we've got is with the population so spread out," Dollin said in a telephone interview. "Any of the areas that we would try to set up fixed-route transit or a more traditional transit system with, we'd end up not servicing about 80 per cent of the geography but asking everybody to subsidize it."

Dollin said the town has set aside \$100,000 for the first phase of the project, which is currently projected to last about six months.

That money, she said, will be used to subsidize the cost of Uber rides booked through the company's smartphone app and online platform.

Innisfil residents will be left to pay just \$3 for a ride to and from the area surrounding the town's recreational complex and town hall, while lifts to and from regional GO Transit bus stops will cost \$5.

People looking to commute to and from the GO train station in neighbouring Barrie, Ont., as well as a local employment hub and car pool lot near a major highway, will pay \$5.

Residents also have the option to take a ride wherever they please within the town, Dollin said, adding the municipality will give people \$5 off all those rides.

Innisfil has partnered with a taxi company in a neighbouring city to offer wheelchair-accessible service at the same rates. And iPads have been installed at the community centre to help those without smartphones access a ride if needed, Dollin said.

If the first phase of the project is successful, the town plans to potentially expand the service in the future.

"We want to encourage as many people as we can to leave the personal car at home, and rather than driving into other cities ... connect to local transit hubs and think about connecting to public transit in that manner," said Uber Canada Public Policy manager Chris Schafer.

Dollin said very early signs on Monday suggest the partnership is already in demand amongst a population that's been seeking a transit solution for years.

Distinguished Committee Members,

While I am unable to be there in person, I hope to lend my voice to the many issues caused by a lack of public transit in Port Colborne.

While my interest in a functional transit system was initially selfish- my child accepted a place at Niagara College contingent on transportation from Port to the NOTL campus, I now recognize the larger problems this is contributing to, for all Port residents. Specifically, poverty, unemployment, access to health care, and crime.

Despite assurances from the school that yes, there was transportation, this turned out not to be the case. The earliest bus from Port (7:15am) did not get students to the NOTL campus by the 8:30 start time. Also, it leaves them stranded in Welland (as my daughter experienced several times over the first two weeks of college), as many Welland taxi companies will not drive to Port Colborne, and if they do manage to convince someone to pick them up it is \$30-\$50 one way). As confirmed by the college, most full-time programs have at least one evening class (until 9pm) while the last bus back to Port leaves the Welland hub at 6:45 pm.

This clearly is a logistical barrier to obtaining post-secondary training in Port. It is simply not reasonable for every resident to live abroad to attend college or university. It is also not reasonable for your committee to expect all Port residents to take taxis or have personal chauffeurs. Consider for a moment how this problem, that your committee has the ability to change, both in the short and long term, would impact the future prosperity in Port with the majority of workers not trained in post secondary. Also, please consider how this impacts marginalized residents' ability to participate in the local economy. Does it really fulfill the goal of having a qualified and competent work force? Or does it keep people raised in poverty, in the cycle of poverty, dependent on Port Cares to subsist?

A comprehensive transit system would also allow Port residents to work outside the city, if they are unable to find local employment. Why can't people work at the Pen Centre or Seaway, or the Casino for that matter? There are jobs to be had if there is transit available. It is shameful that an individual experiencing poverty in Port Colborne, for whatever reason- job loss, illness, relationship breakdown- has no alternative but to rely on social assistance and Port Cares handouts, or leave the city. I was a civilian volunteer for our local 79 Sq Air Cadets for five years before I accepted a contract position in the Vale Lab. (Actually, both of my kids were part of the Honour Guard and Colour Party standing at attention while the current city council executive was sworn in.) I witnessed firsthand, young people going away to college and university, and not returning b/c they realize it's a dead end here. No jobs, no housing, no transit. Most young people are not given cars, and if they can't take public transport to earn a car, how do you expect young people to start their lives in Port? Never mind save for a mortgage.. Unless your goal is a city full of retired and childless residents?



Access to healthcare is also a barrier for many Port residents and a public transit system (even one connecting bus) would allow people to attend medical appointments, visit ailing relatives, in addition to receiving medical diagnostic testing.

