



**City of Port Colborne**  
**Regular Meeting of Committee of the Whole 16-19**  
**Monday, May 27, 2019 – 6:30 p.m.**  
**Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor William C. Steele  
Please silence all electronic devices
2. **National Anthem:**
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 15-19, held on May 13, 2019.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**
  - (a) Joanne Ferraccioli, Interim Health Services Coordinator, City of Port Colborne Re: Introduction of University of Ottawa Rural Medicine Week Learners
  - (b) Grant Policy Committee Cheque Presentations
  - (c) David Heyworth, MCIP,RPP, Official Plan Policy Consultant and /or Doug Giles, Director of Community and Long Range Planning, Region of Niagara will be providing background information regarding the creation of the new Regional Official Plan, and update the status of the priority background studies, and an overview of the consultation framework (Page No. 7)
  - (d) Sean Norman, Senior Planner, Region of Niagara will be providing an overview of the Natural Environment background study completed for the new Regional Official Plan (Page No. 17)
10. **Delegations (10 Minutes Maximum):**
  - (a) Peter Van Caulart, Co-Chair from the 2019 Air Race Classic Terminus Committee will be providing a PowerPoint Presentation regarding the 43<sup>rd</sup> Annual Air Race Classic, June 18-24, 2019 (Page No. 31)

- (b) Darren Platakis, Founder/CEO Geospatial Niagara, Ian Lucas – Secretary and Philip Davis, Indigenous Culture Liaison of the Ohnia:kara Steering Committee, will be presenting the Ohnia:kara Global Geopark Project (Page No. 43)

**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:**

<b>Upcoming Committee of the Whole and Council Meetings</b>	
Monday, June 10, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, June 24, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, July 8, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, July 22, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, August 12, 2019	Committee of the Whole/Council – 6:30 P.M.
Monday, August 26, 2019	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
WCS MB EB RB GB FD AD DK HW	1.	<p><b><u>Port Colborne Public Library, Report No. 2019-77, Subject: Annual Report 2018, Fees and Charges Report, 2019 Events Highlights</u></b></p> <p>That the Port Colborne Public Library Report 2019-77, the 2018 Annual Report, Fees and Charges Summary, and the 2019 Events Highlights, be received.</p> <p>Note: Susan Therrien, Director of Library Services, will be providing a presentation regarding the above report.</p>	71
WCS MB EB RB GB FD AD DK HW	2.	<p><b><u>Engineering and Operations Department, Engineering Division, Report 2019-75, Subject: Information Report on the Roadside Grass Mowing for 2019</u></b></p> <p>That Engineering and Operations Department, Engineering Division Report 2019-75 be received for information; and</p> <p>That the request from the Environmental Advisory Committee to modify the roadside mowing and seasonal cut times to mid-June and mid-September, be approved; and</p> <p>That the request from the Environmental Advisory Committee for Second Concession Road and Killaly Street East, east of Lorraine Road, to be eliminated from the mid summer Canal Days Festival cut, be approved.</p>	91
WCS MB EB RB GB FD AD DK HW	3.	<p><b><u>Planning and Development Department, Planning Division, Report 2019-76, Subject: Recommendation Report for Zoning By-law Amendment D14-05-18, 85 and 91 Main Street West</u></b></p> <p>That the Zoning By-law Amendment, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-76, rezoning the subject property from Downtown Commercial to MU-50, be approved.</p> <p>That staff be directed to prepare the Notice of Passing in accordance with the <i>Planning Act</i> and circulate to all applicable parties.</p>	95

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WCS RB AD	MB GB DK	EB FD HW	4.	<p><b><u>Planning and Development Department, Planning Division, Report 2019-74, Subject: Recommendation Report for a Proposed Temporary Use By-law (File No. D14-02-17) 1133 Forks Road</u></b></p> <p>That the Temporary Use By-law, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-74, permitting a private water ski club to be established for a period of three years subject to conditions, be approved; and</p> <p>That the Mayor and Clerk be authorised to sign an agreement with the property owner enacting the conditions established in the temporary use by-law; and</p> <p>That staff be directed to prepare the Notice of Passing in accordance with the <i>Planning Act</i> and circulate to all applicable parties.</p>	119
WCS RB AD	MB GB DK	EB FD HW	5.	<p><b><u>Engineering and Operations Department, Operations Division, Report 2019-70, Subject: Drinking Water Quality Management System Management Review Summary</u></b></p> <p>That Engineering and Operations Department, Engineering Division, Report 2019-70, Drinking Water Quality Management System, Management Review Summary, be received for information.</p>	239
WCS RB AD	MB GB DK	EB FD HW	6.	<p><b><u>Memorandum from Mark Minor, Marina Supervisor Re: Sugarloaf Marina - East Main Run Transformer Replacement</u></b></p> <p>That the installation of the high-speed diesel pump at Sugarloaf Marina, as approved by Council during the 2019 budget process, be deferred; and</p> <p>That the Director of Community and Economic Development be directed to investigate the full scope of work required for the installation of the high-speed diesel pump (including power supply upgrade) and submit an associated budget request to Council during the 2020 budget process; and</p> <p>That the funds original approved for the purchase of the high-speed diesel pump (\$20,000) be reallocated toward the purchase and installation of a new electrical transformer on the east main run (unanticipated cost incurred in 2019).</p>	283

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Miscellaneous Correspondence						
WCS	MB	EB	7.	<p><b><u>Karen Usick, Community Coordinator, Mental Health &amp; Addictions, Hepatitis C Care Clinic Re: Request for Proclamation of World Hepatitis Day, July 28, 2019</u></b></p> <p>That July 28, 2019 be proclaimed as "World Hepatitis Day" in the City of Port Colborne in accordance with the request received from Karen Usick, Community Coordinator, Mental Health &amp; Addictions, Hepatitis C Care Clinic.</p>	285	
RB	GB	FD				
AD	DK	HW				
WCS	MB	EB	8.	<p><b><u>Ashley Grigg, Director of Community and Economic Development, Re: Request for Proclamation of June is Recreation and Parks Month</u></b></p> <p>That the month of June be proclaimed as "Recreation and Parks Month" in accordance with the request received from Ashley Grigg, Director of Community and Economic Development.</p>	289	
RB	GB	FD				
AD	DK	HW				
WCS	MB	EB	9.	<p><b><u>Memorandum from Janice Peyton, Executive Assistant, DEO Re: Environmental Advisory Committee, Motion Regarding Port Colborne Quarries Site Alteration</u></b></p> <p>That the Memorandum received from Janice Peyton, Executive Assistant, DEO on behalf of the Environmental Advisory Committee Re: Environmental Advisory Committee, Motion Regarding Port Colborne Quarries Site Alteration, be received for information; and</p> <p>That the list of questions provided by the Environmental Advisory Committee regarding the Port Colborne Quarries Site Alteration, be submitted to the Director of Planning and Development for Council's consideration and inclusion in the current review process.</p>	291	
RB	GB	FD				
AD	DK	HW				
WCS	MB	EB	10.	<p><b><u>Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments, be received for information; and</p> <p>That Council recommend the appointment of Councillor _____ to the Niagara Peninsula Conservation Authority for a term of August 1, 2019 to November 30, 2022.</p>	295	
RB	GB	FD				
AD	DK	HW				

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WCS	MB	EB	11.	<b><u>Region of Niagara Re: Creating the Ohnia:kara UNESCO Global Geopark (PDS 18-2019)</u></b>	311
RB	GB	FD			
AD	DK	HW		That the correspondence received from the Region of Niagara Re: Creating the Ohnia:kara UNESCO Global Geopark, be received for information.	
WCS	MB	EB	12.	<b><u>Region of Niagara Re: Niagara Biennial Awards Program (PDS 19-2019)</u></b>	323
RB	GB	FD			
AD	DK	HW		That the correspondence received from the Region of Niagara Re: Biennial Awards Program, be received for information.	
WCS	MB	EB	13.	<b><u>Region of Niagara Re: Regional Incentives Financial Information (PDS 22-2019)</u></b>	333
RB	GB	FD			
AD	DK	HW		That the correspondence received from the Region of Niagara Re: Regional Incentives Financial Information, be received for information.	
<b>Outside Resolutions – Requests for Endorsement</b>					
WCS	MB	EB	14.	<b><u>Town of Niagara-on-the-Lake and the Town of Aurora Re: Opposition to Bill 108 regarding the More Homes, More Choice Act</u></b>	341
RB	GB	FD			
AD	DK	HW		That the resolutions received from the Town of Niagara-on-the-Lake and the Town of Aurora Re: Opposition to Bill 108 regarding the More Homes, More Choice Act, be received for information.	
WCS	MB	EB	15.	<b><u>Town of Mono Re: Ontario Municipal Partnership Fund (OMPF)</u></b>	347
RB	GB	FD			
AD	DK	HW		That the resolution received from the Town of Mono Re: Ontario Municipal Partnership fund, be received for information.	
<b>Responses to City of Port Colborne Resolutions</b>					
<b>Nil.</b>					

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**Presentation**  
**Re: New Regional Official Plan**



# Creating a new Regional Official Plan

The new Official Plan will be a cohesive, concise, user-friendly document that:

- Implements new provincial policy and plans, as amended
- Reflects current goals and priorities of the community and Regional Council
- Provides clear direction for local planning, with flexibility where appropriate

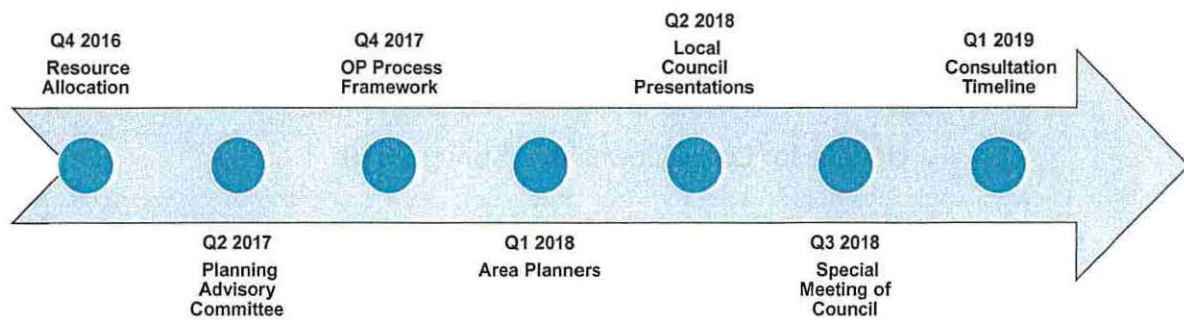


NIAGARA OFFICIAL PLAN



3

# Initiating the New Official Plan



NIAGARA OFFICIAL PLAN



4

# Priority Background Studies

## GROWTH MANAGEMENT



## RURAL AND NATURAL SYSTEMS



5

# Process to Create the New Official Plan



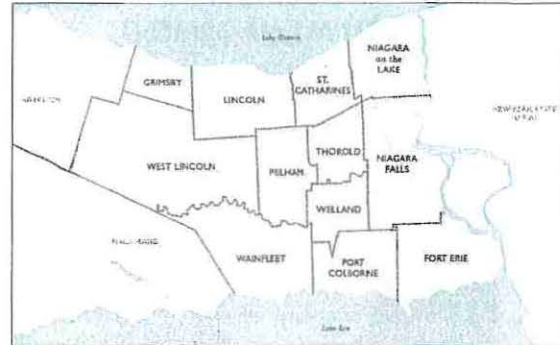
6



## Growth Management – Land Budget

### What is it?

- Amount of land needed for residential and employment growth to 2041
- Establish process to address urban expansions requests (TBC)



### Current status

- Land budget cannot be finalized until other growth management studies are substantially complete
- Will be impacted by amendments to Growth Plan

7

## Growth Management – Urban Structure

### What is it?

- Strategic areas to direct growth and intensification
- Implemented through local Secondary Plans



### Current status

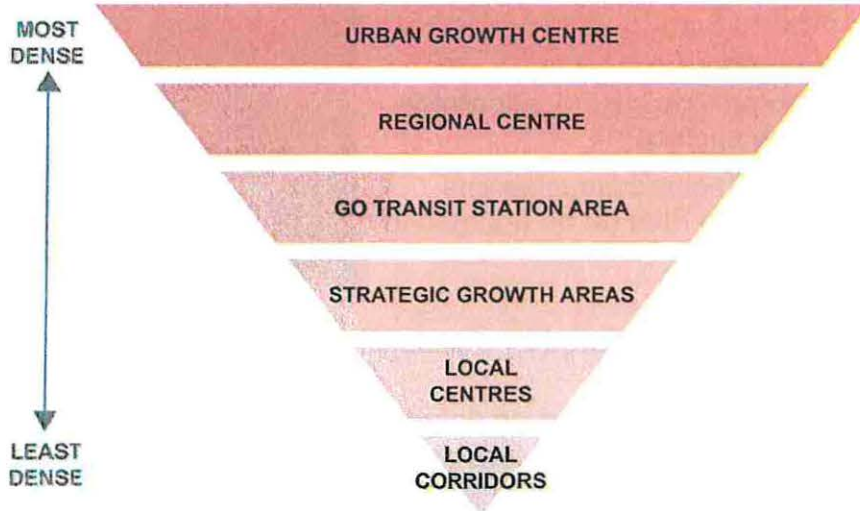
- Draft Regional Urban Structure to be discussed with Area Planners prior to public consultations



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# Growth Management – Draft Urban Structure Components



# Growth Management – Employment Lands Strategy

## What is it?

- Identify and protect a sufficient and marketable supply of land for employment uses

## Current Status

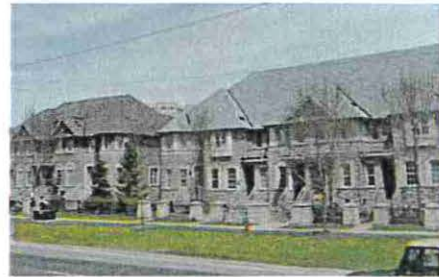
- A consulting firm has been retained to undertake the study
- Target completion date is end of 2019



## Growth Management – Housing Strategy

### What is it?

- Plan for an appropriate range and mix of housing forms to provide choice, affordable options and aging in place
- Will align with the Region's Housing and Homelessness Action Plan (to be updated in 2019)



### Current Status

- Housing data has been prepared by a consulting firm and shared with municipal staff
- Target completion date for a housing database is Spring 2019
- Data will be analyzed to inform a Housing Strategy for the Official Plan and targets for the Region's Housing and Homelessness Action Plan

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## Rural and Natural Systems - Agriculture

### What is it?

- Inform the identification and protection of our agricultural land, and support the agricultural industry as the primary driver of Niagara's economy



### Current status

- Agriculture study to be initiated in Spring 2019



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## Rural and Natural Systems – Natural Environment

### What is it?

- Inform the identification of a natural system or systems in Niagara, and protect important natural features

### Current status

- A consulting team has been retained to complete a Watershed Planning Discussion Paper, Mapping Discussion Paper, and Natural Environment Background Study
- Target completion date for the background studies is Spring 2019



## Rural and Natural Systems – Aggregate Resources

### What is it?

- Help to ensure that aggregate resources are available close to market, while addressing land use compatibility and environmental considerations



### Current Status

- A consulting firm completed a “State of Aggregates in Niagara Region: Background Report”, which was brought to Committee and Council in 2016
- A Technical Addendum was completed in Spring 2018 to supplement the Background Report as a result of changes to provincial legislation and policies
- Draft policies are currently under development

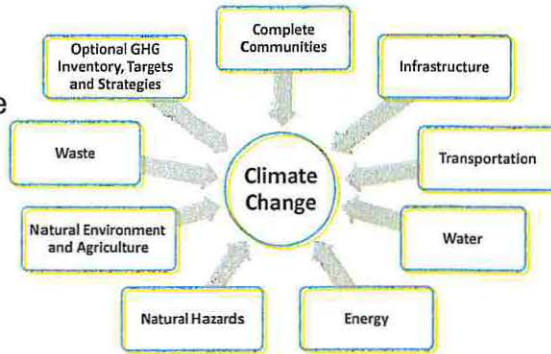
# Rural and Natural Systems – Climate Change

## What is it?

- Will explore opportunities to reduce greenhouse gas emissions in our communities and better adapt to the effects of climate change in Niagara, such as flooding

## Current status

- Target completion date for climate change discussion paper is Fall 2019



# Consultation Overview

- Consultation framework endorsed by Regional Council in March 2019
- Build on “Imagine Niagara” consultations
- Consult on background studies, draft policies and draft consolidated official plan
- Stakeholder sessions, public information centres (open houses), public meetings, online comments
- Educational videos and social media





## Public Consultation Timeline



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## Next Steps and Considerations

### Next Steps

- Complete majority of background work in 2019
- Hold first round of public consultations in Fall 2019
- Third 'Local Council Checkpoint' estimated for Spring 2020

### Considerations

- The provincial land use planning framework is currently under review

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# Preliminary Framework for New Official Plan



**GROWING REGION**

How we manage growth and development, with a range and mix of housing forms, including affordable housing

**CONNECTED REGION**

How we improve connections with transit, recreation and trails, infrastructure and technology

**COMPETITIVE REGION**

How we increase our competitiveness by supporting employment opportunities and protecting agricultural lands

**VIBRANT REGION**

How we enhance the vibrancy of communities by supporting strong urban design and protecting cultural heritage

**SUSTAINABLE REGION**

How we protect our natural environment and plan for climate change





making our mark

**NIAGARA**  
OFFICIAL PLAN

# Natural Environment Work Program

## New Niagara Official Plan

**May 27 – Presentation to  
City of Port Colborne Council**





# Natural Environment Planning



An important component of the new Niagara Official Plan to:

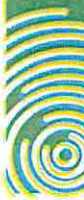
- Support the identification of areas for growth and development
- Meet Provincial requirements for the protection of features, areas, and system
- Support a range of industries that benefit from a healthy natural environment
- Support public health, recreation, and overall well-being of residents
- Plan for climate change



# Scope for Natural Environment Work Program

In-Scope	Out-of-Scope*
<ul style="list-style-type: none"> <li>• <b>Natural Heritage Features</b> <ul style="list-style-type: none"> <li>• Woodlands, wetlands, habitat, habitat of endangered and threatened species, fish habitat, etc.</li> </ul> </li> <li>• <b>Hydrologic Features</b> <ul style="list-style-type: none"> <li>• Streams, seepage areas, wetlands, etc.</li> <li>• Region's watercourse identification and mapping project</li> </ul> </li> <li>• <b>Water Resource Systems</b> <ul style="list-style-type: none"> <li>• Groundwater systems</li> <li>• Surface water systems</li> </ul> </li> <li>• <b>Natural Hazards</b> <ul style="list-style-type: none"> <li>• Flooding hazards, erosion hazards, and dynamic beach hazards, etc.</li> <li>• Wildland fires as per Section 3.1.8 of the PPS</li> </ul> </li> <li>• <b>Provincial Natural Heritage Systems</b> <ul style="list-style-type: none"> <li>• Greenbelt Natural Heritage System and Urban River Valley designation</li> <li>• Growth Plan Natural Heritage System</li> <li>• Niagara Escarpment Plan as it relates to the municipal planning process</li> </ul> </li> <li>• <b>Watershed Planning &amp; Stormwater Management</b></li> </ul>	<ul style="list-style-type: none"> <li>• Aggregates &amp; Petroleum Resources</li> <li>• Source Water Protection</li> </ul>

\*Official Plan policy development for out-of-scope items to be addressed separately



# Project Overview – Natural Environment

Project Phase	Activities
1	Project Initiation and Procurement
2	Background Study and Discussion Papers for Mapping and Watershed Planning Priority Areas
3	1 <sup>st</sup> Point of Engagement: Inform on Background Study
4	Develop and Evaluate Options for Natural System(s)
5	2 <sup>nd</sup> Point of Engagement: Consultation on Options for the Natural System(s)
6	Develop Regional Natural System(s)
7	Develop OP Policies & Finalize Mapping
8	3 <sup>rd</sup> Point of Engagement: Draft OP Policies and Schedules
9	Other Implementation Tools





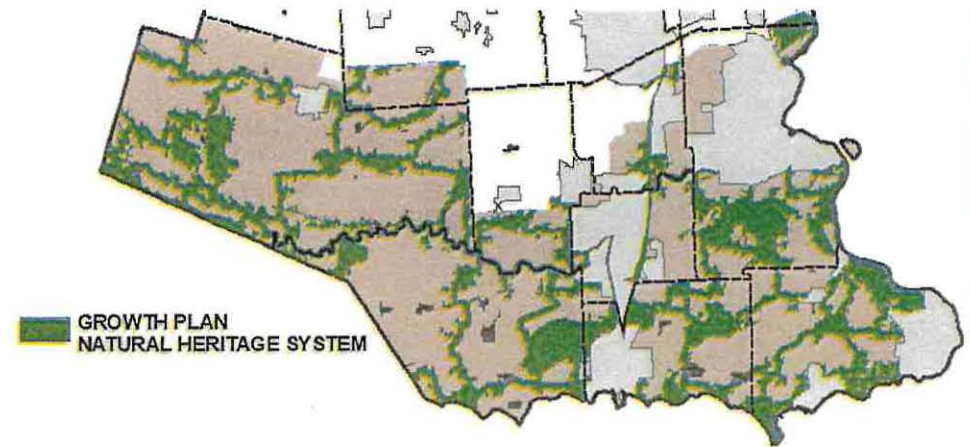
# Natural Environment Background Study

Key Topics



# Provincial Direction

- Provincial direction starts with the Provincial Policy Statement (PPS, 2014)
- Greenbelt and Growth Plan Natural Heritage Systems to be implemented by Municipalities
- Province provides a number of guidelines and other tools to assist Municipalities





# Interaction with Agriculture

- Clear direction that natural environment polices are not intended to limit the ability of agricultural uses to continue
- Greenbelt and Growth Plan NHS policies both provide a wide range of exemptions for new agricultural and agricultural-related buildings and structures
- The requirement for a natural buffer is exempt where lands will continue to be used for agricultural purposes



# Woodlands

- Process for identifying significant woodlands as a 'key feature' :
  1. Identify and map 'Woodlands' in the Region based on defined criteria
  2. Develop and apply criteria to determine 'Significance'. Local context and conditions are a factor in determining significance.
- Local and Regional Tree By-Laws are a related tool for the management and protection of trees and woodlands



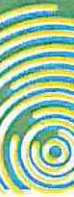


# Climate Change & Invasive Species

- Two of the most significant threats to the natural environment
- Natural environment systems are an important tool to reduce risk and mitigate the impacts of climate change
- Many invasive species in Niagara including Emerald Ash Borer. Additional tools beyond the scope of the Official Plan Policies will be required.



Emerald Ash Borer  
(*Agilus planipennis*)



# Watershed Planning

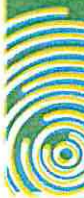
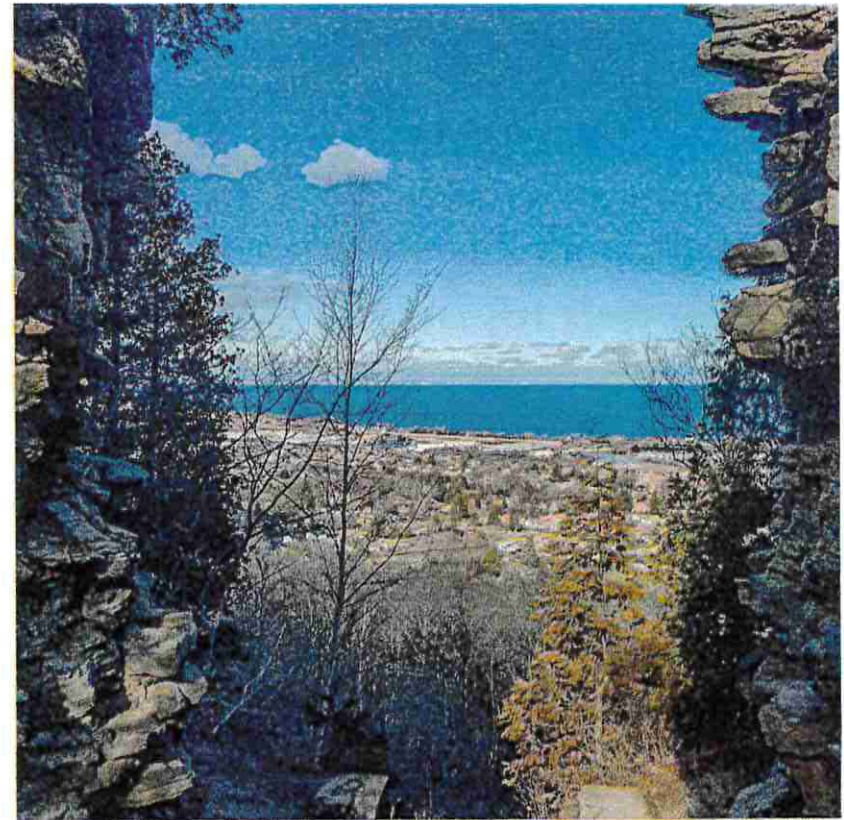
- Planning at a watershed scale that considers the relationship between the human and natural environments - with a focus on protecting water resources
- Watershed planning in the Province has been evolving for decades -
  - The 2014 PPS and 2017 Provincial Plans place a much greater emphasis on integration - planning and land use activities must be “informed by” watershed planning
- The new Niagara Official Plan will need to provide a framework and policies for watershed planning
- Additional consultation and engagement during any Watershed Planning process



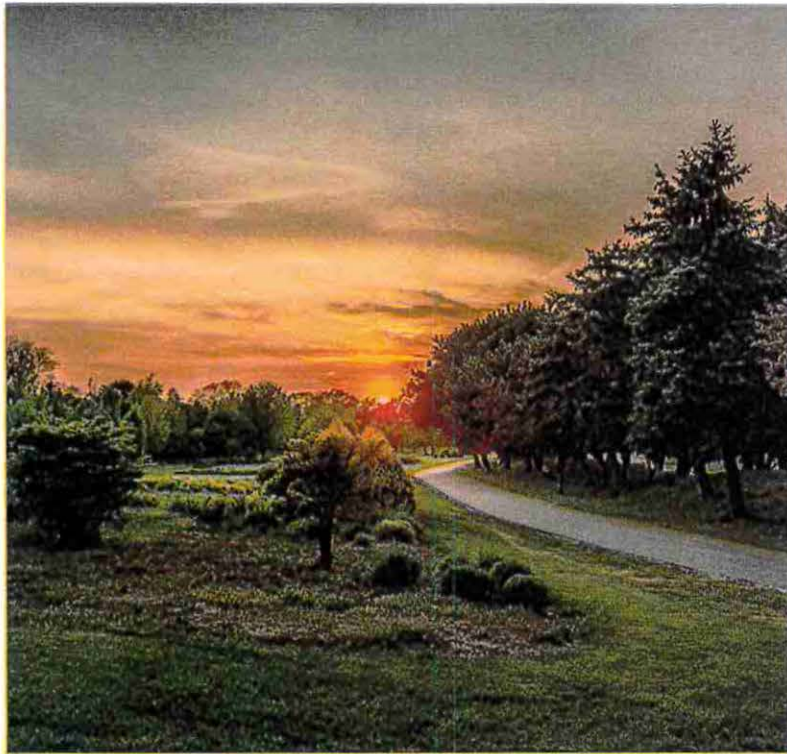
# Ongoing Consultation and Engagement

**1<sup>st</sup> major point of engagement focusing on education and sharing information:**

- Local Councils
- Public
- Local Planning Staff
- Agricultural and Environmental Stakeholder Groups
- Development Community
- Indigenous Groups
- Planning Advisory Committee (PAC)
- Agricultural Policy and Action Committee (APAC)
- Region's Planning and Economic Development Committee



# Next Steps



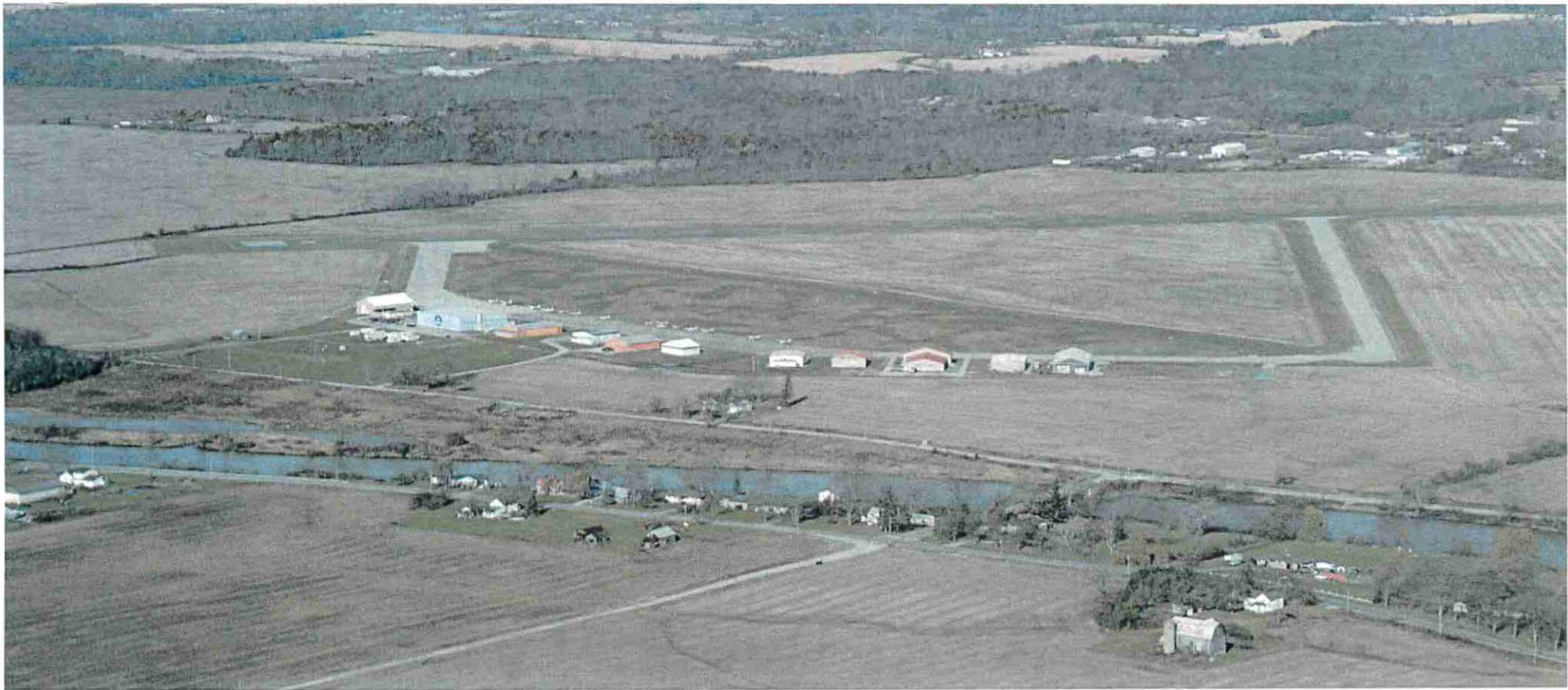
1. Complete 1<sup>st</sup> Point of Engagement and finalize Background Study and Discussion Papers
2. Identify and evaluate options
3. Present preliminary preferred option to Regional Council and initiate 2<sup>nd</sup> Point of Engagement



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Welcome to the  
43rd Annual Air Race Classic  
2019 Terminus June 18-24





# “Air Race Week”

## June 18-24, 2019

- Overview
- Events Schedule
- Public/FlyMarket





# Overview: The 2019 Race



*43rd Annual*

2019

**AIR RACE CLASSIC**

**JUNE 18-21**

North of the Border - Let's Fly Canada

[www.airraceclassic.org](http://www.airraceclassic.org)

Fly the perfect cross country,  
2500+ miles in 4 days!

★ **JACKSON, TENNESSEE (US)** ★  
START

★ **WELLAND, ONTARIO (CA)** ★  
TERMINUS





# Overview: The Air Racing Spirit



# Overview: The Air Racing Spirit





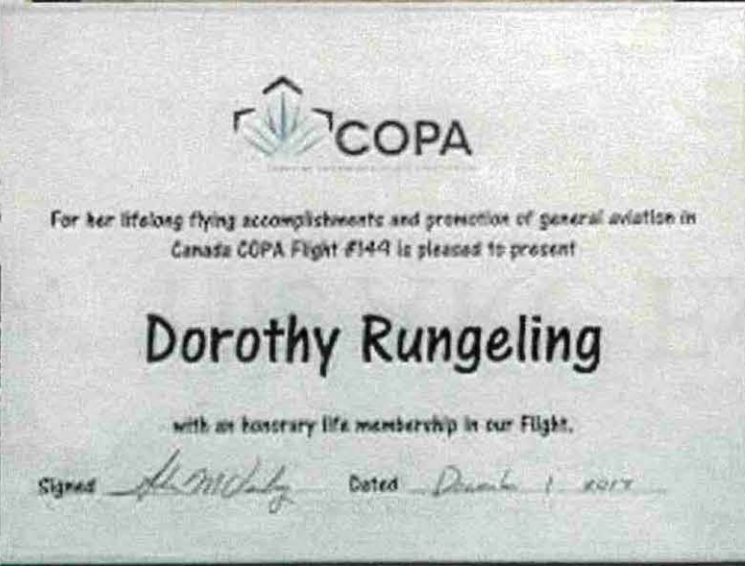
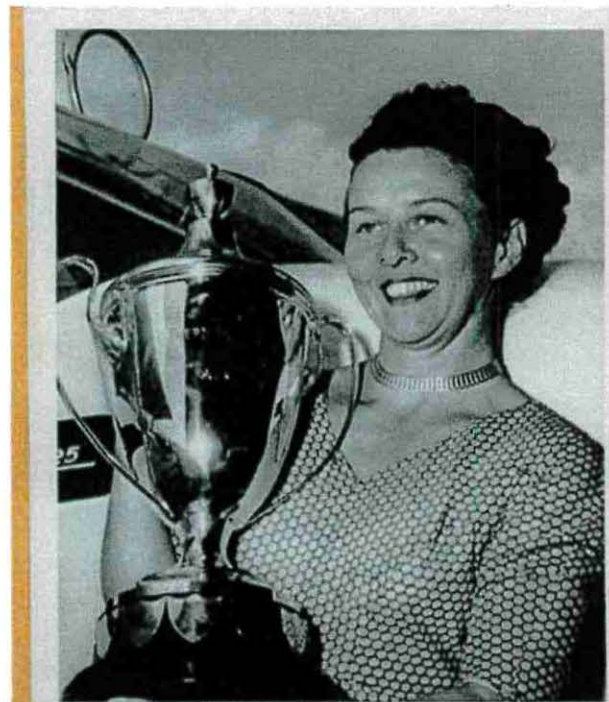
*Susan Kock and Dottie 1958 - Grand Bahama*

# Overview: The Air Racing Spirit





# Overview: Our Inspiration



# Overview: The ARC Executive



# NCDRA Site Map

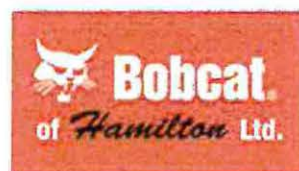


# Events Schedule June 19-21

- Racers fly to finish line, then land.
- Planes refuel and move to weekend tiedown.
- Public FlyMarket 9am-5pm local vendors.
- Food by 87 Air Cadets, Tim Horton's coffee.
- Air Race Race officially ends Friday at 5pm.
- Airport closed by 5:30pm.
- Private function on the field.
- Airport secured at 10pm.



Niagara Central Dorothy Rungeling Airport Commission is grateful to our "2019 Air Race Terminus" sponsors







# Request for Delegation – Port Colborne City Council – Monday, May 29, 2019

## Delegation:

Darren Platakis - Founder/CEO Geospatial Niagara – Ohnia:kara Steering Committee

Ian Lucas - Secretary Geospatial Niagara – Ohnia:kara Steering Committee

Philip Davis – Indigenous Culture Liaison – Ohnia:kara Steering Committee

## Contact:

Address – 11 Nello Street – St. Catharines, ON L2N 1G5

Phone – 905-964-4169

Organization Represented – Geospatial Niagara and the Ohnia:kara Aspiring Global Geopark Steering Committee – pronounced **Oh-nee-ah-gah-rah**

## Presentation Focus:

**To significantly expand Sustainable Tourism by establishing the entire Niagara region as a UNESCO Global Geopark, WITHOUT the usual restrictions associated with traditional parks, and WITHOUT building any new tourism destination infrastructure.**

## Information:

1. **Ohnia:kara (pronounced Oh-nee-ah-gah-rah) is the Mohawk word for “neck between two bodies of water” and is the origin of the name the world recognizes as Niagara.** It has been the home going back further than 12,000 years, to many Indigenous Peoples, and continues to this day to be an iconic gathering place for visitors from all nations around the world.
2. **This presentation is about an exciting, achievable project to steadily expand Tourism destinations to every corner of Niagara region, WHILE ALSO increasing tourism revenues for the traditional “anchor” destinations.**
3. Geographically situated between two Great Lakes, the Niagara Escarpment is a

result of 500 million years of natural processes, and is designated as a UNESCO World Biosphere Reserve. This helps us to achieve the UNESCO Global Geopark designation.

4. UNESCO Global Geoparks are grassroots community led projects that must demonstrate broad community engagement and commitment to be UNESCO designated. **The Ohnia:kara Aspiring Geopark will bring a sense of pride, and strengthen our Niagara community identities while educating about the importance of the geology and its impacts on our industry and cultural history through the recognition of the indigenous peoples that call this land home.**
5. Our diverse, experienced Steering Committee is making presentations to identified Stakeholders, including municipalities across Niagara. **The response to-date has been overwhelmingly positive.**
6. As new councils are coming together to plan for their municipalities and the region over the next 4 years, one of the most common goals is collaboration to move Niagara forward. We are asking that each Municipal council and the Regional council embrace, endorse and support the Ohnia:kara Aspiring Global Geopark project as a means to bring all of Niagara together to work towards this reachable designation that can be a reality within the next 4 years. Now is the time for Niagara to come together.

## Our Ask:

- 1) We are seeking written endorsement of the Ohnia:kara Aspiring Global Geopark by the current council.
- 2) Staff report on the project for full Council consideration.
- 3) To evaluate participation in the Ohnia:kara Aspiring Geopark as part of your strategic plans.
- 4) Staff support, from time-to-time, to help with UNESCO Status Submission.
- 5) Future discussion of possible funding, related to tangible benefits.
- 6) Link on your municipal website to the Ohnia:kara Aspiring Geopark site.





## **OHNIA : KARA AN ASPIRING GLOBAL GEOPARK**

### **INTRODUCTION**

#### **What is a UNESCO Global Geopark?**

Niagara has long been a world-famous destination, anchored by its iconic Falls. In fact, it has been a meeting place for Indigenous peoples dating back 12,000 years.

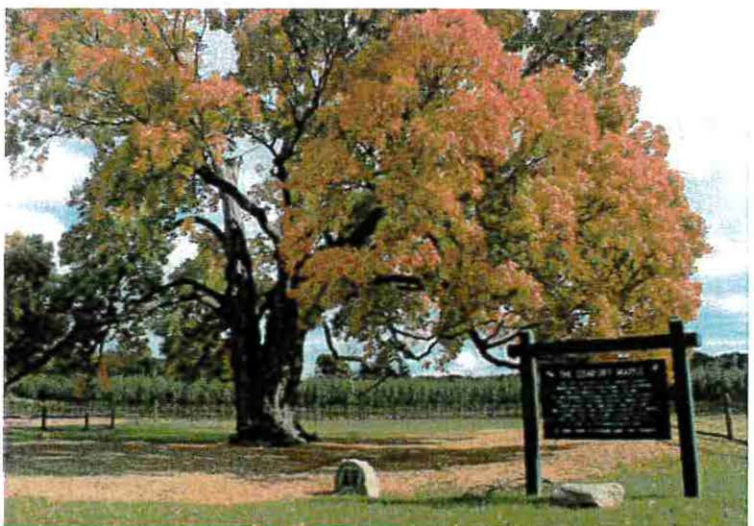
The tourism infrastructure that has developed over the decades at Niagara Falls specifically has entrenched this position and its effect has gradually cascaded through Niagara-on-the-Lake and into the rest of the region, primarily through its historical, agricultural and viticulture assets. The importance of tourism to Niagara's local economy is acknowledged by its designation as one of the Niagara Region's four pillars of economic development strategy. Recognition of its role has been accompanied by the desire to expand its impact throughout the region.

Several types of tourism already exist in Niagara, providing a spectrum of different opportunities in a variety of different cultural and environmental contexts. Many of these different types of tourism include mass, rural and farm, cycling, culinary, wine, brewery, and ecotourism. The inclusion of geotourism would serve to reinforce these existing tourism types, but also diversify into new areas, and new products and attractions, that highlight the unique character of the Niagara region.

Geotourism is a niche-market that has grown over the past 20-plus years. It is a form of nature-based tourism that showcases an area's geographical character, its "earth history" which includes geology and landscape, flora and fauna, and their interaction with humans to form a cultural identity. It is a niche that focuses on education, conservation, and sustainability (Megerle & Pietsch, 2017; Dowling, 2011; Farsani et al., 2011). It is through the growing phenomenon of geotourism that the relatively new concept of the "geopark" – and the official designation of the UNESCO Global Geopark – has emerged.

UNESCO defines its geoparks as a "single, unified geographical area where sites and landscapes of international geological significance are managed with a holistic concept of protection, education and sustainable development" (UNESCO 2016).

While the concept of geoparks date back to the 1990s, specifically with their establishment in Europe and China, it wasn't until 2004 that the Global Geoparks Network was formed under UNESCO. Furthermore, the official branding of the UNESCO Global Geopark did not occur until 2015. There are currently 140 UNESCO Global Geoparks in 36 countries, but only three of these are in Canada: Stonehammer in New Brunswick (designated a Global Geopark in 2010), Tumbler Ridge in British Columbia (2014), and Percé in Quebec (2018), signifying that the concept is relatively new in Canada. Members of the Niagara community through Geospatial Niagara have submitted an expression of interest to the Canadian National Committee for Geoparks to become a geopark. This has enabled the group to now market the concept and create a formal application as an "Aspiring Global Geopark". **The Ohnia:kara Aspiring Global Geopark is a non-profit grassroots effort to bring the brand to Niagara.**





## What is UNESCO looking for?

In its application, UNESCO asks that the aspiring Global Geopark addresses 10 topics:

1. the importance of natural resources in the region and their sustainable use;
2. existing geological hazards, such as volcanoes and earthquakes, and disaster mitigation strategies;
3. climate change;
4. educational activities for all ages that spread awareness of geological heritage and its links to our geography, culture and heritage;
5. scientific research with academic institutions;
6. exploring the links between communities and Earth, including activities and partnerships with the arts and heritage communities;
7. the empowerment of women;
8. a sustainable economic development plan;
9. preserving and celebrating local and Indigenous knowledge by including those communities in the planning and management of the geopark; and
10. geo-conservation and the protection of geosites. (UNESCO 2016)



The UNESCO designation does not carry any regulatory status, although sites within the geopark may already be protected by local laws. Rather, it is best understood as an international brand that signifies to potential tourists that this is a destination with significant geological and geographical assets worth visiting. That may seem obvious in Niagara. However, the UNESCO Global Geopark brand was originally meant to support and encourage sustainable economic development in rural areas by showcasing their formidable geological sites. With that goal in mind, a Global Geopark designation could be a means to expanding tourism interest across the Niagara region, by increasing the economic benefits of tourism to all 12 of its municipalities as well as adding value to its core tourism areas of Niagara Falls and Niagara-on-the-Lake, and giving visitors more reason to stay in the region for longer periods.

**This policy brief aims to introduce this relatively new concept to Niagara stakeholders and answer the question: What is a geopark, and how might it enhance an already popular tourism destination?** This study will highlight challenges and opportunities that Ohnia:kara organizers face in their bid for designation. It includes a discussion of the branding process, the current impact of tourism in Niagara and how a geopark designation might differentiate itself; and a brief look at the impact of some current Global Geoparks. It will also build a case for local support of the initiative, placing the discussion within the realm of amplifying culture and tourism assets across the region to contribute to Niagara's overall economic development.

## THE PROCESS

Ohnia:kara, the Mohawk word for "neck between two bodies of water", is proposed to be congruent with the boundaries of the Regional Municipality of Niagara. It has identified 78 "geosites" of geological, environmental, or cultural interest in all 12 municipalities of the region, but that list continues to grow as the group consults with stakeholders. The sites range from the Welland Canal to the Wainfleet Bog to Beamer Falls, as well as historical sites from the War of 1812 and the Mewinzha Archeology Gallery in Fort Erie. The Niagara Peninsula Conservation Authority and the Niagara Parks Commission already oversee the bulk of the proposed sites, which should be considered an advantage as there is already infrastructure in place (trails, signage, parking, programming) for visitors and residents to enjoy many of these local assets.

A UNESCO Global Geopark carries a four-year designation after successfully completing an application that includes a dossier of information and a site visit from technical experts. The application should demonstrate the area has "geological heritage of international value" as assessed by scientific professionals, with accompanying details of geo-conservation pressures and efforts. A management team with a business and marketing plan should be in place. Part of the process includes having already implemented geopark projects as proof of commitment and capacity. Information signs at geosites and educational programs offered to schools are such examples.

The designation is re-evaluated every four years, through a progress report and another site visit.

The Ohnia:kara initiative is currently at the beginning of its application process. It has a steering committee and organizers have been making contacts with other geoparks and participating in international conferences and workshops. Once completed, the application will be vetted through the Canadian National Committee for Geoparks (CNCG) before moving to UNESCO for final approvals.



## ROLE OF TOURISM IN NIAGARA'S ECONOMY

Tourism has been identified by Niagara Region as one of four priority sectors in its economic development and growth strategy, alongside agribusiness, manufacturing, and transportation/logistics.

The tourism sector employs approximately 18 per cent of Niagara's workforce, or almost 40,000 people, and has a location quotient of 1.8 relative to Ontario (Niagara Region Economic Development, 2019). This signifies the concentration of a specialized labour pool in this region.

### TOURISM NUMBERS

The latest data from the Ontario Ministry of Tourism shows that the St. Catharines-Niagara Census Metropolitan Area had approximately 12.9 million "person-visits" in 2017. About 8.4 million came from Ontario (another 292,000 visitors from the rest of Canada), 1.1 million came from overseas, and 3.1 million from the U.S. Total expenditures were approximately \$2.36 billion. The ministry numbers measure, among other things, how many nights people stayed in the CMA, what type of accommodation they used, and what they did while they were here. We know, for example, that less than half of those who visited from Ontario stayed overnight (2.98 million) and the majority of those for only a couple of nights. Less than half of overseas visitors stayed overnight in the CMA, the bulk of those spending two nights or less.

*(Note: The St. Catharines-Niagara CMA does not include Grimsby or West Lincoln. Overseas visitors counted were over the age of 15.)*

It is a cross-sectoral industry that includes food and beverage, accommodation, performing arts, spectator sports, heritage institutions, and gambling. As such it provides quality-of-life amenities to residents while marketing to visitors outside the region.

Niagara Falls and its established tourism base is central to the region's competitive advantage. However, challenges in "growing and enriching the experience" moving forward have been identified in recent discussions around the strategic growth of the region (Niagara Region Economic Development 2018, p. 14).

Some of the challenges include:

1. encouraging return visits
2. increasing the number of overnight stays
3. making the entirety of the Niagara region a destination for those seeking a wine, culinary, or arts experience.

In a geopark model, Niagara Falls anchors the tourism experience, but the region-wide potential is realized. Brouder and Fullerton have referred to it as a "cascade effect" (2015). That is, Niagara Falls is still the focal point for tourists, but the rest of the region might also benefit. This policy brief recognizes that tourists to the region are not all alike. The casino buses travelling down the QEW are not necessarily filled with aspiring geotourists. Nor are the bus tours that take international visitors for a quick day trip. The geopark appeals to a separate genre of tourist (and resident) and lends a different perspective to Niagara's assets.

### WHY DO WE NEED A GEOPARK?

If Niagara is already such a popular destination, why do we need to be officially designated as a Global Geopark?

Branding Niagara as a UNESCO Global Geopark may provide an institutional path for the entirety of the region to gain international recognition by drawing attention to the extent of the existing geological and cultural assets, including its many smaller waterfalls, trails, historical sites, wineries, and artisans. For organizers, these branding efforts come with opportunities and challenges. Tourist amenities and attractions are already abundant, and the geopark can take advantage of this infrastructure to establish its own brand of tourism and add value to a visit, highlighting geological assets and earth history (which includes its interaction with humans through culture and heritage). However, the challenge occurs in: 1. differentiating what it can offer to the experience and, 2. quantifying its impact on the established tourism sector as well as the local economy at large.

What difference will a UNESCO Global Geopark make and how can it be measured? The difficulty lies in that often these geosites are not gated (Lemky, 2014), or they may be one of several reasons someone might visit an area.

This could be mitigated through geopark-specific activities and attractions. For example, if it had its own visitors' centre and took visitor counts at its promoted geosites. Because one goal of the Ohnia:kara initiative is to attract tourists already at

<sup>1</sup>Location quotients measure employment concentration in a geographical area compared to a larger geographical area, in this case Niagara to Ontario. If the LQ is greater than 1, that indicates a larger proportion of workers in a sector than the larger area, and a comparative advantage in terms of a specialized labour pool. Agriculture (location quotient 1.94), arts/entertainment/recreation (1.92 LQ), and food/accommodation (1.75 LQ) are the three most significant sectors in Niagara in terms of employment (Niagara Region Economic Development 2018, p. 13).



Niagara Falls to explore the surrounding region (in the hopes they might spend more time in the area), taking counts and surveys at geosites in the surrounding municipalities would give some indication if that strategy is working. Other solutions may include on-site surveys, website visits via on-site QR codes, or "passport" programs in which visitors get stamps for each site visited and then trade them in at the end of a vacation for a small reward.

Determining whether or not the geopark brand is attracting tourists who otherwise would not have made the trip to Niagara may be more difficult. Overall numbers gathered by Statistics Canada before and after the branding can be compared, but one would be challenged to measure how much can be attributed to the actual geopark versus other factors.

This ability to differentiate becomes a significant issue not only when looking for funding and partnerships, but also when making its case to UNESCO in seeking official designation.

The Niagara Escarpment, for example, has been a UNESCO World Biosphere Reserve since 1990. In the case of such branding overlap, UNESCO stipulates an "Aspiring Global Geopark" must show how it would add value to the region both independently and in cooperation with other designations. In this case, Ohnia:kara may argue that as a promoter of geotourism, it can help the Biosphere Reserve tell its story by guiding people to lesser known geosites as the escarpment winds to its greatest asset, Niagara Falls. There are other overlaps, as well: with Ontario Parks, the Niagara Peninsula Conservation Authority, the Niagara Escarpment Commission, and the Niagara Parks Commission.

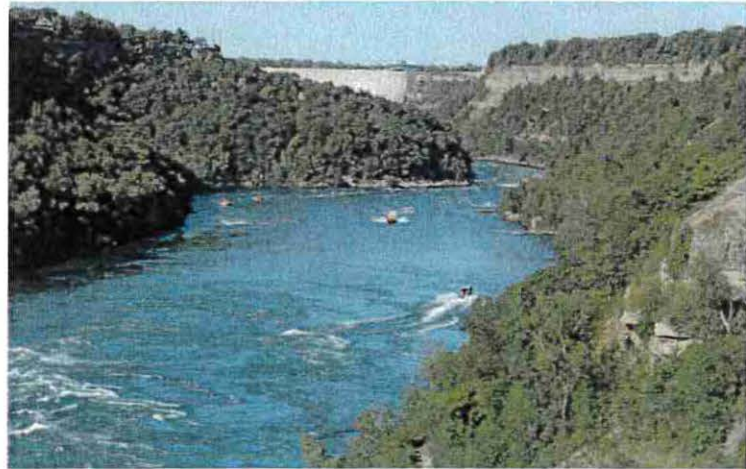
Megerle and Pietsch (2017) recognized this trade-off in the case of German geoparks – the risk of decreased visibility of a geopark due to the larger profile of established protection agencies, versus the benefit of geosites already enjoying degrees of legislated protection and administrative oversight. In the German case, geoparks overlapped with nature parks, national parks, and a UNESCO Biosphere Reserve. Risks included competition between brands<sup>2</sup> and confusion amongst the public about the difference between them. The danger was having this play out with businesses and other stakeholders questioning the value of paid membership in a geopark. But the research also saw the opportunity of working with higher-profile organizations with better financial resources and infrastructure to mount joint marketing campaigns and joint activities .

## GEOPARKS AROUND THE WORLD: THE COSTS AND BENEFITS

There is evidence that designated Global Geoparks are having positive economic impacts on their regions.

China, for example, housed 204 national geoparks in 2017 (35 of them UNESCO Global Geoparks), and each was estimated to generate \$26 million USD per year (Ng 2017), or approximately \$34.5 million CAD. The geopark brand has been used in China since 2000 as part of a rural poverty alleviation strategy with the geoparks directly employing 20,500 managers and administrators, and 464,000 part-time and full-time frontline workers (Ng 2017).<sup>3</sup>

Of course, China could be considered an outlier due to its population size and the sheer number of geoparks. A peer-reviewed study by Farsani et al. (2011) looked at employment numbers in a survey of 25 Global Geoparks in Europe, Asia (excluding China, which did not answer the questionnaire), Australia, and South America. It found an average of 18 people were directly employed by a geopark's administration. This did not count indirect employment impact in related industries such as food and beverage, accommodation, or retail.



We can infer from these numbers, versus those in China, that the number of people directly employed by a geopark depends on how its management board has decided to run the business and could vary greatly. For example, does the geopark run its own tours, have its own museum, or a dedicated visitors' centre?

In the Farsani survey, direct employment by geoparks included seasonal workers in visitor centres and as tour guides at sites, as well as facility coffee shops and those working in other

<sup>2</sup>Which can result in too many signs. Biosphere Reserves had better funding and could afford more signage which led to a higher profile than the geopark in which it was situated.

<sup>3</sup>The challenges of operating the brand have included managing such a "high demand for facilities and amenities, visitor management, environmental and heritage protection, and recruiting young people to work in remote parks."



amenities. The survey found revenue-generating activities run directly by the geoparks included recreation/sports activities, themed restaurants, spas, and bakeries; "geoproducts", and partnerships with existing businesses. Other activities designed to increase the awareness of the geopark and its benefits included education programs (workshops, conferences, tours), and conservation activities (p. 75-76).

An economic impact study conducted for three of **Portugal's** four Global Geoparks in 2014 (the fourth had just opened) found that visitor numbers had doubled since designation. (The parks had been designated between 2006 and 2014, but no indication was given for the timeframe of the increase.) All indicators, as self-reported by the managers, saw various increases in employment, number of restaurants, available beds, hotels, visitors from the school community, average expenses per visitor/day, average length of stay, and overall number of visitors.

The estimated average income (which it reported as average "economic benefit" to the community) of the three parks was 424,940 Euros per year (approx. \$647,398 CAD), 57 per cent of revenues from government sources (mainly municipal and regional), 19 per cent from private sources, and 24 per cent classified as "external".<sup>4</sup>

The study found the initial cost of earning the UNESCO designation ranged from approximately 30,000 Euros to 80,000 Euros (\$45,000 to \$121,000 CAD), including marketing and management plans, inventory and assessment of geo-heritage sites, and a technical team (Portuguese National Commission for UNESCO, 2014, p. 55). The annual cost of affiliation, including the work of technicians, promotional rate payments to the Geopark networks, and participation in conferences, was estimated at 5,417 Euros (\$8,100 CAD).

In the **United Kingdom**, a 2013 report estimated the annual financial benefit that its seven Global Geoparks brought was 18.84 million pounds (\$32 million CAD) – taking into account the estimated "cost of status" at 330,000 pounds (\$562,000 CAD) or approximately 47,000 pounds each (\$80,000 CAD) (UK National Commission for UNESCO, 2013, p. 12).

The report stated that the designation had been used to increase tourism numbers which in turn brought spill-over effects into the local economy and the seven parks had secured a combined 4.6 million pounds/year in funding (\$7.8 million CAD), not accounting for revenues from visitor spending. Its Marble Arch Caves Geopark, given as an example, attracted 250,000 visitors per year which the report equated to an annual 3.9 million pounds (\$6.6 million CAD) in visitor spending per year due to the UNESCO designation (pg. 14).

## SOURCES OF INSPIRATION

Part of the campaign to become a UNESCO Global Geopark, and retain its standing, is to network with already established Global Geoparks in order to gain insight, not only into best practices, but to gain ideas and inspiration into what is possible. Two geoparks that stand out as relevant to the Niagara experience are the **English Riviera Global Geopark** in South Devon, England and the **Beaujolais Global Geopark** in eastern France. But we have also included **Hong Kong** as a brief talking point – considered an urban geopark, it provides an example of how an already world-famous destination has used the branding.

### English Riviera

The English Riviera UNESCO Global Geopark in southwest England is an interesting comparative case for Niagara as it has been a popular domestic vacation destination pre-dating its 2007 UNESCO designation. The English Riviera has declared itself an "urban" geopark with a population of 134,000 over 62 square kilometres, including the resort towns of Torquay, Paignton, and Brixham, around Torbay.<sup>5</sup>

This area became well-known during the Napoleonic Wars when the families of naval officers settled in the area and word spread of its attractiveness. It was also once the United Kingdom's largest fishing port. These days, tourism is its dominant industry, recording nine million bed-nights per year and employing 15,000 people either directly or indirectly.

While the economic impact of the geopark, specifically, was not publicly available, the English Riviera Geopark Organization is mentioned more than once as part of the area's tourism strategy moving forward as it aims to grow its visitor numbers. Between 2010 and 2015, this area saw a 12 per cent increase in domestic visitors and an eight per cent increase in their spending (to 274.4 million pounds in 2015, or \$464.5 million CAD). The number of overseas visitors increased by one per cent and their spending by three per cent. Overall, in 2015, there were 4.5 million trips made to Torbay and 436 million pounds (\$739.2 million CAD) spent.

The English Riviera Global Geopark calls itself an "urban geopark" though 45 per cent of its land remains undeveloped as farmland, woodland, or open space. It has its own visitors' centre, themed playground, and website promoting activities and trails centered around its 32 geosites. It encourages its business partners and commercial members to use the branding to "stand above the crowd" when seeking funding. The geopark operates within the established tourism community as one of 14 stakeholders in the Destination Management Group for the local authority. Its own management organization includes tourism, geography, heritage, business, and educational stakeholders, as well as members of the local council. (English Riviera UNESCO Global Geopark website).

<sup>4</sup>No definition was given for "external sources", but this would include entrance fees, etc.

<sup>5</sup>By way of comparison, Niagara's population is spread out across 1,854 square kilometres.



## Beaujolais

The Beaujolais UNESCO Global Geopark in eastern France seems a natural case to study for Niagara due to its world-famous wine region (producing primarily red wine from the Gamay grape). This geopark located just northwest of Lyon, within view of the Alps, was designated in 2018 and makes the direct connection between its geological and hydraulic resources, and its viticulture, agriculture and history of its community. It currently has 26 geosites, ranging from historical buildings and sites, to vistas, trails, and protected areas. An interactive map of geo-activities on its website features guided tours and walks, museums and trails. As it is a new geopark, economic benefits are not available, and details about its structure are not yet publicly available. (Beaujolais UNESCO Global Geopark website).

## Hong Kong

The Hong Kong UNESCO Global Geopark features outcrops of volcanic rock columns, other rock formations and historical relics that are about an hour's drive from the centre of the city. The city of seven million people acts as host to visitors who make the trek to see the geosites via land-based or water-based tours. Tour guides are accredited. It has a Geopark Visitors Centre, a Volcano Discovery Centre, and several smaller "Geoheritage Centres". It provides an example of how a world-famous city has used the UNESCO branding to enhance and diversify the visitor experience (Ng 2014, Hong Kong UNESCO Global Geopark website).

## CONCLUSION

The UNESCO Global Geopark brand is meant to be used as a tool for communities to support and promote their natural resources and geological heritage through sustainable development practices, including geotourism, conservation, and education. The goal of this brief is to introduce this relatively new concept to economic development, tourism, conservation, and education stakeholders in Niagara. This region has already claimed its spot as a world-famous destination, thanks to the Niagara Falls and adjacent historical and cultural offerings. Wineries, breweries, and agritourism are adding to the draw of Niagara – the region – as a tourism destination. So much of this success already hinges on the uniqueness of Niagara's geography and geology, from the many waterfalls to the building and operation of the Welland Canal, to the soil and climatic factors that lead to a robust Niagara wine industry, particularly ice wine. Supporting a bid to become an internationally recognized geopark could even broaden the region's appeal to those looking for a recreational and educational geotourism experience, the benefits of which can be shared across all 12 municipalities of the region.

## NEXT STEPS

*By Charles Conteh & Carol Phillips*

The vision behind the UNESCO Global Geopark initiative in Niagara is not disconnected from the economic and sociocultural advancement of the region, but rather constitutes another potential engine that can only further drive the tourism sector. It should also be emphasized that leveraging and promoting cultural assets is a fundamentally community-driven initiative if it is to be sustainable. This policy brief encourages all sectors to consider the benefits of a UNESCO Global Geopark and how they may each contribute to its use as a tool of sustainable economic development.

To articulate the essential elements moving forward in a successful local geopark initiative, a framework from Jennifer Clark's work on resilient regions is instructive (2017). There are four core characteristics of resilient and adaptive regions that could inform the strategic direction of the geopark initiative in Niagara. First, building a deep specialized team of local geopark "activists"; second, creating a legitimate platform of institutionalized intermediaries to connect the various organizations and interests invested in the region's natural, environmental and cultural assets; third, cultivating an awareness of geoparks as fundamentally about the management of relationships and narratives between stakeholders in Niagara and the world; and fourth, a clearly articulated role for government at multiple scales of authority. The rest of this section elaborates on each of these elements.

The first element is the need to cultivate a critical mass of local geopark activists who are knowledgeable and passionate about the region's geological, geographic, cultural and historical uniqueness. As a strategic step, this would involve effective outreach to, and partnership with, local schools and post-secondary institutions to integrate geopark training modules into existing curriculum, and host regular public workshops to raise awareness about the region's stock of geopark assets. Ohniakara has already begun this outreach with programs in place at the post-secondary level.



Engaging people of diverse backgrounds and leveraging their skills and passions to create a compelling local ecosystem of geopark activists is an important part of developing a convincing and sustainable initiative. In fact, a major reason UNESCO gives for the designation of a Global Geopark is its educational



benefits – increasing awareness and appreciation for geology by teaching the communities within the geopark, as well as visitors, about the region’s earth history.

Most importantly, geology and its role in earth history also provides a portal through which to learn about Niagara’s Indigenous cultures which have existed here since time immemorial. With the help of Geospatial Niagara and the participation of Indigenous communities (such as the Niagara Regional Native Centre), educational units can be designed with hands-on experiences for students of all ages, elementary to post-secondary. As well, information at geosites, and on educational/promotional materials can also tell the story of the land from the Indigenous perspective.

The second element in the geopark region’s strategic steps would be the creation of a platform for the institutional intermediaries that share the conservation and operational oversight of Niagara’s physical assets. This platform can serve as facilitator and provide the glue that holds networks of disparate actors together. As we noted earlier, geoparks often overlap with nature parks, national parks, and biosphere reserves. An effective institutional intermediary platform will pre-empt competition between brands and confusion amongst the public about the difference between them. Moreover, it will address the concerns of businesses and other stakeholders questioning the value of paid membership in a geopark. The cooperation of these types of groups is essential to the upkeep, enhancement, and promotion of geosites. Working together, such an environmental network platform will not only provide the multidimensional perspectives for articulating and differentiating what a geopark can offer to the experience of visitors but also operationalizing those perspectives into quantitative indicators for measuring its impact on the established tourism sector as well as the local economy at large.

This platform could serve as the management team with a business and marketing plan. Where this new platform or management team fits within the current Niagara tourism landscape is up for further discussion. But as we see from the English Riviera example, the initiative’s inclusion in Niagara’s tourism discussions and strategies is central to its success.

A third element in the initiative’s strategic direction or next-steps is to frame its geopark initiative in terms of managing relationships and cultural narratives between Niagara and the world. Geopark assets are more than objects of nature. They are the critical relics of history that embody the natural heritage of a place. These relics provide the physical emblems that have

shaped the worldview and even belief systems of many generations of Indigenous peoples living in the region. The geopark initiative provides a mechanism for sharing those narratives with tourists from around the world, and with Niagara residents as well who may not be familiar with those stories embedded in these natural vestiges of the distant past. This third element ties well with the concept of branding.

The branding of a UNESCO Global Geopark provides an entrepreneurial opportunity to increase the number of, and expand existing, geotourism activities and visitor amenities. For those who have existing geopark-oriented businesses and events, the branding may help them build on their success by increasing international awareness of the geotourism opportunities in Niagara region.

The fourth and final element in the initiative’s strategic next-steps is the question of the role of government. While there is a tendency to tout community initiatives with leadership provided by ordinary residents, the fundamental need for a clear role for local government leadership must not be lost or downplayed. A global initiative aimed at gaining the attention and winning the designation of UNESCO would require the backing, authority, legitimacy and resources of the state at various levels. To what degree, is a matter for discussion.

A geopark initiative for Niagara needs a broad agreement at the regional scale and requires a regional approach – and there is a tourism marketing structure in place for that. Meanwhile, tourism has been tagged by Niagara Region as a pillar of economic development moving forward and the industry is a major employer locally. The challenge is to leverage the entirety of Niagara’s geographical and cultural assets to continue to grow the industry. The proposed Ohnia:kara geosites cut across regulatory, administrative, and operational lines. The Niagara Peninsula Conservation Authority, the Niagara Parks Commission, Parks Canada, Ontario parks, Niagara Escarpment Commission, St. Lawrence Seaway Authority, Niagara Region and its 12 municipalities all share responsibility for some facet of Ohnia:kara. Other than providing legitimacy to the efforts, what role can each level of government and regulatory body play? We should also bear in mind that Ohnia:kara provides an opportunity for greater recognition and appreciation for the role of Niagara’s Indigenous peoples in the area’s history and culture, which predates local governance structures.

The Ohnia:kara Aspiring Global Geopark provides an opportunity to broaden the appreciation for the entirety of Niagara’s geological history and its impact on our cultural history through a means of sustainable economic development. For it to succeed, we suggest the geological “activists” and the tourism stakeholders must work closely together. This policy brief is meant only as a first step towards introducing the concept of a geopark to the Niagara community, outlining challenges and opportunities. What direction the geopark initiative takes is ultimately up to those relevant Niagara stakeholders.







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### Photos

Page 1: *Morningstar Mill, Comfort Maple*

Page 2: *Beamer Falls*

Page 4: *Niagara Gorge*

Pages 6-7: *Beamer Conservation Area Trail*

Page 8: *Ball's Falls*

The Niagara Community Observatory at Brock University is a public-policy think-tank working in partnership with the Niagara community to foster, produce, and disseminate research on current and emerging local issues. More information on our office, and an electronic copy of this report, can be found on our website [brocku.ca/nco](http://brocku.ca/nco)

### Contact Us

Charles Conteh, PhD  
Director, NCO, Brock University  
[cconteh@brocku.ca](mailto:cconteh@brocku.ca)

Brock University  
Niagara Region  
1812 Sir Isaac Brock Way  
St. Catharines, ON, L2S 3A1 Canada

[brocku.ca/nco](http://brocku.ca/nco)  
@BrockNCO





Ohnia:kara... "The neck between two bodies of water"

## INTRODUCTIONS

Darren Platakis, Founder/CEO, Geospatial Niagara – Ohnia:kara Steering Committee

Phil Davis, Indigenous Culture Liaison – Ohnia:kara Steering Committee

Ian Lucas, Board Secretary, Geospatial Niagara – Ohnia:kara Steering Committee





Thank you for having us

## What is a geopark?

“.... a single, unified geographical area, where sites and landscapes of international geological significance are managed with a holistic concept of protection, education and sustainable development ...”

- UNESCO





## What is a geopark?

"Their bottom-up approach of combining **conservation with sustainable development** while involving local communities is becoming increasingly popular."

- UNESCO

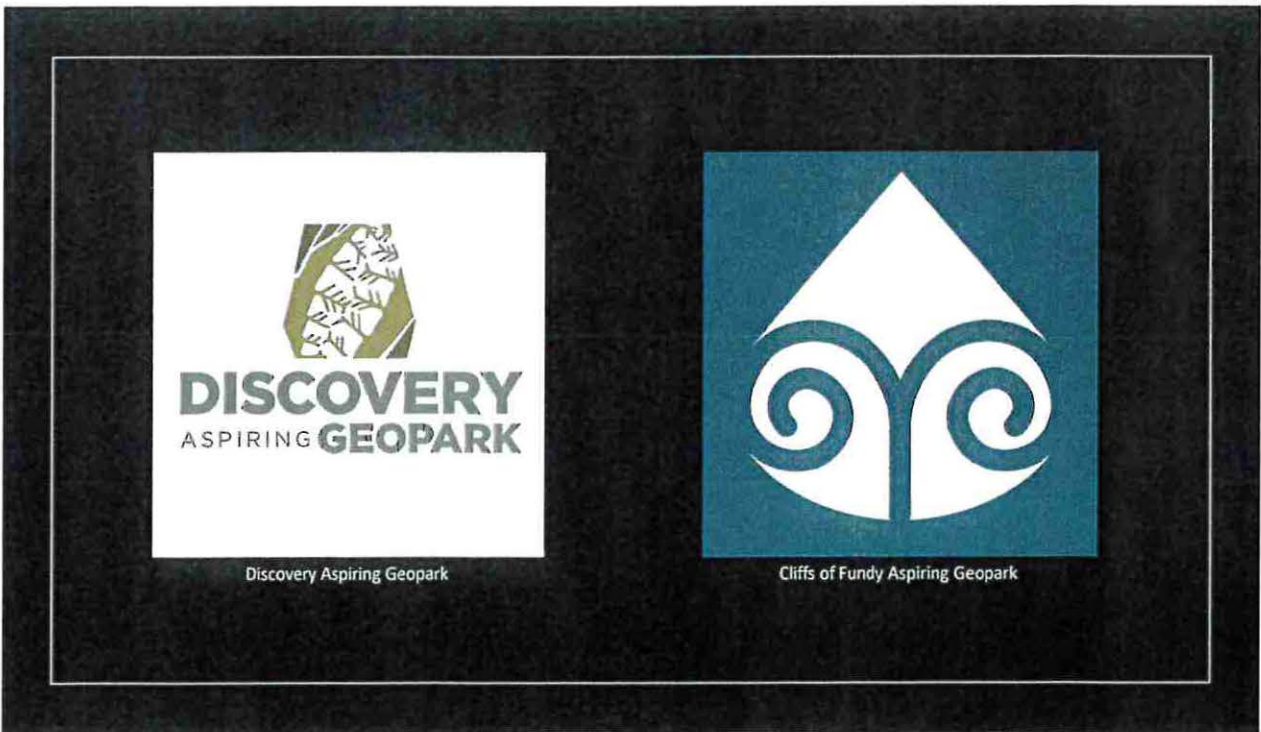
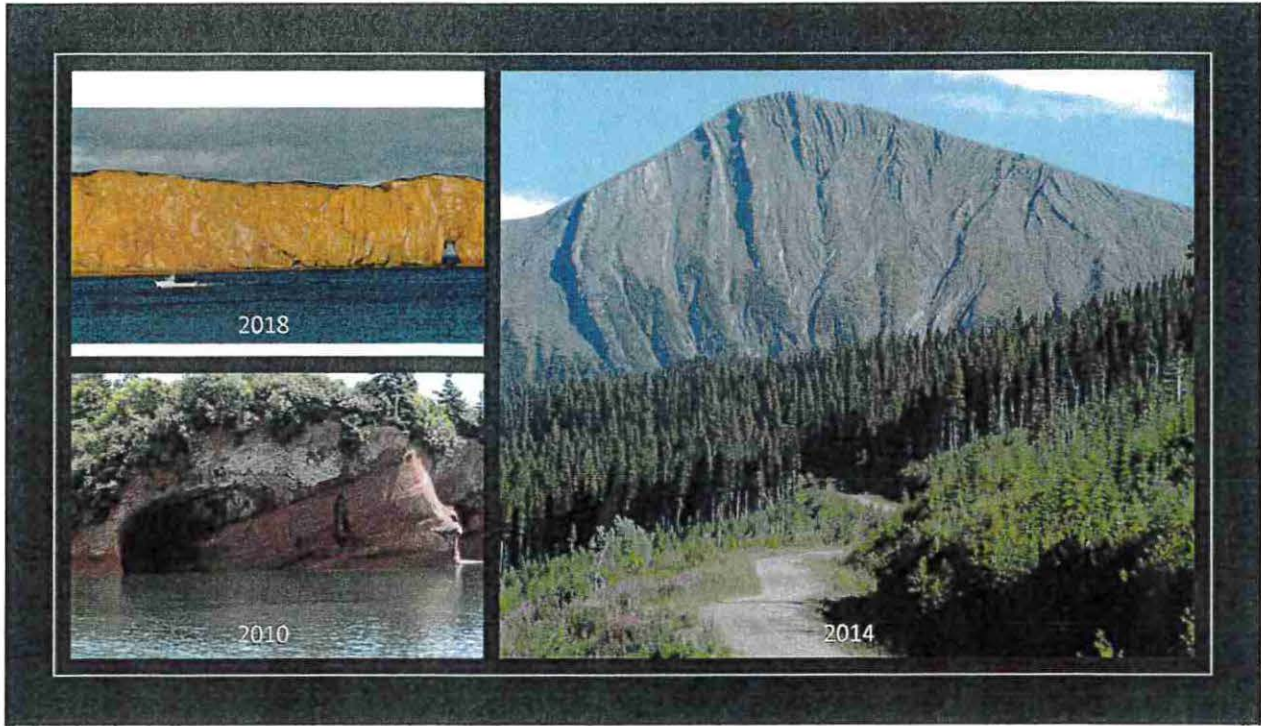
## What is a geopark?

"...those special places around the world that not only tell part of the history of the planet but also celebrate how our geological heritage is linked to all other types of heritage. This forms the basis of community empowerment and the promotion of the area's sustainable economic development.

- Patrick McKeever

Former UNESCO Chief of Section for Earth Sciences and Geohazard Risk Reduction – Secretary of the International Geoscience Programme

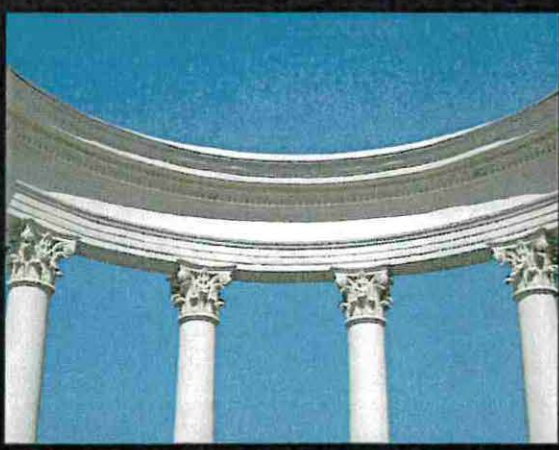




# Niagara's Aspirations



# UNESCO Global Geopark Pillars



- Education
- Sustainable Responsible Tourism
- Cultural Awareness
- Geoconservation / Geotourism



## Why Niagara?



## Why Niagara?



<https://www.niagarathisweek.com/news-story/3278563-welland-mammoth-makes-home-at-royal-cantario-museum/>



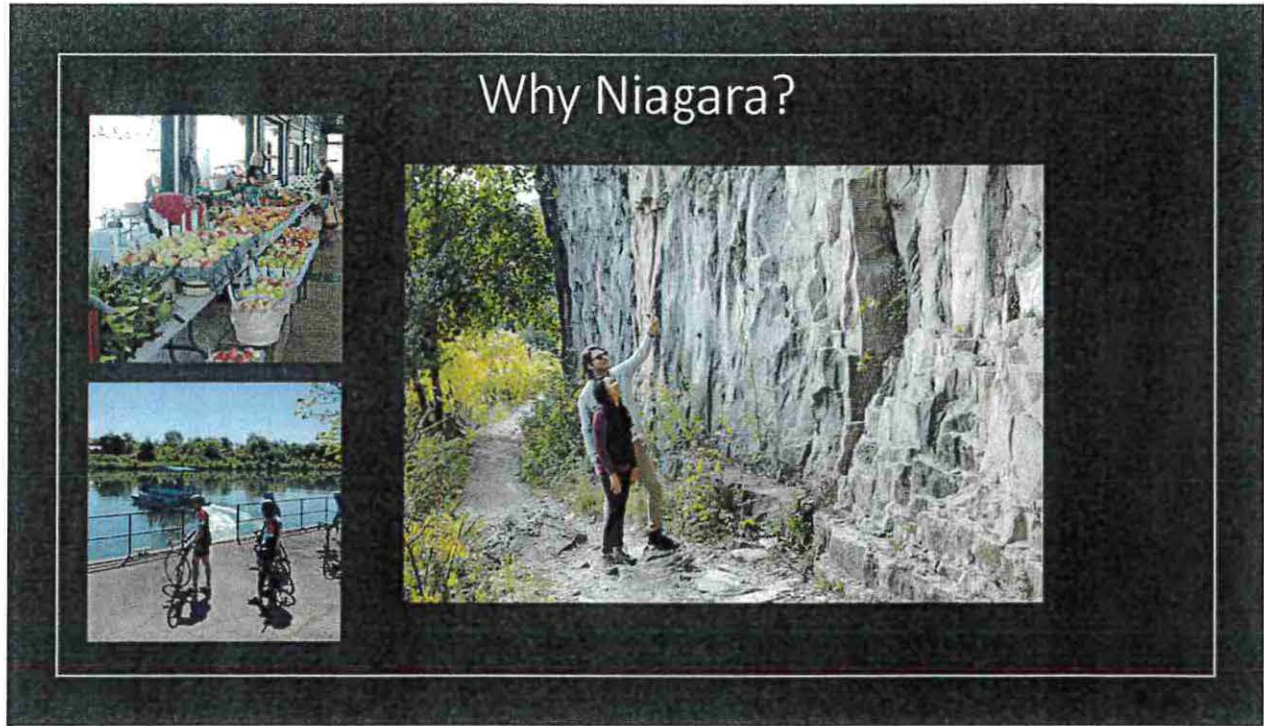
# Why Niagara?



# Why Niagara?

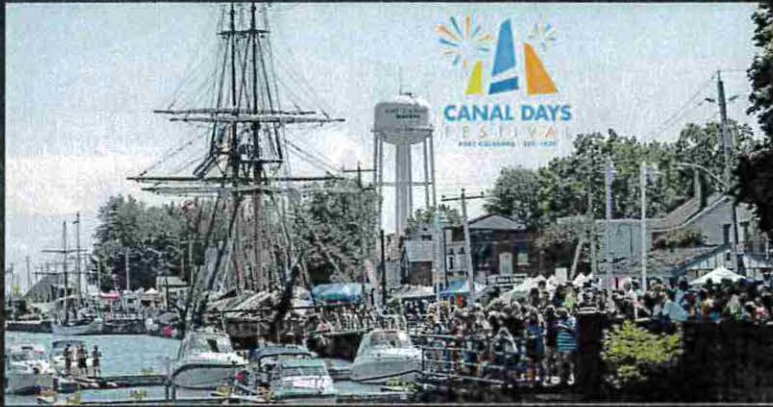




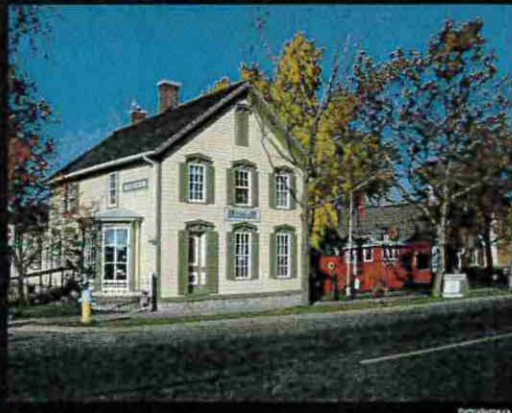




# Why Niagara?



# Why Niagara?





## Why Niagara?



**SportsFest**  
Festival of Sports™ Port Colborne, ON

## Application Dossier



- Formal self-evaluation
- Application to Canadian Committee (Dec 2020-March 2021)
- Canadian committee review – site visit summer 2021
- Update with recommendations 2022
- Operational for one year 2021-2022
- Negotiate final submission to UNESCO - Nov 2022
- UNESCO review – Summer 2023
- UNESCO designation - 2024



## Awareness/Promotional Opportunities

2020 - 10th International Cool Climate Wine Symposium

2021 - Canada Summer Games

2024 - Total Solar Eclipse

2024 - (possible other world class sporting event)

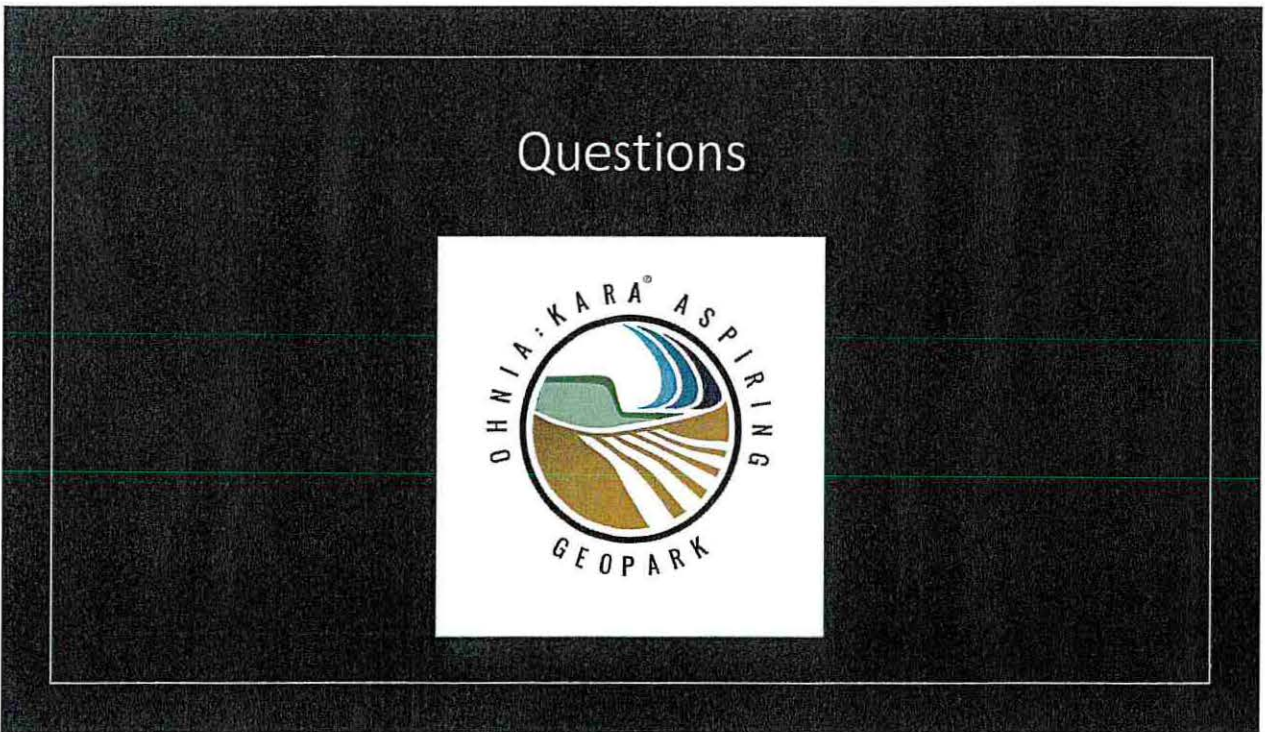
2026 - World Cup

work in  
progress



Thank you for your time





## Answers to FAQs

1. NOT a legislative boundary - No land use restrictions.
2. No restrictions on any economic activity inside the Global Geopark where activity complies with indigenous, local, regional, provincial and national legislation.

## Answers to FAQs

### Geo-tourism

“Geotourism is defined as tourism that sustains or enhances the distinctive geographical character of a place—its environment, heritage, aesthetics, culture, and the well-being of its residents.”

National Geographic



## Answers to FAQs

### Our Ask...

- 1) We are seeking written endorsement of the Ohnia:kara Aspiring Global Geopark by the current council.
- 2) Staff report on the project for full council consideration.
- 3) To evaluate participation in the Ohnia:kara Aspiring Geopark as part of your strategic plans.
- 4) Staff support from time-to-time to help with UNESCO status submission
- 5) Modest funding, related to tangible benefits.
- 6) Link on your municipal website to the Ohnia:kara Aspiring Geopark site.

