



GENERAL COMMITTEE AGENDA

Twenty-Eighth Meeting, Regular, Monday, October 29, 2012

Council Chambers, City Hall

*His Worship Mayor Brian McMullan takes the Chair and opens the meeting
following Item Number 10 on the Council Agenda*

Page

1. Declarations of Interest

2. Call for Reports to be Brought Forward from Consent

3. Motion to Move Reports on Consent

4. Discussion Reports

4-15

- 4.1. Recreation and Community Services, Administration
Spectator Facility Design Build Preferred Proponent

5. Consent Reports

16-28

- 5.1. Planning and Development Services, Implementation
Application for Draft Plan of Condominium Approval at 284 Vine Street;
Applicant: Semcor Properties Inc.; Agent: John Perry

29-35

- 5.2. Planning and Development Services, Implementation
Application to Amend Zoning Area By-law 64-270 (Zone 4) to Permit a Three
Unit Residential Building at 42 Leeper Street; Owner: Karl Legault

36-38

- 5.3. Planning and Development Services, Implementation
Site Plan Agreement and Related Condominium Assumption Agreement at
42 Parkside Drive, 53-Unit Condominium (Vacant Land) Townhouse
Development; Owner: Grey Forest Homes Ltd.

39-41

- 5.4. Planning and Development Services, Implementation
Application to Remove Holding Provision from Zoning, 55 McGuire Street;
Applicant: City of St. Catharines

Page

5. Consent Reports

- 42-43** 5.5. Transportation and Environmental Services, Engineering and Construction
Project P09-099 - Victoria Lawn Cemetery Improvements, Completion and
Release of Holdback Payment
- 44-45** 5.6. Transportation and Environmental Services, Engineering and Construction
Project P11-133 - Happy Rolph's Petting Farm, Animal Viewing Area
Improvements, Completion Payment and Partial Release of Holdback
Payment
- 46** 5.7. Recreation and Community Services, Parks and Facilities
West Park Washroom Reconstruction
- 47-48** 5.8. Recreation and Community Services, Parks and Facilities
Garbage Collection from City Parks
- 49-51** 5.9. Corporate Support Services, Clerks
Council Meetings in the Community
- 52-53** 5.10. Planning and Development Services, Implementation
Proposed Soccer Facility in 2008 at 1902 Welland Canals Parkway
- 54-55** 5.11. Fire and Emergency Management Services, Administration
Attendance at Canadian Association of Fire Chief's Conference, September
23-27, 2012, St. John's, Newfoundland
- 56-57** 5.12. Transportation and Environmental Services, Operations
Sidewalk Snow Removal Program for Seniors and Persons with Disabilities
- 58-59** 5.13. Transportation and Environmental Services, Operations
Lockhart Drive - Speed Concerns
- 60-64** 5.14. Planning and Development Services, Building and Development
Request to Vary Sign By-law - 188 Linwell Road (Grantham Optimist Club)
- 65-66** 5.15. Financial Management Services, Billing
2013 Tax Due Dates and Interim Billings
- 67-68** 5.16. Financial Management Services, Accounting
Monthly Investment Report - Operating Fund as at September 30, 2012

Page

5. Consent Reports

69-87

- 5.17. Corporate Support Services, Clerks
Council Correspondence

6. Request for Staff Reports

7. General Committee (In-Camera)

Council will meet In Camera for the following purposes:

- a proposed or pending acquisition or disposition of land by the municipality or local board

8. Adjournment



Corporate Report

Report from Recreation & Community Services, Administration

Date of Report: October 17, 2012 **Date of Meeting:** October 29, 2012

Report Number: RCS-615-2012 **File:** 68.45.109

Subject: Spectator Facility Design Build Preferred Proponent

RECOMMENDATION

That Council award the contract to design and build a spectator facility to a company to be incorporated in the name of Ball-Rankin Construction Inc., for a guaranteed maximum price of \$45,000,000 (exclusive of applicable taxes); and