I implore you, please prioritize transit and consider the future of all Port residents and how transit would allow for more people to prosper, allowing the city prosper. Poverty would be reduced, more people would hold diplomas and certificates, more young people could work after school, relieving family financial burdens while teaching work ethics and independence to our youth, and ultimately, restore dignity to those most vulnerable in our neighbourhoods, in addition to restored healthcare access. Let's do everything we can to ensure anyone who wants to work, or train, and contribute to a thriving economy in Port, has the opportunity to do so. That's true PORTicipation.

Thank you for your time and consideration.

Best Regards,  
Andrea Gauthier

(Poverty Escapee)

# PORT COLBORNE LINK

Proposed Revision – Sept. 26<sup>th</sup>, '18

## Port Colborne Arrival/Departure

6:30 am  
7:30 am  
8:30 am  
9:30 am

## Welland Arrival/Departure

7:00 am  
8:00 am  
9:00 am  
10:00 am

## Port Colborne Arrival/Departure

12:30 pm  
1:30 pm  
2:30 pm

## Welland Arrival/Departure

1:00 pm  
2:00 pm  
3:00 pm

## Welland Arrival/Departure

4:30 pm  
5:30 pm  
6:30 pm  
7:30 pm

## Port Colborne Arrival/Departure

5:00 pm  
6:00 pm  
7:00 pm  
8:00 pm\*

\*Bus returns to Welland Garage for 8:20 pm



## Port Colborne Public Library Board

CITY OF PORT COLBORNE  
**RECEIVED**  
OCT 17 2018  
CORPORATE SERVICES  
DEPARTMENT

### MINUTES of the 7<sup>th</sup> Regular Board Meeting of 2018

Held Tuesday, September 11, 2018, 6:00 p.m.

Port Colborne Public Library, Auditorium  
310 King St., Port Colborne, ON

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**Present:** Michael Cooper (Chair), Valerie Catton (Vice Chair), Harmony Cooper, Jeanette Frenette, Bryan Ingram, Ann Kennerly  
**Staff:** Scott Luey, (CEO), Susan Therrien (Director of Library Services), Rachel Tkachuk (Librarian), Stacey Hol (Assistant Librarian)  
**Regrets:** Cheryl MacMillan, Councilor John Mayne, Peter Senese (Treasurer)

1. **Call to Order:**

Michael Cooper, Chair, called the meeting to order.

2. **Invocation:**

The invocation was read.

3. **Chairperson's Remarks:**

Mr. Cooper announced that because the August 18, 2018 meeting did not have *quorum*, no business was conducted. Those in attendance held a brief discussion. A report on the *Non-Quorum Meeting* was distributed in the Board Package for information purposes only.

4. **Approval of the Agenda:**

Moved by H. Cooper  
Seconded by A. Kennerly

18:047 That the agenda be adopted as circulated.  
CARRIED.

5. **Declaration of Conflict of Interest:**

Nil.

6. **Delegations:**

Nil.



7. Approval of the Minutes of the Previous Meeting of Tuesday, September 11, 2018:

Moved by J. Frenette  
Seconded by H. Cooper

18:048 That the minutes of the September 11, 2018 meeting be adopted as circulated.  
CARRIED.

8. Business Arising from the Minutes:

Nil.

9. Agenda Items:

- i. **2017 Financial Reports Received from Grant Thornton LLP, Chartered Professional Accountants**
- 

Moved by B. Ingram  
Seconded by H. Cooper

18:049 That the *2017 Port Colborne Public Library Report to the Board and the Financial Report, Port Colborne Public Library, December 31, 2017* prepared by Grant Thornton LLP, Chartered Professional Accountants be approved; and,

That the *Management Representation Letter* prepared by Peter Senese, Treasurer, on behalf of the Library Board, be approved for distribution to Grant Thornton LLP Chartered Professional Accountants.