## Answers to FAQs

1. New job opportunities, new economic activities
2. Diversification of tourism options
3. New entrepreneurial opportunities
4. Supports integrity of place

## Answers to FAQs

### Boost to tourism

#### Ex. 1 - Stonehammer Geopark 2015-16

- \$252.4 million - increase of 6.4%
- 1.7 million visitors - increase of 5%
- 726,000 overnight visits - increase of 4.6%

#### Ex. 2 - Tumbler Ridge

- 2014 - 2000 visitors
- 2017 - 17000 visitors

## Answers to FAQs

### Boost to tourism

#### Ex. 3 - Marble Arch Geopark - installation of a boardwalk

- 2015 - 3000 visitors
- 2016 - 24000 visitors
- 2017 - 60000 visitors

#### Ex. 4 - UK Experience - 7 Geoparks across UK

- £18.84 MM/year in NET financial benefit after costs of UNESCO status
- Includes £4.6 MM/year in grants attracted on competitive basis

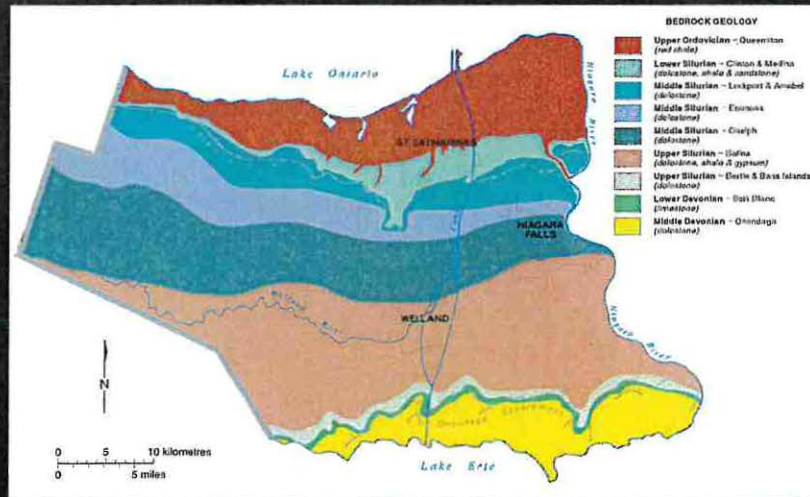


# Answers to FAQs

## Funding Considerations

- Public
- Private
- Corporate
- Memberships
- Research Funding
- Trillium etc.

# Answers to FAQs







**Ohnia:kara UNESCO Global Geopark  
Towards A More Cohesive Niagara**

UNESCO Global Geoparks - Why Not Niagara?

**Moving Forward**

Please contact us for more information, and to request an  
Organisation tailored presentation / discussion or a brief meeting  
at the Region:

Darren Platakis, Executive Director, Geospatial Niagara Inc.

905.964.4169

darren@geospatialniagara.com



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Report Number: 2019-77

Date: May 27, 2019

**SUBJECT: Annual Report 2018, Fees and Charges Report, 2019 Events Highlights**

**1) PURPOSE**

To provide background on library services reflected in the Port Colborne Public Library's *2018 Annual Report*; to provide information regarding fees and charges approved by the Library Board; and, to highlight major events planned for 2019.

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

In 1948, Arabella Williams bequeathed a block of land for a library and a park. In 1957, the current library was officially opened. The building has been updated over the years through major renovations. For over 60 years, the Port Colborne Public Library Board has carefully maintained the facility and ensured that library services have been provided for the community. In 2019, the Port Colborne Public Library continues to proudly serve the City of Port Colborne. The Library is committed to providing the services necessary to meet the needs of our user communities. It is the Library's vision to empower, enrich, and educate.

Public libraries in Ontario are governed by the *Public Libraries Act, R.S.O. 1990, c. P44*. The *Act* defines how a library board should operate, its accountability requirements to municipal council and to the province, as well as its responsibilities regarding the delivery of library services. The board is a separate and independent corporate board of the municipality with the authority to make policy and direct the affairs of the organization. The *Act* sets library boards apart from other municipal boards established under the *Municipal Act*. The board is required by law to be composed of a majority of volunteer, unpaid members of the public who scrutinize all decision-making. Board trustees commit to the vital role of ensuring that the public library is able to sustainably deliver critical resources and services to their communities through the independent oversight of their local public library budgets.

The Port Colborne Public Library Board is composed of eight volunteer citizen members and one Councillor, all appointed for the term of Council. The Chief Administrative Officer for the City of Port Colborne is the Chief Executive Officer for the Library. The Library employs 7 full-time and 5 part-time staff. To increase operational efficiency and accountability, the Board participates in and shares municipal resources including support services from Human Resources, Facility Maintenance, and Finance.

The Port Colborne Public Library recognizes that the community relies on its library to:

- be a place to enhance knowledge, skills & abilities
- provide quality programming and services



- narrow the digital divide and close the gap between the “information rich” and the “information poor”
- provide affordable, accessible, reliable, and confidential information
- assist with reading-readiness for children and literacy
- sustain lifelong learning
- be a source of leisure activities
- be an accessible, barrier-free, and welcoming space for all

The Port Colborne Public Library supports residents, local businesses, and the vision of the municipality. The Library strives to meet the needs of an increasingly diverse community (technologically, socio-economically, and demographically) and to provide information on issues that are essential to a healthy and sustainable society such as social equity, environmental responsibility and economic viability, and local history/heritage.

### 3) STAFF COMMENTS AND DISCUSSIONS

The **Annual Report** highlights programs, projects, and activities in 2018. The report is a snapshot of how the library reflects and serves our community, and how both Board and staff work together to implement the goals set out in the Strategic Plan.

Regarding **fees and charges**, the *Public Libraries Act, R.S.O. 1990, c. P44* and *Regulation 976* specify that most library services must be offered to residents free of charge. Access to library services remain free because universal access to information is a fundamental right and a cornerstone of democracy. According to the *Act*, a Board may not charge for: admission to the library, using library materials in the library, reserving or borrowing circulating items specified in the *PLA Regulations*. The *Act* authorizes public library boards to make rules regulating all matters connected with the management of the library and library property and authorizes a board to impose such fees as it considers proper for the use of parts of a building that are not being used for public library purposes. Charges may also be implemented for some services not outlined in the *Public Libraries Act*. The Port Colborne Public Library Board approves all fees and charges.

**Events scheduled for 2019** support the mission, vision, and values of the Port Colborne Public Library Board, and are aligned with the library’s Strategic Plan.

### 4) OPTIONS AND FINANCIAL CONSIDERATIONS:

#### a) Do nothing

No action required.

#### b) Other Options

No action required.

## 5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES

The Port Colborne Public Library Board approved its first Strategic Plan (2018-2022) in December 2017. Scott Luey, Library CEO, facilitated the strategic planning sessions for the Board. The Strategic Plan focuses on six goals:

### Goal 1: Attract New Users

- Objective 1.1: Social media campaign
- Objective 1.2: Pop-Up Library

### Goal 2: Increase Teen Users and Usage

- Objective 2.1: Pop-Up Library to high schools
- Objective 2.2: Explore PC video game lending
- Objective 2.3: Network with schools
- Objective 2.4: Increase programs targeted specifically to teens
- Objective 2.5: Teen Advisory Committee

### Goal 3: Maximize the Use of Library Space

- Objective 3.1: Staff to conduct a review of library infrastructure and logistics
- Objective 3.2: Complete shelving upgrade
- Objective 3.3: Completion of outdoor seating area (sponsored by the PC Lions Club)

### Goal 4: Continued Exploration of the Cultural Block Concept

- Objective 4.1: Joint Sub-Committee for Cultural Block

### Goal 5: Increase Staff/Library Internal Capacity

- Objective 5.1: Increase Staff Professional Development through Training Opportunities, Internal and External
- Objective 5.2: Develop an Internal Staff Training Program
- Objective 5.3: Create a system of performance appraisals that includes career development planning

### Goal 6: Explore New Funding Sources for Library Programs and Infrastructure Improvements

- Objective 6.1: Report to the Board on fundraising or foundation opportunities
- Objective 6.2: Ensure grant opportunities are being explored
- Objective 6.3: Investigate a donation mechanism on the Library's website

## 6) ATTACHMENTS

- Appendix A: 2018 Annual Report 2018
- Appendix B: Fees and Charges Summary
- Appendix C: 2019 Events Highlights



**7) RECOMMENDATION**

That the Port Colborne Public Library Report, 2019-77, the 2018 Annual Report, Fees and Charges Summary, and the 2019 Events Highlights, be received.

**8) SIGNATURES**

Prepared on May 17, 2019 by:

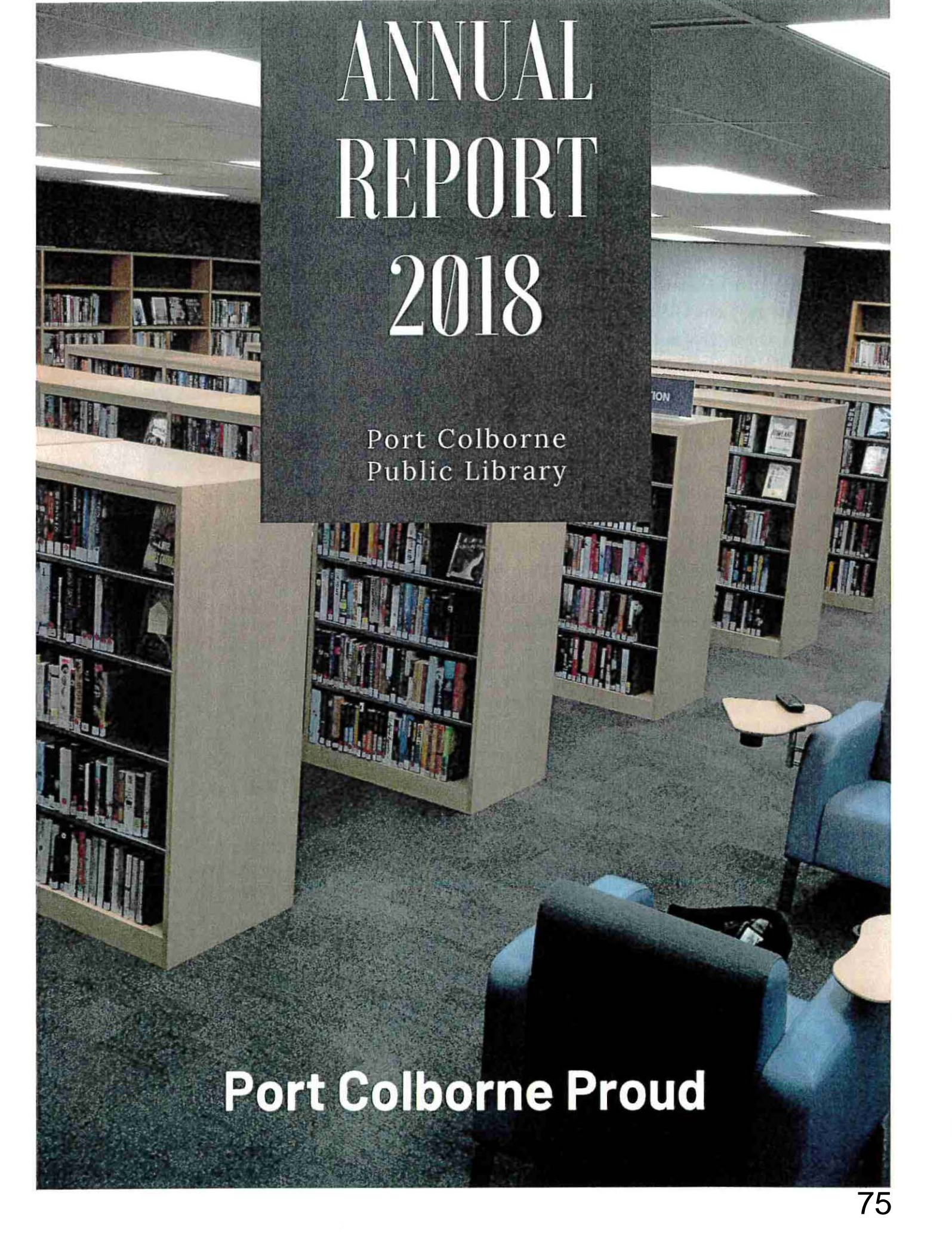


Susan Therrien  
Director of Library Services

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer



# ANNUAL REPORT 2018

Port Colborne  
Public Library

**Port Colborne Proud**



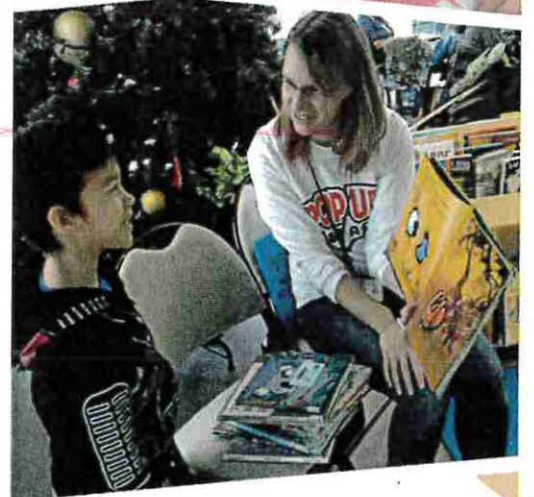
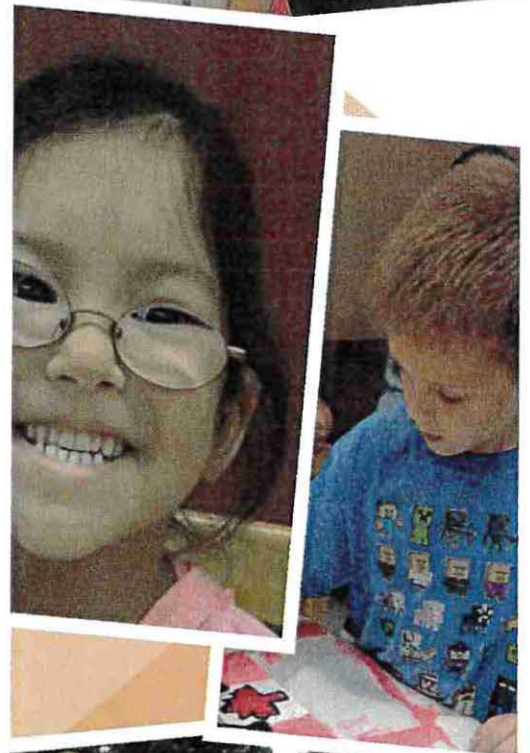
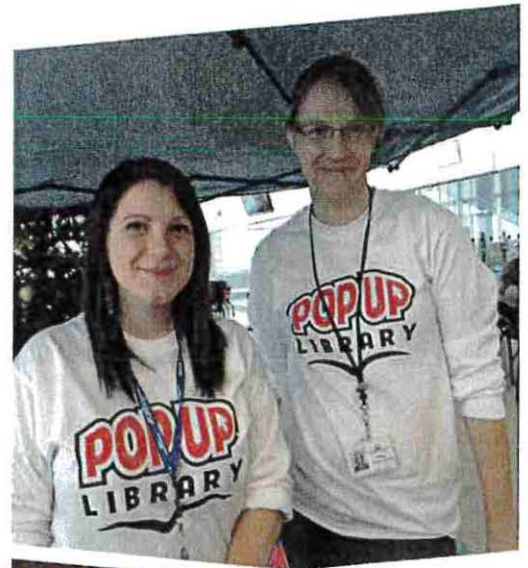
## MESSAGE FROM THE CHAIR

I would like to acknowledge the staff of the Port Colborne Public Library for their continued excellent work and service in 2018. Among their regular stellar efforts, the staff worked diligently through the capital replacements of shelving, flooring, and furniture. These upgrades required staff to shuffle books and furniture back and forth throughout the upgrade. In addition, staff continued their innovative ways with our Pop-Up Library reaching areas and citizens in a unique fashion by bringing the library to them. More upgrades will be coming in 2019 year with an accessible washroom on the main floor. We are thrilled to be able to offer a comprehensive learning experience in a safe welcoming setting.

I would also like to thank City Council for their guidance and continued financial commitment to the library. Extra kudos to CEO Scott Luey who guided us through our strategic planning session and who helps us with his experience and expertise. Lastly, but most importantly, I want to thank all the citizens for their ongoing support.

In closing, I would like to voice my appreciation to my fellow dedicated volunteer Board members for their service. I must comment on the interaction and collaboration we enjoy with the Director of Library Services, Susan Therrien. Our work together has been nothing short of outstanding. I look forward to the next year. We are already hard at work planning further improvements that will continue to make our library a safe community hub for all.

Michael Cooper  
Port Colborne Public Library Board Chair





# VISION, MISSION AND VALUES

In December 2017, the Port Colborne Public Library Board approved new Mission, Vision, and Values statements to crystallize its vision and provide direction to staff. The Strategic Planning session was facilitated by CEO Scott Luey.

## Vision Statement

EMPOWER. ENRICH. EDUCATE.

## Mission Statement

The library is committed to providing the services necessary to meet the needs of our user communities.

## Vision Statement

- Barrier-free, fair & equitable access
- Community responsiveness
- Professional courteous service
- Life-long learning and literacy
- Intellectual freedom
- Operational efficiency and accountability
- Innovation and tradition
- Cooperation

## Port Colborne Public Library Board of Trustees

Michael Cooper, <i>Chair</i>	Harmony Cooper
Bryan Ingram, <i>Vice-Chair</i>	Jeannette Frenette
Councilor Mark Bagu	Ann Kennerly
Brian Beck	Cheryl MacMillan
Valerie Catton	

## Management

Scott Luey, Chief Executive Officer  
Susan Therrien, Director of Library Services  
Peter Senese, Treasurer

The **Public Library** really is a kind of temple, and it ministers to the needs of the spirit as much as it does to the requirements of our minds.

*The Right Honourable Adrienne Clarkson,  
former Governor General of Canada.*

**Libraries** represent the diversity and immensity of human thought, our collective knowledge laid out in rows of revealing inspiration.

*Manuel Lima*

What got **12 million more visits** in Ontario alone, than the whole of the NHL, NBA, and NFL put together across North America?

**Ontario's Public Libraries!**

*Source: Federation of Ontario Public Libraries*

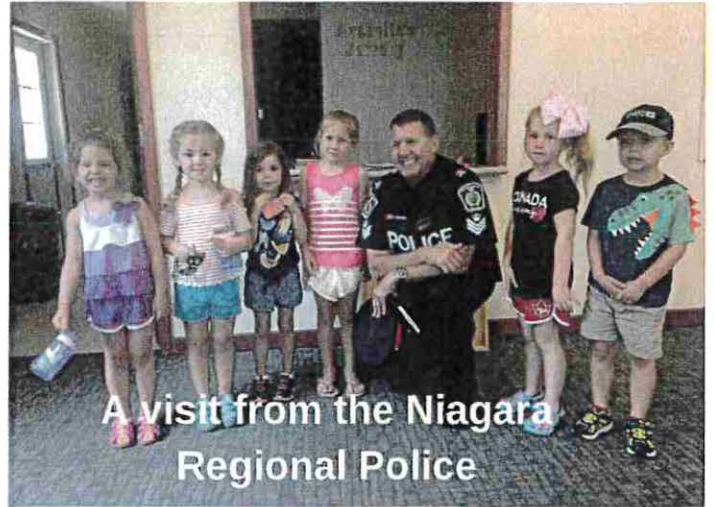




# COMMUNITY ENGAGEMENT



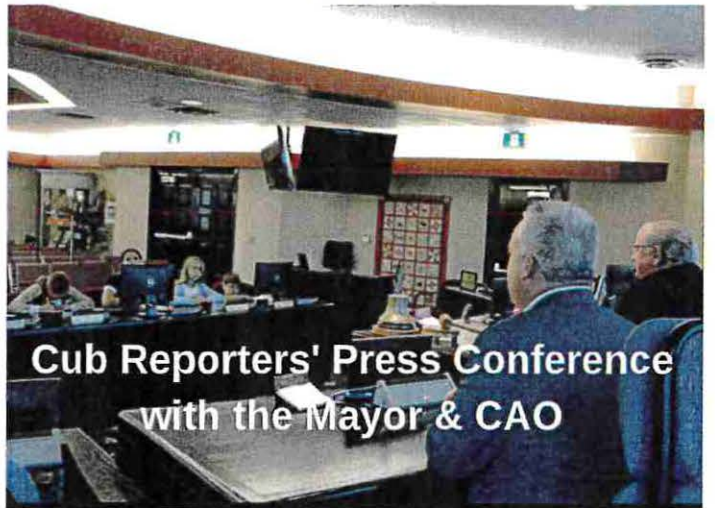
Learning fire safety with the Port Colborne Fire Department



A visit from the Niagara Regional Police



Graduation Day!  
Ready, Set, Kindergarten



Cub Reporters' Press Conference with the Mayor & CAO



Power Off and Play... Music!

**HEALTHY KIDS**  
COMMUNITY CHALLENGE  
NIAGARA







# PROUDLY SERVING OUR COMMUNITY



**David T. Chapman,  
Storm Chaser / Photographer**



**6,169**

**Annual Program  
Attendance**

**443**

**Library Programs**

- Early Literacy & Early Learning
- Children's Programming
- March Break Activities
- TD Summer Reading Club
- School Visits
- Teen Programs
- Adult Learning
- Seniors' Programming
- Tech Help & Computer Access
- Free Wifi -- 24/7
- Downloadable eBooks & Audiobooks

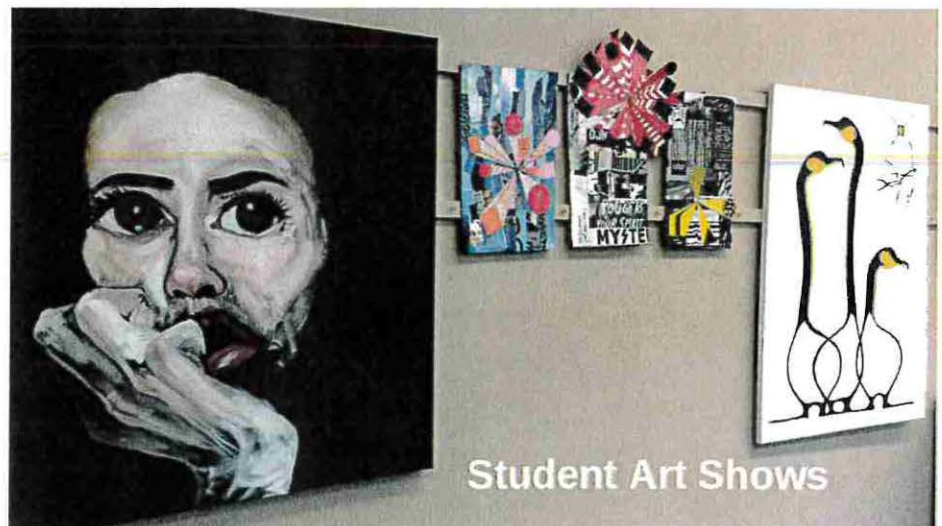


**How did you do?**

- Crafts & Art for All Ages
- Makerspaces & Board Games
- Culture Days
- Art Exhibits
- Ontario Public Library Week
- Patron Appreciation Day
- Book Clubs
- Community Development
- Print Services
- Reference Questions
- Readers' Advisory
- And more ...



**March Break Magic  
with Scoop McCoy**

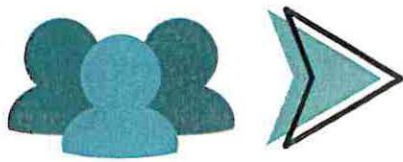


**Student Art Shows**



Open to the Public  
53 hours per week  
year-round  
Virtual Library  
24/7

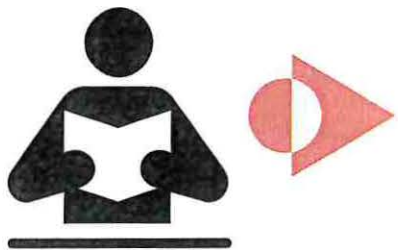
# 2018 BY THE NUMBERS



7,666  
Active  
Cardholders

644  
New User  
Registrations

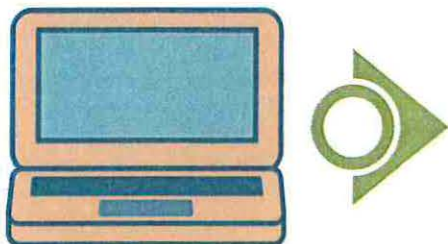
65,361  
Visits to the  
Library



54,276  
Print Books  
Borrowed

36,244  
eBooks, Audiobooks  
& Digital Magazines  
Borrowed

159,186  
Total Circulation  
including  
eResources



20,205  
Internet Workstation  
& Wireless Sessions

16,942  
Online Catalogue  
Visits



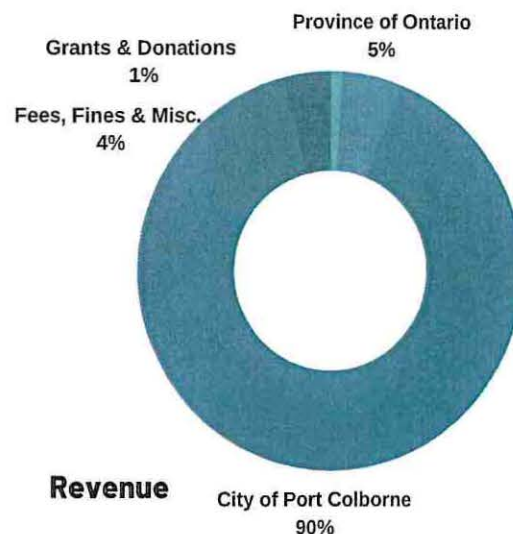
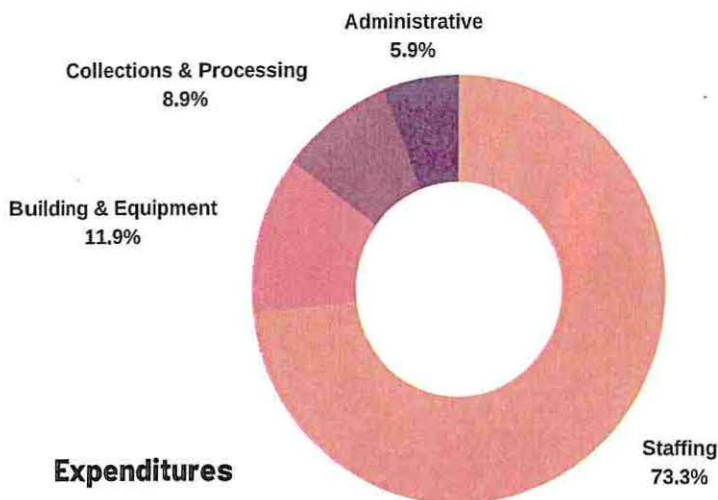
10,452  
Reference & Readers'  
Advisory Questions Answered



## 2018 Financials

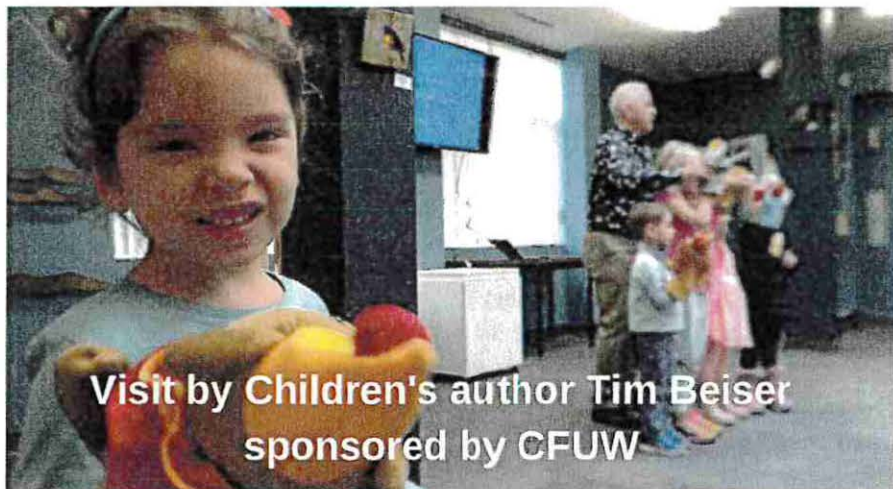


Did you know that every dollar invested in PCPL generates \$4.65 in local frontline economic impact that benefits the citizens of Port Colborne?





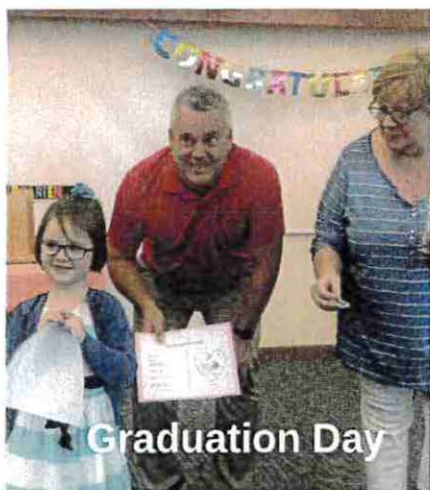
# 2018 IN PICTURES



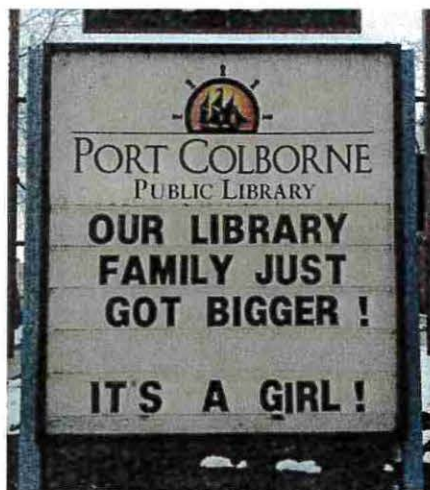
Visit by Children's author Tim Beiser sponsored by CFUW



Royal Wedding Fun



Graduation Day



Tot Time



Patron Appreciation Day



Vintage Blend Quartet



# WITH GRATITUDE

## Donors

John Feduck  
Vicki Fretz  
Stacey Hol  
Louise Lowes  
Cheryl MacMillan  
Paul J. Rubocki  
Carl Santoni  
Eva Schertzing  
Pamela & John Schott

## Sponsors

7-Eleven  
Avondale Food Stores  
CFUW, Welland & District  
Harvey's  
Humberstone Speedway  
McDonalds  
Port Colborne Lions Club  
Port Colborne Lioness Service Club  
Safari Niagara  
Sobeys Port Colborne  
Subway  
TD Bank Group

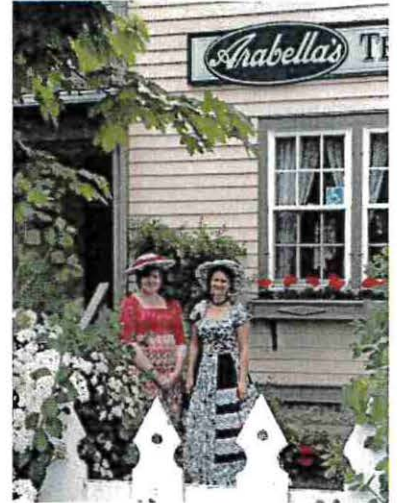
## Volunteers

Delorean Babcock-Hill  
Kayla Benner  
Valerie Catton  
Tara Kriyachanda  
Brian Laurin  
Cheryl MacMillan  
Robin Muileboom  
Bina Patel  
Andrew Roesch  
Claire Wilby

## Partners

City of Port Colborne  
Port Cares EarlyON Child & Family Centres  
Healthy Kids Community Challenge  
John Howard Society of Niagara  
District School Board of Niagara  
Library & Archives Canada  
Niagara Catholic District School Board  
Niagara Regional Police Service  
Port Colborne Fire & Emergency Services  
Port Colborne Historical & Marine Museum  
Southern Ontario Library Service  
Therapy Tails  
Vale Health and Wellness Centre  
Welland Public Library  
Youth Job Connection

## The Cultural Block



The Port Colborne Public Library is proud to partner with the Port Colborne Historical and Marine Museum as part of the Cultural Block, working together to enhance services and programs for the community that we both serve.

*The Port Colborne Public Library Board gratefully acknowledges the generous bequest from the estate of Doreen Mary Butler which helped make possible new shelving and furniture in the Adult Fiction Room.*



Groundbreaking Ceremony  
Port Colborne Lions Club Gazebo

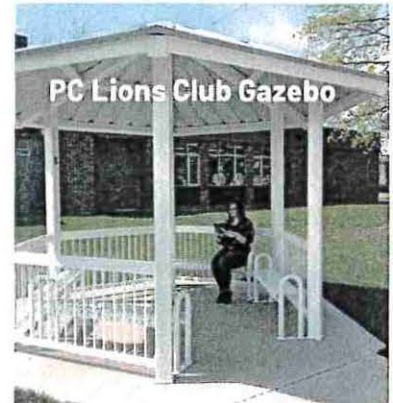
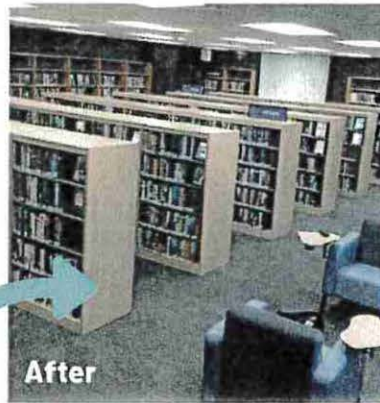


Thanks PC Lioness Club  
for helping fund this  
Play Tunnel!



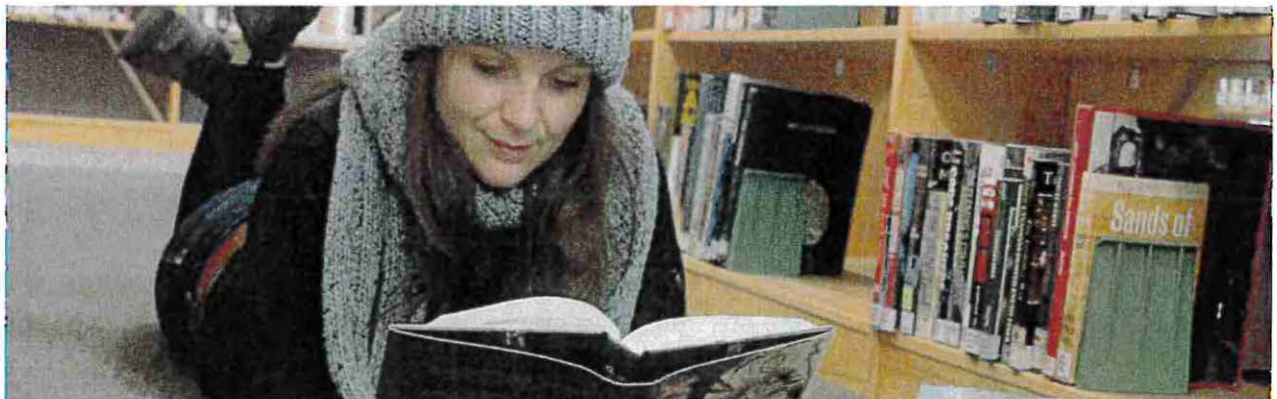
# 2018: A REMARKABLE YEAR

## Creating Accessible and Welcoming Spaces: Inside and Outside



# LOOKING FORWARD TO 2019

- ▶ Remove barriers by adding an accessible universal washroom on the main floor of the library
- ▶ Improve accessibility to the King Street entrance
- ▶ Implement a "Let's Talk About..." series to provide information to the public on important social issues
- ▶ Expand Makerspace resources and create a Green Screen Studio
- ▶ Set up a Teen Advisory Committee and expand services and programming for teen users



PORT COLBORNE  
PUBLIC LIBRARY

310 King Street  
Port Colborne, ON  
L3K 4H1

905-834-6512  
library@portcolborne.ca  
portcolbornelibrary.org





310 King Street  
Port Colborne, ON L3K 4H1  
905-834-6512

---

**Date:** May 17, 2019  
**SUBJECT:** Fees and Charges Summary

### 1. Membership

The *Public Libraries Act, R.S.O. 1990, c. P44* specifies that a Board may not charge for admission to the library. Section 1 of the Port Colborne Public Library Board's *Circulation Policy (OP-12, revised May 2018)* stipulates that: "No person shall be charged for admission to the library." This applies to residents, non-residents, and temporary residents.

### 2. Charge for Replacement Card

Section 2 of *Circulation Policy (OP-12)* stipulates that lost or damaged cards will be replaced for a fee. The charge for a replacement card is \$4.00.

### 3. Charges for Lost Items

Section 4 of *Circulation Policy (OP-12)* stipulates that: "The library will charge replacement costs for items which are overdue by 30 days or for items which are damaged or lost. The replacement cost will be assessed by the library and will include the purchase cost and processing cost of the item."

### 4. Overdues and Fines

The Board establishes fines as a deterrent to the late return of materials and approves all fines and loan periods. At the May 14, 2019 meeting, the Board approved revisions to the *Schedule of Fines and Loan Periods*, including the implementation of a Teen User Category and changes to children's fines. Library staff is currently implementing the changes. The following schedule of fines and loan periods will be effective July 1, 2019:



Material Type	Patron Type	Loan Period	Number of Renewals	Fine Per Item	Maximum Loans
Adult & Teen Books	Adult Teen	21 days	2	\$0.20 per day Maximum \$3.00	100 for Adults 25 for Teens
	Juvenile			No fines.	15 for Children
New Adult Fiction Books	Adult Teen	7 days 21 days	1 1	\$1.00 per day Maximum \$10.00	5
	Juvenile				
Children's Books	Adult Teen	21 days	2	\$0.20 per day Maximum \$3.00	100 for Adults 25 for Teens
	Juvenile			No fines.	15 for Children
Spoken Word Language Instruction	Adult Teen	21 days	1	\$0.20 per day Maximum \$3.00	5
	Juvenile			No fines.	
Magazines	Adult Teen	7 days	1	\$0.20 per day Maximum \$3.00	5
	Juvenile			No fines	
Spoken Word CDs Fiction Non-Fiction	Adult Teen	21 days	1	\$0.20 per day Maximum \$3.00	5
	Juvenile			No fines	
Adult Music CDs	Adult Teen	7 days	1	\$0.20 per day Maximum \$3.00	5
	Juvenile				
Children's CDs, Spoken Word, & Story Kits	Adult Teen	21 days	1	\$0.20 per day Maximum \$3.00	5
	Children			No fines	
DVDs Fiction	Adult Teen	2 days	1	\$1.00 per day Maximum \$10.00	5
	Juvenile				
DVDs Documentaries TV Shows	Adult Teen	7 days	1	\$1.00 per day Maximum \$10.00	5
	Juvenile				
Inter-Library Loans	Adult Teen	21 days	1 (when possible)	\$2.00 per day Maximum \$10.00	3
	Juvenile				
Board Games	Adult Teen	7 days	1	\$1.00 per day Maximum \$10.00	2
	Juvenile				
Video Games	Adult Teen	7 days	1	\$1.00 per day Maximum \$10.00	2
	Juvenile				

## 5. Programming Fees

Section 1 of the Port Colborne Public Library Board's *Programming Policy (OP-06, revised April 2018)* stipulates that: "Where program fees are charged, the fee will be set at a minimum to cover all expenses. In some circumstances, a modest net revenue for the library will be achieved."

All persons, groups, or organizations are required to comply with the City of Port Colborne's Policy regarding insurance requirements for its municipal facilities. Liability insurance is required for all programs/activities taking place on Library premises and must be purchased through the library prior to the date of the activity/event.

## 6. Meeting Room Rates

The Port Colborne Public Library Board's *Meeting Room Policy (OP-08, revised Sept. 2017)* specifies the following charges for use of the meeting room:

- Half Day (4 hours or less) for profit groups: \$25.00 + HST
- Half Day (4 hours or less) for not-for-profit groups: \$10.00 + HST
- Full Day (over 4 hours) for profit groups: \$45.00 + HST
- Full Day (over 4 hours) for not-for-profit groups: \$25.00 + HST

There is no charge for use of audiovisual equipment or for setup.

All persons, groups, or organizations are required to comply with the City of Port Colborne's Policy regarding insurance requirements for its municipal facilities. Liability insurance is required for all programs/activities taking place on Library premises and must be purchased through the library prior to the date of the activity/event.

## 7. King Street Sign

The Port Colborne Public Library Board's *King Street Sign Policy (OP-19, revised Sept. 2017)*, stipulates that the King Street Sign will not be used solely for commercial purposes. The policy sets out the following schedule of charges for use of the King Street sign:

- \$40.00 +HST / side / week: For Profit small businesses or groups promoting events in Port Colborne or at the Library
- \$25.00 + HST / side / week: Not-for-profit community groups and organizations
- No charge: City of Port Colborne Departments



## 8. Print Services

The Library Board approved the following charges for print services at the library:

- B&W print-outs or photocopies: \$0.25 per page
- Colour print-outs or photocopies: \$1.00 per page
- Faxing: \$1.00 per page

Copyright laws may apply.

### Related Documents:

- *Public Libraries Act, R.S.O. 1990, c. P44*
- *Circulation Policy (OP-12)*
- *Programming Policy (OP-06)*
- *Meeting Room Policy (OP-08)*
- *King Street Sign Policy (OP-19)*



PORT COLBORNE  
PUBLIC LIBRARY

310 King Street  
Port Colborne, ON L3K 4H1  
905-834-6512

**Date:** May 17, 2019  
**SUBJECT:** 2019 Events Highlights

The Port Colborne Public Library held 443 programs in 2018. Programs are designed for all users and include Tech Help, book clubs, film programs, information sessions, author visits, Pop-Up Library activities, Therapy Tails, Dungeons and Dragons, Music Makerspace, Seed Library, and many more programs designed for children, teens, and adults. The library hosts an art gallery which features local artists, artisans, plus student art shows from our local high schools. Board meeting dates and other significant events are listed below. Program dates and descriptions may be found in the Library's newsletter or on the website.

### 1. Board Meetings

The Port Colborne Public Library Board meets on the first Tuesday of the month at 6:15 p.m., except for July and August. Meetings are scheduled as follows:

- January 22, 2019 – Inaugural Meeting
- February 5, 2019
- March 5, 2019
- April 2, 2019
- May 7, 2019 – rescheduled to May 14, 2019
- June 4, 2019
- September 3, 2019
- October 1, 2019
- November 5, 2019
- December 3, 2019

### 2. "Let's Talk About..." Series

#### June 26, 2019

"Let's Talk About: Human Trafficking"

With presenters: Krystal Snider (Trainer-Intervention with Survivors of Human Trafficking, YWCA Niagara Region), Skylar Burbidge (Survivor), Amanda Sanders (Detective Constable, Niagara Regional Police Service), Wendy Sturgeon (Executive Director, Native Women Inc., Niagara Chapter)



**September 25, 2019**

“Let’s Talk About: Youth Suicide Awareness and Prevention”

With presenter: Laura Hotham, Professor, Niagara College

**November 27, 2019**

“Let’s Talk About: Support for Parents/Caregivers of Youth with Mental Health Issues and Addictions.”

Details TBD. In partnership with Bridges Community Health Care Centre

**3. June: Parks and Recreation Month**

Partnership with the Vale Health and Wellness Centre will begin in June 2019 to coincide with Parks and Recreation Month. This collaboration will include the creation of a dedicated library space at Vale complete with signage and promotional materials. The space will include a movable shelving unit that will be well-stocked with library materials for people to borrow. Books will not be barcoded or added to the library database. Programming will include pop-up library activities and story-time.

**4. Summer Programming**

The summer will feature the TD Summer Reading Club, Seed Library programs, crafts, art classes, activities, games, Makerspaces, story-time, Ready-Set-Kindergarten, Pop-Up activities, entertainers, and more. Free family entertainment will be sponsored by the PC Lions Club. Of special note is a children’s program being coordinated with the Town Crier to be part of Canal Days. The library will also partner with the Museum for summer programming. Dates and times will be announced in the summer flyer. The Pop-Up Library will visit the Farmers’ Market and Sherkston Shores.

**5. September: Construction of an Accessible Universal Washroom on the Main Floor of the Library**

Construction is set to begin in September. Programs will continue.

**6. October is Library Month**

Activities will include contests, programs, and the library’s annual Patron Appreciation Day. October also marks the start of visits to the library by local schools. The library is tentatively planning to hold a ceremony to celebrate the completion of the accessible washroom project during Ontario Public Libraries Week.

Report Number: 2019-75

Date: May 27, 2019

**SUBJECT: Information Report on the Roadside Grass Mowing for 2019**

**1) PURPOSE**

This report has been prepared by Chris Lee, Director of Engineering and Operations. The purpose of this report is to provide Council with details on the City's Roadside Grass Mowing program over the last few years and how that program has interacted with the "Butterfly Initiative" that Council endorsed in 2015.

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

Over the past 20 years, the City has been contracting out the task of cutting the grass along roadsides in the rural area and the same contractor has been undertaking that task for that entire time period. With Council approval of Report 2019-28, on March 11, 2019, that contractor and his services have been retained again for 2019.

The costs associated with this contract have always been one of the Engineering and Operations Department's annual maintenance budget items, specifically, Roadside Grass Mowing, G/L account 0-500-73410-3328. Under this annual budget allocation, yearly adjustments in the annual funding allocations have occurred, in an attempt to account for inflationary increases, but the actual costs for the work have over time exceeded those annual increases. As a result, the amount of grass cutting annually has decreased, specifically starting back in 2015, when the tendered prices obtained resulted in a necessary cutback in the amount of grass cutting being undertaken due to higher contract pricing.

The number of kilometres of roadside being cut has not changed over the years, just the frequency of the cuts undertaken annually. This reduction in cut frequency has been a direct result of budgetary funding limits.

Subsequently, over the last four (4) years, the municipality has been cutting the entire rural area roadsides twice annually during the growing season. We have also undertaken a mid-summer (before Canal Days Festival) targeted cut on a select few roadsides that are considered major travel/access routes for tourists, as they enter our City to attend the festival. Some of the arterial roads that lead to the festival core and listed below:

- Elm Street (north of Barrick)
- Killaly Street (East and West)
- Second Concession, (Wilhelm to Hwy. 140)
- Chippawa Road (Miller to Hwy. 140)
- Welland Street (Clarence to Bridge 19A)
- Brookfield Road
- Sherkston Road

**3) STAFF COMMENTS AND DISCUSSIONS**



With Council approving a "Butterfly Initiative" in 2015, following a request received from the Environmental Advisory Committee, certain roadsides were designated under the initiative as butterfly habitat zones and were subsequently signed as such. The direction was not only to establish these zones but also to establish set times during the year when roadside mowing was to occur, so as not to upset the natural activities of butterflies.

Under that Initiative, the following roads were included:

- Lorraine Road (south of Killaly)
- Weaver Road (south of Killaly)
- Pinecrest Road
- Cedar Bay Road

Following the recommendation of the Environmental Advisory Committee, since the spring of 2015, these roadsides have had their first season cut occur in mid May, before the requested June 1<sup>st</sup> deadline, and their final season cut occur after October 1<sup>st</sup>. This was done to ensure that the butterflies along these roadsides were not disturbed by any municipal mowing activities over the peak summer months.

It should be noted that over the last four seasons, all roadsides received only two (2) cuts, one in the spring and one in the fall. For efficiency purposes, staff would bring in our contractor to cut all roadsides before the June 1<sup>st</sup> date and then later in the fall near the end of September on all roadsides except those designated as part of the Butterfly Initiative; the cutting/mowing on those roadsides occurring after October 1<sup>st</sup>.

Following the last 4 years of monitoring the roadsides that were included within the Butterfly Initiative, a series of new requests have come forward to Council from the Environment Advisory Committee.

Specifically, the committee requested that the cutting times be altered, with the first cut in the spring occurring in June and the final cut in the fall, occurring in mid-September. The committee also requests that the targeted Canals Day Festival cut on the arterial roads be modified to only include:

- Elm Street (north of Barrick)
- Killaly Street East (from Lorraine Westerly)
- Killaly Street West
- Chippawa Road (Miller to Hwy. 140)
- Welland Street (Clarence to Bridge 19A)
- Brookfield Road
- Sherkston Road

In conclusion, the only changes in the roadside mowing contractor's work scheduling for 2019 when compared to the previous four (4) years, are as follows;

- the spring cut being delayed until later in the year (approximately a month later)
- the fall cut being moved to late summer (about a month sooner).

The number of annual cuts to the entire rural road network is not changing and the Canal Days Festival cut in mid summer will be slightly less, with Second Concession and Killaly East, east of Lorraine being dropped from that list.

**4) OPTIONS AND FINANCIAL CONSIDERATIONS**

These requested changes will have no effect on the existing budget and staff will simply ask the contractor to initiate the first cut later in spring, (mid-June) and undertake their final cut by late summer (mid-September).

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

N/A

**6) ATTACHMENTS**

None.

**7) RECOMMENDATION**


That Engineering and Operations Department, Engineering Division Report 2019-75 be received for information; and

That the request from the Environmental Advisory Committee to modify the roadside mowing and seasonal cut times to mid-June and mid-September, be approved; and

That the request from the Environmental Advisory Committee for Second Concession Road and Killaly Street East, east of Lorraine Road, to be eliminated from the mid summer Canal Days Festival cut, be approved.

**8) SIGNATURES**

Prepared on May 16, 2019 by:

  
Chris Lee  
Director of Engineering and Operations

Reviewed and respectfully submitted by:

  
C. Scott Luey  
Chief Administrative Officer



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Report Number: 2019-76

Date: May 27, 2019

**SUBJECT: Recommendation Report for Zoning By-law Amendment D14-05-18,  
85 and 91 Main Street West**

**1) PURPOSE:**

The purpose of the report is to provide Council with a recommendation regarding a proposed Zoning By-law Amendment initiated by Erika Spencer for the property legally known as Part of Lots 10 and 11 on Plan 1536/NP771, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 85 and 91 Main Street West.

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

The application for Zoning By-law Amendment proposes to change the zoning from Downtown Commercial to Mixed Use. The Zoning By-law Amendment is being sought to satisfy conditions from Committee of Adjustment files B16-18-PC and B17-18-PC.

On April 8, 2019 Planning staff presented Department of Planning and Development Public Meeting Report No. 2019-48 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 March 18, 2019. Public notice signs were posted on the property on or before March 19, 2019. A public notice was also posted on the City's website on March 18, 2019.

Staff hosted a public open house on April 1, 2019. The open house was attended by a number of residents and property owners from the Church Street area.

**PUBLIC COMMENTS**

At the time of writing this report, staff has received the following written comments from members of the public (attached in full as Appendix B):

Edd Scorpio, 42 Church Street

- Church Street is currently a quiet street with little traffic and a narrow width.
- Construction would limit access and generate noise and dirt.



- Proposed fourplex is too large and out of place for street.
- Proposed fourplex is too intense of a land-use for the street.
- Project is not suitable for area.

Darlene Moreau-Bowyer, 17 Church Street

- Does not want to live next to fourplex.
- Does not want parking lot at rear of house.
- Concerns about tenants, crime and drugs on property.
- Concerns about water and sewer lines accommodating development.
- Concerns about decreased property value.
- Project is not suitable for area.

**DIVISION/AGENCY COMMENTS**

At the time of writing this report, staff has received the following written comments from City divisions and external review agencies (attached in full as Appendix B):

Drainage Superintendent

- “There are no concerns on this property with respect to Municipal Drainage.”

Chief Building Official

- “I have looked at the arrangement of the buildings between 17 Church and 91 Main. The location of the garage on 17 Church would not be a consideration when reviewing the permit application for the new building on 91 Main. Understanding that the new building would have a minimum setback of 1.8 metres there is no reason to consider actual snow loading of the garage as result of the new building. Further, the effect of 'shadowing' on the existing garage would not be considered either. It is assumed that the existing garage is stable enough to support the loads it would be expected to endure. If there is reason to believe the existing garage is currently not stable then this could be investigated under a complaint via the Property Standards By-Law.”

Enbridge Gas Inc.

- “Enbridge Gas Inc. does not object to the proposed application(s).”

Regional Municipality of Niagara

- “Not opposed.”

**PLANNING DIVISION**

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne’s Official Plan designates the property as **Downtown Commercial**. Land uses in the Downtown Commercial designation include retail stores; professional and business offices; personal

service shops; restaurants; specialty shops, residential uses, subject to the appropriate density requirements and policies; community facilities; parks; institutional uses; public open space and on-road bicycle routes.

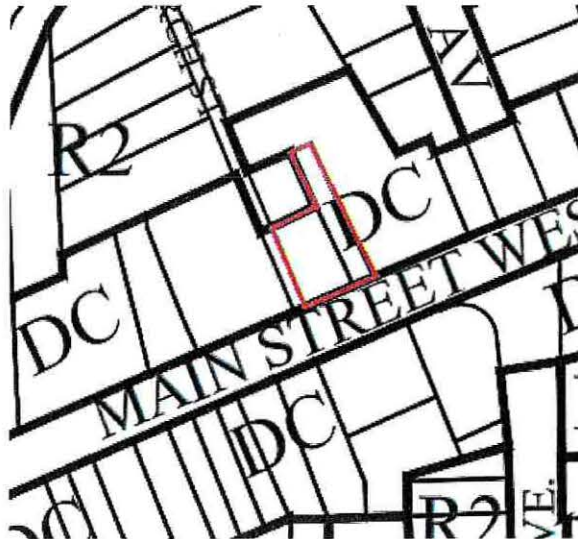
#### City of Port Colborne Zoning By-law 6575/30/18

The subject property is zoned **Downtown Commercial**. The Downtown Commercial zone permits animal care establishment; apartment building; apartment building, public; brew pub; day care; drive-thru facility; dwelling, accessory; existing motor vehicle gas station; existing motor vehicle repair garage; food vehicle; hotel; medical clinic; office; personal service business; place of assembly/banquet hall; place of worship; private club; public use; recreation facility; restaurant, fast food; restaurant, full-service; restaurant, take-out; retail store; service commercial; social service facility; studio; veterinary clinic; and uses, structures and buildings accessory thereto.

The application for Zoning By-law Amendment proposes to change the zoning to **Mixed Use**. The Mixed Use zone permits Animal Care Establishment; Apartment Building; Apartment Building, Public; Convenience Store; Community Garden; Day Care; Dwelling, Accessory; Dwelling, Duplex; Dwelling, Fourplex; Dwelling, Single; Dwelling, Semi-detached; Dwelling, Townhouse Street; Dwelling, Triplex; Food Vehicle; Long Term Care Facility; Office; Personal Service Business; Public Uses; Restaurant, Fast-Food; Restaurant, Full-Service; Restaurant, Take-Out; Service Commercial; Social Services Facility; Studio; and uses, structures and buildings accessory thereto.

Special provisions are also being sought for the Mixed Use zone to permit a fourplex to be constructed on this property notwithstanding that the lot frontage is 11 m whereas 18 m is required; that the proposed front yard setback is 1 m whereas 9 m is required; that the proposed rear yard setback is 4.5 m whereas 6 m is required; and that the proposed minimum landscaped area is 21% whereas 25% is required.

#### Adjacent Zoning and Land Use





## Comment and Discussion

Church Street has a number of unique attributes that must be taken into account when reviewing development applications for this area. The width of the municipal right of way varies from about 6.75 m at the widest to about 5.5 m at the narrowest. The travelled portion of the road is about 6.5 m at the southern end narrowing to 4.5 m just past 17 Church Street. The southern end of the street is part of the Old Humberstone Community Improvement Plan area, with properties designated Downtown Commercial in the City's Official Plan and zoned Downtown Commercial in the City's Zoning By-law. The remainder of the street is designated Urban Residential in the City's Official Plan and the properties are zoned Second Density Residential. The exception to the zoning is where 71 Main Street West has about 20 m of frontage on Church Street, which is zoned Downtown Commercial.

As a result, there is no defined development pattern at the southern end of the street. A municipal parking lot forms the northwest corner of Church Street and Main Street West and a commercial building is located on the north-east corner. The subject property is immediately to the north of the commercial building and is directly across the street from the municipal parking lot. It is also next to the single detached dwelling at 17 Church Street. The subject property is located in the Downtown Commercial Official Plan designation. It is important to keep in mind that with the current Official Plan designation and zoning, a 26 metre high apartment building could potentially be built on the subject property. Rezoning to permit a fourplex dwelling is a decrease in the maximum potential density permitted under current zoning, with this in mind, staff feels permitting the fourplex will provide an effective transition between commercial uses and low-density residential uses.

The proposed fourplex will provide parking for tenants at the rear of the property from a driveway accessed off of Main Street West. Therefore, the proposed development should not add traffic to Church Street. Visitors can park in municipal lots accessed off of Main Street West. While the proposed parking area at the rear of the lot is somewhat constrained by the size of the lot, the minimum parking requirements for the building have been met and four stalls sized larger than required in the zoning by-law have been provided. Since the parking area is has fewer than five spaces, no landscape buffer is required along property lines.

## Official Plan Policies

Section 3.6.3 of the City of Port Colborne Official Plan establishes design guidelines for development areas with the Downtown Commercial designation. While many of these policies apply to the specific design and appearance of the building, which is out-of-scope for a zoning by-law amendment application, there are several policies that support the proposed fourplex and its placement on the subject property.

### *3.6.3.1 General Appearance and Signage*

*a) Development will be consistent with the placement and character of the surrounding built form.*

The proposed front yard setback of 1 m matches the Church Street side yard setback of 91 Main Street West.

*b) The maximum height of buildings shall be six (6) storeys.*

The proposed fourplex will only be two storeys in height.

*f) Buildings should generally maintain the established building line for the front yard setback.*

The proposed front yard setback of 1 m matches the Church Street side yard setback of 91 Main Street West.

*g) All buildings shall front on and be oriented to the street.*

The proposed fourplex fronts on to Church Street.

#### *3.6.3.2 Parking, Access and Loading Areas*

*d) All parking areas shall be placed at the rear of buildings and accessed from side streets as to maintain a continuous building edge and a pedestrian-friendly street environment.*

The parking for the proposed fourplex is at the rear of the building, utilizing an existing driveway off of Main Street West by way of an easement.

#### *3.6.3.3 Residential Housing*

*a) Townhouses and multiple-unit housing without at-grade commercial uses should:*

*i) Have frontage on a local road;*

*ii) Be aligned parallel to the street from which the principal entrance shall be visible and accessible; and*

The proposed fourplex meets these guidelines.

#### Special Provisions

The applicant is seeking a number of special provisions to permit the proposed fourplex to be built at a preferred site on the property. The applicant requested a front yard setback of 1 m instead of the required 9m and a rear yard setback of 4.5 m instead of the required 6 m. The proposed minimum landscaped area request is for 21% instead of the required 25%. Staff is recommending an additional special provision be added for a southerly side yard setback of 0.6 m and a northerly side yard setback of 1.8 m. This meets the intent of the direction provided by Council at the April 8, 2019 Public Meeting. The original



motion called for a 2 m northern side yard setback and 1 m southern side yard setback, but this was based on inaccurate calculations of the proposed side yards. The provision staff recommends still provides an improved setback on the northern side yard and sufficient space to build and conduct maintenance on the south side.

### Development Agreement

As a condition of the zoning by-law amendment, staff recommends imposing a condition that the applicant enter into a development agreement with the City with the requirement for a closed board privacy fence to be constructed along the common property lines between the subject property and 17 Church Street. The fence is to be entirely on the subject property and built at the maximum height permitted under the City of Port Colborne's fence by-law. The development agreement will be registered on title to ensure compliance with any future property owner.

### Conclusion

Staff is confident that the proposed zoning by-law amendment changing the property from Downtown Commercial to Mixed Use with special provisions to permit a fourplex dwelling is consistent with the City's Official Plan in addition to Provincial and Regional plans. With special provisions to move the proposed fourplex away from its northern neighbour and construct a closed board privacy fence along the property boundary should serve to mitigate the impact of the building on the residential neighbour. The building fits in to the built environment at the southern end of Church Street and parking at the rear of the property should serve to see no increase in traffic on Church Street resulting from this development. Therefore, staff recommends approval of this zoning by-law.

#### **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 application.

Though not recommended, Council could decide to grant rezoning to the property from Downtown Commercial to Mixed Use without special provisions to allow the fourplex to be built. This would allow the applicant to satisfy a requirement of consent from the Committee of Adjustment application.

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 as Appendix A to Planning and Development Department, Planning Division Report 2019-76, rezoning the subject property from Downtown Commercial to MU-50, be approved.

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 May 17, 2019 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



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 of Lots 10 and 11 on Plan 1536/NP771, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 85 and 91 Main Street West

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

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

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

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A6" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Downtown Commercial to MU-50.
3. That Section 37 entitled SPECIAL EXCEPTIONS AND PROVISIONS of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

MU-50

Notwithstanding the provisions of the Mixed Use Zone, the following special regulations shall apply for a fourplex dwelling:

a) Minimum Lot Frontage	11m
b) Minimum Front Yard	1m
c) Minimum Rear Yard	4.5m
d) Minimum Northern Side Yard	1.8m
e) Minimum Southern Side Yard	0.6m
f) Minimum Landscaped Area	21%

Subject to a condition for a development agreement for a closed board privacy fence to be built at the maximum height permitted in the City of Port Colborne's fence by-law on the subject property's shared property lines with 17 Church Street.

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 \_\_\_\_\_, \_\_\_\_.

William C Steele  
Mayor

---

Amber LaPointe  
Clerk





**Proposed Zoning By-law Amendment, File: D14-05-18**

**Edd Scorpio :: Photographer** to: Evan Acs

Cc: ericbeauregard, angiedesmarais, barbara.butters, mayor

03/20/2019 12:29 PM

Evan,

Regarding the Proposed Zoning By-law Amendment, File: D14-05-18 to build a four-plex on Church St. We are also requesting written notice of any decisions regarding this item.

We are residents on Church St. - and for the most part it is a quiet, residential street with a few young families and a few elders looking for peace & quiet. This was a major reason for us moving to this neighbourhood.

With the exception of the few metres of 'newer' width at Main St., Church Street is essentially a laneway. We already have issues with non-residents (and at least one resident) driving down the street at greater speeds than necessary. Non-residents use it as a pass-through to get to Derek Point (having missed the poorly marked turn at Melanby).

The infrastructure here is somewhat older - and certainly not ready to handle a property with that many additional people and utilities. This level of demolition & construction would create an insurmountable problem for existing residents and the businesses at the corner - and likely for an extended period of time. Disruptions to access, utilities, excess noise & dirt...

If someone is looking for an investment, the existing home on the property could certainly be rented out to a SINGLE family, which would be less problematic.

The size of the building is an issue as well. A large, two storey, building of that sort would be vastly out of place on this small street...and certainly an impediment for the families living near it.

From a neighbourhood standpoint, we simply do not wish to have a building of that size on this street; adding that many people (and potential traffic) to a small, quiet neighbourhood. There is already a rental unit of some sort on Weir Rd. (directly behind our property) which has had issues with parking, garbage, loose dogs/cats, noise...and their trash/recycling bins constantly in the middle of the road because no one brings them in.

This is not the right neighbourhood for this project. There are other areas more suitable.

Respectfully,  
Edd Scorpio  
Seika Groves



**Proposed By-law Amendment 85 and 91 Main St. West**  
**Darlene Moreau-Bowyer** to: planner

04/01/2019 12:59 PM

Hello Evan

I am hoping I can make it to meeting tonight. I don't know if you wrote down all my concerns when we spoke on the phone the other day. I said I didn't want a fourplex to Be built next to my property on Church St. I don't want a parking lot near the back of my house. My husband lived in a house on Main St. Port Colborne in the 1970's where a car went right through their bedrooms. The plans shown is not large enough for a parking lot. The parking lot across the St. My fence has already been hit as well as my daughter's car in our driveway. A fourplex would mean 4 families living there. Possibly low income. This would likely bring a lot of crime to my area. My neighbour also said about the water pressure and sewer lines on the St. My daughter concerns of drugs and addictions in families living in multiple family home. More risk of Fire especially since the neighbouring business is Tires not to mention my resale value of my home would tremendously depreciate. I have grandchildren and other family members swimming in my pool and would like them to remain Safe from all I've mentioned. The original plans was for a single family house being built. My family has no problem with the building of a single family house like the property has already. I have lived on the Island all my life. I've lived on Church St. since February 1989. I've raised my children here. Church St. well as the rest of the Island has been a Nice and Quiet and Safe Area And My Family And I Would Like it to Remain This Way.

Thank You

Darlene Moreau-Bowyer

Sent from my iPhone





**Re: Notice of Public Meeting : Zoning By-law Amendment**   
**Alana Vander Veen** to: Evan Acs  
Cc: Brian Kostuk, Steve Shypowskyj

03/19/2019 11:35 AM

Hi Evan

There are no concerns on this property with respect to Municipal Drainage.

Thank you,

Alana Vander Veen  
Drainage Superintendent  
City of Port Colborne  
alanavanderveen@portcolborne.ca  
905-835-2900 x 291  
Fax # 905-835-2939

"Serving You to Create an Even Better Community"

**Working Smoke and Carbon Monoxide Alarms Save Lives**

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Evan Acs

Greetings, Attached is a notice of public meetin...

2019-03-18 04:52:18 PM

March 27, 2019

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

Dear Evan,

Re: Zoning By-Law Amendment  
Erika Spencer  
85 & 91 Main Street West  
Town of Port Colborne  
File No.: D14-05-18

Enbridge Gas Inc. does not object to the proposed application(s).

Enbridge Gas Inc. reserves the right to amend or remove development conditions.

Sincerely,



**Alice Coleman**

Municipal Planning Coordinator  
Long Range Distribution Planning

—  
**ENBRIDGE GAS INC.**

TEL: 416-495-5386

[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)

500 Consumers Rd, North York, ON, M2J 1P8

[enbridgegas.com](http://enbridgegas.com)

**Safety. Integrity. Respect**

AC/jh



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**VIA EMAIL ONLY**

March 28, 2019

File: D.18.07.ZA-19-036

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

Dear Mr. Acs:

**Re: Regional and Provincial Review Comments  
Proposed Zoning By-law Amendment  
City File No.: D14-05-18  
Address: 85 & 91 Main Street West  
City of Port Colborne**

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Regional Planning and Development Services staff has reviewed the information circulated for the above-noted Zoning By-law Amendment application, which proposes to rezone the subject lands from Downtown Commercial to Mixed Use, with special provisions to permit a fourplex with reduced lot frontage, front yard setback, rear yard setback and minimum landscape area. The Zoning By-law Amendment is being sought to satisfy a Committee of Adjustment condition for the consent of the subject lands (City File Nos.: B16-18-PC and B17-18-PC). A pre-consultation meeting was held at the City of Port Colborne on August 23, 2018 with the owner and staff from the City. The following Provincial and Regional comments are provided to assist the City in considering this application.

**Provincial and Regional Policies**

The subject lands are located within a Settlement Area under the Provincial Policy Statement (PPS), and within the Delineated Built-up Area under the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The PPS directs growth to settlement areas, and encourages the efficient use of land, resources, infrastructure, and public service facilities that are planned or available. The Growth Plan encourages intensification in Delineated Built-up Areas, and prioritizes planning and investment in infrastructure that will support intensification and the achievement of complete communities.

The property is located within the Urban Area Boundary for the City of Port Colborne and is designated as within the Built-up Area according to the Regional Official Plan (ROP). These areas are to be planned as compact, complete communities, which support

intensification and accommodate a range of land uses including residential (consisting of a range and mix of housing types and densities), commercial, institutional, employment and other land uses; all development within urban areas will be accommodated on full municipal services. The proposal, to accommodate a fourplex, aligns with the intent of Provincial and Regional policies for uses permitted and encouraged in settlement/urban areas.

### **Regional Development Charges Reduction Program**

The subject property is within the Designated Exemption Area for the City of Port Colborne as set out in Regional Development Charge By-law 2017-68. The proposed fourplex development *may* be eligible for a reduction of Regional Development Charges up to a maximum of 50%, subject to achieving the Smart Growth Design Criteria. The applicant is encouraged to review the Regional Development Charge By-law 2017-68, as amended. The By-law can be found at:

<https://www.niagararegion.ca/government/bylaws/pdf/2017/by-law-2017-68-regional-development-charges.pdf>; additional information on the Development Charges Reduction Program can be found at:

<https://www.niagararegion.ca/business/property/reductions.aspx>. Please note, however, that the Smart Growth Design Criteria may be amended or eliminated with future updates or reviews.

### **Waste Collection**

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

- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage container per unit.

### **Regional Road 3 (Main Street West)**

The owner of the property located at 91 Main Street West (Regional Road 3) should be aware that a daylighting triangle is required at the corner of Main Street West and Church Street. Regional staff notes that if future planning applications are received for the property (91 Main Street West), the Region may require that a daylighting triangle be granted to the Region in accordance with the ROP.

### **Conclusion**

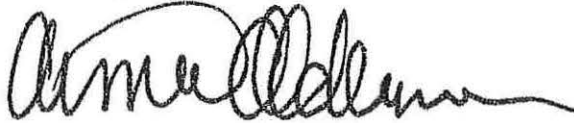
Regional Planning and Development Services staff is not opposed to the Zoning By-law Amendment application, subject to the satisfaction of any local requirements. If you have



any questions or wish to discuss these comments, please contact the undersigned at extension 3352, or Pat Busnello, MCIP, RPP, Manager of Development Planning, at extension 3379.

Please send a copy of the staff report and notice of the City's decision on this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aimee Alderman', with a long horizontal flourish extending to the right.

Aimee Alderman  
Development Planner

cc: Mr. R. Alguire, Development Approvals Technician, Niagara Region  
Ms. S. Dunsmore, P.Eng., Manager of Development Engineering, Niagara Region

**City of Port Colborne  
Special Council Meeting 09-19  
Minutes**

**Date:** April 8, 2019

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

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

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

**Staff Present:** T. Cartwright, Fire Chief  
A. Grigg, Director of Community and Economic Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering & Operations  
S. Luey, Chief Administrative Officer  
H. Mahon, Planning Technician/Clerk (minutes)  
C. McIntosh, Deputy Clerk  
P. Senese, Director of Corporate Services

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

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. National Anthem:**

Those in attendance stood for O Canada.

**3. Confirmation of Agenda:**

**No.** Moved by Councillor Wells  
Seconded by Councillor Bruno

That the agenda dated April 8, 2019 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 2019-48, Subject: Public Meeting Report for Zoning by-law Amendment D14-05-18, 85 and 91 Main Street West

(i) Purpose of Meeting:

Evan Acs advised that the purpose of this meeting, pursuant to Section 34 of the Planning Act, is to consider an application submitted by owner Erika Spencer for the property legally known as Part of Lots 10 and 11 on Plan 1536/NP771, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 85 and 91 Main Street West.

The application for Zoning By-law Amendment proposes to change the zoning from Downtown Commercial to Mixed Use. The Zoning By-law Amendment is being sought to satisfy conditions from Committee of Adjustment files B16-18-PC and B17-18-PC.

Mr. Acs also stressed the importance of gathering public input as comments received will be considered by staff prior to preparation of the recommendation report.

(ii) METHOD OF NOTICE

Mr. Acs advised that 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, along with all City departments and required agencies on March 18th 2019. A sign was posted on the property by March 19th 2019. Notice was also posted on the City's website on March 18th 2019.

The Planning and Development Department hosted a public open house for this application on April 1st 2019. Notice of the public open house was included on the notice of public meeting.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Acs explained that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2019-48, to hear

any comments from the applicant, to receive questions of clarification from Council to the applicant or Planning Staff, to open the meeting to the public for comments and questions, to announce the requirements under the Planning Act for written notice of passage of the proposed zoning by-law amendment, and to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF APPLICATION FOR ZONING BY-LAW AMENDMENT

At this time, Mr. Acs presented Planning and Development Public Hearing Report 2018-48. A Power Point presentation was also provided for further clarification.

Mr. Acs advised that the subject properties are located at 85 and 91 Main Street West. The property currently has a commercial building, a single detached dwelling, a former single detached dwelling that is now used for storage for the commercial business at 91 Main Street West and an accessory building. To the north, east, south and west is commercially zoned land with commercial and public uses. Also to the north and west is a single detached dwelling on residentially zoned land.

The City of Port Colborne's Official Plan designates the property Downtown Commercial. Land uses in the Downtown Commercial designation include retail stores; professional and business offices; personal service shops; restaurants; specialty shops, residential uses, subject to the appropriate density requirements and policies; community facilities; parks; institutional uses; public open space and on-road bicycle routes.

Mr. Acs advised that the subject property is currently zoned Downtown Commercial and provided a general outline of the uses permitted. He further advised that the application for Zoning By-law Amendment proposes to change the zoning on part of the properties to Mixed Use. He then provided a general outline of the uses permitted in this zone.

Mr. Acs further advised that for the purposes of this application the proposed zoning by-law amendment proposes to change the zoning from Downtown Commercial to Mixed Use with special provisions to permit a fourplex on this lot. Mr. Acs noted that the Zoning By-law Amendment is being sought to satisfy a condition of severance which has been approved by the Committee of Adjustment.

Mr. Acs made reference to the power point presentation to illustrate the proposed consent and zoning by-law amendment applications. He noted that the Zoning By-law Amendment for Mixed Use applies only to Part 2 and Part 4. Other Parts will remain Downtown Commercial. He also noted the special provisions sought to build a fourplex on the lot and that the Minimum side yard setbacks between neighbouring properties is being met.

Mr. Acs then made reference to the public comments and noted that comments in



full have been circulated to the Mayor, Councillors and Clerk. He then provided a summary of two submitted written comments from the neighbours:

Edd Scorpio a resident of Church Street objected to the proposal due to concerns regarding traffic, that construction would limit access and generate noise and dirt, the proposed fourplex is too large and out of place for the street. He believes the project is not suitable for the area.

Darlene Moreau-Bowyer, a resident on Church St., also objected to the proposal. She does not want to live next to a fourplex. She does not want a parking lot at the rear of the house. She has concerns about water and sewer lines accommodating development as well as decreased property value. She believes the project is not suitable for the area.

Mr Acs then provided an outline of written submitted agency comments. There were no concerns from the City's Drainage Superintendent, the Regional Municipality of Niagara, as well as Enbridge Gas Inc..

Mr. Acs also provided a summary with respect to some common questions from the public regarding the application. The plans submitted with initial application for consent to sever showed a single detached dwelling on the new lot. The applicant decided to change to a fourplex at the suggestion of staff to increase density. Mr. Acs noted that Mixed Use zoning permits a fourplex. Special provisions are required due to lot deficiencies. The lot does meet minimum area required for fourplex (125m<sup>2</sup> per unit). Parking will be at rear of property, accessed from Main Street West. No direct additional traffic on Church Street is anticipated. Only four parking spaces are required (one per unit). Two municipal lots in close proximity can accommodate visitor parking. Parking area may be undersized. Staff will consult with applicant before recommendation report. New privacy fence along property line with 17 Church Street can be a condition of zoning.

(v) COMMENTS OF APPLICANT

At this time, Mr. Acs invited the applicant to speak to Council. Erika Spencer owner of the property addressed Council. Ms. Spencer provided Council with some background information. She advised that both she and her partner are realtors and bought the property as an investment. Initially the proposal was to build a single family dwelling but due to overwhelming demand for rental units and after further consultation with staff they changed their plans to the fourplex. She advised that these will not be small units and that each of the 4 units will be more than 1000ft<sup>2</sup>. There will be rigorous screening for tenants. The building will not be an eyesore and there should not be traffic conflicts as access will be from Main Street and not Church St.

(vi) QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

At this time Mr. Acs asked if there were any questions of clarification to staff or the applicant.

Councillor Bagu questioned the number of bedrooms per unit. Evan Acs responded that there are 2 separate floors with each unit containing 2 or 3 bedrooms.

Councillor Wells questioned Evan Acs on some agricultural references in the Planning report. There was also some discussion regarding the adjacent Zoning and Land Uses. Mr. Acs apologized for the discrepancies and advised that he will provide the necessary changes in the recommendation report.

Councillor Wells questioned Chris Lee on the snow loading impact on the adjacent garage. Mr. Lee advised there could be potential issues. Discussion commenced and Councillor Beauregard questioned Evan Acs on whether the buffer between buildings could be increased as well as putting in a privacy fence. Mr. Acs responded that this could be done through Council's direction. Mr. Acs further noted that fencing and landscaping can be made a condition of the zoning application. Councillor Beauregard suggested that a motion be made as this was a concern that has been expressed by the neighbours.

**No.** Moved by Councillor Beauregard  
Seconded by Councillor Desmarais

That a privacy fence be installed and to shift the buffer to 2m on the north side and 1m on the south side.

CARRIED.

Councillor Wells also asked for a motion regarding the snow loading effect on the garage. Mr. Acs advised that the impact of snow loading is administered by the building code. Councillor Wells expressed concern about safety as the roof could collapse. He requested that Engineering staff look into this and bring it back to Council. Chris Lee agreed to follow through on this request.

Before opening the meeting to the public Mr. Acs read the following cautionary statements:

“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.”

And;

“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 further advised that for any interested members of the public, there is a sign-in sheet to request future notices regarding this application.

(vii) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

At this time, Mr. Acs invited any members of the public who wish to speak to the applications to do so.

Andy Bowyer of 17 Church St. addressed Council. Mr. Bowyer expressed concerns about the parking. Mr. Acs responded that the fourplex requires 4 parking spaces which can be accommodated at the rear. The commercial unit is separate from the fourplex. Councillors Beauregard and Bruno questioned the fencing and site plan requirements. Discussion commenced and Mr. Acs noted that the fourplex does not require site plan approval but still needs to meet the fence bylaw requirements. It was agreed for staff to meet with the residents regarding the site plan. Councillor Kalailieff questioned some of the proposed setbacks for the zoning bylaw amendment. Mr. Acs responded that this could be further considered through Council's direction.

(viii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF  
PASSAGE OF THE ZONING BY-LAW AMENDMENT

Mr. Acs advised that if anyone wishes “to be notified of the approval of the zoning by-law amendment they 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 this concludes the PUBLIC HEARING UNDER THE PLANNING ACT. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

**6. Adjournment:**

**No.** Moved by Councillor Wells  
Seconded by Councillor Bruno

That the Council meeting be adjourned at approximately 7:10 p.m.  
CARRIED.

\_\_\_\_\_  
William C. Steele  
Mayor

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

Minutes prepared by the Department of Planning and Development.

/hm



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Planning and Development Department  
Planning Division

Report Number: 2019-74

Date: May 27, 2019

**SUBJECT: Recommendation Report for a Proposed Temporary Use By-law (File No. D14-02-17) 1133 Forks Road**

**1) PURPOSE:**

The purpose of the report is to provide Council with a recommendation regarding a proposed Zoning By-law Amendment initiated by Jack Bernardi on behalf of Teresa Wiwchar and Hamad Samid for the lands legally known as Part of Lot 19, Concession 4, former Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 1133 Forks Road.

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

The proposed Zoning By-law Amendment will add a temporary use to the property to permit the operation of a private water ski club for a period of time not exceeding three years. A proposed site plan has been included as Appendix B to the report. The applicant has submitted studies in support of the application including a Planning Justification Report, Environmental Impact Study and an Environmental Noise Compatibility Study (Appendix D, E & F).

On June 26, 2017, Planning staff presented Department of Planning and Development Public Meeting Report No. 2017-105 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 mailed to property owners within 120 metres of the property and posted on the City's website on May 31, 2017. A public notice sign was posted on the property on or before June 6, 2017.

At the time of writing this report, staff has received no comments from the public.

Notice of Public Meeting was circulated to required commenting agencies and relevant City departments on June 6, 2017. As of the date of writing of this report, the following comments have been received (attached as Appendix B):

**Canada Post:** "No comments."

**Engineering & Operations:**

- Due to the alleged increase in traffic entering and exiting the property with the water ski school, we have concerns with the entrance location on the northwest



corner of the property. Based on the location of the entrance for the property, we are recommending that the City install a Hidden Entrance sign on the east side of the property for vehicles travelling westbound.

- We also recommend that By-law establish a No Parking area on both sides of Forkes Road on each side of the property entrance for the length of the required sightlines from the entrance.
- We would recommend that the temporary use by-law not be permitted until the above items are completed.

**Enbridge Gas Distribution:** “No objection.”

**Ministry of Transportation:**

- Please note that this site is located within the ministry’s permit control area and therefore an MTO Building and Land Use Permit for site grading is required prior to the start of any construction activities on the site.
- As part of the review and approval process the applicant will be required to submit 3 copies of a detailed site plan, and site lighting plan if any lighting is proposed. A Photometric Lighting Plan (in LUX units) is required which illustrates any proposed lighting and any light spillage on the Highway 140 ROW.
- Also, a grading plan will be required to ensure that discharge from the site does not impact the Hwy drainage system. Note that the drainage submission must also be provided in a digital format (CD, DVD or storage device).
- In addition MTO requires a Brief/Letter from the Traffic consultant to describe the general criteria of the anticipated traffic.
- All plans must be stamped and signed and circulated to the MTO through municipal site plan application process for a formal review and comments.
- MTO Sign Permits are required for any new signs visible from Highway 140.

**Regional Municipality of Niagara:** “No Objection”

**Niagara Peninsula Conservation Authority:** “No Objection”

**Planning Division Review**

City of Port Colborne Official Plan

Schedule “A”: City Wide Land Use to the City of Port Colborne Official Plan designates the property as **Agricultural, Environmental Protection Area and Environmental Conservation Area**. 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. The predominant uses for lands designated Environmental Protection Area shall include forest, fish and wildlife management; small-scale passive recreational uses and accessory uses such as: trails, boardwalks, footbridges, fences, docks and picnic facilities

that will not negatively impact on the natural features or ecological function of the areas; and conservation and flood erosion control projects where it has been demonstrated that they are necessary in the public interest and no other alternatives are available. The predominant uses for lands designated Environmental Conservation Area shall include existing uses, conservation uses, flood and erosion control, fish, forestry and wildlife management, as well as passive recreational activities.

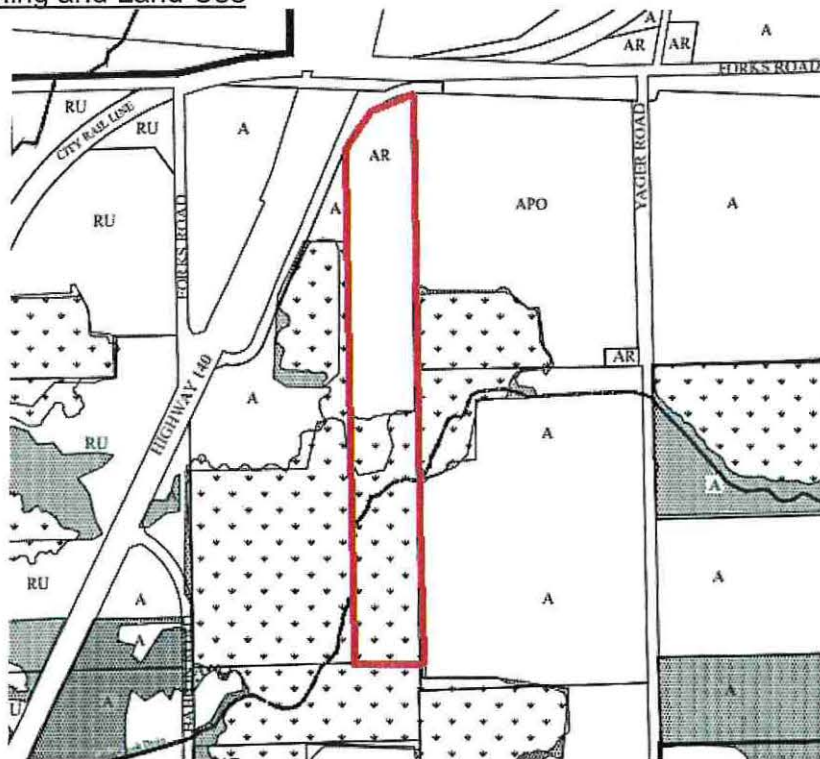
The property is also identified as Provincially Significant Wetlands and Stream on Schedule B1: Environmental Protection Area and as Significant Woodlot, Environmental Corridor and Fish Habitat on Schedule B2: Environmental Conservation Area.

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

The northern half of the subject property is zoned **Agricultural Residential (AR)**. The AR zone permits one single-detached dwelling on one lot, uses structures and buildings accessory thereto. The southern half of the subject property is zoned **Environmental Protection (EP)**. Uses in the EP zone include a boat house; boat ramp; conservation uses; dock; existing agricultural uses; excluding buildings and structures; flood and erosion protection works; forestry uses; passive recreation uses; and public uses.