That this award be approved pending successful negotiations with a company to be incorporated in the name of Ball-Rankin Construction Inc. and the successful execution of a license with the Niagara Ice Dogs Hockey Club Inc.; and

That Council direct staff to execute a letter of undertaking with the Ministry of Transportation in which the City agrees to share responsibility should a permanent ramp closure of McGuire Street to Highway 406 be required in the event of a future highway widening; and

That Council authorize the allocation of a \$1,000,000 value-added contribution from operator SMG Canada, U.L.C. to the spectator facility furniture, fixtures and equipment budget; and

That Council authorize staff to begin negotiations with SMG Canada, U.L.C. on a long-term management agreement; and

That Council grant early budget approval from the 2013 Capital, Road and Drainage Budget for the reconstruction of The Parkway from McGuire Street to its west limit; and

That Council approve the award of road construction services including engineering, inspection and contingencies associated with The Parkway from McGuire Street to its west limit to a company to be incorporated in the name of Ball-Rankin Construction Inc., in the amount of \$526,000 plus applicable taxes.; and

Further that the City Solicitor be directed to prepare the necessary agreements and associated by-laws. FORTHWITH.

SUMMARY

After extensive review and evaluation of the three proposals submitted, the evaluation team recommends that a company to be incorporated in the name of Ball-Rankin Construction Inc. be retained to design and build a spectator facility at 55 McGuire St., otherwise known as the lower level parking lot.

The submission and preliminary design of the Ball-Rankin team best met the requirements outlined in the request for proposal (RFP) for the defined guaranteed maximum price (GMP) of \$45 million, including the specified minimum 4,500 seats.

BACKGROUND

At its meeting on Dec. 5, 2011, City Council approved the following:

“That Council approve the design and construction of a multi-use 4,500 to 5,300 seat spectator facility; and

That Council approve the inclusion of a maximum of \$50 million in the 2012 Capital Budget with sources of funding of \$17 million from the Civic Project fund, \$5 million from fundraising/naming rights and \$1 million from the Federal Gas Tax Fund; and

That the RFP submissions come back to Council with all costs including site remediation and be within the upset limit of \$50 million; and

That the RFP be written in such a way that firms are made aware of the City’s Sustainability Strategy and environmental purchasing practices and that they be asked to explain how they intend to utilize local labour and local skilled trades; and

That a minimum of two (2) Councillors be appointed to attend regular quarterly construction meetings to act as a liaison between on-site construction and City Council.”

At its meeting on June 18, 2012, City Council approved the following:

“That Council approved the provision of a \$25,000 honorarium to each of the unsuccessful proponents who achieve a significant score during the Design-Build Request for Proposal evaluation process.”

In February 2012, the City retained CBRE as the design-build consultant for the spectator facility project. In July 2012, Ball-Rankin Construction in Joint Venture, Giffels Constructors Inc. (Giffels Westpro), and PCL Constructors Canada Inc. were identified as the pre-qualified design-build teams, who were entitled to receive and respond to the RFP.

On September 29, 2012 the City received a complete proposal in response to the RFP from each of the pre-qualified firms.

REPORT

Design-build project delivery system

The spectator facility project has used a design-build approach, where bidders provide the design and build it. Unlike traditional projects where interested firms submit a bid based on a pre-determined design, in design-build proposals proponents submit bids based on their own designs in response to a detailed program included within the RFP. In design-build a proponent is comprised of a consortium of architects, engineers and constructors who bring the project from conceptual design to completion. The proposals received in this process contain conceptual drawings, technical provisions and pricing, which are all evaluated against the requirements presented in the RFP.