CARRIED

- ii. **Library Board Recruitment and Legacy Document Working Session with CEO Scott Luey**
- 

The Board reviewed the "Recruiting New Public Library Board Members Checklist" compiled by the Ontario Library Boards' Association. The Director distributed an *Activity Report* of the Board's term to date to assist in the Legacy Document working session facilitated by CEO Scott Luey. The document will serve as a communique to the future leadership of the Board. The working session will be continued at the October Board meeting

- iii. **2019 Port Colborne Public Library Board Draft Operating and Capital Budgets**
- 

Moved by J. Frenette



Seconded by B. Ingram

18:050 That the draft 2019 Operating and Capital Budgets be approved as presented.  
CARRIED.

**iv. Report on Capital Projects**

---

**a. PC Lions Gazebo**

A new garbage container has been installed in close proximity to the gazebo. The decals are still on order. The Director is working with City staff regarding installation of exterior lighting on the north side of the library.

**b. Carpeting, Shelving and Furniture**

Installation of carpeting, accessible shelving, and furniture is scheduled to begin October 22, 2018 and will be completed in November. Three rooms will be affected: Adult Fiction, Adult Non-Fiction, and the Children's Room. The library will not have to close to the public during the renovations. Library staff will shift the collections with as little impact to service as possible.

**c. LED Retrofit Project**

Jim Huppunen, Manager of Engineering & Facility Maintenance, contacted the Director on August 22, 2018 regarding LED lighting retrofits. The work will be completed in October.

**d. Cultural Block Security**

Pinder's Security Products will be onsite at the Library and Museum on September 26, 2018, to assess wiring requirements for the installation of security cameras.

**e. Risk Assessment Security Upgrades**

The Director reported that the quote from Pinder's Security Products for the Risk Assessment security upgrades was revised to include restricting elevator access to designated library areas. The Board reviewed the updated quote.

Moved by A. Kennerly  
Seconded by V. Catton

18:051 That the revised quote from Pinder's Security Products for the risk security upgrades be approved; and,



## Port Colborne Public Library Board

That surplus funds from savings from the photocopier and Cultural Block reserves be used to make up the added cost.

CARRIED

v. **Committee Reports:**

**Accessibility Committee (B. Ingram, V. Catton):**

Nil.

**Cultural Block Sub-Committee (M. Cooper, V. Catton):**

V. Catton reported on the inaugural meeting of the committee. The committee will arrange a meeting with consultant Lyn Royce regarding a Master Plan for the Cultural Block.

10. **Administrative Business:**

i. **Correspondence:**

The Board reviewed a letter of complaint received by the Chair.

The Director presented two expressions of appreciation received from library patrons. One was a thank-you card regarding programming delivered by Librarian R. Tkachuk to a children's group visiting the library. The other related to a donation made to the library by a patron appreciative of the excellent customer service by Librarian Assistant K. Lascelles.

Moved by A. Kennerly  
Seconded by V. Catton

18:052 That the correspondence be received for information purposes.  
CARRIED

ii. **Public Relations Report:**

**a. Pop-Up Library and Outreach:**

Librarian R. Tkachuk reported on the success of Pop-Up Library and Outreach activities noting that the Farmers' Market and Sherkston Shores are regular destinations. During Pop-Up visits, library staff reach out to under-served areas, register new members, check-out library materials, and promote library resources.

**b. Summer Programming:**



Summer 2018 programming and the TD Summer Reading Club have finished. A detailed report on attendance, circulation, program outcomes including expenses and revenues will be presented at the October meeting.

**c. *Leisure Guide, Fall 2018:***

The Director noted that the *Leisure Guide* cover features a picture of Librarian R. Tkachuk and that library staff are happy to be showcased by the City in the publication.

Moved by H. Cooper

Seconded by J. Frenette

18:053 That the Public Relations report be received for information purposes.

CARRIED

iii. **Chief Executive Officer's Report:**

Nil.

iv. **Treasurer's Report:**

Nil.

v. **Director's Report:**

**a. Staff Development**

Training and webinars are ongoing for all library staff throughout the year. In the fall, several staff will take "Customer Service Essentials for Frontline Public Library Staff," a new course offered by the Southern Ontario Library Service.