The application for Zoning By-law Amendment proposes to add a temporary use to the property to permit the operation of a private water ski club for a period of time not exceeding three years. The private water ski club will operate in the area of the property with the AR zoning.

#### Adjacent Zoning and Land Use





## Comment and Discussion

This recommendation report is coming forward almost two years after the public hearing due to revisions to the Environmental Impact Study and extended review timelines by the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority. The comments from both the Region and the NPCA stating “no objection” to the temporary use by-law, staff is comfortable in bringing a recommendation forward.

Comments from Council and members of the public at the June 2017 public meeting show that the primary concern is the noise that will be generated by the boat motor and people attending waterskiing events. Staff have confirmed with by-law enforcement that since the waterskiing facility was established in 2016 there have been no complaints received regarding noise (or anything else related to this property). Therefore, staff is inclined to accept the findings of the Environmental Noise Compatibility Study. No additional mitigating measures are required to dampen noise generated at the site. The City’s noise by-law can be used to enforce any violations during the operation of the water ski club.

Another common concern from the public meeting was the potential for a “party atmosphere” at the site. The temporary use by-law will include language preventing the preparation of food products and the sale of alcohol on site which staff believes should limit the potential for social events on the site. Again, the City’s noise by-law can be used to enforce any unruly social gatherings that are concerning neighbours.

## Official Plan Policies

Section 11.4.1 of the City of Port Colborne Official Plan establishes policies to be followed for temporary use by-laws. The policies have been weighed against this application and the following are the results.

*a) Temporary Use By-laws may be enacted to allow the short-term use of lands, buildings or structures that may not be in conformity with the Zoning By-law.*

This policy is met by this application.

*b) Where appropriate, temporary uses will be subject to the Site Plan Control provisions of the Official Plan.*

A site plan control agreement is not recommended for this site due to its location, the seasonal nature of the proposed temporary use and the absence of any permanent buildings or structures. Staff do recommend an agreement that will establish the terms of the temporary use by-law.

*c) The Temporary Use By-law shall:*

- i) Describe the specific area affected;*
- ii) Identify the period of time for which the use is authorized up to a three (3) year maximum;*
- iii) One (1) additional three (3) year extension may be granted for a temporary use;*
- iv) Identify the regulations to control the temporary use.*

This policy is met by this application. Should this temporary use by-law be granted, at the expiry of the three year period, the applicant will be able to request an extension of up to three years through a new application to Council.

- d) *The following shall not be permitted by a Temporary Use By-law:*
- i) *Prohibited, noxious or obnoxious uses as described in the Official Plan and Zoning By-law;*
  - ii) *Regulations on the use that are less restrictive than those stated in the Official Plan and Zoning By-law;*
  - iii) *Camping, trailer parks or mobile home parks for periods longer than a two week duration;*
  - iv) *A use requiring a permanent foundation, water/wastewater services, paved parking lot, extensive landscaping, site preparation or fencing;*
  - v) *A use requiring the creation of a new lot or easement to accommodate it;*
  - vi) *A use detrimental or incompatible to the surrounding area; or*
  - vii) *A use that would impede or compromise the future planned use of the lands as established by the Official Plan and Zoning By-law.*

This policy is met by this application.

- e) *Upon the expiration of the By-law, the use shall cease to exist and will not be considered an existing or permitted use.*

This policy will be applied at the expiry of the temporary use by-law.

- f) *The existence of a temporary use will not be considered as part of the justification for the lawful permanent establishment of a nearby similar use through an Official Plan Amendment and/or Zoning By-law Amendment.*

This policy will be applied at the expiry of the temporary use by-law.

#### Temporary Use By-law Conditions

Should the proposed temporary use by-law be approved by Council, staff is recommending an agreement be required between the applicant and the City which will set conditions on which the water ski club can operate. This agreement will be required before the temporary use by-law will take effect. The conditions in the agreement have been established to assuage concerns from neighbours about the impact the water ski club will have on neighbouring property owners. The proposed conditions are included in the draft by-law, and are as follows:

- a) *No preparation of food for sale on site;*
- b) *No alcohol products shall be sold on site;*
- c) *A maximum of twenty participants and twenty spectators on site at any time;*
- d) *Seasonal operation from May 1 to September 30;*
- e) *Hours of operation shall be limited to 10:00 a.m. till dusk, seven days per week;*
- f) *Special events shall be limited to three per year;*
- g) *No music associated with the Water Ski Club;*
- h) *One skier at a time on the pond in accordance with the Conclusions and*



*Recommendations of the Novus Environmental Noise Compatibility Study, dated May 1, 2017.*

- i) The erection of permanent buildings or structure or installation of asphalt parking areas shall not be permitted on the lands identified on Schedule "A".*
- j) That the mitigation measures outlined in the Environmental Impact Study prepared by Sullivan Plan dated December 2016 be implemented;*
- k) That a permanent exemption be granted by City Council, in accordance with Section 8(2) of the Noise By-law. If a permanent exemption is not provided, then temporary exemptions will be sought for each of the special events, in accordance with Section 8(1) of the By-law; and*
- l) Securities in the amount of Five Thousand Dollars (\$5,000.00) shall be deposited with the City to ensure reinstatement of the Lands to the satisfaction of the City.*

### Conclusion

Staff is confident that the agreement and conditions required by the temporary use by-law will limit the potential impacts of the proposed water ski club on neighbouring properties. The City's noise by-law and enforcement from the Ministry of the Environment serve as backstops to ensure noise emitted from the water ski club does not cause undue hardship to neighbouring properties.

With no objections received from the Region and NPCA, staff recommend approval of the temporary use by-law to operate a private water ski club at 1133 Forkes Road for a period of three years.

#### **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 application.

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 Temporary Use By-law, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-74, permitting a private water ski club to be established for a period of three years subject to conditions, be approved; and

That the Mayor and Clerk be authorised to sign an agreement with the property owner enacting the conditions established in the temporary use by-law; and

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 May 17, 2019 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



The Corporation of the City of Port Colborne

By-law no. \_\_\_\_\_

Being a temporary use by-law respecting lands legally known as Part Lot 19, Concession 4; Former Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 1133 Forks road.

Whereas By-law 6575/30/18, as amended, 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 to permit the temporary use of certain lands for the purposes of a private water ski club in accordance with the provisions of Sections 39 and 34 of the Planning Act R.S.O. 1990.

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

1. That notwithstanding anything contained in Zoning By-law 6575/30/18, as amended to the contrary, a private water ski club shall be permitted as a temporary use on the lands described on Schedule "A", attached to and forming part of this By-law.
2. That the Temporary Use By-law shall come into effect on May 27, 2019, and cease to be in effect on May 27, 2022 provided first that an Agreement in the nature of a Temporary Use Agreement shall be executed by the Owners and any encumbrancers of the lands and the City of Port Colborne which Agreement shall include, but not be limited to the following provisions:
  - a) No preparation of food for sale on site;
  - b) No alcohol products shall be sold on site;
  - c) A maximum of twenty participants and twenty spectators on site at any time;
  - d) Seasonal operation from May 1 to September 30;
  - e) Hours of operation shall be limited to 10:00 a.m. till dusk, seven days per week;
  - f) Special events shall be limited to three per year;
  - g) No music associated with the Water Ski Club;
  - h) One skier at a time on the pond in accordance with the Conclusions and Recommendations of the Novus Environmental Noise Compatibility Study, dated May 1, 2017.
  - i) The erection of permanent buildings or structure or installation of asphalt parking areas shall not be permitted on the lands identified on Schedule "A".
  - j) That the mitigation measures outlined in the Environmental Impact Study prepared by Sullivan Plan dated December 2016 be implemented;
  - k) That a permanent exemption be granted by City Council, in accordance with Section 8(2) of the Noise By-law. If a permanent exemption is not provided, then temporary exemptions will be sought for each of the special events, in accordance with Section 8(1) of the By-law; and
  - l) Securities in the amount of Five Thousand Dollars (\$5,000.00) shall be deposited with the City to ensure reinstatement of the Lands to the satisfaction of the City.
3. That all other applicable provisions of By-law 6575/30/18, as amended from time to time not mentioned in this By-law, shall continue to apply to the Lands.
4. That this By-law shall come into force and take effect pursuant to Sections 34(21), 34(30) and 34(31) of the Planning Act, R.S.O., 1990, chapter P.13 as amended.
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 \_\_\_\_\_, \_\_\_\_.

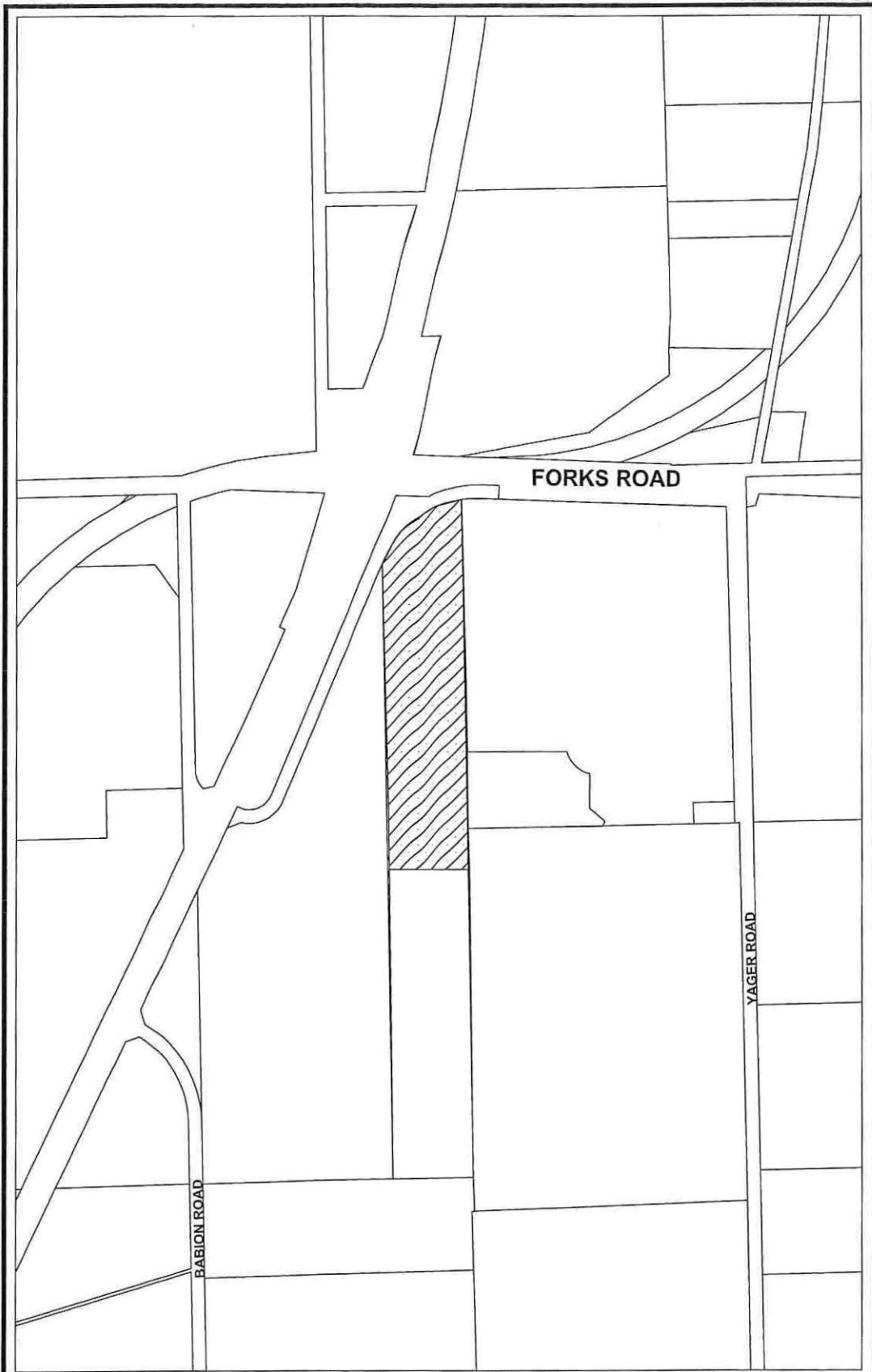
---



William C Steele  
Mayor

---

Amber LaPointe  
Clerk





THIS IS SCHEDULE "A" TO BY-LAW NO. _____ PASSED THE _____,  _____ MAYOR  _____ CLERK		 LANDS TO BE USED FOR TEMPORARY USE OF A PRIVATE WATER SKI CLUB
	JULY 2017	FILE NO. D14-02-17
SCALE: NTS	DRAWN BY PLANNING & DEVELOPMENT DEPARTMENT	



Site Plan Comments

Read Receipts

Zoning Check

Regional Comments - Proposed Temporary Use By-law - Private Water Ski Club (1133 Forks Road, Port Colborne) - Town File D14-02-17 (Regional File ZA-17-066)

Wilson, Richard

to:

planner@portcolborne.ca

10/21/2018 10:34 PM

Cc:

"jbernardi3@cogeco.ca", "Alderman, Aimee", "Whittard, Jennifer", "Development Planning Applications"

Hide Details

From: "Wilson, Richard" <Richard.Wilson@niagararegion.ca>

To: "planner@portcolborne.ca" <planner@portcolborne.ca>

Cc: "jbernardi3@cogeco.ca" <jbernardi3@cogeco.ca>, "Alderman, Aimee"

<Aimee.Alderman@niagararegion.ca>, "Whittard, Jennifer"

<Jennifer.Whittard@niagararegion.ca>, "Development Planning Applications"

<devtplanningapplications@niagararegion.ca>

Hi Evan:

This is a follow-up to our several telephone discussions on this file.

Regional Development Services staff has reviewed the information circulated for the application including the Planning Report (Revised) prepared by Jack Bernardi (May 5, 2017). The application proposes to add a temporary use to permit the operation of a private water ski club on the north portion of the subject property for a period of time not exceeding three years.

The City's Official Plan designates the north section of the property Agricultural and the south part of the site EPA. The City's Zoning By-law indicates the north area of the property is zoned AR (Agricultural Residential) permitting only a detached dwelling and accessory structures while the south area of the land is zoned Environmental Protection. The Provincial Policy Statement designates the land as within a "prime agricultural area". The subject land is outside of the Urban Area Boundary and designated Good General Agriculture Area in the Regional Official Plan.

The north portion of the subject land contains a large pond and existing boat docks/launch and accessory structures. Based on the submitted information and air photo review, the original pond was established at the time Highway 140 was constructed (over 40 years ago). In June 2014, the applicant received approval from the City for topsoil removal on the site to permit the expansion of the existing pond further north on the property - this work was completed and the pond has been enlarged.

The Planning Act allows for temporary uses to be approved by a Council through by-law for any purpose that is otherwise prohibited in the zoning by-law. Regional staff notes that Section 11.1.4 of the City's Official Plan contains detailed policies respecting temporary uses. The Official Plan provides guidance as to the appropriateness of potential temporary uses. The policies include criteria indicating that temporary uses shall not be permitted: if the use requires a permanent foundation, water/wastewater services, paved parking lot, extensive landscaping, site preparation or fencing; if the use is detrimental or incompatible to the

surrounding area; or if the use would impede or compromise the future planned use of the lands as established by the Official Plan and Zoning By-law.

Regional Private Sewage System Inspection staff indicate there are no permanent structures (other than storage sheds) and no municipal or private services on the property. The application does not propose any building construction and portable washrooms are to be used on a temporary/seasonal basis. Therefore, a Class 4 private sewage system is not required.

The application materials also include an "Environmental Noise Compatibility Study" (Novus Environmental Inc., May 1, 2017). The conclusions/recommendations state that the proposed noise from the facility would be below the applicable Provincial Guideline limits and no mitigation is required. Further, to allow the operation of a public address system, the consultant states that an exemption to the City's noise by-law would be required.

The Region's Core Natural Heritage mapping designates the south portion of the property and surrounding area as Environmental Conservation Area (ECA) Significant Woodlands and these features are part of a Provincially Significant Wetland. The majority of the property is also within the Provincial Natural Heritage System designation as indicated in the Growth Plan for the Greater Golden Horseshoe (2017). The agent submitted an Environmental Impact Statement (SullivanPLAN, December 2016) in accordance with Regional policies at the initial application stage to evaluate potential impacts of the temporary use on the environmental features. The consultant has recently provided more environmental information to the Region for review. Regional Environmental Planning staff will submit additional comments to the City when the environmental review is completed.

Regional Development Services staff has no objection at this time to the proposed Temporary Use By-law for the requested three-year period, subject to further Regional comments respecting Natural Heritage policies, the comments of the Niagara Peninsula Conservation Authority and the satisfaction of any City requirements.

Please contact Regional Development Services staff if you have any questions and for follow-up on the submission of environmental comments.

**Richard Wilson, MCIP, RPP**

Senior Development Planner

Planning and Development Services Department

Niagara Region

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

905-685-4225 Ext. 3391 / Toll-Free 1-800-263-7215 / Fax: 905-687-8056

[www.niagararegion.ca](http://www.niagararegion.ca)

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## Site Plan Comments

Read Receipts

Zoning Check

RE: Regional Comments - Proposed Temporary Use By-law - Private Water Ski Club (1133 Forks Road, Port Colborne) - Town File D14-02-17 (Regional File ZA-17-066)

Whittard, Jennifer

to:

planner@portcolborne.ca

12/21/2018 08:40 AM

Cc:

"jbernardi3@cogeco.ca", "Alderman, Aimee"

Hide Details

From: "Whittard, Jennifer" <Jennifer.Whittard@niagararegion.ca>

To: "planner@portcolborne.ca" <planner@portcolborne.ca>

Cc: "jbernardi3@cogeco.ca" <jbernardi3@cogeco.ca>, "Alderman, Aimee" <Aimee.Alderman@niagararegion.ca>

Hi Evan,

Further to Niagara Region comments provided in the e-mail trail below, the Environmental Impact Study (EIS) Addendum (dated January 2018) prepared by SullivanPLAN for the above-noted property was reviewed along with associated NPCA background files to verify that the EIS findings, proposed mitigation measures, and recommendations are sufficient to satisfy Provincial and Regional environmental policy. In summary, Regional Environmental Planning staff are not opposed to the temporary zoning proposal, subject to implementation of the mitigation measures outlined in Sections 4 and 5 of the EIS Addendum. Further details are provided below.

### Core Natural Heritage System

Regional Core Natural Heritage System (NHS) mapping identifies the following features on and adjacent to the site:

- Environmental Protection Area (EPA) associated with the Babion Woods Provincially Significant Wetland (PSW) complex;
- Environmental Conservation Area (ECA) associated with Significant Woodlands, which generally correspond with the PSW boundary; and
- Important (Type 2) Fish Habitat associated with the watercourse traversing the southern half of the property within the PSW.

In addition, a large portion of the property has been mapped as part of the new Provincial NHS as per the Growth Plan for the Greater Golden Horseshoe (2017). With the exception of EPA/PSWs and other key natural heritage or hydrologic features within the Provincial NHS, Provincial and Regional policies generally permit development within or adjacent to these features if it has been demonstrated that there will be no negative impacts on the features or their ecological functions.

The Growth Plan permits compatible recreational uses within the Provincial NHS, subject to the policies in Section 4. Regarding lands adjacent to key natural heritage features (i.e., the PSW), Section 4.2.4 requires that a minimum 30 m "vegetation protection zone" (VPZ), and any additional

restrictions/mitigation measures, be identified to protect the ecological function(s) of the adjacent feature. In this case, development is not proposed within 30 m of the PSW, and mitigation and monitoring measures are recommended in the EIS Addendum to address any potential wave impacts on the adjacent PSW. Therefore, staff are satisfied that Provincial natural heritage policies will be adequately addressed as part of the three year Monitoring Plan to be coordinated with NPCA.

Similarly, by way of protecting the PSW, staff are satisfied that the Significant Woodlands and Fish Habitat will also be protected. However, staff note that neither the EIS nor the EIS Addendum adequately addresses the potential for Species At Risk (SAR). This issue was also previously identified by NPCA staff in their request for outstanding information. Nonetheless, as per subsequent e-mail correspondence, NPCA stated that the information previously requested would not be required as per the outcome of their meeting with the applicant's consultants. Given that Regional Environmental Planning staff were not involved in these previous discussions, staff recommend that the applicant satisfy themselves of any requirements under the *Endangered Species Act* through consultation with the Ministry of Natural Resources and Forestry (MNRF) or other applicable agency.

Staff note that the NPCA continues to be responsible for review and comment on planning applications relative to regulated features. As such, if NPCA comments with respect to the adjacent PSW differ from those above, NPCA comments should take precedence.

Please do not hesitate to contact me if you have any questions or require additional information.

Thanks,

Jen

**Jennifer Whittard, B.E.S., PMP**  
 Manager, Environmental Planning  
 Planning and Development Services, Niagara Region  
 Phone: 905-980-6000 ext. 3430 Toll-free: 1-800-263-7215

[www.niagararegion.ca](http://www.niagararegion.ca)

---

**From:** Wilson, Richard <Richard.Wilson@niagararegion.ca>  
**Sent:** Sunday, October 21, 2018 10:34 PM  
**To:** planner@portcolborne.ca  
**Cc:** 'jbernardi3@cogeco.ca' <jbernardi3@cogeco.ca>; Alderman, Aimee <Aimee.Alderman@niagararegion.ca>; Whittard, Jennifer <Jennifer.Whittard@niagararegion.ca>; Development Planning Applications <devtplanningapplications@niagararegion.ca>  
**Subject:** Regional Comments - Proposed Temporary Use By-law - Private Water Ski Club (1133 Forks Road, Port Colborne) - Town File D14-02-17 (Regional File ZA-17-066)

Hi Evan:

This is a follow-up to our several telephone discussions on this file.

Regional Development Services staff has reviewed the information circulated for the application including the Planning Report (Revised) prepared by Jack Bernardi (May 5, 2017). The application proposes to add a temporary use to permit the operation of a private water ski club on the north portion of the subject property for a period of time not exceeding three years.

The City's Official Plan designates the north section of the property Agricultural and the south part of the site EPA. The City's Zoning By-law indicates the north area of the property is zoned AR (Agricultural Residential) permitting only a detached dwelling and accessory structures while the south area of the land is zoned Environmental Protection. The Provincial Policy Statement designates the land as within a "prime agricultural area". The subject land is outside of the Urban Area Boundary and designated Good General Agriculture Area in the Regional Official Plan.

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Regional Development Services staff has no objection at this time to the proposed Temporary Use By-law for the requested three-year period, subject to further Regional comments respecting Natural Heritage policies, the comments of the Niagara Peninsula Conservation Authority and the satisfaction of any City requirements.

Please contact Regional Development Services staff if you have any questions and for follow-up on the submission of environmental comments.

**Richard Wilson, MCIP, RPP**

Senior Development Planner

Planning and Development Services Department

Niagara Region

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

905-685-4225 Ext. 3391 / Toll-Free 1-800-263-7215 / Fax: 905-687-8056

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Site Plan Comments  
 Zoning Check  
 Read Receipts  
 1133 Forkes Road - Waterski Temporary Use ZBA  
 Cara Lampman

to:

evanacs@portcolborne.ca

04/03/2019 01:09 PM

Cc:

"Teresa Samad", "Lisa Price"

Hide Details

From: "Cara Lampman" <clampman@npca.ca>

To: "evanacs@portcolborne.ca" <evanacs@portcolborne.ca>

Cc: "Teresa Samad" <teresasamad@gmail.com>, "Lisa Price" <lprice@npca.ca>

Hi Evan,

The NPCA has no objection to the proposed Temporary Use Zoning Bylaw Amendment at the subject parcel. The NPCA will require the issuance of an NPCA Work Permit prior to the continued use of the pond as a water-ski site.

I trust this information to be satisfactory, do not hesitate to contact me with any questions or concerns.

**Cara Lampman**

**Watershed Planner**

Niagara Peninsula Conservation Authority (NPCA)

250 Thorold Road West, 3<sup>rd</sup> Floor | Welland, ON L3C 3W2

Tel: 905-788-3135 | extension 272

[clampman@npca.ca](mailto:clampman@npca.ca)

[www.npca.ca](http://www.npca.ca)

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FW: Application for Temporary Use By-law 1133 Forks Road, Port Colborne  
Polus, Asia (MTO)

to:  
planner@portcolborne.ca  
06/02/2017 11:18 AM

Cc:  
"Boucetta, Alexandra (MTO)"

Hide Details

From: "Polus, Asia (MTO)" <Asia.Polus@ontario.ca>

To: "planner@portcolborne.ca" <planner@portcolborne.ca>

Cc: "Boucetta, Alexandra (MTO)" <Alexandra.Boucetta@ontario.ca>

History: This message has been forwarded.

## 2 Attachments



Notice of Public Mtg June 26 2017.pdf FINAL PRELIMINARY SITE PLAN.pdf

## RE: Notice of Public Meeting Proposed Temporary Use By-Law – D14-02-17 1133 Forks Road Con 4, Lot 19

Hi Shannon,

Further to the above noted submission please accept this e-mail as a confirmation that in principle the ministry has no objections to the proposed Temporary Use By-Law to the property to permit the operation of a private water ski club for a period of time not exceeding three years.

- Please note that this site is located within the ministry's permit control area and therefore an MTO Building and Land Use Permit for site grading is required prior to the start of any construction activities on the site.
- As part of the review and approval process the applicant will be required to submit 3 copies of a detailed site plan, and site lighting plan if any lighting is proposed. A Photometric Lighting Plan (in LUX units) is required which illustrates any proposed lighting and any light spillage on the Highway 140 ROW.
- Also, a grading plan will be required to ensure that discharge from the site does not impact the Hwy drainage system. Note that the drainage submission must also be provided in a digital format (CD, DVD or storage device).
- In addition MTO requires a Brief/Letter from the Traffic consultant to describe the general criteria of the anticipated traffic.
- All plans must be stamped and signed and circulated to the MTO through municipal site plan application process for a formal review and comments.
- MTO Sign Permits are required for any new signs visible from Highway 140.

Please be aware that the submission should be sent to Alexandra Boucetta attention, she is a Permit Officer for this area (included in this e-mail) and she can be reached at 416-235-3883.

In addition please note that further information regarding requirements for our Building and Land Use Permit applications and Sign Permit application requirements is also available from our office by contacting Mrs. Alexandra Boucetta.

We would appreciate receiving a copy of your Council's decision on this application for our record.

I trust this is sufficient, however, should you have any questions or require any further information please contact Alexandra or me.

Best Regards

**W. Asia Polus**  
Corridor Management Planner

Ministry of Transportation  
Central Region, Highway Corridor Management Section  
159 Sir William Hearst Ave. 7th Floor  
Toronto, ON M3M 0B7  
Tel. 416 - 235-3991  
Fax 416 - 235-4267




---

**From:** Firmani, Adrian (MTO)  
**Sent:** May-31-17 11:49 AM  
**To:** Fyffe, Hugh (MTO); Polus, Asia (MTO)  
**Subject:** FW: Application for Temporary Use By-law 1133 Forks Road, Port Colborne

FYI... they don't listen to me and won't take me off their circulation list.....

**From:** [planner@portcolborne.ca](mailto:planner@portcolborne.ca) [<mailto:planner@portcolborne.ca>]  
**Sent:** May-31-17 11:11 AM  
**Subject:** Application for Temporary Use By-law 1133 Forks Road, Port Colborne

Good Morning,

The City is in receipt of an application for temporary use by-law to permit the operation of a private water ski school at 1133 Forks Road, Port Colborne. The public meeting is scheduled for June 26, 2017 as indicated on the attached notice. Any comments you may have would be appreciated. If you have any questions or require further information, please feel free to contact me.

Regards,

Shannon Larocque, MCIP, RPP  
Planner  
Department of Planning & Development  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8  
Tel: (905) 835-2901 x202  
Fax: (905) 835-2939

*Working Smoke and Carbon Monoxide Alarms Save Lives*



**Re: Application for Temporary Use By -law  
1133 Forks Road, Port Colborne**

**Jim Huppunen** to: Shannon Larocque

05/31/2017 04:38 PM

Cc: Ron Hanson, Chris Lee, Sherry Hanson, developmentreview

	FILICE, Anthony A.F.	<i>Good morning Shannon, CPC has no comments regarding this applica</i>
	Jim Huppunen	<i>Hi Shannon, Engineering has reviewed the proposed temporary use by</i>
	Tikky, Alexandria	<i>Hello Shannon, We've received a cheque in the amount of \$1,275 for th</i>

Hi Shannon,

Engineering has reviewed the proposed temporary use by-law to permit the operation of a private water ski school at 1133 Forkes Road and offer the following comments:

-Due to the alleged increase in traffic entering and exiting the property with the water ski school, we have concerns with the entrance location on the northwest corner of the property. Based on the location of the entrance for the property, we are recommending that the City install a Hidden Entrance sign on the east side of the property for vehicles travelling westbound.

-We also recommend that By-law establish a No Parking area on both sides of Forkes Road on each side of the property entrance for the length of the required sightlines from the entrance.

-We would recommend that the temporary use by-law not be permitted until the above items are completed.

Please advise if you require anything further.

Regards,

Jim Huppunen, A.Sc.T.  
Manager of Engineering Services  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8  
jimhuppunen@portcolborne.ca  
905-835-2901, Ext. 221  
Fax: 905-835-2939

**Fire Kills - Never Think It Can't Happen To You**



FINAL PRELIMINARY SITE PLAN.pdf Notice of Public Mtg June 26 2017.pdf

Shannon Larocque Good Morning, The City is in receipt of an appli...

2017-05-31 11:11:20 AM

From: Shannon Larocque/Port\_Notes  
To:  
Date: 2017-05-31 11:11 AM  
Subject: Application for Temporary Use By-law  
1133 Forks Road, Port Colborne



Good Morning,

The City is in receipt of an application for temporary use by-law to permit the operation of a private water ski school at 1133 Forks Road, Port Colborne. The public meeting is scheduled for June 26, 2017 as indicated on the attached notice. Any comments you may have would be appreciated. If you have any questions or require further information, please feel free to contact me.

Regards,

Shannon Larocque, MCIP, RPP  
Planner  
Department of Planning & Development  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8  
Tel: (905) 835-2901 x202  
Fax: (905) 835-2939

[attachment "Notice of Public Mtg June 26 2017.pdf" deleted by Jim Huppunen/Port\_Notes] [attachment "FINAL PRELIMINARY SITE PLAN.pdf" deleted by Jim Huppunen/Port\_Notes]

*Working Smoke and Carbon Monoxide Alarms Save Lives*

June 1, 2017

Shannon Larocque, MCIP, RPP  
Planner  
Town of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Dear Shannon Larocque,

Re: Proposed Temporary Use By-Law  
Teresa Wiwchar & Hamad Samid  
1133 Forkes Road  
Town of Port Colborne  
File No.: D14-02-17

Enbridge Gas Distribution does not object to the proposed application(s).

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,



**Allison Sadler**

Municipal Planning Advisor  
Long Range Distribution Planning

—  
**ENBRIDGE GAS DISTRIBUTION**  
TEL: 416-495-5763  
[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)  
500 Consumers Rd, North York, ON, M2J 1P8  
[enbridgegas.com](http://enbridgegas.com)  
**Integrity. Safety. Respect.**

AS/jh



RE: Application for Temporary Use By-law 1133 Forks Road, Port Colborne  
FILICE, Anthony A.F.

to:

[planner@portcolborne.ca](mailto:planner@portcolborne.ca)

05/31/2017 11:52 AM

[Hide Details](#)

From: "FILICE, Anthony A.F." <[anthony.filice@canadapost.postescanada.ca](mailto:anthony.filice@canadapost.postescanada.ca)>

To: "planner@portcolborne.ca" <[planner@portcolborne.ca](mailto:planner@portcolborne.ca)>

Good morning

Shannon, CPC has no comments regarding this application.

Regards

*Tony Filice*

*Delivery Planning*

*955 Highbury Ave N*

*London, ON N5Y 1A3*

*[anthony.filice@canadapost.ca](mailto:anthony.filice@canadapost.ca)*

*(519) 282-5199*

**From:** [planner@portcolborne.ca](mailto:planner@portcolborne.ca) [<mailto:planner@portcolborne.ca>]

**Sent:** May-31-17 11:11 AM

**Subject:** Application for Temporary Use By-law 1133 Forks Road, Port Colborne

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Regards,

Shannon Larocque, MCIP, RPP

Planner

Department of Planning & Development

City of Port Colborne

66 Charlotte Street

Port Colborne, ON L3K 3C8

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**City of Port Colborne  
Special Council Meeting 18-17  
Minutes**

**Date:** June 26, 2017

**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  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)  
J. Mayne, Councillor

**Absent:** Y. Doucet, Councillor (due to vacation)  
D. Elliott, Councillor

**Staff Present:** D. Aquilina, Director of Planning & Development  
T. Cartwright, Fire Chief  
D. D’Innocenzo, Licensing Clerk  
A. Grigg, City Clerk  
C. Lee, Manager of Projects & Design  
S. Luey, Chief Administrative Officer  
H. Mahon, Planning Technician/Clerk (minutes)  
P. Senese, Director of Community & Corporate Services

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

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. National Anthem:**

Joel Longfellow sang O Canada.

**3. Confirmation of Agenda:**

**No.** Moved by Councillor R. Bodner  
Seconded by Councillor B. Kenny

That the agenda dated June 26, 2017 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 (Proposed Temporary Use By-law)  
Planning and Development, Planning Division, Report No. 2017-105, Subject:  
Public Meeting Report for a Proposed Temporary Use By-law (File No. D14-02-17)  
1133 Forks Road

**(i) PURPOSE OF MEETING:**

Dan Aquilina advised that the purpose of this meeting, pursuant to Section 34 of the Planning Act, is to consider an application submitted by Jack Bernardi on behalf of Teresa Wiwchar and Hamad Samid for the lands legally known as Part of Lot 19, Concession 4, former Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 1133 Forks Road.

Mr. Aquilina advised that the proposed Zoning By-law Amendment will add a temporary use to the property to permit the operation of a private water ski club for a period of time not exceeding three years.

**(ii) METHOD OF NOTICE**

Mr. Aquilina advised that Notice of the Public Meeting was administered in accordance with Section 34 (13) of the Planning Act, as amended, Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was mailed to property owners within 120 metres of the property and a notice was posted on the City's website on May 31, 2017. A sign was posted on the property by June 6, 2017.

Mr. Aquilina made reference to the Power Point presentation. He indicated the location of the subject property and the NFR and EP zoning of the property. He also identified the site plan of the proposed ski club and indicated the location of the proposed parking as well as access from the highway.

**(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED**

Mr. Aquilina advised that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2017-105, to hear any comments from the applicant, to receive questions of clarification from Council to the applicant or Planning Staff, to open the meeting to the public for comments and questions, to announce the requirements under the Planning Act for written notice of passage of the proposed zoning by-law amendment, and to provide a brief explanation of future meetings regarding the application.

Mr. Aquilina advised that at this time, no comments have been received from members of the public. The following comments have been received from the following agencies:

**Canada Post:** "No comments."

**Engineering & Operations:**

- Due to the alleged increase in traffic entering and exiting the property with the water ski school, we have concerns with the entrance location on the northwest corner of the property. Based on the location of the entrance for the property, we are recommending that the City install a Hidden Entrance sign on the east side of the property for vehicles travelling westbound.
- We also recommend that By-law establish a No Parking area on both sides of Forkes Road on each side of the property entrance for the length of the required sightlines from the entrance.
- We would recommend that the temporary use by-law not be permitted until the above items are completed.

**Enbridge Gas Distribution:** "No objection."

**Ministry of Transportation:**

- Please note that this site is located within the ministry's permit control area and therefore an MTO Building and Land Use Permit for site grading is required prior to the start of any construction activities on the site.
- As part of the review and approval process the applicant will be required to submit 3 copies of a detailed site plan, and site lighting plan if any lighting is

proposed. A Photometric Lighting Plan (in LUX units) is required which illustrates any proposed lighting and any light spillage on the Highway 140 ROW.

- Also, a grading plan will be required to ensure that discharge from the site does not impact the Hwy drainage system. Note that the drainage submission must also be provided in a digital format (CD, DVD or storage device).
- In addition MTO requires a Brief/Letter from the Traffic consultant to describe the general criteria of the anticipated traffic.
- All plans must be stamped and signed and circulated to the MTO through municipal site plan application process for a formal review and comments.
- MTO Sign Permits are required for any new signs visible from Highway 140.

Mr. Aquilina advised that he is still waiting to hear comments from the Region and NPCA.

**(iv) PRESENTATION OF APPLICATION FOR ZONING BY-LAW AMENDMENT**

At this time, Mr. Aquilina presented Planning and Development Public Hearing Report 2017-105.

Mr. Aquilina noted that as mentioned earlier, the proposed zoning will add a temporary use to the property to permit the operation of a private water ski club for a period of time not exceeding three years. A proposed site plan has been included as Appendix B to the report. The applicant has submitted supporting studies in support of the application including a Planning Justification Report, Environmental Impact Study and an Environmental Noise Compatibility Study (Appendix C, D & E).

The Draft Zoning By-law Amendment is attached to the Report as Appendix A.

City of Port Colborne Official Plan

Schedule "A": City Wide Land Use to the City of Port Colborne Official Plan designates the property as Agricultural, Environmental Protection Area and Environmental Conservation Area. The property is also identified as Provincially Significant Wetlands and Stream on Schedule B1: Environmental Protection Area and as Significant Woodlot, Environmental Corridor and Fish Habitat on Schedule B2: Environmental Conservation Area.

City of Port Colborne Zoning By-law 1150/97/81

Schedule "A" to the City of Port Colborne Zoning By-law zones the property NFR – Non-Farm Residence and EP – Environmental Protection.

The property is surrounded by agricultural and accessory residential uses.

**(v) COMMENTS OF APPLICANT**

At this time, Mr. Aquilina invited the applicant to comment.

Mr. Jack Bernardi, Planning & Development consultant for the owners addressed Council. Mr. Bernardi provided further information regarding the 2014 Provincial Policy Statement and the Region's Growth Plan. Mr. Bernardi advised that the application for the temporary use is consistent with the policy plans. He also advised that there is no development being proposed in the Environmental Protection zoned area and there will be no negative impact. There is a seasonal economic benefit for the City and the Region. Mr. Bernardi also advised that a noise study has been conducted and that Scott Penton from Novus Environmental will speak on their findings.



Mr. Bernardi also spoke on the City's Official Plan policies and noted that there are no noxious uses being proposed. There is also no camping or mobile parks being proposed and any structures will be temporary and not permanent. Parking will be on site only, the landscaping will be as existing and no fencing is proposed. No new lot easements are being proposed. The proposal is to operate a water ski club by the owner. Mr. Bernardi made reference to the noise study and its findings that the projected findings will not be more than what currently exists from the highway traffic. The proposal satisfies the Official Plan, the Temporary Use Bylaw and will not impede the Zoning Bylaw. He also emphasized that the proposed use can be regulated by the Temporary Use Bylaw and Site Plan control.

**(vi) QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT**

Mr. Aquilina asked at this time if there any questions of clarification to himself or the applicant?

Councillor Butters questioned whether the water ski club will have memberships or if it is to be just for family and friends. Mr. Bernardi responded that the proposal is for memberships. Councillor Butters questioned the number of members. The owner Teresa Wiwchar responded that they will be looking at having a maximum of 30 members in order for the club to be sustainable. If they have more than that it would mean too long of a wait time. Councillor Butters questioned whether they will be teaching as well. Ms. Wiwchar responded that the majority of the members will likely already know how to ski and will be using it to practice. However they may consider charging \$60 for a half hour lesson. Councillor Butters questioned whether a PA system will be used. Ms. Wiwchar responded that it is not needed however they may use one for special events such as a tournament. Ms. Wiwchar further noted that it should not be compared to a motorcycle tournament. She also noted that when hosting an event they would need an event permit and noise issues would be addressed at that time.

Scott Pentum of Novus Environmental addressed Council. Mr. Pentum has professional engineering expertise in sound and vibration studies. Mr. Pentum advised that the noise study conducted assures that any noise generated from the water ski club would be conservative in nature. They used worst case scenarios and the study concluded that noise would not be a concern.

Councillor Butters questioned whether there would be any overnight events. Ms. Wiwchar responded that they have a houseboat but it would be for their own personal use. Councillor Butters questioned the hours of operation. Ms. Wiwchar responded that the club would likely operate from 10 am to 8pm.

Councillor Bodner expressed concern on behalf of the neighbours regarding potential growth of the business and noise. He questioned whether it would meet the City's noise bylaw. Scott Penton responded that it meets the Provincial policy guidelines which is incorporated into the City's noise bylaw. Ms. Wiwchar commented regarding the concern for growth of the business. She noted that they can only have 1 boater and 1 skier at a time. The maximum capacity would be 4 skiers in 1 hour. There is no way they could have 200 members and the maximum capacity would be 3 events per year.

Jack Bernardi advised that the key is that this is temporary use and it would need to run successfully otherwise it would not be extended after 3 years. Council has the ability to monitor its use through the Temporary Use Bylaw. Councillor Bodner questioned if the applicant would be comfortable with a yearly review. Mr. Bernardi responded that for a 1 year review, it has been a very expensive process which required lots of studies and reports. He noted that with the controls in place, if the noise did exceed the bylaw then the City can prosecute.

Mayor Maloney questioned the proximity of the surrounding neighbours. Ms. Wiwchar advised that her closest neighbour is to the east. She has approached

him regarding the noise and he told her that he cannot hear the boat motor but sometimes he can hear people. She advised that the boat motor is quieter than a lawn mower. Scott Penton advised that the closest neighbour is more than 400m away. Jack Bernardi agreed to provide information to staff. There was some discussion regarding the location of the ponds and it was noted that they were created by the MTO for overflow from the highway. It was also noted that the depth of the pond runs from 4' to 8'.

Before opening the meeting to the public Dan Aquilina read the following cautionary statements into the record:

"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 the proposed zoning by-law amendment is approved, the person or public body is not entitled to appeal the decision of the City of Port Colborne to the Ontario Municipal Board."

And;

"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 the proposed zoning by-law amendment is approved the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party."

Dan Aquilina also advised that for any interested members of the public there is a sign-in sheet to request future notices regarding this application.

#### **(vii) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC**

At this time, Dan Aquilina invited any members of the public who wish to speak to the application to do so.

Gary Pickering of 3459 Babion Road addressed Council. Mr. Pickering expressed concern regarding the noise. He is not opposed to the application but believes 3 years is too long and that 1 year would be better. He also expressed concern regarding the hours of operation as it will be 7 days per week from noon to dusk. He noted that no actual acoustic reading had been taken since the study was done in April. He also expressed concern that it could turn into a party atmosphere. He questioned what type of environmental impact it would have. Councillor Kenny questioned if he would be opposed to a 3 year agreement with the option of a review after 1 year. He was amenable. Councillor Mayne questioned if he was annoyed by the noise. Mr. Pickering responded that he was not. He can hear the boat start up but not afterwards.

Andrea Ledingham of 4042 Yager addressed Council. Ms. Ledingham noted that when asked 3 years ago if she was going to use the pond for a ski club the owner had said no and that she wanted to build her dream home. She also noted that Mr. Pickering's property is buffered by trees whereas she is not. She expressed concern about the noise and that it will become a party atmosphere.

Lucy Brown of 4214 Yager Road addressed Council. She noted that the zoning was originally approved for Environmental Protection and a single family residence not for a business. She expressed concern about the traffic and that the road cannot support a lot of traffic. She also noted that all the structures are to be temporary and questioned what type of washroom facilities would be on site. She expressed concern regarding the number of spectators on site and estimated approximately 4 spectators for every member. She noted that she does not have a buffer of trees and that she can hear noise from the Humberstone Speedway. She is also concerned about the EP zone and believes this should be considered a pond not a lake.

James Doolin of 4049 Yager Rd addressed Council. Mr. Doolin expressed concern regarding a bulldozer that dug out half a field. He made reference to the

meeting held last year where the property was just supposed to have a single family residence and now they are proposing a business. He expressed concern that what is being proposed now as temporary will become permanent. He also expressed concern regarding boat pollution and noise. He does not believe a thorough job was done on the noise and sound study.

Scott Penton responded to Mr. Doolin's concerns. He advised that due to the uncertainty of the model they made a conservative estimate. The estimate for the sound of the boat is much louder than it actually is. They also looked at potential impacts such as a PA system and increased the estimate above the Provincial standards. They also made assessments for specific residences within a 500m radius. The study makes its predictions based on specific locations and considers potential impacts. He also noted that the model takes into account with and without trees, wind, etc. They use all of these factors and try to come up with a conservative estimate. He also advised that they consider the size of the motor, the lake, the speed limit, and the type of competition. He noted that the boat was not louder than the current highway traffic. He also noted that with respect to the speakers that the City noise bylaw would come into effect. It was also clarified that the same boat is to be used all the time.

There was some discussion regarding the size of the boat's motor. It was determined that the size of the motor was comparable to a car's motor and would not be considered too loud.

After a brief discussion it was decided that members of the public would be allowed to speak again provided they had new questions or concerns.

Gary Pickering questioned Scott Penton on whether the models were based on assumptions that boats don't violate guidelines or regulations. Mr. Penton responded that the input for the model is based on the maximum allowed for water ski competitions.

Andrea Ledingham noted that she has concerns regarding the crowds rather than the water skiing itself. Lucy Brown expressed concern as to what precautions will be taken regarding alcohol, etc.

Teresa Wiwchar advised that everything will be done as per what is approved. She noted that the people who will be there are not there to party but are serious about their sport. She advised that the type of boat they use cannot be used on Lake Erie and that it is an expensive sport. She believes that there will be a slight increase in noise but it will not have a negative impact.

Councillor Desmarais questioned Mr. Aquilina as to why the report was not made available to the public. Mr. Aquilina advised that other than Mr. Pickering he did not receive any public comments until this evening. He further noted that all information was made available in the Public Information Report.

**(viii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF  
PASSAGE OF THE OFFICIAL PLAN AND ZONING BY-LAW  
AMENDMENT**

Mr. Aquilina then read the following cautionary statement into the record:

"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 bylaw amendment will be given notice."

Mr. Aquilina further advised that for anyone who signs the sheet, staff will give advance notice of the meeting for the proposed zoning bylaw amendment.



**(ix) EXPLANATION OF FUTURE MEETINGS:**

Mr. Aquilina advised that this concludes the PUBLIC HEARING UNDER THE PLANNING ACT. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

**6. Adjournment:**

**No.** Moved by Councillor F. Danch  
Seconded by Councillor A. Desmarais

That the Council meeting be adjourned at approximately 7:55 p.m.  
CARRIED.

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

\_\_\_\_\_  
Ashley Grigg  
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm

JACK BERNARDI CACPT  
PLANNING AND DEVELOPMENT CONSULTANT

(Revised May 5, 2017)  
February 18, 2017

Mr. Dan Aquilina  
Director of Planning Services  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8



Dear Mr. Aquilina,

Re: Revised Planning Report in Support of a Proposed Seasonal Temporary  
Water Ski Club  
Proposed Zoning By-law Amendment for a Temporary Use By-law  
Teresa Wiwchar and Hamid Samad  
1133 Forks Road, City of Port Colborne

## INTRODUCTION

Jack Bernardi, Planning and Development Consultant has been retained by the owners, Teresa Wiwchar and Hamid Samad for the purpose of preparing a planning report in support of the proposed seasonal temporary Water Ski Club on the south side of Forks Road, east of Highway 140, municipally known as 1133 Forks Road.

## PRECONSULTATION

Pre-consultation meetings were held with relevant City Departments, Niagara Region and the Niagara Peninsula Conservation Authority, together with numerous e-mails and phone conversations prior to submission of the requisite planning application.

On February 24, 2017 our application for a proposed Zoning By-law Amendment for a Temporary Use By-law was submitted to the City's Planning Department and was accepted as a complete application.

On March 1, 2017 we were advised by the City's Planning Department that a Noise Study would be required in order to confirm if there will be any off-site negative impacts.

As per the City's request, a Noise Study has been prepared by Novus Environmental and the said Study (2 hard copies) has been submitted as part of our submission. The Conclusions and Recommendations of the said Study have been included below, under the heading, Noise Study.

123 PARKWAY WELLAND ON L3C 4C5  
CELL 905-932-5225 [jbernardi3@cogeco.ca](mailto:jbernardi3@cogeco.ca)

## **SITE DESCRIPTION**

### **Description**

Part of Lots 19 and 20, Concession 4, (Geographic Township of Humberstone) in the City of Port Colborne, Regional Municipality of Niagara.

### **Site**

The subject land has an area of 11.84 hectares (29.26 acres) and is located on the south side of Forks Road. The land has a frontage of approximately 155.74 m (511 ft.) and a depth of approximately 998 m (3,275 ft.). The northerly portion of the land contains an existing large pond with existing docks and boat launch, and a small area of land with existing accessory structures/building which represents approximately 50% of the entire land. The majority of this area has a large graded earth mound, which will be seeded in the spring. The remaining 50% percent of the land to the south contains a dense woodland that has been identified as an Environmental Protection Area.

### **Surrounding Land Uses**

The subject land abuts Forks Road to the south and to the north across the road is an active rail line and to the west across Forks Road is King's Highway No. 140. Abutting along the majority of the west property line is a densely wooded vacant lot. Abutting to the south is a dense woodlot containing a single family dwelling which fronts on Babion Road. Abutting to the east is a vacant large active agricultural lot, which is zoned for Agricultural Purposes Only (APO) and contains a dense woodlot at its south west corner. Abutting to the east of the southerly portion of the subject land appears to contain an active agricultural lot containing a single family dwelling. The majority of this lot is open field with the northwest corner containing a dense woodlot. There is also a rural residential lot, not abutting the subject land, which contains a single family dwelling fronting on Yager Road. This property appears to be a farm retirement lot created some time ago.

## **PROPOSAL**

The intent of the proposal is to establish a seasonal temporary Water Ski Club with an existing pond, which was created in the 1970s by the Ministry of Transportation for the construction of Highway 140.

The proposal will require a site specific amendment to the City's Zoning By-law for a Temporary Use By-law for a seasonal temporary Water Ski Club, utilizing the existing pond, temporary accessory structures/building and docks presently existing on the site



together with required proposed private Privies (Porta Potty) for seasonal use and special events.

The owner is aware of only three other Water Ski Clubs on man made purpose built ponds in Ontario and they are located in Newmarket, Ottawa, and Muskoka.

**The proposed seasonal temporary Water Ski Club season is intended to be from mid May to mid September and operates seven (7) days per week from noon till dusk, by appointment only. It is anticipated that three (3) events per year will be held with approximately twenty (20) participants. Only 1 skier at a time is allowed on the pond with a run time of approximately seventeen (17) seconds.**

#### **PRIVATE PRIVIES (Porta Potty)**

The private Privies are being proposed, in accordance with Section 3.7.4. (2) of the Ontario Building Code, for the seasonal temporary Water Ski Club and special events based on the following reasons:

1. There are existing accessory structures which are temporary in nature with no occupancy load and only the registration booth will have one or two persons occupying;
2. There is no plumbing or water flow;
3. No food is sold or provided;
4. The proposed seasonal operation runs from mid May to mid September;
5. Attendance at the proposed Water Ski Club is by appointment only; and,
6. Proposed ski events are approximately three (3) per year with anticipated attendance of approximately twenty (20) persons.

### **PLANNING DOCUMENTS AFFECTING THE PROPOSAL**

#### **2014 PROVINCIAL POLICY STATEMENT**

The Provincial policies, which are relative to and support this proposal, are as follows:

##### **Vision for Ontario's Land Use Planning System**

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Ontario is a vast province with diverse urban, rural and northern communities, which may face different challenges related to diversity in population, economic activity, pace of growth and physical and natural conditions. Some areas face challenges related to maintaining population and diversifying their economy, while other areas face challenges

related to accommodating and managing the development and population growth which is occurring, while protecting important resources and the quality of the natural environment.

### **Building Strong Communities**

Ontario's long term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.

### **Rural Areas in Municipalities**

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

Healthy, integrated and viable rural areas should be supported by:

- building upon rural character, and leveraging rural amenities and assets;
- using rural infrastructure and public service facilities efficiently;
- promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
- providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
- conserving biodiversity and considering the ecological benefits provided by nature; and
- providing opportunities for economic activities in prime agricultural areas.

### **Natural Heritage**

Natural features and areas shall be protected for the long term.

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Natural heritage systems shall be identified in Ecoregions, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.

The relevant policies applicable to the subject land area are as follows:

Development and site alteration shall not be permitted in:

- a) significant wetlands;
- b) significant woodlands; and
- c) significant wildlife habitat.

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

**No development is proposed within the Natural Heritage areas.**

**The Scoped Environmental Impact Study has concluded that the proposal will result in no negative impact to the natural features and functions or their ecological functions.**

**The proposal may provide an economic benefit and a unique temporary seasonal activity for the City and the Region.**

**It is my opinion that the temporary seasonal proposal is consistent with and does not offend the 2014 Provincial Policy Statement.**

### **THE GREATER GOLDEN HORSESHOE GROWTH PLAN**

The Growth Plan for the Greater Golden Horseshoe was been prepared under the Places to Grow Act, 2006. It is a framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth in this region. This is a plan that recognizes the realities facing our cities and smaller



communities, and that acknowledges what governments can and cannot influence. It demonstrates leadership for improving the ways in which our cities, suburbs, towns, and villages will grow over the long-term.

**It is my opinion that the proposal does not offend the Growth Plan policies as the intent of the Plan is to, for the most part, direct and encourage growth and economic development, encourage residential intensification and the creation of a desirable housing accommodation, primarily within urban areas.**

## **REGIONAL POLICY PLAN**

The Regional Policy Plan identifies the subject lands as being within a Good General Agricultural Area.

In the Unique and 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. Compatible uses such as forestry and conservation of plant and wildlife are also permitted.

Non-agricultural uses should not be located in Agricultural Areas. The introduction of new non-agricultural development of all types into the Agricultural Areas has an adverse impact on the agricultural and natural resources and shall be strictly limited. However, applications for individual non-agricultural uses may be considered. These applications will be reviewed through a Regional Official Plan Amendment subject to conditions.

**The proposal is not for a permanent use. The proposal is for a Zoning By-law Amendment to permit a seasonal temporary Water Ski Club. The Regional Official Plan does not contain Official Plan Policies for Temporary Uses and accordingly will have regard to the Port Colborne Official Plan, which contains comprehensive policies that must be satisfied to justify temporary uses. Such planning justification policies are contained under the heading Port Colborne Official Plan, further below in this report.**

## **NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)**

During pre-consultation meetings the NPCA identified that the property contained a Provincially Significant Wetland (PSW) and subsequently provided the scoping for a Scoped Environmental Impact Study (EIS).

The Scoped EIS has been completed and has been submitted with the Zoning By-law amendment application.

**The Scoped EIS concluded that, subject to the recommended migration measures, the proposed seasonal temporary Water Ski Club is compatible with surrounding land uses and will result in no negative impact to the natural features and functions identified in the Scoped EIS.**

## **NOISE STUDY**

On March 1, 2017 we were advised by the City's Planning Department that a Noise Study would be required in order to confirm if there will be any off-site negative impacts.

As per the City's request, a Noise Study was prepared by Novus Environmental, which has concluded the following:

### **Conclusions and Recommendations**

**The potential for noise impacts from the proposed facility on the surrounding sensitive receptors have been assessed. Based on the results of our study, the following conclusions have been reached:**

- **Stationary noise impacts from the proposed water ski club facility were assessed, and compared against the applicable MOECC Publication NPC-300 criteria. Stationary impacts from the proposed facility, on the surrounding noise sensitive receptors are below applicable guideline limits, both with and without a PA system being used on-site. No additional noise mitigation is required.**
- **In order to allow for the operation of a PA system at the club, a permanent exemption will be sought from City Council, in accordance with Section 8(2) of the noise bylaw. If a permanent exemption is not provided, then temporary exemptions will be sought for each of the special events, in accordance with Section 8(1) of the by-law.**

## **PORT COLBORNE OFFICIAL PLAN**

The subject lands are designated Agricultural, Environmental Protection Area (EPA) and Environmental Conservation Area (ECA) within the Port Colborne Official Plan. The Agricultural category contemplates that the predominant use of land and building shall be for agricultural purposes and also permits other ancillary uses, buildings or structures.

The predominant uses for lands designated EPA shall include forest, fish and wild life management; small scale passive recreational uses and accessory uses such as: trails, boardwalks, footbridges, fences, docks and picnic facilities that will not negatively impact on the natural features or function of the areas; and conservation and flood erosion

control projects where it has been demonstrated that they are necessary in the public interest and no other alternatives are available,

The predominant uses for lands designated ECA shall include existing uses, conservation uses, flood and erosion control, fish, forestry and wildlife management, as well as passive recreational activities.

The Official Plan also contains comprehensive Temporary Use Policies, which are detailed below.

## **TEMPORARY USE POLICIES**

### **Temporary Use By-law**

Temporary Use By-laws may be enacted to allow the short-term use of lands, buildings or structures that may not be in conformity with the Zoning By-law.

Where appropriate, temporary uses will be subject to the Site Plan Control provisions of the Official Plan.

### **The Temporary Use By-law shall:**

- Describe the specific area affected;
- Identify the period of time for which the use is authorized up to a three (3) year maximum;
- One (1) additional three (3) year extension may be granted for a temporary use;
- Identify the regulations to control the temporary use.

### **The following shall not be permitted by a Temporary Use By-law:**

1. Prohibited, noxious or obnoxious uses as described in the Official Plan and Zoning By-law;

**The proposal is not a prohibited, noxious or obnoxious use described in Section 2.1 e) of the Official Plan nor is it one of the thirteen (13) obnoxious uses listed in Section 4.13 of the Zoning by-law.**

2. Regulations on the use that are less restrictive than those stated in the Official Plan and Zoning By-law;

**No Official Plan or Zoning By-law regulations are being reduced.**



3. Camping, trailer parks or mobile home parks for periods longer than a two week duration;

**No camping, trailer or mobile home parks are being proposed.**

4. A use requiring a permanent foundation, water/wastewater services, paved parking lot, extensive landscaping, site preparation or fencing;

**All existing structures are temporary and accessory in nature with no permanent foundations or any major construction or investment. There is no requirement for extension of public water or wastewater services. The only proposed structure(s) are temporary private Privies (porta potty).**

**The existing driveway has a gravel surface and the proposed driveway extension and parking areas will also contain gravel surfaces. All required parking shall be provided entirely on site.**

**Other than the seeding of the existing earth mound, existing landscaping will remain and maintained and no site preparation for the proposed use is required as the pond is existing and no fencing is proposed.**

5. A use requiring the creation of a new lot or easement to accommodate it;

**No new lot or easements are proposed or being created.**

6. A use detrimental or incompatible to the surrounding area;

**The owner has been water skiing on the existing pond for approximately three (3) years. The owner has not been formally advised by the City of any complaints associated with water skiing on the existing pond. The property is currently affected by noise associated with Highway 140 to the west and an active rail line to the north. Abutting residential properties and beyond are buffered by dense woodlots.**

7. A use that would impede or compromise the future planned use of the lands as established by the Official Plan and Zoning By-law.

**The subject lands are designated Agricultural, Environmental Protection Area (EPA) and Environmental Conservation Area (ECA). The land designated Agricultural is mainly comprised of the existing pond and the remaining area of land (approximately 2ha) is comprised of a large earth mound and a small area of level land.**

No development is proposed within the EPA and the submitted scoped EIS recommends mitigation measures to minimize impacts on the significant features and functions.

The subject lands are zoned Non-Farm Residence (NFR) and Environmental Protection (EP). The NFR zoning permits a non-farm residence but does not permit agricultural uses. No development is permitted or proposed within the EP area.

The proposal of a seasonal temporary Water Ski Club would not impede or compromise the future planned use of the permitted non-farm residence or any future farm operation contemplated in the Official Plan as the NFR zoning does not permit agricultural uses.

Based on my comments above it is my opinion that the proposal satisfies the above Official Plan Temporary Use policies and accordingly is in keeping with the intent of the Official Plan and Zoning Bylaw and will not impede or compromise the future planned use of the subject lands.

**PROPOSED USE VERSUS CURRENT PERMITTED USES ON THE PROPERTY**

I have compiled a comparison between the Proposed Seasonal Temporary Water Ski Club and the Uses currently Permitted in the present Non-Farm Residence Zoning (NFR) to demonstrate that the Proposal will not impede or compromise the future use of the lands or be a detriment or incompatible with the surrounding land uses.

<b>Permitted Uses Within the Current NFR Zone</b>	<b>Proposed Temporary Use By-law Permitted Uses</b>
1. Single Family Dwelling (agricultural uses are not permitted)	Single Family Dwelling, proposed temporary Water Ski Club
2. Permanent Buildings and Structures subject to NFR Zone regulations	Temporary Buildings and Structures subject to NFR Zone regulations and Temporary Use By-law
3. Seasonal water skiing by family and friends	Seasonal water ski club subject to Temporary Use Agreement
4. Water skiing subject to applicable City By-laws for hours of operation	Water skiing hours of operation regulated by Temporary Use By-law and/or Agreement

- |  |  |
|--|--|
| 5. Private services                          | Private privies for temporary use and special events                 |
| 6. No Site Plan Control                      | Combined Temporary Use/Site Plan Agreement will provide controls     |
| 7. Water skiing has no time limit on the use | Temporary Use By-law sets a time limit on expiry of the proposed use |

**PORT COLBORNE ZONING BYLAW**

The subject lands are zoned Non-Farm Residence (NFR) and Environmental Protection (EP). The NFR zoning permits a non-farm residence but does not permit agricultural uses. No development is permitted or proposed within the EP area.

**ZONING BY-LAW AMENDMENT**

The owner is proposing a Zoning By-law Amendment to permit a site specific Seasonal Temporary Use Water Ski Club on an existing pond.

The proposal will comply with the setback requirements for all the existing accessory structures and the proposed relocation of the existing building for the purpose of a ticket booth.

I have confirmed that there are no live stock operations within 300 metres of the subject lands.

**It is my opinion that the proposal is in keeping with the intent and spirit of the Zoning By-law and conforms to the Temporary Use policies of the Official Plan.**

**COMBINED TEMPORARY USE/SITE PLAN AGREEMENT**

The proposed development will require a Temporary Use Agreement, which may also incorporate Site Plan Control, to control on site works and facilities, such as drainage, driveway and parking lot locations and surfaces, landscaping, and lighting etc.



**SUMMARY**

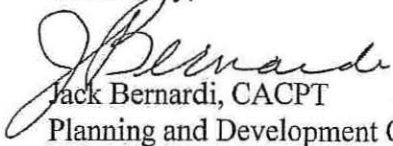
- a) **The proposed Seasonal Temporary Water Ski Club will be a temporary use utilizing an existing pond and existing temporary structures/building;**
- b) **The proposal will be controlled and regulated by the Temporary Use By-law and Agreement;**
- c) **The proposal will not produce any further impacts on the surrounding land uses as is presently permitted in the current zoning; and,**
- d) **The Scoped EIS concluded that the proposal is compatible with surrounding land uses and will result in no negative impact to the natural features and functions;**
- e) **The Noise Study has concluded that stationary impacts from the proposed facility, on the surrounding noise sensitive receptors are below applicable guideline limits and no additional noise mitigation is required.**

**CONCLUSION**

**The proposal conforms with the Temporary Use Policies of the Port Colborne Official Plan, is in keeping with the intent of the Growth Plan, is consistent with and does not offend the 2014 Provincial Policy Statement and does not offend the Regional Official Plan as the proposal is temporary in nature.**

**I trust that this Planning Report will provide the City of Port Colborne with sufficient planning justification to support the proposed Zoning By-law Amendment Application for a Temporary Use By-law for a Seasonal Temporary Water Ski Club.**

Yours truly,

  
Jack Bernardi, CACPT  
Planning and Development Consultant

Attachs. EIS, Noise Study, Site Plan & Survey Sketch

c. Teresa Wiwchar  
Hamid Samad

**1133 Forks Road  
City of Port Colborne, Ontario**

**ENVIRONMENTAL IMPACT STUDY  
Proposed Commercial Water Ski Club**

December, 2016

Prepared for:  
Ms. Teresa Wiwchar

Prepared by:

**SullivanPLAN**

*Creating Stronger Communities...Together!*

Welland, ON

sullivanplan@gmail.com

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EARTHQUEST (Canada) for the Environment  
Port Burwell, ON

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## 1. INTRODUCTION

SullivanPLAN was retained by Ms. Teresa Wiwchar, owner of 1133 Forks Road, City of Port Colborne to prepare this Environmental Impact Study (EIS) in support of an application for a Temporary Use By-law to permit a commercial water ski club at this location on this lot. Jack Bernardi Planning Consultant is my client's agent of record on this file. The subject property has been used for personal water skiing for the past three years.

This EIS is required as part of the Complete Application for a Temporary Use By-law as the City's Official Plan identifies a Provincially Significant Wetland (PSW) occupies a portion of the subject property. Provincial, Regional and City planning policy requires an EIS to be completed to quantify the effects of this proposed development on the wetland, and to recommend appropriate mitigation to achieve no net negative impact.

## 2. SITE DESCRIPTION

The subject property, approximately 30.56 ha in area, comprises the following surrounding land uses:

North =	Forks Road
South =	Agricultural
East =	Yeager Road
West =	Forks Road/Agricultural

Mainly rural in nature, the area including subject property is characterized as agricultural with abundant natural features. Several farm properties and rural residences are located in the immediate area. Natural features, including wetlands and woodlots are located throughout this area.

The subject property is presented in **Figure 1**.



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*Figure 1 - 1133 Forks Road Property Survey*

Figure 2 – Key Plan of 1133 Forks Road, Port Colborne (Source: Niagara Navigator, Oct 2016)



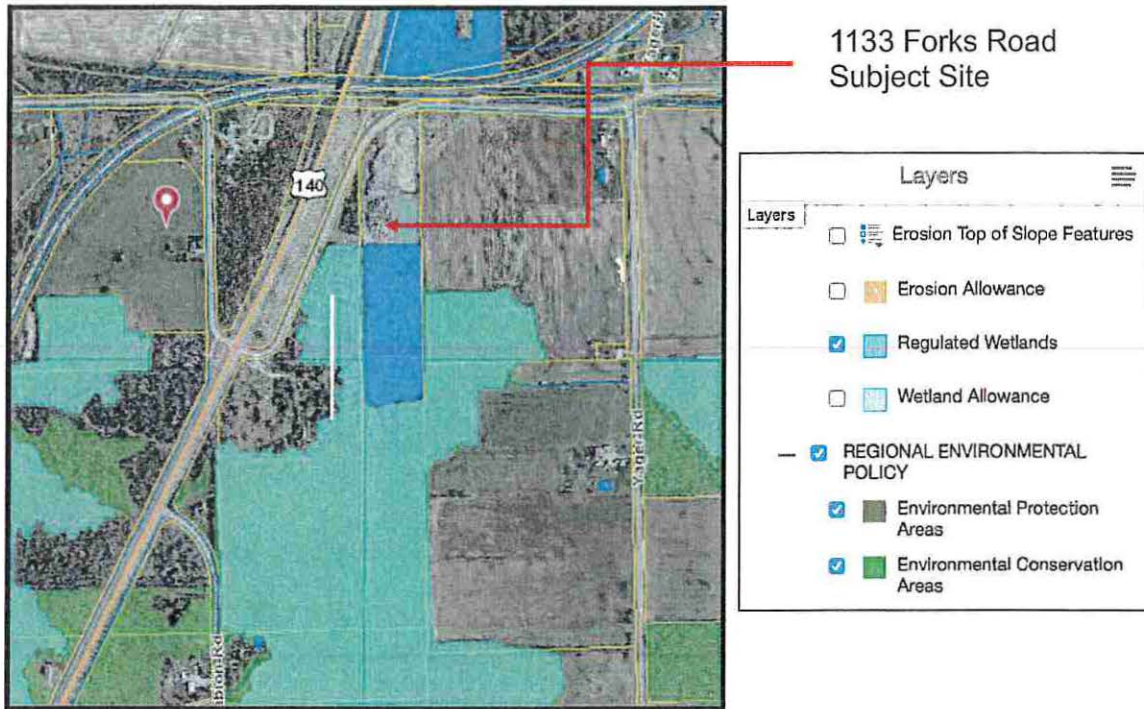
The site is generally rectangular in shape with approximately 155m of frontage on Forks Road and 990m in depth.

The site also comprises lands designated Environmental Protection, Environmental Conservation as well as those regulated by the NPCA, as is presented in **Figure 3**.

Two structures exist on the subject property, both of which are located along the west side of the man-made pond. It appears to be seasonal in use, based on our site visit of October 16, 2016.



Figure 3 – Environmental Protection/Regulated Areas (Subject Site)



### 3. REPORT AUTHORS

This EIS was authored by a team comprising Quartek Group Inc. and EARTHQUEST (Canada) for the Environment. Team members included:

Team Member	Project Role	Company Affiliation
Michael Sullivan, RPP, EP	Project Manager, Environmental Planning	SullivanPLAN
Dave Jolly, B.Sc.	Senior Biologist	EARTHQUEST Canada

Quartek was responsible for overall project management of this file, addressing planning policy, and recommending mitigation.

EARTHQUEST was responsible for reporting on existing conditions, and recommending mitigation based on the features and functions documented on-site.

EARTHQUEST's report entitled "Existing Conditions Report – 1133 Forks Road" is attached as **Appendix 1**. To minimize duplication, selected parts of EARTHQUEST's

report are copied into this EIS. Where additional detail on any material presented in this EIS is required, EARTHQUEST's work should be relied on.

#### **4. PROJECT SCOPING**

The study approach was developed by SullivanPLAN following a Terms of Reference (TOR) provided by the Niagara Peninsula Conservation Authority (NPCA) (Lampman, email Sept. 9/16) prior to the field work being undertaken. Subsequently, the NPCA requested some corrections to the TOR in order to confirm it was appropriate for the subject property. These were completed and the TOR resubmitted on October 27, 2016. Further correspondence with the NPCA occurred in December 2016, including identifying the need for hydrologic data and analysis related to the potential for impacts from the pond on the adjacent PSW. The TOR and related correspondence is provided in **Appendix 1**.

##### Ministry of Natural Resources and Forestry

We note that the Ministry of Natural Resources and Forestry (MNRF) was not contacted for this project. This was due to the proposed development being located a sufficient distance from the PSW and all features considered significant. The pond itself is not a regulated feature, as it was created by the owner and thus has no natural heritage value to the Niagara area. The PSW and woodlot located on the property, may contain significant flora and fauna. However, no development is proposed within 60m of these features, therefore no permission was required from MNRF.

##### Field Work

The field work was completed during the months of August and September 2016, on the understanding that any findings that were outside of the draft TOR scope would be cause to consult with the NPCA. No such anomalies were identified.

Scoping included a review of land use planning policy governing any development proposed for this property. This information is also detailed in the TOR and includes:

- Provincial Policy Statement, 2014
- Growth Plan for the Greater Golden Horseshoe (2006)
- Niagara Peninsula Conservation Authority Regulations (2009)
- Region of Niagara Official Plan (2014)
- City of Port Colborne Official Plan (2014)

Planning policy identifies the need to quantify potential impacts to the environment from the proposed development. This EIS addresses that need through analysis of planning policy and detailed biological science.



Background information on the natural environmental features within the subject property was gathered from the following sources:

- Ontario Breeding Bird Atlas (BSC *et al.* 2008);
- Ontario Reptile and Amphibian Atlas (Ontario Nature 2015);
- EARTHQUEST (Canada) Plants of Ontario database (Jolly 2016);
- Atlas of the Mammals of Ontario (Dobbyn 1994);
- Ontario Butterfly Atlas (Jones *et al.* 2015);
- Species at Risk (SAR) list for Niagara Region (MNRF 2015a);
- Natural Heritage Information Centre (NHIC) database (MNRF 2015b);
- NPCA (Lampman, email, Sept/Oct 2016); and
- Ministry of Natural Resources and Forestry (MNRF), Guelph District (Yagi 2015).

*Table 1 - Summary of Biological Field Work Completed*

Survey Type	Protocol	Date	Temp. (°C)	Wind Speed (Beaufort Wind Scale – knots)	Precipitation
<b>ELC Vegetation Mapping, Incidental Migratory Bird Survey, Vascular Flora Survey, Natural Heritage Assessment</b>	OMNR 2011, MNRF 2015c, NPCA 2016	August 30, 2016	22	0 – 15	None
		September 19, 2016	19	0 – 15	None
		September 22, 2016	26	0 – 15	None

There are 45 Ontario Species at Risk (SAR) flora and fauna listed on the Committee on the Status of Species at Risk in Ontario (COSSARO) website for Niagara region. The Natural Heritage Information Centre (NHIC) review showed 48 SAR, rare flora and fauna had the potential to be found within 1 km of the Site.

Species considered Special Concern are included in the definition of SCC, which includes the following:

- species designated provincially as Special Concern;
- species that have been assigned a conservation status (S-Rank) of S1 to S3 or SH by the Natural Heritage Information Centre; and
- species that are designated federally as Threatened or Endangered by the Committee for the Status of Endangered Wildlife in Canada (COSEWIC) but not provincially by the COSSARO. These species are protected by the federal Species at Risk Act but not provincially by the ESA.



SCC are discussed further within the context of Significant Wildlife Habitat (SWH) (**Appendix 1**).

There are 48 Ontario Species at Risk (SAR) flora and fauna listed on the Committee on the Status of Species at Risk in Ontario (COSSARO) website for the Niagara region. These species are discussed in the Existing Conditions Report under their respective taxonomic subsections. The NHIC review showed 48 SAR, rare flora and fauna had the potential to be found within 1 km of the Site. These species are summarized in **Tables 1 & 2, Appendix 1**.

The TOR submitted to the NPCA are appended to this report (**Appendix 1**).

## **5. CONSTRAINTS ANALYSIS**

### ***a) Policy and Legislative Framework***

This EIS is required to satisfy Provincial, Regional and NPCA land use policy. Specifically, the site contains lands designated “Environmental Protection Area” by the City of Port Colborne. This designation plus the identification of a PSW & Woodland (over 2ha in size) trigger the need for the EIS. This section will explore the various land use policies and regulations governing this site.

### ***b) Provincial Policy Statement (PPS, 2014)***

The PPS applies to all land development in Ontario. Changes in land use, including Temporary Use By-laws are considered development as the impacts of the proposed use need to be assessed. The PPS permits limited new commercial development in un-serviced, rural areas such as is represented in this application. However, it does recognize that this limited development is possible, where the lands in question have limited opportunity for other, primarily agricultural uses.

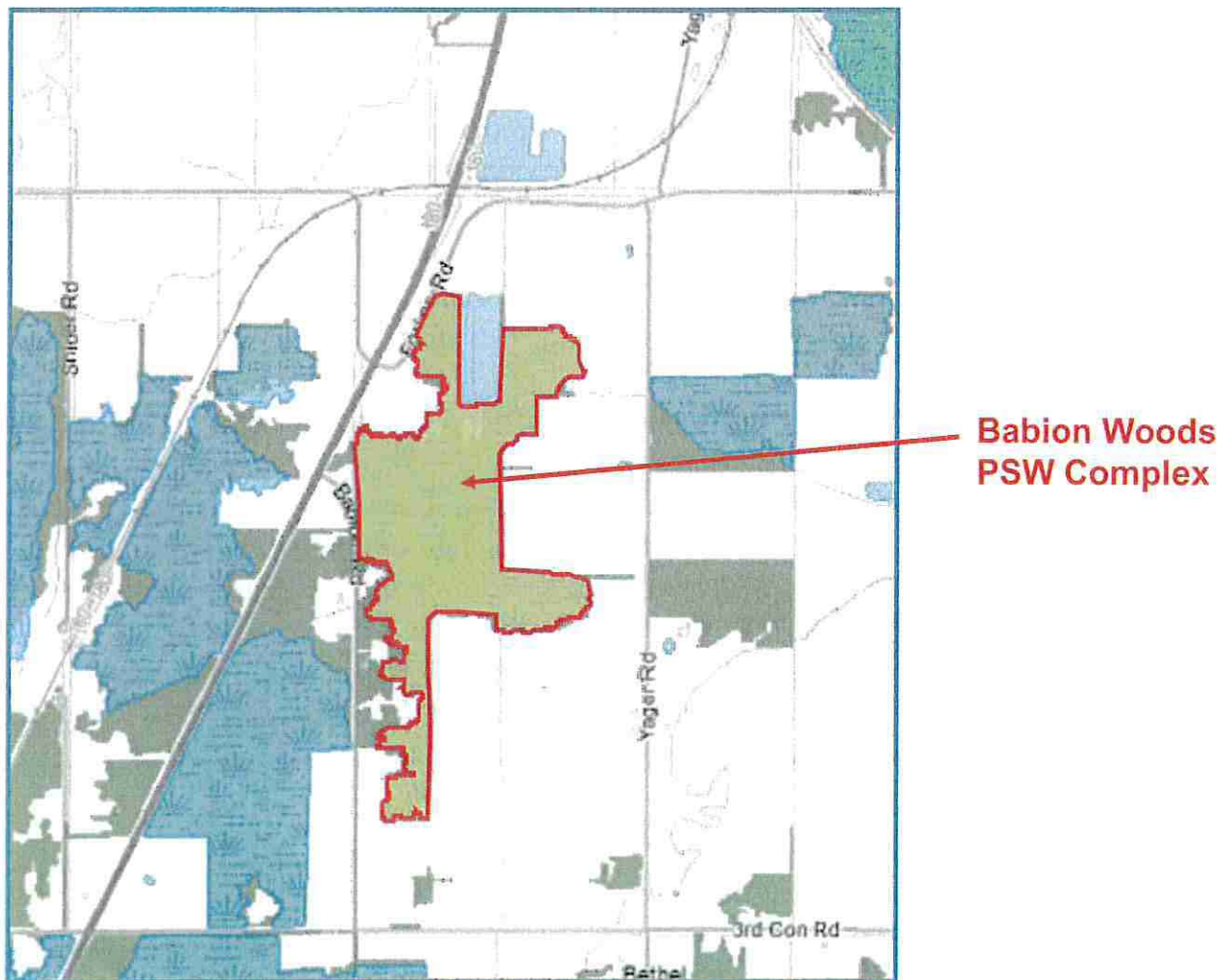
The protection of natural heritage features is also governed by the PPS. Specifically, where Provincially Significant Wetlands/ANSI's/Woodlands exist, the PPS provides direction that focuses on protection and conservation. In this instance, at least two such features exist on the subject property:

1. Provincially Significant Wetland (PSW) is identified on the subject property, which a portion of the Babion Woods PSW complex is confirmed to be located on the property. EARTHQUEST's “Natural Environment Existing Conditions Report”, discusses this PSW and other significant natural features.

2. Candidate Significant Wildlife Habitat (SWH) is identified on the subject property. In this instance, it is amphibian breeding woodland habitat. Three SAR bat species were also identified on this property, although their habitat is 112m southeast of the proposed water ski club, so there is no potential for direct impact.
3. Significant Woodland is identified on the subject property, in this instance it occupies lands at the south end of the man-made lake on the property, as noted by EARTHQUEST.
4. Environmental Corridors are identified on the subject property, located in association with the Significant Woodland and adjacent woodlands, as outlined by EARTHQUEST.

The PSW is presented in **Figure 4**.

Figure 4 - PSW Complex (source: MNRF - Make a Map: Natural Heritage Areas)



The PPS specifically notes that development is prohibited within PSW's or SWH. No new development is proposed by this application. Rather site alteration may occur, which is

regulated, but only within the feature itself and any wetland features. The proposed land use change does not involve development or site alteration within 30m of the PSW and cSWH boundaries, thereby respecting these features and resulting in no direct or indirect impacts on these features.

This proposed temporary use is in a location that avoids any potential for impacts to Significant Features, therefore this application is consistent with the PPS.

**c) Growth Plan for the Greater Golden Horseshoe (2009)**

The Growth Plan sets specific policies regulating growth within a defined area centred around the City of Toronto, and including the Region of Niagara.

Protection of natural heritage systems is a key objective. However, it does not specifically provide any policy directives in this area. The Growth Plan focuses on growth in urban areas, termed “Settlement Areas”. This project is located outside of the City’s settlement areas.

This application is generally consistent with the Growth Plan.

**d) Imagine Niagara (Region of Niagara Official Plan, 2015)**

The Regional Official Plan is the long-range, community planning document that is used to guide the physical, economic and social development of the Regional Municipality of Niagara. Generally, it contains objectives, policies and mapping that implement the Regions approach to managing growth, growing the economy, protecting the natural environment, resources and agricultural land, and providing infrastructure.

The Regional Official Plan implements the Niagara Region Growth Management Strategy (Niagara 2031) and its content aligns with the Provincial Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement and the Greenbelt Plan.

The Regional Official Plan designates the site as “Agricultural” with both “Environmental Protection Area” and “Environmental Conservation Area” overlays in the area of the PSW and pond. Chapter 7 – Natural Environment. Table 2 addresses the natural heritage policies applying to the subject site:

*Table 2 - Regional Natural Environment Planning Policy Review*

Policy	Description	Compliance
<b>7.B.1</b>	To maintain, restore and, where possible, enhance the long term ecological health, integrity and biodiversity of the Core Natural Heritage System	YES.  This proposal results in maintenance of the PSW and Significant Woodlands.



Policy	Description	Compliance
7.B.1.1	The Core Natural Heritage System consists of <as they apply to the subject property>: Core Natural Areas (EPA & ECA).	YES.  This EIS focuses on impacts to the PSW and Significant Woodlands.
7.B.1.2	Development and Site alteration within the <EPA & ECA> Core Natural Heritage System, where potentially permitted by policies elsewhere in this Plan, shall be subject to Chapter 7.A as well as 7.B	YES.  While a portion of the subject property is designated EPA, this application will not affect EPA or ECA lands.
7.B.1.3	EPA includes PSW's, Significant Woodlands and Significant Wildlife habitat.	YES.  This application avoids impacts to all of these areas, as it involves lands outside of the feature boundaries & required setbacks.
7.B.1.4	ECA's include significant woodlands and wildlife habitat...	YES.  The subject property contains features identified as Significant Woodlands and Wildlife Habitat. None are affected by the development.
7.B.1.5	To be identified as significant, a woodland must meet one or more of the following criteria	
	a) Contain threatened or endangered species or species of concern	10 Plausible  12 Likely (Table 4, Earthquest)
	b) In size, be equal to or greater than 10 hectares (outside of Urban Areas & south of the Escarpment)	YES.  11.84ha (FOD4-7)  6ha + of woodland
	c) Contain interior woodland habitat at least 100m in from the woodland boundary	YES.  5.1 ha of interior forest 100 m from woodland boundary (FODM4-7)  MNR Ecoregion Criteria

Policy	Description	Compliance
		Schedule (2015) specifies a 200 m buffer = 749 m <sup>2</sup> of interior habitat at this site.
	d) Contain older growth forest and be 2 ha or greater in area	NO. Trees are a maximum of between 50 – 100 years old
	e) Overlaps or contain one or more of the features (PSW, PANSI, SWH)	YES, 3 amphibian habitats identified in report + SWTM2-3 parcel are within 750 m of the PSW identified by the MNRF. Therefore they are part of the PSW.
	f) Abut or be crossed by a watercourse or waterbody	YES, Watercourse runs through the FODM4-7 & WODM5-5 parcels roughly 35 m from study area boundary.

The key policy to address in the Regional Official Plan is that of demonstrating no negative impact on any significant features. This has been achieved by restricting development and land use change to areas of the subject property that are in excess of 30m from the Significant Features.

The EIS is consistent with the requirements of Regional Official Plan.

**e) Niagara Peninsula Conservation Authority Watershed Regulations**

The NPCA has not indicated the need for any specific permits relating to their regulations. Rather, their focus has been on the impact to the PSW. This has now been addressed. We do not anticipate any further issues in this area.

The applicant will work with the NPCA, should any permits be required.