Review and evaluation of proposals

Upon receipt of the proposals, each was reviewed by an evaluation committee made up of the following:

- **City of St. Catharines**
Mayor Brian McMullan
Councillor Jeff Burch
Councillor Matt Harris
Councillor Bill Phillips
Councillor Peter Secord
Rick Lane, Director of Recreation and Community Services
Sandra Lawson, Director of Transportation and Environmental Services
David Oakes, Director of Economic Development and Tourism Services
Jim Riddell, Director of Planning and Development Services
John Sim, Manager of Accounting and Payroll.
- **CBRE Limited - Project Consultant**
Project Manager with technical advocacy team
- **SMG Canada, U.L.C. - Facility Operator**
Executive Director of Operations with operator team

The evaluation team reviewed and evaluated the submissions and subsequently interviewed all proponent teams on Oct. 4, during which proponents were asked to clarify and elaborate on elements of their proposal.

The objective of the committee was to select the proponent that was best able to achieve the primary project objectives of:

- Cost
- Design solution including functional design
- Aesthetic appearance
- Quality and Innovation
- Schedule
- Experience in delivering similar projects.

Further, the evaluation committee identified a set of minimum criteria which consisted of a minimum of 4500 seats, the construction budget of \$45 million and overall functionality of the building.

Preferred proponent

Based on the criteria outlined above, the evaluation committee recommends a company to be incorporated in the name of Ball-Rankin Construction Inc. (Ball-Rankin) be selected to design and build the new spectator facility.

Of the three proposals, Ball-Rankin was the proponent which best met the minimum criteria. Their proposal includes the following key provisions:

- Overall facility size of 146,535ft²
- U-shape bowl with 3 level scheme with event, concourse & suites level
- Designed to accommodate 5,036 seats (4504 fixed and 532 retractable)
- 6,000 seats with use of the floor for concert events
- 24 suites
- NHL ice surface (85'x200') with sledge hockey compatibility
- 110 On-site Parking Stalls, including accessible and service parking
- Architectural design ties into heritage area
- Dressing room facilities for home and visitor teams

In addition to these base provisions, Ball-Rankin has offered to donate a physical connection to St. Paul Street as a value-added option. The inclusion of value-added options was permitted in the RFP.

The members of the Ball-Rankin team have successfully completed similar facilities using the design-build process and they have previously partnered together on various projects. Ball Construction and the project architect, PBK Architects, have worked together on the successful completion of similar design-build spectator facilities such as the RBC Centre in Sarnia and the Sleeman Centre in Guelph. Ball Construction and Rankin Construction previously partnered together for the Wayne Gretzky Sports Complex in Brantford.

Ball-Rankin has demonstrated a strong commitment to using local labour and plan to do this on the spectator facility project.

Conceptual design

Attached (Appendix 1) are the conceptual drawings that highlight the major proposed features of the facility. The concepts are considered 30 per cent complete and will be modified throughout the design process as operational, mechanical, electrical and building code issues are layered onto the drawings.

Agreement with the Ministry of Transportation required

When issuing a building and land use permit, the Ministry of Transportation (MTO) requires that the building be setback 14 metres from any provincial road. McGuire Street, where the facility will be located, is a City street in addition to being an on ramp to Highway 406, functioning as a provincial service road.

Therefore the MTO requires the 14 metre setback from McGuire Street and not the property line of Highway 406. Staff has requested special approval from the MTO for the removal of the 14 metre setback requirement, as the physical requirements of the spectator facility will require use of the entire site and cannot accommodate a 14 metre setback.

MTO will only remove the setback requirement with a City Council resolution authorizing a letter of undertaking with the City. This letter will establish that the City agrees to share responsibility if a permanent ramp closure of McGuire Street to Highway 406 is required, in the event of a future highway widening. Staff do not foresee this project being embarked on in the coming decades based on structural factors in that area as well as the current MTO priority list.

The City must also adhere to additional routine requirements for the MTO including the completion of a traffic impact study and a storm water management plan. Both of these requirements are currently being fulfilled by staff, consultants and the proponent.

Operator contribution and long term management agreement

SMG Canada, U.L.C. (SMG) has been engaged throughout the spectator facility design-build proponent procurement process. SMG has offered and committed to provide a \$1 million value-added contribution to the project budget upon successful negotiations of a long-term management contract. As part of the discussion, SMG has asked that the monies be used for additional furniture, fixture and equipment purchases to support and enhance the operation of the facility.