**b. Energy Awareness Reports**

The *Energy Awareness Report* for the library facility was included in the Board Package along with an updated report, "Library Electricity Consumption," which contains data for 2017-18. Trends for 2018 indicate a decrease in energy consumption. This decrease is due in part to the new HVAC, internal practices, and the purchasing of higher efficient computers and machines.

**c. Volunteer Appreciation**

Board members were invited to attend the City of Port Colborne's Volunteer Appreciation Banquet, September 26, 2018.



d. **Charity Breakfast with Niagara Community Foundation**

Library staff and Board members were invited to a workshop presented by the Niagara Community Foundation regarding grant opportunities. Confirmed attendees are Board members V. Catton and H. Cooper, and Library staff S. Therrien and R. Tkachuk.

e. **Incident Report**

The Director reported that shopping carts were being left on library property. Tools from the outdoor bicycle repair station were being used to remove the front wheels of the carts. The carts were then abandoned. The tools are now stored inside the library. A sign will be posted to alert cyclists that the bicycle repair stand tools are still available for use.

f. **Health and Safety**

All full-time staff attended *Public Access Defibrillation Training*, August 15, 2018, with Port Colborne Fire Department. Staff were familiarized with the new PAD unit installed at the library.

Moved by B. Ingram  
Seconded by H. Cooper

18:054 That the Director's report be received for information purposes.  
CARRIED

**Circulation Report:**

Nil.

**11. Board Members' Items:**

Nil.

**12. Notices of Motion:**

Nil.

**13. Date of the Next Meeting:**

Tuesday, October 16, 2018, 6:00 p.m.  
Port Colborne Public Library, Auditorium  
310 King St., Port Colborne, ON





14. Adjournment:

Moved by J. Frenette  
Seconded by V. Catton

18:055 That the meeting be adjourned.  
CARRIED.

---

Michael Cooper, Library Board Chair

Date

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## MINUTES

### Attendance

Present: Claudia Brema, Betty Konc, Greg Poisson

Councillor: Mayor John Maloney, Councillor Ron Bodner, Councillor Dave Elliott

Staff: Gina Tartaglia, Luke Rowe, Nicole Halasz, Michelle Mason, Karen Walsh

Regret: Ed Cleveland, Scott Luey, Ashley Grigg, Stephanie Baswick, Michelle Cuthbert,

1. **Call to Order by Claudia Brema:**  
The meeting was called to order at 5:02 p.m.

2. **Correspondence Received:**

7 to 11 - Their washroom has been vandalized each year. Need to have security and on some occasions need to call the police. They are asking if the City would provide 2 washrooms at the location. We will not order 2 more washrooms, would need to relocate from another area. Other location possibility is King George Park. Do not do it for this year and see how the numbers are with the relocation of the concert. The request is too late for this year. Next year, if it worked well they would pay half.

Motion to relocate two washrooms to 7 -11.

Motion: Mayor John Maloney

Second: Greg Poisson

THAT we relocate two washrooms to the 7-11.

DENIED

Motion to go back to them immediately proceeding the festival to see how things work and plan for next year.

Motion: Greg Poisson

Second: Councillor Dave Elliott

THAT

Carried

Port Colborne Professional Firefighter Association – Permission to set up Fireworks Sunday night for Boot Drive at West Street & Sugarloaf Street, and Clarence Street and West Street. Money will go to Port CARES and Community Living.

Greg – Too late for this year. Invite to ask again for 2019 with application. Other not-for profit pay to pay there for \$150 + HST

**Canal Days Advisory Committee Meeting**  
**Wednesday, July 18, 2018 – 5:00 pm**  
**3<sup>rd</sup> Floor Committee Room, City Hall**

**3. Staff Reports:**

Canal Days Program – Are in the process for delivery. - Gina

Page 9 – Patio on West King Park will not be performing as well as Friday night at the Concert. Dave Rapelje is looking for another act for Friday Night at H.H. Knoll Park

Page 14 & 15 – Coast Guard Private Robinson will be attending (not in the program)

Financial – Budget – Nicole, Gina

Stephen has put together for Budget numbers (there are some outstanding items such as vendors). Sponsorship \$115,000 (cash not in-kind). No cost for the Robinson to come.