**f) City of Port Colborne Official Plan (Approved 2014)**

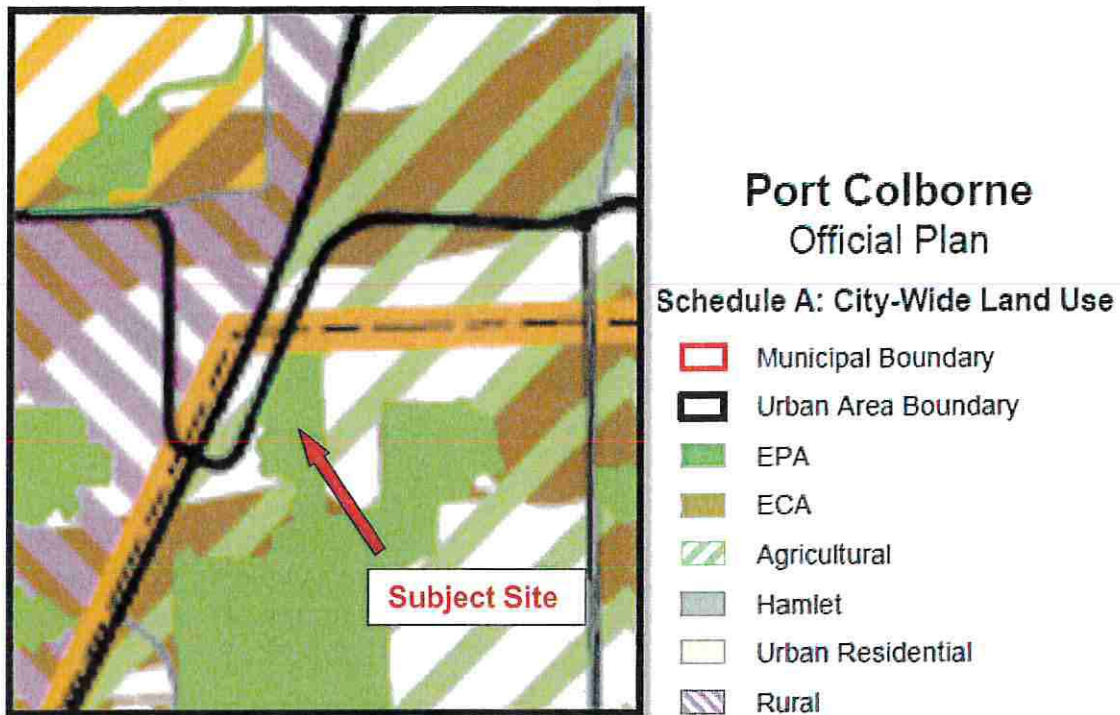
The City's Official Plan (Schedule A – Land Use) identifies the property as Agricultural. This designation is influenced by two environmental overlays:

- Environmental Protection (PSW); and
- Environmental Conservation (Significant Woodland; Significant Wildlife Habitat)



Figure 5 illustrates the Official Plan designation and Environmental overlays for the property.

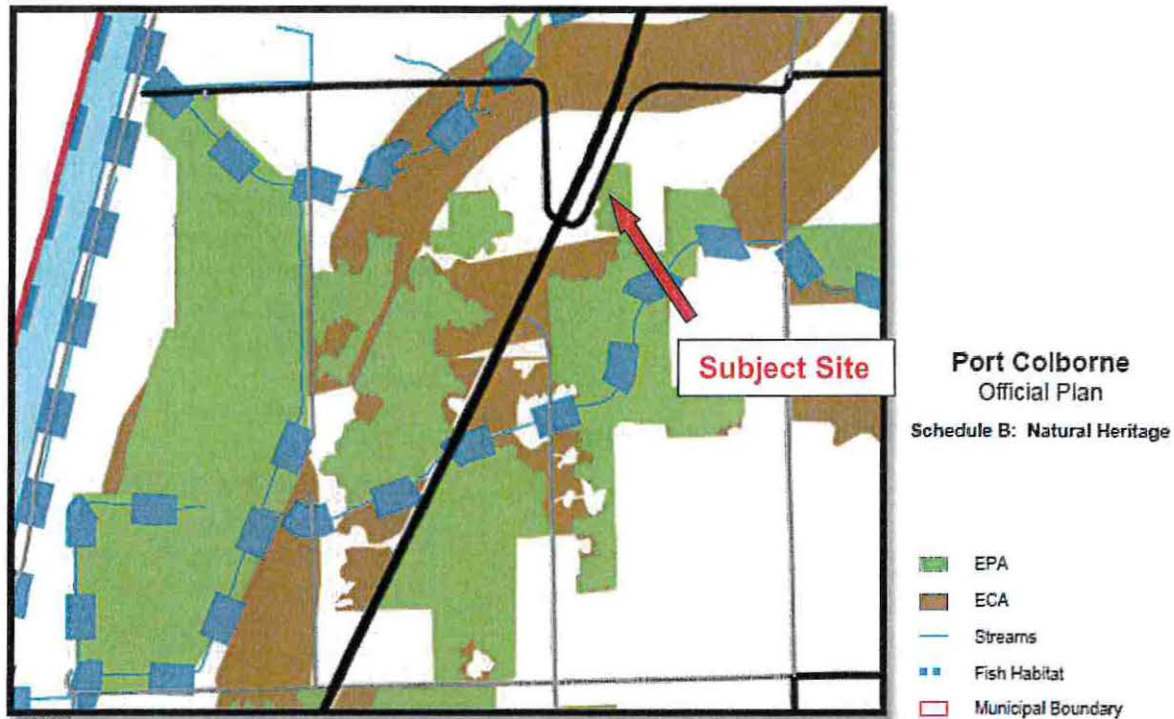
Figure 5 - City of Port Colborne Official Plan (Schedule A - Land Use)



The Environmental Protection Area (EPA) prohibits development, including the creation of new lots. The Environmental Conservation Area (ECA) permits development, subject to an EIS demonstrating no negative impact on the feature. Thus, new lot lines are permitted in the ECA designation. This is presented in **Figure 6**.



Figure 6 – City of Port Colborne Official Plan (Schedule B – Natural Heritage)



At issue with the subject site are the influences of both Environmental Protection Area (PSW Complex) to the south and the Environmental Conservation Area (woodlands) covering the majority of the property.

The Agricultural designation is the base for the property, while Environmental Protection and Environmental Conservation overlays need to be satisfied before consistency with the Agricultural designation can be demonstrated. This EIS is limited to demonstrating consistency with the EPA and ECA overlays only. Accordingly, **Table 3** presents an overview of this project’s compliance with the Town’s natural heritage policies.

Table 3 – City of Port Colborne Natural Heritage Area Policy Analysis

Section	Description	Compliance
4.1	<b>Natural Heritage Policies</b>	YES.  The subject property contains features identified as Natural Heritage. None are affected by the development.
4.2	Environmental Protection Areas	YES.  The EPA includes a PSW (Earthquest 2016)
4.2.1	Provincially Significant Wetlands	YES.

Section	Description	Compliance
		The PSW (Earthquest 2016) is located 52 m south of proposed development area. Man-made lake is not a natural feature, and, therefore, not part of the PSW. Presence of existing vegetation and earth berm around periphery of man-made lake will ensure hydrological integrity of the PSW is maintained.
4.3	Environmental Conservation Areas	YES.  According to the NPCA, approximately 4.6 ha of the ECA is adjacent to the proposed development area. The ECA includes a Significant Woodland (Earthquest 2016)
4.3.4	Significant Woodland	YES.  The Significant Woodland is > 120 m from the proposed development area (Earthquest 2016). This satisfies compliance with the OP.
4.3.5	Environmental Corridors and Linkages	YES  The 37.9 ha Significant Woodland (Earthquest 2016) on Site is linked to adjacent woodlands and provided suitable environmental corridors and linkages for wildlife. Since Significant Woodland is > 120 m from the proposed development area there will be no negative impact on these features, which satisfy compliance with the OP.

The submission of this EIS addresses most of the City's policies, as noted above. Should additional work be required to fully comply with the Region, NPCA and Town policies, SullivanPLAN and EARTHQUEST will work collaboratively with the agencies to address their needs.

EARTHQUEST Canada was retained to address the ecological component of this EIS. They addressed vegetation, tree inventory, bird/reptile/amphibian and mammal surveys, as well as determining significance of features and recommending mitigation.

**g) Ecological Land Classification**

Vegetation community delineation was completed using aerial photography and thorough investigations in the field in August and September, 2016. The standard Ecological Land Classification (ELC) System for southern Ontario was applied (Lee *et al.* 1998). Details of vegetation communities were recorded including species composition, dominance, uncommon species or features, evidence of human impact, and surficial soil characterization.

A detailed vascular flora inventory was conducted within each identified ELC vegetation community during September fieldwork visits. A one-season botanical survey is compliant with Niagara Region's Environmental Impact Study Guidelines (2012), based on the proposed use and scoping provided to the NPCA. The location of any significant species was documented using a handheld GPS unit for subsequent mapping. The following ELC communities were identified during field work:

- Gray Dogwood Deciduous Shrub Thicket Type (THDM2-4)
- Dry – Fresh Red Maple Deciduous Forest Type (FODM4-7)
- Dry Red Maple Woodland Type (WODM3-4)
- Fresh – Moist Bur Oak Deciduous Woodland Type (WODM5-5)
- Fencerow (TAGM5)
- Annual Row Crops (OAGM1)
- Open Water (OA)
- Dry – Fresh Mixed Meadow Ecosite (MEMM3)
- Bur Oak Mineral Deciduous Swamp Type (SWDM1-2)
- Gray Dogwood Mineral Deciduous Thicket Swamp Type (SWTM2-3)

The ELC communities are presented in **Appendix 1, Figure 2**.

The wetland boundaries on the subject property were reviewed and confirmed in the field by EARTHQUEST biologists. The boundaries were determined to be reasonable and the proposed temporary use could respect the 15m setback noted by the NPCA, therefore no further work is needed in this area.

The woodland dripline associated with the Environmental Conservation Area (ECA) boundary delineation within the subject property is consistent with the wetland boundary.



Details on the ELC communities mapped, including vegetation species identified for this property can be found in **Appendix 1, Section 3.1**.

#### ***h) Vegetation***

EARTHQUEST completed a detailed vegetation inventory, which is found in **Appendix 1, Section 3.2**.

#### ***i) Species at Risk***

A total of 1,082 plant records, dated between 2006 and 2013 were examined for the Niagara Region (Jolly 2015a). These were compared with NHIC occurrence records for the 1km<sup>2</sup> squares for the Site. Subsequently, two Northern Pin Oak (*Quercus ellipsoidales*) were observed within 40m on the west side of the man-made lake on August 30, 2016 (Appendix 1, Appendix A, Photo 5). The oak is regionally rare within the Carolinian forest region (Jolly 2015a).

A summary of the Ontario Breeding Bird Atlas Survey on reptiles and amphibians is presented in **Appendix 1, Table 4**.

#### Insects

Several species of insects were observed on Site; Ruby Meadowhawk (*Sympetrum rubicundulum*) and Canada Darner (*Aeshna canadensis*). No SAR insects were observed.

#### Mammals

One Meadow Vole (*Microtus pennsylvanicus*) was observed on September 9, 2016. Field investigations did not confirm the presence of any SAR mammals.

#### Amphibians

Spring Peeper (*Pseudacris crucifer*) was heard on September 22. Numerous Northern Leopard Frog (*Lithobates pipiens*) were observed during all field surveys at the edge of the man-made lake. No SAR amphibians were observed.

#### Reptiles

No reptiles were observed on Site. The NPCA reports a confirmed observation of special concern Common Snapping Turtle (*Chelydra serpentina*) in the small lake (Sullivan pers. comm. 2016). This turtle was likely moving through the area. The small lake is man-made, dredged within the last 3 years by the current owner (Sullivan pers. comm. 2016). It affords the same definition of a water body as provided in Ontario Regulation 359/09, which defines a water body as "...a lake, a permanent stream, an

intermittent stream and a seepage area but does not include, a) grassed waterways, b) temporary channels for surface drainage, such as furrows or shallow channels that can be tilled and driven through, c) rock chutes or spillways, d) roadside ditches that do not contain a permanent or intermittent stream, e) temporarily ponded areas that are normally farmed, f) dugout ponds, or g) artificial bodies of water intended for the storage, treatment or re-circulation of runoff from farm animal yards, manure storage facilities and sites and outdoor confinement areas". Therefore, it does not qualify as a water body. Turtles require aquatic vegetation in fresh water, a minimum depth of 1 meter with a gravel substrate in order to hibernate. The man-made lake is devoid of aquatic vegetation and over 2 meters in depth. Moreover, in order to breed, turtles require gravel or sandy areas. No suitable habitat for nesting or hibernating was observed during field investigations.

#### ***j) Significant Wildlife Habitat***

Habitats on this property having the potential to service wildlife protected under the Endangered Species Act (ESA) and Species at Risk (Ontario) are detailed in **Appendix 1, Section 4.3**.

A summary of the ecological field work findings are:

- Deciduous forest on-site are capable to serve as SWH for 3 endangered bat species

0.7 ha of cSWH amphibian breeding woodland habitat are identified in **Appendix 1, Figure 3**.

## **6. HYDROLOGY**

Hydrologically, the intermittent vernal pools providing potential amphibian woodland breeding habitat as AB01, AB02, and AB03 are connected to the man-made lake. Of these features, AB01 and AB02 are within 15 m of the man-made lake, while all amphibian woodland breeding cSWH are within the PSW and Environmental Protection Area (EPA).

#### ***k) Babion Woods Provincially Significant Wetland Complex***

The man-made lake present on Site is not considered a natural water body and, therefore, not part of the PSW. Given the distance of the amphibian woodland breeding cSWH from the edge of the man-made lake, the amount of vegetation, and the presence of a well defined earth berm around the periphery of the man-made protect these features from any wave up rush caused by the operation of boats on the man-made lake. Likewise, no negative impact is anticipated on the PSW, or EPA.

### ***l) Fish Habitat***

A water course located 60 m south and southeast of the study area (**Figure 2, Figure 3**), which has been identified as fish habitat in the City of Port Colborne Official Plan (OP 2012), may provide minimal feeding habitat and cover for frogs during the summer. It may also provide a drinking source for wildlife such as White-tailed Deer (*Odocoileus virginianus*) and Wild Turkey (*Meleagris gallopavo*). The minimum distance to fish habitat provided in the City of Port Colborne OP is 30 m. Therefore, no negative impact on this feature is anticipated.

### ***m) Significant Woodland***

Amphibian woodland breeding habitat AB03 is within the Significant Woodland identified within Schedule B2 of the City of Port Colborne OP (2012), but no negative impact from human activity is anticipated to occur since it is located 40 m southeast of the man-made lake. Similarly, the bat maternal colony cSWH is within the Significant Woodland and adjacent to east side of the man-made lake, but the berm and natural vegetation cover will protect the integrity of this natural feature for bats (**Figure 2, Figure 3**).

### ***n) Environmental Corridor***

Schedule B2 of the City of Port Colborne OP (2012), maps an environmental corridor linking the 37.9 ha Significant Woodland on Site to adjacent Significant Woodlands. However, this feature is > 120 m from the proposed commercial water park development area. Therefore, no negative impact from human activity is expected.

## **7. ECOLOGICAL IMPACT ASSESSMENT**

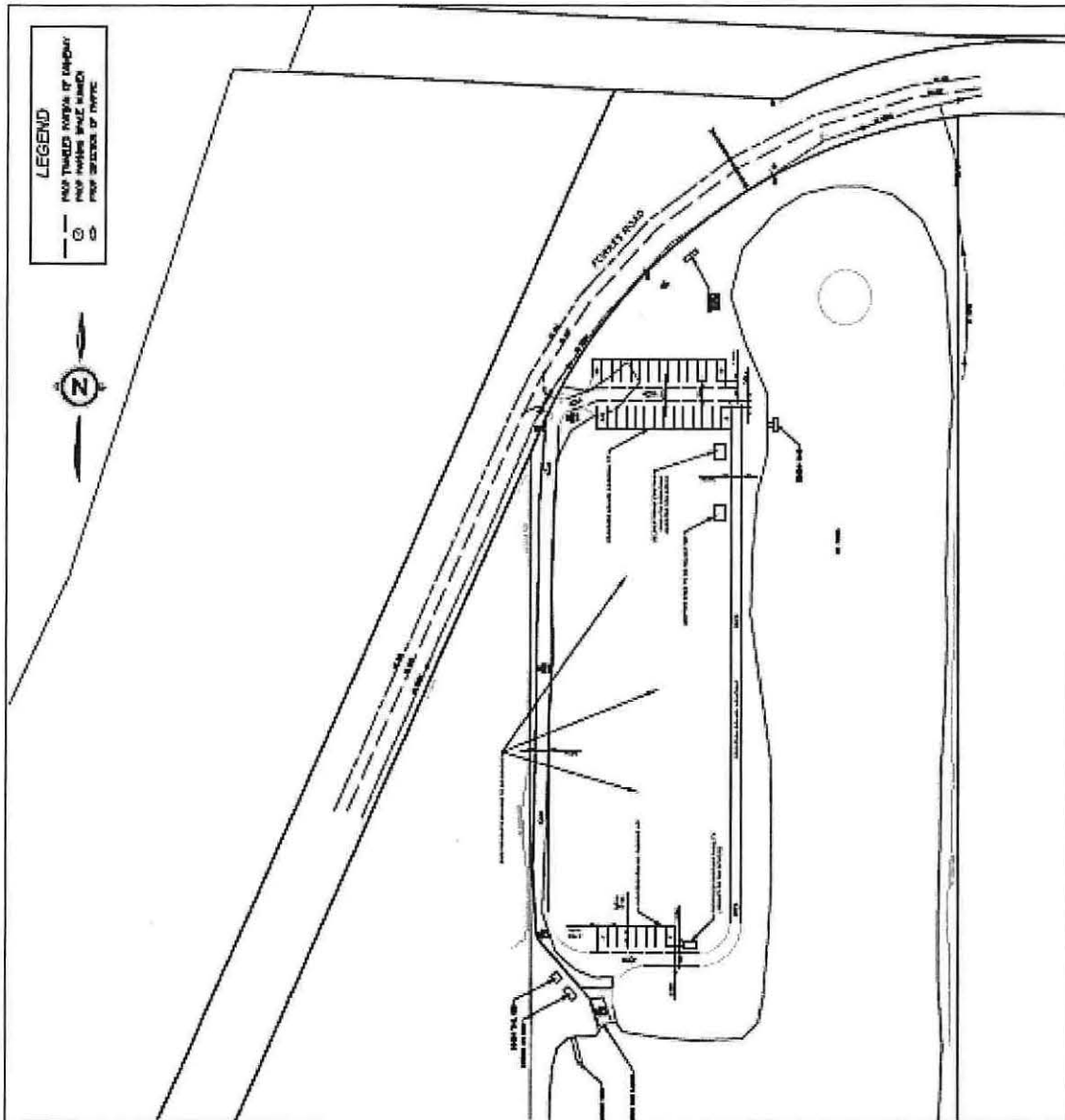
### ***a) Proposed Development***

A pre-consultation meeting was held on May 17, 2016 with the Town, Region and NPCA in attendance. At that time, the applicant proposed to establish a commercial water ski club, as a temporary use. The tool proposed for this purpose is a Temporary Use By-law, which would seek permission for the club to operate over a set timeline, and provide the City with the opportunity to review the use on a regular basis.



To facilitate the Temporary Use By-law, this EIS has been identified as required. The proposed development is presented in **Figure 7**.

**Figure 7 - Proposed Development (1133 Forks Road)**



We note that water skiing has been occurring at this location for a period of approximately three (3) years. This period of operations provides an opportunity to consider any practices that may involve environmental impact and to make recommendations for improvements, as applicable.

## ***b) Direct Environmental Impacts***

### *Erosion and Sedimentation*

Wave action from the water skiing activity, and boat wake may lead to some longer-term erosion along the side of the man-made.

Erosion may occur with the stockpiles of fill, which come from creating the man-made lake. These stockpiles need to be stabilized to avoid further environmental impacts. Stabilizing and mitigation would include planting vegetation along the edges of the stockpiles as part of edge management practices to prevent soils from washing into the man-made lake.

### *Waverush*

As a water ski club, which will employ one power boat for skiing, which will involve turning and waves will result. Our client has confirmed that no accidents have occurred since operations began. However, to be proactive, the potential impacts of waves from the boat and water skiers needs to be addressed.

## ***c) Indirect Environmental Impacts***

### *Significant Wetlands*

The Babion PSW Complex has been shown to be at least 50m south of the proposed water ski club activity area, related to the man-made lake. At this distance, any impacts to the PSW will be avoided.

There is potential that the water ski operations, including waves and possible skier error could lead to wave uprush or other minor effects on the PSW. As a result even though development is not proposed or anticipated within 30 m of the PSW, mitigation may be appropriate, given the nature of the operation.

### *Significant Woodlands*

Section 2.15 of the PPS, 2014 notes that “*Development and site alteration shall not be permitted*” in Significant Woodlands, “*unless an EIS can demonstrate that there will be no negative impacts on the natural features or their ecological functions.*” This EIS demonstrates no negative impact, provided the mitigation measures below are successfully implemented.

The FOD4-7 community meets the Regional requirements as a Significant Woodland. No development, however is proposed within 15m of this feature, therefore no negative impact is achieved. This setback and other mitigation is presented in **Figure 8**.





*Figure 8 - Recommended Mitigation*



*Significant Wildlife Habitat*

Species protected under the Endangered Species Act, identified as Species At Risk (Ontario) may exist on the property. Specifically, based on ELC mapping, the FOD4-7 community is considered candidate bat SWH.

No development is proposed in the FOD4-7 community therefore no impact is achieved. The MNRF was not contacted for this EIS as there will be no threat or potential threat to the associated wildlife habitat. In addition, MNRF bat survey protocol only applies where certain ELC communities is directly affected by development. In this instance, development is not proposed in any such community.

*Cumulative Environmental Impacts*

Grading has historically already taken place. The man-made was already constructed. No development is proposed in or near the woodlands or PSW. SWH will not be impacted, based on avoidance. Erosion and sedimentation will be addressed later in this EIS.

Based on the scale of the water ski club, the cumulative environmental impacts of this development proposal are insignificant.

*Summary of Natural Heritage Features*

**Table 4** provides a summary of features identified as a constraint to any proposed development and site alteration within the subject property. Where applicable, the table also provides mitigation options which are recommended to substantially reduce or eliminate adverse impacts to these features.

*Table 4. Summary of Study Area Constraints*

Natural Feature Constraint	Regulatory and Permitting Considerations	Project Considerations
<b>Wetlands</b>	<ul style="list-style-type: none"> <li>NPCA Ont. Reg. 155/06</li> <li>Niagara Region Official Plan</li> </ul>	<ul style="list-style-type: none"> <li>It must be demonstrated through an appropriate study (e.g. EIS) that a proposed development within 120 m of a confirmed provincially significant wetland boundary (within the area of interference) will not negatively impact the wetland or its ecological functions</li> </ul>
<b>Significant Woodland</b>	<ul style="list-style-type: none"> <li>Provincial Policy Statement</li> <li>Niagara Region Official Plan</li> </ul>	<ul style="list-style-type: none"> <li>Development and site alteration are not permitted within the Significant Woodland without an EIS</li> <li>Development within 30 m of a Significant Woodland must demonstrate no negative impact to the feature and/or its ecological functions</li> </ul>



Natural Feature Constraint	Regulatory and Permitting Considerations	Project Considerations
<b>Significant Wildlife Habitat</b>	<ul style="list-style-type: none"> <li>• Provincial Policy Statement</li> <li>• Niagara Region Official Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Woodland amphibian breeding habitat has been identified and mapped within the study area</li> <li>• Development or site alteration in or within 30 m of the SWH is prohibited unless it can be demonstrated that the proposed development will not impact the feature or its ecological functions</li> </ul>
<b>Candidate Habitat for Endangered and Threatened Species</b>	<ul style="list-style-type: none"> <li>• Endangered Species Act, 2007</li> <li>• Species at Risk Act</li> <li>• Provincial Policy Statement</li> <li>• Niagara Region Official Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Candidate habitat for bat SAR occurs within the forested habitats within the subject property.</li> <li>• Section 9 of the ESA prohibits activities which result in direct impacts to SAR such as killing, harming, harassing, etc.</li> <li>• Section 10 of the ESA prohibits damage or destruction of habitat for SAR. .</li> <li>• No development or site alteration is proposed within the candidate habitat.</li> <li>• No negative impact is achieved.</li> </ul>

Land use policy will now be analyzed to consider the significance of any impacts.

**d) Design Changes and Mitigation Measures**

The scale and type of development proposed will have no negative impact on the functionality of the PSW and Woodland, provided the recommended mitigation measures noted in this EIS are successfully implemented. By separating water skiing activities from the PSW and related significant woodlands, impacts are minimized.

Identified natural features within the subject property include a portion of the Babion Hills Provincially Significant Wetland, an Environmental Conservation Area, Environmental Corridors, Significant Woodland, Significant Wildlife Habitats, and candidate habitat for Species at Risk bats.

A detailed characterization of existing natural features was used to inform an analysis of the significance and sensitivity of natural features within the subject property. This information can be used to evaluate potential impacts as a result of any proposed development or site alterations in the immediate future within the subject property. Basic mitigation measures have been proposed to minimize impacts as a result of any proposed development or site alteration to the above listed identified natural features within the subject property.

Table 5 - Summary of Recommended Mitigation Measures

Potential Impact	Recommended Mitigation Measure(s)
<b>Vegetation/habitat removal</b>	<ul style="list-style-type: none"> <li>It is recommended to avoid all development and site alteration in the identified Significant Woodland within the subject property</li> <li>A 15.0m no development setback has been provided to protect the PSW from potential impacts from water skiing activities.</li> <li>Implementation of the 15.0m setback would be with floating buoys, which would provide a visual reminder to the boat operator and skiers to avoid the area.</li> <li>Proposed developments and site alterations should be planned to be located along the edge of the Significant Woodland to avoid impacts to interior habitats</li> <li>Avoid vegetation removal during spring and fall bird migration periods (March 15 – July 31; August 15 – October 30) to avoid impacts to potential Woodland Area-Sensitive Breeding Bird SWH</li> <li>Clearly delineate the limit of all construction activities to avoid unnecessary encroachment into natural features</li> <li>Vegetation removal shall be undertaken in compliance with the Regional Tree Cutting By-law, administered by the NPCA.</li> </ul>
<b>Wildlife Habitat</b>	<ul style="list-style-type: none"> <li>Time vegetation removal activities to occur outside the bird and amphibian breeding season (March 15 – July 31)</li> <li>Construction activities should be restricted to daylight hours only and the use of artificial lighting should be avoided</li> <li>Clearly delineate the limit of all construction activities to avoid unnecessary encroachment into natural features</li> </ul>
<b>Candidate Species at Risk Habitat</b>	<ul style="list-style-type: none"> <li>Development within SWH is avoided.</li> <li>An additional 3.0m setback has been included in the pond to ensure no negative impacts to the habitat.</li> <li>Time vegetation removal activities to occur outside the summer bat activity period (April 30 – September 1)</li> <li>Construction activities should be restricted to daylight hours only and the use of artificial lighting should be avoided</li> <li>Clearly delineate the limit of all construction activities to avoid unnecessary encroachment into natural features</li> </ul>
<b>Damage or other disturbance to adjacent natural features</b>	<ul style="list-style-type: none"> <li>Clearly demarcate the limits of construction with silt fencing around the perimeter of the construction zone</li> <li>No construction equipment or activities shall occur outside of the demarcated construction area</li> <li>Garbage, leaf litter, and other debris should not be deposited within the adjacent forest or wetland</li> <li>Any landscape plantings should use native species to avoid the proliferation of non-native species within adjacent natural features.</li> <li>Construction equipment and vehicles should be cleaned at designated wash bays to avoid introduction of non-native species to the area</li> </ul>

The location of the proposed development is in excess of 30m removed from all significant features and functions, therefore no negative impact has been achieved. The mitigation recommended above is to provide further assurance that the commercial operations of the proposed water ski club will have no impact on the nearby features.

## 8. CONCLUSION

The development of 1133 Forks Road, Port Colborne is compatible with surrounding land uses and will result in no negative impact to the natural features and functions identified in this EIS.

The mitigation measures recommend above have been developed based on best practices and pragmatic solutions for which implementation can be monitored and enforced through the Temporary Use Agreement.

Respectfully Submitted,

*Sullivan*PLAN

A handwritten signature in black ink, appearing to read "Michael Sullivan". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Sullivan".

Michael Sullivan, RPP, EP  
Principal, Environmental Planner

cc. Dave Jolly, B.Sc., EARTHQUEST (Canada) for the Environment  
Jack Bernardi, CPT



Appendix 1 – EARTHQUEST Existing Conditions Report

Appendix 2 – Terms of Reference (Signed)

Appendix 3 - Agency Communications



Appendix 3 – Proposed Development (11 x 17)

**Environmental Noise Compatibility Study  
Proposed 1133 Forkes Road Water Ski Club Facility  
City of Port Colborne, Ontario**

Novus Reference No. 17-0065

FINAL

May 1, 2017

**NOVUS PROJECT TEAM:**

Senior Specialist: R. L. Scott Penton, P.Eng.



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## 1.0 INTRODUCTION

Novus Environmental Inc. (Novus) was retained to conduct an environmental noise feasibility assessment for a proposed seasonal temporary water ski club facility, to be located at 1133 Forkes Road, in Port Colborne Ontario. This assessment is in support of a Zoning By-law Amendment (ZBA) for a Temporary Use By-law.

The focus of this report is to assess potential noise impacts from the water ski club facility, on the surrounding residential receptors.

### 1.1 Nature of the Subject Lands

The proposed facility is to be located on the south side of Forks Road, east of Highway 140, municipally known as 1133 Forks Road. See **Figure 1**.

From the planning report prepared for the ZBA, “the subject land has an area of 11.84 hectares (29.26 acres) and is located on the south side of Forks Road. The land has a frontage of approximately 155.74 m (511 ft.) and a depth of approximately 998 m (3,275 ft.). The northerly portion of the land contains an existing large pond with existing docks and boat launch, and a small area of land with existing accessory structures/building which represents approximately 50% of the entire land. The majority of this area has a large graded earth mound, which will be seeded in the spring. The remaining 50% percent of the land to the south contains a dense woodland that has been identified as an Environmental Protection Area.”

### 1.2 Nature of the Surroundings

**Figure 1** shows the site and surrounding area, including the location of the closest noise-sensitive residences. The area is semi-rural in nature. Highway 140 is located to the west of the site. The CN/ City of Port Colborne Humberstone spur rail line runs to the west and north of the site. There is a grade separation (overpass) for Highway 140 at the rail spur line. Per the Planning report:

- Abutting along the majority of the west property line is a densely wooded vacant lot, which is part of the Environmental Protection Area lands in the area.
- Across Highway 140 and along Forkes Road East, there are three residences (3768, 3864 and 3967 Forkes Road E).
- Abutting to the south is a dense woodlot containing a single family dwelling which fronts on Babion Road (3613 Babion Road).
- Abutting to the east is a vacant large active agricultural lot, which is zoned for Agricultural Purposes Only (APO) and contains a dense woodlot at its south west corner.
- Abutting to the east of the southerly portion of the subject land appears to contain an active agricultural lot containing a single family dwelling. The majority of this lot is open field with the northwest corner containing a dense woodlot (3670 Yager Road).



- There is also a rural residential lot, not abutting the subject land, which contains a single family dwelling fronting on Yager Road. This property appears to be a farm retirement lot created some time ago (3772 Yager Road).
- There are two residences on Yager Road north of Forkes Road (4042 and 4049 Yager Road).

There are significant woodlots which are part of Environmental Protection Areas, shown in green in **Figures 1 and 2**. These woodlots are dense enough and high enough to provide noise screening for residences to the south.

The terrain in the area is generally flat, with the exception of the Highway 140 overpass of the railway line. See **Figure 2**. The overpass structure provides acoustical screening to receptors to the northwest of the site.

### 1.3 Proposed Facility

The proposed seasonal temporary Water Ski Club season is intended to be from mid May to mid September and operates seven (7) days per week from noon till dusk, by appointment only. It is anticipated that three (3) events per year will be held with approximately twenty (20) participants. Only 1 skier at a time is allowed on the pond.

The proposed facility will be used as a water ski club. Skiers will run a slalom course located in the mid portion of the lake. See **Figure 3**. The slalom course is run in both directions; thus one complete circuit of the lake consists of two passes through the slalom course (a north-to-south pass and a south-to-north pass). There are no jumps or obstacles in the water other than the slalom buoys.

At the start of a pass, the towboat will idle for approximately 90 seconds while the wake subsides and skier prepares for the next run. The towboat will then accelerate to a maximum speed of 58 km/h for the run through the slalom course. Once through the course, the towboat will slow down and turn around at the end of the lake, returning to idle to allow for the skier to prepare for the next run.

Each skier makes 6 to 8 passes through the course as part of their ride (3 to 4 circuits of the lake). Based on experience of the owners, due to set-up time, etc., the maximum number of skiers which can ski during an hour is four (4). Therefore, the maximum number of passes through the slalom course is 4 skiers x 8 passes per skier = 32 passes (equivalent to 16 circuits of the lake).

The tow boat which will be used on the lake will meet the requirements of the American Water Ski Association (AWSA) “Towboat Policy Manual”, which sets out maximum noise emission levels for waterski towboats. Excerpts from the manual can be found in **Appendix A**. The actual towboat used on the lake will likely be quieter, but any case will not exceed the AWSA noise emission limit.

A Judge’s Tower will be used, located as shown in **Figure 3**. The tower may incorporate a one-speaker public address (PA) system, as discussed below. Twenty (20) skiers will participate during an event. In addition to the skiers, it is anticipated that there would another 20 spectators to observe the event.

## **2.0 NOISE GUIDELINES**

### **2.1 Port Colborne Noise By-law 4588/119/04**

Noise By-law 4588/119/04 regulates noise within the City of Port Colborne. The following provisions of the by-law apply to the operation of the proposed water ski club:

#### **2.1.1 Stationary Noise Guidelines**

Section 4(1) of the by-law adopts Ontario Ministry of the Environment and Climate Change (MOECC) Publication NPC-205 noise guidelines as applying to “residential areas” within the City.

"Residential Area" in the by-law is defined as “land zoned to permit residential use in City of Port Colborne Zoning By-laws”. A copy of the zoning map for the area is provided in **Appendix B**. The surrounding area contains AR and RU zoned areas which appear to qualify as “residential areas”.

Publication NPC-205 has been withdrawn by the MOECC and replaced with Publication NPC-300. For the purposes of this application, the noise guideline limits of Publications NPC-205 and NPC-300 are identical. The NPC-300 noise guidelines are discussed in detail in **Section 2.2**.

#### **2.1.2 General Prohibitions**

None of the general prohibitions listed in Schedule 1 of the by-law appear to apply to the operation of the water ski club.

#### **2.1.3 Prohibitions by Time and Place**

Item 2 of Schedule 3 – Time and Place Prohibited Periods of the by-law states the following is prohibited:

2. The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound in a residential area at any time.

Thus, the use of a PA system at the site is prohibited by the noise by-law.

In order to allow for the operation of a PA system at the club, a permanent exemption from this section of the noise by-law will be sought from City Council, in accordance with Section 8(2) of the noise bylaw. If a permanent exemption is not provided, then temporary exemptions will be sought for each of the special events, in accordance with Section 8(1) of the by-law.

## **2.2 MOECC Publication NPC-300 Guidelines**

The applicable MOECC noise guidelines for new industrial land uses are provided in MOECC Publication NPC-300. NPC-300 sets out noise limits for two main types of noise sources:



- Non-impulsive, “continuous” noise sources such as ventilation fans, mechanical equipment, and vehicles while moving within the property boundary of an industry. Continuous noise is measured using 1-hour average sound exposures ( $L_{eq}$  (1-hr) values), in dBA; and
- Impulsive noise, which is a “banging” type noise characterized by rapid rise time and decay. Impulsive noise is measured using a logarithmic mean (average) level ( $L_{LM}$ ) of the impulses in a one-hour period, in dBAI. There are no impulsive type noises associated with the proposed waterski club. Impulsive noise is not discussed further in this assessment.

The guideline requires an assessment at, and provides separate guideline limits for:

- Outdoor points of reception (backyards); and
- Plane of windows on the outdoor facade which connect onto noise sensitive spaces, such as living rooms, dens, eat-in kitchens, dining rooms and bedrooms.

The applicable noise limits at a point of reception are the higher of:

- The existing ambient sound level due to road traffic, or
- The exclusion limits set out in the guideline.

The following tables set out the exclusion (time of day activities) limits from the guideline.

**Table 1: Exclusion Limits for Non-Impulsive Sounds – Outdoor Points of Reception ( $L_{eq}$  (1-hr), dBA)**

Time of Day	Class 2 Area (Semi-Rural)
7am to 7 pm	50
7 pm to 11 pm	45
11 pm to 7 am	n/a

Notes: n/a - Not Applicable. Outdoor points of reception are not noise sensitive during the overnight period.

**Table 2: Exclusion Limits for Non-Impulsive Sounds – Plane of Windows of Noise Sensitive Spaces ( $L_{eq}$  (1 hr), dBA)**

Time of Day	Class 2 Area (Semi-Rural)
7am to 7 pm	50
7 pm to 11 pm	50
11 pm to 7 am	45

### 2.2.1 Area Classification and Limits

Based on the nature of the area, the Class 2 area semi-rural sound level limits apply at all points of reception. The sound environment is dominated by man-made sounds such as road and rail traffic noise during the day, and by the sounds of nature at night. As the facility operates during daytime hours (noon to dusk), the applicable noise guideline limit is 50 dBA. See **Table 3**.



### **3.0 PREDICTED IMPACTS FROM THE PROPOSED FACILITY OPERATIONS**

#### **3.1 Points of Reception**

The primary points of reception of concern are the eight (8) existing residences surrounding the site, shown in **Figures 1, 4 and 5**.

#### **3.2 Facility Operations**

The noise sources of concern for the proposed waterski facility are shown in **Figure 3** and include:

- Noise from the towboat at travelling at maximum speed through the slalom course (maximum sound level of 75 dBA at 125 ft., and at 58 km/h);
- Noise from the towboat turning at the ends of the lake (25 km/h); and
- Noise from the towboat idling while the skiers prepare for each pass (90 seconds per pass x 16 passes = 24 minutes at each end).

During the three competition events:

- Noise from 20 participants and 20 spectators (talking and shouting); and
- Noise from the PA system at the Judge's Tower.

For participant/ spectator noise, noise from 20 people (half of the group) talking continuously with raised voices have been modelled. In addition, 5 people are assumed to shout, for a duration of 5 minutes per hour. The Judge's PA system is assumed to operate for 15 m of the hour. Voices are inherently noticeable by the human ear; as a result, a tonal penalty of +5 dB has been applied to account for this.

#### **3.3 Noise Modelling Procedures**

Noise impacts from operations at the nearby facilities were modelled using Cadna/A, a computerized noise model implementation of the internationally recognized ISO-9613-2 environmental noise propagation algorithms. Cadna/A / ISO-9613 is the preferred noise model of the MOECC. The model accounts for source noise emission levels, distance, screening effects from buildings, terrain and noise barriers, reflections off of the ground and surrounding buildings, atmospheric absorption, and worst-case meteorological conditions (temperature inversions and down-wind conditions).

A conservative general ground absorption co-efficient of  $G=0.8$  was used in the modelling, accounting for 80% of the intervening ground surface being soft and acoustically absorptive (e.g., grass, trees, farmland) and 20% reflective (e.g., roads and hard-packed gravel). Water surfaces were modelled as perfectly reflective ( $G=0$ ).

Two scenarios have been considered: 1) Operations including a PA system, and 2) Operations without a PA system. Sound data used in the modelling can be found in **Appendix C**.

### 3.4 Noise Modelling Results

Modelling results are presented in the table below, and shown graphically in **Figure 4** and **Figure 5**.

**Table 3: Summary of Predicted Sound Levels**

Location	Receptor [1]		NPC-300 Area Type	Applicable Guideline Limit [2] (dBA)	Predicted Sound Levels (dBA)		Meets Guideline Limit?
	Description	Modelled Height (m)			With PA System	No PA system	
3613 Babion Rd	2-storey	4.5	2	50	45	42	Yes
3768 Forkes Rd E	2-storey	4.5	2	50	47	44	Yes
3864 Forkes Rd E	1-storey	2.0	2	50	42	38	Yes
3967 Forkes Rd E	2-storey	4.5	2	50	43	39	Yes
3670 Yager Rd	2-storey	4.5	2	50	44	41	Yes
3772 Yager Rd	1-storey	2.0	2	50	45	42	Yes
4042 Yager Rd	2-storey	4.5	2	50	45	42	Yes
4049 Yager Rd	2-storey	4.5	2	50	44	41	Yes

Notes: [1] Receptor locations are shown in **Figures 4 and 5**.  
 [2] Facility will only be in operation during daytime hours (noon to dusk)

As shown above, noise levels from the proposed water ski club are predicted to meet the applicable NPC-300 noise guideline limits at all surrounding residences.

## 4.0 CONCLUSIONS AND RECOMMENDATIONS

The potential for noise impacts from the proposed facility on the surrounding sensitive receptors have been assessed. Based on the results of our study, the following conclusions have been reached:

- Stationary noise impacts from the proposed water ski club facility were assessed, and compared against the applicable MOECC Publication NPC-300 criteria. Stationary impacts from the proposed facility, on the surrounding noise sensitive receptors are below applicable guideline limits, both with and without a PA system being used on-site. No additional noise mitigation is required.
- In order to allow for the operation of a PA system at the club, a permanent exemption will be sought from City Council, in accordance with Section 8(2) of the noise bylaw. If a permanent exemption is not provided, then temporary exemptions will be sought for each of the special events, in accordance with Section 8(1) of the by-law.

## 5.0 REFERENCES

American Water Ski Association (AWSA), Towboat Policy Manual, 2015-2016.

City of Port Colborne, By-law 4588/119/04, *Being a By-Law to Regulate Noise*.

International Organization for Standardization, ISO 9613-2: Acoustics – Attenuation of Sound During Propagation Outdoors Part 2: General Method of Calculation, Geneva, Switzerland, 1996.

Ontario Ministry of the Environment and Climate Change (MOECC), Publication NPC-300: *Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning*, 2013.



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## Figures

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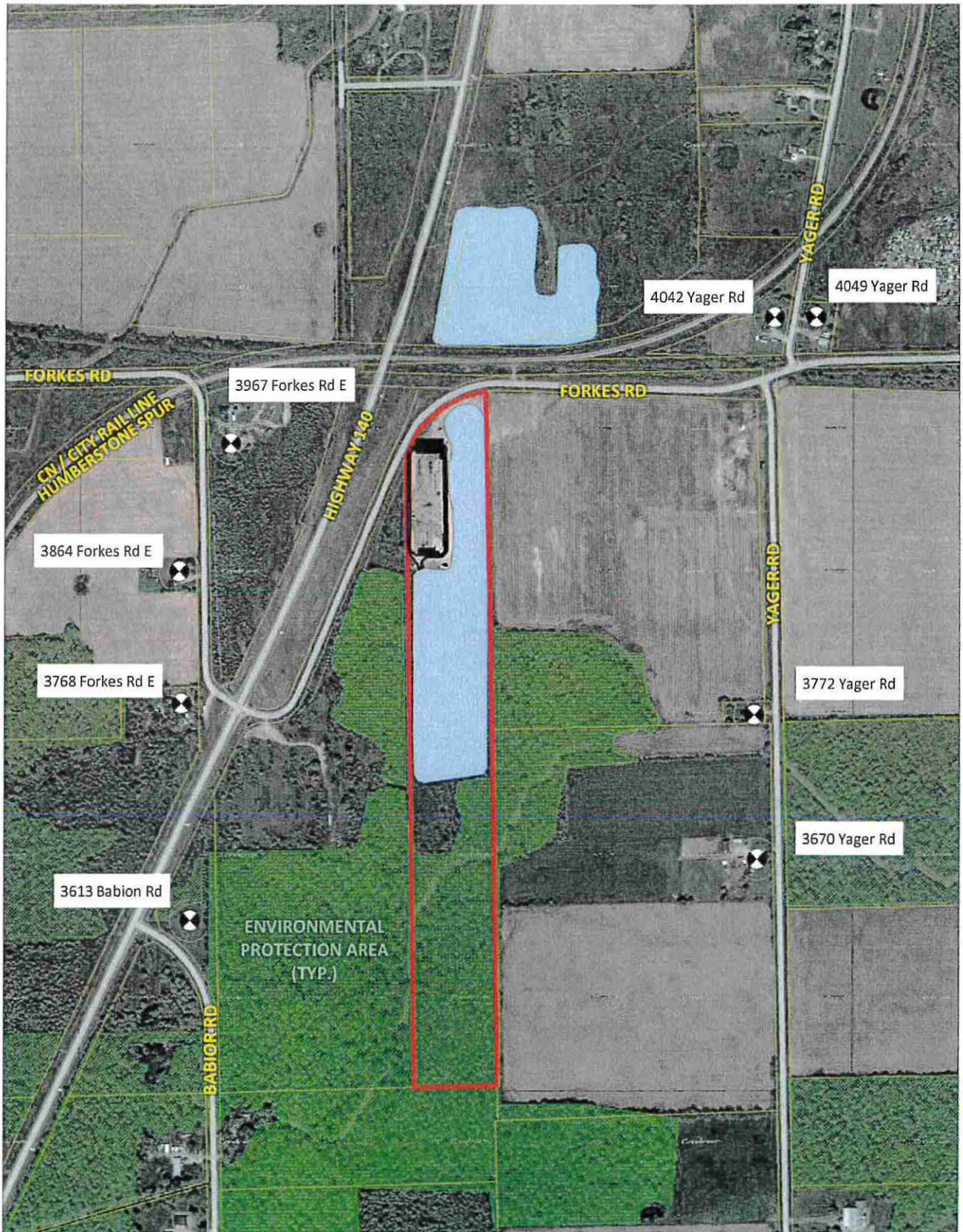
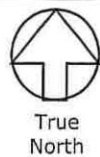


Figure No. 1  
**Site and Surrounding Area**

1133 Forkes Road Water Ski Club  
 Port Colborne, Ontario



1: 7500  
 17/04/25  
 17-0065  
 SLP





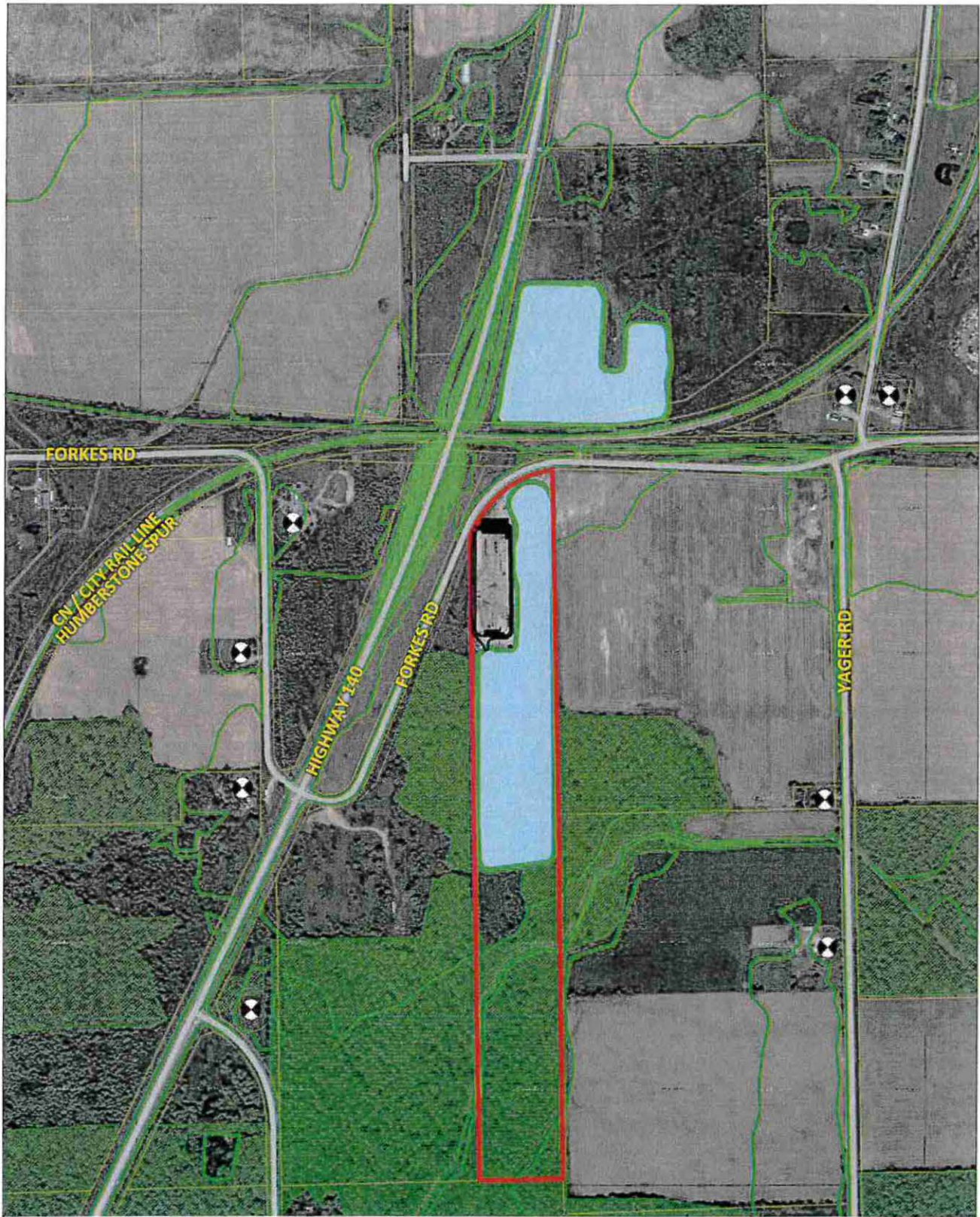
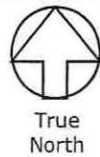


Figure No. 2  
**Terrain Contours  
 (1 m Separation, from Niagara Region)**  
 1133 Forkes Road Water Ski Club  
 Port Colborne, Ontario



1: 7,500  
 17/04/25  
 17-0065  
 SLP





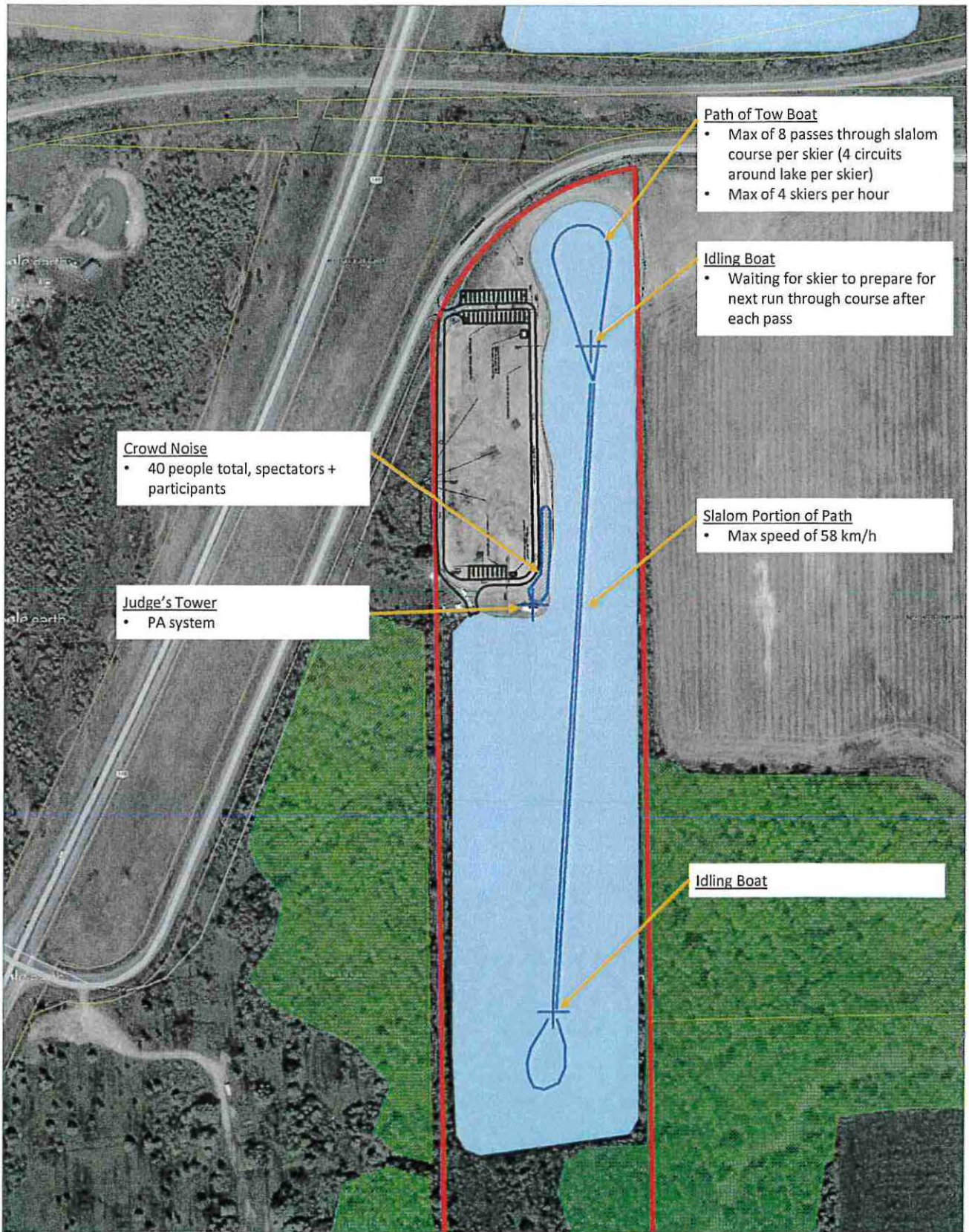
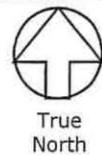


Figure No. 3  
**Noise Sources**

1133 Forkes Road Water Ski Club  
 Port Colborne, Ontario



1: 3,000  
 17/04/25  
 17-0065  
 SLP





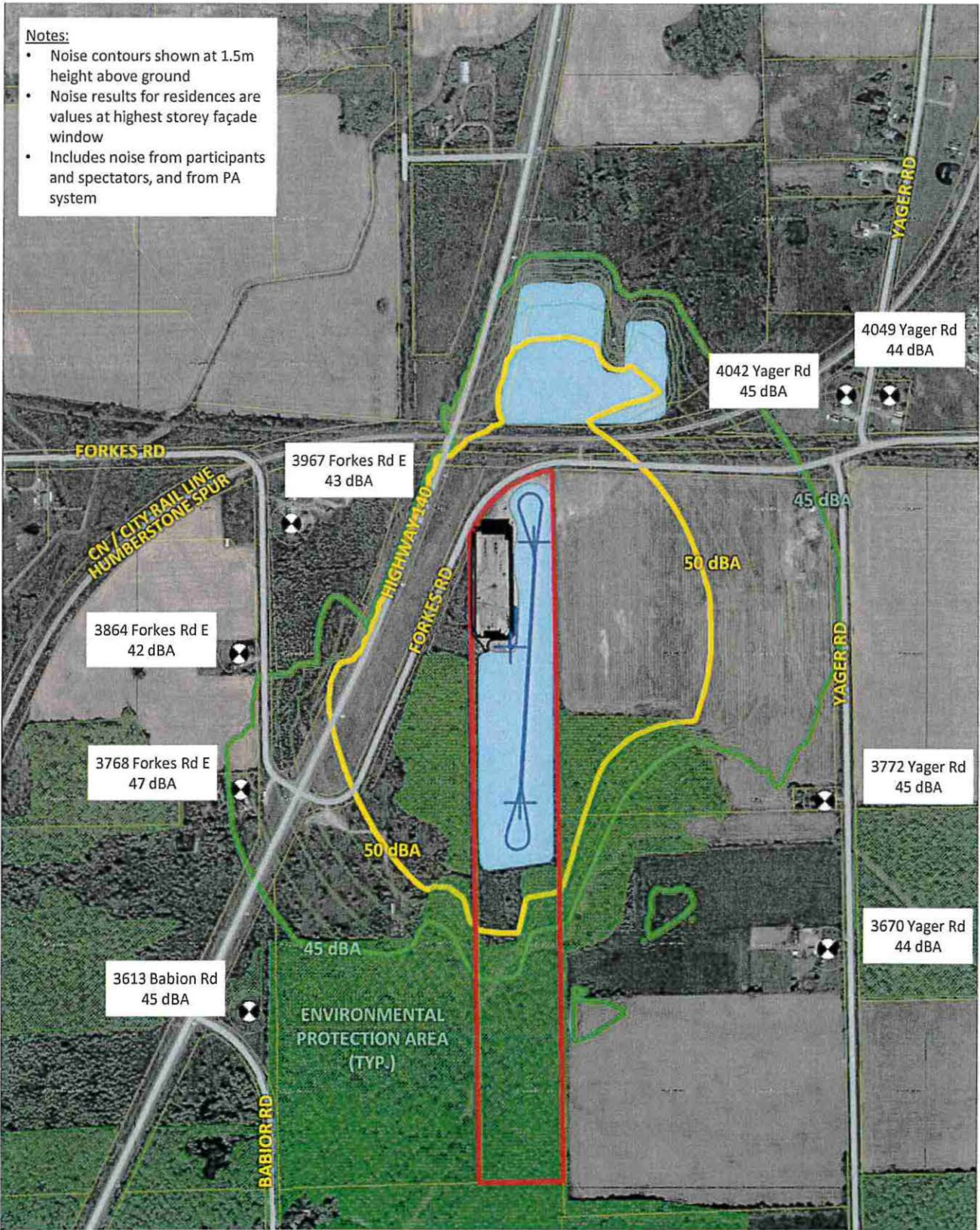
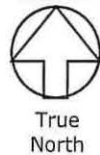


Figure No. 4  
**Predicted Noise Levels – With PA System**

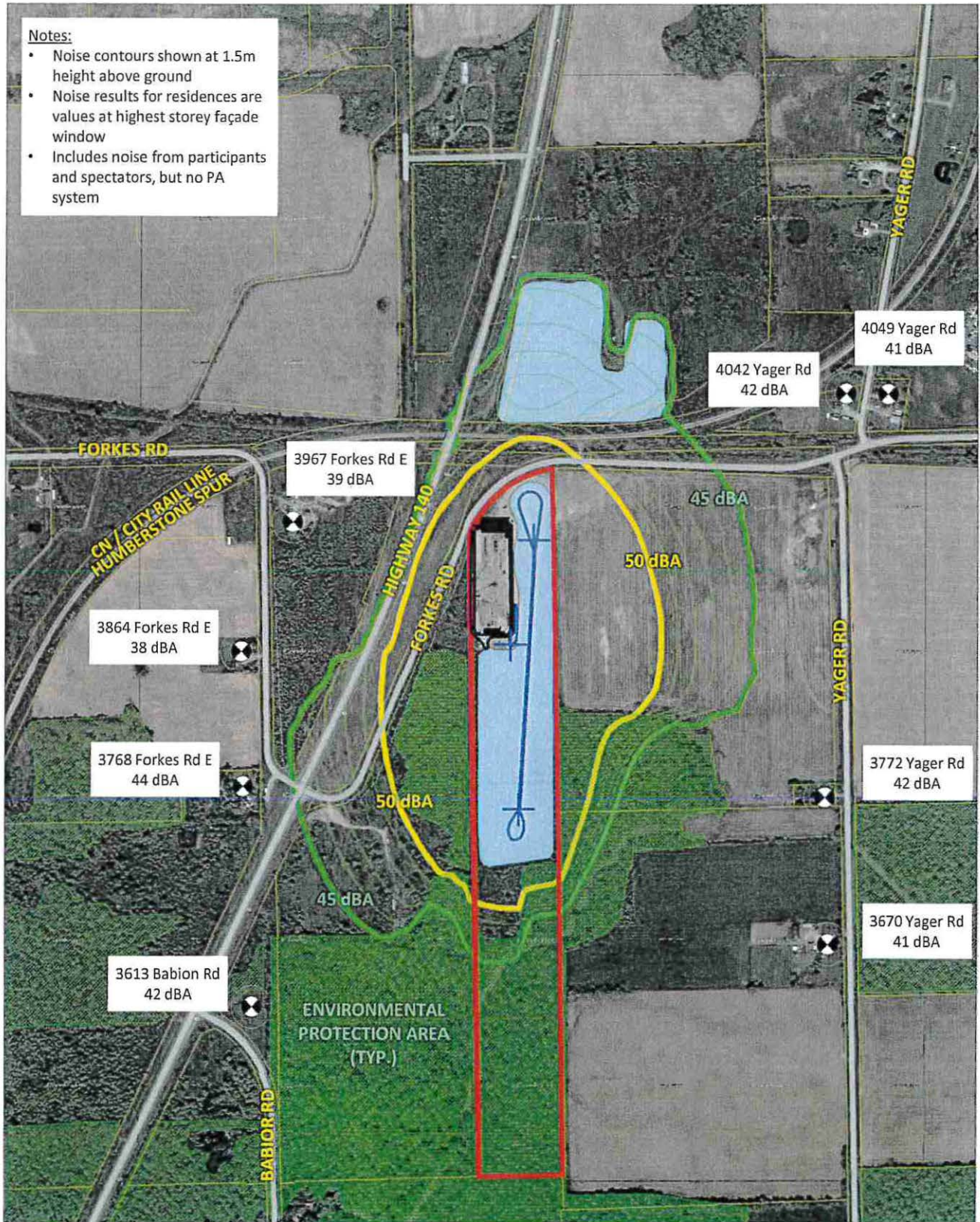
1133 Forkes Road Water Ski Club  
 Port Colborne, Ontario



1: 7,500  
 17/04/25  
 17-0065  
 SLP







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## **Appendix A**

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**2015 - 2016**  
**USA WATER SKI**



# **TOWBOAT POLICY MANUAL**

## **Policies and Guidelines**

For the 2015-2016 Towboat Year

Member of the  
UNITED STATES OLYMPIC COMMITTEE



## **STATEMENT OF PURPOSE REGARDING THE TESTING OF TOWBOATS**

The American Water Ski Association (AWSA) is the three-event sport discipline of USA Water Ski (USA-WS). AWSA's National AWSA Towboat Committee is charged with the qualifying of boats for use in three-event water ski competition (slalom, tricks, and jump). The scope of boat testing and the future direction of all associated activities shall be guided by the following directives:

### **PERFORMANCE STANDARD**

Boats to be used in competition must meet certain performance standards, which have been established by the AWSA Towboat Committee. Performance standards for tournament use shall be those, which allow skiers, drivers, and officials to perform up to their maximum ability in water ski situations. The committee shall review these standards annually, and change or add to them as deemed necessary. If the change impacts recognized international standards, the change will be made in coordination and cooperation with the International Water Ski Federation.

### **BOAT SELECTION**

Through an annually administered program of boat testing, the committee (and appropriate sport division AWSA Towboat Committees) shall determine which boats meet the established performance standards and criteria and shall certify those boats as approved for use in tournaments sanctioned by USA Water Ski.

### **TOWBOAT PROGRAM**

The committee shall use established standards and approvals as a basis for the program through which boats qualify to participate in Regional and National Championships. Any boat which passes the Towboat Evaluations, shows commitment to tournament use, and demonstrates skier acceptance may achieve participation at the National level, thereby promoting a measure of open competition in the tournament boat market, as deemed desirable in the original committee mandate.

### **TEST RESULTS**

During the testing process a considerable amount of information is developed and compiled for committee use. While the tests are held for the purpose of determining boat performance, it is desirable that, as much as possible, the boat manufacturers benefit from the testing information as well. It shall be a goal of the tests to make data and comments on each boat available to that manufacturer for his own use. In all other respects, test data are confidential and may not be used by manufacturers for promotional purposes.

## 10. ENGINEERING

The object of this test is to determine whether a boat's design will in any way hinder the performance of officials or skiers, or whether it presents any obvious safety hazards. The boat will be examined and analyzed from a tournament driver's perspective in areas such as human engineering and practicality for tournament usage. Comments from the drivers will be recorded for the manufacturer's use and information. Serious deficiencies will be noted and if, after presentation of the findings to the manufacturer the problem cannot be corrected, the boat may be disqualified.

## 11. SOUND LEVEL TESTING

For the purpose of knowing that boats passing USA Water Ski's tests are not in violation of generally accepted maximum noise level standards, the noise produced by boats during typical tournament situations will be measured. Specifically, measurements will be taken from shore with a sound level meter during slalom deviation passes. Neither the average sound level for 36 mph passes nor the average sound level for 34.2 mph passes may exceed 75 dB(A). Failure to meet this standard constitutes a disqualification for the boat. Testing is done from shore as follows:

- a) Place dB meter at a point 125 feet from centerline of the slalom course
- b) Align dB Meter with buoy #2 or #3 on the opposite side of the course from the buoy. That way the skier is farthest from the sound meter in order to minimize noise from the ski and skier.

## 12. ENGINE STANDARDIZATION (by protest only)

Bore, stroke, compression, camshaft specifications and other features of the engine in each test boat will be subject to analysis by an independent source that will be on site at the evaluations. Data collected will be compared to the homologation specifications provided in advance by the engine manufacturer.

## ON-WATER TESTING

1. During Power and Acceleration, Slalom Centerline Deviation, and Jump Centerline Deviation tests, two representatives of the boat being tested will be allowed to observe the testing of their products only.
2. At the conclusion of Power and Acceleration, Slalom Deviation and Jump Deviation testing, results will be communicated to the manufacturer's representatives, if available. Other test results will not be available until after final analysis.
3. For the Power and Acceleration test, each model will be allowed three attempts. If the boat fails, the manufacturer or his representative on the test site will be notified of the failure. The AWSA Towboat Committee Chairman will determine the specific time period allowed during which to make changes to the boat.

During the allotted time period, the manufacturer may make any changes he desires, the nature of which must be clarified to the AWSA Towboat Committee Chairman. The AWSA Towboat Committee Chairman is to be notified when modifications have been completed.

The boat will then be allowed three additional attempts to pass the test. If the boat does not pass, it will be disqualified. At his option, the manufacturer may elect to have the boat continue with the remaining tests for performance analysis only.

4. The propeller may be changed as an alteration to complete the Power and Acceleration test. The propeller with which the boat passes Power and Acceleration will be recorded, and must then be used for the remainder of the tests. Thereafter no propeller changes are allowed.
5. For the Sound Level Test, noise output will be measured and recorded during the Slalom Deviation testing. If the boat fails the test, the manufacturer or his representative will be notified of the failure. The AWSA Towboat Committee Chairman will determine the specific time period allowed during which to make changes to the boat.

During the allotted time period, the manufacturer may make changes to the noise reduction system, the nature of which must be clarified to the AWSA Towboat Committee Chairman. The AWSA Towboat Committee Chairman is to be notified when modifications have been completed.

The boat will then be retested by means of simulated slalom passes at the appropriate speeds. If noise levels again exceed the maximum allowable decibels, the boat will be disqualified. At his option, the manufacturer may elect to have the boat continue with the remaining tests for performance analysis only.

Following modifications and successful completion of the sound level testing, the Committee reserves the right to require retesting of Power and Acceleration.



## **FINAL ANALYSIS**

**1. Conditional Pass** - When the Committee identifies a problem, which would cause a boat to fail, but which they feel could be easily and completely corrected by the manufacturer without testing verification, the boat will receive a "Conditional Pass". The manufacturer will be notified of the situation and the desired correction. If the manufacturer agrees to make the required changes, he will be given until December 1 of that year to submit photographs documenting the completed changes. Boats which do not comply will be removed from the approved list. If three or more of these problems exist in a particular boat, the Committee will review the facts and may disqualify the boat.

**2. Condition Requiring Improvement** - When the Committee identifies certain problems which they feel are serious enough to warrant change, but which involve redesign of some type, they may issue a warning stating the condition "MUST BE IMPROVED" the following year. If a boat has a "must improve" condition, the "USA-WS Approved" status for that boat is valid for only one year.

**3. Performance of Promotional Boats** - Throughout the year the Committee reviews field reports detailing boat performances in sanctioned tournaments. It is acknowledged that most manufacturers experience some problems with individual promotional boats from time to time. The Committee will, however, note repeated difficulties, which form a pattern, indicating a design problem with a particular model. These findings will be taken into consideration along with data from the actual test boat. Repeated field problems from year to year will be considered as an indication that promotional boats do not meet the established standards. Such a determination could be cause for failure.

**4. Boats Supplied As Tested** - Boats supplied in the field for use in USA Water Ski Class C and above sanctioned events are to be identical to the boat supplied for the tests. The engine, gear ratio, and propeller of the test boat are recorded and published, and may not be altered. Photographs and hull measurements are also taken for the purpose of verification, and should design changes be made after the boat tests, the boat will be removed from the approved list.

## **APPROVED TOURNAMENT TOWBOAT**

- A boat model which passes the USA-WS Towboat Tests will be formally recognized and promoted by USA Water Ski as a USA Water Ski Approved Tournament Towboat. The use of "USA-WS Approved Towboat" and "AWSA Approved Towboat" shall be interchangeable. The manufacturer may use this designation to advertise and market his boat to the public.
- A boat model that successfully passes the USA-WS Towboat Tests will be eligible to receive invitations to USA Water Ski sanctioned events. Participation in specific events will be at the option of the local organizing body.
- The Pan American Region and International Water Ski Federation will be notified of all boats that have met USA-WS' test standards for pulling Record Capability Tournaments.

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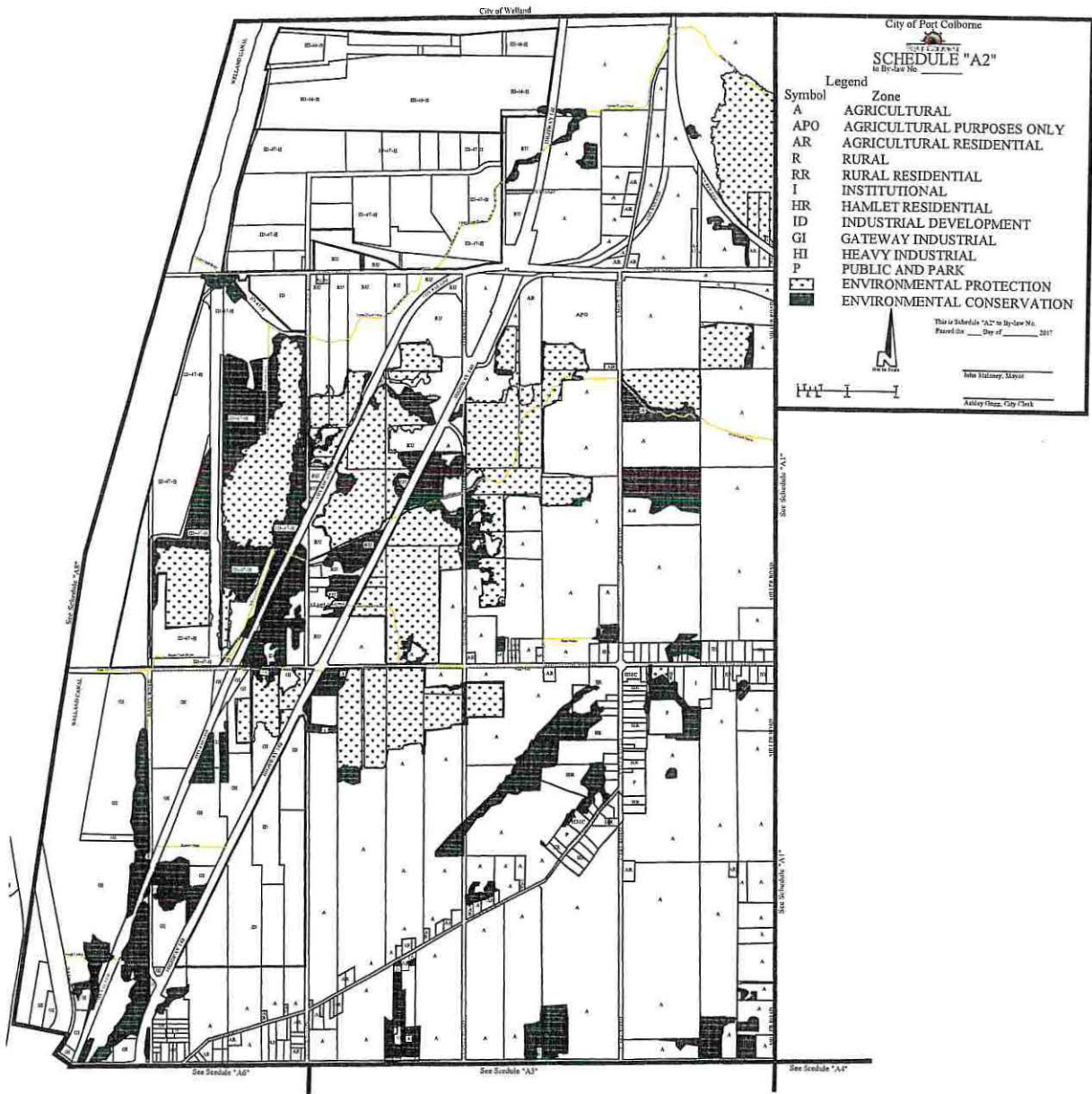
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## **Appendix B**

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## **Appendix C**

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SOURCE LIBRARY

Name	ID	Type	Weight.	Oktave Spectrum (dB)										Source	
				31.5	63	125	250	500	1000	2000	4000	8000	A		lin
Boat Proxy Max Throttle, AWSA Limit	Boat_Max_AWSA	Lw (c)		113.8		113.8	110.8	111.8	111.8	105.8	99.8	94.8	115	119.8	Car movement shaped to AWSA Max
Raised Voice	Raised	Lw				61.7	69.2	72.8	68.5	64.4	60.5	54.8	73.6	76	Figure 15.1 Male and Female Speech Spectra (Pears
Shouting Voice	Shouting	Lw				58	79	88.3	92.7	88.9	91.6	73.2	97	96.9	Figure 15.1 Male and Female Speech Spectra (Pears



POINT SOURCES

Name	M. ID	Result. PWL			Lw / Ll Type	Value	norm. dB(A)	Correction			Sound Reduction R	Area (m <sup>2</sup> )	Attenuation	Operating Time			KD	Freq. (Hz)	Direct.	Height (m)	Coordinates		
		Day (dBA)	Evening (dBA)	Night (dBA)				Day dB(A)	Evening dB(A)	Night dB(A)				Day (min)	Special (min)	Night (min)					X (m)	Y (m)	Z (m)
Boat Idle	Boat	82	82	82	Lw	car_idle	0	0	0				24	0	24	0	(none)	1	r	646080.2	4756379	177.5	
Boat Idle	Boat	82	82	82	Lw	car_idle	0	0	0				24	0	24	0	(none)	1	r	646061.2	4756012	177.5	
Judges PA System (20 min per hour)	Boat	115	110	110	Lw	Raised	110	5	0	5			15	0	0	0	(none)	3	r	646046.7	4756231	180	

LINE SOURCES

Name	M. ID	Result. PWL			Result. PWL'			Type	Lw / Li Value	norm. dB(A)	Correction			Sound Reduction		Operating Time			K0 (dB)	Freq. (Hz)	Direct.	Moving Pt. Src			Speed (km/h)
		Day (dB(A))	Evening (dB(A))	Night (dB(A))	Day (dB(A))	Evening (dB(A))	Night (dB(A))				Day (dB(A))	Evening (dB(A))	Night (dB(A))	R	Area (m <sup>2</sup> )	Day (min)	Special (min)	Night (min)				Number	Day	Evening	
Turn Around	Boat	96.1	-16	96.1	73	-39	73	PWL-Pt	Boat_Max_AWSA	0	0	0			10				0	(none)	(none)	16	0	16	25
Turn Around	Boat	92.8	-19.2	92.8	73	-39	73	PWL-Pt	Boat_Max_AWSA	0	0	0			10				0	(none)	(none)	16	0	16	25
Max Throtle	Boat	104.9	-7.2	104.9	79.4	-32.7	79.4	PWL-Pt	Boat_Max_AWSA	0	0	0							0	(none)	(none)	16	0	16	58
Max Throtle	Boat	104.9	-7.2	104.9	79.4	-32.7	79.4	PWL-Pt	Boat_Max_AWSA	0	0	0							0	(none)	(none)	16	0	16	58

AREA SOURCES

Name	M. ID	Result, PWL			Result, PWL**			Type	Lw / Li Value	Correction			Sound Reduction Attenuatio		Operating Time			KO	Freq.	Direct. oving Pt. Src		
		Day (dBA)	Evening (dBA)	Night (dBA)	Day (dBA)	Evening (dBA)	Night (dBA)			norm. dB(A)	Day dB(A)	Evening dB(A)	Night dB(A)	R	Area (m²)	Day (min)	Special (min)			Night (min)	(dB)	(Hz)
Raised Voices (20 people talking)	BOAT	91.6	86.6	91.6	66.6	81.6	66.6	Lw	Raised+13	5	0	5	60	0	0	0						(none)
Shouting (5 people, 5 min per hour)	BOAT	85.6	80.6	85.6	60.6	55.6	60.6	Lw	Raised+7	5	0	5	5	0	0	0						(none)



RECEPTORS

Name	M. ID	Level Lr		Limit. Value		Land Use		Noise Type	Height (m)	Coordinates		
		Event (dBA)	Normal (dBA)	Event (dBA)	Normal (dBA)	Type	Auto			X (m)	Y (m)	Z (m)
3613 Babion Rd		45	42	0	0		x	Total	4.5 r	645673.9	4755721	181.5
3768 Forkes Rd E		47	44	0	0		x	Total	4.5 r	645659.7	4756032	181.85
3864 Forkes Rd E		42	38	0	0		x	Total	2 r	645656.4	4756222	179
3967 Forkes Rd E		43	39	0	0		x	Total	4.5 r	645730.9	4756406	181.5
3670 Yager Rd		44	41	0	0		x	Total	4.5 r	646504.9	4755809	182.5
3772 Yager Rd		45	42	0	0		x	Total	2 r	646500.6	4756016	179.79
4042 Yager Rd		45	42	0	0		x	Total	4.5 r	646530.3	4756587	183.5
4049 Yager Rd		44	41	0	0		x	Total	4.5 r	646591.7	4756587	183.5

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Engineering and Operations Department  
Operations Division

Report Number: 2019-70

Date: May 27, 2019

**SUBJECT: Drinking Water Quality Management System Management Review  
Summary**

**1) PURPOSE:**

This report, prepared by Darlene Suddard, Environmental Compliance Supervisor and authorized by Chris Lee, Director of Engineering and Operations, has been prepared to provide Council a summary of the Management Review, which under Element 20 of the Drinking Water Quality Management Standard (DWQMS), is required to be completed once every calendar year. This report also fulfills Element 12: Communications where Top Management is required to keep the Owner of the Water Distribution System informed of items that could affect the Quality Management System or the operation of the Distribution System.

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

In conformance with the Management Review Procedure (QMS-SOP20-1) and with the Communications Procedure (QMS-SOP12-1), the results of the Management Review are provided in this report.

Ensuring that the Mayor and Council, as the Owners of the Port Colborne Distribution System, are informed of the results of the Management Review is critical to not only fulfilling the requirements of the DWQMS, but also to support their compliance with the Section 19 Statutory Standard of Care requirements of the Safe Drinking Water Act, 2002.; which came into effect December 31, 2012.

The DWQMS dictates that the following items must be discussed during the annual Management Review.

- a. Incidents of regulatory non-compliance
- b. Incidents of adverse drinking water tests
- c. Deviations from critical control point limits and response actions
- d. Effectiveness of the risk assessment process
- e. Results of internal and third party audit results
- f. Results of emergency response testing
- g. Operational performance
- h. Raw water supply and drinking water quality trends
- i. Follow up on action items from previous management reviews
- j. Status of management action items identified between reviews
- k. Changes that could affect the Quality Management System (QMS)
- l. Consumer feedback
- m. Resources needed to maintain the QMS
- n. Results of the infrastructure review
- o. Operational plan currency, content and updates
- p. Staff suggestions

The items are not required to be discussed during a single meeting, but can be discussed over several meetings.

### 3) STAFF COMMENTS AND DISCUSSIONS

The Management Review, covering the period from April 1, 2018 to March 31, 2019 was held on April 15, 2019. A copy of the minutes from this meeting and the Summary QMS Report that was provided to all attendees is attached to this report, please refer to the corresponding section in the minutes for further information.

Highlights from the Management Review are summarized below:

#### ***Incidents of adverse drinking water tests***

There were four (4) adverse test results (3 microbiological and 1 low free chlorine) in this period; although the presence of *E. coli* in February 2018 was immediately concerning, clear follow up samples and subsequent laboratory re-testing of the remaining original sample, which replicated the adverse results, indicated that the sample bottle was contaminated. In all instances, free chlorine levels well above 0.20 mg/L and clear re-samples indicated the water was safe.

#### ***Results of Internal and Third Party Audits***

The 2019 Internal Audit noted that it was evident that a culture of continual improvement is being established and implemented throughout the water utility and that all staff interviewed during the audit and at all levels understood their roles and responsibilities in achieving QMS Policy commitments.

One of the other areas highlighted by the auditors, was the establishment of levels of service for 2019 maintenance activities, against which performance will be reported on in future years, beginning with the 2020 Management Review. It was shared that the target of exercising 25% of the city's valves annually will potentially be surpassed in 2019, as in Q1 alone, staff had exercised approximately 100, or 10% of the valves

The City's Drinking Water Quality Management System accreditation expires June 6, 2019, and an on-site re-accreditation audit is required this year. All QMS documentation has been updated to meet the requirements of DWQMS 2.0, and staff are prepared.

#### ***Operational performance***

The City's water purchases increased slightly for the second year in a row and overall, the volume of water purchased from the Region annually is relatively stable. Most encouragingly, the difference between the monthly purchases and the monthly metered consumption is narrowing, indicating that the commitment by staff to respond to watermain breaks quickly, adopt a prudent approach to dead end flushing and post repair flushing, in addition to more closely tracking the water used in maintenance/repair activities is assisting in reducing the unbilled, unaccounted for water.

### ***Changes in resource requirements, infrastructure, process, personnel, the DWQMS or regulations that could affect the QMS***

- **Health Canada Lead Levels**  
Health Canada has lowered the maximum acceptable concentration (MAC) of lead in drinking water from 10 µg/L to 5 µg/L. The Ministry of Environment, Conservation and Parks (Ministry) will likely also lower their MAC and may require those municipalities that are currently exempt from collecting and analyzing plumbing samples to commence sampling again. Port Colborne has been exempt from sampling plumbing (homes and businesses) since 2010.
- **Provincial Watermain Disinfection Procedure**  
The Ministry is currently updating the Provincial Watermain Disinfection Procedure and expects to have the changes approved before the end of 2019, and intends to provide the updated procedure with the City's renewed Municipal Drinking Water Licence.
- **Sanitary and Storm Sewer Design Criteria and Wastewater Collection Environment Compliance Approvals (ECAs)**  
The Province is currently updating the design criteria for sanitary and storm sewers, and once they have been finalized, the Province has given every indication that they will begin issuing ECAs for wastewater collection systems, and potentially stormwater systems. The Ministry is hoping to issue system-wide approvals for sewer systems, similar to the Drinking Water Works Permit, so that municipalities would have the ability and flexibility to make changes and upgrades to their sewer systems without having to get approval from the Ministry. This will reduce the paperwork associated with future sanitary sewer projects. While these items fall outside the scope of the QMS, if the Ministry issues an ECA for the wastewater collection system, there will potentially be an impact on staffing and other resources in order to be in compliance with the ECA, which in turn, may affect the PCDS and the QMS.

### ***Consumer Feedback***

Water quality complaints totalled 23 in 2018; 21 were calls about discoloured water, one call was about air/milky water and one was a taste and odour complaint. Watermain breaks were the most common cause of complaints, followed by internal plumbing issues and valve turning activities. One complaint occurred after firefighting activity.

After the major watermain break on Sugarloaf Street at Catharine Street a few weeks before the Management Review, only one discoloured water complaint was received. The Communication Coordinator's media releases during and after the event included instructions for residents on how to flush their plumbing and highlights the importance of providing information during drinking water events.

The Management Review does not have to be completed in a single meeting, therefore, to try to accommodate a suggestion from the 2018 Management Review to meet ahead of the annual water/wastewater budget, the Review can be completed in two meetings – one ahead of the budget to discuss operational issues, in January or February, and one ahead of the annual internal audit to discuss QMS issues, in March or April. Where practical, future Management Reviews will be scheduled prior to annual water/wastewater budget meetings.



**4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

a) **Do nothing.**

None – report is for information only.

b) **Other Options**

None – report is for information only.

**5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

Not Applicable.

**6) ATTACHMENTS**

Drinking Water Quality Management System Review and Level 1 Risk Assessment. Minutes dated April 15, 2019

Port Colborne Distribution System, Summary QMS Report for the Management Review dated April 9, 2019.