Construction of a roadway

In addition to providing a cost for the design and construction of a spectator facility, bidders were requested to provide a cost to construct a municipal road adjacent to the facility. This road will provide access to the rear portion of properties fronting on to St. Paul Street, thus maintaining the existing access to these properties afforded by the road known as The Parkway.

The proponent's price would include earthworks to bring the subgrade of the road to the design subgrade elevations, supply and installation of a storm sewer system, granular base, curb, base and top asphalt, and supply and installation of a street light system.

The road work would be funded by the City in the 2013 Capital Program.

Next steps

Negotiations

The retention of Ball-Rankin is conditional on successful negotiations with the City.

Prior to the execution of a formal contract, adjustments to the technical provisions and related designs within the proposal will be requested to best accommodate the City's needs. Any changes will be budget neutral.

Retaining a design-build proponent is also conditional on the successful execution of a license with the Niagara Ice Dogs Hockey Club Inc. The details of this contract will be brought forward in an in-camera report.

Honorariums issued

Upon execution of the design-build contract with Ball-Rankin, a council approved \$25,000 honorarium will be issued to each Giffels Constructors Inc. (Giffels Westpro), and PCL Constructors Canada Inc., who both met the scoring requirements that entitle them to receive the honorarium. As a result, the City will own the submitted designs that can be used to augment this or future projects.

Site plan and building permit

The intent is to stage the site plan approvals in conjunction with the staged issuance of building permits as follows:

1. Site Plan Approval Stage 1- Foundation only
 - building footprint location and site servicing
 - conceptual layout of parking and landscaping
2. Building Permit Stage 1 – Foundation only
3. Site Plan Approval Stage 2 – Superstructure/Shell
 - building elevations
 - grading
 - parking layout
 - landscaping and lighting
4. Building Permit Stage 2 – Superstructure /Shell
5. Site Plan Approval Stage 3 – Final Site Plan Approval
 - all remaining details associated with exterior finishes, landscaping, parking layout
6. Building Permit Stage 3 - Final Building Permit
 - all building envelope and interior finishes

All timing is dependent on the submission/resubmission and review of applications, as necessary, and final approvals and permits issued in accordance with agreed to timelines.

Stakeholder, user group and public consultation

Prior to the development of the design-build RFP, stakeholder groups, user groups and the public at large were consulted for their input into the design requirements of this facility. This input was incorporated into the RFP where feasible and applicable.

To ensure those who provided input and the public at large are well informed, the City will host a series of follow-up sessions. These sessions will review the input

received and will outline how and if the suggestions received were incorporated into the project, as well as the rationale for these decisions.

These sessions are expected to be held in the coming months.

Design development

Detailed designs will be brought before City Council for information purposes at various stages of completion. The building footprint is substantially set; however, some details of the design may be modified during continued plan review. The modifications will include design refinement for operational, mechanical, electrical and Building Code issues.

The design development will be guided by the project team, including project manager CBRE Limited, facility operator, SMG Canada U.L.C. and appropriate staff and Council project team representatives.

Construction

The construction of the spectator facility will be managed by the successful proponent. It will be overseen by project manager CBRE Limited, who will report to the City project team for final review and approval, as outlined below.

Onsite construction meetings:

- CBRE
- Councillors (minimum of 2 to attend quarterly construction meetings)
- Director of Recreation and Community Services
- Director of Transportation and Environmental Services

Construction committee:

- CBRE
- SMG
- Director of Recreation and Community Services
- Director of Transportation and Environmental Services
- Project Supervisor, TES
- Design & Construction Engineer, TES
- Manager of Building and Development, PDS
- Chief Building Inspector, PDS
- Executive Director Performing Arts Centre
- Brock University liaison

Key construction dates are forecasted below.