**Sanctioned Events** – Everything that the City covers is in place and ready to go.

Betty – are we worried about the grass being on fire.

Gina – no, staff, fire and insurance have communicated and we have things in place and we are monitoring.

Niagara-on-the Lake fire. The farmer was plowing on Saturday night to make room for more parking on Sunday. This is not even close to our situation.

Staff has worked with different division to make provisions to make this happen. Fire Chief will consult with staff and organizers and he will make the decision.

Betty – the field was plowed previous – and is bumping, and car owners are concern to drive there.

Gina- cars travel to Welland and the field was worse. We have brought in soil and rollers to help the field.

Welland Tribune article – Caverners will be performing on Sunday and not on Monday. Gina to let Michelle know.

Museum – Michelle Mason

Good to go, everything is in place looking for 4 or 5 in place.

Volunteer – Luke

Need volunteers to Server bar on Saturday and we need bar backers for Friday & Saturday. (3 for each night and shifts).

**4. Partners of the festival**

Boat Parade – funds of where the fun goes \$1,200 (increase from \$1,100)

Luke committee boat for 2 races, \$15.(ask Luke). They will cover half and is looking for the City to cover the other half. (Similar to Kite Show \$3,000)

**Canal Days Advisory Committee Meeting  
Wednesday, July 18, 2018 – 5:00 pm  
3<sup>rd</sup> Floor Committee Room, City Hall**

The race makes the harbour more active for when the Empire Sandy is out.

Betty – for the Boat Parade, it has taken a long time for them to provide their budget.

Nicole – for your amount to be maintain for 2019, receipts would be required.- Represent a budget (we do not need receipts but statements and accountability)

Motion to increase the Boat Parade to \$1,100

Motion: Councillor Dave Elliott

Second: Greg Poisson

THAT we increase the Boat Parade to \$1,100

CARRIED

Motion to pass all staff reports and partners of the festival.

Motion: Betty Konc

Second: Councillor Dave Elliott

THAT to pass all staff reports and partners of the festival.

CARRIED

## **5. Other business**

Letters have been delivered to businesses and residents affect of the festival.

Ten Thousand Villages – set up nice and early on the street. We work not to put anything into the doors. They are allowed to be on the sidewalk. Absoluately Fashion is also saying that they will also be going on the street.

Gina will provide them in writing. Committee agrees this should not happen.

B.B Gun Range – we needed to get permission for the by-law. Another idea is Axe throwing.

Approach Algoma for future Canal Days to bring the stimulator.

Gina – Take the time to visit the different vendors and take in the festival. What direction should look to and continue with.

## **6. Adjournment:**

That the Canal Days Advisory Committee Meeting is adjourned at 5:57 pm.

Moved by Greg Poisson

Seconded by Councillor Dave Elliott

THAT the meeting is adjourn.

CARRIED

Next meeting will be Wednesday September 19, 2018 at 5:00 pm.

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OCT 18 2018

CORPORATE SERVICES  
DEPARTMENT

## MINUTES

### Attendance

Present: Claudia Brema, Ed Cleveland, Betty Konc  
Councillor: Mayor John Maloney, Councillor Ron Bodner  
Staff: Stephen Corr, Michelle Cuthbert, Ashley Grigg, Nicole Halasz, Scott Luey, Michelle Mason, Luke Rowe, Karen Walsh  
Regret: Councillor Dave Elliott, Greg Poisson, Stephanie Baswick

### 1. Call to Order by Claudia Brema:

The meeting was called to order at 5:05 p.m.

### 2. Correspondence Received:

Claudia – Blow everyone out of the water and the numbers are great. Museum numbers are up since Canal Days.

### 3. Staff Reports:

### 4. New Business:

Follow up from Ashley to the committee concluding the festival after the Fireworks. Suggested to ask more information to discuss and get some directions for staff to investigate further.

Polling the merchants in the downtown core for their opinion on closing the festival for Monday. Would we be able to get the Empire Sandy, Brigs Niagara for only 2 days instead of 3.

Council has allocated the money we could invest in it differently. To make it better.