**7) RECOMMENDATION**

That Engineering and Operations Department, Engineering Division Report 2019-70, Drinking Water Quality Management System, Management Review Summary, be received for information.

**8) SIGNATURES**

Prepared on May 13, 2019 by:



Darlene Suddard  
Environmental Compliance Supervisor

Reviewed by:



Chris Lee  
Director, Engineering & Operations

Reviewed and respectfully submitted by:



C. Scott Luey  
Chief Administrative Officer



**Drinking Water Quality Management System Review and  
Level 1 Risk Assessment  
April 15, 2019**

**The following were in attendance:**

Darlene Suddard, Councillor Gary Bruno, Councillor Harry Wells, Jim Hupponen, Peter Paget, Richard Daniel

**Regrets:**

Chris Lee, Steve Shypowskyj

<b>Items</b>	<b>Actions/Deadline</b>
<p><b>1. Overview of purpose and outcomes of annual Management Review</b></p> <p>Darlene provided an overview of the Management Review, indicating that the main purpose is to provide Management with appropriate and sufficient data to make decisions regarding the Quality Management System.</p> <p>This Management Review covered the period from April 1, 2018 to March 31, 2019.</p>	
<p><b>2. Level 1 Risk Assessment (outstanding items only from March 5, 2019 Risk Assessment)</b></p> <p>The edits to the Likelihood, Consequence and Responsiveness Ratings Chart that were decided upon during the March 5<sup>th</sup> review were reviewed and approved.</p> <p>Additionally, two different methods of calculating the Hazard Total were provided – the original method of adding the three scores together vs. the proposed method of multiplying the Likelihood and Consequence scores together and adding the Responsiveness score. It was decided to adopt the proposed method as it was felt the scores were more representative of the actual risk of the hazards.</p> <p>The outstanding risk assessment items involved discussing the Potential Hazardous Events provided by the Ministry, specifically the following:</p> <ul style="list-style-type: none"> <li>- Long term impacts of climate change</li> <li>- Extreme weather events</li> <li>- Sustained extreme temperatures</li> </ul>	

Items	Actions/Deadline
<p>Prior to the risk assessment, Darlene conducted a literature review and summarized the potential impacts of climate change on distribution systems and circulated the summary, titled “Long term impacts of climate change to consider during Risk Assessment” to all meeting attendees. A copy is attached to these minutes.</p> <p>Based on the summary, it was decided to include Extreme weather events and Sustained extreme temperatures under the Long term impacts of climate change by subdividing Long term impacts of climate change into three hazards to review:</p> <ul style="list-style-type: none"> <li>- Thermal – severe temperature variations, sustained extreme temperatures</li> <li>- Hydraulic – external pipe pressures</li> <li>- Physical – extreme weather/geological events</li> </ul> <p>Potential long term impacts under each sub category included:</p> <ul style="list-style-type: none"> <li>- Thermal – increased water temperature affects water quality due to increased microbial activity; deep frost cause frozen pipes; drought causes increased water usage and more flow through watermains</li> <li>- Hydraulic – ground movement due to frost heave or drought affecting the watermain bedding, placing mechanical stress on the watermains, pipe integrity etc.</li> <li>- Physical – ice storms, tornados, earthquakes – primarily impact operations</li> </ul> <p>Each hazard subcategory was scored using the revised Ratings Chart and the headings under the Outcomes Table were completed for each category.</p> <p><b>ACTION:</b> 1. Update Risk Assessment Outcomes Table</p>	<p>Darlene April 30, 2019</p>
<p><b>3. Management Review - Items to be discussed.</b></p> <p>Attendees were provided with a summary of the items required to be discussed, as specified by the DWQMS, prior to the meeting date. Therefore, only items where additional information was discussed during the meeting, or where action items were generated, are detailed in the minutes. Information about the remaining items are discussed in the Management Review Summary, dated April 9, 2019.</p> <p><i>b) Incidents of Adverse Drinking Water Tests</i></p> <p>It was discussed that in the 2018 Management Review, the adverse water test results from February 20, 2018, where <i>E. coli</i> and total coliforms were detected at &gt;200 cfu/100mL, was discussed, and the consensus between the Ministry, City, Lab and Public Health was that it was a contaminated sample bottle that caused the adverse.</p>	



Items	Actions/Deadline
<p>It was asked if the City's sampling procedure included instructions on how to check the sample bottle to ensure it was "good" before using it to collect a sample. Staff indicated they would check the procedure and incorporate if the procedure didn't contain that information</p> <p><b>ACTION:</b> 1. Check sampling SOP to see if it contains instructions for verifying the sample bottle; if not, incorporate into the SOP</p>	<p>Peter June 30, 2019</p>
<p><i>d) 2019 Risk Assessment</i></p> <p>See section 2 for more information about the Risk Assessment.</p> <p>During the discussion of extreme weather events, it was shared that at one of the Provincial DWQMS Workshops, the Town of Smiths Falls shared that during the 1998 ice storm, one of their biggest challenges had been the impact on their staff. Water staff were dedicated to keeping the water running during the event, however, they were torn with worrying about their home and family members. One of the lessons learned from Smiths Falls was to provide a safe place, i.e. warming centre, for the family of those involved in emergency response.</p>	
<p><b>ACTION:</b> 1. Check with Fire Chief to see if the corporate emergency plan provides such a provision</p>	<p>Darlene June 30, 2019</p>
<p><i>e) Results of Internal and Third Party Audits</i></p> <p>Two Internal Audits had been completed since the 2018 Management Review.</p> <p>The 2018 Internal Audit, which took place on April 24 and 25, 2018, evaluated the City's QMS against the original Standard (DWQMS 1.0). Three processes were audited: QMS Rep, Training/Certification and New Appurtenance/Service Installation. The auditors identified 11 opportunities for improvement (OFIs) and noted that overall, the processes were well established and documented.</p> <p>During the 2018 audit, staff had expressed an interest in attending more training, and so far in 2019, this has been achieved by not only bringing in suppliers to offer free training, but the City hosted water operators from local area municipalities at a two day training event</p>	

Items	Actions/Deadline
<p>earlier in April in the new Engineering and Operations Centre training room.</p> <p>Two of the OFIs that were identified in 2018 pertained to providing Engineering with copies of watermain break reports to assist with capital infrastructure planning, and that historic information (i.e. watermain breaks) be linked to addresses, so that staff can access historic information prior to responding to an issue. It was shared that the new work management software that Engineering is in the process of launching will have the capability to share information, and that this software will not only assist Engineering and Operations staff, but will be accessible by all staff, thus improving customer service by giving all staff the ability to research a customer's inquiry.</p> <p>The 2019 Internal Audit was completed on March 21 and 22, 2019. The scope of this audit was to not only audit a different assortment of processes to determine the effectiveness of the City's QMS, but to determine whether the City's QMS conforms to the requirements of the updated Drinking Water Quality Management Standard (DWQMS 2.0).</p> <p>The processes selected for 2019 were: QMS Rep, Top Management, New Hires, Watermain Repairs, Valve Maintenance Program and Infrastructure Planning. This audit identified two nonconformances (NCs) and 10 opportunities for improvement (OFIs).</p> <p>The 2019 Internal Audit noted that it was evident that a culture of continual improvement is being established and implemented throughout the water utility and that all staff interviewed during the audit and at all levels understood their roles and responsibilities in achieving QMS Policy commitments.</p> <p>One of the other areas highlighted by the auditors, was the establishment of levels of service for 2019 maintenance activities, against which performance will be reported on in future years, beginning with the 2020 Management Review. It was shared that the target of exercising 25% of the city's valves annually will potentially be surpassed in 2019, as in Q1 alone, staff had exercised approximately 100, or 10% of the valves.</p>	

Items	Actions/Deadline
<p>It was discussed that there may be a discrepancy between the valve information contained in the City's GIS system and the current valve databases and that it would be beneficial to check all databases with the GIS to ensure consistency</p> <p><b>ACTION:</b> 1. Compare database information to GIS information. Correct database(s) and/or submit corrections to the GIS Coordinator, as necessary</p> <p>The NCs involved during the audit were:</p> <ul style="list-style-type: none"> <li>• Expired standards and reagents stored with the field kit used by Engineering during watermain commissioning activities</li> <li>• Missed reporting the results of the 2018 Management Review to Council</li> </ul> <p>It was discussed that a process for reagent storage/disposal will be created to ensure this situation doesn't happen again, and it was suggested that there may be an opportunity to set up automatic notifications regarding expiry dates.</p>	<p>Peter Ongoing</p>
<p><b>ACTION:</b> 1. Investigate setting up notifications for reagent expiry and create procedure/process for examining reagent expiry dates and train staff</p> <p>It was discussed, with respect to submitting the results of the Management Review to Council, that there is an opportunity to develop a procedure or checklist of all annual deadlines – both DWQMS and compliance-related, to assist in ensuring reporting deadlines are not missed.</p>	<p>Darlene May 31, 2019</p>
<p><b>ACTION:</b> 1. Create a procedure and/or checklist of DWQMS and compliance deadlines to assist with tracking and completion.</p> <p>The external auditor completed the Year 3 surveillance audit on September 6, 2018. The auditor identified one opportunity for improvement. 2019 is a re-accreditation year, with the current accreditation expiring June 6, 2019. All QMS documentation has been updated to meet the requirements of DWQMS 2.0, and staff are prepared for the on-site re-accreditation audit, which is anticipated to be scheduled in May 2019.</p>	<p>Darlene December 31, 2019</p>



Items	Actions/Deadline
<p>The Ministry of Environment, Conservation and Parks (Ministry) performed an announced inspection of the drinking water system in July 2018. The drinking water system was assigned a rating of 100%.</p> <p><i>g) Operational Performance</i></p> <p>It was shared that the City's water purchases increased slightly for the second year in a row and that, overall, the volume of water purchased from the Region annually is relatively stable. Most encouragingly, the difference between the monthly purchases and the monthly metered consumption is narrowing, indicating that the commitment by staff to respond to watermain breaks quickly, adopt a prudent approach to dead end flushing and post repair flushing, in addition to more closely tracking the water used in maintenance/repair activities is assisting in reducing our unbilled, unaccounted for water</p> <p><i>h) Follow up on action items from previous management reviews</i></p> <ul style="list-style-type: none"> <li>• <u>Watermain material Specifications</u> – Engineering was to ensure specifications for watermain materials, such as the requirement for materials to be NSF 61 certified, fittings to be stamped with “NL” (no lead), were incorporated into the tender documents for all watermain projects in order to meet the requirements of the City's Drinking Water Works Permit. This was completed in 2019.</li> </ul> <p>Staff were to request information from the Ministry re: non-NSF certified components in fire hydrants. In discussions with colleagues from other municipalities, the components form part of the hydrants, which is approved as whole, and therefore it is not an issue.</p> <p><b>STATUS:</b> Complete</p>	

Items	Actions/Deadline
<ul style="list-style-type: none"> <li>• <u>Region communications in event of a shutdown of Region facility</u> - outcome of the 2017 mock emergency. The City was concerned that the Region does not notify the City of all outages/upsets at Region facilities. While it is true that the majority of system outages/upsets at Regional facilities will have little to no impact on the City's distribution system, knowing the status of the Regional facilities in the event of a distribution system incident and/or emergency would only assist the City and the Region in providing the highest quality drinking water and customer service to our residents – as drinking water is shared responsibility. Director was to discuss with Region's leadership team</li> </ul>	
<p><b>STATUS:</b> Ongoing</p>	
<ul style="list-style-type: none"> <li>• <u>Frozen Water Services Hotline</u> – repurpose existing hotline for all kinds of communications - where residents could call to listen to a recorded message and receive information during a water emergency (or snow event etc) – number would be provided in all advisories and communications.</li> </ul>	
<p>It was discussed that while the Communications Coordinator is on board with the hotline idea, the new customer service position(s) at City Hall would likely make any hotline redundant, but it could be discussed as part of the evolution of the customer service position(s).</p>	
<p><b>ACTION:</b> 1. Monitor evolution of the customer service position(s) to determine if hotline still needed.</p>	<p>Darlene December 31, 2019</p>
<ul style="list-style-type: none"> <li>• <u>Sample bottles during an emergency</u> - Investigate writing requirement to provide sample bottles as needed (i.e in an emergency) into agreement with the City's chemical analysis laboratories.</li> </ul>	
<p><b>ACTION:</b> 1. Look into laboratory agreements</p>	<p>Richard June 30, 2019</p>

Items	Actions/Deadline
<ul style="list-style-type: none"> <li>• <u>Alternative “local” chemical laboratories</u> - Investigate more alternative laboratories for the City and discuss emergency sampling with the current laboratories. Contact information for another potential local laboratory was provided at the meeting.</li> </ul> <p><b>ACTION:</b> 1. Investigate laboratories, including the one that information was provided for, and reach out to current laboratories to discuss emergency sampling.</p> <ul style="list-style-type: none"> <li>• <u>Leak detection on Region's trunk watermain</u>s – it was shared that the Region does not do active leak detection on their trunk watermain, however, it has been indicated that there is an appetite to pursue program(s).</li> </ul> <p><b>STATUS:</b> Ongoing</p>	<p>Richard and Peter June 30, 2019</p>
<ul style="list-style-type: none"> <li>• <u>Management Review ahead of water/wastewater budget</u> - Ongoing. Unable to accommodate timing in 2019 due to new council and required DWQMS documentation updates.</li> </ul> <p><b>ACTION:</b> 1. Where practical, will schedule future Management Review meetings prior to annual water/wastewater budget meetings</p> <ul style="list-style-type: none"> <li>• <u>Valve maintenance program</u> – Staff have determined that the handheld on the valve turning machine can be downloaded, however the GPS coordinates from the machine are not as precise as required for the GIS. However, staff have found another way to link the data between the GIS and the valve turning machine – by matching the valve IDs</li> </ul> <p><b>STATUS:</b> Complete</p>	<p>Darlene Ongoing</p>



Items	Actions/Deadline
<ul style="list-style-type: none"> <li>• <u>Valve colour coding</u> – staff are interested in implementing a colour coding system, separate from the Region, and will implement as part of the valve maintenance program.</li> </ul> <p>It was also discussed that staff will begin fire flow testing in 2019, as per the maintenance table, and will be implementing a hydrant colour coding system, using reflective port markers to indicate the fire flow from the hydrant.</p> <p><b>ACTION:</b></p> <ol style="list-style-type: none"> <li>1. Finalize valve colour coding scheme and implement</li> <li>2. Complete fire flow testing, as per the maintenance table, and mark completed hydrants</li> </ol> <ul style="list-style-type: none"> <li>• <u>QMS Rep back up</u> – there remains no defined back up to the QMS Representative and succession planning has not yet been discussed. It was asked if there was an opportunity for local municipalities to back each other up, as many of the smaller municipalities do not have a back up for their QMS Rep.</li> </ul> <p><b>ACTION:</b></p> <ol style="list-style-type: none"> <li>1. Bring suggestion up at the next Regional QMS/Compliance Working Group</li> </ol>	<p>Richard/Peter December 31, 2019</p> <p>Darlene April 2019</p>
<p>QMS Rep brought up at the April 24, 2019 meeting, backing up another municipality was not considered to be a viable alternative, instead, it was suggested, similar to one of the internal audit findings, that a procedure and/or checklist of DWQMS and compliance deadlines to assist with tracking and completion, that all water staff have access to and could reference in the event that the QMS Rep was unable to act.</p> <ul style="list-style-type: none"> <li>• <u>Distribution System Financial Plan and Drinking Water Quality Management Standard</u> – Financial Plan has been completed and is being presented to Council on April 15, 2019 for approval.</li> </ul> <p>All QMS documents have been updated to meet the requirements of DWQMS 2.0, and Council endorsed the Operational Plan on February 25, 2019</p> <p><b>STATUS:</b> Complete</p>	

Items	Actions/Deadline
<ul style="list-style-type: none"> <li>• <u>Health Canada Lead Levels</u> – Health Canada officially released updated guidelines for lead in drinking water in March 2019 – lowering the acceptable concentration of lead in drinking water from 10 µg/L to 5µg/L. The Ministry will likely also lower their limit (currently 10 µg/L), and may require those municipalities that are currently exempt from collecting and analyzing plumbing samples to commence sampling again</li> </ul> <p><b>ACTION:</b> Staff will continue to monitor communications from the Ministry and inform Top Management as required.</p> <ul style="list-style-type: none"> <li>• <u>Asset Management Planning Regulation</u> – Engineering and Treasury are working on complying with this requirements of this regulation.</li> </ul> <p><b>STATUS:</b> Ongoing</p> <p><i>k) Changes that could affect the QMS or the PCDS</i></p> <ul style="list-style-type: none"> <li>• <u>Sanitary and Storm Sewer Design Criteria and Wastewater Collection Environmental Compliance Approvals</u> – The Province is currently updating the design criteria for sanitary and storm sewers, and once they have been finalized, the Province has given every indication that they will begin issuing ECAs for wastewater collection systems, and potentially stormwater systems. The Ministry is hoping to issue system-wide approvals for sewer systems, similar to the Drinking Water Works Permit, so that municipalities would have the ability and flexibility to make changes and upgrades to their sewer systems without having to get approval from the Ministry. This will reduce the paperwork associated with future sanitary sewer projects.</li> </ul> <p>While these items fall outside the scope of the QMS, if the Ministry issues an ECA for the wastewater collection system, there will potentially be an impact on staffing and other resources in order to be in compliance with the ECA, which in turn, may affect the PCDS and the QMS.</p>	<p>Darlene Ongoing</p>

Items	Actions/Deadline
<p data-bbox="252 182 587 217"><i>l) Consumer Feedback</i></p> <p data-bbox="293 229 1043 478">The majority of the water quality complaints in 2018 were due to watermain breaks. There was one adverse water sample resulting from a water quality complaint, however, it was determined that the sample collected from inside the home was not representative of the distribution system and was caused by the internal plumbing.</p> <p data-bbox="293 513 1050 762">It was shared that after the major watermain break on Sugarloaf at Catharine a few weeks earlier, the City only received one discoloured water complaint. It was felt that the Communication Coordinator’s media releases during and after the event, which including instructions for residents on how to flush their plumbing, played a role in the lack of complaints.</p> <p data-bbox="252 793 730 828"><i>n) Results of Infrastructure Review</i></p> <p data-bbox="245 839 1050 1156">As the City’s Asset Management Plan is expected to be drafted by the end of 2019, and it is in the best interest of the City to ensure that the Asset Management Plan and the Infrastructure Review are complementary, the infrastructure review to consider the outcomes of the risk assessment, and determine the adequacy of the infrastructure will be completed in Q4 of 2019. The new Standard allows the operational flexibility to schedule the review any time within a calendar year.</p> <p data-bbox="245 1197 959 1232"><i>o) Operational Plan Currency, Content and Updates</i></p> <p data-bbox="245 1265 1007 1404">The Operational Plan was updated to meet the requirements of DWQMS 2.0 in February 2019, and was presented to and endorsed by Council on February 25, 2019.</p> <p data-bbox="245 1446 1034 1730">Councillor Wells inquired if Councillors could have access to the QMS Standard Operating Procedures that are referenced in the Operational Plan. Councillors don’t have access to IBM Notes, so are unable to access the Quality Management System database, and the files are too large to email out. It was discussed if there was a secure online tool that the Councillors could access to view the procedures.</p> <p data-bbox="199 1763 1034 1833"><b>ACTION:</b> 1. Investigate possible on-line method to access DWQMS SOPs</p>	<p data-bbox="1075 1788 1377 1854">Councillor Harry Wells December 31, 2019</p>



Items	Actions/Deadline
<b>4. Round Table</b> No additional items at this time.	
<b>5. Next Scheduled Review</b> The Management Review does not have to be completed in a single meeting, therefore, to try to accommodate the suggestion to meet ahead of the annual water/wastewater budget, the Review can be completed in two meetings – one ahead of the budget to discuss operational issues, in January or February, and one ahead of the annual internal audit to discuss QMS issues, in March or April.	

## Long term impacts of climate change to consider during Risk Assessment

Potential impacts on distribution systems include:

- Extreme temperature fluctuations (severe cold, severe heat)
- More intense droughts and precipitation events
  - o Droughts affect groundwater levels and cause movement in ground as it settles – increasing mechanical strain on pipes
- Extreme weather events (tornado, severe storms)
- Increased freeze/thaw cycles lead to move movement of ground and increases mechanical strain on pipes
- Increased water temperatures could increase biofilm growth in the WDS
- If frost gets pushed deeper – cause increased pressure on pipes and increase breakage
- likely more main failures, more pipe failure, increased water losses, increased water interruptions, more service complaints due to climate change
- increased leakage will affect pressure
- reduced life expectancy of watermains

Mitigation activities (taken from PREPARED 2014 Presentation):

- Increase/improve leak detection programs – be aware of importance of state of the art leak detection
- Reduce time between break and repair – increase efficiency of utility in handling breaks/leakage
- Rehabilitation mindset – focus on reactive approach
  - o Performance Indicators
  - o Hydraulic reliability analysis of distribution system
  - o Failure prediction of the pipes
  - o Annual rehabilitation planning
  - o Long-term (20-50 yr) planning of distribution network

Potential source water/water treatment impacts include:

- Flooding
- Harmful algal blooms
- Extreme weather events (tornado, severe storms)
- Water quality could suffer in areas experiencing increases in rainfall. Heavy downpours can increase the amount of runoff into rivers and lakes, washing sediment, nutrients, pollutants, trash, animal waste, and other materials into water supplies, making them unusable, unsafe, or in need of water treatment. Runoff and flooding resulting from increases in extreme precipitation will increasingly contaminate sources of drinking water.

Literature summaries on following pages

## Long term impacts of climate change to consider during Risk Assessment

### Literature review summaries

Bruaset, S and S. Sægrov. "An Analysis of the Potential Impact of Climate Change on the Structural Reliability of Drinking Water Pipes in Cold Climate Regions". 2018

- Case study with data from Norway
- Correlation between temperature and failures of GCI (grey cast iron)
- Colder temperatures lead to frost heave of the ground and can cause severe mechanical strain on the pipes and pipe connections. Frost heave and frosting and thawing cycles can cause soil movement, alternating movement and freezing of the surrounding soil, and pipe-soil interactions – all contributing to pipe failure.
- Transverse (circumferential) fractures make up the majority of GCI failures. These failures are normally caused by bending forces on the pipes, which can be produced by settling of the soil and frost heave. Transverse fractures are most common failure mode on small GCI pipes (<200mm) while longitudinal fractures are more common to larger diameter pipes.
- In addition to GCI pipes being the main cause for increased failures in the winter, the construction period of post World War 2 (1945-1965) shows the same trend. This period is known in Norway for its poor quality trench work, which is believed to cause the trenches and the pipes to be more exposed to frost heave. The post World War period, in Norway, is known for the first use of machines to dig trenches. Along with the introduction of machine digging followed poor trench work. Everything was done fast and with little focus on quality of the work or the quality of the filling material. Has led to extensive problems with pipes in this period, caused by mechanical stress, movement of the ground frost heave and general deterioration.
- Between the main climate change factors, temperature is singled out as a major contributor to watermain failures. Comparing -15C to 23C, there are 86% more breaks at -15C. If compare 0C to 23C, there are 52% more breaks at 0C.
- Unexpectedly, the long-term reliability of drinking water networks in cold climates can expect to be improved due to climate change. Increased temperatures correspond to a reduced failure rate. In fact, it is estimated by 2070 an average 5% of pipe failures will be postponed. Therefore, rehabilitation rates may be reduced by 5% - depending upon climate change scenario. Investments can likely be postponed, extending the life expectancy of drinking water networks in colder climates.
- However, there are other factors that may affect pipe failures – one is an expectation that frost events may be worse due to climate change – due to increased movement of the northern polar vortex – and the associated extreme cold weather events in cold climates that can cause an increase in watermain breaks.

#### Key takeaway:

Climate change may actually have a positive impact on our watermains – as over 45% of our system is comprised of cast and/or ductile iron. However, there is no doubt that cold temperatures and frost heave have a negative impact on cast/ductile iron watermains, and, although warmer temperatures can be "gentler" on our system, the potential damage from extreme cold weather events, which could increase in frequency and intensity, could outweigh the benefits from overall warmer temperatures.



## Long term impacts of climate change to consider during Risk Assessment

Wols, B.A and P. van Thienen. "Impact of climate on pipe failure: predictions of failures for drinking water distribution systems", 2016

- Study in the Netherlands
- Observed increased pipe failure in winter and summer, during freezing and drought. Therefore, it was identified that temperature and temperature changes, freezing index, days of air frost, soil moisture deficit, antecedent precipitation index and rain deficit were the most important weather parameters – further research determined that temperature and drought were the most influencing on pipe failure
- Study looked at approx. 50% of all WDS infrastructure in the Netherlands – of that, 39% was AC pipe, 48% was PVC pipe and the remaining 13% was GCI pipe. Study found increase in pipe failure of AC pipe at high ambient temperatures (hot summers). While PVC and GCI pipe were most vulnerable at low temperatures. Therefore, it was theorized that climate change will result in a slight decrease in PVC pipe failure, and a larger increase in GCI pipe failure – due to the lower incidence of cold periods
- Study determined that pipe ageing has a stronger influence on pipe failure than climate change does, with climate change have the least effect on PVC pipe.
- Replacing aging pipes with PVC results in a more robust WDS towards climate change
- Noted that the study only considered temperature, pipe material and age, and that other considerations could include soil composition, pipe diameter etc. Study authors attempted to divide pipe failure data into more categories to see if soil composition and pipe diameter also played a role – discovered that temperature and pipe material still appear to have the strongest correlation
- However, it was noted that different soil settlements may increase as a result of climate change during long drought periods, and as drought events are only partially captured by temperature – soil settlement impacts on pipe failure may play an important role in soft soils.

### Key takeaway:

From the study, appears our pipe age is our greatest weakness for climate change – and moving towards PVC pipe is increasing the robustness of our system. Study recommended that distribution systems use their own pipe failure data to see if they have the same correlation between temperature and pipe material failure. We do have quite a few years of data – 4 years was used for this study – we have at least that. Likely wouldn't take too much effort to run the numbers and see the correlation. Anecdotally – during the very dry 2012 – we had almost as many water main breaks between May 1<sup>st</sup> – Sep 30<sup>th</sup> (13 total) as we did between Jan 1<sup>st</sup> and April 30<sup>th</sup> (14 total) – and other LAMs were having the same experience. Here, we theorized because of the drought, the peat moss was shrinking and causing the mains to shift and break.

Arrighi, C., Tarani, F., Vicario, E. and F. Castelli. "Flood impacts on a water distribution network" 2017

- Case study in Florence, Italy
- Flood damage to infrastructure classified into direct and indirect damage. The former being caused by physical contact with floodwater and the latter occurring far from the event in either space or time
- Failure of crucial infrastructure may lead to cascade effects and trigger technological disasters. Cascading effects are more likely to occur during a natural disaster than during normal plant operation because of the increased chance of multiple, simultaneous failures.

## Long term impacts of climate change to consider during Risk Assessment

- Example – short-term loss of electricity may induce pressure fluctuations or intermittent supply which may lead to ingress of contamination from leakage orifices and air vacuum valves. Thus, beside the economic costs of contamination (estimated at \$75 per metre of cleaned pipe), there are repercussions to the public and to system operations.
- Shut down of the treatment plant due to flooding will potentially create:
  - o Pressure fluctuations
  - o Intermittent supply
  - o Contamination
- Indirect effects in the case study were calculated – it was estimated that the impact on the population serviced by the distribution system would result in three times as many people experiencing a lack of freshwater than those directly flooded.
- The best way to reduce the impact was to provide a back up system at the water treatment plant to keep at least one pump in operation – this would reduce the # of affected people by 40%, and would reduce contamination from backflow (i.e. from depressurization) by up to 60%

### Key takeaway:

Would it be beneficial to run the water model to have a good idea of the impact of the plant going offline due to an outage (due to lack of power, having to shut down the intake due to spill in Canal etc) – so we know for sure when depressurization is an issue? We have stated 5 hours in our DSEPP – but is that a “best guess” or based on the facts from the 2010 diesel spill?

Menaia, J. and A. Poças. “Maintenance of water supply networks” from *Guidelines for improved operation of drinking water treatment plant and maintenance of water supply and sanitation networks*. 2014

- Main climate changes to potentially affect WSN include:
  - o Increase in average air temperature
  - o Increase in variability of air temperature
  - o Extremely hot periods
  - o More frequent, severe and prolonged drought periods
  - o More frequent and intense rain and storm events
- Increase in air temp will affect water temperature – and could contribute to:
  - o Faster rates of internal/external pipe corrosion – particularly in aged metallic unlined pipes
  - o Biofilm growth/detachment rates tend to increase with temperature, contributing to presence of microorganisms and particles which may compromise the microbiological quality of the water
  - o Hot weather, coupled with intensive water use, may lead to excessive flow demands and peaks – meaning higher pressure levels in the system – increasing the wearing of pipes and fittings – causing bursts, losses and intrusions to take place with increased frequency
  - o Drought and/or more freeze/thaw cycles can lead to soil movement and more breakages
- Intense rain events
  - o Flooding, leading to soil erosion and movement around pipe bedding
  - o May cause water table rises, affecting soil movement

### Key takeaway:

Similar to other studies, climate change may affect the integrity of pipes, due primarily to soil movement, but may also affect microbial water quality within the system



PORT COLBORNE

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Port Colborne Distribution System  
Summary QMS Report  
for the  
**Management Review**

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Report Prepared on:  
April 9, 2019

For the period of:  
April 1, 2018 to March 31, 2019



## Executive Summary

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- There were no incidents of regulatory non-compliance in this period
- There were four (4) adverse test results (3 microbiological and 1 low free chlorine) in this period; although the presence of *E. coli* in February 2018 was immediately concerning, clear follow up samples and subsequent laboratory re-testing of the remaining original sample, which replicated the adverse results, indicated that the sample bottle was contaminated. In all instances, free chlorine levels well above 0.20 mg/L and clear re-samples indicated the water was safe.
- The 2018 Internal Audit identified 11 opportunities for improvement; the 2019 Internal Audit identified two nonconformances and 10 opportunities for improvement.
- Additionally, the 2019 Internal Audit noted that it was evident that a culture of continual improvement is being established and implemented throughout the water utility and that all staff interviewed during the audit and at all levels understood their roles and responsibilities in achieving QMS Policy commitments.
- The Year 3 surveillance audit was completed on September 6, 2018. The auditor identified one opportunity for improvement. 2019 is a re-accreditation year; the on-site audit has not yet been scheduled.
- Number of main breaks in 2018 totalled 12; the same number that were observed in 2017. There have been 10 breaks in the first quarter of 2019.
- The City's water purchases increased slightly for the second year in a row. Overall, the volume of water purchased from the Region annually is relatively stable. Most encouragingly, the difference between the monthly purchases and the monthly metered consumption is narrowing.
- The City's Operational Plan and Quality Management System procedures were updated to conform to DWQMS 2.0, and were presented to and endorsed by Council in February, 2019.
- The City's Municipal Drinking Water Licence and Drinking Water Works Permit expire in September 2019; the renewal application deadline is April 23, 2019; an approved Financial Plan is required to be submitted with the renewal application. The Financial Plan is being presented to Council on April 15, 2019.
- Health Canada has released guidelines for lead in drinking water, and the level has been reduced from 10µg/L to 5µg/L. The Ministry is likely to lower the regulated limit for lead to match the Health Canada guidelines.
- Water quality complaints totalled 23 in 2018; 21 were calls about dirty water, one call was about air/milky water and one was a taste and odour complaint. Watermain breaks were the most common cause of complaints, followed by internal plumbing issues and valve turning activities. One complaint occurred after firefighting activity.

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Port Colborne Distribution System  
Summary QMS Report  
for the  
Management Review  
Prepared on April 10, 2019

## Introduction

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### *Purpose*

The purpose of this report is to summarize the activities of the Port Colborne Distribution System (PCDS) Operating Authority (in general, the Engineering and Operations Department) so that Top Management can ensure the continuing suitability, adequacy and effectiveness of the Quality Management System (QMS) at scheduled Management Reviews.

### *Scope*

This Summary Report for the Management Review covers all elements of the Drinking Water Quality Management Standard (DWQMS) from April 1, 2018 to March 31, 2019.

Top Management reviews the information specified in:

Procedure      QMS-SOP20-1      Management Review

This information includes, but may not be limited to, the following:

- a. Incidents of regulatory non-compliance
- b. Incidents of adverse drinking water tests
- c. Deviations from critical control point limits and response actions
- d. Effectiveness of the risk assessment process
- e. Results of internal and third party audits, including best management practices
- f. Results of relevant emergency response testing
- g. Operational performance
- h. Raw water supply and water quality trends
- i. Follow up on action items from previous management reviews
- j. Status of management action items identified between reviews
- k. Changes in resource requirements, infrastructure, process, personnel, the Standard or regulations that could affect the QMS
- l. Consumer feedback
- m. Resources needed to maintain the QMS
- n. Results of infrastructure review
- o. Operational plan currency, content and updates
- p. Staff suggestions



## Summary of Items

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### a. Incidents of Regulatory Non-Compliance

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There were no reportable regulatory non-compliances during this time period. The “Port Colborne Distribution System Annual Drinking Water Quality Report” for 2018 (dated February 4, 2019) details the City’s compliance with the regulations.

### b. Incidents of Adverse Drinking Water Tests

---

There were four (4) Adverse Drinking Water Tests in 2018.

One adverse drinking water test was due to low free chlorine (0.04 mg/L). The watermains were immediately flushed to restore secondary disinfection and ensure a minimum of 0.05 mg/L of chlorine was achieved. The remaining three adverse drinking water tests in 2018 were due to adverse microbiological results. In all cases, subsequent flushing and resampling indicated that microbiological organisms were absent from samples up and downstream of the adverse sample location, and free chlorine levels were well above the minimum regulated requirement of 0.05mg/L. Based on this result, it is suspected that sample contamination, either during sample collection, or during laboratory analysis, had caused the adverse test result.

As reported during the 2018 Management Review, the adverse water test results on February 20, 2018 were immediately concerning to staff, to the Ministry and Public Health. *E. coli* and total coliforms were detected at >200 cfu/100mL. These analysis results were from one sample bottle collected at one location. Free chlorine levels, at 1.07 mg/L, were well above the regulated requirement, so while the results were immediately concerning, the presence of microbiological organisms at such a high free chlorine level was highly unusual. Immediate and subsequent follow up samples revealed there was no further evidence of microbiological contamination. Therefore, the laboratory, the Ministry, Public Health and staff are confident that the adverse test results were directly caused by sample contamination. The laboratory re-test of the remaining sample in the original sample bottle was also adverse, so it is likely a “bad bottle” that contaminated the sample and caused the adverse.

### c. Deviations from Critical Control Point Limits and Response Actions

---

Critical Control Points (CCP) for the PCDS are, where applicable, higher than the regulated limits. During this period, Staff responded appropriately to low free chlorine levels (<0.10 mg/L but >0.04 mg/L) by flushing the distribution system to bring the chlorine levels up. Routine dead end flushing aided in ensuring free chlorine levels remained adequate.

#### d. 2019 Risk Assessment

A risk assessment was started on March 5, 2019. It was originally scheduled as a Level 2, Change in Operational Practice assessment, to incorporate the requirement of the new DWQMS Standard to consider the Ministry's "Potential Hazardous Events for Municipal Residential Drinking Water Systems" document. However, as the ratings chart was updated and each existing hazardous event was scored with the new ratings, the risk assessment was re-classified as a Level 1, Full re-assessment.

The status of action items from previous risk assessments are as follows:

- Staff will update the Risk Assessment Outcomes Table, by taking into consideration the OFIs that have been raised by the Internal Auditors. *Status – In progress – once the Risk Assessment is complete, the Outcomes Table will be updated.*
- Commitment to finalize the draft water bylaw, including backflow prevention and private fire hydrant use. *Status – pending.*
- With the decommissioning of the King Street Water Tower, City staff had previously inquired if there was any value in extending the existing water tower feed to West Street and loop the system. The water model was to be used to see if looping would improve flow and water quality. *Status – it was previously decided not to run the model, however, it was discussed at the March 5<sup>th</sup> meeting, that since water is not needed south of Sugarloaf on West St, as all properties south of Sugarloaf are fed off of King St, that it would be worth investigating cutting and capping the watermain on West St at Sugarloaf – pending.*

Action items from the March 5<sup>th</sup> Level 1 re-assessment include:

#### Illegal Hydrant Use

- The City has installed key lock devices on municipal hydrants with a history of illegal usage, however, it was discussed that there may be a better option than the current system. Staff will investigate other methods of preventing illegal hydrant use, and ensure new management staff are on the City's authorized personnel list with the company that distributes the key lock system so that the management staff can purchase the required tools. *Status – In progress*
- Investigate if the City's GIS system indicates for the Fire Department which hydrants have a key lock so that Fire Department personnel are prepared upon arrival. *Status – pending.*
- Write an article for the City Hall Newsletter encouraging people to call and report any suspicious hydrant usage. *Status – pending.*



### Potential Hazardous Events for Municipal Residential Drinking Water Systems

During the March 5<sup>th</sup> Risk Assessment, it was determined that the City has already considered the majority of the hazardous events listed in the Ministry's document. The three remaining hazardous events to be considered include:

- Long Term Impacts of Climate Change
- Extreme Weather Events (e.g., tornado, ice storm)
- Sustained extreme temperatures (e.g., heat wave, deep freeze)

As the group ran out of time during the Risk Assessment, these three hazardous events will be discussed, reviewed and, where necessary, scored, during the scheduled Management Review on April 15<sup>th</sup>.

### e. Results of Internal and Third Party Audits

Nonconformances (NCs) and Opportunities for Improvement (OFIs) that were generated during the report period are summarized in the Nonconformance and Corrective Action Logs provided in Appendix 1.

#### **Internal Audit**

There have been two Internal Audits since the 2018 Management Review.

The 2018 Internal Audit, which evaluated the City's QMS against the original DWQMS standard (DWQMS 1.0) was completed on April 24 and 25, 2018 by an auditor from Acclaims Environmental and the City's Internal Auditors. The audit team conducting process based audits, covering the QMS Rep, Training/Certification, and New Appurtenance/Service Installation processes. The auditors identified 11 opportunities for improvement (OFIs), which are summarized in the 2018 Log in Appendix 1.

Overall, the processes were well established and documented. Some findings of note in each process are as follows:

#### QMS Structure

- The Lotus Notes-based QMS document and records control database is effective at accessing key QMS documents and records
- Excellent details in the minutes of previous risk assessment update – a person not involved in the process could obtain rationale for any changes in risk ratings
- Many OFIs noted in past audits and management reviews are planned to be incorporated as part of the Operational Plan updated to DWQMS 2.0 requirements prior to Council's endorsement



### Training and Certification

- Master training spreadsheet is a great tool for tracking employees, their roles, certificate numbers and expiry dates. It helps to quickly identify gaps or deficiencies in training hours or type of training
- Staff have expressed an interest in attending more training and with the new Operations Centre this is more easily achieved.

### New Appurtenance/Service Installation

- Staff were knowledgeable and cooperative during audit interviews
- Staff were committed to continual improvement and opportunities for improvement
- In response to frozen services in 2015, City upgraded water services to meet latest standards for service depth, material and insulation to prevent future frozen services
- Staff are implementing innovative tools to accessing infrastructure information in the field i.e. "Google Earth" linked to the City's GIS system
- OFI – consider copying watermain break reports to Engineering to make the division aware of drinking water system failures (for capital infrastructure planning)
- OFI – consider linking historical information to addresses (i.e. past watermain breaks, past service requests, past sewer roddings etc.) so that staff have information prior to attending an address

The 2019 Internal Audit was completed on March 21 and 22, 2019. The scope of this audit was to not only audit a different assortment of processes to determine the effectiveness of the City's QMS, but to determine whether the City's QMS conforms to the requirements of the updated Drinking Water Quality Management Standard (DWQMS 2.0).

The processes selected for 2019 were: QMS Rep, Top Management, New Hires, Watermain Repairs, Valve Maintenance Program and Infrastructure Planning. This audit identified two nonconformances (NCs) and 10 opportunities for improvement (OFIs), which are summarized in the 2019 Log in Appendix 1.

Overall, the processes were well established and documented. Some findings of note are as follows:

### Culture of Continual Improvement

- Through all audit interviews during the 2019 internal audit, it was evident that a culture of continual improvement is being established and implemented throughout the water utility.
- The risk assessment process has been refined to better reflect actual conditions resulting in more meaningful data.
- The process related to onboarding of new water staff is being overhauled to set-up new employees for success by identifying training needs; tracking completed document reviews; performance of tasks; and assessment of staff ability to work independently and competently.

- The stores area has shown evidence of improvement in improved tracking stock, the creation of standard operating procedures, and working towards an effective min/max ordering system.
- Top Management have established levels of service related to 2019 maintenance activities; against which performance will be reported on in future years (starting with the 2020 Management Review).
- A valve exercising program targeting 25% of valves exercised each year with the goal of also improving water quality challenges was initiated.

#### Well-understood roles in achieving QMS Policy commitments

- All staff interviewed throughout and at all levels understood their roles and responsibilities in achieving QMS Policy commitments (in the provision of safe drinking water, complying with regulatory requirements and continually improving).

#### On-the-job training

- Noted improvements in utilizing on-the-job training opportunities for staff to improve knowledge and skill related to all parts of the PCDS (e.g. acoustic assessments, cross-training, training by vendors, etc.).

#### Use of new technology

- Water Sampling Field Reports are planned to be recorded directly into WaterTrax by Operators through a phone application, reducing the duplication of paper record-keeping that currently exists.

#### The NCs identified during the audit were:

- Expired standards and reagents stored with the field kit used by Engineering during watermain commissioning activities
  - Current practice is to verify the expiry dates of standards and reagents ahead of any planned watermain projects to ensure they are up-to-date. As no watermain projects were completed in 2018, this verification activity had not occurred. Staff will create a process to ensure the standards and reagents are examined on a more frequent basis to prevent this situation from occurring again.
- Missed reporting the results of the 2018 Management Review to Council
  - Will ensure the 2019 Management Review is reported

The majority of outstanding nonconformances (NCs) and opportunities for improvement (OFIs), some dating back to 2009, have been closed. Those that remain open are operational in nature, and with new management of the water department, these previous recommendations will be examined.

### **External Audits/Accreditation Status**

The City received re-accreditation on June 6, 2016. Surveillance audits are undertaken in year 2 and 3 (2017 and 2018), with a full on-site re-accreditation audit in 2019.

On September 6, 2018 an auditor from QMI-SAI Global completed the mandatory Year 3 surveillance audit of the City's QMS to evaluate the City's conformance to the Standard.

The auditor found no nonconformances and identified one opportunity for improvement. The OFI was to update the Risk Assessment Outcomes Table, however, it was noted that as the City was updating all documentation to conform to the revised Standard, that the Table would be updated as part of that process.

The City's accreditation expires June 6, 2019. All QMS documentation has been updated to meet the requirements of DWQMS 2.0, and staff are prepared for the on-site re-accreditation audit, which is anticipated to be scheduled in May 2019.

### **Ministry Inspections**

The Ministry of the Environment, Conservation and Parks (Ministry) performed an announced inspection of the PCDS on July 18, 2018. The Inspector raised no findings, but made one recommendation: that the City consider the letter sent by the Director of the Ministry Compliance Promotion and Support Branch (dated May 9<sup>th</sup>, 2018) to all municipal drinking water system owners/operators regarding sampling concerns for HAAs and the need to characterize the levels of HAAs in different parts of the distribution system. Specifically, the letter requested the City consider the guidance provided in the Director's letter for second and third year HAA sampling plans, and adjust if necessary. Staff incorporated the recommended sampling approach when creating the 2019 sampling schedule. Results are discussed in section h. below. The PCDS was assigned a rating of 100%.

### f. Results of Relevant Emergency Response Testing

There was no emergency response testing completed during this report period. As the mock emergency, "Source Failure/Widespread Water Loss" was conducted on October 25, 2017 as part of a mock emergency conducted by the St. Lawrence Seaway Management Authority, as per the Distribution System Emergency Preparedness Plan, testing is required every five years, therefore the next test is required to be completed by 2022.

### g. Operational Performance

Table 1 summarizes Operational statistics for the PCDS in 2018 and for the first quarter of 2019. Overall, there were 12 watermain breaks in 2018, the same number was experienced in 2017. Interestingly, there were already 10 breaks in the first quarter of 2019.

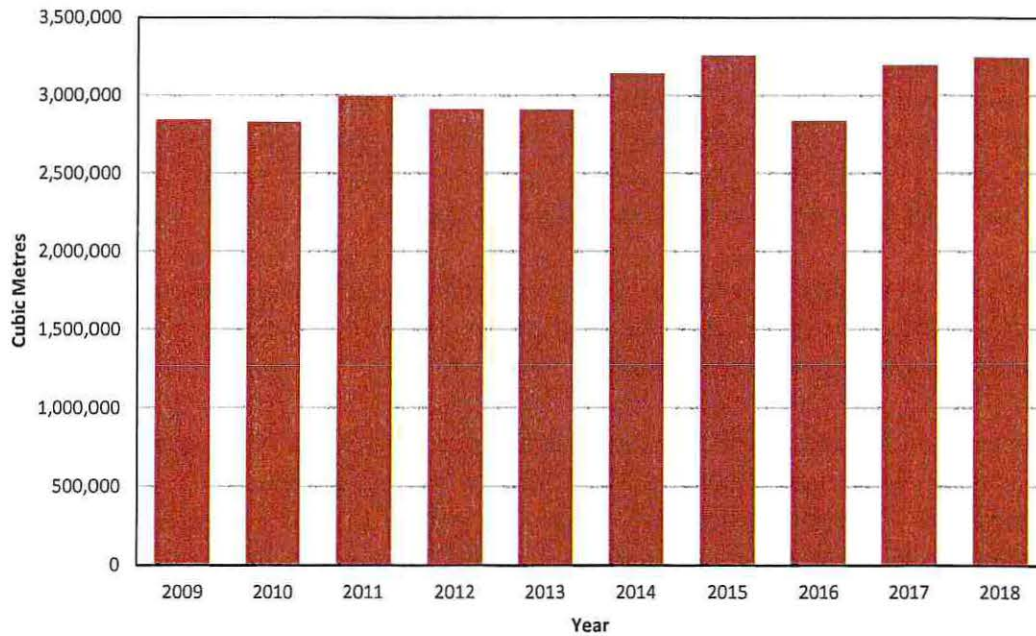


**Table 1: PCDS Activity Report**

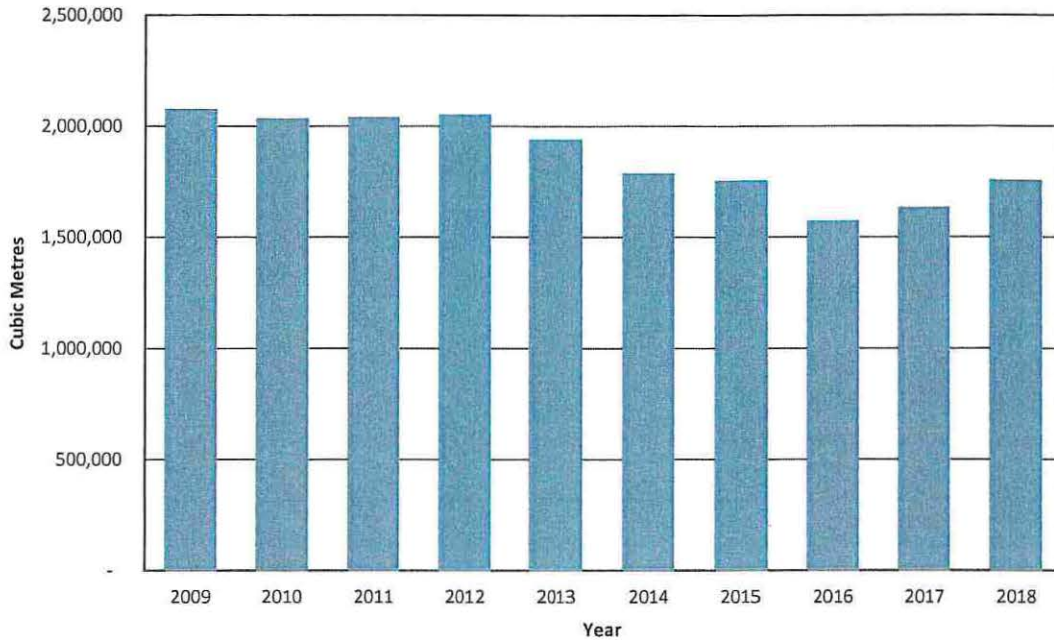
ITEM	AMOUNT	
	2018	2019 (to April 4)
Distribution Samples		
Bacteriological (approx.)	637	102
Operational (free chlorine)	2,112	198
Adverse Samples	4	0
Lead Samples		
Distribution – Alkalinity and pH	8	4
Distribution – Lead (Exempt from plumbing sampling as of Dec/09)	8 (2 private plumbing requests)	0 (2 private plumbing requests)
Sample results > 10 ppb	0	0
Watermain breaks	12	10

Total water purchases from the Region’s Port Colborne Water Treatment Plant increased slightly in 2018 to 3,233,180 m<sup>3</sup> (Figure 1). Analysis of water purchases since 2012 show that the volume of water purchased from the Region is relatively stable, fluctuating each year between 2,800,000 m<sup>3</sup> and 3,200,000 m<sup>3</sup>. The volume of water sold to the City’s customers in 2018 increased for the second year in a row. (Figure 2).

**Figure 1: Annual Water Purchases since 2009**



**Figure 2: Annual Water Sales since 2009**



With the new meters that were installed in 2016, we can now read the entire City in a single day. So, even though the entire City is not being billed, we can obtain the total metered volume on a monthly basis. The intention was to have monthly metered volumes for 2017 compared to monthly purchases from the Region. Unfortunately, due to upgrades to the Treasury software that necessitated upgrading the meter reading software, staff were unable to analyze the monthly meter reads until June 2017. Figure 3 below compares the monthly metered volumes from June 2017 to March 2019. There is generally a good correlation between the amount of water purchased vs. the amount of water metered. In general, when purchases increase, metered volumes also increase. There is an anomaly in March 2019, where the volume of water purchased from the Region increased by 7.4%, while the metered volume for that same month decreased just over 12%.

What is most encouraging is the fact that the monthly trend is beginning to narrow and that, overall, monthly purchases from the Region have been declining while monthly metered volumes have been gradually increasing.

It is important to note that the metered consumption, prior to 2018, does not include water usage from operational activities such as flushing, watermain breaks or water used during watermain commissioning activities. The commitment by staff to respond to watermain breaks quickly, adopt a prudent approach to dead end flushing and post repair flushing, in addition to more closely tracking the water used in maintenance/repair activities is assisting in reducing our unbilled, unaccounted for water.

**Figure 3: Monthly Purchased Volume vs. Monthly Metered Consumption - June 2017 to March 2019**

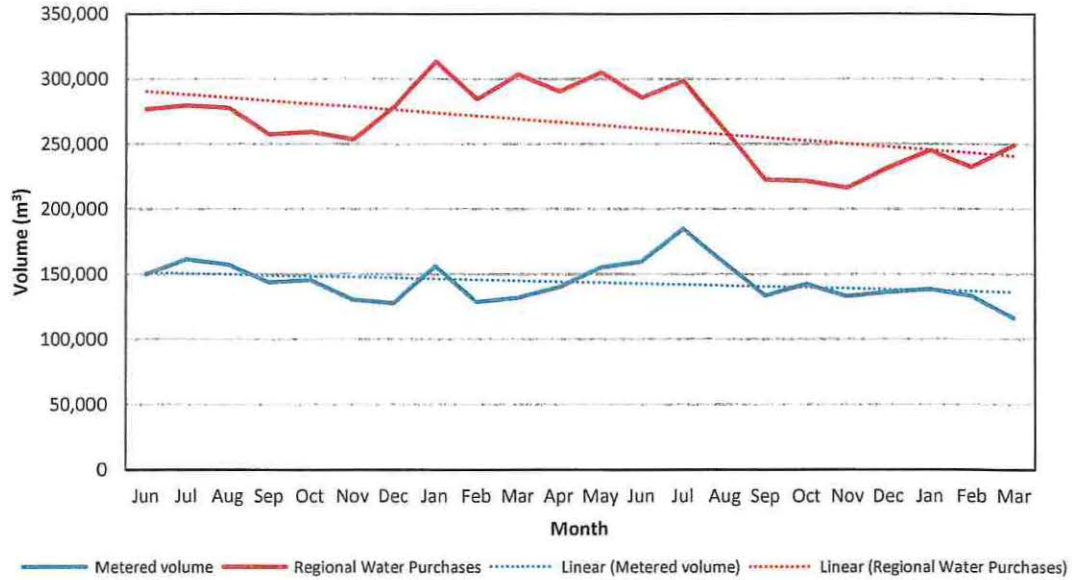
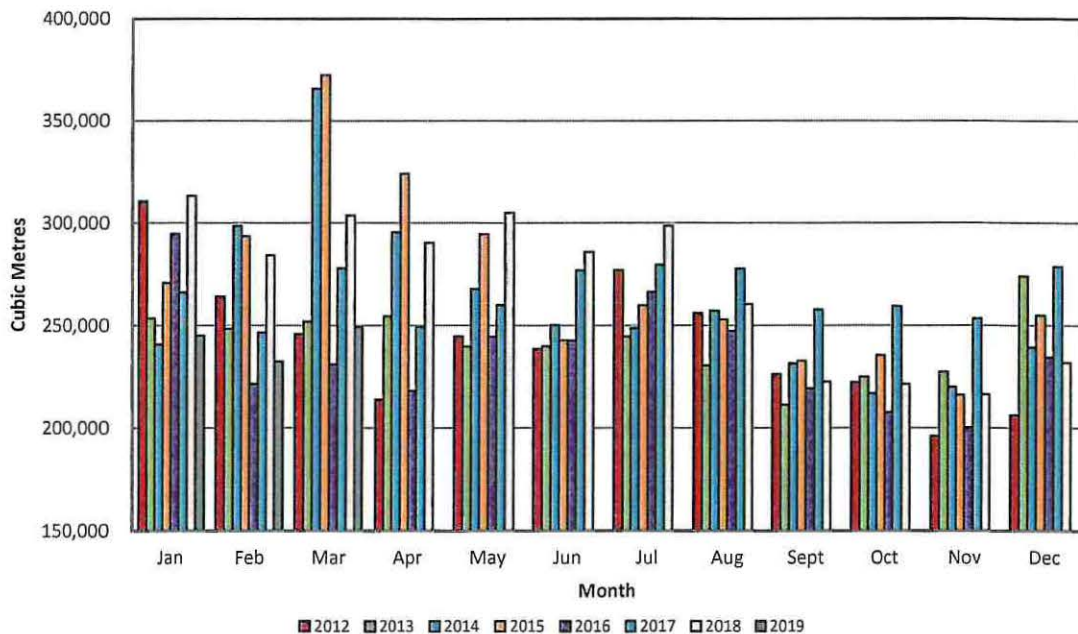


Figure 4 illustrates the unique Port Colborne consumption trend, which almost always sees the City using more water in the first quarter of the year, as opposed to all other municipalities in Niagara which use more water in the warmer summer months. Region and City staff are unclear as to why this trend occurs in Port Colborne.

**Figure 4: Volume of Water Purchased from RMON each Month - Jan 2012 to Mar 2019**





### h. Raw Water Supply and Water Quality Trends

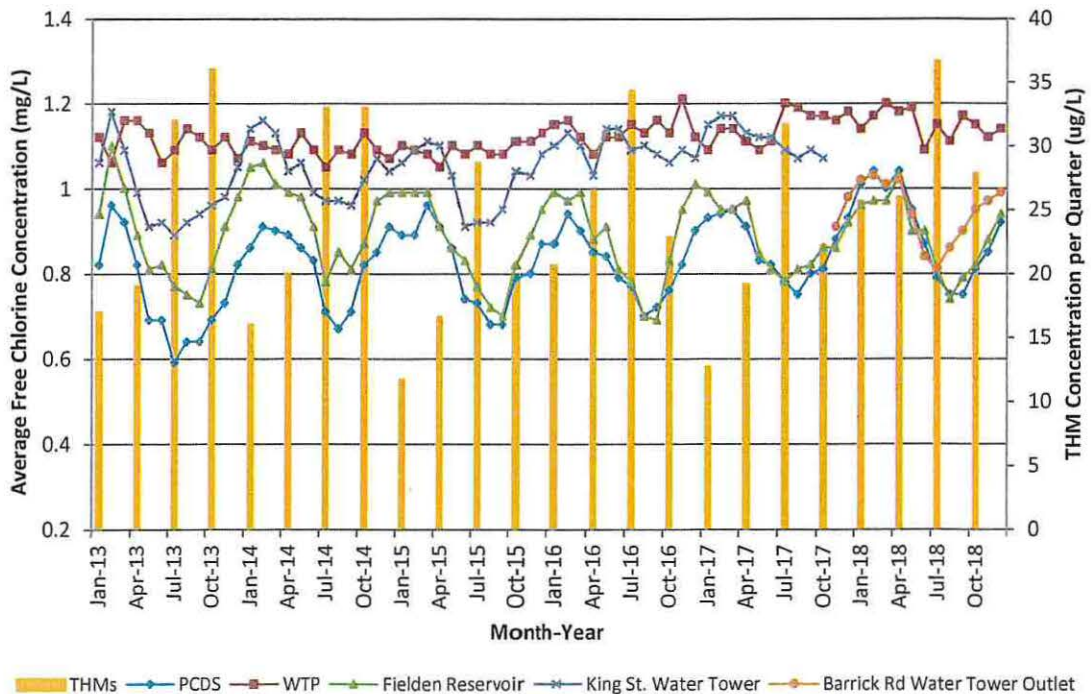
The Regional Municipality of Niagara (Region) supplies all drinking water to the PCDS, and as such, is responsible for all testing of the raw water supply (Welland Canal). Results of the testing are provided annually to the City in RMONs annual report.

Within the PCDS, the City is required to collect samples on a routine basis and evaluate them for a number of parameters. Microbiological samples, in addition to free chlorine samples are the best indicators of water quality trends within the PCDS. As indicated in Table 1 and detailed in section b. above, there were a total of four (4) adverse samples in 2018.

Figure 5 below illustrates the average monthly free chlorine concentrations within the PCDS, compared to the average monthly free chlorine concentrations exiting the WTP, Reservoir and Water Tower (data provided by Region staff).

As expected, free chlorine concentrations in the PCDS are lower than those exiting the WTP, the Reservoir and Water Tower. Additionally, the relationship between warmer months and chlorine levels can be clearly observed, with free chlorine levels declining during the warmer months. It is interesting to note that the chlorine levels leaving the WTP, which had been quite consistent since late 2013, with average annual FAC levels of 1.09 mg/L, climbed to an average of 1.14 mg/L in 2016 and have remained high, averaging FAC of 1.15 mg/L in both 2017 and 2018.

**Figure 5: 2013-2018 Average Monthly Free Chlorine Concentration Comparison between PCDS and Regional facilities vs. Quarterly Average Trihalomethanes**



Quarterly THM levels in 2018 were higher than the levels observed in 2017. Overall, average THM concentrations have remained relatively stable since 2013 (Table 2). It is expected that once the Region completes filter upgrades at the WTP, which will include changing the activated carbon filter, the THM levels will experience a decline similar to the decline that was observed in 2011 after the last time the Region replaced the activated carbon filter late in 2010.

**Table 2: Average Annual Trihalomethanes Concentrations – 2009-2018**

Year	Average Trihalomethanes (µg/L)
2009	31.00
2010	25.25
2011	7.50
2012	16.75
2013	26.00
2014	25.50
2015	19.12
2016	26.08
2017	22.30
2018	29.04

The City began sampling for Haloacetic Acids (HAAs), as required by the regulation, on a quarterly basis in 2017. The City is not required to report results until January 2020; however, all samples collected in 2017 and in 2018 indicated that HAAs were less than the detection limit of 5.3 µg/L.

As per the direction of the Ministry Inspector during the January 2018 inspection, staff ceased collecting HAA samples from THM sampling locations, and selected sampling locations that were closer to the Water Treatment Plant. During the July 2018 inspection, the memo clarifying the Ministry's requirement for HAA sample locations, discussed in section e. was received by staff. Subsequently, in 2019 staff selected the year three sampling locations in the distribution system as per the memo. Analysis of the first samples collected in 2019 indicate that HAAs remain less than the detection limit. As per the Ministry's memo, if HAAs remain low and/or non-detectable through 2019, the City can return to collecting HAA samples from THM sampling locations.

These preliminary results indicate that HAAs are not going to be a water quality issue in the distribution system.

## i. Follow up on Action Items from Previous Management Reviews

### Action Items:

- Watermain material specifications – During the 2018 internal audit, it was mentioned that the specifications for all watermain materials, such as the requirement for materials to be NSF 61 certified, fittings to be stamped with “NL” (no lead) must be incorporated into the tender documents for all watermain projects in order to meet the requirements of the City’s Drinking Water Works Permit. It was also mentioned that while fire hydrants as a unit are NSF 61 certified, some of the components, specifically the port gaskets, are not NSF certified. It was questioned if the Ministry had any comment on this, and information was to be requested from the Ministry.  
STATUS: To be discussed at the meeting.
- Region communication in event of shutdown of Region facility – outcome of the 2017 mock emergency. The City was concerned that the Region does not notify the City of all outages/upsets at Region facilities. While it is true that the majority of system outages/upsets at Regional facilities will have little to no impact on the City’s distribution system, knowing the status of the Regional facilities in the event of a distribution system incident and/or emergency would only assist the City and the Region in providing the highest quality drinking water and customer service to our residents – as drinking water is shared responsibility. Director was to discuss with Region’s leadership team  
STATUS: To be discussed at the meeting.
- Frozen Water Services Hotline – repurposing as a hotline where residents could call to listen to a recorded message and receive information during a water emergency – number would be provided in all advisories and communications.  
STATUS: To be discussed at the meeting.
- Sample bottles during an emergency - Some municipalities do keep some bottles on hand for different parameters, but most rely on their laboratory to provide the required bottles as needed, and write that requirement into their agreement. City to investigate writing this requirement into agreement with chemical analysis laboratories  
STATUS: To be discussed at the meeting.
- Alternative “local” chemical laboratories - There are no local chemical labs approved by the Ministry for drinking water analyses. The Region has an agreement with a laboratory in Waterloo, and has a key and code to access the laboratory in order to drop off samples 24/7, and they have pricing for 24/7 analysis in the event of an emergency. Investigate more alternative laboratories for the City and discuss emergency sampling with the current laboratories.  
STATUS: To be discussed at the meeting
- Leak detection on Region’s trunk watermains – Due to the City’s high unaccounted for water, it was questioned whether the Region did leak detection activities on their trunk



watermains. If the Region's trunk watermains were leaking, that would contribute to the City's unaccounted for water.

STATUS: It has been confirmed that the Region does not conduct leak detection activities on their trunk watermains

- Management Review ahead of water/wastewater budget – Councillor Mayne asked if it was possible to have future Management Review meetings prior to the annual water/wastewater budget meeting so that the Councillors who participate in the Management Review would have more information to share with Council.

STATUS: Ongoing. Unable to accommodate timing in 2019 due to new council and required DWQMS documentation updates. Where practical, will schedule future Management Review meetings prior to annual water/wastewater budget meetings

- Valve maintenance program - During the Ministry's annual inspection of the drinking water system in 2017, the Inspector recommended that the City develop a program to inspect and exercise distribution water valves. It was shared that the GIS Coordinator is currently in the process of mapping all the distribution system valves. The water department will be using the valve turning machine to turn valves in 2017 and will be providing information gathered from the field work (i.e. GPS coordinates, # of turns etc.) to the Coordinator as the intention is to have all the valve information linked in the GIS. Once that is complete, then a maintenance program will be developed.

STATUS: 2018 Action - discuss how the information from the valve turning machine can be exported into a format that can be uploaded into the GIS.  
Update to be provided at the meeting.

- Valve colour coding - The Region is interested in developing a colour coding system, where a coloured insert or sleeve would be inserted into the valve box, for their valves. There is an opportunity for the City to develop a complimentary colour coding system, and potentially take advantage of bulk pricing for the inserts.

STATUS: 2018 Action - reach out to the Region to determine if they have finalized their colour coding; asking to be kept informed if they have not yet determined their system.  
Update to be provided at the meeting.

- QMS Rep back up - It was discussed that one of the OFIs raised during the audit was that there is no defined back up to the QMS Representative. It was indicated that this should be considered as part of a corporate succession plan. Item was to be raised during corporate succession planning discussions at the Director's level

STATUS: Ongoing. Succession planning has not yet been discussed.

- Distribution System Financial Plan – current plan is valid to 2019, however it needs to be updated. Treasury is aware that the Plan has to be presented and approved by Council by March 31, 2019, as Council's endorsement of the Financial Plan must accompany the

City's Municipal Drinking Water Licence and Drinking Water Works Permit renewal application – which is required to be submitted by April 23, 2019

STATUS: Financial Plan has been completed and is being presented to Council on April 15, 2019 for approval

- Drinking Water Quality Management Standard – version 2.0 has been approved, and the City's QMS is required to be updated and the changes implemented prior to the next re-accreditation audit, which will take place in May 2019.

STATUS: All QMS documents have been updated to meet the requirements of DWQMS 2.0, and Council endorsed the Operational Plan on February 25, 2019

- Health Canada Lead Levels – Health Canada officially released updated guidelines for lead in drinking water in March, 2019 – lowering the acceptable concentration of lead in drinking water from 10 µg/L to 5µg/L. The Ministry will likely also lower their limit (currently 10 µg/L), and may require those municipalities that are currently exempt from collecting and analyzing plumbing samples to commence sampling again. Port Colborne has been exempt from sampling plumbing (homes and businesses) since 2010. A review of historical plumbing sample results indicates there were two exceedances of the 10µg/L limit in 2008, and while there were not exceedances of the limit in 2009, there was one plumbing sample that was higher than the proposed 5µg/L limit.

STATUS: Staff will continue to monitor communications from the Ministry and inform Top Management as required.

- Asset Management Planning Regulation – O. Reg. 588/17 came into force on January 1, 2018.

STATUS: Engineering and Treasury are working on complying with the requirements of this regulation.

#### j. Status of Management Action Items Identified Between Reviews

There were no Management Action Items identified since the April 16, 2018 review.

#### k. Changes That Could Affect the QMS or the PCDS

- *Municipal Drinking Water Licence and Drinking Water Works Permit renewal*  
The City's Licence and Permit expire on September 23, 2019. The renewal package is required to be submitted by April 23, 2019. There are no major changes anticipated to the Licence or Permit, however, the Ministry has the option to add additional requirements to either document. Should they choose to add requirements, this could have an impact on the PCDS.

- *Regional Construction Activities*  
As discussed in the 2015, 2016 and 2017 Management Reviews, the Region's new canal crossing (estimated 2020 commissioning) may have significant impacts on the distribution system.
- *Provincial Watermain Disinfection Procedure*  
The Ministry released an updated draft of the Watermain Disinfection Procedure in December 2018, and municipalities had until the end of January to comment on the proposed changes. The only change staff strenuously objected to was the proposed requirement to sample hydrants for lead prior to using a hydrant as a source of water to commission new watermains. As the City has never had a lead exceedance, even of the new lower Health Canada limit, in samples collected from hydrants, staff do not see the value in testing hydrants for lead during watermain commissioning activities. All other municipalities consulted also did not see the value of this type of testing, as there is no evidence to suggest that this activity is a risk for lead exposure for the consumers of the water.
- *Watermain Design Criteria*  
The Province has indicated that once the Watermain Disinfection Procedure has been finalized, they will be opening up consultations into suggested revisions to the Watermain Design Criteria. Once the draft revision of the document has been received by staff, it will be circulated to the Engineering Department for comments so we can provide feedback. Until the draft revisions are released potential impacts to the system are uncertain.
- *Sanitary and Storm Sewer Design Criteria and Wastewater Collection Environmental Compliance Approvals (ECAs)*  
The Province is currently updating the design criteria for sanitary and storm sewers, and once they have been finalized, the Province has given every indication that they will begin issuing ECAs for wastewater collection systems, and potentially stormwater systems. The Ministry is hoping to issue system-wide approvals for sewer systems, similar to the Drinking Water Works Permit, so that municipalities would have the ability and flexibility to make changes and upgrades to their sewer systems without having to get approval from the Ministry. This will reduce the paperwork associated with future sanitary sewer projects.

While these items fall outside the scope of the QMS, if the Ministry issues an ECA for the wastewater collection system, there will potentially be an impact on staffing and other resources in order to be in compliance with the ECA.

## I. Consumer Feedback

There were 23 complaints received in 2018 (Figure 6, below). 21 of the complaints were about dirty water, one was about air/milky water, and one was a taste and odour complaint. The cause of the air/milky water complaint was determined to be due to air in the watermain

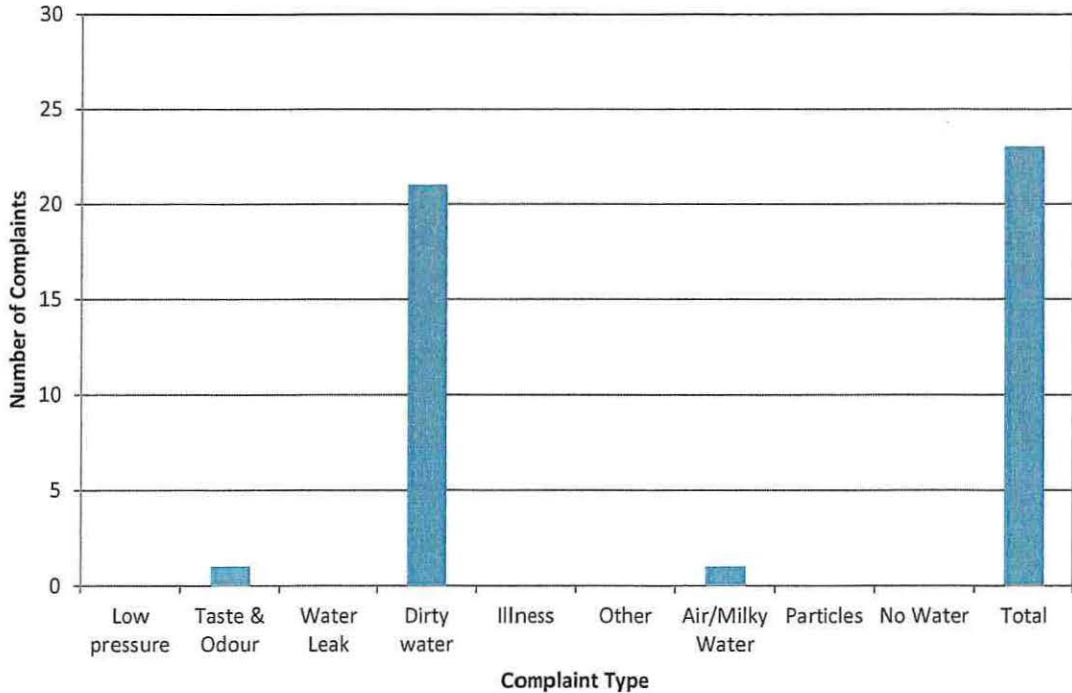


from a watermain break/repair a few days earlier. The exact cause of most of the dirty water complaints was not known at the time of the site visit. In most cases, the water had already cleared, so the operator was unable to ascertain what the cause may have been; however, in all these “unknown” cases, the samples collected by the operator during the site visit were well within acceptable parameters. Where the source of the dirty water complaint could be determined, watermain breaks were the most common cause, followed by internal plumbing issues and valve turning activities. One dirty water complaint occurred after firefighting activity.

There was one adverse sample resulting from a dirty water investigation. When the operator analyzed the sample collected from an inside tap for free available chlorine, the residual was less than the regulated minimum concentration of 0.05 µg/L. Subsequent sampling in the distribution system, up and downstream of the residence indicated that free chlorine levels were well above the minimum required; therefore, it was determined that the sample collected from inside the home was from the plumbing system, and was not representative of the distribution system.

In all other instances where samples were collected, analysis showed adequate free chlorine levels and microbiological sample analysis revealed that the samples were free from contamination.

Figure 6: 2018 Drinking Water Complaints



#### m. Resources Needed to Maintain the QMS

A discussion of items listed in section k. "Changes that could affect the QMS or the PCDS" may indicate the need for additional resources.

#### n. Results of Infrastructure Review

The revised Standard states that, like the Internal Audit and the Management Review, the Infrastructure Review must be completed once every calendar year. As the City's Asset Management Plan is expected to be drafted by the end of 2019, and it is in the best interest of the City to ensure that the Asset Management Plan and the Infrastructure Review are complementary, the infrastructure review to consider the outcomes of the risk assessment, and determine the adequacy of the infrastructure will be completed in Q4 of 2019. The Capital Asset Supervisor, who works in the Treasury Department, will need to be involved in the review so that relevant information can be shared between the departments and incorporated into the City's Asset Management Plan and into the long term forecast of major infrastructure maintenance, rehabilitation and renewal activities.

#### o. Operational Plan Currency, Content and Updates

The Operational Plan was updated to meet the requirements of DWQMS 2.0 in February 2019, and was presented to and endorsed by Council on February 25, 2019.

#### p. Staff Suggestions

Staff suggestions, where applicable, are captured under the Corrective Action Logs – with "Source" identified as "Other"

#### q. New or Other Business

To be determined during the meeting.

#### r. Next Scheduled Review

Under the new Standard, we will be required to conduct a Management Review once every calendar year. The Review does not have to be completed in a single meeting, therefore, to try to accommodate the suggestion to meet ahead of the annual water/wastewater budget, the Review can be completed in two meetings – one ahead of the budget to discuss operational issues, in January or February, and one ahead of the annual internal audit to discuss QMS issues, in March or April.

## APPENDIX 1



Nonconformance and Corrective Action Log - 2018 Audit Cycle

Date (mm/dd/yy)	CAR Number	Source (IA, EA, MOE, NonC, AWQI, Other)	NC or OFI	Element	Description	Root Cause (NCs only)	Corrective/Preventive Action	Assigned to	Due Date (mm/dd/yy)	Verified by	Verification Date (mm/dd/yy)	Effective (Y or N)	Date	Re-issue Date and CAR # (if applicable)
02-12-18	OFI-2018-001	MOE	OFI		The City's watermain break procedure and form have not yet been updated to meet the requirements of the Ministry's "Watermain Disinfection Procedure" for new watermain and watermain repairs. The City is required to ensure that all documentation/information required under Section 4 of the Disinfection Procedure is recorded and maintained and that a copy of the updated form be provided to the Inspecting Office by March 31, 2018.		Update Watermain Break procedure, Watermain Commissioning Procedure and the relevant forms and provide to the Inspector.	D. Suddard	3-31-18	D. Suddard	4-25-18	Y	4-25-18	
02-17-18	OFI-2018-002	MOE	OFI		The City of Port Colborne's HAA sampling location is generally the same location used for THM sampling, whereas the Ministry requires sampling for HAAs at a location likely to have the elevated potential for HAA formation. The City is encouraged to choose a sampling location for HAAs that is closer to the point of treatment and likely to have the elevated potential for HAA formation.		Change sampling location for HAAs as per the MOECC's recommendation.	D. Cressley	2-28-18	D. Suddard	4-25-18	Y	4-25-18	
04/25/18	OFI-2018-003	IA	OFI	5	Consider editing the OP section related to changes to documents to include all of the ways in which edits to existing documents could be requested (i.e. via e-mail, via writing directly on a copy of the document etc.).		Will consider during the next DWQMS documentation update prior to implementing DWQMS 2.0	D. Suddard	12-31-18	D. Suddard	4-10-19	Y	4-10-19	
04/25/18	OFI-2018-004	IA	OFI	9	Consider clearly defining drinking water system roles and responsibilities using element 9's section of the Operational Plan among staff (i.e. listing OIC roles and responsibilities) so that items such as reporting drinking water system issues are clear.		Will consider during the next DWQMS documentation update prior to implementing DWQMS 2.0	D. Suddard	12-31-18					
04/25/18	OFI-2018-005	IA	OFI	9	Consider identifying all members of top management who participate in management reviews.		Will consider during the next DWQMS documentation update prior to implementing DWQMS 2.0	D. Suddard	12-31-18	D. Suddard	4-10-19	Y	4-10-19	
04/25/18	OFI-2018-006	IA	OFI	10	Consider listing certified topics by training specifically for field operational staff (Some staff don't require the training as part of their roles and responsibilities).		Will consider during the next DWQMS documentation update prior to implementing DWQMS 2.0	D. Suddard	12-31-18	D. Suddard	4-10-19	Y	4-10-19	
04/25/18	OFI-2018-007	IA	OFI	10	Consider using the on-the-job training framework for tracking on-the-job hours for new employees (through practical hands-on demonstrations).		Will consider during the next DWQMS documentation update prior to implementing DWQMS 2.0	D. Suddard	12-31-18	D. Suddard	4-10-19	Y	4-10-19	
04/25/18	OFI-2018-008	IA	OFI	14	Consider copying watermain break reports to Engineering to make the division aware of drinking water system failures (for capital infrastructure planning).		Will discuss with ORD and Manager of Projects and Design to determine feasibility.	D. Suddard/S. Shypowsky/ D. Cressley	12-31-18					
04/25/18	OFI-2018-009	IA	OFI	15	Consider improving the close-out process regarding service requests so that issue resolutions (or other appropriate response) is captured and confirmed as closed.		Will discuss with Engineering and/or IT to determine feasibility.	D. Suddard/R. Daniels/J. Hoppunen	12-31-18					
04/25/18	OFI-2018-010	IA	OFI	15	Consider linking historical information to addresses (i.e. past watermain breaks, past service requests, past sewer roids, or other past work) so that staff have information prior to responding to sites.		Will discuss with Engineering and/or IT to determine feasibility.	D. Suddard/R. Daniels/J. Hoppunen	12-31-18					
04/25/18	OFI-2018-011	IA	OFI	17	Consider verifying measurement devices' calibration records (several calibration records viewed noted equipment is due for calibration on "10/2018", however the last calibration date was December 2017 which would normally indicate an expiry date of December 2018).		Will discuss with ORD and evaluate suggestion for implementation.	D. Suddard/D. Cressley	12-31-18					
04/25/18	OFI-2018-012	IA	OFI	19	Consider setting time aside for the document review and the development of audit checklists only on day one of the audit. Day 2 of the audit plan can possibly start earlier, and potentially include another drinking water system process or program as part of a future audit plan.		Will consider prior to 2019 audit.	D. Suddard	02-28-19	D. Suddard	4-10-19	Y	4-10-19	
04/25/18	OFI-2018-013	IA	OFI	21	Consider tracking and measuring continual improvement actions through the various sources (i.e. Internal and external audits, MOECC inspections, management reviews etc.).		Will consider prior to 2019 audit.	D. Suddard	02-28-19	D. Suddard	4-10-19	Y	4-10-19	
09/06/18	OFI-2018-014	EA	OFI	7	The risk assessment table was not up-to-date. The 36-month risk assessment was completed at the time of this audit, however, the risk assessment outcomes table was not scheduled to be updated until Q1 2019 when new requirements within the DWQMS, version 2, would then be incorporated.		Update RA Outcomes table as part of the DWQMS 2.0 implementation.	D. Suddard	02-28-19					

**Nonconformance and Corrective Action Log - 2019 Audit Cycle**

Date (mm/dd/yy)	CAR Number	Source (IA, EA, MOE, NonC, AWQI, Other)	NC or OFI	Element	Description	Root Cause (NCs only)	Corrective/Preventive Action	Assigned to	Due Date (mm/dd/yy)
03/22/19	NC-2019-001	IA	NC	17	The City had expired standards and reagents stored with it's test kits with Engineering, for use by the Construction Inspector and back ups.				
	NC-2019-002	IA	NC	20	The City missed reporting the results of the 2018 Management Review, the identified deficiencies, decisions and action items to the Owner				
	OFI-2019-003	IA	OFI	11	In-house locator position has been dissolved; consider budgetary implications regarding Water staff complements when reallocating resources				
	OFI-2019-004	IA	OFI	5	Consider creating a procedure to describe the Municipal Drinking Water Licence renewal process and all of the corresponding requirements and deadlines				
	OFI-2019-005	IA	OFI	5	Consider creating a checklist for new staff resources (i.e. confirming resources ordered, access to logs, level of computer access, logins etc. Also consider describing what training is organized corporately vs. by department				
	OFI-2019-006	IA	OFI	5	Consider adding a reference in QMS-SOP12-1 to SOP C3: Communication Requirements in the Event of a Water Supply Disruption. Also consider referencing normal operational and promotional communications with public and Owner (i.e make sure reference to Communications Coordinator)				
	OFI-2019-007	IA	OFI	5	Consider simplifying watermain break paperwork and ensure break information is shared with Engineering for GIS updates and consideration in infrastructure review				
	OFI-2019-008	IA	OFI	5	Consider updating/creating operational SOPs (i.e valve turning, watermain testing)				
	OFI-2019-009	IA	OFI	5	City webpage re: drinking water needs to be updated with new information				
	OFI-2019-010	IA	OFI	5	Consider using Lotus Notes to list the items that have corresponding deadlines to be completed and assign to more than 1 staff member for reminders				
	OFI-2019-011	IA	OFI	12	Consider taking further steps to improve day-to-day communications between Niagara Region and Port Colborne related to the ways in which maintenance activities could be impacting the PCDS				
	OFI-2019-012	IA	OFI	18	Consider referencing alertready.ca information and instructions on how to activate it locally (through PC's CEMC) for utilizing cell text messaging system in water advisories				



Community & Economic Development Department

905-835-6644

**TO:** Ashley Grigg, Director of Community & Economic Development  
Nicole Halasz, Manager of Parks & Recreation

**FROM:** Mark Minor, Marina Supervisor

**DATE:** May 15, 2019

**RE:** Sugarloaf Marina - East Main Run Transformer Replacement

Sugarloaf Marina experienced an electrical issue on the east main dock during the week of May 6, 2019. It has been determined that the transformer at the end of our east main run is no longer operational and needs to be replaced. This transformer runs the power to the pedestals on the end of the east main run as well as some lights on the main run and on Dock 6. The electrical contractor, R & B Electric Solutions Inc., has secured a marine transformer at the price of \$10,582.00, plus HST. This price reflects the cost of the transformer, and does not include removal or installation. The above represents an unanticipated repair and expense. A budget, therefore, does not exist to undertake the repair work. R & B Electric Solutions has advised that they have only located one transformer in Ontario.

During the recent budget process, Council approved \$20,000 for a new high-speed diesel pump. However, recent investigation has revealed that an insufficient power supply currently exists to power a high-speed pump. The power supplying the current pump is insufficient to support the new pump and it will therefore need to be upgraded when the new high-speed pump is purchased and installed. This process may entail trenching a new line from the fuel shack to the pump and running new wire. Upgrading the power supply was an unanticipated cost of installing the new high-speed pump. As a result, staff recommend deferring the installation of a high-speed diesel pump to 2020 in order for staff to investigate the full scope of work required and associated costs. Staff will then present an associated budget request to Council during the 2020 budget process for the total cost of the high-speed pump and power upgrades.

Staff recommend utilizing the funds approved for the purchase of the high-speed diesel pump to fund the purchase and installation of the new transformer on the east main run.

Staff are currently in the process of reviewing methods for the safe removal and installation of the transformers. As a result, a definitive cost for installation and removal is currently unknown at this time, however, staff judge the total project will fall within \$20,000.

The contractor is charging the City the at-cost price for the transformer. As a result, the City is not required to obtain additional quotes. As time is of the essence, the undersigned has advised R & B Electric Solutions to prepare for installation.



**Recommendation:**

That the installation of the high-speed diesel pump at Sugarloaf Marina, as approved by Council during the 2019 budget process, be deferred; and

That the Director of Community and Economic Development be directed to investigate the full scope of work required for the installation of the high-speed diesel pump (including power supply upgrade) and submit an associated budget request to Council during the 2020 budget process; and

That the funds original approved for the purchase of the high-speed diesel pump (\$20,000) be reallocated toward the purchase and installation of a new electrical transformer on the east main run (unanticipated cost incurred in 2019).

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Minor', written in a cursive style.