- Project award - October 2012
- Site works begin - November 2012
- Building foundations completed - May 2013
- Building closed in – December 2013
- Substantial completion achieved - August 2014
- Facility opening – September 2014

FINANCIAL IMPLICATIONS

Council approved a total project budget of \$50 million, which was included in the 2012 Capital Budget. Of that amount, \$45 million was allocated for the design and construction cost of the spectator facility. The remaining \$5 million will be used for furniture, fixtures and equipment, professional fees, site servicing costs for utilities and other miscellaneous items.

The project costs for the Parkway are \$526,000, which will be funded from the 2013 Capital Budget (Road and Drainage Program).

CONCLUSION

The selection of Ball-Rankin to design and construct the new spectator facility will produce a quality facility that best meets the requirements listed in the RFP within the \$45 million project construction budget. Their combined expertise on related projects and their assembled project team position them to deliver the project on time and on budget.

Through the design-build process and the award of this contract, the selected proponent will both design and build the spectator facility. The project team will continue to work with the proponent to refine the proposed conceptual designs related to operations, mechanical, electrical and Building Code.

Prepared by:

Rick Lane, Director of Recreation & Community Services

Approved by:

Colin Briggs, CAO



This is a conceptual drawing and may be subject to change

City of St. Catharines Spectator Facility

Exterior Perspective from Highway 406

A1



Sept. 25, 2012

drawing

1



This is a conceptual drawing and may be subject to change

A3

drawing

Interior Lobby Perspective

Sept. 25, 2012

City of St. Catharines Spectator Facility





This is a conceptual drawing and may be subject to change

Interior Rink Perspective

A4

drawing

Sept. 25, 2012

City of St. Catharines Spectator Facility





This is a conceptual drawing and may be subject to change

A5

Site Plan

drawing

Sept. 25, 2012



1:500

City of St. Catharines Spectator Facility





Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: October 15, 2012

Date of Meeting: October 29, 2012

Report Number: PDS-607-2012

File: 60.46.379 Vol. 3

Subject: Application for Draft Plan of Condominium Approval at 284 Vine Street;
Applicant: Semcor Properties Inc.; Agent: John Perry

Recommendation

That Council refer the report from Planning and Development Services, Implementation, dated October 15, 2012, regarding an application for draft plan of condominium approval to convert the tenure from rental to condominium, for lands municipally known as 284 Vine Street for consideration after the public meeting scheduled for November 12, 2012.

Staff Recommendation

That the application for draft plan of condominium for the lands municipally known as 284 Vine Street, be approved, subject to the conditions of draft plan of condominium approval outlined in Appendix "5" of this report; and

That the City Clerk be directed to make the necessary Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended; and

That after notice of Council's decision has been given, the Director of Planning and Development Services be authorized to endorse the plan as "draft approved" on the day after the appeal period has expired, in accordance with the Planning Act, provided that no appeals have been lodged; and

That upon expiration of the appeal period, the City Clerk be directed to forward an application to the Ontario Municipal Board for approval of the draft plan of condominium, if any appeals are received; and

Further, that the City Clerk be directed to make the necessary notifications.
FORTHWITH

Summary

The purpose of the application is to request approval of a draft plan of condominium to convert the existing nine (9) unit apartment from rental to condominium tenure.

The proposal conforms to Provincial, Regional and local policies. Staff is recommending approval of the application for draft plan of condominium.

Background

The applicant received draft plan of condominium approval (the previous approval) from Council on June 15, 2009. As one of the conditions of the previous approval, the applicant was required to register the final plans of condominium within three years of approval, being July 14, 2012. The final plans of condominium were not registered before July 14, 2012, and as such the previous approval lapsed. The applicant has submitted the current application to re-establish the draft plan of condominium approval, in order to finalize the process to convert the tenure from rental to condominium.

Report

Proposal

The applicant is proposing to convert the existing two and a half storey, nine (9) unit apartment building from rental to condominium tenure. The proposed draft plan of condominium is included in Appendix "1".