Luke – follow up with vendors, hypothetical – how would it impact them out of 11 only 1 was against it. They were not scared away from the past. Most say they do not do that well on the Monday. Not a problem with closing on Monday, there was a concern for packing up and transportation on Sunday night.

Fee – not discussed, no one asked.

**Canal Days Advisory Committee Meeting  
Wednesday, September 19, 2018 – 5:00 pm  
3<sup>rd</sup> Floor Committee Room, City Hall**

Wages and banked overtime \$23,000.00 (numbers are still coming in). Sales might increase for Empire Sandy through the Canal on Monday.

They will be also a savings in security, NRP and EMS.

Volunteers was there are enough.

Scott – Budget the same and comprise into the 3 days instead of 4. Expenses is up for the 40<sup>th</sup> but revenue is also up.

Three options for a great festival, vendors, participants, weather,

Reinvestment into the festival. Council direct. Bigger spot and see the potential for that spot.

Ron Bodner - Staff needs to spend more time punching numbers. Need to talk to the merchants. In the past vendors were threatening if they leave early, they could not come back the following year.

Nicole – We can suggest to vendors they can stay to Monday (but not be staffed).

Ron – If the downtown BIA would create their own event and the city can promote with Canal Days.

Scott – Caverns play on Sunday and the stage can leave on Monday instead of leaving it dark on Sunday.

Does it change anything for vessels, amusement rides. etc.

Ron – Why do we need to make the decision now.

Scott – More proactive in the event, we have the year but we want to do things throughout the year. Provide better job in entertainment and sponsorship. We booked Caverners and Tim E Hendry. – Will save money with the stage being sent home on Monday.

We kept our beer and tickets line up were good but there was line up for the foods.

More vendors will be willing to move H.H. Knoll as well or having a second vehicle.

Direct staff to invest some time in doing in getting all the information this committee needs to make a discussion about closing after the Fireworks. (use previous years as well).

Motion: Ron Bodner  
Seconded: Betty Konc  
CARRIED unanimously



**Canal Days Advisory Committee Meeting  
Wednesday, September 19, 2018 – 5:00 pm  
3<sup>rd</sup> Floor Committee Room, City Hall**

Ron – Self imposed deadline we want to get things moving.

Ashley – we can get the information back to you for the next meeting. We will need to get it before council.

Nicole – budget

Scott – we know they are going to the concerts, marketing, volunteers, and sponsorships.

Ron – Stephen – financials.

Stephen – we can not divide by 4 and eliminate one day

Ashley, stage and fencing – how that would impact them.

Ed - Is the decision based on what savings for the City and there should be input from the City, As a merchant Monday is huge and the Caverns was will you see everyone. Locals come because it is quieter.

Scott - final report to council from staff and committee members. Council would have final say. Recommendations made to council to have the Monday or not to have it on Monday.

Homecoming day or what ever is planned it would have to be seamless that day.

It should not hinge on just the dollar savings.

Mayor – we need more information and we need to pick up the pace

Bring it to the next meeting so this council can make this decision.

Michelle – concern if Caverns is at the park on Sunday may effect their numbers. Museum is getting more families. Museum does not have Canal Days on Monday.

Scott – We move October meeting to Tuesday, October 30<sup>th</sup>

Motion has the committee for the time.

Ron – change the time, is he available. Karen to send a doodle for 5 and 6 for Tuesday and Thursday.

Do we want to have Oct 17<sup>th</sup> debrief and then have a second meeting?

Mayor not available that week.

**Canal Days Advisory Committee Meeting  
Wednesday, September 19, 2018 – 5:00 pm  
3<sup>rd</sup> Floor Committee Room, City Hall**

**5. Adjournment:**

That the Canal Days Advisory Committee Meeting is adjourned at 5:57 pm.

Moved by Mayor John Maloney

Seconded by Betty Konc

CARRIED

Next meeting will be Wednesday October 17, 2018 at 5:00 pm. Focus on the post-mortem at the next meeting. And the decision be made at October 30<sup>th</sup> or November 1st meeting.