Mark Minor  
Marina Supervisor

MAY 16 2019

CORPORATE SERVICES  
DEPARTMENT

From: "Usick,Karen" <Karen.Usick@niagarahealth.on.ca>  
To: "mayoradmin@portcolborne.ca" <mayoradmin@portcolborne.ca>  
Date: 05/15/2019 03:51 PM  
Subject: RE: FW: Mayors Invitation and Proclamation Request - World Hepatitis Day 2019

From: Usick, Karen  
Sent: June 4, 2018 4:53 PM  
Subject: Mayors Invitation and Proclamation Request - World Hepatitis Day 2018

Greetings

Wow.....where has this year gone! It is time to announce our 2018 World Hepatitis Day community awareness event. On Friday July 27, 2018 the NHS - Hepatitis C Care Clinic will be joining our Global Partners to recognize World Hepatitis Day. This year we will align with the World Hepatitis Alliance Global theme to "Find the Missing Millions". It is so very important to Get Tested...Get Treated...Get Cured. On behalf of our program I would like to invite you to partner with us in helping to raise awareness of World Hepatitis Day 2018. As with previous years; I apply to all of the municipalities throughout Niagara on behalf of our Hepatitis C Care Clinic Program to have each municipality proclaim World Hepatitis Day on July 28th . I am aware that some of the municipalities do not provide proclamations.....but if you would please recognize our event at one of the city council meetings I would be truly appreciative. J At this time I would also like to invite you to attend our World Hepatitis Day Community Awareness event. Our Hepatitis C Care Clinic program provides regional services and we are excited to share with you about our program and the care and services of our community partners. The event will be held on Friday July 27, 2018 from 11:00 am to 3:00 p.m. at Montebello Park in St. Catharines. Opening ceremony will be at 11:30 a.m. and you are welcome to join the other dignitaries with your message of support. J

The Hepatitis C Care Clinic, which is part of the Niagara Health - Mental Health and Addictions Program, is funded through the Ministry of Health, Hepatitis C Secretariat. The program mandate is to provide care to the marginalized population, which may "fall between the cracks" of the health care and social services systems to provide a "safety net" to ensure everyone receives the care they need when they need it. This is why we feel our World Hepatitis Day community events are so important each year to bring a street-based health and social services fair to the residents of Niagara that may not know where to look for the care they need. Each year the number of community partners continues to grow; in 2017 at our community event we had over 40 service providers that joined us to bring their care and program to the residents of Niagara.

Hepatitis B and C are two life-threatening liver diseases. One in 12 people around the world are living with hepatitis B or C - including 600,000 Canadians. Both viruses are transmitted through blood-to-blood contact. Hepatitis C, in particular, has a low diagnosis rate, and the Public Health Agency of Canada now estimates that 44% of Canadians living with the disease do not know they have it. That is why we recognize that a key goal of each year's World Hepatitis Day event is to encourage Niagara residents to get tested and know their status, especially because of the new, highly effective and tolerable therapies for Hepatitis C that are now available.

On July 28, 2016 the World Hepatitis Alliance launched the "NOhep" campaign, which will be the first global movement that will work towards the elimination of viral hepatitis as a public health threat by 2030. Our World Hepatitis Day activities allow us to join our Global partners lead by the World Hepatitis Alliance and we also join our global partners by illuminating notable landmarks here in Niagara with the colour green, which represents the "NOhep" campaign. Notable landmarks to be illuminated again this year are: Canadian and USA Falls, Skylon Tower, Welland Historic Lift Bridge, Peace Bridge and the Pelham Arches.

To confirm your attendance or if you have any questions, please do not hesitate to contact me.

Thank you for your consideration and review of our World Hepatitis Day Proclamation request!

Hope you have a great day!

Warm regards,

Karen

Karen Usick | Community Coordinator  
Mental Health & Addictions | Hepatitis C Care Clinic  
Karen.Usick@NiagaraHealth.on.ca  
W: 905-378-4647 x32555 | C: 289-696-2523  
260 Sugarloaf Street, Port Colborne, ON L3K 2N7 HCCC Website Address -  
[www.niagarahealth.on.ca/services/hepatitis-c-care](http://www.niagarahealth.on.ca/services/hepatitis-c-care)  
NHS Addiction Services - [www.niagarahealth.on.ca/services/addiction-recovery](http://www.niagarahealth.on.ca/services/addiction-recovery)

"Education is the most powerful way to change the World"

Nelson Mandela

[www.nohep.org/learn-more](http://www.nohep.org/learn-more)  
[www.nohep.org/about](http://www.nohep.org/about)



**KNOW YOUR STA+US?**

Get tested - Learn your options

**WORLD**

**HEPATITIS DAY**

**JULY 28    WWW.WHDCANADA.ORG**

**Free Food & Refreshments**

**Live Music & Entertainment**

**Private Testing & Health Teaching**

**Community Health Fair - Information Displays**

**Opening Ceremony - Messages from Dignitaries**

**Montebello Park – St. Catharines**

**64 Ontario Street**

**Friday July 26, 2019**

**11:00 a.m. to 3:00 p.m.**

**Niagara Health System - Hepatitis C Care Clinic**

**905-378-4647 Ext 32554**

**or**

**HCCC@NiagaraHealth.on.ca**

niagarahealth



**ELIMINATE ~~HEPATITIS~~**



**The Hepatitis C Care Clinic  
Would like to invite you to  
Partner with us on**



**Join with other community partners to provide an  
Information display at our community awareness day  
To share with the residents of the Niagara Region The  
great care and services you provide each day**

**LOCATION: Montebello Park  
64 Ontario St, St Catharines  
DATE: Friday July 26, 2019  
TIME: 11:00 a.m. to 3:00 p.m.**

**RAIN OR SHINE**

**To RSVP or for details about the event please contact  
Karen Usick – Hepatitis C Care Clinic  
Community Coordinator  
905-378-4647 Ext. 32555  
Or by email: [Karen.Usick@niagarahealth.on.ca](mailto:Karen.Usick@niagarahealth.on.ca)**

**ELIMINATE ~~HEPATITIS~~**



**niagarahealth**



**Proclamation - Recreation and Parks Month**  
Ashley Grigg to: Amber LaPointe  
Cc: Brenda Heidebrecht, Nicole Halasz, Michelle Cuthbert

05/21/2019 08:52 AM

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History: This message has been replied to.

Hello Amber,

Wondering if this proclamation could be listed on the next Council agenda?

Thank you.

Ashley

Ashley Grigg  
Director of Community and Economic Development  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8  
Telephone: 905-835-2900 ext. 500  
Fax: 905-834-5746  
E-mail: [dced@portcolborne.ca](mailto:dced@portcolborne.ca)  
Website: [www.portcolborne.ca](http://www.portcolborne.ca)

***Working Smoke and Carbon Monoxide Alarms Save Lives***



Municipal Proclamation.docx





### **MUNICIPAL PROCLAMATION: June is Recreation and Parks Month**

WHEREAS, in \_\_\_\_\_, we are fortunate to have a variety of recreation and parks systems providing countless recreational opportunities for residents and visitors from around the world; and

WHEREAS, recreation enhances quality of life, balanced living and lifelong learning; helps people live happier and longer; develops skills and positive self image in children and youth; develops creativity; and builds healthy bodies and positive lifestyles; and

WHEREAS, recreational participation builds family unity and social capital; strengthens volunteer and community development; enhances social interaction; creates community pride and vitality; and promotes sensitivity and understanding to cultural diversity; and

WHEREAS, parks, open space and trails provide active and passive outdoor recreation opportunities, help maintain clean air and water; and promotes stewardship of the natural environment; and

WHEREAS, recreation, therapeutic recreation and leisure education are essential to the rehabilitation of individuals who have become ill or disabled, or disadvantaged, or who have demonstrated anti-social behavior; and

WHEREAS, the benefits provided by recreation programs, services and parks, and open space, reduce healthcare and social service costs; serve to boost the economy, economic renewal and sustainability; enhance property values; attract new business; increase tourism; and curb employee absenteeism; and

WHEREAS, all levels of government, the voluntary sector and private enterprise throughout the Province participate in the planning, development and operation of recreation and parks program, services and facilities;

NOW THEREFORE, be it resolved that Ontario does hereby proclaim that June, which witnesses the greening of Ontario and serves as a significant gateway to family activities, has been designated as Recreation and Parks Month, which will annually recognize and celebrate the benefits derived year round from quality public and private recreation and parks resources at the local, regional and provincial levels.

Therefore, \_\_\_\_\_, in recognition of the benefits and values of Recreation and Parks, do hereby designate the month of **June as Recreation and Parks Month**.

MAY 15 2019

CORPORATE SERVICES  
DEPARTMENT



PORT COLBORNE

ENGINEERING & OPERATIONAL SERVICES

MEMORANDUM

EXT. 219

**DATE:** May 15, 2019  
**TO:** Amber LaPointe, City Clerk  
**FROM:** Janice Peyton, Executive Assistant, DEO  
**RE:** Environmental Advisory Committee  
Motion Regarding Port Colborne Quarries Site Alteration

Please be advised that, at the meeting of May 8, 2019, the Environmental Advisory Committee discussed the Port Colborne Quarries Site Alteration and resolved as follows:

Moved by George McKibbin  
Seconded by Paul Ruzycski

That a list of questions regarding the Port Colborne Quarries Site Alteration be submitted to the City Clerk for Council's consideration and inclusion in the current review process.  
CARRIED.

Please find the questions attached.

Thank you.

Signed:

A handwritten signature in blue ink, appearing to read "J. Peyton", written over a horizontal line.

Janice Peyton  
Executive Assistant, DEO  
Recording Secretary, Environmental Advisory Committee

**Memorandum to:** Port Colborne Council  
**From:** The Environmental Advisory Committee (EAC)  
**Date:** May 15, 2019  
**Re:** Site Alteration Permit: Port Colborne Quarries

The Port Colborne Quarries site alteration permit and supporting documentation were reviewed at the Environmental Advisory Committee's May 8<sup>th</sup> meeting. With respect to air Port Colborne residents breathe and the water Port Colborne residents drink and use, here are review questions the EAC recommends to Council be addressed in the review of this application:

**Air:**

1. How is track out of dust onto public roads to be controlled and addressed? On windy days, how is dust suppression to be addressed where residences exist downwind? What monitoring measures and arrangements are to be made for the public to identify instances where complaints arise?

**Water:**

2. It is reasonable to expect that from time to time, fill materials which exceed MECP standards may find their way into Pit #1, so a Ground Water Monitoring Program approved by the MECP is a reasonable measure for the early detection and mitigation of any potential contamination that was undetected. Is PCQ establishing a ground water monitoring program around the perimeter of Pit #1 for detection of adverse affects and contamination to the ground and aquifer waters?
3. With respect to the standards for sodium adsorption ratio and electrical conductivity, what maximum standards will apply for each and on what basis will these standards be justified?
4. With respect to groundwater, what comparable standards analysis applies and are the exceptions appropriate? If so, what are the new maximum standards that should apply?
5. With respect to dewatering that occurs concurrent with pit operations and processing, what standards should apply where water is pumped and released into surrounding drains?

**Implementation of the Permit:**

Over 20 years, it is reasonable to expect that from time to time, fill materials which exceed MECP standards find their way into Pit #1.

1. Who reports to whom when earth is deposited that exceeds MECP contaminant standards? Which standards apply and how will new standards be addressed as these evolve with better science from time to time?



2. What protocols occur when fill has been deposited that exceeds MECP standards? Do the fill operations cease until the matter is resolved?
3. Who establishes what is the appropriate remediation; which remediation is acceptable; and confirms that the acceptable approach has been implemented? How are these decisions made and what analysis applies? Is there public input?
4. As responsibilities among Ministries and municipal agencies change over time, how is the permit and its implementation updated so as to remain current and effective over the 20 years it may take to complete this operation?
5. How will the municipality be reimbursed for costs where actions and decisions are required in the implementation of this fill permit and operation? What agreement is needed with the proponent to ensure costs incurred in subsequent decision making are covered?
6. Who monitors the above and the implementation of the agreement and terms of the permit with reports to Council annually? What information will be made available to the public?

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May 17, 2019

**Council Session CL 11-2019, May 16, 2019**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

**RE: Niagara Peninsula Conservation Authority Board Appointments  
Minute Item 12.2.2 CL 11-2019, May 16, 2019**

Regional Council at its meeting held on Thursday, May 16, 2019, passed the following resolution:

1. That Correspondence Item CL-C 39-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated May 16, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED**;
2. That Regional Council **APPOINT** the community representatives selected by Fort Erie, Grimsby, St. Catharines, and Welland to the Niagara Peninsula Conservation Authority Board effective immediately;
3. That Regional Council **REQUEST** that the remaining eight local area municipalities submit their recommendations for representatives on the Niagara Peninsula Conservation Authority Board by July 31, 2019; and
4. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Foster, Gibson, Greenwood, Huson, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional three months from today's date unless the local area municipality appoints another representative before that date.

A copy of Correspondence Item CL-C 39-2019 is attached for your information.

Yours truly,



Ann-Marie Norio  
Regional Clerk

CLK-C 2019-108



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## MEMORANDUM

CL-C 39-2019

**Subject:** Niagara Peninsula Conservation Authority Board Appointments

**Date:** May 16, 2019

**To:** Regional Council

**From:** Ann-Marie Norio

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At its meeting held on February 28, 2019, Regional Council passed the following resolution:

*That Correspondence Item CL-C 18-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated February 28, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED** and the following recommendations **BE APPROVED**:*

- 1. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional period of three months; and*
- 2. That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.*
- 3. That the Board of Directors of the NPCA **DETERMINE** the types of skills and/or experience required on this Board of Directors based on the mandate of the NPCA and subsequently providing a skills matrix for purposes of selecting those members to Regional Council before the end of April 2019;*
- 4. That staff **BE DIRECTED** to develop a process that all lower tier municipalities can follow to determine who they will recommend as their representatives to the NPCA Board of Directors before the end of May 2019; and*
- 5. That staff **BE DIRECTED** to develop a process that will determine a fair and acceptable mix of politicians to be responsible to Niagara tax payers to serve on the NPCA Board of Directors along side those chosen via the skills matrix before the end of May 2019.*

In accordance with the above motion, the appointment of the members of the current board will expire on June 6, 2019. As a practical matter, this is before the NPCA Board

meeting scheduled for June 19, 2019 and the Regional Council meeting of June 20, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office is in receipt of correspondence from the Niagara Peninsula Conservation Authority Board (attached as Appendix 1) advising that the Board passed the following resolution on April 17, 2019:

***THEREFORE BE IT RESOLVED THAT*** the NPCA request to the Niagara Region that the twelve temporary members' (or their replacements') terms be extended, until such time as the appeal by the City of Hamilton is complete, and the agreement between the three municipalities is finalized.

***FURTHER THAT*** the NPCA Board and Staff recommend a list of competencies, modelled from the Alberta Public Agencies matrix, to the Region of Niagara in order that the Region can forward the competencies to their municipalities regarding whether they wish to recommend to the Region to appoint an elected or citizen appointees.

Correspondence Item CL-C 18-2019 (attached as Appendix 2) provided information respecting correspondence received from some local area municipalities respecting a local appointee to the NPCA Board and outlined past practice with respect to the Board appointment of twelve (12) members.

In response to the NPCA Board's resolution to extend the twelve temporary members' (or their replacements'), as Council may be aware, the NPCA levy appeal by the City of Hamilton has been completed; however an agreement between the three municipalities has not been finalized.

In addition, A Better Niagara recently notified the parties that they are bringing back the application for a decision on the number of members the Region is entitled to appoint which is to be before the courts on May 13, 2019.

In accordance with Council's resolution on February 28, 2019, specifically recommendations 4 and 5, staff will be providing a report for Council's consideration for the Regional Council meeting held on June 20, 2019, outlining processes respecting Board composition.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board until such time as an agreement between the three municipalities has been reached respecting the composition of the Board.

Respectfully submitted and signed by

---

Ann-Marie Norio  
Regional Clerk





250 Thorold Road, 3<sup>rd</sup> Floor, Welland ON L3C 3W2  
Tel: 905-788-3135  
Fax: 905-788-1121  
www.npca.ca

April 23, 2019

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

**SENT ELECTRONICALLY**

Dear Chair Bradley and Regional Council,

Please be advised that at its regular meeting of April 17, 2019, the Board of Directors of the Niagara Peninsula Conservation Authority adopted the following resolution:

Resolution No. FA-113-19

*Moved by Board Member Steele*

*Seconded by Board Member Foster*

**WHEREAS** the Region of Niagara requested the NPCA, in their March 1<sup>st</sup>, 2019 letter, for comment regarding the NPCA Board composition and qualifications; and

**WHEREAS** the Auditor General of Ontario provided recommendations regarding Board skills, experience and training in her September 14<sup>th</sup>, 2018 report on the NPCA; and

**WHEREAS** Province of Ontario is currently reviewing regional governments, which could impact the future Board of the NPCA; and

**WHEREAS** the City of Hamilton appeal regarding the NPCA levy is under review; and

**WHEREAS** the City of Hamilton, Haldimand County and the Niagara Region agreed to address the composition of the NPCA Board after the NPCA levy review is complete;

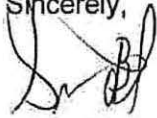
**THEREFORE, BE IT RESOLVED THAT** the NPCA request to the Niagara Region that the twelve temporary members' (or their replacements') terms be extended, until such time as the appeal by the City of Hamilton is complete, and the agreement between the three municipalities is finalized.

**FURTHER THAT** the NPCA Board and Staff recommend a list of competencies, modelled from the Alberta Public Agencies matrix, to the Region of Niagara in order that the Region can forward the competencies to their municipalities regarding whether they wish to recommend to the Region to appoint an elected or citizen appointees.

**CARRIED**

Please find attached a copy of the Alberta Public Agencies Board Profile & Competency Matrix Tool for your reference. Any inquiries with respect to this resolution may be directed to Gayle Wood, Interim CAO / Secretary Treasurer of the Niagara Peninsula Conservation Authority at [gwood@npca.ca](mailto:gwood@npca.ca) or at 905- 788-3135 ext.251.

Sincerely,



Grant Bivol  
Interim Clerk

Attachment: Alberta Public Agencies Board Profile & Competency Matrix Tool

cc: Region of Niagara area municipalities  
City of Hamilton  
Haldimand County  
NPCA Board of Directors  
Ron Tripp, CAO, Niagara Region  
Gayle Wood, CAO / Secretary Treasurer, NPCA

## Board Profile & Competency Matrix Tool

This tool provides a list of critical competencies organized in three major areas. These competencies are intended to balance professional experience, environmental or contextual knowledge and personal attributes and skills.

The competencies listed below are examples that can be used to create an overall board profile for the board, as well as inform the development of a unique competency matrix, recruitment postings and director profiles for specific vacancies. Public agencies are encouraged to tailor the competencies to best suit their needs and accurately reflect the requirements of that board.

Definitions for each of the competencies and the competency matrix tool are included in section 9.1 as part of the recruitment plan.

Competency Area	Critical Competencies	Brief Description
Relevant Professional Experience	<ul style="list-style-type: none"> <li>• Governance</li> <li>• Business/Management</li> <li>• Legal/Regulatory</li> <li>• Human Resources</li> <li>• Accounting/Financial</li> <li>• Risk Management</li> <li>• Public Relations/Media</li> </ul>	The candidate has professional/volunteer experience that is relevant and valuable to the board of the public agency.
Specialized Environmental Knowledge	<ul style="list-style-type: none"> <li>• Government/Public Policy</li> <li>• Community/Stakeholder Relations</li> <li>• Industry/Sector</li> </ul>	The candidate has specialized knowledge of the environment or context affecting the board of the public agency.
Personal Effectiveness Skills	<ul style="list-style-type: none"> <li>• Leadership/Teamwork</li> <li>• Strategic Thinking/Planning</li> <li>• Critical Thinking/Problem Solving</li> </ul>	The candidate has personal skills or attributes of value to the board of the public agency.
Other	Additional competencies may be identified that do not fall within the categories provided above but are essential to the needs of the public agency.	



Relevant Professional Experience	
<b>Governance Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, board governance in the private, public, and/or voluntary/non-profit sector. The applicant has a clear understanding of the distinction between the role of the board versus the role of management. Governance experience could be acquired through prior board or committee service or reporting to/or working with a board as an employee.</li> </ul>
<b>Business/Management Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, sound management and operational business processes and practices in the private or public sector. This competency may include an understanding of topics such as managing complex projects, leveraging information technology, planning and measuring performance, and allocating resources to achieve outcomes.</li> </ul>
<b>Legal/Regulatory Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, legal principles, processes, and systems. This may include interpreting and applying legislation, experience with adjudicative or quasi-judicial hearings or tribunals, or an understanding of the legal dimensions of organizational issues.</li> </ul>
<b>Human Resources Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, strategic human resource management. This may include workforce planning, employee engagement, succession planning, organizational capacity, compensation, and professional development. Depending on the public agency, knowledge or expertise in CEO performance management and evaluation may be a related asset.</li> </ul>
<b>Accounting/Financial Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, accounting or financial management. This may include analyzing and interpreting financial statements, evaluating organizational budgets and understanding financial reporting.</li> </ul>
<b>Risk Management Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, enterprise risk management. This may include identifying potential risks, recommending and implementing preventive measures, and devising plans to minimize the impact of risks. This competency may also include experience or knowledge of auditing practices, organizational controls, and compliance measures.</li> </ul>
<b>Public Relations/Media Experience</b>	<ul style="list-style-type: none"> <li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, communications, public relations or interacting with the media. This may include knowledge of effective advocacy and public engagement strategies, developing key messages, crisis communications, or social media and viral marketing.</li> </ul>

<b>Specialized Environmental Knowledge</b>	
<b>Government/Public Policy Knowledge</b>	<ul style="list-style-type: none"><li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the broader public policy context affecting the public agency. This may include the strategic priorities of government and the relationship between those priorities and the work of the public agency.</li></ul>
<b>Community/Stakeholder Relations Knowledge</b>	<ul style="list-style-type: none"><li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the community or communities the public agency serves, including the stakeholder landscape affecting the public agency. This may include a demonstrated capacity to build networks and foster trusting relationships with communities and stakeholders.</li></ul>
<b>Industry/Sector Knowledge</b>	<ul style="list-style-type: none"><li>➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the industry or sector the public agency operates within. This may include an understanding of particular trends, challenges and opportunities, or unique dynamics within the sector that are relevant to the public agency.</li></ul>
<b>Personal Effectiveness Skills</b>	
<b>Leadership/Teamwork Skills</b>	<ul style="list-style-type: none"><li>➤ The applicant demonstrates an ability to inspire, motivate and offer direction and leadership to others. The candidate also demonstrates an understanding of the importance of teamwork to the success of the board. This may include an ability to recognize and value the contributions of board members, staff, and stakeholders.</li></ul>
<b>Strategic Thinking/Planning Skills</b>	<ul style="list-style-type: none"><li>➤ The applicant demonstrates an ability to think strategically about the opportunities and challenges facing the public agency and to engage in short, medium and long-range planning to provide high-level guidance and direction for the public agency.</li></ul>
<b>Critical Thinking/Problem Solving Skills</b>	<ul style="list-style-type: none"><li>➤ The applicant demonstrates an ability to apply critical thinking to creatively assess situations and to generate novel or innovative solutions to challenges facing the board of the public agency.</li></ul>

## Board Profile & Competency Matrix Template

<b>GENERAL BOARD MEMBER COMPETENCY MATRIX</b> <i>(*Choose as many competencies as applicable)</i>	<Candidate 1>	<Candidate 2>	<Candidate 3>	<Candidate 4>	<Candidate 5>
<b>Relevant Professional Experience</b>					
Governance Experience					
Business/Management Experience					
Legal/Regulatory Experience					
Human Resources Experience					
Accounting/Financial Experience					
Risk Management Experience					
Public Relations/Media Experience					
<b>Specialized Environmental Knowledge</b>					
Government/Public Policy Knowledge					
Community/Stakeholder Relations Knowledge					
Industry/Sector Knowledge					
<b>Personal Effectiveness Skills</b>					
Leadership/Teamwork Skills					
Strategic Thinking/Planning Skills					
Critical Thinking/Problem Solving Skills					
<b>Other</b>					
<Competency 1>					
<Competency 2>					
<Competency 3>					

*\*To be completed as part of the recruitment plan, as outlined in section 9.1.*



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**MEMORANDUM**

CL-C 18-2019

**Subject: Niagara Peninsula Conservation Authority Board Appointments****Date: February 28, 2019****To: Regional Council****From: Ann-Marie Norio, Regional Clerk**


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At its meeting held on December 6, 2018, Regional Council passed the following resolution:

*That twelve (12) Regional Councillors representing Niagara Region, one from each municipality in the Niagara Region, **BE APPOINTED** to replace the current Niagara Region representatives, on an interim basis, on the Niagara Peninsula Conservation Authority Board, effective immediately for a period of three months until it is determined how to proceed with the Board composition.*

Council subsequently passed the following resolution:

*That Councillors Bylsma, Chiochio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board for a three month period.*

In accordance with the above motion, the appointment of the members of the current board will expire on March 6, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office has received correspondence from some local area municipalities respecting a local appointee to the NPCA Board (attached as Appendix 1). Niagara Region's Procedural By-law does not contain any provisions respecting appointments to the NPCA Board nor are there any policies related to this matter.

Section 4 of the *Conservation Authorities Act*, provides that a regional municipality shall be a participating municipality in place of the local municipalities within the regional municipality and shall appoint to the authority the number of members which the local municipality would otherwise have been entitled as participating municipalities.

Past practice with respect to the Board appointment of twelve (12) representatives, one from each local area municipality, has been to first ask the Regional Councillors who represent the municipality requiring representation whether or not they are willing to sit as a member of the Board. In the event that there is no interest from a Regional

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Councillor of that municipality, the local municipal council is notified. The local council then determines how they would like to fill the spot on the Board. This could be with a local municipal councillor or a local citizen.

Council could decide to continue with the current appointment process practice; however, should Council wish to change this, the criteria and process would need to be defined. In considering this issue, Council may wish to seek input from the NPCA Board.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiochio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional <insert period of time>; and

That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.

Respectfully submitted and signed by

---

Ann-Marie Norio  
Regional Clerk



# Community Services

## Legislative Services

December 4, 2018  
File #120203

Sent via Email: [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Ann-Marie Norio, Regional Clerk  
Niagara Region  
1815 Sir Issac Brock Way, P.O. Box 1042  
Thorold, ON L2V 4T7

Dear Ms. Norio:

**Re: Appointment to the Niagara Peninsula Conservation**

The Municipal Council of the Town of Fort Erie at its Inaugural Meeting of December 3, 2018 passed the following resolution:

**That:** Council recommends Leah Feor to The Regional Municipality of Niagara's Council as the Town of Fort Erie representative for appointment to the Niagara Peninsula Conservation Authority for the 2018-2022 term of Council.

Leah's contact information is as follows:

Leah Feor  
P.O. Box [REDACTED]  
Crystal Beach, ON L0S 1B0  
Phone: [REDACTED]  
Email: [REDACTED]

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk





**City of Welland**  
**Legislative Services**  
Office of the City Clerk  
60 East Main Street, Welland, ON L3B 3X4  
**Phone:** 905-735-1700 Ext. 2280 | **Fax:** 905-732-1919  
**Email:** clerk@welland.ca | www.welland.ca

January 25, 2019

**File No. 16-129**

SENT VIA EMAIL

Niagara Peninsula Conservation Authority  
250 Thorold Street West, 3<sup>rd</sup> Floor  
Welland, ON L3C 3W2

Attention: Lisa McManus, Chief Administrative Officer and Secretary - Treasurer (Interim)

Dear Ms. McManus:

**Re: January 25, 2019 – WELLAND CITY COUNCIL**

At its meeting of January 25, 2019, Welland City Council passed the following motion:

**“THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Ingrao to the Niagara Peninsula Conservation Authority from January 15, 2019 to November 14, 2022.”**

Yours truly,

Carmela Radice  
Deputy Clerk

TS:cap

c.c.: - A. Norio, Niagara Regional Clerk, sent via email



February 26, 2019

Ann-Marie Norio  
 Regional Clerk Niagara Region  
 1815 Sir Isaac Brock Way, P.O. Box 1042 Thorold, ON  
 L2V 4T7  
 Sent via email to [Ann-Marie.Norio@niagararegion.ca](mailto:Ann-Marie.Norio@niagararegion.ca)

**Re:** Niagara Peninsula Conservation Authority

Dear Ms. Norio,

Please be advised that at its meeting held on February 25, 2019, St. Catharines City Council approved the following motion:

WHEREAS on November 12, 2018, City Council directed staff to develop a process for appointing a representative to the Niagara Peninsula Conservation Authority (NPCA) Board to be implemented at the beginning of the 2018 – 2022 Term of Council; and

WHEREAS on December 10, 2018, City Council appointed Councillors Garcia, Miller, and Williamson to the NPCA Nominating Committee for the purpose of reviewing applications and making recommendations for appointment / nomination to the NPCA Board; and

WHEREAS the NPCA Nominating Committee has reviewed all applications and recommends Ed Smith for appointment to the NPCA Board;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ed Smith be appointed to the NPCA Board as a representative of the City of St. Catharines for the remainder of the 2018 – 2022 Term of Council; and

BE IT FURTHER RESOLVED that the Niagara Region / NPCA be asked to provide a matrix for evaluating applicants; and

BE IT FURTHER RESOLVED that this resolution be forwarded to the Regional Clerk for distribution at Niagara Regional Council.

If you have any questions, please contact the Office of the City Clerk at extension 1524.

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

PO Box 3012, 50 Church St., St. Catharines, ON L2R 7C2  
 Tel: 905.688.5600 | TTY: 905.688.4889 | [www.stcatharines.ca](http://www.stcatharines.ca)

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May 17, 2019

**CL 11-2019, May 16, 2019**

**PEDC 5-2019, May 8, 2019**

**PDS 18-2019, May 8, 2019**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Creating the Ohnia:kara UNESCO Global Geopark

PDS 18-2019

Regional Council, at its meeting held on May 16, 2019, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 18-2019, dated May 8, 2019, respecting Creating the Ohnia:kara UNESCO Global Geopark, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the concept for the Ohnia:kara UNESCO Global Geopark **BE ENDORSED** and the Ohnia:kara Steering Committee **BE SUPPORTED** in their pursuits of developing a global geopark; and
2. That Report PDS 18-2019 **BE CIRCULATED** to the local area municipalities.

A copy of PDS 18-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-103

cc: E. Acs                      Manager, Community Planning, Planning and Development Services  
N. Oakes                     Executive Assistant to the Commissioner, Planning and Development Services  
R. Mostacci                 Commissioner, Planning and Development Services

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**Subject:** Creating the Ohnia:kara UNESCO Global Geopark

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, May 8, 2019

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## **Recommendations**

1. That Report PDS 18-2019 **BE RECEIVED** for information;
2. That the concept for the Ohnia:kara UNESCO Global Geopark **BE ENDORSED** and the Ohnia:kara Steering Committee **BE SUPPORTED** in their pursuits of developing a global geopark; and
3. That Report PDS 18-2019 **BE CIRCULATED** to the local area municipalities.

## **Key Facts**

- The purpose of this report is to provide Council with information regarding the Ohnia:kara UNESCO Global Geopark;
- A *global geopark* is a unified area with a geological heritage of international significance (UNESCO);
- At an April 25, 2018 presentation to Planning and Economic Development Committee, the Ohnia:kara Steering Committee outlined their desire to pursue a UNESCO geopark designation for Niagara.

## **Financial Considerations**

There are no direct financial implications stemming from this report. However, it would be reasonable to assume that future financial support may be required to further the geopark initiative. This initiative is currently not funded in the 2019 budget and if supported, required financial support will be included in future budget years for Council consideration and approval.

## **Analysis**

At the April 28, 2018 Planning and Economic Development Committee, a presentation by the Ohnia:kara Steering Committee (steering committee) outlined the potential creation of a geopark in Niagara. The following resolution was carried:

*“That staff **BE DIRECTED** to provide a report regarding the potential creation of the Ohnia:kara UNESCO Global Geopark.”*

Since the presentation in April 2018, Brock University’s Niagara Community Observatory published the attached (Appendix I) policy brief, which is a comprehensive primer on UNESCO geoparks, and the process to achieve the UNESCO designation.

The policy brief, prepared to support the efforts of the steering committee, makes a compelling case for establishing a geopark in Niagara highlighting linkages to existing tourism as well as new tourism opportunities, including international recognition of existing cultural and geological assets (waterfalls, trails, historic sites, etc).

The brief indicates that at least 78 geosites of geological, environmental or cultural interest have been identified across all 12 Niagara municipalities. Due to the cross jurisdictional nature of these features, the report further suggests that the Region, 12 local municipalities, Niagara Parks Commission and Niagara Peninsula Conservation Authority, Ontario Parks, and the St. Lawrence Seaway Management Corporation (Transport Canada) would all need to be involved in advancing the geopark initiative.

Through discussions with members of the Ohnia:kara steering committee, it is understood, that the group has begun to make presentations to local municipal councils, the Niagara Peninsula Conservation Authority as well as several local non-profit organizations.

Staff would suggest that once the steering committee has achieved input from as many local stakeholders as possible, an update could be provided to Council with respect to feedback received and anticipated next steps.

This report recommends that Regional Council endorse the concept of a Niagara Geopark and support the steering committee in their pursuit of a UNESCO designation. The support of Regional Council may be beneficial to helping the group advance this initiative with local stakeholders.

### **Alternatives Reviewed**

Council could choose not to endorse the Ohnia:kara Global Geopark, or not to support the steering committee in pursuing its designation. However, these options are not recommended.

### **Other Pertinent Reports**

N/A



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**Prepared by:**

Erik Acs, MCIP, RPP  
Manager Community Planning  
Planning and Development Services

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**Recommended by:**

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

---

**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was reviewed by Doug Giles, Director Community and Long Range Planning.*

**Appendices**

Appendix 1

Ohnia:kara Policy Brief

Page 4

## What is UNESCO looking for?

In its application, UNESCO asks that the aspiring Global Geopark addresses 10 topics:

1. the importance of natural resources in the region and their sustainable use;
2. existing geological hazards, such as volcanoes and earthquakes, and disaster mitigation strategies;
3. climate change;
4. educational activities for all ages that spread awareness of geological heritage and its links to our geography, culture and heritage;
5. scientific research with academic institutions;
6. exploring the links between communities and Earth, including activities and partnerships with the arts and heritage communities;
7. the empowerment of women;
8. a sustainable economic development plan;
9. preserving and celebrating local and Indigenous knowledge by including those communities in the planning and management of the geopark; and
10. geo-conservation and the protection of geosites. (UNESCO 2016)



The UNESCO designation does not carry any regulatory status, although sites within the geopark may already be protected by local laws. Rather, it is best understood as an international brand that signifies to potential tourists that this is a destination with significant geological and geographical assets worth visiting. That may seem obvious in Niagara. However, the UNESCO Global Geopark brand was originally meant to support and encourage sustainable economic development in rural areas by showcasing their formidable geological sites. With that goal in mind, a Global Geopark designation could be a means to expanding tourism interest across the Niagara region, by increasing the economic benefits of tourism to all 12 of its municipalities as well as adding value to its core tourism areas of Niagara Falls and Niagara-on-the-Lake, and giving visitors more reason to stay in the region for longer periods.

**This policy brief aims to introduce this relatively new concept to Niagara stakeholders and answer the question: What is a geopark, and how might it enhance an already popular tourism destination?** This study will highlight challenges and opportunities that Ohnia:kara organizers face in their bid for designation. It includes a discussion of the branding process, the current impact of tourism in Niagara and how a geopark designation might differentiate itself; and a brief look at the impact of some current Global Geoparks. It will also build a case for local support of the initiative, placing the discussion within the realm of amplifying culture and tourism assets across the region to contribute to Niagara's overall economic development.

## THE PROCESS

Ohnia:kara, the Mohawk word for "neck between two bodies of water", is proposed to be congruent with the boundaries of the Regional Municipality of Niagara. It has identified 78 "geosites" of geological, environmental, or cultural interest in all 12 municipalities of the region, but that list continues to grow as the group consults with stakeholders. The sites range from the Welland Canal to the Wainfleet Bog to Beamer Falls, as well as historical sites from the War of 1812 and the Mewinza Archeology Gallery in Fort Erie. The Niagara Peninsula Conservation Authority and the Niagara Parks Commission already oversee the bulk of the proposed sites, which should be considered an advantage as there is already infrastructure in place (trails, signage, parking, programming) for visitors and residents to enjoy many of these local assets.

A UNESCO Global Geopark carries a four-year designation after successfully completing an application that includes a dossier of information and a site visit from technical experts. The application should demonstrate the area has "geological heritage of international value" as assessed by scientific professionals, with accompanying details of geo-conservation pressures and efforts. A management team with a business and marketing plan should be in place. Part of the process includes having already implemented geopark projects as proof of commitment and capacity. Information signs at geosites and educational programs offered to schools are such examples.

The designation is re-evaluated every four years, through a progress report and another site visit.

The Ohnia:kara initiative is currently at the beginning of its application process. It has a steering committee and organizers have been making contacts with other geoparks and participating in international conferences and workshops. Once completed, the application will be vetted through the Canadian National Committee for Geoparks (CNCG) before moving to UNESCO for final approvals.





## **OHNIA : KARA AN ASPIRING GLOBAL GEOPARK**

### **INTRODUCTION**

#### **What is a UNESCO Global Geopark?**

Niagara has long been a world-famous destination, anchored by its iconic Falls. In fact, it has been a meeting place for Indigenous peoples dating back 12,000 years.

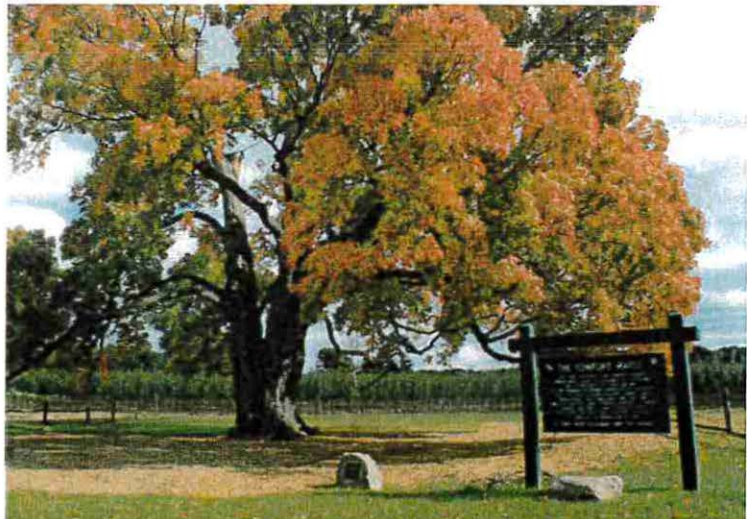
The tourism infrastructure that has developed over the decades at Niagara Falls specifically has entrenched this position and its effect has gradually cascaded through Niagara-on-the-Lake and into the rest of the region, primarily through its historical, agricultural and viticulture assets. The importance of tourism to Niagara's local economy is acknowledged by its designation as one of the Niagara Region's four pillars of economic development strategy. Recognition of its role has been accompanied by the desire to expand its impact throughout the region.

Several types of tourism already exist in Niagara, providing a spectrum of different opportunities in a variety of different cultural and environmental contexts. Many of these different types of tourism include mass, rural and farm, cycling, culinary, wine, brewery, and ecotourism. The inclusion of geotourism would serve to reinforce these existing tourism types, but also diversify into new areas, and new products and attractions, that highlight the unique character of the Niagara region.

Geotourism is a niche-market that has grown over the past 20-plus years. It is a form of nature-based tourism that showcases an area's geographical character, its "earth history" which includes geology and landscape, flora and fauna, and their interaction with humans to form a cultural identity. It is a niche that focuses on education, conservation, and sustainability (Megerle & Pietsch, 2017; Dowling, 2011; Farsani et al., 2011). It is through the growing phenomenon of geotourism that the relatively new concept of the "geopark" – and the official designation of the UNESCO Global Geopark – has emerged.

UNESCO defines its geoparks as a "single, unified geographical area where sites and landscapes of international geological significance are managed with a holistic concept of protection, education and sustainable development" (UNESCO 2016).

While the concept of geoparks date back to the 1990s, specifically with their establishment in Europe and China, it wasn't until 2004 that the Global Geoparks Network was formed under UNESCO. Furthermore, the official branding of the UNESCO Global Geopark did not occur until 2015. There are currently 140 UNESCO Global Geoparks in 36 countries, but only three of these are in Canada: Stonehammer in New Brunswick (designated a Global Geopark in 2010), Tumbler Ridge in British Columbia (2014), and Percé in Quebec (2018), signifying that the concept is relatively new in Canada. Members of the Niagara community through Geospatial Niagara have submitted an expression of interest to the Canadian National Committee for Geoparks to become a geopark. This has enabled the group to now market the concept and create a formal application as an "Aspiring Global Geopark". **The Ohnia:kara Aspiring Global Geopark is a non-profit grassroots effort to bring the brand to Niagara.**





## ROLE OF TOURISM IN NIAGARA'S ECONOMY

Tourism has been identified by Niagara Region as one of four priority sectors in its economic development and growth strategy, alongside agribusiness, manufacturing, and transportation/logistics.

The tourism sector employs approximately 18 per cent of Niagara's workforce, or almost 40,000 people, and has a location quotient of 1.8 relative to Ontario (Niagara Region Economic Development, 2019). This signifies the concentration of a specialized labour pool in this region.

### TOURISM NUMBERS

The latest data from the Ontario Ministry of Tourism shows that the St. Catharines-Niagara Census Metropolitan Area had approximately 12.9 million "person-visits" in 2017. About 8.4 million came from Ontario (another 292,000 visitors from the rest of Canada), 1.1 million came from overseas, and 3.1 million from the U.S. Total expenditures were approximately \$2.36 billion. The ministry numbers measure, among other things, how many nights people stayed in the CMA, what type of accommodation they used, and what they did while they were here. We know, for example, that less than half of those who visited from Ontario stayed overnight (2.98 million) and the majority of those for only a couple of nights. Less than half of overseas visitors stayed overnight in the CMA, the bulk of those spending two nights or less.

*(Note: The St. Catharines-Niagara CMA does not include Grimsby or West Lincoln. Overseas visitors counted were over the age of 15.)*

It is a cross-sectoral industry that includes food and beverage, accommodation, performing arts, spectator sports, heritage institutions, and gambling. As such it provides quality-of-life amenities to residents while marketing to visitors outside the region.

Niagara Falls and its established tourism base is central to the region's competitive advantage. However, challenges in "growing and enriching the experience" moving forward have been identified in recent discussions around the strategic growth of the region (Niagara Region Economic Development 2018, p. 14).

Some of the challenges include:

1. encouraging return visits
2. increasing the number of overnight stays
3. making the entirety of the Niagara region a destination for those seeking a wine, culinary, or arts experience.

In a geopark model, Niagara Falls anchors the tourism experience, but the region-wide potential is realized. Brouder and Fullerton have referred to it as a "cascade effect" (2015). That is, Niagara Falls is still the focal point for tourists, but the rest of the region might also benefit. This policy brief recognizes that tourists to the region are not all alike. The casino buses travelling down the QEW are not necessarily filled with aspiring geotourists. Nor are the bus tours that take international visitors for a quick day trip. The geopark appeals to a separate genre of tourist (and resident) and lends a different perspective to Niagara's assets.

### WHY DO WE NEED A GEOPARK?

If Niagara is already such a popular destination, why do we need to be officially designated as a Global Geopark?

Branding Niagara as a UNESCO Global Geopark may provide an institutional path for the entirety of the region to gain international recognition by drawing attention to the extent of the existing geological and cultural assets, including its many smaller waterfalls, trails, historical sites, wineries, and artisans. For organizers, these branding efforts come with opportunities and challenges. Tourist amenities and attractions are already abundant, and the geopark can take advantage of this infrastructure to establish its own brand of tourism and add value to a visit, highlighting geological assets and earth history (which includes its interaction with humans through culture and heritage). However, the challenge occurs in: 1. differentiating what it can offer to the experience and, 2. quantifying its impact on the established tourism sector as well as the local economy at large.

What difference will a UNESCO Global Geopark make and how can it be measured? The difficulty lies in that often these geosites are not gated (Lemky, 2014), or they may be one of several reasons someone might visit an area.

This could be mitigated through geopark-specific activities and attractions. For example, if it had its own visitors' centre and took visitor counts at its promoted geosites. Because one goal of the Ohnia:kara initiative is to attract tourists already at

<sup>1</sup>Location quotients measure employment concentration in a geographical area compared to a larger geographical area, in this case Niagara to Ontario. If the LQ is greater than 1, that indicates a larger proportion of workers in a sector than the larger area, and a comparative advantage in terms of a specialized labour pool. Agriculture (location quotient 1.94), arts/entertainment/recreation (1.92 LQ), and food/accommodation (1.75 LQ) are the three most significant sectors in Niagara in terms of employment (Niagara Region Economic Development 2018, p. 13).



Niagara Falls to explore the surrounding region (in the hopes they might spend more time in the area), taking counts and surveys at geosites in the surrounding municipalities would give some indication if that strategy is working. Other solutions may include on-site surveys, website visits via on-site QR codes, or "passport" programs in which visitors get stamps for each site visited and then trade them in at the end of a vacation for a small reward.

Determining whether or not the geopark brand is attracting tourists who otherwise would not have made the trip to Niagara may be more difficult. Overall numbers gathered by Statistics Canada before and after the branding can be compared, but one would be challenged to measure how much can be attributed to the actual geopark versus other factors.

This ability to differentiate becomes a significant issue not only when looking for funding and partnerships, but also when making its case to UNESCO in seeking official designation.

The Niagara Escarpment, for example, has been a UNESCO World Biosphere Reserve since 1990. In the case of such branding overlap, UNESCO stipulates an "Aspiring Global Geopark" must show how it would add value to the region both independently and in cooperation with other designations. In this case, Ohnia:kara may argue that as a promoter of geotourism, it can help the Biosphere Reserve tell its story by guiding people to lesser known geosites as the escarpment winds to its greatest asset, Niagara Falls. There are other overlaps, as well: with Ontario Parks, the Niagara Peninsula Conservation Authority, the Niagara Escarpment Commission, and the Niagara Parks Commission.

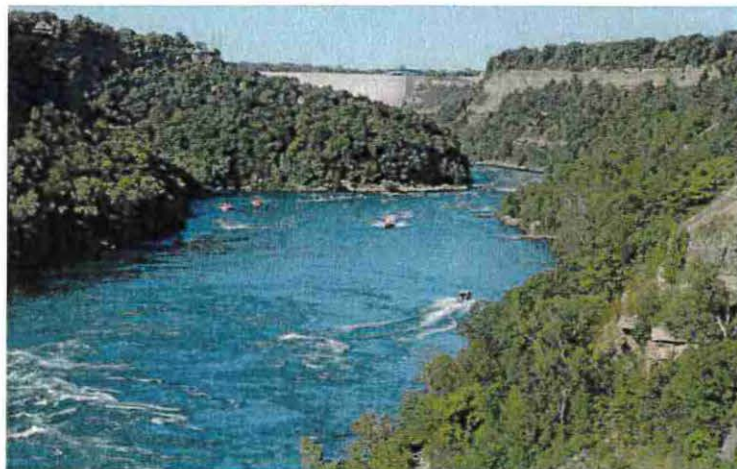
Megerle and Pietsch (2017) recognized this trade-off in the case of German geoparks – the risk of decreased visibility of a geopark due to the larger profile of established protection agencies, versus the benefit of geosites already enjoying degrees of legislated protection and administrative oversight. In the German case, geoparks overlapped with nature parks, national parks, and a UNESCO Biosphere Reserve. Risks included competition between brands<sup>2</sup> and confusion amongst the public about the difference between them. The danger was having this play out with businesses and other stakeholders questioning the value of paid membership in a geopark. But the research also saw the opportunity of working with higher-profile organizations with better financial resources and infrastructure to mount joint marketing campaigns and joint activities.

## GEOPARKS AROUND THE WORLD: THE COSTS AND BENEFITS

There is evidence that designated Global Geoparks are having positive economic impacts on their regions.

**China**, for example, housed 204 national geoparks in 2017 (35 of them UNESCO Global Geoparks), and each was estimated to generate \$26 million USD per year (Ng 2017), or approximately \$34.5 million CAD. The geopark brand has been used in China since 2000 as part of a rural poverty alleviation strategy with the geoparks directly employing 20,500 managers and administrators, and 464,000 part-time and full-time frontline workers (Ng 2017).<sup>3</sup>

Of course, China could be considered an outlier due to its population size and the sheer number of geoparks. A peer-reviewed study by Farsani et al. (2011) looked at employment numbers in a survey of 25 Global Geoparks in Europe, Asia (excluding China, which did not answer the questionnaire), Australia, and South America. It found an average of 18 people were directly employed by a geopark's administration. This did not count indirect employment impact in related industries such as food and beverage, accommodation, or retail.



We can infer from these numbers, versus those in China, that the number of people directly employed by a geopark depends on how its management board has decided to run the business and could vary greatly. For example, does the geopark run its own tours, have its own museum, or a dedicated visitors' centre?

In the Farsani survey, direct employment by geoparks included seasonal workers in visitor centres and as tour guides at sites, as well as facility coffee shops and those working in other

<sup>2</sup>Which can result in too many signs. Biosphere Reserves had better funding and could afford more signage which led to a higher profile than the geopark in which it was situated.

<sup>3</sup>The challenges of operating the brand have included managing such a "high demand for facilities and amenities, visitor management, environmental and heritage protection, and recruiting young people to work in remote parks."



amenities. The survey found revenue-generating activities run directly by the geoparks included recreation/sports activities, themed restaurants, spas, and bakeries; "geoproducts", and partnerships with existing businesses. Other activities designed to increase the awareness of the geopark and its benefits included education programs (workshops, conferences, tours), and conservation activities (p. 75-76).

An economic impact study conducted for three of **Portugal's** four Global Geoparks in 2014 (the fourth had just opened) found that visitor numbers had doubled since designation. (The parks had been designated between 2006 and 2014, but no indication was given for the timeframe of the increase.) All indicators, as self-reported by the managers, saw various increases in employment, number of restaurants, available beds, hotels, visitors from the school community, average expenses per visitor/day, average length of stay, and overall number of visitors.

The estimated average income (which it reported as average "economic benefit" to the community) of the three parks was 424,940 Euros per year (approx. \$647,398 CAD), 57 per cent of revenues from government sources (mainly municipal and regional), 19 per cent from private sources, and 24 per cent classified as "external".<sup>4</sup>

The study found the initial cost of earning the UNESCO designation ranged from approximately 30,000 Euros to 80,000 Euros (\$45,000 to \$121,000 CAD), including marketing and management plans, inventory and assessment of geo-heritage sites, and a technical team (Portuguese National Commission for UNESCO, 2014, p. 55). The annual cost of affiliation, including the work of technicians, promotional rate payments to the Geopark networks, and participation in conferences, was estimated at 5,417 Euros (\$8,100 CAD).

In the **United Kingdom**, a 2013 report estimated the annual financial benefit that its seven Global Geoparks brought was 18.84 million pounds (\$32 million CAD) – taking into account the estimated "cost of status" at 330,000 pounds (\$562,000 CAD) or approximately 47,000 pounds each (\$80,000 CAD) (UK National Commission for UNESCO, 2013, p. 12).

The report stated that the designation had been used to increase tourism numbers which in turn brought spill-over effects into the local economy and the seven parks had secured a combined 4.6 million pounds/year in funding (\$7.8 million CAD), not accounting for revenues from visitor spending. Its Marble Arch Caves Geopark, given as an example, attracted 250,000 visitors per year which the report equated to an annual 3.9 million pounds (\$6.6 million CAD) in visitor spending per year due to the UNESCO designation (pg. 14).

## SOURCES OF INSPIRATION

Part of the campaign to become a UNESCO Global Geopark, and retain its standing, is to network with already established Global Geoparks in order to gain insight, not only into best practices, but to gain ideas and inspiration into what is possible. Two geoparks that stand out as relevant to the Niagara experience are the **English Riviera Global Geopark** in South Devon, England and the **Beaujolais Global Geopark** in eastern France. But we have also included **Hong Kong** as a brief talking point – considered an urban geopark, it provides an example of how an already world-famous destination has used the branding.

### English Riviera

The English Riviera UNESCO Global Geopark in southwest England is an interesting comparative case for Niagara as it has been a popular domestic vacation destination pre-dating its 2007 UNESCO designation. The English Riviera has declared itself an "urban" geopark with a population of 134,000 over 62 square kilometres, including the resort towns of Torquay, Paignton, and Brixham, around Torbay.<sup>5</sup>

This area became well-known during the Napoleonic Wars when the families of naval officers settled in the area and word spread of its attractiveness. It was also once the United Kingdom's largest fishing port. These days, tourism is its dominant industry, recording nine million bed-nights per year and employing 15,000 people either directly or indirectly.

While the economic impact of the geopark, specifically, was not publicly available, the English Riviera Geopark Organization is mentioned more than once as part of the area's tourism strategy moving forward as it aims to grow its visitor numbers. Between 2010 and 2015, this area saw a 12 per cent increase in domestic visitors and an eight per cent increase in their spending (to 274.4 million pounds in 2015, or \$464.5 million CAD). The number of overseas visitors increased by one per cent and their spending by three per cent. Overall, in 2015, there were 4.5 million trips made to Torbay and 436 million pounds (\$739.2 million CAD) spent.

The English Riviera Global Geopark calls itself an "urban geopark" though 45 per cent of its land remains undeveloped as farmland, woodland, or open space. It has its own visitors' centre, themed playground, and website promoting activities and trails centered around its 32 geosites. It encourages its business partners and commercial members to use the branding to "stand above the crowd" when seeking funding. The geopark operates within the established tourism community as one of 14 stakeholders in the Destination Management Group for the local authority. Its own management organization includes tourism, geography, heritage, business, and educational stakeholders, as well as members of the local council. (English Riviera UNESCO Global Geopark website).

<sup>4</sup>No definition was given for "external sources", but this would include entrance fees, etc.

<sup>5</sup>By way of comparison, Niagara's population is spread out across 1,854 square kilometres.



## Beaujolais

The Beaujolais UNESCO Global Geopark in eastern France seems a natural case to study for Niagara due to its world-famous wine region (producing primarily red wine from the Gamay grape). This geopark located just northwest of Lyon, within view of the Alps, was designated in 2018 and makes the direct connection between its geological and hydraulic resources, and its viticulture, agriculture and history of its community. It currently has 26 geosites, ranging from historical buildings and sites, to vistas, trails, and protected areas. An interactive map of geo-activities on its website features guided tours and walks, museums and trails. As it is a new geopark, economic benefits are not available, and details about its structure are not yet publicly available. (Beaujolais UNESCO Global Geopark website).

## Hong Kong

The Hong Kong UNESCO Global Geopark features outcrops of volcanic rock columns, other rock formations and historical relics that are about an hour's drive from the centre of the city. The city of seven million people acts as host to visitors who make the trek to see the geosites via land-based or water-based tours. Tour guides are accredited. It has a Geopark Visitors Centre, a Volcano Discovery Centre, and several smaller "Geoheritage Centres". It provides an example of how a world-famous city has used the UNESCO branding to enhance and diversify the visitor experience (Ng 2014, Hong Kong UNESCO Global Geopark website).

## CONCLUSION

The UNESCO Global Geopark brand is meant to be used as a tool for communities to support and promote their natural resources and geological heritage through sustainable development practices, including geotourism, conservation, and education. The goal of this brief is to introduce this relatively new concept to economic development, tourism, conservation, and education stakeholders in Niagara. This region has already claimed its spot as a world-famous destination, thanks to the Niagara Falls and adjacent historical and cultural offerings. Wineries, breweries, and agritourism are adding to the draw of Niagara – the region – as a tourism destination. So much of this success already hinges on the uniqueness of Niagara's geography and geology, from the many waterfalls to the building and operation of the Welland Canal, to the soil and climatic factors that lead to a robust Niagara wine industry, particularly ice wine. Supporting a bid to become an internationally recognized geopark could even broaden the region's appeal to those looking for a recreational and educational geotourism experience, the benefits of which can be shared across all 12 municipalities of the region.

## NEXT STEPS

*By Charles Conteh & Carol Phillips*

The vision behind the UNESCO Global Geopark initiative in Niagara is not disconnected from the economic and sociocultural advancement of the region, but rather constitutes another potential engine that can only further drive the tourism sector. It should also be emphasized that leveraging and promoting cultural assets is a fundamentally community-driven initiative if it is to be sustainable. This policy brief encourages all sectors to consider the benefits of a UNESCO Global Geopark and how they may each contribute to its use as a tool of sustainable economic development.

To articulate the essential elements moving forward in a successful local geopark initiative, a framework from Jennifer Clark's work on resilient regions is instructive (2017). There are four core characteristics of resilient and adaptive regions that could inform the strategic direction of the geopark initiative in Niagara. First, building a deep specialized team of local geopark "activists"; second, creating a legitimate platform of institutionalized intermediaries to connect the various organizations and interests invested in the region's natural, environmental and cultural assets; third, cultivating an awareness of geoparks as fundamentally about the management of relationships and narratives between stakeholders in Niagara and the world; and fourth, a clearly articulated role for government at multiple scales of authority. The rest of this section elaborates on each of these elements.

The first element is the need to cultivate a critical mass of local geopark activists who are knowledgeable and passionate about the region's geological, geographic, cultural and historical uniqueness. As a strategic step, this would involve effective outreach to, and partnership with, local schools and post-secondary institutions to integrate geopark training modules into existing curriculum, and host regular public workshops to raise awareness about the region's stock of geopark assets. Ohniakara has already begun this outreach with programs in place at the post-secondary level.



Engaging people of diverse backgrounds and leveraging their skills and passions to create a compelling local ecosystem of geopark activists is an important part of developing a convincing and sustainable initiative. In fact, a major reason UNESCO gives for the designation of a Global Geopark is its educational



benefits – increasing awareness and appreciation for geology by teaching the communities within the geopark, as well as visitors, about the region's earth history.

Most importantly, geology and its role in earth history also provides a portal through which to learn about Niagara's Indigenous cultures which have existed here since time immemorial. With the help of Geospatial Niagara and the participation of Indigenous communities (such as the Niagara Regional Native Centre), educational units can be designed with hands-on experiences for students of all ages, elementary to post-secondary. As well, information at geosites, and on educational/promotional materials can also tell the story of the land from the Indigenous perspective.

The second element in the geopark region's strategic steps would be the creation of a platform for the institutional intermediaries that share the conservation and operational oversight of Niagara's physical assets. This platform can serve as facilitator and provide the glue that holds networks of disparate actors together. As we noted earlier, geoparks often overlap with nature parks, national parks, and biosphere reserves. An effective institutional intermediary platform will pre-empt competition between brands and confusion amongst the public about the difference between them. Moreover, it will address the concerns of businesses and other stakeholders questioning the value of paid membership in a geopark. The cooperation of these types of groups is essential to the upkeep, enhancement, and promotion of geosites. Working together, such an environmental network platform will not only provide the multidimensional perspectives for articulating and differentiating what a geopark can offer to the experience of visitors but also operationalizing those perspectives into quantitative indicators for measuring its impact on the established tourism sector as well as the local economy at large.

This platform could serve as the management team with a business and marketing plan. Where this new platform or management team fits within the

current Niagara tourism landscape is up for further discussion. But as we see from the English Riviera example, the initiative's inclusion in Niagara's tourism discussions and strategies is central to its success.

A third element in the initiative's strategic direction or next-steps is to frame its geopark initiative in terms of managing relationships and cultural narratives between Niagara and the world. Geopark assets are more than objects of nature. They are the critical relics of history that embody the natural heritage of a place. These relics provide the physical emblems that have

shaped the worldview and even belief systems of many generations of Indigenous peoples living in the region. The geopark initiative provides a mechanism for sharing those narratives with tourists from around the world, and with Niagara residents as well who may not be familiar with those stories embedded in these natural vestiges of the distant past. This third element ties well with the concept of branding.

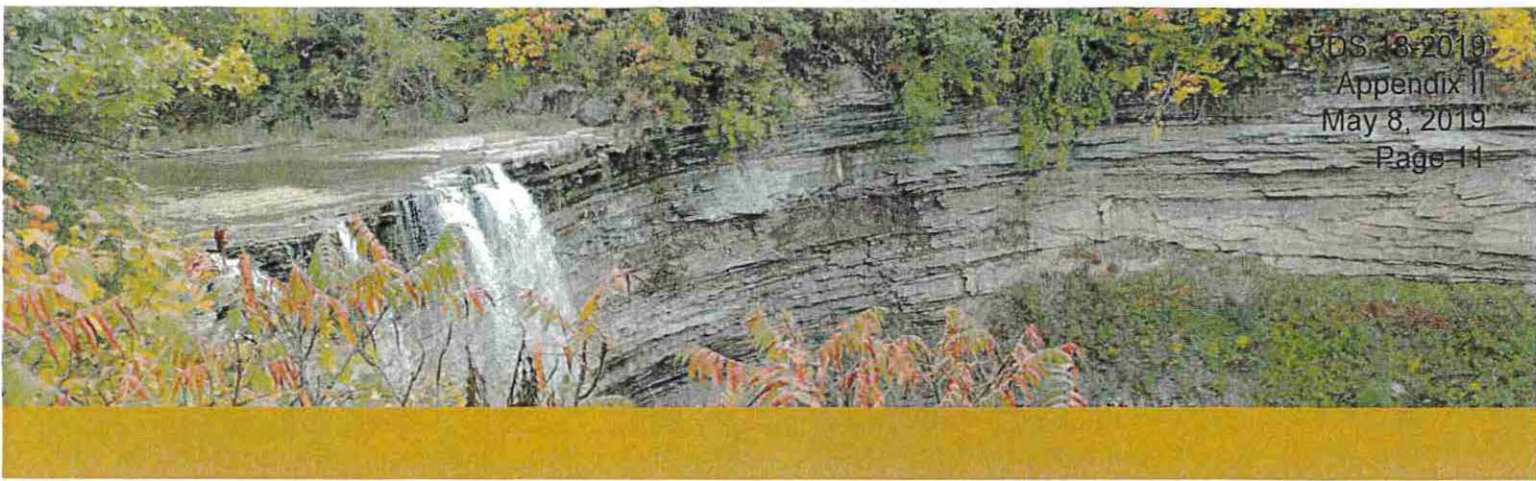
The branding of a UNESCO Global Geopark provides an entrepreneurial opportunity to increase the number of, and expand existing, geotourism activities and visitor amenities. For those who have existing geopark-oriented businesses and events, the branding may help them build on their success by increasing international awareness of the geotourism opportunities in Niagara region.

The fourth and final element in the initiative's strategic next-steps is the question of the role of government. While there is a tendency to tout community initiatives with leadership provided by ordinary residents, the fundamental need for a clear role for local government leadership must not be lost or downplayed. A global initiative aimed at gaining the attention and winning the designation of UNESCO would require the backing, authority, legitimacy and resources of the state at various levels. To what degree, is a matter for discussion.

A geopark initiative for Niagara needs a broad agreement at the regional scale and requires a regional approach – and there is a tourism marketing structure in place for that. Meanwhile, tourism has been tagged by Niagara Region as a pillar of economic development moving forward and the industry is a major employer locally. The challenge is to leverage the entirety of Niagara's geographical and cultural assets to continue to grow the industry. The proposed Ohnia:kara geosites cut across regulatory, administrative, and operational lines. The Niagara Peninsula Conservation Authority, the Niagara Parks Commission, Parks Canada, Ontario parks, Niagara Escarpment Commission, St. Lawrence Seaway Authority, Niagara Region and its 12 municipalities all share responsibility for some facet of Ohnia:kara. Other than providing legitimacy to the efforts, what role can each level of government and regulatory body play? We should also bear in mind that Ohnia:kara provides an opportunity for greater recognition and appreciation for the role of Niagara's Indigenous peoples in the area's history and culture, which predates local governance structures.

The Ohnia:kara Aspiring Global Geopark provides an opportunity to broaden the appreciation for the entirety of Niagara's geological history and its impact on our cultural history through a means of sustainable economic development. For it to succeed, we suggest the geological "activists" and the tourism stakeholders must work closely together. This policy brief is meant only as a first step towards introducing the concept of a geopark to the Niagara community, outlining challenges and opportunities. What direction the geopark initiative takes is ultimately up to those relevant Niagara stakeholders.





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## Contact information

**About the author:** Carol Phillips, PhD, is the research coordinator at the Niagara Community Observatory, Brock University.

### Photos

Page 1: *Morningstar Mill, Cornfort Maple*

Page 2: *Beamer Falls*

Page 4: *Niagara Gorge*

Pages 6-7: *Beamer Conservation Area Trail*

Page 8: *Ball's Falls*

The Niagara Community Observatory at Brock University is a public-policy think-tank working in partnership with the Niagara community to foster, produce, and disseminate research on current and emerging local issues. More information on our office, and an electronic copy of this report, can be found on our website [brocku.ca/nco](http://brocku.ca/nco)

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May 17, 2019

CL 11-2019, May 16, 2019

PEDC 5-2019, May 8, 2019

PDS 19-2019, May 8, 2019

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Niagara Biennial Awards Program

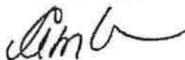
PDS 19-2019

Regional Council, at its meeting held on May 16, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 19-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 19-2019 **BE CIRCULATED** to the Local Area Municipalities.

A copy of PDS 19-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-104

cc: J. van der Laan de Vries Urban Designer, Planning and Development Services  
N. Oakes Executive Assistant to the Commissioner, Planning and Development Services  
R. Mostacci Commissioner, Planning and Development Services

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**Subject:** Niagara Biennial Awards Program

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, May 8, 2019

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## **Recommendations**

1. That Report PDS 19-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 19-2019 **BE CIRCULATED** to all Local Area Municipalities for information.

## **Key Facts**

- The purpose of this report is to provide information related to the rebranded design awards program, the Niagara Biennial which is to be delivered by Niagara Region on a biennial basis.
- The new program builds upon the former 'Niagara Community Design Awards' program which was delivered annually from 2004 to 2016.
- The Niagara Biennial is aligned with other biennial awards programs in the GTHA and beyond. It will expand upon the range of eligible design fields and provide learning and networking opportunities relevant to the design industry. This will promote better exposure of design achievements in Niagara and increase both interest and relevance of the program by recognizing unique design practices found in the region which will be promoted broadly.
- The Niagara Biennial will seek submissions from the design community, the development community, and the arts community at a launch symposium in the fall of 2019. Submissions will be juried and awards distributed at an awards ceremony in the spring of 2020.
- The Niagara Biennial event will promote Niagara's global brand by placing it in the realm of other international design destinations with similar competitions, bringing broad-reaching recognition of local design achievements.

## **Financial Considerations**

The previous awards program was an annual event that ran for 12 years. It had an annual budget of approximately \$15,000.00.

The new awards program will comprise a broader scope of design and feature more events with stakeholders that will be held biennially. The new program includes a greater level of outreach and promotion of the design industry in Niagara which will supplement strategic goals of economic development and tourism. An investment in the new program for 2019 to 2020 is projected to be \$45,000.00. This can be accommodated within the Council approved 2019 Operating Budget.

Some of the projected expenses required for holding the events can be offset through submission of entry fees, sponsorships from professional organizations, and in-kind donations.

## **Analysis**

### **Background on the Niagara Community Design Awards**

The Niagara Community Design Awards (NCDA) was an architecture, landscape architecture and urban design awards program organized and hosted by the Niagara Region from 2004 to 2016.

Municipal awards programs that promote the best works of architecture, landscape architecture, and urban design in their respective communities are found in many municipalities in and around the Greater Toronto and Hamilton Area (GTHA). These programs are aimed at raising the bar of design, promoting community pride, and spotlighting the winning designers. The programs are delivered by a planning department with input from other departments such as public works, economic development and tourism. The programs are often well-resourced with interdepartmental funding and staffing and involve extensive planning and preparation.

In the Region of Niagara, the diversity of scales and capacities of partner municipalities makes it impractical for each of the twelve communities to undertake similar programs. Accordingly, the Region has historically performed this role on their behalf.

The objective of the previous NCDA awards program was to celebrate excellence in community design in the Niagara Region by recognizing projects that enhanced the built environment, efficiently used land, and demonstrated creativity and vision. Awards were organized into twelve categories and typically awarded one project per category. These included: small and large scale projects, architecture, façade improvement, adaptive re-use, brownfield, sustainability and public realm improvements. It also included categories



such as Policy and Plans, Leadership and Legacy. Over the past six years, awards were distributed as follows: 2016=13, 2015=16, 2014=19, 2013=9, 2012=12, and 2011=10.

The awards committee that adjudicated the submissions consisted of nine community members, many of whom participated continuously over the twelve year span of the program. The committee consisted of: professional planners, architects, landscape architects, engineers, real estate agents, educators and developers.

The award that was given to each winning project was a steel sculpture entitled, "Transformation". It was created by Mark Griffis, a sculptor and art educator from Fort Erie. Award winners also received a certificate.

### **What is a Biennial?**

A Biennial is a large contemporary exhibition which is held every two years (bi-annually). The subject matter typically includes works of fine art, film, publishing, design, architecture, landscape architecture, and urban design. A typical Biennial is comprised of many events such as: exhibitions, presentations, talks, workshops and tours. Biennial events occur over a span of time which ranges from one week to several months. There are currently over one hundred biennials in major cities all over the world. Some of the most famous Biennials include: La Biennale di Venezia (Venice, Italy), Chicago Architectural Biennial (Chicago, USA) and the London Design Biennale (London, UK).

For example, the Chicago Architectural Biennial has been running for three installments. It attracts upwards of 500,000 visitors for each exhibition period. The events are increasingly becoming a source of local pride, tourism, cultural capital, and revenue for the host city.

### **Design Awards in the Canadian context**

In Canada, there are no Biennials like those found in the rest of the world. However, Canada has many design awards programs that are held biennially. These programs are design competitions that consist of a one day awards ceremony – unlike the international biennials that run for longer periods of time and consist of multiple events and programming. Canadian design awards programs typically focus on national works of architecture, landscape architecture, urban design and planning. Design award programs in Canada are held at the national, provincial and municipal levels.

Niagara Region is uniquely positioned to be able to host an awards program on behalf of the 12 local area municipalities. Building on Niagara's globally recognized name, a Niagara Biennial has the potential to evolve into an international biennial similar to other established events around the world. Being at an international border, Niagara can host Canadian and International designers, inviting new eyes to see and experience Niagara.

### **The role of a Biennial in Niagara**

A biennial awards program for Niagara is an appropriate vehicle to reward excellence in design and to showcase the state of the art in design. Works of the design and development community, arts community, and others can be paired with the diversity and richness of Niagara's attractions, events, places and people.

The biennial adds an important and unique layer which will entice a new audience to learn about, visit and appreciate design achievements in Niagara.

### **The Niagara Region Design Context**

Niagara's design community comprises a broad and diverse range of artistic and design professions that promote Niagara both locally and globally. The region is home to professional architects, landscape architects, urban designers, urban planners, engineers, industrial designers, interior designers, and graphic designers. It is also home to talented visual artists, performing artists, artisans and makers of all types.

Members of the Niagara design community are spread throughout the diverse geographies of the region. They live and work in downtown centres, historic towns, hamlets, and rural settlements. They are surrounded by a unique physical environment that includes protected woodlands, lakes, rivers, canals, waterfalls, agricultural fields, industrial areas and more. This physical context combined with the Region's historical and cultural assets strongly influence design in Niagara, setting it apart from other regions around the Greater Golden Horseshoe.

### **Niagara Region's Creative Cluster context**

The Creative Cluster includes businesses such as design services, media, publishing, marketing, entertainment, music, visual arts, performing arts and culture. Design professionals, designers, artists and artisans work in many industries that contribute to key economic sectors such as agriculture, manufacturing, tourism, construction, personal services, government, education and healthcare.

In 2018, Niagara Region's creative cluster consisted of 1,314 businesses with a total of 7,538 jobs. Job growth increased 29% between the years of 2011 to 2018. This figure demonstrates the significant contribution to Niagara's economy that the creative cluster provides.

Creative people in the Region of Niagara contribute substantially to the economic growth and vitality of the region. They enhance the quality of life for residents and visitors through their work and their products. Within the design community, there is a vast range of design services that will continue to be important to the development community and to investors in Niagara's economy. Additionally, growth of the design community within

the region will contribute to the retention of youth and new professionals choosing to stay in Niagara.

### **Purpose of the new awards program**

The Niagara Biennial will be inclusive, broad reaching and relevant to the current economic development and tourism climate. In order to do that, the program will:

- Be held as a biennial event, which includes exhibitions, seminars, workshops and spin-off events. This will promote engagement with the design industry, provide learning and networking opportunities and spark interest in the industry,
- Honour and recognize the work of designers and owners with prestigious awards that highlight a 'Made in Niagara' approach to design excellence of projects and initiatives. The criteria for gaining recognition will be based upon industry standards that are clear, fair, relevant, and unbiased. Award winners value recognition for their works when it is received from well-known and respected design practitioners and industry peers,
- Expand beyond the standard categories to encompass a broader segment of the design community and award design projects that enhance the built environment and design context of the Niagara Region,
- Highlight and celebrate the substantial contribution to the region's economy that design professionals, artists, and artisans provide, and;
- Introduce innovative technologies to showcase winning projects to a greater audience and look for new opportunities to interlace these projects with other events and promotions to enrich the overall visitation experience.

### **Timelines and Phasing:**

The Biennial design awards program is currently in the planning and pre-launch stages which will continue into the summer. In the fall (Q4) of 2019, the awards program will be launched at a symposium event which will include an open call for submissions.

The submission period will close in the winter (Q1) of 2020. At that time, the entries will be adjudicated through a juried process. The program will culminate with an awards ceremony in the spring (Q2) of 2020.



## Alternatives Reviewed

Staff considered maintaining the Niagara Community Design Awards program that was already in place. However, many aspects of that program are no longer relevant. The previous program was largely unchanged for twelve years and experienced a decline in the number of submissions. Holding the event annually produces a limited number of submissions to make an interesting and competitive atmosphere.

Staff also considered postponing a new program until 2020, however, there is a lot of interest and encouragement from the design and development communities to create a more vital and relevant awards platform. Based upon this appetite, it was decided to embark on the planning stages of the program immediately.

## Relationship to Council Strategic Priorities

The awards program will respond to two of the Regional Council's Strategic Priorities:

- Fostering Investment, Innovation and Entrepreneurship, and;
- Positioning Niagara Globally.

*'Fostering Investment, Innovation and Entrepreneurship'* will be achieved in several ways. Inviting the design and development communities to submit projects that compete for awards and recognition will, over time, create a design legacy that commemorates design now and into the future. Additionally, the quality of design execution will improve as designers vie to earn awards.

The awards program will showcase the variety and breadth of design happening within the region. Through a variety of events such as seminars, workshops, tours, film nights, etc., the program will provide an opportunity for the design and development communities to gather and network. The program will also provide opportunities for learning and discovery for these communities along with the public.

*'Positioning Niagara Globally'* will be achieved by promoting the program through publications, a website, social media and advertisements. This will promote Niagara's brand name and showcase design to a global audience.

By collaborating with Economic Development and Tourism initiatives, the program will reach a broader audience of residents, visitors, investors and businesses. In turn, this program will contribute to growth within the creative cluster and to an economic uplift in the Region.

## Other Pertinent Reports

PDS-C 30-2017: Niagara Community Design Awards was a memorandum that informed the intention to rebrand the previous Niagara Community Design Awards program into a biennial event. The memorandum was dated November 08, 2017.

---

**Prepared by:**

Julia van der Laan de Vries  
Urban Designer  
Planning and Development Services

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**Recommended by:**

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

---

**Submitted by:**

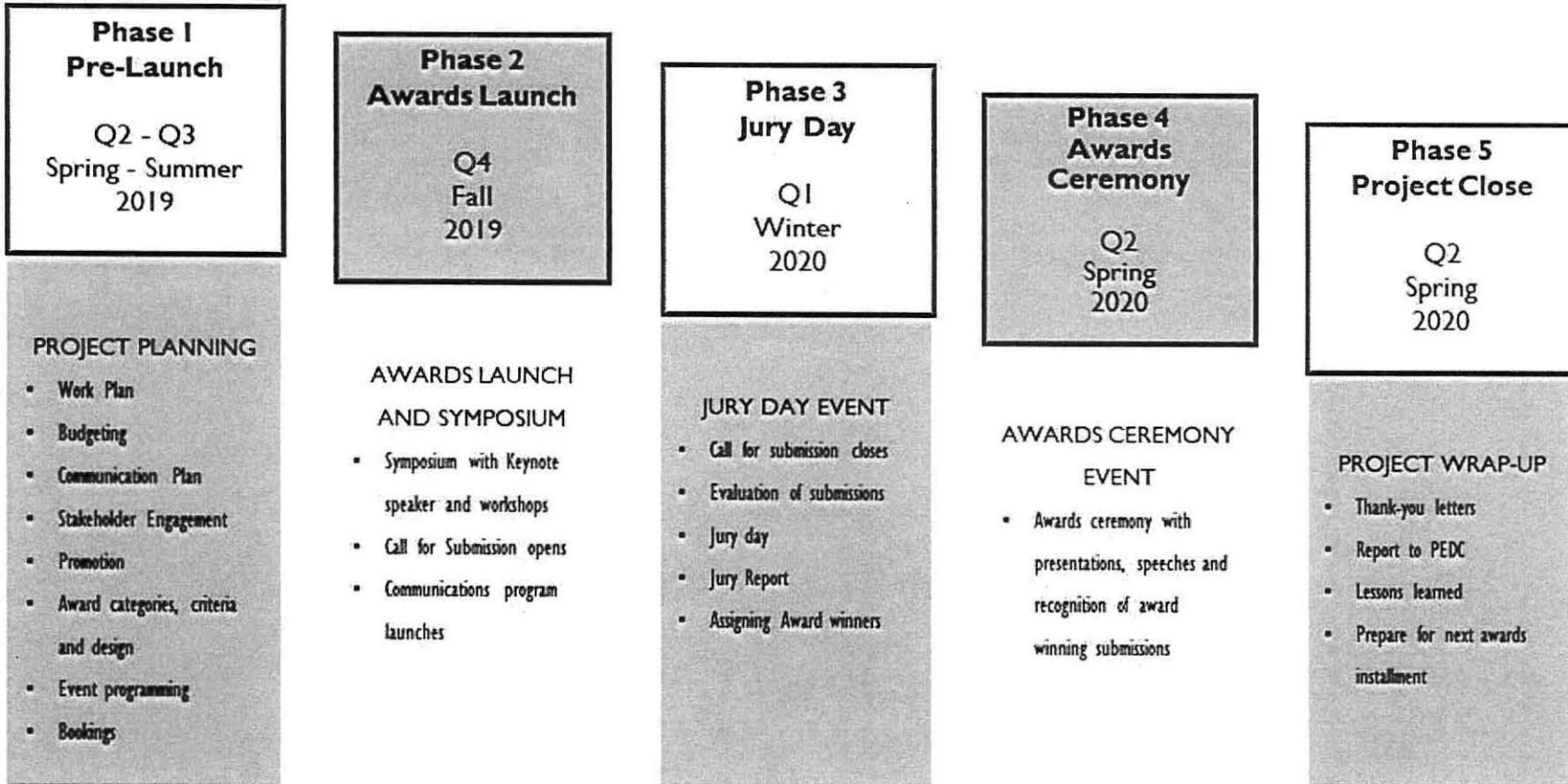
Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in consultation with: Khaldoon Ahmad, Manager of Urban Design and Landscape Architecture, Planning and Development Services; Blake Landry, Economic Research and Analysis Manager, Planning and Development Services; Farzana Crocco, Economic Development Strategic Marketing Manager, Planning and Development Services Department. This report was reviewed by: Diana Morreale, Director of Development Approvals, Planning and Development Services Department.*

## Appendices

Appendix 1            Niagara Biennial Awards – Project Overview

# NIAGARA BIENNIAL DESIGN AWARDS – PROJECT OVERVIEW





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May 17, 2019

**CL 11-2019, May 16, 2019**

**PEDC 5-2019, May 8, 2019**

**PDS 22-2019, May 8, 2019**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Regional Incentives Financial Information

PDS 22-2019

Regional Council, at its meeting held on May 16, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 22-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 22-2019 **BE CIRCULATED** to the Local Area Municipalities.

A copy of PDS 22-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-106

cc: D. Giles            Director, Long Range Planning, Planning and Development Services  
N. Oakes            Executive Assistant to the Commissioner, Planning and Development Services  
R. Mostacci        Commissioner, Planning and Development Services

---

**Subject:** Regional Incentives Financial Information

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, May 8, 2019

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## Recommendations

1. That Report PDS 22-2019 **BE RECEIVED** for information; and
2. That a copy of Report PDS 22-2019 **BE CIRCULATED** to the Local Area Municipalities.

## Key Facts

- The purpose of this report is to provide background on the financial implications and funding for the Region's incentive programs - particularly tax-related grants accessed through projects eligible under Local Community Improvement Plans (CIPs), as directed by Council at meeting on April 25, 2019.
- The Smarter Niagara Incentive Program (SNIP) is a suite of Regional incentive programs providing matching grants to eligible projects in Local Municipalities (LAMs). SNIP incentives are divided into simple grants (e.g., building and façade improvement grants) and tax-related grants (e.g., tax increment grants).
- Niagara Region is a funding partner on more than 50 CIP-based incentive programs across Niagara. Since May 2017, Regional Council has consistently directed staff to defer partnering on any new or revised incentive programs included in CIPs approved by the LAMs, pending completion of the ongoing Regional incentive review. As of March 2019 this has affected four new or revised locally approved CIPs.
- On April 25, 2019, Council approved including all CIPs which had been or will be locally approved by December 31, 2019 as eligible to submit Regional matching funding requests for SNIP simple grants and Council approved a budget of \$600,000 for 2019 for this purpose. A report on the financial implication of tax-related SNIP grants was also requested.
- SNIP simple grants and tax-related grants are budgeted for and administered in different ways. A description of the financial implications of SNIP tax-related grants, specifically tax increment grants is outlined below, but Regional funding requests for SNIP tax increment grants in 2019 could well be in excess of \$5 million over the life of the grants, usually 10 years.
- Nineteen Regional incentive programs (Appendix 1) administered by the Planning and Development Services, Finance, and Economic Development departments are



currently under review, including SNIP incentives. A presentation on Regional incentives and the Regional incentive review is scheduled for the Committee of the Whole meeting on June 6, 2019.

## **Financial Considerations**

### SNIP Simple Grants

SNIP simple grants are funded through an annual line item in the Levy budget (i.e. \$600,000 in 2019). This funding is allocated to applicants from the LAMs who match the funding and apply through a quarterly, first-come, first-served basis for eligible projects, until the budget limit is reached. In 2016 and 2017, funding from reserves was required to meet historical Regional incentive commitments for SNIP simple grants beyond the \$634,000 annual budget for each of those years, depleting reserves for these programs. (The SNIP simple grant budget was not exceeded in 2018). The unused funds are treated as all other operating budget surpluses for the corporation. No allocation to reserves is budgeted.

### SNIP Tax Increment Grants

SNIP tax increment grants (TIGs) are generally larger financial commitments of longer duration than simple grants. They are funded differently from simple grants. The budget is established in the first year of completed construction when the property is added to the tax roll and funded directly from the assessment growth in that year. The budget for grant/repayment expense is established in that year until the completion of the duration of the commitment - usually 10 years. The 2019 SNIP TIG budget is \$1.6 million. As most of the TIGs are for a 10 year period the cumulative impact of TIGs for which the Region is currently committed is a total over \$30 million through 2030. For all Regional tax increment grant commitments (including Gateway CIP tax increment grants), the total Regional commitment is over \$50 million through 2030. These amounts includes applications approved for which construction is not yet complete therefore assessment growth has not yet occurred and the expense budget respectively has not been established.

Each year the Region includes in the budget process the estimate of additional taxation revenue generated from new development (assessment growth). Historically this new revenue had averaged 1.31% of tax levy or \$4.2 million. Before this revenue can be utilized to fund the cost of services associated with the growing development and population, some must be set aside to provide for the repayment of the TIGs. The concern is that with the expansion of CIPs to greater proportion of the Region, more properties will become eligible, more taxes will be refunded and less funding will be available to fund operating expenses.

In 2019 to date, the Region has received approximately \$5 million in outstanding requests for matching SNIP TIG funding from eligible CIP programs, with more anticipated in 2019, these new commitments will be budgeted across the life of the grants, usually 10 years. This \$5 million is 1.3% of the Regional levy and has the potential, based on the timing of construction, to further erode assessment growth revenue. If the five new or revised locally approved CIPs, four of which have TIG programs, also become eligible for SNIP TIG matching Regional funding, there could be a considerable increase to the 2019 Regional request figure.

## **Analysis**

Nineteen of the Region's incentive programs administered by the Planning, Economic Development and Finance departments are currently under review. A presentation for Councillors on these incentive programs and the incentive review is slated for the June 6, 2019 Committee of the Whole meeting. This report deals specifically with one of oldest of these Regional programs, an umbrella incentive program called the Smarter Niagara Incentive Program, or SNIP.

As noted, SNIP incentives provide matching Regional funding for eligible projects approved by the LAMs through CIPs and all 12 Niagara LAMs have access to Regional SNIP incentives. Ten of the 12 LAMs have CIP programs offering a range of incentive types, and the Region matches over 50 of these programs.

### SNIP and Tax Increment Grants

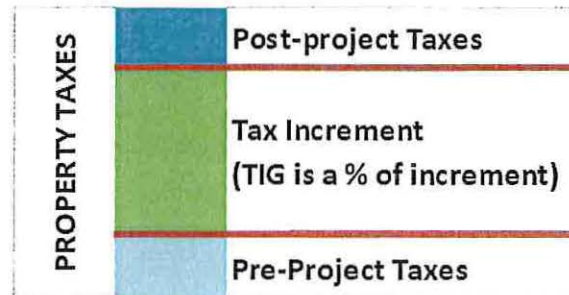
Below is information specifically on the tax increment grant (TIG).

TIGs, such as the SNIP Property Rehabilitation and Redevelopment Tax Increment Financing Grant (SNIP TIG), are grants based on a percentage of the tax related to the additional assessment created from the new construction (the difference between pre- and post-construction assessment) generated when a property is rehabilitated or redeveloped. The TIG is intended to refund taxes attributed to growth.

There is some inconsistency in the methodology by which some LAMs calculate the TIG. The simplest of methods to calculate this in an environment of annual changes to the assessment due to reassessment and increase in taxation (due to increase in budget and tax levies) where the grant is determined in the first year of the new assessment generated and then to continue to refund that 'fixed' amount annually for 10 years. This allows for consistency for the Region and developers.

Some LAMs however calculate the amount each year at a percentage of the taxes paid. This 'variable' methodology has the additional impact of refund budget increases and/or impacts of tax shifts due to reassessment. This methodology is also more challenging

to predict and budget for and additionally has risk to the developer to go down upon a reassessment shifts.



Through the SNIP TIG program, the Region matches the percentage and duration of the locally approved TIGs according to program parameters contained in each local CIP. Each LAM, and indeed each CIP even within the same municipality, may have a different TIG eligibility, rates, durations, and parameters. This means Regional funding for each TIG may differ substantially, depending on the CIP under which it is provided. The only Regional parameter cited in the current SNIP incentive program is that the Region will provide a minimum 75% grant rate for eligible brownfield TIGs.

Regional funding requests for SNIP TIGs are complex and require greater administrative review than SNIP simple grants. They typically involve review by policy planning, development planning and finance staff to determine whether it is an eligible request; the status of the project; the implications of the grant term, cost estimates, and building timelines; the potential impact for other incentives leveraged by the project; and whether it is eligible for delegated staff approval. SNIP TIG funding requests from all LAMs with eligible matching programs are accepted on a rolling in-take basis; there are no Regional limits on number of applications or funding amounts requested.

### Regional Incentive Review

A review of many Regional incentives, including the SNIP suite, is underway. Objectives of this review are to ensure that Regional incentive programs align with Regional Council priorities and are clear, current, accountable and effective. Following a presentation on Regional incentives to Councillors on June 6, reports through the Planning and Economic Development Committee regarding the incentive review are anticipated in June-July 2019. These presentations and reports will provide background on Regional incentives and existing programs; outline the rationale for and status of the incentive review; and seek Council direction on targeted areas for Regional incentive funding. New or revised programs based on this direction and review findings will be developed and are expected come before Council in fall 2019.



## Alternatives Reviewed

This report is for information; no alternatives were considered.

## Relationship to Council Strategic Priorities

N/A -- this report is brought forward in response to a motion approved at the April 25, 2019 Regional Council meeting.

## Other Pertinent Reports

CL-C 35-2019	Parameters of Regional Matching Funding for Smarter Niagara Incentive Program Tax Increment Grants
PDS 31-2018	Regional Incentive Delivery and Eligibility in 2019
PDS-C 8-2018	Regional Incentive Review and Community Improvement Plans
PDS 42-2017	Overview of 2018 Incentive Review
PDS 33-2017	Smarter Niagara Incentive Program 2017 Budget Update
PDS 6-2017	Town of Lincoln Request for the Region to Participate in its New Community Improvement Plan Incentives Program
PDS 97-2011	Review and Update of the Smarter Niagara Incentive Programs

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### Prepared by:

Doug Giles  
Director, Long Range and Community  
Planning

---

### Recommended by:

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

---

### Submitted by:

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was reviewed by Doug Giles, BES, MUP, Director, Community and Long Range Planning and Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer*

## Appendices

Appendix 1 List of Regional Incentive Programs Under Review

## **Appendix 1 – List of Regional Incentive Programs Under Review**

### **1. Smarter Niagara Incentive Program (SNIP)**

- Environmental Assessment Study Grant
- Building and Façade Improvement Grant/Loan
- Residential Grant/Loan
- Heritage Restoration and Improvement Grant/Loan
- Agricultural Buildings and Facilities Revitalization Grant/Loan
- Agricultural Feasibility Study Grant
- Community Improvement Plans (CIPs)/Planning Studies Grant
- Affordable Housing Grant/ Loan Program
- Property Rehabilitation and Redevelopment Tax Increment Grant/Loan
- Brownfield Tax Assistance Program
- Development Charge Reduction Grant

### **2. Public Realm Investment Program**

### **3. Waterfront Investment Program**

### **4. Niagara Investment in Culture Program**

### **5. Gateway Economic Zone and Centre**

- Gateway CIP Tax Increment Based Grant
- Gateway CIP Regional DC Reduction Grant

### **6. Industrial Development Charge Grant**

### **7. Non-Profit Regional Development Charge Grant**

### **8. Heritage Tax Rebate Program**

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Department of Corporate Services  
1593 Four Mile Creek Road  
P.O. Box 100, Virgil, ON L0S 1T0  
905-468-3266 • Fax: 905-468-2959



[www.notl.org](http://www.notl.org)

May 14, 2019

**SENT ELECTRONICALLY**

Doug Ford, Premier  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

**Re: May 13, 2019 Council Resolution - Opposition to Bill 108**

Please be advised the Council of the Corporation of the Town of Niagara-on-the-Lake at its regular meeting held on May 13, 2019 approved the following resolution:

WHEREAS the legislation that abolished the OMB and replaced it with LPAT received unanimous support from all parties; and

WHEREAS All parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body to make decisions on how our communities evolve and grow; and

WHEREAS On August 21, 2018 Minister Clark once again signed the MOU with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

WHEREAS This MOU is "enshrined in law as part of the Municipal Act" and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS By signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning

Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

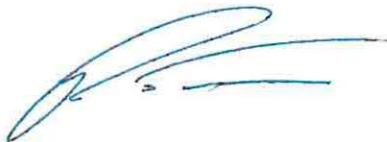
NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the Town of Niagara-on-the-Lake oppose Bill 108 which in its current state will have negative consequences on community building and proper planning; and

AND FURTHER that the Council of The Corporation of the Town of Niagara-on-the-Lake call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved; and

AND FURTHER that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and Wayne Gates, MPP, the Association of Municipalities of Ontario (AMO) and local area municipalities.

If you have any questions or require further information please contact our office at 905-468-3266.

Yours sincerely,



**Peter Todd**  
**Town Clerk**

Cc: Hon. Christine Elliott, Deputy Premier  
Hon. Steve Clark, Minister of Municipal Affairs  
Hon. Andrea Horwath, Leader of the New Democratic Party  
Hon. Wayne Gates, MPP  
Association of Municipalities of Ontario (AMO)  
Local Area Municipalities



City of Port Colborne  
**RECEIVED**  
MAY 15 2019  
CORPORATE SERVICES  
DEPARTMENT

Legislative Services  
Michael de Rond  
905-726-4771  
clerks@aurora.ca

Town of Aurora  
100 John West Way, Box 1000  
Aurora, ON L4G 6J1

May 15, 2019

**Delivered by email**  
doug.ford@pc.ola.org

The Honourable Doug Ford  
Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

Dear Premier Ford:

**Re: Town of Aurora Council Resolution of Tuesday, May 14, 2019**  
**Re: Motion (a) Mayor Mrakas; Re: Response to Bill 108, the More Homes,  
More Choice Act**

Please be advised that this matter was considered by Council at its meeting held on Tuesday, May 14, 2019, and in this regard Council adopted the following resolution:

**Whereas the legislation that abolished the Ontario Municipal Board (OMB) and replaced it with the Local Planning Appeal Tribunal (LPAT) received unanimous, all-party support; and**

**Whereas all parties recognized that local governments should have the authority to uphold their provincially-approved Official Plans, to uphold their community-driven planning; and**

**Whereas Bill 108 will once again allow an unelected, unaccountable body to make decisions on how our communities evolve and grow; and**

**Whereas on August 21, 2018, Minister Clark once again signed the Memorandum of Understanding (MOU) with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and**

**Whereas this MOU is "enshrined in law as part of the *Municipal Act*" and recognizes that as "...public policy issues are complex and thus require**



**coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest”; and**

**Whereas by signing this agreement, the Province made “...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact”; and**

**Whereas Bill 108 will impact 15 different Acts: *Cannabis Control Act, 2017; Conservation Authorities Act; Development Charges Act; Education Act; Endangered Species Act, 2007; Environmental Assessment Act; Environmental Protection Act; Labour Relations Act, 1995; Local Planning Appeal Tribunal Act, 2017; Municipal Act, 2001; Occupational Health and Safety Act; Ontario Heritage Act; Ontario Water Resources Act; Planning Act; and Workplace Safety and Insurance Act, 1997;***

- 1. Now Therefore Be it Hereby Resolved That the Town of Aurora oppose Bill 108, which in its current state will have negative consequences on community building and proper planning; and**
- 2. Be It Further Resolved That the Town of Aurora call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision-making for housing growth that meets local needs will be reasonably achieved; and**
- 3. Be It Further Resolved That a copy of this Motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and**
- 4. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.**

The above is for your consideration and any attention deemed necessary.

Re: Town of Aurora Motion (a) Response to Bill 108, the More Homes, More Choice Act  
May 15, 2019  
Page 3 of 3

Yours sincerely,



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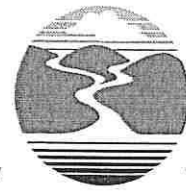
Michael de Rond  
Town Clerk  
The Corporation of the Town of Aurora

MdR/lb

Copy: Hon. Christine Elliott, Deputy Premier  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Andrea Horwath, Leader of the New Democratic Party  
All MPPs in the Province of Ontario  
Association of Municipalities of Ontario  
All Ontario Municipalities

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May 2, 2019

Hon. Victor Fedeli  
Minister of Finance  
Frost Bldg S 7th Flr, 7 Queen's Park Cres  
Toronto, ON M7A 1Y7

Dear Mr. Fedeli:

Re: Ontario Municipal Partnership Fund (OMPF)

The Ontario Municipal Partnership Fund (OMPF) is the Province's main general assistance grant to municipalities. The program, that primarily supports northern and rural municipalities, is a critical component of the provincial-municipal fiscal relationship. Since 2012, grant allocations have decreased from \$598M to \$505M in 2019.

The government has committed to consult with municipalities in 2019 regarding the future of the OMPF. The goal of this review is to ensure that the program remains sustainable and focused on the northern and rural municipalities that need this funding the most. Reductions in the funding have a significant impact on municipal finances, with the loss of revenue typically being made up through increased tax levies. This has the potential of adversely affecting housing affordability in the affected municipalities and is contrary to the Province's stated goal of improving housing affordability.

The Town of Mono recommends that the OMPF be maintained at not less than its current funding level.

I look forward to an earnest dialogue with the Province that recognizes the importance to municipalities of maintaining this program and the potential impact that reductions to funding will have.

Regards,

TOWN OF MONO

Laura Ryan  
Mayor

P: 519.941.3599  
F: 519.941.9490

E: [info@townofmono.com](mailto:info@townofmono.com)  
W: [townofmono.com](http://townofmono.com)

347209 Mono Centre Road  
Mono, ON L9W 6S3

CC: Hon. Sylvia Jones, Solicitor General, MPP, Dufferin-Caledon  
All Ontario municipalities

P: 519.941.3599  
F: 519.941.9490

E: [info@townofmono.com](mailto:info@townofmono.com)  
W: [townofmono.com](http://townofmono.com)

347209 Mono Centre Road  
Mono, ON L9W 6S3

**City of Port Colborne  
Regular Committee of the Whole Meeting 15-19  
Minutes**

**Date:** May 13, 2019

**Time:** 8:13 p.m.

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

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

**Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
B. Garrett, Director of Corporate Services  
A. Grigg, Director of Community and Economic Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)  
P. Senese, Director of Corporate Services

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

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. Introduction of Addendum Items:**

The City Clerk informed that item 1, Community and Economic Development Department, Parks and Recreation Division, Report 2019-54, Subject: Proposed New Event – HoofStock, was withdrawn at the request of the event organizer.

**3. Confirmation of Agenda:**

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

That the agenda dated May 13, 2019 be confirmed, as circulated or as amended.

CARRIED.



4. **Disclosures of Interest:**

Nil.

5. **Adoption of Minutes:**

- (a) **Regular meeting of the Committee of the Whole 12-19, held on April 23, 2019**
- (b) **Special meeting of Committee of the Whole 13-19, held on April 30, 2019**
- (c) **Special meeting of Committee of the Whole 14-19, held on May 6 and May 7, 2019**

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

- (a) That the minutes of the regular meeting of the Committee of the Whole 12-19, held on April 23, 2019, be approved as presented; and
- (b) That the minutes of the special meeting of Committee of the Whole 13-19, held on April 30, 2019 be approved as presented; and
- (c) That the minutes of the special meeting of Committee of the Whole 14-19, held on May 6 and May 7, 2019, be approved as presented.

CARRIED.

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

The following items were identified for separate discussion:

Items 6, 8, 9, 13, and 14.

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

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That items 1 to 14 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:**

2. **Community and Economic Development Department, Parks and Recreation Division, Report 2019-61, Subject: Ninth Annual Port Colborne Art Crawl**

Committee of the Whole recommends:

That the request to host the ninth annual Port Colborne Art Crawl on Saturday June 22, 2019 from 12:00 p.m. to 7:00 p.m., as submitted by the Port Colborne Art Crawl Committee, and outlined in Community and Economic Development Department, Parks and Recreation Division Report 2019-61, be approved; and

That the following roads be closed to general vehicular traffic and parking on Saturday, June 22, 2019 from 10:30 a.m. to 8:00 p.m.:

- West Street, from the southern limit of Clarence Street to the northern limit of Victoria Street;
- Charlotte Street, from the eastern limit of King Street to the western limit of West Street.
- Kent Street, from the eastern limit of King Street (with signage indicating "local traffic only") to the western limit of West Street; and

That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closures; and

That qualified participants of the Event be exempt from the above noted closures through the issuance of an authorized permits; and

That the Engineering and Operations Department install and retrieve road closure barricades at the predetermined locations requiring same; and

That the Community and Economic Development Department install and retrieve picnic tables and garbage cans at the predetermined locations requiring same; and

That the Event Organizer be responsible for installing appropriate signage at the predetermined locations stating "Art Crawl - West Street Temporarily Closed – 10:30 a.m. to 8:00 p.m.," and

That the Event Organizer be responsible for ensuring road closure barricades are promptly removed and returned to the retrieval points at the conclusion of the Event; and

That the restrooms at the Harbourmaster Building remain open until 9:00 p.m. for the Event; and

That the Event Organizer be provided with access to the electrical outlet at the Harbourmaster Building; and

That a site plan be prepared and submitted to the Community and Economic Development Department for distribution to emergency services and appropriate City departments; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the Event; and

That the fee for a Noise By-law exemption application, to be submitted to the By-law Enforcement Division, be waived; and

That the appropriate by-law be presented for approval.

**3. Community and Economic Development Department, Parks and Recreation Division, Report 2019-65, Subject: 2019 Moonlight Flicks at H.H. Knoll Lakeview Park**

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Committee of the Whole recommends:

That the Moonlight Flicks Event, to be held on Wednesday July 3, 10, 17, 24 and August 7, 2019, as outlined in Community and Economic Development Department, Parks and Recreation Division Report 2019-65, be approved; and

That fee for the application for a Noise By-law Exemption, to be filed with the By-law Enforcement Division, be waived; and

That an exemption from Section 4 (Prohibited Hours of Entrance) to By-law 5503/100/10, Being a By-law to Manage and Regulate Municipal Parks, be approved; and

That use of the restrooms until 12:00 a.m. at the H.H. Knoll Lakeview Park Bandshell, be approved; and

That the Event Organizer be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the Event; and

That the City's park permit, hydro, and waste receptacle fees, be waived.

**4. Corporate Services Department, Finance Division, Report 2019-62, Subject: 2019 Final Tax Rates**

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Committee of the Whole recommends:

That the Council approves the rates of taxation for the year 2019 and the tax rate by-law be executed by the Mayor and City Clerk; and

That the 2019 final billing for the residential, multi-residential, commercial, industrial, pipeline, farmland, managed forest and farmland awaiting development tax classes have a demand (mailing) date of June 11, 2019 with due dates of July 2 and October 1, 2019.

**5. Planning and Development, Planning Division, Report 2019-63, Subject: Proposed Development Agreements for Robert & Mary Ann Bosley, e/s Cedar Bay Road**

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Committee of the Whole recommends:

That two development agreements be entered into with Robert and Mary Ann Bosley for their lots on Cedar Bay Road; and

That the Mayor and Clerk be authorized to sign and execute said agreement.



**7. Planning and Development Department, By-law Enforcement Division, Report 2019-67, Subject: By-law Appointment of Municipal Law Enforcement Officers Allison Martin and Amy Dayboll**

Committee of the Whole recommends:

That Allison Martin be appointed as a Municipal Law Enforcement Officer special events parking and the Zoning By-law; and

That Amy Dayboll be appointed as a Municipal Law Enforcement Officer to enforce parking and the Zoning By-law.

**10. Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Ontario: Update following meetings with the Province of Ontario**

Committee of the Whole recommends:

That the memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Ontario: Update following meetings with the Province of Ontario, be received for information.

**11. Region of Niagara Re: 2019 Property Tax Policy, Ratios and Rates (CSD 16-2019)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2019 Property Tax Policy, Ratios and Rates, be received for information.

**12. Region of Niagara Re: Bill 142 – Construction Lien Amendment Act, 2017 (CSD 29-2019)**

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Bill 142 – Construction Lien Amendment Act, 2017, be received for information.

CARRIED.

**8. Presentations:**

**(a) John Greer, Executive Director, NSPCA and Amanda Ellis, CCTBS Enforcement Manager/NSPCA of the Welland and District SPCA regarding SPCA Rule Changes**

John Greer and Amanda Ellis provided a powerpoint presentation with respect to the contracted services provided by the organization to the City of Port Colborne. Mr. Greer also provided information about how the SPCA rule changes will affect enforcement. A copy of the presentation is attached.

**9. Delegations:**

- (a) **George Henry, President and Dan Tonello, Board Member, Community Living Port Colborne-Wainfleet regarding Community Living Awareness Month**

George Henry advised that May is designated as Community Living Awareness Month for which a flag raising was held on Friday, May 3, 2019 at City Hall. Mr. Henry also advised that the organization is exploring amalgamation with Fort Erie Community Living. Dan Tonello spoke with respect to the importance of using inclusive "person first" language.

**10. Mayor's Report:**

A copy of the Mayor's Report is attached.

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

Nil.

**12. Councillors' Items:**

- (a) **Street sweeping on Main Street (Bruno)**

In response to an inquiry by Councillor Bruno with respect to when the Region will be conducting street sweeping on Main Street, the Director of Engineering and Operations advised that he will contact the Region and, if required, City staff will complete the sweeping.

- (b) **Killaly Street West railway crossing (Desmarais)**

In response to an inquiry by Councillor Desmarais about the status of the repair of the railway crossing on Killaly Street West, the Director of Engineering and Operations advised that Trillium has the work scheduled for the first week of June.

- (c) **Pedestrian crossover on Clarence Street**

Moved by Councillor D. Kalailieff  
Seconded by Councillor G. Bruno

That the Director of Engineering and Operations be directed to provide a report at a future Council meeting outlining safety options for the pedestrian crossover at the intersection of Clarence and Catharine Streets.

CARRIED.

- (d) **Accessibility at business entrances (Bodner)**

Councillor Bodner inquired whether the City has the ability to compel businesses to make their entrances more accessible. The Deputy Clerk advised that if a

business is undertaking a new build or major renovations, there are accessibility requirements that must be adhered to under the Ontario Building Code, however the City does not otherwise have any authority to compel accessibility improvements at businesses.

**(e) Ward Three meeting (Danch)**

Councillor Danch announced that he and Councillor Bruno are holding a Ward Three meeting on May 15, 2019 at 6:30 p.m. at the L.R. Wilson Heritage Research Archives building between the Museum and Library.

**(f) Water distribution system leak detection program (Bruno)**

Councillor Bruno inquired with respect to whether testing of water laterals for leaking would be completed before areas of the City are paved. The Director of Engineering and Operations advised that the water distribution system leak detection program is into week two of testing and a number of leaks have been located on both the service side and the watermains. The Director further advised that staff repaired two leaks on the trunk main. Finally, the Director advised that some of the areas where leaks are suspected are not scheduled for resurfacing until a later date.

**(g) Smoke alarm testing (Bagu)**

Councillor Bagu thanked Fire and Emergency Services for attending his property during their routine testing of smoke alarms.

**(h) Killaly Street West railway crossing (Bagu)**

In response to an inquiry by Councillor Bagu about the Killaly Street West railway crossing, the Director of Engineering and Operations advised the Regional staff have been on site and has indicated cutback areas to mill so the crossing will be as smooth as possible once Trillium completes the work.

**(i) Concerns about people living rough in the downtown area (Bagu)**

In response to concerns expressed by Councillor Bagu about potential issues in the downtown area, Mayor Steele and Chief Administrative Officer Luey advised that residents are asked to call the police to report any issues whether in the downtown area or anywhere in the City.

**(j) Gypsum dust from Snider Docks (Desmarais)**

Councillor Desmarais requested that staff remind Snider Docks the gypsum needs to be attended to as she will receive complaints about dust blowing once it is less rainy.

**(k) Line painting on roads (Desmarais)**

In response to an inquiry by Councillor Desmarais about the status of the beginning of road line painting, the Director of Engineering and Operations



advised that the contract has been delayed in order to negotiate pricing as it is higher than budgeted.

**(l) Bike path/walking trail from Welland Street to Nickel Beach**

In response to an inquiry by Councillor Desmarais about plans for a bike path/walking trail from Welland Street to Nickel Beach, the Director of Engineering and Operations advised that staff has met and plan to have the trail complete for the 2021 Canada Summer Games.

**(m) Chief Administrative Officer's Working Group on Community Safety (Desmarais)**

Councillor Desmarais requested an update on the status of the Chief Administrative Officer's Working Group on Community Safety that was established in 2018 to address the concerns of residents and attempt to find solutions for issues occurring. The Chief Administrative Officer advised that he and the Mayor have toured the police video monitoring facility at the new police station where they monitor police and City-owned cameras in St. Catharines and there is a possibility the same could be done for Port Colborne. The Chief Administrative Officer also advised that he will schedule a meeting of the working group to discuss next steps.

**(n) Port Cares request for use of picnic tables on June 14, 2019**

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

That the rules respecting Notice and Notice of Motion, as outlined under Subsections 5 and 15.1 of the Procedural By-law, respectively, be suspended in order permit the introduction of a motion concerning Port Cares' request to use City picnic tables.

CARRIED.

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

That eight picnic tables be made available, with fees waived, for use by Port Cares for their Rock the Night event at the Reach out Centre, 61 Nickel Street, on June 14, 2019, with the arrangements for pick-up and return being the responsibility of Port Cares.

CARRIED.

**Staff Responses to Previous Councillor Enquiries:**

**(a) New Director of Corporate Services (Luey)**

Chief Administrative Officer Luey welcomed Brenda Garrett, the City's new Director of Corporate Services, hired to replace Peter Senese who is retiring.

**(b) Spring OMAA workshop (Luey)**

Chief Administrative Officer Luey advised that he attended the spring Ontario Municipal Administrators' Association workshop. The Chief Administrative Officer also advised that sessions included technology, employee engagement, using metrics for success, municipal workforce, update on legal issues, and provincial government initiatives presented by the Minister of Municipal Affairs. Finally, the Chief Administrative Officer advised that he provided a presentation at the workshop on Friday with respect to case studies for capital asset management.

**13. Consideration of Items Requiring Separate Discussion:****6. Department of Chief Administrative Officer, Report 2019-69, Subject: Provincial Modernization Grant**

Moved by Councillor G. Bruno  
Seconded by Councillor R. Bodner

That Council approve the use of the provincial grant of \$711,467 for the projects identified in Chief Administrative Officer's Report 2019-69.  
CARRIED.

**8. Accessibility Advisory Committee Re: Request for Proclamation of Access Awareness Week, May 31 – June 6, 2019**

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

That the week of May 31 – June 6, 2019 be proclaimed as "Access Awareness Week" in the City of Port Colborne in accordance with the request received from Carrie McIntosh, Deputy Clerk, on behalf of the Accessibility Advisory Committee.  
CARRIED.

**9. Memorandum from Nancy Giles, EA to CAO and Mayor and Staff Liaison to the Grant Policy Committee Re: Recommendations of Grant Policy Committee**

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

That the memorandum from Nancy Giles, EA to CAO and Mayor and Staff Liaison to the Grant Policy Committee Re: Recommendations of Grant Policy Committee, be received for information; and

That donation/sponsorship requests be approved for a total of \$18,510 for the first allocation for the year 2019 as follows:

**Air Race Classic Terminus Committee** – to assist with costs of the Air Race Classic being held June 19-24 at the Niagara Central Dorothy Rungeling Airport - **\$1,300**

**Education Foundation of Niagara** - to assist in providing essential items to DSBN students in Port Colborne who experience a high level of need - **\$1,500**

**Niagara Health Foundation** – to assist with the purchase of a “Spirit Bed” for use at the Port Colborne Site - **\$1,900**

**Port Cares** – to assist with the purchase of a cargo van for use at the Reach Out Centre - **\$2,300**

**Port Colborne Feline Initiative** – to assist with program expenses with TNVR (trap-neuter- vaccinate-return); CatSnips; and subsidized spay/neuter program for low income residents of Port Colborne - **\$2,500**

**Port Colborne Lions Club** – to assist with operating costs including property taxes - **\$1,600**

**Port Colborne Operatic Society** – to assist with their “Musician in the Pit” program and general upkeep of their storage hall - **\$2,150**

**St. James & St. Brendan Church** – to assist with Phase Two of the Community Garden including gardens, plantings, benches, water feature, fence, pavilion – **\$1,660**

**Women’s Place of South Niagara** – to assist in providing emergency shelter and programs for women and children fleeing abuse - **\$2,000**

**YMCA of Niagara** – to assist with the operation of the Niagara Day Camp program in the City of Port Colborne - **\$1,600.**

CARRIED.

**13. Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data (PDS 17-2019)**

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

That the correspondence received from the Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data, be received for information.

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



That the main motion be amended by adding thereto the following:

“That the Chief Administrative Officer be directed to invite Regional Housing staff to present at a future meeting of Council with respect to the Affordable Housing Data report.”

CARRIED.

The vote was then taken on the main motion, as amended, as follows:

That the correspondence received from the Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data, be received for information; and

That the Chief Administrative Officer be directed to invite Regional Housing staff to present at a future meeting of Council with respect to the Affordable Housing Data report.

CARRIED.

**14. Niagara Peninsula Conservation Authority Re: NPCA Board Composition**

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

That the correspondence received from the Niagara Peninsula Conservation Authority Re: Board Composition, be received for information.

CARRIED.

**14. Notice of Motion:**

Councillor Wells provided notice of motion of his intention to introduce a motion at a future Committee of the Whole/Council meeting with respect to addressing explosive targets in the firearm discharge and noise by-laws.

**15. Adjournment:**

Moved by Councillor F. Danch  
Seconded by Councillor E. Beauregard

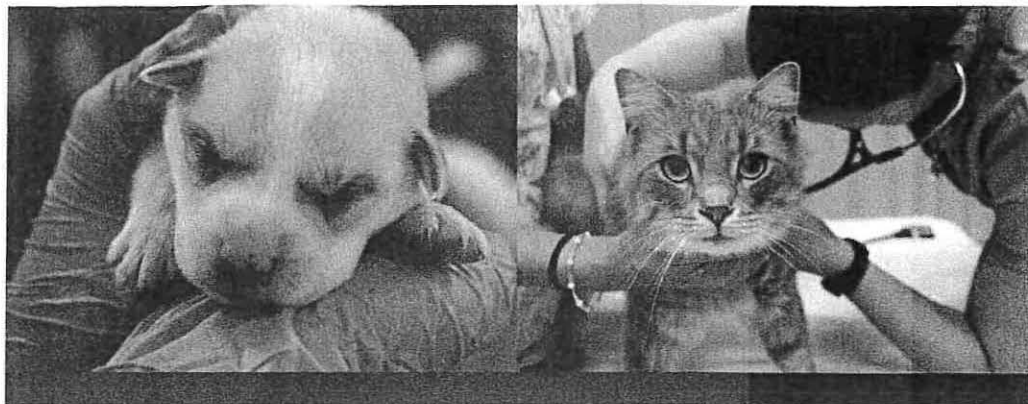
That the Committee of the Whole meeting be adjourned at approximately 9:49 p.m.

CARRIED.

# ONTARIO SPCA

AND HUMANE SOCIETY

ONTARIO'S ANIMAL CHARITY SINCE 1873



## WHAT IS ONTARIO SPCA ENFORCEMENT SUPPORT SERVICES?

### Background

In early 2019, the Superior Court of Ontario released a decision compelling the Government of Ontario to change the way their provincial animal welfare legislation is enforced. The Court has deemed their model of service delivery to be unconstitutional and the Government of Ontario may no longer permit their provincial animal welfare legislation to be enforced by a private charity. The Ontario SPCA respects the decision of the Court and is working to assist the Government of Ontario as they transition to a new service delivery model. The Ontario SPCA remains committed to our mission of animal protection and animal advocacy and have recently announced the development of Ontario SPCA Enforcement Support Services. In short, we'll continue to do all of the animal protection and animal advocacy work we have done for almost 150 years.

The key change is that all charges under the law and all court cases resulting from those charges will be handled by provincial law enforcement agencies. Law enforcement is a responsibility of government.

Animal protection and animal advocacy remain the mission of the Ontario SPCA and Humane Society.

## HOW WILL ONTARIO SPCA ENFORCEMENT SUPPORT SERVICES WORK?

Across Ontario, and wherever law enforcement agencies have the lead role in responding to cases of animal cruelty, Ontario SPCA Enforcement Support Services provides a variety of critical, animal-related services to support police and to help vulnerable animals in times of crisis.

Ontario SPCA Enforcement Support Services include:

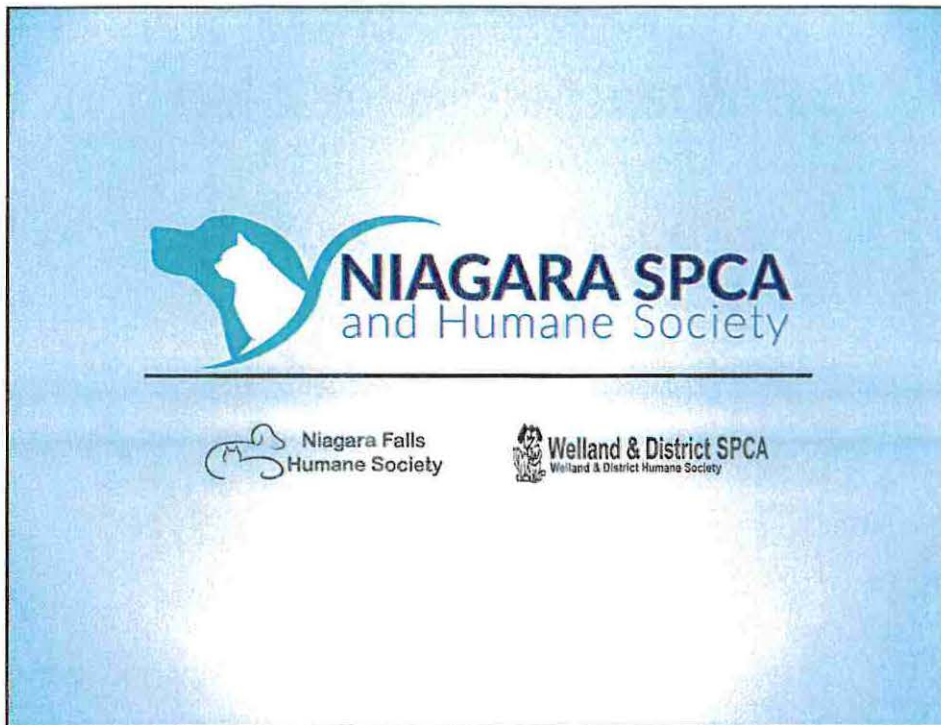
- Collecting and processing forensic evidence to help build cases against animal abusers;
- On-site support providing animal care, including veterinary medicine;
- Animal behaviour assessments and rehabilitation;
- Animal transportation;
- Animal sheltering and placement of rescued animals in homes or other suitable environments;
- Animal care and wellness services;
- Legal support and animal law briefings.

To better understand how the partnership between law enforcement agencies and Ontario SPCA Enforcement Support Services will work, it's helpful to have an overview of our potential role in the process of an animal cruelty case.

Ontario SPCA Enforcement Support Services will assist law enforcement agencies with collecting evidence to build cases against animal abusers. Once a case of animal cruelty is being investigated, Ontario SPCA Enforcement Support Services will respond with appropriate animal-related resources when we are contacted by law enforcement agencies. We can support the process at an animal crime scene by providing crisis intervention for animals including animal handling, animal care and medical treatment. We can also transport animals to a safe environment and provide sheltering. Once the needs of animals have been met, we can further assist law enforcement agencies by locating, recording and preserving physical evidence in animal-related investigations. In addition, we will be available to assist with preparing court documents, testifying and providing background and expertise on animal law. As cases conclude, we will ensure animals are placed in homes or other suitable environments.

Animals deserve optimum care and Ontario SPCA Enforcement Support Services is being designed to provide enhanced protection of animals, in partnership with law enforcement agencies. Through the expertise of agencies enforcing the law and Ontario SPCA Enforcement Support Services providing and advocating for animals, this partnership will maximize resources for the best possible protection of animals.





## Background Information



- ✓ The Welland & District SPCA has existed since 1954
- ✓ In 2018, the Welland SPCA and Niagara Falls Humane Society amalgamated to form the Niagara SPCA and Humane Society.



## Niagara Service Providers

Animal Service Providers of Niagara

\*We also provide service to Haldimand County

NIAGARA SPCA  
and Humane Society

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## Veterinary Clinic

- ✓ Opened in 2014 as a high volume, low cost spay neuter clinic
- ✓ Services available to anyone from anywhere
- ✓ In 2017, the clinic was certified as a full companion animal clinic

NIAGARA SPCA  
and Humane Society

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## Mobile Spay/Neuter Clinic



- ✓ Established in 2015, it was the first of its kind in Ontario
- ✓ Initially authorized by CVO to service First Nations communities
- ✓ Licence expanded to feral cat/rescue groups and low income clients  
(as defined by third party community organization)

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## Mobile Spay/Neuter Clinic



OVER THE COURSE OF

**78**  
OPERATIONAL  
DAYS

the mobile clinic has facilitated

**1,574**  
Spay/Neuter  
Procedures

&

**1,710**  
Wellness  
Exams



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## Humane Education



- ✔ SPCA personnel are available to attend schools, youth groups, etc. to provide humane education
- ✔ We also provide bite prevention training to Niagara Region Public Health Department Inspectors.

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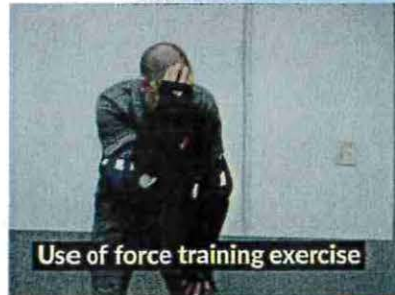


## Animal Control



- ✔ Officers with years of experience
- ✔ Most officers have post-secondary education pertaining to law and security administration

- ✔ Animal control and bylaw enforcement services
- ✔ 24 hour emergency response
- ✔ Officers trained in use of force



Use of force training exercise

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## Cruelty Investigations



Some of our officers are also OSPCA Agents or Inspectors and are currently empowered under provincial legislation to enforce the Ontario SPCA Act and associated regulations.

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## Multimedia



In-house production of video, radio, photographic, and print material allows a quality professional public-facing image at substantial cost savings over outsourcing.

Our multimedia producer's services have been used by the Sarnia Humane Society as well as the Ontario SPCA for both their annual educational conference and the Northern Animal Summit held in Sudbury in 2018

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## Human Resources Breakdown

### INVESTIGATIONS

5 OSPCA Agents, 2 OSPCA Inspectors, 5 Animal Control Officers

### ANIMAL CARE (shelter operations)

14 Animal Care Attendants, 3 Registered Veterinary Technicians, 2 Veterinarians

### VETERINARY CLINIC (separate from shelter operations)

3 Veterinarians, 2 Registered Veterinary Technicians, 4 Support Staff



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## 2018 Numbers

Activity	Total
Enforcement calls (by-law & cruelty)	2,587
Stray dog / cat pickup	977
Wildlife distress (sick/injured/trapped)	806
Adoptions	1,349
Lost pets returned home	385

\*Figures do not include Niagara Falls or NOTL



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## MAYOR'S REPORT – MAY 13, 2019

### **Test it Tuesday**

Tomorrow is Test it Tuesday and we encourage everyone to test your smoke alarms and carbon monoxide detectors. If you need any assistance, please call our Fire Department at 905-834-4512.

### **Women's Sledge Hockey Games**

The Canadian Women's National Sledge Hockey Team will be facing off against Sledge Team Ontario in Port Colborne for a three game series at the Vale Health & Wellness Centre.

The City of Port Colborne is proud of their affiliation with both the Men's and Women's National Sledge Hockey Teams. Residents and visitors are encouraged to PORTicipate by coming out and cheering on the athletes. Admission is free.

Games are Friday, May 17 and Saturday, May 18 from 7 - 9 p.m and Sunday, May 19 from 10 a.m. - 12 p.m. on rink 1.

### **Summer Season**

Our summer season began last week as we welcomed 45 students to our workforce. Students will be working in almost every building and in our parks and marina this summer.

Our park season begins this weekend so if you are looking to book a park or pavilion for an event, give us a call.

And hopefully the weather will improve so children can start enjoying the Discovery Spray Pad in H.H. Knoll Lakeview Park on Saturday morning at 10 a.m. It will be open on weekends only from Saturday until mid-June

## **Dr. Debbie Wilkes-Whitehall named Top Family Physician**

We are all very pleased to announce that Dr. Debbie Wilkes-Whitehall has been named Niagara Region's Top Family Physician.

Nominated by Dr. Amanda Bell, Regional Assistant Dean of the Niagara Regional Campus of the Michael G. DeGroote School of Medicine and Family Physician, Dr. Wilkes-Whitehall received her award on Doctor's Day which was celebrated on May 1st.

Dr. Wilkes-Whitehall is an exemplary physician and a strong member of the medical community and mentor to our students.

She delivers high quality care to all of her patients, but especially to those who are most vulnerable due to eating disorders, mental health, and addiction issues.

She created the Niagara Eating Disorder outpatient program; the only provincially funded treatment program in Niagara.

Her passion for teaching has seen her grow her role from clinical teacher to a member of the Senior Leadership of McMaster University's Michael G. DeGroote School of Medicine.

She also provides care to physicians and their families through the Ontario Medical Association's Physician Help Program. Congratulations.

## **Niagara IceDogs Exhibition Game**

A press conference was held this afternoon announcing that the Niagara IceDogs and Barrie Colts of the Ontario Hockey League (OHL) will be facing off in an exhibition game at the Vale Health & Wellness Centre in Port Colborne on Friday, August 30, 2019.

Revenue from the exhibition games ticket sales will be going to support the Port Colborne Wave Girl's Hockey Association.

The girls' minor hockey program continues to grow with plans to add one or two teams for the upcoming 2019-2020 season.

Mark your calendars now and come out to support local youth.

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**City of Port Colborne  
Regular Meeting of Council 15-19  
Monday, May 27, 2019  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor William C. Steele
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
  - (a) Special meeting of Council 13-19, held on May 13, 2019.
  - (b) Regular meeting of Council 14-19, held on May 13, 2019.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**
  - (a) World Hepatitis Day, July 28, 2019
  - (b) June is Recreation and Parks Month
- 10. Minutes of Boards, Commissions & Committees:**
  - (a) Minutes of the Port Colborne Library Board Meeting of April 2, 2019
  - (b) Minutes of the Port Colborne Active Transportation Advisory Committee Meeting of March 18, 2019
  - (c) Minutes of the Senior Citizen Advisory Committee Meeting of January 17, 2019
  - (d) Minutes of the Port Colborne Medical, Recruitment and Health Services Committee Meeting of March 18, 2019
- 11. Consideration of By-laws:**
- 12. Adjournment:**

**Council Items:**

Notes	Item	Description / Recommendation
WCS MB EB RB GB FD AD DK HW	1.	<p><b><u>Port Colborne Public Library, Report No. 2019-77, Subject: Annual Report 2018, Fees and Charges Report, 2019 Events Highlights</u></b></p> <p>That the Port Colborne Public Library Report 2019-77, the 2018 Annual Report, Fees and Charges Summary, and the 2019 Events Highlights, be received.</p> <p>Note: Susan Therrien, Director of Library Services, will be providing a presentation regarding the above report.</p>
WCS MB EB RB GB FD AD DK HW	2.	<p><b><u>Engineering and Operations Department, Engineering Division, Report 2019-75, Subject: Information Report on the Roadside Grass Mowing for 2019</u></b></p> <p>That Engineering and Operations Department, Engineering Division Report 2019-75 be received for information; and</p> <p>That the request from the Environmental Advisory Committee to modify the roadside mowing and seasonal cut times to mid-June and mid-September, be approved; and</p> <p>That the request from the Environmental Advisory Committee for Second Concession Road and Killaly Street East, east of Lorraine Road, to be eliminated from the mid summer Canal Days Festival cut, be approved.</p>
WCS MB EB RB GB FD AD DK HW	3.	<p><b><u>Planning and Development Department, Planning Division, Report 2019-76, Subject: Recommendation Report for Zoning By-law Amendment D14-05-18, 85 and 91 Main Street West</u></b></p> <p>That the Zoning By-law Amendment, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-76, rezoning the subject property from Downtown Commercial to MU-50, be approved.</p> <p>That staff be directed to prepare the Notice of Passing in accordance with the <i>Planning Act</i> and circulate to all applicable parties.</p>

<p>WCS MB EB RB GB FD AD DK HW</p>	<p>4.</p>	<p><b><u>Planning and Development Department, Planning Division, Report 2019-74, Subject: Recommendation Report for a Proposed Temporary Use By-law (File No. D14-02-17) 1133 Forks Road</u></b></p> <p>That the Temporary Use By-law, attached as Appendix A to Planning and Development Department, Planning Division Report 2019-74, permitting a private water ski club to be established for a period of three years subject to conditions, be approved; and</p> <p>That the Mayor and Clerk be authorised to sign an agreement with the property owner enacting the conditions established in the temporary use by-law; and</p> <p>That staff be directed to prepare the Notice of Passing in accordance with the <i>Planning Act</i> and circulate to all applicable parties.</p>
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>5.</p>	<p><b><u>Engineering and Operations Department, Operations Division, Report 2019-70, Subject: Drinking Water Quality Management System Management Review Summary</u></b></p> <p>That Engineering and Operations Department, Engineering Division, Report 2019-70, Drinking Water Quality Management System, Management Review Summary, be received for information.</p>
<p>WCS MB EB RB GB FD AD DK HW</p>	<p>6.</p>	<p><b><u>Memorandum from Mark Minor, Marina Supervisor Re: Sugarloaf Marina - East Main Run Transformer Replacement</u></b></p> <p>That the installation of the high-speed diesel pump at Sugarloaf Marina, as approved by Council during the 2019 budget process, be deferred; and</p> <p>That the Director of Community and Economic Development be directed to investigate the full scope of work required for the installation of the high-speed diesel pump (including power supply upgrade) and submit an associated budget request to Council during the 2020 budget process; and</p> <p>That the funds original approved for the purchase of the high-speed diesel pump (\$20,000) be reallocated toward the purchase and installation of a new electrical transformer on the east main run (unanticipated cost incurred in 2019).</p>



<b>Miscellaneous Correspondence</b>			
WCS RB AD	MB GB DK	EB FD HW	<p>7. <b><u>Karen Usick, Community Coordinator, Mental Health &amp; Addictions, Hepatitis C Care Clinic Re: Request for Proclamation of World Hepatitis Day, July 28, 2019</u></b></p> <p>That July 28, 2019 be proclaimed as “World Hepatitis Day” in the City of Port Colborne in accordance with the request received from Karen Usick, Community Coordinator, Mental Health &amp; Addictions, Hepatitis C Care Clinic.</p>
WCS RB AD	MB GB DK	EB FD HW	<p>8. <b><u>Ashley Grigg, Director of Community and Economic Development, Re: Request for Proclamation of June is Recreation and Parks Month</u></b></p> <p>That the month of June be proclaimed as “Recreation and Parks Month” in accordance with the request received from Ashley Grigg, Director of Community and Economic Development.</p>
WCS RB AD	MB GB DK	EB FD HW	<p>9. <b><u>Memorandum from Janice Peyton, Executive Assistant, DEO Re: Environmental Advisory Committee, Motion Regarding Port Colborne Quarries Site Alteration</u></b></p> <p>That the Memorandum received from Janice Peyton, Executive Assistant, DEO on behalf of the Environmental Advisory Committee Re: Environmental Advisory Committee, Motion Regarding Port Colborne Quarries Site Alteration, be received for information; and</p> <p>That the list of questions provided by the Environmental Advisory Committee regarding the Port Colborne Quarries Site Alteration, be submitted to the Director of Planning and Development for Council’s consideration and inclusion in the current review process.</p>
WCS RB AD	MB GB DK	EB FD HW	<p>10. <b><u>Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Niagara Peninsula Conservation Authority Board Appointments, be received for information; and</p> <p>That Council recommend the appointment of Councillor _____ to the Niagara Peninsula Conservation Authority for a term of August 1, 2019 to November 30, 2022.</p>

WCS RB AD	MB GB DK	EB FD HW	11.	<p><b><u>Region of Niagara Re: Creating the Ohnia:kara UNESCO Global Geopark (PDS 18-2019)</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Creating the Ohnia:kara UNESCO Global Geopark, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	12.	<p><b><u>Region of Niagara Re: Niagara Biennial Awards Program (PDS 19-2019)</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Biennial Awards Program, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	13.	<p><b><u>Region of Niagara Re: Regional Incentives Financial Information (PDS 22-2019)</u></b></p> <p>That the correspondence received from the Region of Niagara Re: Regional Incentives Financial Information, be received for information.</p>
WCS RB AD	MB GB DK	EB FD HW	14.	<p><b><u>Town of Niagara-on-the-Lake and the Town of Aurora Re: Opposition to Bill 108 regarding the More Homes, More Choice Act</u></b></p> <p>That the resolutions received from the Town of Niagara-on-the-Lake and the Town of Aurora Re: Opposition to Bill 108 regarding the More Homes, More Choice Act, be received for information.</p>
<b>Outside Resolutions – Requests for Endorsement</b>				
WCS RB AD	MB GB DK	EB FD HW	15.	<p><b><u>Town of Mono Re: Ontario Municipal Partnership Fund (OMPF)</u></b></p> <p>That the resolution received from the Town of Mono Re: Ontario Municipal Partnership fund, be received for information.</p>
<b>Responses to City of Port Colborne Resolutions</b>				
Nil.				

**Consideration of By-laws  
(Council Agenda Item 11)**

<b>By-law No.</b>	<b>Title</b>
6686/50/19	Being a Temporary Use By-law respecting Lands legally known as Part Lot 19, Concession 4; Former Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara; Municipally known as 1133 Forks Road
6687/51/19	Being a By-law to Amend Zoning By-law 6575/30/18 Respecting lands Legally described as Part of Lots 10 and 11 on Plan 1536/NP771, in the City of Port Colborne, Regional Municipality of Niagara; Municipally known as 85 and 91 Main Street West
6688/52/19	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 May 27, 2019



The Corporation of the City of Port Colborne

By-law no. 6686/50/19

Being a temporary use by-law respecting lands legally known as Part Lot 19, Concession 4; Former Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara; municipally known as 1133 Forks road.

Whereas By-law 6575/30/18, as amended, 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 to permit the temporary use of certain lands for the purposes of a private water ski club in accordance with the provisions of Sections 39 and 34 of the *Planning Act R.S.O. 1990*.

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

1. That notwithstanding anything contained in Zoning By-law 6575/30/18, as amended to the contrary, a private water ski club shall be permitted as a temporary use on the lands described on Schedule "A", attached to and forming part of this by-law.
2. That the Temporary Use By-law shall come into effect on May 27, 2019, and cease to be in effect on May 27, 2022 provided first that an Agreement in the nature of a Temporary Use Agreement shall be executed by the Owners and any encumbrancers of the lands and the City of Port Colborne which Agreement shall include, but not be limited to the following provisions:
  - a) No preparation of food for sale on site;
  - b) No alcohol products shall be sold on site;
  - c) A maximum of twenty participants and twenty spectators on site at any time;
  - d) Seasonal operation from May 1 to September 30;
  - e) Hours of operation shall be limited to 10:00 a.m. till dusk, seven days per week;
  - f) Special events shall be limited to three per year;
  - g) No music associated with the Water Ski Club;
  - h) One skier at a time on the pond in accordance with the Conclusions and Recommendations of the Novus Environmental Noise Compatibility Study, dated May 1, 2017.
  - i) The erection of permanent buildings or structure or installation of asphalt parking areas shall not be permitted on the lands identified on Schedule "A".
  - j) That the mitigation measures outlined in the Environmental Impact Study prepared by Sullivan Plan dated December 2016 be implemented;
  - k) That a permanent exemption be granted by City Council, in accordance with Section 8(2) of the Noise By-law. If a permanent exemption is not provided, then temporary exemptions will be sought for each of the special events, in accordance with Section 8(1) of the by-law; and
  - l) Securities in the amount of Five Thousand Dollars (\$5,000.00) shall be deposited with the City to ensure reinstatement of the Lands to the satisfaction of the City.
3. That all other applicable provisions of By-law 6575/30/18, as amended from time to time not mentioned in this By-law, shall continue to apply to the Lands.
4. That this by-law shall come into force and take effect pursuant to Sections 34(21), 34(30) and 34(31) of the *Planning Act, R.S.O., 1990*, chapter P.13 as amended.
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*.

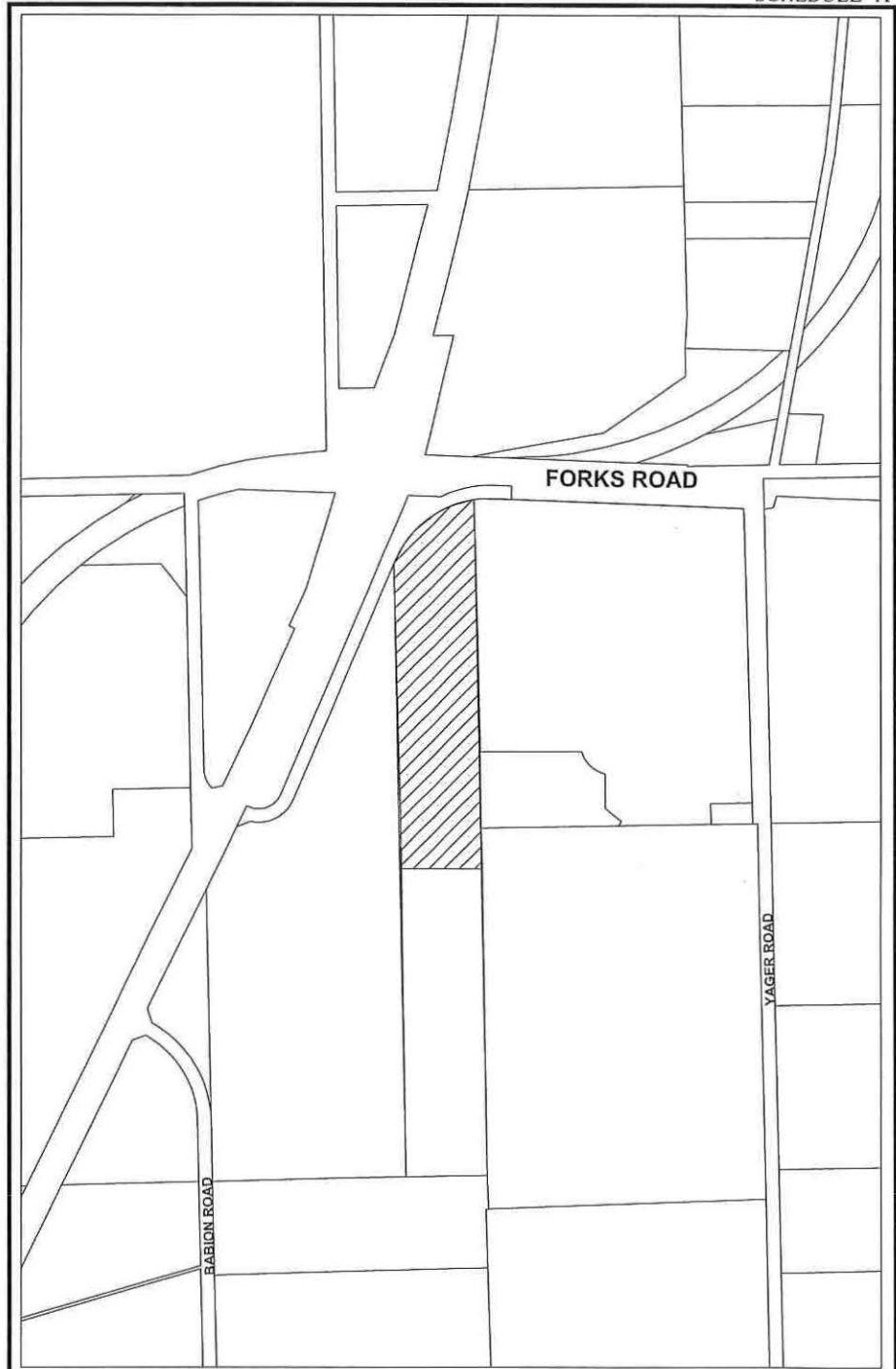
Enacted and passed this 27th day of May, 2019.

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William C Steele  
Mayor

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Amber LaPointe  
Clerk



THIS IS SCHEDULE "A" TO BY-LAW NO. \_\_\_\_\_  
 PASSED THE \_\_\_\_\_,

\_\_\_\_\_  
 MAYOR  
 \_\_\_\_\_  
 CLERK



LANDS TO BE USED FOR TEMPORARY USE OF A PRIVATE WATER  
 SKI CLUB



JULY 2017

FILE NO. D14-02-17

SCALE: NTS

DRAWN BY PLANNING &  
 DEVELOPMENT DEPARTMENT



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The Corporation of the City of Port Colborne

By-law no. 6687/51/19

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as Part of Lots 10 and 11 on Plan 1536/NP771, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 85 and 91 Main Street West

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

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

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

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A6" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Downtown Commercial to MU-50.
3. That Section 37 entitled SPECIAL EXCEPTIONS AND PROVISIONS of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

MU-50

Notwithstanding the provisions of the Mixed Use Zone, the following special regulations shall apply for a fourplex dwelling:

a) Minimum Lot Frontage	11m
b) Minimum Front Yard	1m
c) Minimum Rear Yard	4.5m
d) Minimum Northern Side Yard	1.8m
e) Minimum Southern Side Yard	0.6m
f) Minimum Landscaped Area	21%

Subject to a condition for a development agreement for a closed board privacy fence to be built at the maximum height permitted in the City of Port Colborne's fence by-law on the subject property's shared property lines with 17 Church Street.

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 27th day of May, 2019.

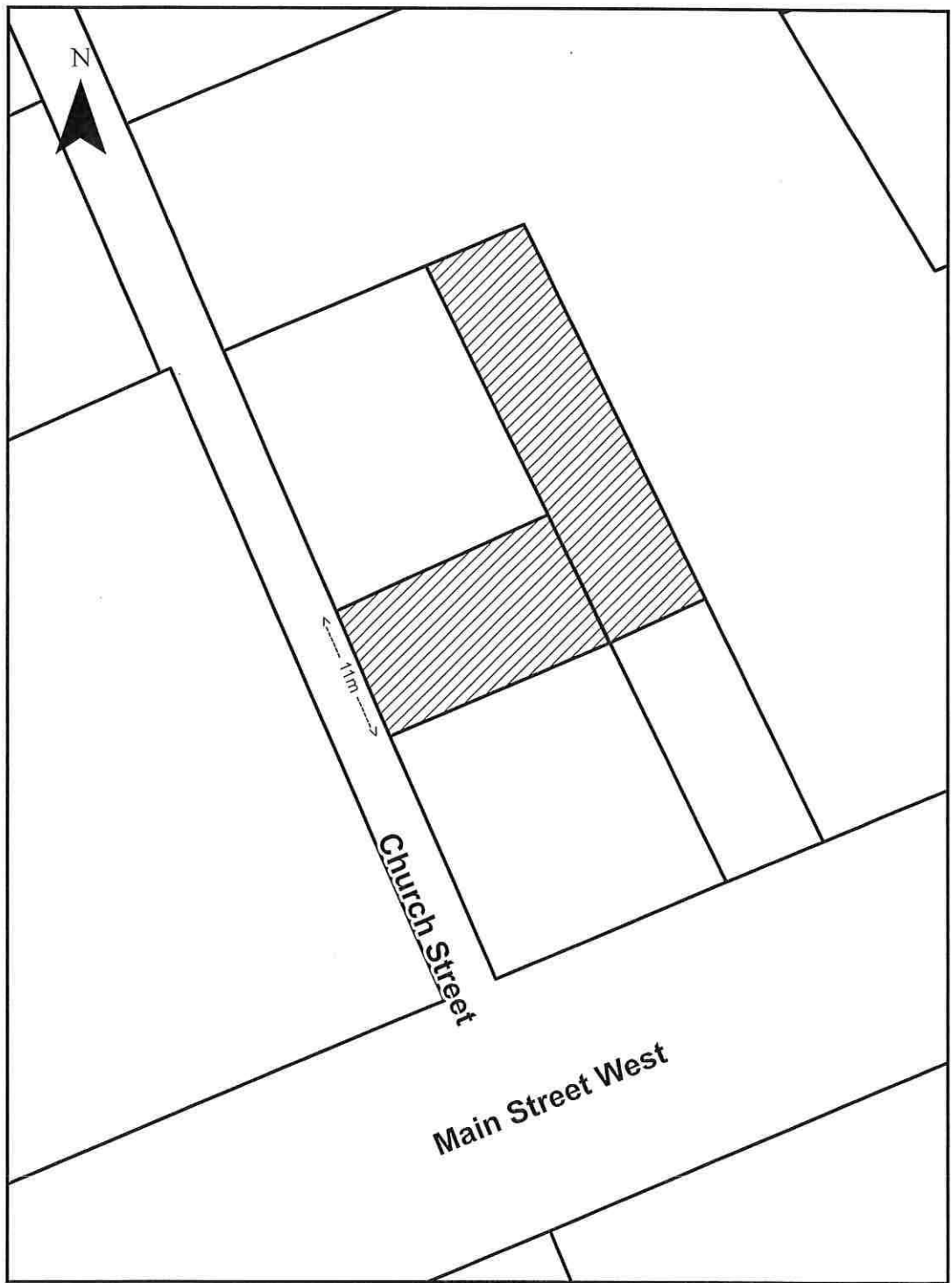
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William C Steele  
Mayor


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Amber LaPointe  
Clerk





THIS IS SCHEDULE "A" TO BY-LAW NO \_\_\_\_\_  
 PASSED THE \_\_\_\_\_, 2019  
 \_\_\_\_\_  
 MAYOR  
 \_\_\_\_\_  
 CLERK

 LANDS TO BE REZONED FROM  
 DOWNTOWN COMMERCIAL TO MU-50

MAY 2019  
 FILE NO D14-05-18  
 DRAWN BY; CITY OF PORT COLBORNE  
 PLANNING DIVISION  
 NOT TO SCALE

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The Corporation of the City of Port Colborne

By-Law no. 6688/52/19

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 Special and Regular Meetings of May 13, 2019

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 May 27, 2019 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 127th day of May, 2019.

\_\_\_\_\_  
William C. Steele  
Mayor

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



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**City of Port Colborne  
Special Council Meeting 13-19  
Minutes**

**Date:** May 13, 2019

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

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

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

**Staff Present:** E. Acs, Planner  
D. Aquilina, Director of Planning & Development  
T. Cartwright, Fire Chief  
A. Grigg, Director of Community and Economic Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering & Operations  
S. Luey, Chief Administrative Officer  
H. Mahon, Planning Technician/Clerk (minutes)  
C. McIntosh, Deputy Clerk  
P. Senese, Director of Corporate Services

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

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. National Anthem:**

Those in attendance stood for O Canada.

**3. Confirmation of Agenda:**

**No. 80** Moved by Councillor H. Wells  
Seconded by Councillor G. Bruno

That the agenda dated May 13, 2019 be confirmed, as circulated or as amended.  
CARRIED.

**4. Disclosures of Interest:**

Nil.

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

Official Plan Amendment and Application for Zoning By-law Amendment

Planning and Development Department, Planning Division, Report No. 2019-64, Public Meeting Report for Official Plan Amendment D09-01-19 and Zoning By-law Amendment D14-03-19, 170 Welland Street, City Lands on Lake Road and Transport Canada Lands on the East Side of the Welland Canal

(i) Purpose of Meeting:

Evan Acs advised that the purpose of this meeting, pursuant to Sections 22 and 34 of the Planning Act, is to consider an application initiated by the City of Port Colborne for the properties known as Part Lot 27 Concession 1, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known at 170 Welland Street, s/s Lake Road and all lands under federal government ownership on the east side of the Welland Canal.

The application for Official Plan Amendment proposes to change the designation of these lands in the East Waterfront Secondary Plan from “Parks and Open Space” to “Industrial Areas”.

The application for Zoning By-law Amendment proposes to change the zoning at 170 Welland Street from “P-CH” (Public and Park with Conversion Holding) to “Light Industrial”. The zoning for Transport Canada lands will change from “P-CH” to “Heavy Industrial”. The zoning for the City-owned land on Lake Road will change from “Light Industrial” to “Heavy Industrial”.

(ii) METHOD OF NOTICE

Notice of the Public Meeting was administered in accordance with Sections 22 and Sections 34 of the Planning Act, as amended, and Section 3 of Ontario Regulation 543/06 and Section 5 of Ontario Regulation 545/06.

The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the property on April 23rd, 2019. Public notice signs were posted on the properties on April 23rd, 2019. A public notice was also posted



on the City's website on April 23rd, 2019. A public notice appeared in The Port Colborne Leader on April 25th, 2019.

Staff hosted a public open house on April 29th 2019. The open house was attended by a number of residents and property owners from the East Village.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Acs advised that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2019-64, to receive questions of clarification from Council to Planning Staff, to open the meeting to the public for comments and questions, to announce the requirements under the Planning Act for written notice of passage of the proposed zoning by-law amendment, and to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF APPLICATION FOR ZONING BY-LAW AMENDMENT

At this time, Mr. Acs presented Planning and Development Public Hearing Report 2019-64 accompanied by a Power Point presentation.

The subject properties are located on the west side of Welland Street and the south side of Lake Road. The properties are currently vacant, except for an industrial facility at 170 Welland Street. The properties are located in the "East Village" neighbourhood of Port Colborne and are predominately surrounded by residential uses, with some commercial uses on the east side of Welland Street and the north side of Lake Road. To the west of the subject properties is the Welland Canal with industrial uses along its edge.

The City of Port Colborne's Official Plan designates the properties Parks and Open Space. Land uses in the Parks and Open Space designation include public landscaped open space, playgrounds and sports fields not administered by a school board; cultural and recreational facilities such as arenas; museums, halls, swimming pools, docks and publicly operated golf courses; linear parks and public open spaces such as multi-use trails and pathways and on-road bicycle routes.

The application for Official Plan Amendment proposes to change the Official Plan designation to Industrial Areas. Land uses in the Industrial Areas designation include manufacturing and fabricating; assembling; processing; servicing and repairing; warehousing and storage; shipping and receiving; offices as an accessory or secondary use; commercial activities that provide amenities to employees during the workday, as an accessory use, medical marihuana production facilities; industrial activities related and proximate to the canal and harbour such as ship dockage and repair; and accessory uses such as parking garages.

Most of the subject properties are zoned P-CH (Public and Park with Conversion Holding). The Public and Park zone permits Cemetery; Community Garden; Conservation Use; Cultural Facility; Food Vehicle; Park; Public Use; Recreation Use; and Uses, structures and buildings accessory thereto. The Conversion Holding symbols requires a Record of Site Condition to be filed with the Ontario Ministry of the Environment before Public and Park zone uses can be established on the property.

The City-owned land on Lake Street is zoned Light Industrial. The Light Industrial zone permits Adult Oriented Entertainment Establishment; Car wash; Contractor's Yard; Crematorium; Education Facility; Industry, Light; Medical Marijuana Production Facility; Motor Vehicle Repair Garage; Public Use; Research Facility; Transportation Depot; and Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades.

The zoning for property at 170 Welland Street is proposed to change to Light Industrial. The zoning of the other properties subject to this application are proposed to change to Heavy Industrial. The Heavy Industrial zone permits Adult Entertainment Establishment; Bulk Fuel Depot; Car Wash; Contractor's Yard; Crematorium; Education Facility; Heavy Equipment Sales and Service; Industry, Heavy; Industry, Light; Medical Marijuana Production Facility; Motor Vehicle Repair Garage; Public Uses; Research Facility; Transportation Depot; and Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades.

Mr. Acs advised that at its January 28th, 2019 meeting Council provided the following direction to staff: "That Planning and Development staff be directed to bring forward applications under the Planning Act to propose changes in land use for certain properties within the East Waterfront Secondary Plan Area that are federally and privately owned from Parks and Open Space to Industrial/Employment purposes."

The application for Official Plan Amendment proposes to change the designation of these lands in the East Waterfront Secondary Plan from "Parks and Open Space" to "Industrial Areas".

The application for Zoning By-law Amendment proposes to change at the zoning at 170 Welland Street from "P-CH" (Public and Park with Conversion Holding) to "Light Industrial". The zoning for Transport Canada lands will change from "P-CH" to "Heavy Industrial". The zoning for the City-owned land on Lake Road will change from "Light Industrial" to "Heavy Industrial".

Mr. Acs advised that comments in full have been circulated to Mayor, Councillors and Clerk and provided a summary of submitted written comments:

Larry Rosnuk, 62 Fraser Street

- Application should be delayed for additional input.
- Would like to see heavy industrial changed to light industrial with bird sanctuary at the southern end of the “slag spit” protected with public access along Lake Erie shoreline.

Debbie Gravelle, 177 Welland Street

- Lives directly across from 170 Welland Street.
- Concerned about drop in property value resulting from re-zoning.
- Concerned about potential businesses using 170 Welland Street and impact on her property.

Tina Whitwell, 83 Welland Street

- Concerned about decline in property values and ability to sell property if applications approved.
- Concern about noise, traffic and pollution from sites diminishing enjoyment of property.

Loretta Vanderhoeck, 117 Fares Street

- Uses on property unsightly - view from west street is not slightly for tourists.
- Concerns about dust and health issues with wind blowing material stored on site into East Village.
- Concern about ability to sell home if applications approved.

Glenn Hamilton, 217 Welland Street

- Concerns about pollution, noise, odour, traffic and other impacts on residents

Michael Tenszen, 2-576 Fielden Avenue

- Great opportunity for the City to create a large lake and canal-side park with bird sanctuary at this property.
- Opposed to establishment of heavy industrial park on this site due to concerns of impact on natural environment.
- There are other options for locating an industrial park in Port Colborne.

David Henderson, no address given

- Concerns about intake source for municipal water system and impact industry may have.
- Notes that the intake protection zone is the most vulnerable in Niagara.

Tracy Pybus, 187 Oakwood Street

- Opposed to change to industrial uses. Would like to see more greenspace.



Tina Gifford, no address given

- Legacy of industrial contamination in Port Colborne
- Would prefer to see greenspace, residential and parks.

Linda and Harry Talving, no address

- Would like to see protection for bird habitats at the southern end of the “slag spit” as it is an important nesting area for gulls.
- Would prefer to see remaining land rezoned to light industrial.

Ines Mundt, 35 Canal Bank Road

- Moved to Port Colborne for environment and lifestyle.
- See great potential for tourism. Wondering why city is taking step back converting park land to industrial land.
- Concerns about pollution and contamination.

H Stengel, 192 Fares Street

- Opposed to rezoning.
- Neighbourhood is impacted by other industries in area. Does not want to see expansion.
- Concerned about bird nesting area.

Leo Talving, no address given

- Prefer to see light industrial instead of heavy industrial.
- Southern portion of slag spit is important bird area that would be protected.

Barbie Horton, no address given

- Opposed to application.
- Concern about water contamination, air quality, dust and noise.

Rene Sinko, 196 Fares Street,

- Opposed to application. Would prefer to see something that will improve the east side.

Catharine Parry, no address given

- Prefers original vision stated in East Waterfront Community Improvement Plan. Feels proposed application will take city in opposite direction.
- Opposed to application.

Mitch Carriere, 173 Welland Street

- Has owned property across the street for over twenty years. Pollution, noise and dust from existing industries is an on-going problem. Adding more industrial uses will make problem worse.
- Concern about impact on property value.
- Concern about impact on West Street, Canal Days and tourism.
- Application will negatively impact quality of life in East Village.
- Opposed to application.

Rober Szabari, 131 Welland Street

- Opposed to application.
- Lives across street and will be directly impacted.
- Light and heavy industrial is not correct fit for neighbourhood.
- Priority should be environment and residents.
- Concern about property value, water and air quality.

## City and Agency Comments

Drainage Superintendent

- No Concern.

Regional Municipality of Niagara

- Requested extension for submitting comments.

## (v) QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

At this time, Mr. Acs asked if there are any questions of clarification by Council.

Councillor Bruno asked for clarification of zoning for Allied Marine. Mr. Acs identified the Allied Marine property as being Light Industrial as well as the City owned property to the south east of Allied Marine. The rationale for rezoning lands fronting Welland Street from P-CH to Light and Heavy Industrial was also discussed. Mr. Acs noted that exemptions could be made to prohibit uses such as Medical Marihuana facilities.

Councillor Desmarais noted that she has received a substantial number of emails and personal phone calls regarding the proposed re-zoning. She questioned whether the Dwor property could be discussed separately from the remaining parcels. Mr. Acs advised that this could be done under the direction of Council. Councillor Desmarais also requested that the medical marihuana and adult entertainment uses be removed from the permitted uses.

Councillor Wells questioned Mr. Acs on the Provincial Policy statement regarding having Heavy and Light Industrial uses permitted within a certain distance from sensitive land uses. Discussion commenced and Mr. Acs noted that as no specific type of industry has been proposed yet it is difficult to ascertain. Preference would be for Site Plan control. Councillor Wells asked that the Ministry's guidelines be considered when finalizing the zoning. Councillor Bodner asked that they be provided a schedule which visually identifies the distance between the sensitive land uses and industrial uses. Mr. Acs concurred that this could be done.

Councillor Kalailieff questioned why the lands which had been originally designated as industrial were rezoned to Park and are now being changed back to Industrial. Mr. Acs advised that the direction to rezone had been received from Council. Councillor Bagu questioned whether the City was acting as an agent for Transport Canada. Mr. Acs responded that the Federal level does not have regard for the zoning bylaw at the municipal level.

Before opening the meeting to the public Mr. Acs read the following cautionary statements:

"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. " and;

"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 that for any interested members of the public there is a sign-in sheet located at the back of the room, to request future notices regarding this application.

(vi) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

At this time Mr. Acs invited any members of the public who wish to speak to the applications to do so.

Larry Rosnuk of 62 Fraser Street addressed Council. Mr. Rosnuk advised that he had submitted a report to Council on the proposed rezoning. He would prefer to see Heavy Industrial changed to Light Industrial. He noted that the Hazard lands along the shoreline cannot be developed anyway and would like to see it left alone and protected as a bird sanctuary. He noted that it is currently the 2<sup>nd</sup> largest



nesting ground for sea gulls in Ontario. He is in favour of having the lands rezoned for Light Industrial use and noted that operations like Allied Marine are a clean Industrial use. He also asked that the decision be delayed until further input could be provided and would like to hear the comments from the NPCA.

Janet Henderson of 2199 Babion Road addressed Council. She questioned who was responsible for the rezoning proposal. Mayor Steele responded that he was responsible. He explained that the owner of Dwor Metals had requested that it be changed back to Light Industrial. Until recently the property has always been Light Industrial and in reality it can never be used for Parkland. Transport Canada will continue to keep it for marine use only.

Janet Henderson questioned whether Council is aware of the water intake risks by making it Industrial. There was some discussion about comments to be received from the NPCA. Mr. Acs advised that the NPCA is a commenting agency not an approval authority. Ms. Henderson wanted it to be noted on record that there could be possible contamination to the water supply if Heavy Industrial were to be located next to the water intake.

Lori Vanderende of 5489 Sherkston Road addressed Council. Ms. Vanderende recalled locations such as Chippawa, N-O-T-L, and Port Weller who have gone through revitalization and now benefit from having cleaned up their waterways and developing their tourism industry. She is a water advocate and warned about the Walkerton experience. She noted how Cleveland now has a beautiful conservation area. She questioned why it is only Port Colborne that has an Industrial problem. She is opposed to rezoning the land to industrial and is in favour of tourism and conservation efforts.

Keith Barre of 201 Mitchell Street addressed Council and advised that he was just there as an observer.

Art Stead of 5 Maple Street addressed Council. Mr. Stead was Director of Parks and Recreation for 26 years. He is opposed to changing the property back to any kind of Industrial use and would like to keep it as Parks and Open Space. He believes there is always room for improvement and also has concerns about the drinking water and its proximity to the water intake. He is concerned about the dust problem which has existed since 1969. He asked that Council postpone their decision and would like to see proper testing on the drinking water.

Councillor Desmarais asked that the following motion be brought forward at this time.

**No. 81**            Moved by Councillor A. Desmarais  
                          Seconded by Councillor G. Bruno

That the application to rezone the property located at 170 Welland Street

be separated from the Transport Canada lands and City-owned lands on Lake Road; and

That the application to rezone the Transport Canada lands and City-owned lands on Lake Road be postponed for 3 to 4 months so that further public and agency comments can be received; and

That the uses of a Medical Marihuana Production Facility and Adult Oriented Entertainment Establishment in the Industrial zones be removed from this application.

Glen Hamilton of 217 Welland Street addressed Council. Mr. Hamilton is opposed to rezoning the Dwor property to Light Industrial. Scott Luey provided some background information on the Dwor property and explained that a decision will not be made this evening. Mr. Hamilton acknowledged Mr. Dwor's situation but still did not want the land rezoned as Industrial. He wants to keep it as Parkland and have it as a buffer between the canal and residential lands. He would like to have the area known as the Nickel Beach community.

Councillor Bruno and Mr. Acs then had a brief discussion on the extent of the Transport Canada lands and Mr. Dwor's property.

(vii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF  
PASSAGE OF THE ZONING BY-LAW AMENDMENT

Mr. Acs then advised that if anyone wishes "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."

(viii) EXPLANATION OF FUTURE MEETINGS

Mr. Acs advised that this concludes the PUBLIC HEARING UNDER THE PLANNING ACT. The proposed Zoning By-law Amendment will be placed on Council's agenda at a future meeting.

**No. 82** Moved by Councillor A. Desmarais  
Seconded by Councillor M. Bagu

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

Application for Zoning By-law Amendment

Planning and Development Department, Planning Division, Report No. 2019-66 Subject: Public Meeting Report for Zoning By-law Amendment, D14-02-19, 45-53 West Side Road

(i) Purpose of Meeting:

Mr. Acs advised that the purpose of this meeting, pursuant to Sections 34 of the Planning Act, is to consider an application initiated by agent John Redekop for owner Terry St Amand for the property legally known as Block A on Plan 69/NP828, in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 45-53 West Side Road.

The application for Zoning By-law Amendment proposes to change the zoning from Commercial Plaza to CP-50, a special provision adding a motor vehicle gas station and a car wash as permitted uses to the property.

(ii) METHOD OF NOTICE

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

The Notice of Public Meeting was circulated to required agencies, and property owners within 120 metres of the property on April 18th, 2019. Public notice signs were posted on the properties by April 23rd, 2019. A public notice was also posted on the City's website on April 18th, 2019.

Staff hosted a public open house on April 30th 2019. No members of the public attended the meeting.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Acs advised that the procedure to be followed this evening will be to present DEPARTMENT OF PLANNING & DEVELOPMENT REPORT 2019-66, 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 to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF APPLICATION FOR ZONING BY-LAW AMENDMENT

At this time, Mr. Acs presented Planning and Development Public Hearing Report 2019-66.



The subject property is located at the south-west corner of West Side Road and Main Street West and is presently occupied by a commercial plaza. Surrounding landuses include commercial, across Main Street West, institutional and park, across West Side Road, and park and residential to the south and southwest.

The City of Port Colborne's Official Plan designates the property as Commercial Plaza. Land uses in the Commercial Plaza designation include retail stores; offices; restaurants; service businesses; movie theatres; and places of amusement or recreation.

The subject property is zoned Commercial Plaza. The Commercial Plaza zone permits Animal Care Establishment; Day Care; Drive-Thru Facility; Existing Motor Vehicle Gas Station; Existing Motor Vehicle Repair Garage; Medical Clinic; Office; Personal Service Business; Place of Worship; Public Use; Recreation Facility; Restaurant, Fast Food; Restaurant, Full-Service; Restaurant, Take-Out; Retail Store; Service Commercial; Studio; Veterinary Clinic; and Uses, structures and buildings accessory thereto.

The applicant is seeking to add a motor vehicle gas station and car wash to the permitted uses on the property. The zone only allows existing motor vehicle gas stations, meaning establishing a new existing motor vehicle gas station requires a zoning by-law amendment.

The application for Zoning By-law Amendment proposes to change the zoning from Commercial Plaza to CP-50, a special provision adding a motor vehicle gas station and a car wash as permitted uses to the property. Special provisions are also being sought to reduce the corner side yard setback, parking requirements and minimum landscape area. These changes are being sought to build a motor vehicle gas station, car wash and two new commercial structures on this property.

The applicant would like to add a motor vehicle gas station, car wash and additional commercial units to the property, which requires the zoning change to add uses, reduce setbacks and parking requirements.

Mr. Acs then provided a summary of the submitted written comments:

Ritesh Malik, 599 Main Street West

- Concerns about lower growth rate in Port Colborne and ability to absorb new commercial uses.
- Concerns about potential competition from new gas station across the street from a gas station currently being built. Expensive construction costs have reduced profitability.
- Competing businesses in close proximity will make further commercial developments at 599 Main Street West difficult.
- Strongly opposed to zoning by-law amendment.

City and Agency CommentsDrainage Superintendent

- No Concern.
- 

Regional Municipality of Niagara

- Not opposed.

## (v) COMMENTS OF APPLICANT

At this time, Mr. Acs invited the applicant to comment.

Michael Allen of ACK Architects addressed Council. Mr. Allen provided some background information pertaining to the development. The site is currently underutilized and this development will improve and provide additional commercial services to the site. The side yard setback is not extensive and the addition of landscape coverage will improve the look of the property. Port Colborne's current parking requirements are more restrictive than St. Catharines and Niagara Falls. Instead of a large asphalt parking lot the added business and landscaping will be an improvement.

## (vi) QUESTIONS OF CLARIFICATION TO PLANNING STAFF/APPLICANT

At this time, Mr. Acs asked if there any questions of clarification for myself.

As there was no further discussion Mr. Acs then read the following cautionary statements into the record:

"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." And;

"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 also advised that for any interested members of the public there is a sign-in sheet located at the back of the room to request future notices regarding this

application.

(vii) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

Nil.

(viii) ANNOUNCEMENT RESPECTING WRITTEN NOTICE OF  
PASSAGE OF THE ZONING BY-LAW AMENDMENT

Mr. Acs then advised if anyone wishes “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 this concludes the PUBLIC HEARING UNDER THE PLANNING ACT. The proposed Zoning By-law Amendment will be placed on Council’s agenda at a future meeting.

7. Adjournment

**No. 83** Moved by Councillor H. Wells  
Seconded by Councillor G. Bruno

That the Council meeting be adjourned at approximately 8:10 p.m.  
CARRIED.

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William C. Steele  
Mayor

---

Amber LaPointe  
City Clerk

Minutes prepared by the Department of Planning and Development.

/hm



Proposed Official Plan and Zoning  
By-law Amendment for  
170 Welland Street, City Lands on Lake  
Road and Transport Canada Lands on  
the East Side of the Welland Canal

File: D09-01-19 & D14-03-19

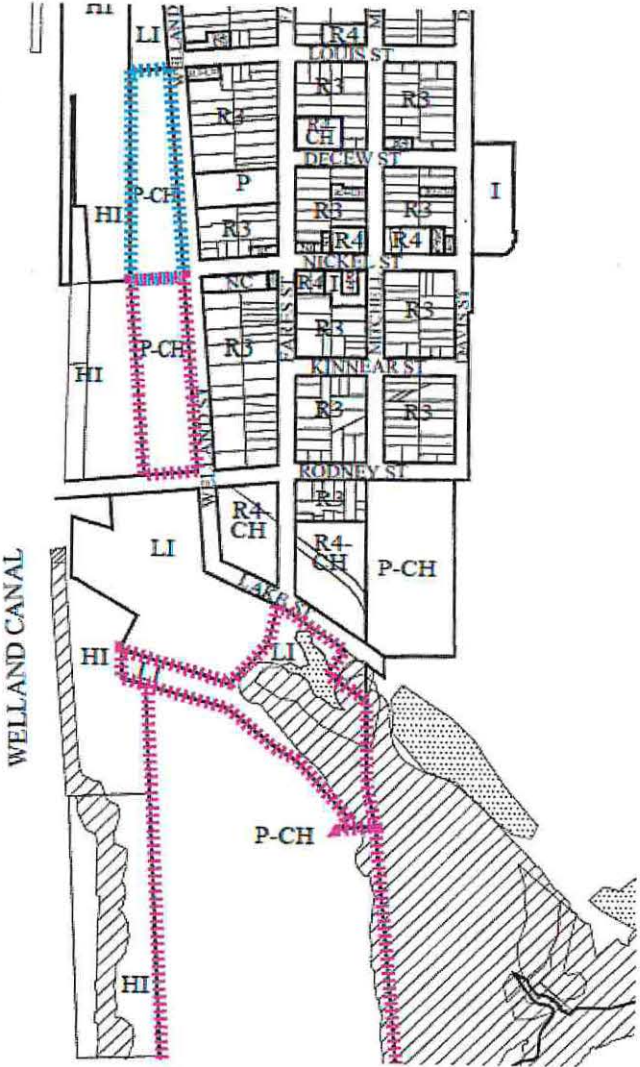
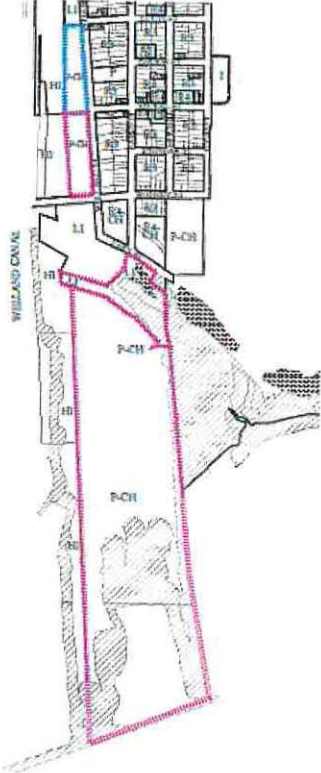
# Location & Context







# Current Zoning



## Purpose of Application

- At its January 28th, 2019 meeting Council provided the following direction to staff:

“That Planning and Development staff be directed to bring forward applications under the Planning Act to propose changes in land use for certain properties within the East Waterfront Secondary Plan Area that are federally and privately owned from Parks and Open Space to Industrial/Employment purposes.”