**September 17, 2018**  
**MEETING OF THE PORT COLBORNE ACTIVE TRANSPORTATION**  
**ADVISORY COMMITTEE**

Minutes of the eleventh regular meeting of the Committee Members of the Port Colborne Active Transportation Advisory Committee, held in the Library, Third Floor Library, City Hall, 66 Charlotte Street, Port Colborne September 17, 2018, 5:00 p.m.

The following Committee Members were in attendance:

Committee Members: Ann Kennerly, George McKibbin, Michael Scott, Wade Smith  
Council: Councillor Angie Desmarais  
Staff: Stefanie DeCicco, Nicole Halasz, Karen Walsh  
Regrets:

**1. CALLED TO ORDER:** 5:12 p.m.

**2. CONFIRMATION OF PREVIOUS MINUTES:**

Moved by: Wade Smith  
Seconded by: Angie Desmarais

THAT the minutes from the July 16, 2018 be accepted as presented.  
CARRIED

**3. BUSINESS ARISING FROM THE MINUTES:**

Library Bike Repair Station – people were using them to take apart – different items such as grocery cart for scrap metal.

**4. BUSINESS**

- Workplan top 10 -
- Report to Council – for end of year

Report to Council to use the money not used for the workplan.

Motion: Angie Desmarais  
Second by: Ann Kennerly

THAT report to council to ask to use the money not needed for the workplan to be used for more bike stations and to have a yearly amount from the Levy go towards Active Transportation.  
CARRIED

## Areas to improve Active Transportation:

- West Street path, on the west side for when the bridge is up.
- Main Street to Omer – use parking lot besides Auto Knows for a trail to get to the Robin Hood trail.
- Expend amenities along the Welland Canal - Bus Shelters (graffiti free) when waiting for the bridge. Clarence Street East Bridge, Skatepark, Work with Transportation committee.– Active Transportation and various transportation programs. – federal gas tax and province (recreational purposes). – Stephanie
- Establishing new routes, to connect neighbourhoods.

## Other business:

- Ask Sherry – if the crossing guards could do a count of cyclist and pedestrians.
- Complete street policy from the Region do the municipalities adapt them or do they do their own. Planning is aware of the policy.
- Check with Evan –complete streets is followed from the Region. Does the city use it has a guide. Is it in the Official Plan
- Official Plan sent out to the committee members – Karen will forward to the committee.
- Active Transportation Masterplan, Parks and Recreation (will be released shortly)
- An overriding document with the strategic and masterplans.
- City to have a resource officer – safe routes fill the complaints and share the information. - Suggest staff position.
- Positive reinforcement for wearing helmets etc.
- Include the police in our activity.
- Understand the current by-law. – sent by-laws on trails to committee members
- Memo for bike use was sent to Sherry and Amber.
- Social Media – shame people who stoled the mobile accessibility.
- Enforcement & Awareness. – inform the police and keep them aware. – Should a meeting with by-law and police.
- Signs on the trail – we are currently working on them. Communication through email

## 5. New Business

Budget - currently working on, any asks and put forward in any request. Also, looking for grant funding.

\$10,000 not a one-time expense put on a levy.

Pamphlet - \$2,500 (promotional items – nametags, banner, table clothes, tent, display) t-shirts

Honorary for ombudsmen for liaison person. Co-op student.

Bike racks – school, bike shelters at bridges, bike corral. Opening ceremony for bike shelters.

Ticks sign for lyme disease, ministry have made available for free, notification they are in the area and to check for ticks. – for parks, trail. Dog park. – staff level

Yardstick – bench marking session in St. Catharines (how they collect data, service and strategy) Kiawans Aquatic Centre – staff level, cost to the bench marking

Pedestrian crossover – Clarence Street should be starting soon – in front of the Legion, not Market Café and Shoppers Drug Mart. Social Media will be posted.

Meeting with Chris Lee about Boulevard Trees for walking. Follow up at next meeting.

## 6. INFORMATION/CORRESPONDENCE

none

## 7. ADJOURNMENT:

Moved by: Wade Smith  
Seconded by: George McKibbon

Resolved that we do now adjourn.  
CARRIED

Time of adjournment 6:18 p.m.

Next Meeting: Monday, October 15, 2018 at 5:00 p.m.

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