## Purpose of Application

- The application for Official Plan Amendment proposes to change the designation of these lands in the East Waterfront Secondary Plan from “Parks and Open Space” to “Industrial Areas”.
- The application for Zoning By-law Amendment proposes to change at the zoning at 170 Welland Street from “P-CH” (Public and Park with Conversion Holding) to “Light Industrial”. The zoning for Transport Canada lands will change from “P-CH” to “Heavy Industrial”. The zoning for the City-owned land on Lake Road will change from “Light Industrial” to “Heavy Industrial”.



# Public Comments

- Comments have been received from:

- Larry Rosnuk, 62 Fraser Street
- Debbie Gravelle, 177 Welland Street
- Tina Whitwell, 83 Welland Street
- Loretta Vanderhoeck, 117 Fares Street
- Glenn Hamilton, 217 Welland Street
- Michael Tenszen, 2-576 Fielden Avenue
- David Henderson, no address given
- Tracy Pybus, 187 Oakwood Street
- Tina Gifford, no address given
- Linda and Harry Talving, no address given
- Ines Cohrs Mundt, 35 Canal Bank Road
- H Stengel, 192 Fares Street
- Leo Talving, no address given
- Barbie Horton, no address given
- Irene Sinko, 196 Fares Street
- Catharine Parry, no address given
- Mitch Carriere, 173 Welland Street
- Robert Szabari, 131 Welland Street

# City and Agency Comments

- Drainage Superintendent
  - No Concern.
- Regional Municipality of Niagara
  - Requested extension for submitting comments.

# Proposed Zoning By-law Amendment for 45-53 West Side Road

Owner: Terry St Amand

Agent: John Redekop & Michael Allen

File: D14-02-19



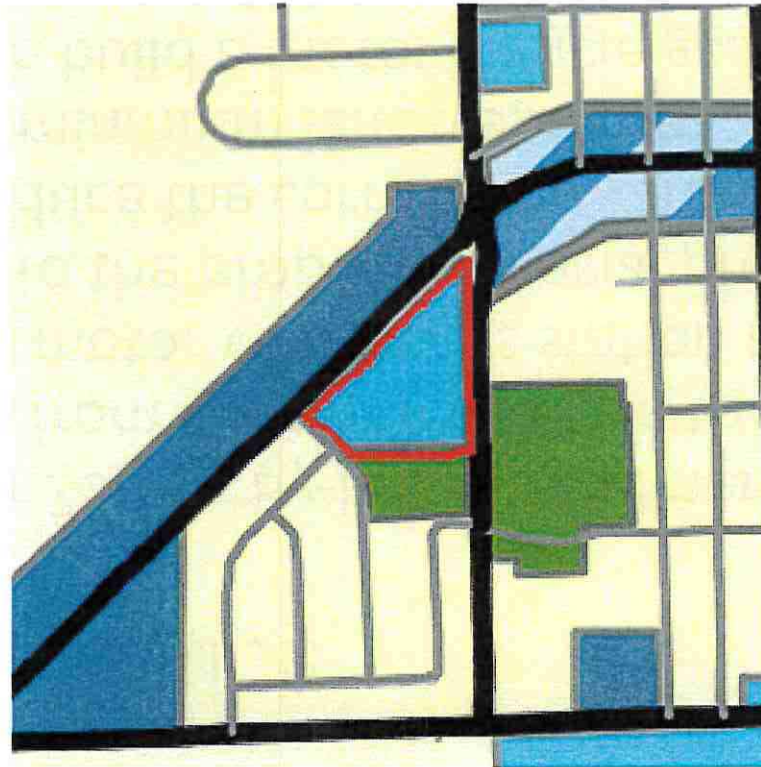
# Location & Context



## Purpose of Application

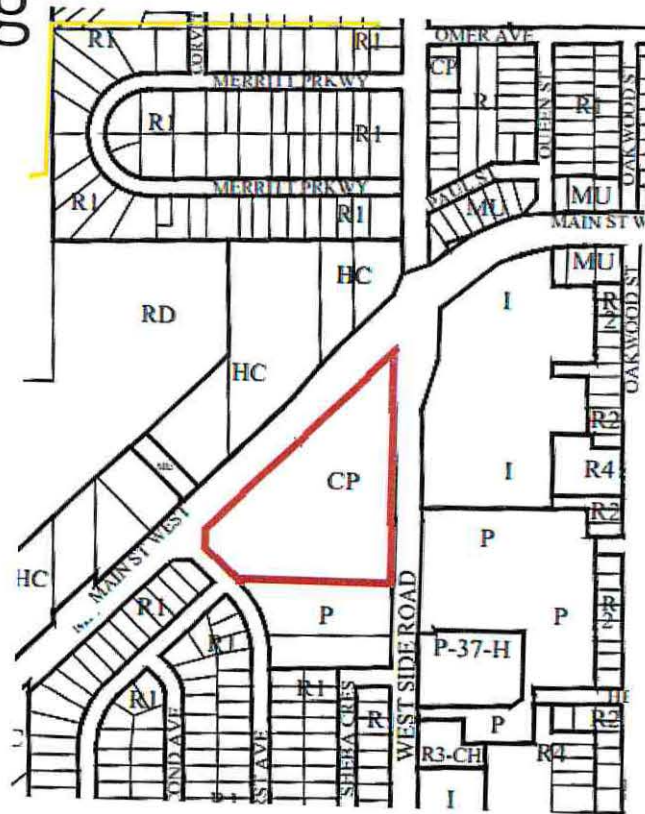
- The application for Zoning By-law Amendment proposes to change the zoning from Commercial Plaza to CP-50, a special provision adding a motor vehicle gas station and a car wash as permitted uses to the property. Special provisions are also being sought to reduce the corner side yard setback, parking requirements and minimum landscape area. These changes are being sought to build a motor vehicle gas station, car wash and two new commercial structures on this property.

# Current Official Plan Designation





# Current Zoning



# Public Comments

- Ritesh Malik, 599 Main Street West
  - Concerns about lower growth rate in Port Colborne and ability to absorb new commercial uses.
  - Concerns about potential competition from new gas station across the street from a gas station currently being built. Expensive construction costs have reduced profitability.
  - Competing businesses in close proximity will make further commercial developments at 599 Main Street West difficult.
  - Strongly opposed to zoning by-law amendment.

# City and Agency Comments

- Drainage Superintendent
  - No Concern.
- Regional Municipality of Niagara
  - Not opposed.



MAY 13 2019

CORPORATE SERVICES  
DEPARTMENT

Attn: Amber LaPoint,  
City Clerk,  
66 Charlotte Street,  
Port Colborne, ON,  
L3K 1E3  
May 13 2019

Response to:

The Proposed Official Plan & Zoning By-Law Amendment 170 Welland Street,  
City Land on Lake Road  
And Transport Canada Lands  
Files 009-01-19 & D14-03-19  
From: Larry Rosnuk  
62 Fraser Street,  
Port Colborne,  
ON L3k 1E3



Section 224 of the Municipal Act 2001 states:

It is the role of council,

- a) to represent the public and to consider the well-being and interests of the municipality;
- b) to develop and evaluate the policies and programs of the municipality;
- c) to determine which services the municipality provides;
- d) to ensure that administrative practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- d) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- e) to maintain the financial integrity of the municipality; and
- f) to carry out the duties of council under this or any other Act.

#### Role of Head of Council

The mayor is head of council and presides as the chair at all meetings of council.

Section 225 of the Municipal Act 2001 states:

It is the role of the head of council,

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- d) without limiting to clause (c), to provide information and recommendations to the council with respect to the role of council as described in clauses 224 (d) and (d.1);
- d) to represent the municipality at official functions; and
- e) to carry out the duties of the head of council under this or any other Act.



Port Colborne

East

Waterfront Community

Improvement Plan and

Draft Secondary Plan March 2012

[http://portcolborne.ca/fileBin/library/East%20Waterfront%20CIP%20-%20FINAL%20VERSION%20\(high%20res\).pdf](http://portcolborne.ca/fileBin/library/East%20Waterfront%20CIP%20-%20FINAL%20VERSION%20(high%20res).pdf)



Motion by Councillor Beauregard Re:  
Rezoning of **Certain** lands within the East  
Waterfront Secondary Plan Area to  
Industrial/Employment Purposes

That Planning and Development staff be  
directed to bring forward applications under  
the Planning Act to propose changes in land  
use for **certain** properties within the East  
Waterfront Secondary Plan Area that are  
federally and privately owned from Parks  
and Open Space to Industrial/Employment  
purposes.

Note: Notice of Motion was given at the  
January 14, 2019 Council meeting.

CARRIED  
REGULAR MEETING 04-19  
JAN 28 2019

*certain* | 'sɜːtn|

adjective

1 *known for sure; established beyond doubt: it's certain that more changes are in the offing* | *she looks certain to win an Oscar.*

• *having complete conviction about something; confident: are you absolutely certain about this?* | *true and certain knowledge of the essence of existence.*

2 [attrib. ] *specific but not explicitly named or stated: he raised certain personal problems with me* | *the exercise was causing him a certain amount of pain.*

• *used when mentioning the name of someone not known to the reader or hearer: a certain General Percy captured the town.*  
pronoun (**certain of**)

*some but not all: certain of his works have been edited.*

**Abuse of process** is a cause of action in tort arising from one party making misusing or perversion of regularly issued court **process** (civil or criminal) not justified by the underlying **legal** action. It is a common **law** intentional tort.

"[A]buse of process (is) the intentional use of legal process for an improper purpose incompatible with the lawful function of the process by one with an ulterior motive in doing so, and with resulting damages."



## **Section 27: Heavy Industrial Zone (HI)**

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### **27.1 General**

- a) No person shall use any lot or erect, alter or use any building or structure in any Heavy Industrial (HI) Zone except in accordance with the applicable provisions of Sections 2, 3 and 27.
- b) In addition to Section 27.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

### **27.2 Permitted Uses - Principal**

- a) Adult Entertainment Establishment;
- b) Bulk Fuel Depot
- c) Car Wash;
- d) Contractor's Yard;
- e) Crematorium;
- f) Education Facility;
- g) Heavy Equipment Sales and Service;
- h) Industry, Heavy;
- i) Industry, Light;
- j) Medical Marihuana Production Facility;
- k) Motor Vehicle Repair Garage;
- l) Public Uses;
- m) Research Facility;
- n) Transportation Depot; and
- o) Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades

### **27.3 Permitted Uses – Accessory**

- a) Food Vehicle;
- b) Office;
- c) Retail Store;

- d) Restaurant, Fast-Food;
- e) Restaurant, Full-Service; and
- f) Restaurant, Take-Out

#### 27.4 Zone Requirements

- a) Minimum Lot Frontage 30 metres
- b) Minimum Front Yard 7.5 metres
- c) Minimum Front Yard abutting a Residential or Agricultural Zone 15 metres
- d) Minimum Interior Side Yard 10 percent of lot frontage or 3 metres, whichever is less
- e) Minimum Interior Side Yard abutting a Residential or Agricultural Zone 15 metres
- f) Minimum Interior Side Yard abutting a Railroad or Hydro Right-of-Way 1.5 metres
- g) Minimum Rear Yard 8 metres
- h) Maximum Building Height 11 metres
- i) Maximum Building Height abutting a Residential Zone 8 metres
- j) Outside Storage is permitted only in the rear yard and interior side yard.
- k) The gross floor area of the permitted accessory use(s) shall not exceed 15% of the total gross floor area of the principal use(s) on the lot.
- l) Corner walls facing a public road shall not be constructed of concrete blocks unless the blocks are decorative masonry units; or used in a decorative pattern or surfaced with stucco; or with a permanent coloured finish which does not include paint.
- m) In addition to the general parking provisions of Section 3 of this By-law all parking areas in the front yard and/or corner side yard shall be:
  - i) Paved with concrete or asphalt;
  - ii) Defined by poured concrete curbing; and

- iii) Clearly marked with pavement markings for each parking space
- n) Vehicle wash bays other than those located entirely within an enclosed building are not permitted in a yard abutting a Residential use.
- o) Outdoor storage and outdoor processing is subject to the provisions outlined in Section 2.18 and the following:
  - i) Outdoor storage and outdoor processing is not permitted in any yard that abuts a highway or an arterial collector road;
  - ii) No outdoor scrap yard, recycling storage yard or outdoor processing shall be located closer than 150 metres to any Residential use;

### 27.5 Additional Zone Requirements – Medical Marihuana Production Facility

- a) Minimum Lot Frontage 30 metres
- b) Maximum Lot Coverage
  - i) Lots less than 5 hectares 30 percent
  - ii) Lots 5 hectares to 10 hectares 10 percent
  - iii) Lots greater than 10 hectares 5 percent
- c) Minimum Front Yard 30 metres
- d) Minimum Interior Side Yard 16 metres
- e) Minimum Corner Side Yard 30 metres
- f) Minimum Rear Yard 30 metres
- g) Minimum Separation to Sensitive Land Use 150 metres
- h) Where a lot line of a lot containing a Medical Marihuana Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a planting strip having a minimum width of 1.5 metres, measured perpendicularly to said lot line.
- i) Outside storage of goods, materials or other supplies is not permitted.
- j) Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and



maintained adjacent to every portion of any lot line that abuts a sensitive land use.

- k) 1 parking space shall be provided for every employee on the largest shift.
- l) Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells.

9/37

9/37

## **Section 26: Light Industrial Zone (LI)**

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### **26.1 General**

- a) No person shall use any lot or erect, alter or use any building or structure in any Light Industrial (LI) Zone except in accordance with the applicable provisions of Sections 2, 3 and 26.
- b) In addition to Section 26.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

### **26.2 Permitted Uses - Principal**

- a) Adult Oriented Entertainment Establishment;
- b) Car wash;
- c) Contractor's Yard;
- d) Crematorium;
- e) Education Facility;
- f) Industry, Light;
- g) Medical Marihuana Production Facility;
- h) Motor Vehicle Repair Garage;
- i) Public Use;
- j) Research Facility;
- k) Transportation Depot; and
- l) Uses, structures and buildings accessory thereto and does not include obnoxious, dangerous or offensive trades

### **26.3 Permitted Uses – Accessory**

- a) Food Vehicle;
- b) Office;
- c) Retail Store;
- d) Restaurant, Fast-Food;
- e) Restaurant, Full-Service; and
- f) Restaurant, Take-Out

## 26.4 Zone Requirements

- a) Minimum Lot Frontage 30 metres
- b) Minimum Front Yard 7.5 metres
- c) Minimum Front Yard abutting a Residential or Agricultural Zone 15 metres
- d) Minimum Interior Side Yard 10 percent of lot frontage or 3 metres, whichever is less
- e) Minimum Interior Side Yard abutting a Residential or Agricultural Zone 15 metres
- f) Minimum Interior Side Yard abutting a Railroad or Hydro Right-of-Way 1.5 metres
- g) Minimum Rear Yard 8 metres
- h) Maximum Building Height 11 metres
- i) Maximum Building Height abutting a Residential Zone 8 metres
- j) Outside Storage is permitted only in the rear yard and interior side yard to a maximum of 10 percent of the total gross floor area on the lot.
- k) The gross floor area of the permitted accessory use(s) shall not exceed 30% of the total gross floor area of the principal use(s) on the lot.
- l) Corner walls facing a public road shall not be constructed of concrete blocks unless the blocks are decorative masonry units; or used in a decorative pattern or surfaced with stucco; or with a permanent coloured finish which does not include paint.
- m) In addition to the general parking provisions of Section 3 of this By-law all parking areas in the front yard and/or corner side yard shall be:
  - i) Paved with concrete or asphalt;
  - ii) Defined by poured concrete curbing; and
  - iii) Clearly marked with pavement markings for each parking space
- n) Vehicle wash bays other than those located entirely within an enclosed building are not permitted in a yard abutting a Residential use.



- o) Outdoor storage is subject to the provisions outlined in Section 2.18 and the following:
  - i) Outdoor storage is not permitted in any yard that abuts a highway or an arterial collector road;
  - ii) No outdoor scrap yard, recycling storage yard or outdoor processing shall be located closer than 150 metres to any Residential use.

**26.5 Additional Zone Requirements – Medical Marihuana Production Facility**

- a) Minimum Lot Frontage 30 metres
- b) Maximum Lot Coverage
  - i) Lots less than 5 hectares 30 percent
  - ii) Lots 5 hectares to 10 hectares 10 percent
  - iii) Lots greater than 10 hectares 5 percent
- c) Minimum Front Yard 30 metres
- d) Minimum Interior Side Yard 16 metres
- e) Minimum Corner Side Yard 30 metres
- f) Minimum Rear Yard 30 metres
- g) Minimum Separation to Sensitive Land Use 150 metres
- h) Where a lot line of a lot containing a Medical Marihuana Production Facility abuts a sensitive land use, then that part of said lot directly adjoining such lot line shall be used for no purpose other than a planting strip having a minimum width of 1.5 metres, measured perpendicularly to said lot line.
- i) Outside storage of goods, materials or other supplies is not permitted.
- j) Where a building or structure consists of more than 40% glass and where artificial lighting is required an opaque fence shall be provided and maintained adjacent to every portion of any lot line that abuts a sensitive land use.
- k) 1 parking space shall be provided for every employee on the largest shift.

- I) Servicing for the facility shall be designed by a Qualified Professional, identifying the source of irrigation water, water quantities required and the effects of same on the groundwater table and nearby wells.

## Section 32: Public and Park (P)

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### 32.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Public and Park (P) Zone except in accordance with the applicable provisions of Sections 2, 3 and 32.
- b) In addition to Section 32.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

### 32.2 Permitted Uses

- a) Cemetery;
- b) Community Garden;
- c) Conservation Use;
- d) Cultural Facility;
- e) Food Vehicle;
- f) Park;
- g) Public Use;
- h) Recreation Use; and
- i) Uses, structures and buildings accessory thereto

### 32.3 Zone Requirements

- |                               |   |
|-------------------------------|---|
| a) Minimum Lot Frontage       | no minimum  |
| b) Minimum Lot Area           | no minimum  |
| c) Minimum Front Yard         | 8 metres  |
| d) Minimum Lot Depth          | no minimum  |
| e) Minimum Interior Side Yard | 4.5 metres or half the height of the building, whichever is greater |
| f) Minimum Corner Side Yard   | 7.5 metres  |
| g) Minimum Rear Yard          | 7.5 metres  |
| h) Maximum Lot Coverage       | 20 percent  |

- i) Maximum Height no maximum
- j) Minimum Landscaped Open Space 30 percent

~~10~~  
15/37



## Section 35: Hazard Zone (H)

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### 35.1 General

- a) No person shall use any lot or erect, alter or use any building or structure in any Hazard (H) Zone except in accordance with the applicable provisions of Sections 2, 3 and 35.
- b) In addition to Section 35.1 (a), any lot may be subject to additional regulations or restrictions by the City, upper tier government or agencies as indicated in Section 1.3.

### 35.2 Permitted Uses

- a) Boat House;
- b) Boat Ramp;
- c) Conservation Uses;
- d) Dock;
- e) Existing Agricultural Uses, excluding buildings and structures;
- f) Flood and Erosion Protection Works;
- g) Forestry Uses;
- h) Passive Recreation Use; and
- i) Public Use

### 35.3 Zone Requirements

- a) Where a Hazard Zone is shown on the Maps in Section 39, it includes hazards associated with the Lake Erie Shoreline, such as flooding, erosion or dynamic beach hazards as per the Niagara Peninsula Conservation Authority's Regulation of Development, Interference with Wetlands and Alteration to Shorelines and Watercourses O. Reg 1-55/05.
- a) Notwithstanding the permitted uses, where a lot is subject to a Hazard Zone, no uses and no buildings or structures or an expansion to an existing building or structure shall be permitted until a permit for development or site alteration is issued by the Niagara Peninsula Conservation Authority.
- b) Minimum Lot Frontage as existing
- c) Minimum Lot Area as existing
- d) Minimum Front Yard 15 metres

- e) Minimum Side Yard 7 metres
- f) Minimum Rear Yard 7 metres except the minimum rear yard shall be 30 metres from the 1 in 100 year flood line as determined by the Niagara Peninsula Conservation Authority

**35.4 Additional Zone Requirements – Boat House, Boat Ramp, Dock**

- a) Minimum Rear Yard No minimum



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The Great Lakes—Michigan, Superior, Huron, Erie, and Ontario—form the largest-surface freshwater system in the world, together holding nearly one-fifth of the Earth's surface freshwater. The Great Lakes have over 10,000 miles (16,000 kilometers) of shoreline and serve as a drain for more than 200,000 square miles of land, ranging from forested areas to agricultural lands, cities, and suburbs.

The Great Lakes watershed includes some of North America's more fascinating wildlife, such as the [gray wolf](#), [Canada lynx](#), [moose](#), and [bald eagle](#). The lakes

themselves are home to numerous fish, including lake whitefish, walleye, muskellunge, and trout. Millions of migratory birds pass through the region during their spring and fall migrations.

Climate change has the potential to profoundly influence water supply and its quality for the Great Lakes from the surrounding watershed. To maintain healthy lakes it will be important to monitor and manage impacts in the watershed, such as storm surge inputs and erosion. The altering of hydrological cycles by global warming may even require that stormwater and wastewater treatment infrastructures are redesigned or upgraded.

The Great Lakes Regional Collaboration process recommended major restoration of the Great Lakes at a cost of about \$20 billion over five years. If implemented, this could result in \$80-\$100 billion in short and long-term economic benefits to the regional and national economies and is a worthy cause. However, to be effective, these assessments and the restoration efforts must take into account climate change.

### *Great Lakes Regional Center*

Since 1982, the National Wildlife Federation's [Great Lakes Regional Center](#) has been a leader in protecting the Great Lakes for the wildlife and humans that depend on this invaluable resource. The Great Lakes Regional Center does [important work](#) to protect and improve the area in many ways, with focuses on:

- [restoring the Great Lakes](#)
- stopping invasive species
- safeguarding the Great Lakes from the effects of climate change
- [reducing the pollution causing climate change](#)
- defending the Great Lakes from oil pipeline spills
- saving Lake Superior from sulfide mining
- sustaining healthy lake levels and flows of water
- [guarding water quality](#)
- improving the environments where people live
- [connecting kids with nature](#)
- revitalizing the Huron River Corridor in Southeast Michigan



## Port Colborne (breakwater and mainland) (ON019)

Port Colborne, Ontario

Latitude 42.871°N

Longitude 79.256°W

Altitude 175m

Area 2.00km<sup>2</sup>

### Site Description

Port Colborne is located on the northern shore of Lake Erie at the eastern end of the Lake. The site is comprised of colonies at two locations: on a breakwater, which is located 1 km offshore, to the southwest of the mouth of the Welland Canal; and on a landfill at the southernmost tip of the Algoma Property on the immediate east side of the mouth of the Welland canal.

Construction of the breakwater started in 1901 in association with the operation of the third Welland Canal (part of the St. Lawrence Seaway System). In 1903, a lighthouse was built at the east end of the structure, and a helipad was constructed close by in 1987. The breakwater is about 700 m long east-west, with a south arm about 400 m long. A pile of loosely scattered limestone boulders and gravel occurs at the intersection of the two arms. The mainland site is a human-created landfill stretching along the east side of the Welland Canal. It has a rock base, and a thin layer of organic material that supports grass and other herbaceous plants.

### Birds

Large numbers of Common Terns and Ring-billed Gulls nest at these two colonies. The Common Terns are restricted to the Breakwater site, while the Ring-billed Gulls nest at both locations. A peak of 1,311 pairs of Common Terns was recorded at the breakwater site in 1987; however, a major storm on 5 December 1987 washed all of the nesting material into the lake, leaving behind bare concrete slabs. Rock and gravel material was hand-shoveled from the rock pile and redistributed along the east arm in subsequent years. The numbers of nesting terns dropped slightly after this event, with the long term average (over 14 years) being about 1,000 pairs (over 2% of the estimated North American breeding population).

The Ring-billed Gulls nest primarily on the mainland site. In 1990, 48,590 pairs were estimated there, along with 2,500 pairs on the breakwater. This may represent as much as 5% of the estimated North American breeding population.

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In addition to Ring-billed Gulls and Common Terns, about 175 pairs of Herring Gulls nest at the colonies, and in 1997 a pair of Great Black-backed Gulls nested there for the first time.

### **Conservation Issues**

The Common Tern and Ring-billed Gull colonies at Port Colborne are the subject of a long term study being undertaken by researchers from Brock University in St. Catharines. The main threats to the colonies are human disturbance and substrate alteration. In addition, the Common Terns are especially susceptible to pressure from the Ring-billed Gulls; in particular the occupation of suitable nesting habitat, as well as egg and chick predation. Despite intense management, the Ring-billed Gulls appear to be gaining control of the Common Tern nesting areas. The number of nesting tern pairs was below 600 (21 May 1998) for the first time since the late 1970s. Management of the breakwater colony is being supervised by researchers from Brock University.

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## BIRD PROTECTION LAWS

- [ARTICLES](#)

By Ron Pittaway

This article first appeared in *OFO NEWS* 12: 3, October 1994 and was updated in July, 2001. Posted 8 September 2006 to *Ontbirds* and *BirdChat*. Revised 14 September 2006.

Which laws protect birds? What is prohibited? Who enforces bird laws? What are the penalties? In Canada, jurisdiction over birds is divided between the federal and provincial governments. Here is a summary of the federal and provincial laws that protect and regulate the use of birds in Ontario.

Please contact Ron if you have further questions. Ron Pittaway, 9 Lichen Place, Toronto ON M3A 1X3, or [send an email](#).

## **MIGRATORY BIRDS CONVENTION ACT (FEDERAL) TOP**

This is the most important law protecting birds in Canada. Most birds in Ontario are protected by this Act. The *Migratory Birds Convention Act (MBCA)* was completely updated for the first time in June 1994. The new Act strengthens the enforcement provisions and significantly increases the penalties. The original *MBCA* was passed in 1917 to meet the terms of an agreement signed with the United States to protect birds such as waterfowl and shorebirds, which were being subjected to uncontrolled hunting. Also included were "good" birds such as most songbirds, considered beneficial to humans because they eat insects and weed seeds. However, birds deemed at that time to be vermin or harmful to humans such as hawks, owls, crows and cormorants were left under provincial jurisdiction.

The name "Migratory" is somewhat misleading because some migratory birds like the Merlin are *not* protected by the *MBCA* while some non-migratory species like the Downy Woodpecker are! The birds covered by the *MBCA* in Ontario are: loons, grebes, shearwaters, fulmars, storm-petrels, gannets, anhingas, herons, bitterns, ibises, storks, swans, geese, ducks, rails, gallinules, coots, cranes, shorebirds, jaegers, gulls, terns, skimmers, alcids, pigeons, doves (except Rock Dove), cuckoos, goatsuckers, swifts, hummingbirds, woodpeckers, tyrant flycatchers, larks, swallows, titmice, chickadees, nuthatches, creepers, wrens, kinglets, gnatcatchers, thrushes, mockingbirds, thrashers, catbirds, pipits, silky-flycatchers, shrikes, vireos, wood warblers, tanagers, cardinals, sparrows, buntings, meadowlarks, bobolinks, orioles and finches.

The *MBCA* generally does not protect introduced species such as the European Starling and House Sparrow. See the *Fish and Wildlife Conservation Act (Ontario)* for birds regulated by the province.

Except under the authority of a permit, the *MBCA* prohibits the hunting, collecting, trapping, mist-netting and banding of birds, the collecting of eggs and nests, the possession of birds found dead, and the keeping of captive birds. Permits to possess or collect migratory birds are issued by the Canadian Wildlife Service (CWS) but these permits are virtually impossible for an individual to obtain. However, permits are issued to agencies that work with birds such as the Ministry of Natural Resources (MNR), Canadian Museum of Nature, Royal Ontario Museum and universities. Hunters may possess or have their migratory gamebirds mounted by a taxidermist under the authority of their Migratory Bird Hunting Permit. Taxidermists must have a permit from the CWS for migratory birds. Permission for the collection or possession of provincially regulated birds for educational and scientific purposes comes from the MNR. The MNR also issues possession permits for provincial birds that died of natural causes or were killed accidentally. The *MBCA* regulates the hunting of ducks, geese, rails, American Coot, Common Moorhen, American Woodcock and Common Snipe in Ontario. Regulations governing open seasons and possession limits of migratory gamebirds are set each year. There is no hunting season for Harlequin Duck in Ontario. The decision to close the season was based on recommendations by the MNR and CWS because of its low numbers.



Enforcement of the *MBCA* in Ontario is handled jointly by the CWS, MNR and RCMP. The maximum penalties are: (1) for a corporation a \$250,000 fine and (2) for an individual a \$100,000 fine or imprisonment for five years or both.

An excellent publication entitled "Birds Protected in Canada Under the *Migratory Birds Convention Act*" is available free. Write to: Publications, Canadian Wildlife Service, Ottawa ON K1A 0H3 or phone (819) 997-1095.

## ARTICLES

By Ron Pittaway

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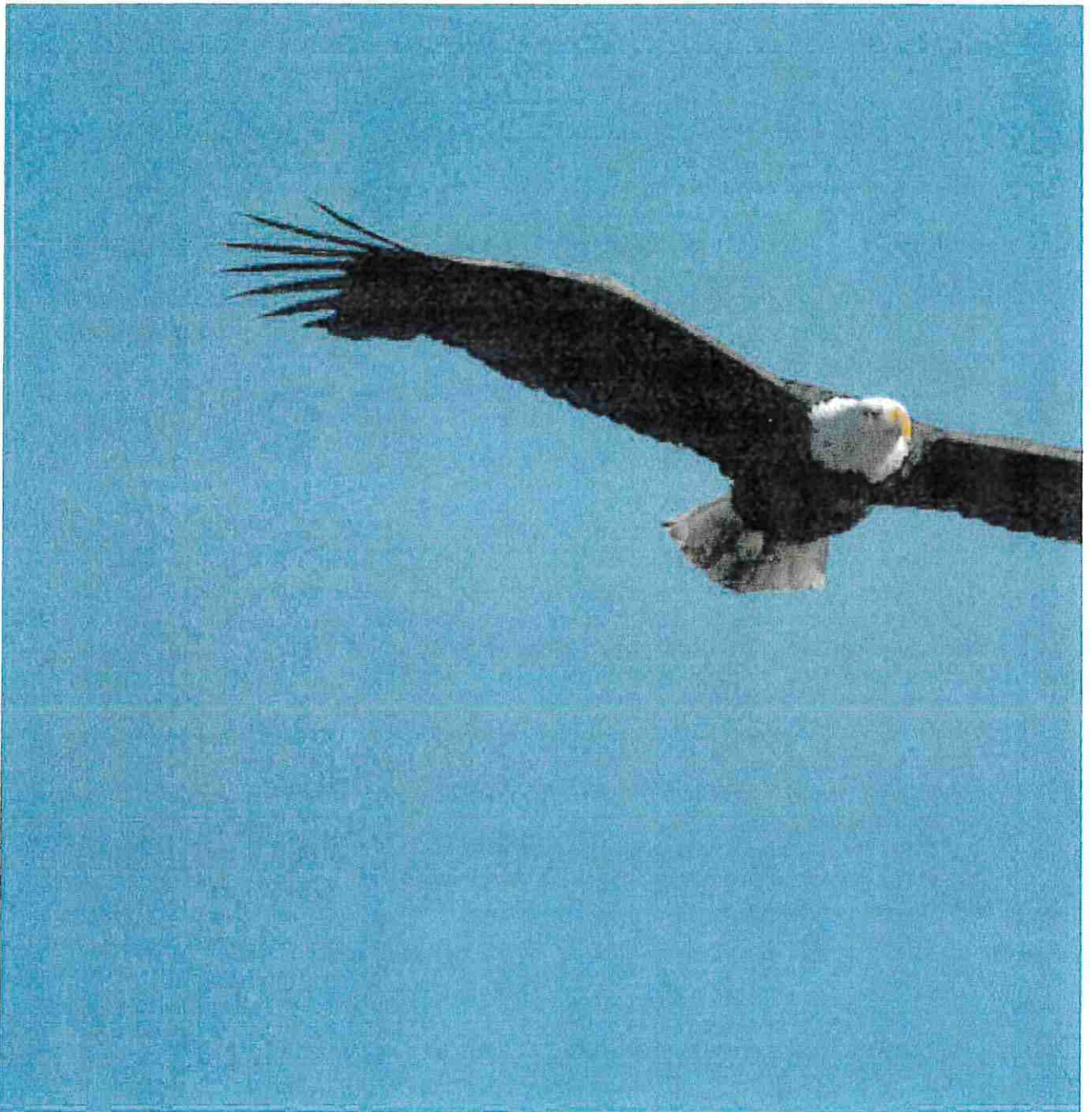
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Ontario's *Endangered Species Act (ESA)* currently protects 11 species of birds and their habitats in Ontario: American White Pelican, Bald Eagle, Golden Eagle, Peregrine Falcon, King Rail, Piping Plover, Eskimo Curlew, Loggerhead Shrike, Kirtland's Warbler, Prothonotary Warbler and Henslow's Sparrow. Under the *ESA*, it is prohibited to wilfully kill, injure or interfere with an endangered species, or to interfere with or destroy the habitat of an endangered species. Note that the habitat of an endangered species is also protected! The key word in this Act is "wilfully". Therefore to obtain a conviction, the Crown must prove that the defendant acted intentionally. Conservation Officers with the MNR are chiefly responsible for enforcement. A person convicted under the *ESA* "is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than two years, or to both". There is *no* federal *Endangered Species Act* in Canada, but one is under consideration.

In addition, the national Committee on the Status of Endangered Wildlife in Canada (Cosewic) lists Northern Bobwhite, Barn Owl, and Acadian Flycatcher as endangered in Ontario but this gives them no extra protection.





Bald Eagle

*Photo: Jeremy Ritchie*

**FISH AND WILDLIFE CONSERVATION ACT (ONTARIO) [TOP](#)**

[This Ontario law](#) generally applies only to those birds not covered by the federal MBCA. Birds protected by the *Fish and Wildlife Conservation Act (FWCA)* are: pelicans, cormorants, vultures, ospreys, kites, eagles, hawks, caracaras, falcons, partridges, pheasants, grouse, ptarmigan, turkey, quail, owls, kingfishers, jays, nutcrackers, magpies and ravens. The FWCA does not protect the following six birds or their nests and eggs in most of Ontario: American Crow, Brown-headed Cowbird, Common Grackle, Red-winged Blackbird, European Starling, and House Sparrow. However, the Act does protect these six birds in provincial parks and provincial crown game preserves. Rock Doves are also not protected because they are introduced domesticated

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birds gone feral. However, one must have a hunting licence to hunt even unprotected birds. In addition, the *FWCA* regulates the seasons and limits of gallinaceous birds; that is, partridge, pheasant, grouse, ptarmigan, turkey and quail, which may be hunted with a provincial hunting licence. Interestingly, the *FWCA* allows the killing of birds, except birds protected by the *MBCA* and the *ESA*, in defence of property. For example, farmers do not need a permit to kill a hawk attacking their chickens.

The *FWCA* prohibits the hunting, trapping and collecting of birds without the proper licence or scientific permit. Importantly, the use of poison to kill birds is strictly prohibited. Furthermore, the Act prohibits the taking or possession of eggs and nests of those species protected by the Act without a permit.

You may possess birds (but *not* birds protected by the *MBCA*) found dead that were killed by natural or accidental causes. In general, dead birds in your possession must be reported to the MNR within five working days, except birds of prey, which must be taken to the MNR for inspection within two working days. For example, if you find a dead owl hit by a car, the MNR may issue you a permit to keep the bird or to have it mounted by a taxidermist, provided an inspection shows the bird died accidentally or of natural causes. However, hunters may have their gallinaceous gamebirds mounted under the authority of their provincial hunting licence.

Enforcement of the *FWCA* is done mainly by Conservation Officers employed by the MNR. The general penalty is a fine of not more than \$25,000, to imprisonment for a term of not more than one year, or both.



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# Is Hamilton set to become king of the Great Lakes superhighway?

**More than \$3 billion dollars in cargo was handled by the port authority in 2018**

NEWS May 07, 2019 by Kathy Renwald Special to The Hamilton Spectator

Great Lakes bulk carrier freighter Ojibway sails into Hamilton Harbour through the Burlington Ship Canal in August of 2018. - Gary Yokoyama, The Hamilton Spectator

Is Hamilton about to become the kingpin in a new Great Lakes superhighway, a highway that would move cargo across the great lakes on tankers and freighters?

The epicentre of the marine transportation network would be right at the foot of James Street North in the Hamilton Port Authority building.

In February, the Federal Government announced their intent to amalgamate the Hamilton Port Authority with the Oshawa Port Authority.

That change is coming in weeks according to port authority president and CEO Ian Hamilton.

"The Hamilton Port Authority will be dissolved, the Oshawa Port Authority will be dissolved, and a new combined port authority will be created."

While that announcement caught many politicians by surprise, it was clear at the Hamilton Port Authority's annual general meeting May 3, that the HPA was pushing the federal government for this amalgamation.

"They knew what our vision was, and we advocated for this regional port model," Hamilton says.

But expansion plans could move beyond the port in Oshawa. Hamilton's port is the biggest on Lake Ontario, and the busiest on the Great Lakes, but HPA has just 50 acres of developable land, according to Hamilton.

So the HPA is also looking at bringing facilities along the Welland Canal into the regional network, and hinted at opportunity in Toronto's port.

More than \$3 billion dollars in cargo was handled by the HPA in 2018, the best year in over a decade Hamilton reported at the AGM. Much of the growth comes from the handling of agricultural products as the port continues to diversify its business from heavy reliance on steelmaking.

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While the port of Oshawa handles similar cargo, it recently lost \$4 million dollars in an arbitration award over a failed ethanol project.

Unconcerned about taking on Oshawa's debt, Hamilton says the amalgamation aligns with the HPA vision to build a Great Lakes transportation network, since "the province has no marine strategy."

It's clear the idea resonates at the federal level. Last month a federal committee looking at establishing a Canadian transportation and logistics strategy recommended increased use of the St. Lawrence Seaway, and Welland Canal as a way of moving more goods and reducing trucks on the QEW. The committee report suggested underused federal lands along the Welland Canal could be used for cargo handling as the "Port of Hamilton is at maximum capacity."

While the amalgamation of the Hamilton and Oshawa ports appears to be the beginning of a new marine network, both cities at the municipal level are jockeying for top billing. The City of Hamilton plans to ask the Minister of Transport that the new entity be called the Hamilton-Oshawa Port Authority, while Oshawa is making the same request in reverse order.

"It's up to the federal government to come up with the name," Hamilton says.

It may not be long before the big letters come off the Hamilton Port Authority building just like they did when the name was


changed from the Hamilton Harbour Commissioners. It will be another chapter of Hamilton history that began in 1912, assigned to the scrapbooks.

It's not a change that will bother most people Ian Hamilton believes.

"I don't think so, I think people are more concerned that we fulfill our mandate."



RAISING THE LIMITS?: Ontario is reviewing the speed allowed on provincial highways // CANADA & WORLD, E

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MONDAY, MAY 6, 2019

# WELLAND TRIBUNE



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DAVE JOHNSON THE WELLAND TRIBUNE

## Lake Erie reaching record levels

### Brock professor suggests people take a good look at shoreline development

DAVE JOHNSON  
The Welland Tribune

Municipalities need to start rethinking how they plan devel-

comes.

This year, she's keeping an eye on Lake Erie. She says it has hit levels not seen since records were set in 1985.

Data from the federal Canadi-

Commission, controls the outflow from the dam and was releasing water at a rate of 6,300 cubic metres per second on Saturday. It released 10,400 cubic metres per second for a two-month period in 2017 during the record high water levels.

Vasseur says there needs to be a balance between how much is

away from the shoreli- reason for that, she sa people were always w about the possibility c and associated surges

But that changed ov and people in the Mar along the lakes mover closer to the water's e they may now have



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## CONCERNS ABOUT PROPER NOTIFICATION

At the recent Port Colborne Strategic Planning Session concerns were raised about The Cities ability to properly inform the public about what the CITY IS DOING AND ABOUT WHAT THE CITY HAS TO OFFER.

I am sure that Planning did its due diligence with respect to notification but I ask was it adequate in this matter considering the methods used?

When I was handing out flyers trying to notify the residents about this matter I found out that in the area between West Street and King Street only one person had heard something about this matter but did not know anything about the issue and ALL the OTHERS many Business owners knew NOTHING AT ALL about this matter. The was even a member of the BIA who lives in the area who had heard NOTHING!

The Leader is NOT DELIVERED in the downtown core!  
How many people get the Welland Tribune? How many other agencies were sent a notice?

For example as stated in the Section 35 Hazard Zone (h) in the planning documents " The Niagara Peninsula Conservation Authority Which regulates Lake Erie Shoreline and Interference with Wetlands and Alteration to Shorelines and Watercourses. Was this agency asked for comments ?

And what about COMMENTS FROM THE REPERSENTIVES FOR

Fish and Wildlife Conservation Act, 1997, S.O. 1997, c. 41 - Ontario.ca

Navigation Protection Act - Transport Canada

Ontario Water Resources Act, R.S.O. 1990, c. O.40 - Ontario.ca

And hoe many others involved with this issue.

Why are we the APPLICANT and not the Department of Transport?  
Why are we doing the DIRTY WORK of the Federal Government?

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# WATER, WATER, WATER

THIS WAS THE RALLYING CALL OF THE FIRST DAY ON THE RECENT STRATEGIC PLANNING SESSION AND THIS WAS RECOGNIZED AS THE GREATEST ATTRIBUTE OF THE CITY OF PORT COLBORNE.

If the south end of this area was open to the public and made into a GULL SCANTUARY we would be adding to what has been decided to be our greatest asset.

We have seen recently the high water in the Great lakes reaching Record Levels and the damage that this can cause as you all well are aware of the repairs that were needed to the boat launch area.

The picture that is included, that a friend took, during a high wind event on

Tuesday, November 06, 2018.

This is a picture of the Welland Canal OVERFLOWING the West Wall around the area of the viewing platform at the south end of the Promenade.

I am certain with these new norms that the Hazard Lands in the concerned area would be GREATLY INCREASED and these lands are necessary for the e " Ebb and Flow " of the Lake to prevent erosion and flooding.

It is my FEAR that if the south end of this area is zoned Heavy Industry the large pile of material that is I would guess over 30 feet high that this material will be pushed into the lagoon in order to create more space.

Our DRINKING WATER SOURCE is downstream from this area and when the locks are closed ALL THE WATER flows down the Weir and passes in front of our water intake. The difference between Heavy Industry and Light Industry makes a great difference here.

The chance of a major contamination spill greatly increases with Heavy Industry

Do you remember the last time that we had a spill in the canal?  
Do you want the City to go through this again?

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# Liability

This of course is one of my greatest concerns.

Why are we doing THHE DIRTY WORK of the Federal Government?

Why is The City of Port Colborne the Allpicant?

Any property owner can come forward and make an application to change their zoning, all owners in this area were giver proper notification at the time when this area was changed to Parks and Open Space and HI-holding.

If they had any concern that was the time to make their voices heard.

What's the expression " USE IT OR LOSE IT " ?

As the APPLICANT, I wonder if as the enabler to this change if we will not be held liable for future damages due to pollution, flooding, erosion and degradatation of quality of life.

The example that comes to mind: if I throw a party and I supply the alcohol and one of my guests drinks too much and gets into an accident and causes bodily harm not only is **he held responsible but so am I**.

I certainly believe that this is part of the so-called Great Lakes Superhighway / Marine Transportation Corridor, presently being pushed by the Federal Government, we are being Federally motivated with POLITICAL INTERFERENCE!

Why are they not the APPLICANT?

And are we going to be holding the bag?

## JOBS, JOBS, JOBS

Part of the original motion mentioned Employment purposes, and what community does not want employment In fact it is the rallying cry of all politicians " **I will create more jobs** " But the real question is what kind of jobs?

The main driver of the economy is HOUSING and CONSUMERISM and the main driver of employment is small business.

A prime example of this in Port Colborne is Allied Marine on the east side.

### **A LIGHT INDUSTRY.**

They own their property and they provide very good high skilled employment, they take pride in their work and property. There is NO junk outside and their work space is clean, modern and they have the latest in technology for their industry.

This is what we want in Port Colborne !

We should hold up a banner " **PORT COLBORNE OPEN FOR MARINE LIGHT INDUSTRY** "

We should NOT expand heavy industry and we should Not encourage more. Port Colborne deserves better! The heavy industry that we now have is creating enough problems and they seem not to be able control the nuisance that they now cause.

## TAXES

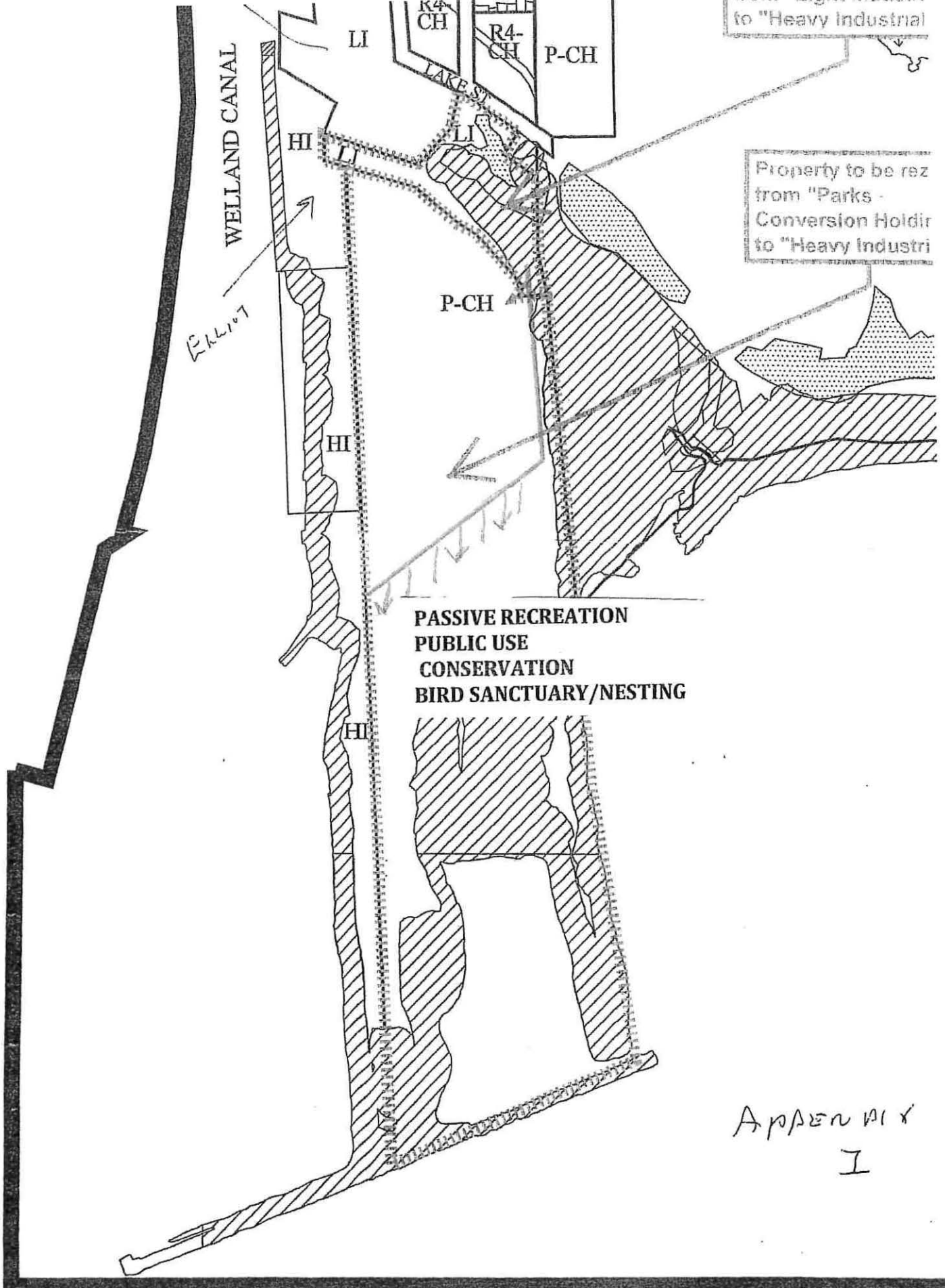
If one examines the tax rolls you will find that Heavy Industry pays very little in taxes, as they can essentially operate on vacant industrial land and run a business out of a trailer with a few " Johnny-on-the-spots "

For all the disturbance they make in the community they are not good corporate entities and contribute little to the community and the jobs that they create are not the best and endanger their workers and the environment around them.

They have a **LARGE AND HEAVY CARBON FOOTPRINT.**

Where as Light Industry/manufacturing has a physical presence in plant and buildings that contribute greatly to the tax base and they tend to provide better paying and more skilled jobs in a cleaner and healthier work environment.

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**City of Port Colborne  
Regular Meeting of Council 14-19  
Minutes**

**Date:** May 13, 2019

**Time:** 9:49 p.m.

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

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

**Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
B. Garrett, Director of Corporate Services  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
C. McIntosh, Deputy Clerk (minutes)  
P. Senese, Director of Corporate Services

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

**1. Call to Order:**

Mayor Steele called the meeting to order.

**2. Introduction of Addendum Items:**

The City Clerk informed that item 1, Community and Economic Development Department, Parks and Recreation Division, Report 2019-54, Subject: Proposed New Event – HoofStock, was withdrawn at the request of the event organizer.

**3. Confirmation of Agenda:**

**No. 84** Moved by Councillor G. Bruno  
Seconded by Councillor M. Bagu

That the agenda dated May 13, 2019 be confirmed, as circulated  
or as amended.

CARRIED.



**4. Disclosures of Interest:**

Nil.

**5. Adoption of Minutes:**

**No. 85** Moved by Councillor E. Beauregard  
Seconded by Councillor D. Kalailieff

- (a) That the minutes of the special meeting of Council 11-19, April 15, 2019, be approved as presented.
- (b) That the minutes of the regular meeting of Council 12-19, April 23, 2019, be approved as presented.

CARRIED.

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

Nil.

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

**No. 86** Moved by Councillor H. Wells  
Seconded by Councillor A. Desmarais

That items 1 to 14 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 Councillors' Items**

**(a) Pedestrian crossover at the intersection on Clarence and Catharine Streets**

Council resolved:

That the Director of Engineering and Operations be directed to provide a report at a future Council meeting outlining safety options for the pedestrian crossover at the intersection of Clarence and Catharine Streets.

**(b) Port Cares request for use of picnic tables on June 14, 2019**

Council resolved:

That eight picnic tables be made available, with fees waived, for use by Port Cares for their Rock the Night event at the Reach out Centre, 61 Nickel Street, on June 14, 2019, with the arrangements for pick-up and return being the responsibility of Port Cares.

**Items:****2. Community and Economic Development Department, Parks and Recreation Division, Report 2019-61, Subject: Ninth Annual Port Colborne Art Crawl**

Council resolved:

That the request to host the ninth annual Port Colborne Art Crawl on Saturday June 22, 2019 from 12:00 p.m. to 7:00 p.m., as submitted by the Port Colborne Art Crawl Committee, and outlined in Community and Economic Development Department, Parks and Recreation Division Report 2019-61, be approved; and

That the following roads be closed to general vehicular traffic and parking on Saturday, June 22, 2019 from 10:30 a.m. to 8:00 p.m.:

- West Street, from the southern limit of Clarence Street to the northern limit of Victoria Street;
- Charlotte Street, from the eastern limit of King Street to the western limit of West Street.
- Kent Street, from the eastern limit of King Street (with signage indicating "local traffic only") to the western limit of West Street; and

That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closures; and

That qualified participants of the Event be exempt from the above noted closures through the issuance of an authorized permits; and

That the Engineering and Operations Department install and retrieve road closure barricades at the predetermined locations requiring same; and

That the Community and Economic Development Department install and retrieve picnic tables and garbage cans at the predetermined locations requiring same; and

That the Event Organizer be responsible for installing appropriate signage at the predetermined locations stating "Art Crawl - West Street Temporarily Closed – 10:30 a.m. to 8:00 p.m.;" and

That the Event Organizer be responsible for ensuring road closure barricades are promptly removed and returned to the retrieval points at the conclusion of the Event; and

That the restrooms at the Harbourmaster Building remain open until 9:00 p.m. for the Event; and

That the Event Organizer be provided with access to the electrical outlet at the Harbourmaster Building; and

That a site plan be prepared and submitted to the Community and Economic Development Department for distribution to emergency services and appropriate City departments; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, in advance of the Event; and

That the fee for a Noise By-law exemption application, to be submitted to the By-law Enforcement Division, be waived; and

That the appropriate by-law be presented for approval.

**3. Community and Economic Development Department, Parks and Recreation Division, Report 2019-65, Subject: 2019 Moonlight Flicks at H.H. Knoll Lakeview Park**

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Council resolved:

That the Moonlight Flicks Event, to be held on Wednesday July 3, 10, 17, 24 and August 7, 2019, as outlined in Community and Economic Development Department, Parks and Recreation Division Report 2019-65, be approved; and

That fee for the application for a Noise By-law Exemption, to be filed with the By-law Enforcement Division, be waived; and

That an exemption from Section 4 (Prohibited Hours of Entrance) to By-law 5503/100/10, Being a By-law to Manage and Regulate Municipal Parks, be approved; and

That use of the restrooms until 12:00 a.m. at the H.H. Knoll Lakeview Park Bandshell, be approved; and

That the Event Organizer be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the Event; and

That the City's park permit, hydro, and waste receptacle fees, be waived.

**4. Corporate Services Department, Finance Division, Report 2019-62, Subject: 2019 Final Tax Rates**

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Council resolved:

That the Council approves the rates of taxation for the year 2019 and the tax rate by-law be executed by the Mayor and City Clerk; and

That the 2019 final billing for the residential, multi-residential, commercial, industrial, pipeline, farmland, managed forest and farmland awaiting development tax classes have a demand (mailing) date of June 11, 2019 with due dates of July 2 and October 1, 2019.

**5. Planning and Development, Planning Division, Report 2019-63, Subject: Proposed Development Agreements for Robert & Mary Ann Bosley, e/s Cedar Bay Road**

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Council resolved:

That two development agreements be entered into with Robert and Mary Ann Bosley for their lots on Cedar Bay Road; and

That the Mayor and Clerk be authorized to sign and execute said agreement.

**6. Department of Chief Administrative Officer, Report 2019-69, Subject: Provincial Modernization Grant**

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Council resolved:

That Council approve the use of the provincial grant of \$711,467 for the projects identified in Chief Administrative Officer's Report 2019-69.

**7. Planning and Development Department, By-law Enforcement Division, Report 2019-67, Subject: By-law Appointment of Municipal Law Enforcement Officers Allison Martin and Amy Dayboll**

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Council resolved:

That Allison Martin be appointed as a Municipal Law Enforcement Officer special events parking and the Zoning By-law; and

That Amy Dayboll be appointed as a Municipal Law Enforcement Officer to enforce parking and the Zoning By-law.

**8. Accessibility Advisory Committee Re: Request for Proclamation of Access Awareness Week, May 31 – June 6, 2019**

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Council resolved:

That the week of May 31 – June 6, 2019 be proclaimed as "Access Awareness Week" in the City of Port Colborne in accordance with the request received from Carrie McIntosh, Deputy Clerk, on behalf of the Accessibility Advisory Committee.



9. **Memorandum from Nancy Giles, EA to CAO and Mayor and Staff Liaison to the Grant Policy Committee Re: Recommendations of Grant Policy Committee**

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Council resolved:

That the memorandum from Nancy Giles, EA to CAO and Mayor and Staff Liaison to the Grant Policy Committee Re: Recommendations of Grant Policy Committee, be received for information; and

That donation/sponsorship requests be approved for a total of \$18,510 for the first allocation for the year 2019 as follows:

**Air Race Classic Terminus Committee** – to assist with costs of the Air Race Classic being held June 19-24 at the Niagara Central Dorothy Rungeling Airport - **\$1,300**

**Education Foundation of Niagara** - to assist in providing essential items to DSBN students in Port Colborne who experience a high level of need - **\$1,500**

**Niagara Health Foundation** – to assist with the purchase of a “Spirit Bed” for use at the Port Colborne Site - **\$1,900**

**Port Cares** – to assist with the purchase of a cargo van for use at the Reach Out Centre - **\$2,300**

**Port Colborne Feline Initiative** – to assist with program expenses with TNVR (trap-neuter- vaccinate-return); CatSnips; and subsidized spay/neuter program for low income residents of Port Colborne - **\$2,500**

**Port Colborne Lions Club** – to assist with operating costs including property taxes - **\$1,600**

**Port Colborne Operatic Society** – to assist with their “Musician in the Pit” program and general upkeep of their storage hall - **\$2,150**

**St. James & St. Brendan Church** – to assist with Phase Two of the Community Garden including gardens, plantings, benches, water feature, fence, pavilion – **\$1,660**

**Women’s Place of South Niagara** – to assist in providing emergency shelter and programs for women and children fleeing abuse - **\$2,000**

**YMCA of Niagara** – to assist with the operation of the Niagara Day Camp program in the City of Port Colborne - **\$1,600.**

**10. Memorandum from Vance Badawey, Member of Parliament, Niagara Centre Re: Ontario: Update following meetings with the Province of Ontario**

Council resolved:

That the memorandum received from Vance Badawey, Member of Parliament, Niagara Centre Re: Ontario: Update following meetings with the Province of Ontario, be received for information.

**11. Region of Niagara Re: 2019 Property Tax Policy, Ratios and Rates (CSD 16-2019)**

Council resolved:

That the correspondence received from the Region of Niagara Re: 2019 Property Tax Policy, Ratios and Rates, be received for information.

**12. Region of Niagara Re: Bill 142 – Construction Lien Amendment Act, 2017 (CSD 29-2019)**

Council resolved:

That the correspondence received from the Region of Niagara Re: Bill 142 – Construction Lien Amendment Act, 2017, be received for information.

**13. Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data (PDS 17-2019)**

Council resolved:

That the correspondence received from the Region of Niagara Re: Niagara Housing Statement: Affordable Housing Data, be received for information; and

That the Chief Administrative Officer be directed to invite Regional Housing staff to present at a future meeting of Council with respect to the Affordable Housing Data report.

**14. Niagara Peninsula Conservation Authority Re: NPCA Board Composition**

Council resolved:

That the correspondence received from the Niagara Peninsula Conservation Authority Re: Board Composition, be received for information.

CARRIED.

**8. Consideration of Items Requiring Separate Discussion:**

Nil.

**9. Proclamations:**

**No. 87** Moved by Councillor A. Desmarais  
Seconded by Councillor G. Bruno

**(a) Access Awareness Week, May 31 – June 6, 2019**

Whereas the City of Port Colborne supports organizations and individuals committed to raising awareness about important issues and advocacy that affect all Canadians. Through education, fundraising and support, the health and well-being of our communities are improved; and

Whereas National Access Awareness Week is a week for Canadians to promote inclusion and accessibility in our communities and workplaces, to celebrate our progress and to be inspired to further break down accessibility barriers; and

Whereas we need to change the way we think, talk and act about barriers to participation and accessibility and we need to do it right from the start, not as an afterthought. An inclusive Canada is one where all Canadians can participate and have an equal opportunity to succeed in their workplaces and communities;

National Access Ability Week aims to bring this perspective to the forefront for Canadians, and highlight some of the important initiatives the government and its partners are undertaking to bring about this change;

Now therefore, I, Mayor William C. Steele, at the request of the Accessibility Advisory Committee and on behalf of the Council of the City of Port Colborne, do hereby proclaim May 31 - June 6, 2019 as "Access Awareness Week" in the City of Port Colborne.

CARRIED.

**10. Minutes of Boards, Commissions & Committees:**

**No. 88** Moved by Councillor F. Danch  
Seconded by Councillor R. Bodner

(a) That the minutes of the Port Colborne Transit Advisory Committee meeting of January 23, 2019, be received.

(b) That the minutes of the Port Colborne Historical and Marine Museum of March 19, 2019, be received.

CARRIED.

**11. Consideration of By-laws:**

**No. 89** Moved by Councillor H. Wells  
Seconded by Councillor E. Beauregard

That the following by-laws be enacted and passed:

- 6679/43/19 Being a By-law to Appoint a Treasurer
- 6680/44/19 Being a By-law to Appoint a Deputy Clerk
- 6681/45/19 Being a By-law to Temporarily close Sections of Various Streets to Vehicular Traffic for the Purpose of the Ninth Annual Port Colborne Art Crawl
- 6682/46/19 Being a By-law to Set and Levy the Rates of Taxation for City Purposes for the Year 2019
- 6683/47/19 Being a By-law to Authorize Entering into a Development Agreement with Robert and Mary Ann Bosley regarding e/s Cedar Bay Road
- 6684/48/19 Being a By-law to Appoint Amy Dayboll and Allison Martin as Municipal Law Enforcement Officers
- 6685/49/19 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 Special and Regular Meetings of May 13, 2019

CARRIED.

**12. Adjournment:**

**No. 90** Moved by Councillor F. Danch  
Seconded by Councillor E. Beauregard

That the Council meeting be adjourned at approximately 9:54 p.m.  
CARRIED.

\_\_\_\_\_  
William W. Steele  
Mayor

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

AL/cm



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# PORT COLBORNE

May 27, 2019

Moved by Councillor  
Seconded by Councillor

**WHEREAS** Hepatitis B and C are two life-threatening liver diseases. One in 12 people around the world are living with hepatitis B or C, including 600,000 Canadians. Both viruses are transmitted through blood-to-blood contact;

**AND WHEREAS** Hepatitis C, in particular, has a low diagnosis rate, and the Public Health Agency of Canada now estimates that 44% of Canadians living with the disease do not know they have it;

**AND WHEREAS** a key goal of each year's World Hepatitis Day event is to encourage Niagara residents to get tested and know their status, especially because of the new, highly effective and tolerable therapies for Hepatitis C treatments that are now available;

**AND WHEREAS** on July 28, 2016 the World Hepatitis Alliance launched the "NOhep" campaign, which is the start of the first global movement that works towards the eliminating of viral hepatitis as a public health threat by 2030;

**NOW THEREFORE**, I, Mayor William C. Steele, proclaim July 28th, 2019 as "Hepatitis Awareness Day" in the City of Port Colborne.

---

William C. Steele  
Mayor

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## PORT COLBORNE

May 27, 2019

Moved by Councillor  
Seconded by Councillor

**WHEREAS** in the City of Port Colborne, we are fortunate to have a variety of recreation and parks systems providing countless recreational opportunities for residents and visitors from around the world;

**AND WHEREAS** recreation enhances quality of life, balanced living and lifelong learning; helps people live happier and longer; develops skills and positive self image in children and youth; develops creativity; and builds healthy bodies and positive lifestyles;

**AND WHEREAS** recreational participation builds family unity and social capital; strengthens volunteer and community development; enhances social interaction; creates community pride and vitality; and promotes sensitivity and understanding to cultural diversity;

**AND WHEREAS** parks, open space and trails provide active and passive outdoor recreation opportunities, help maintain clean air and water; and promotes stewardship of the natural environment;

**AND WHEREAS** recreation, therapeutic recreation and leisure education are essential to the rehabilitation of individuals who have become ill or disabled, or disadvantaged, or who have demonstrated anti-social behavior;

**AND WHEREAS** the benefits provided by recreation programs, services and parks, and open space, reduce healthcare and social service costs; serve to boost the economy, economic renewal and sustainability; enhance property values; attract new business; increase tourism; and curb employee absenteeism;

**AND WHEREAS** all levels of government, the voluntary sector and private enterprise throughout the Province participate in the planning, development and operation of recreation and parks program, services and facilities;

**NOW THEREFORE** be it resolved that the City of Port Colborne does hereby proclaim that June, which witnesses the greening of Ontario and serves as a significant gateway to family activities, has been designated as Recreation and Parks Month, which will annually recognize and celebrate the benefits derived year round from quality public and private recreation and parks resources at the local, regional and provincial levels;

**AND NOW THEREFORE** I, Mayor, William C. Steele in recognition of the benefits and values of Recreation and Parks, do hereby designate the month of **June as Recreation and Parks Month** in the City of Port Colborne.

William C. Steele  
Mayor





**MAY 15 2019**

CORPORATE SERVICES  
DEPARTMENT



COMMUNITY & ECONOMIC DEVELOPMENT

**CITY OF PORT COLBORNE**

Municipal Offices  
66 Charlotte Street  
Port Colborne, Ontario  
L3K 3C8  
www.portcolborne.ca

**PORT COLBORNE MEDICAL EDUCATION, RECRUITMENT AND HEALTH SERVICES COMMITTEE MINUTES**

**REGULAR MEETING; MONDAY, MARCH 18<sup>TH</sup>, 2019**

**CITY HALL, 66 CHARLOTTE ST, PORT COLBORNE, COMMITTEE ROOM 3**

**ATTENDEES:** Chair Bea Kenny, Mayor Bill Steele, CAO Scott Luey, Director of Community and Economic Development Ashley Grigg, Councillor Gary Bruno, Councillor Ron Bodner, Councillor Donna Kalailieff, Yvon Doucet, Connie Butler, Tim Hoyle, Regional Recruiter Jill Croteau, Staff Joanne Ferraccioli.

**Call to Order:** Chair Kenny called the meeting to order at 5:05 PM

**1.Approval of Agenda**

Moved by: Connie Butler

Seconded by: Ron Bodner

That the agenda for the March 18<sup>th</sup>, 2019 meeting of the Port Colborne Medical Education, Recruitment and Health Services Committee be approved

**CARRIED**

**2.Approval of January 21, 2019 Minutes**

Moved by: Connie Butler

Seconded by: Yvon Doucet

That the minutes of the January 21, 2019 meeting be approved.

**CARRIED**

**3.Delegations, Public Comments/Questions/Concerns**

Many citizens have been calling for information about Dr. Singh's clinic in Fort Erie. Dr. Singh called Joanne and told her he has enrolled a couple of hundred citizens from Port Colborne. Joanne will ensure the clerk is aware the agenda is on the website for the meetings.

#### 4. Business Arising from the Minutes

#### 5. Administration

- I. Locum Policy discussion: Dr. Joanne Freytag is currently providing locum assistance for Dr. Deb Wilkes-Whitehall while she is on vacation. Dr. Wilkes was told it was approved at the last meeting as was Dr. Freytag, so an emailed motion went out to the committee as it was not in the minutes. The locum assistance was provided in the amount of \$4000 as an email recorded motion that was carried. It was decided after much discussion that we need a locum policy to ensure proper communication and that there is a partnership between the physician accepting the locum and the physician requiring it, and that all decisions with respect to any agreement include the fact that the CAO has signing authority of the agreement which protects the corporation.

**MOTION TO DIRECT HS COORDINATOR TO DRAFT A LOCUM POLICY**

**Moved** by Yvon Doucet

**Seconded** by Connie Butler

That Joanne Ferraccioli will prepare a draft locum policy before the next meeting.

**CARRIED.**

- II. Committee proposal discussion. Discussion took place around considering an amendment to the Terms of Reference to include representation from our stakeholders from the LHIN and Niagara Health. This will ensure we have robust discussion and input moving forward with any changes in service delivery within Primary and acute care.

**MOTION TO DIRECT HS COORDINATOR TO DRAFT A REPORT TO COUNCIL WITH RECOMMENDATIONS TO THE TERMS OF REFERENCE**

**Moved** by Bill Steele

**Seconded** by Donna Kalailieff

That Joanne Ferraccioli prepare a Report to Council with Recommendations to the Terms of Reference.

**CARRIED**

#### 6. Health Services Report

- i. Rural Medicine Week: The dates have been set and we will be hosting the University of Ottawa May 27-31<sup>st</sup>. The learners will arrive May 26<sup>th</sup>. We have asked for 2 males and 2 females. Ron Bodner will see if there is a possibility of accommodating the learners in 2 mobile homes at Sherkston Shores. We will be partnering with Fort Erie this year for the week, as we use both Bridges CHC sites, both Urgent Care sites and we feel we will be able to have a much better week by partnering.

**MOTION TO PARTNER WITH FORT ERIE AND HAVE A SHARED COST FOR THE WEEK**

**Moved** by Ron Bodner

**Seconded** by Gary Bruno

That Port Colborne partner with Fort Erie for this year's Rural Medicine Week and that the cost be shared between both communities.

**CARRIED**

- ii. Urgent Care Walk-In for Mental Health: We have a tremendous opportunity to have an urgent care mental health walk-in clinic for youth aged 6-17 in Port Colborne that will be serviced by Pathstone Mental Health. We have secured in-kind clinical space. This will require a financial commitment from the Corporation.

**MOTION TO DIRECT HS COORDINATOR TO PREPARE A REPORT TO COUNCIL REQUESTING FUNDS TO SERVICE AN URGENT CARE MENTAL HEALTH WALK-IN CLINIC FOR YOUTH IN PORT COLBORNE.**

**Moved** by Bill Steele

**Seconded** by Donna Kalailieff

That Joanne Ferraccioli will prepare a Report to Council for the April 8<sup>th</sup> Regular Meeting of Council requesting funds to service an Urgent Care Mental Health Walk-In Clinic for youth in Port Colborne.

**CARRIED.**

- iii. Dinner with all Port Colborne Physicians update: Dinner is Monday March 25<sup>th</sup>. We currently have 12 people attending at the Flying Squirrel.
- iv. Update on Specialist integration into Primary Care: We will continue to work with our specialists to ensure they have clinical space as requested to see patients locally.
- v. Niagara South Family Medicine expansion: Talks are in initial stages around the possibility of expansion into Ridgeway.

**7. Niagara Regional Program Report:** Jill Croteau advised the committee she has been very busy at career fairs. We will be hosting an evening for our Buffalo Residents



who are currently doing their residency in Buffalo but wish to repatriate back to Canada or must return under their J-1 Visa status. We have a gold sponsor for this event, and will rotate the event between Niagara Falls and Fort Erie.

**8. Correspondence:** Joanne and Jill have been asked to participate in a workshop on generalism at the Canadian Conference on Medical Education. The postgraduate Medical Education Collaborative Governance Council is hosting this workshop.

**9. Other Business:** Joanne met with Gary Matheson to look at his space and discuss cost at that location for potential physicians.

**10. Next Meeting: May 7<sup>th</sup>, 5PM**

**Adjournment:**

That the business of the Port Colborne Medical Education, Recruitment and Health Services Committee having been completed, the meeting adjourned at 6:10PM

Moved by: Connie Butler

Seconded by: Yvon Doucet

**CARRIED**

Minutes Recorded by:

*"original signed"*

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Joanne Ferraccioli

Temporary Health Services Coordinator

**MINUTES of the 4<sup>th</sup> Regular Board Meeting of 2019**

Tuesday, April 2, 2019, 6:15 p.m.  
Port Colborne Public Library, Auditorium  
310 King St., Port Colborne, ON

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**Present:** Bryan Ingram (Vice-Chair), Councilor Mark Bagu, Brian Beck, Valerie Catton, Harmony Cooper, Jeanette Frenette, Cheryl MacMillan  
**Staff:** Scott Luey (CEO), Susan Therrien (Director of Library Services/Board Secretary), Rachel Tkachuk (Librarian)  
**Regrets:** Michael Cooper (Chair), Ann Kennerly, Peter Senese (Treasurer)

**1. Call to Order:**

In the absence of the Chair, B. Ingram (Vice-Chair) called the meeting to order at 6:15 p.m.

**2. Chair's Remarks:**

Mr. Ingram welcomed the Board.

**3. Declaration of Conflict of Interest:**

Nil.

**4. Adoption of the Agenda:**

Moved by C. MacMillan  
Seconded by H. Cooper  
19:023 That the agenda be adopted as circulated.  
CARRIED.

**5. Approval of the Minutes of the Previous Meeting of March 5, 2019:**

Moved by H. Cooper  
Seconded by B. Beck  
19:024 That the minutes of the March 5, 2019 meeting be adopted as circulated.  
CARRIED.



6. Business Arising from the Minutes:

Nil.

7. Delegations and Presentations:

Nil.

8. Consent Items:

8.1. Strategic Plan Implementation Report

8.2. Capital Projects Report

8.3. Circulation Report: February 2019

8.4. Librarian's Report

8.5. March Break 2019 Report

8.6. Newsletter and Media Items

Moved by J. Frenette

Seconded by C. MacMillan

19:025 That Consent Items 8.1 to 8.6 be received for information purposes.

CARRIED.

9. Discussion Items:

9.1. Regional Library Boards Training Day: Attendance Confirmation

9.2. Annual Report and Group Photograph Session

9.3. Director's Report

9.3.1. Regional Government Review

The Director and several other Niagara Region library CEOs will meet with Paul Takala,

## Port Colborne Public Library Board

CEO of Hamilton Public Library, on April 8, 2019, to discuss his experience with Regional Review. During the week of April 15<sup>th</sup>, CEOs, Board Chairs and Vice-Chairs across the Niagara Region will meet to discuss the boards' response.

### 9.3.2. Development Charges

The Director met with Bryan Tan, Consultant, Watson & Associates Economists Ltd. to discuss development charges.

### 9.3.3. Cost-Sharing Agreement: Integrated Library System (ILS)

The library's contract with Ontario Library Consortium (OLC) and Sirsi-Dynix will end in 2020. OLC will be seeking a response of intent to renew the contract by September 2019. The library currently shares an integrated library system with Welland Public Library as part of a cost-saving agreement.

### 9.3.4. "Let's Talk About..." Series

The "Let's Talk About...Housing and Homelessness" session with presenters Jeffrey Sinclair (Homelessness Action Plan Advisor, Niagara Region) and Christine Clark-Lafleur (Executive Director, Port Cares) was held on March 27, 2019. The event was well-received and well-attended. Upcoming event topics include human trafficking (June 26, 2019), youth suicide prevention and awareness (September 25, 2019), and a discussion of support services for parents/caregivers of youth with mental health issues and addictions (November 27, 2019).

### 9.3.5. 2020 Library Card Design Contest for Teens: "What's Your Vision of the Library?"

The stock of library cards is getting low. To welcome the year 2020, and to encourage teen participation in the library, the library will hold a contest for young people to create a design that expresses their vision of the library. The winning design(s) will be featured on the new batch of library cards.

### 9.3.6. Meetings, Events and Workshops

- **Top Hat Ceremony, March 22, 2019**  
Attended by S. Therrien and R. Tkachuk.





- **Annual Meeting, Shared OverDrive Collection, March 22, 2019**  
Attended by S. Therrien.

9.3.7. Health and Safety

- **Citizen Incident Report**

The Director reported that the Niagara Regional Police were contacted on March 29, 2019, to check on the well-being of an individual.

9.3.8. Staff Development

The Director reported on training and staff development including homelessness awareness. Port Colborne Public Library staff will also attend a session on "Library Service with Empathy and Safety" coordinated by the St. Catharines Public Library, May 27, 2019.

**9.4. 2018 Annual Public Libraries Survey Submission**

**9.5. Financial: Capital Reserves Report**

**9.6. Financial: 2018 Final Statement**

**9.7. Accreditation Audit**

The Board will meet to complete the audit assessment checklist as a group effort.

**10. Decision Items:**

**10.1. Teen User Category**

Moved by B. Beck

Seconded by J. Frenette

19:026 That a Teen User Category be implemented as presented.

CARRIED.

**10.2. Policy Review**



- 10.2.1. Policy Review Schedule
- 10.2.2. Policy Development
- 10.2.3. Meetings
- 10.2.4. Board Recognition
- 10.2.5. Video Surveillance Cameras
- 10.2.6. Circulation (Fines and Fees)
- 10.2.7. Financial Control and Oversight
- 10.2.8. Planning
- 10.2.9. Programming

Moved by H. Cooper

Seconded by J. Frenette

19:027 That policy Items 10.2.5 and 10.2.6 be deferred to the next meeting.

CARRIED.

Moved by H. Cooper

Seconded by C. MacMillan

19:028 That the remaining policy items be approved with amendments as discussed.

CARRIED.

**11. Board Members' Items:**

Nil.

**12. Notices of Motion:**

Nil.

**13. Date of the Next Meeting:**

Tuesday, May 7, 2019 at 6:15 p.m.

Port Colborne Public Library, Auditorium

310 King St., Port Colborne, ON

**14. Adjournment:**

Moved by J. Frenette

Seconded by H. Cooper



PORT COLBORNE  
PUBLIC LIBRARY

## Port Colborne Public Library Board

19:029 That the meeting be adjourned at 7:25 p.m.  
CARRIED.

---

Michael Cooper  
Board Chair  
May 14, 2019

Susan Therrien, Director of Library Services  
Board Secretary  
May 14, 2019

MAY 14 2019

CORPORATE SERVICES  
DEPARTMENT

**March 18, 2019**  
**MEETING OF THE PORT COLBORNE ACTIVE TRANSPORTATION**  
**ADVISORY COMMITTEE**

Minutes of the twelfth 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 March 18, 2019, 5:00 p.m.

The following Committee Members were in attendance:

Committee Members: Ann Kennerly, George McKibbon, Michael Scott  
Council: Councillor Angie Desmarais  
Staff: Evan Acs, Stefanie DeCicco, Nicole Halasz, Karen Walsh  
Regrets: Tom Harrietha, Wade Smith

**1. CALLED TO ORDER: 5:05 p.m.**

**2. CONFIRMATION OF PREVIOUS MINUTES:**

Moved by: George McKibbon  
Seconded by: Angie Desmarais

THAT the minutes from the September 17, 2018 be accepted as presented.  
CARRIED

**3. BUSINESS ARISING FROM THE MINUTES:**

Work plan  
Report to Council

**4. Staff Report**

Engineering – Westwood Estate – Sidewalks will be going on the North side of the street, will connect with park, and join with current sidewalks. North side has continuous sidewalk where as south side has openings.

Questions to Engineering - Can Clarence Street have a bike lane or a path for walking as well as cycling. Stanley Street using paint to mark out a trail. With pylon (which can be removed during winter months). Region might have some different options.

- Parks & Recreation – Grant from Great Trail \$1,000 trail clean up. Partnering with High School with Parks Department and councilors. Clean up to take place around Earth Day.
- Signage out of date. Great Trail signs will be updated.



- Parks & Rec Masterplan – results have been very good. One of the best response the firm has seen. Public Consultation with the results week of April 21<sup>st</sup>. Open Space not present in the survey.
- Active Transportation Masterplan - \$50,000 ask for in Budget in 2019. So far still in the budget.
- Bike Valet – for Canal Days, look at doing something more permanently if successful.
- Cycle Tourism Conference – March 1st (conference is 3 years apart)
  - Mike Layton research on bike lanes for Bloor Street in Toronto. I have the links
  - Waterfront trail signage (share with Friendship Trail & The Great Trail)
  - Other RTO (Regional Tourism Organization) Niagara is TPN (Tourism Partnership of Niagara) have create arts & culture & culinary trails throughout the RTO with partnerships with municipalities & partners in their area.
- Ontario Bike Summit – April 1st & 2nd
- Active School travel – meeting with the Region
- Display Stand
- Follow up with By-law and Clerks about adapting the Hamilton by-law
- School Crossing Guards will be doing a Cyclist & Pedestrians count for a week in May (once we have nicer weather)
- Regional Transit to be fully integrated by 2021

## 5. Business

Workplan Top 10 – please provide Karen with your top ten so we can concentrate and work on doing the smaller items until the Active Transportation Masterplan. Karen to send out to committee members.

Possible Bike lanes - Bike lane off of Friendship Trail at Seaway Park and going to Nickel Beach along Welland Street. Enhance Nickel Beach.

Elizabeth Street bike lanes linked into Friendship Trail to VHWC. From Killaly Street to Trail would be needed. From Main Street to Killaly is an all use trail (cycling & walking). Would need a paint line on it. Would take care of some issues at Elizabeth Street entrance of the trail.

Need to replace trees (not with evergreen) on the Friendship Trails.

Signs – scanner code on the signs.

Create an app – Sue Morrin, for maps, for trails and services. Provincial funding for roads adding Electronic.

BreezoMeter – [www.breezometer.com](http://www.breezometer.com) Air quality testing company – working with google maps to know what air quality will be during real time. 95% accurate.

## 6. New Business

Investing in Canada – Ontario Government – rural and community culture  
Engineering and Sherkston Community Centre

## 7. INFORMATION/CORRESPONDENCE

none

## 8. ADJOURNMENT:

Moved by: George McKibbon  
Seconded by: Mike Scott

Resolved that we do now adjourn.  
CARRIED

Time of adjournment 6:07 p.m.

Next Meeting: Monday, April 15, 2019 at 5:00 p.m.

Agenda Items: Top 10 sent to Karen  
Community Safety Day

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Senior Citizen Advisory Committee

January 17, 2019 10:00 a.m.

Al DiSanto Memorial Room (Committee Room 2), 2<sup>nd</sup> Floor City Hall

City of Port Colborne  
**RECEIVED**  
MAY 14 2019  
CORPORATE SERVICES  
DEPARTMENT

Present: Sue Brown, Connie Butler, Betty Konc, Audrey Garrett, Phyllis Brown

By Phone: Judy Wade

Council: Councillor Angie Desmarais

Staff: Karen Walsh

Regrets: Valerie King, Maggie Wahl-Horne, Kathleen Kent

1. Call to order 11:06

Motion to pass the minutes of November 15

Motioned by: Audry Garrett

Seconded by: Angie Desmarais

THAT the minutes of November 15, 2018 be accepted as presented.

CARRIED

2. Business

- a. Rules of Conduct for Committees – Karen to send by email

1. Karen to send updated list
2. Orientation of the committee
3. Put together a document for new committee members
4. Deb to meet with Connie & Sue B
5. Senior research - Connie

- b. Strategic Plan

- i. Communication & Information

1. City Hall Newsletter – monthly issues now
2. A Guide to Programs and Services for Seniors in Ontario
3. SCAC brochure – read over to see if we need any changes
4. Public awareness for crossing roads – at cross walk and traffic lights
5. Banners & signs – in the process (information from the brochures – include monthly meetings and phone number) photograph of a person can be a stock photo) Seniors using the marina & the trails, library & museum.

- ii. Housing



1. Angie ask council for Planning to gather the stakeholders to work with the housing.
  2. Small housing possibility – already in place in Port Colborne, Betty Konc is working on development and affordable.
  3. Affordable vs low (all discussed above)
- iii. Transportation
1. Shared minutes with Transportation Committee & Accessibility Committee
  2. Memo – transportation & Accessibility with important information
  3. Senior month – partner with the buses, teach the seniors how to ride the bus – transfer, education day for transportation – Senior month activities
- iv. Social Participation
1. Social activities – ukulele in Lock 8 Park
  2. Social activities – found them, share them – promote other events that happen
- c. Order business cards size magnify
- d. Banners – working with Michelle, updating branding for the City

Other business – Senior month – June at market each week with a different topic

4 workshops – one each week

Communication – about the seniors

Transportation – how to ride the buses including transfers gift by bus

Seniors Fire Safety & Police -

Security – with police (possible same time)

Doctor Search –

See what the response is in June and then see if there is something more formal.

Trip to Safety Village for Seniors program maybe partner with Friends over 55

Include Alzheimer Society in September

5. Adjourned – 11:30

Magnify – were distributed to everyone

Terms of Reference discussed name being change to Seniors Advisory Committee

Thorold – Age Friendly Business – Creating an Age-Friendly Business

Betty will bring to the Downtown BIA

Rack Card – Make a rack card for June Senior month

Awards – for the business that are age – friendly

Motion to adopted the Thorold Age-Friendly Business Program

Motion by: Betty Konc

Seconded by: Audrey Garrett

THAT the City of Port Colborne adopted Age-Friendly Business Program.

CARRIED

Rack Card – Make the right card ready for June month

New business: Calendar of meetings & events schedule for the year

Selection of Chair and Vice-Chair

Up to date list of contacts.

Who to report to if can not make the next meeting.

No meeting in February, and March

Next meeting third Thursday of the month

February & March have a sub committee meet to discuss Senior month. All input from committee members.

April meeting - Invitation to the YMCA to speak about the programs for seniors only. Reach out to Sharon to invite.

Sue Brown – to sent Terms of Reference that was updated

Next agenda: brochure – what is left and to do edits. To bring copies for everyone

Brochures

Adjourned at 11:15 a.m.

Motion by: Betty Konc

Seconded by: Judy Wade

THAT we do not adjourn.

CARRIED.

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