Site Analysis

a) Location

The property is located on the east side of Vine Street, north of Carlton Street (Appendix "2").

b) Existing Land Use

- i. Site: The property has a lot area of 0.13 hectares (0.31 acres), with 30.48 metres (100 feet) of frontage on the east side of Vine Street.
- ii. Neighbourhood:
 - North: Mixed commercial/residential
 - South: Residential (apartment building)
 - West: Residential (single detached and semi-detached dwellings)
 - East: Parking lot (Royal Canadian Legion)

c) Garden City Plan

The property is designated Medium Density Residential by the Garden City Plan (GCP) (approved by Niagara Region and in full force as of July 31, 2012) (Schedule E3- North Planning District) (Appendix "3"). The Medium Density Residential designation permits a variety of housing types, including apartment dwellings, with a density range between 25 and 99 units per hectare. The existing development provides a density of 69.2 units per hectare, and accordingly conforms to the GCP with respect to density and land use. No amendment to the GCP is required. Specific policies relating to the conversion from rental to condominium tenure are outlined in the Planning Considerations section of this report.

d) Zoning By-law

The property is zoned Third Density Residential with site specific provisions (R3X) by Zoning By-law 64-207, as amended by By-law 67-186 (Zone 9)

(Appendix "4"). The R3X zone permits the existing nine (9) unit apartment building. An amendment to the zoning by-law is not required.

Circulation Comments

The application was circulated to all appropriate City departments and agencies for their comments and/or requirements. No objections to the proposal were received. The following detailed comments were offered:

- Regional Development Services staff advise that the Regional Policy Plan does not support the conversion of rental accommodation to condominium ownership where the proposal will adversely affect the supply of affordable rental housing. A vacancy rate of 3% or more in rental accommodation is considered desirable. The Regional Policy Plan also requires that local municipalities adopt policies discouraging the conversion of rental housing to condominium ownership in situations where the vacancy rate is less than 3% and the ownership housing to be created is not considered to be affordable. Local policies regarding conversion from rental to condominium tenure are discussed in the Planning Considerations section of this report. Regional staff advise that the conversion is acceptable from a Provincial and Regional planning perspective.
- With regard to waste collection, the Region also notes that although the property is currently receiving private waste collection, the proposed condominium ownership would make the property eligible for enhanced front end dumpster service. Should the enhanced service be desired, the following must be met:
 - The enhanced service must be approved by the City (enhanced service is funded by the City);
 - The location of the bin must have appropriate access and turnaround for the collection truck (to Regional standards);
 - The owner/condominium corporation must sign an indemnity agreement.

The applicant has indicated that the enhanced service is desirable for the property. Regional staff recommend that a condition be included in any draft plan of condominium approval to address waste management requirements. (Appendix "5")

- Planning and Development Services, Development Division staff advise that Vine Street is designated in the Garden City Plan as an Arterial Road, with an ultimate right-of-way of 26.2 metres (86 feet). A road widening dedication of approximately 3.0416 metres (10 feet) in width across the frontage of the subject parcel is to be conveyed gratuitously to the City in order to establish the road right-of-way.

These requirements are discussed in the Planning Considerations section of this report.

Public Open House

A Public Open House was hosted by staff on September 25, 2012. The purpose of the open house was to present the applicant's proposal and to allow an opportunity for questions to be asked and comments to be received by City staff before

decisions are made. Only the applicant and agent attended. No written or verbal comments have been received from the public.

Planning Considerations

The existing, two and a half storey apartment building was constructed in 1968. There are nine (9) dwelling units, comprised of four (4) one bedroom units and five (5) two bedroom units. The site plan is included as Appendix "1".

Conversion from Rental to Condominium

The Garden City Plan (GCP) contains policies regarding affordable housing, including seeking a balance of housing tenure. In an effort to protect the loss of affordable housing, the GCP states that "conversion... shall be discouraged where:

- 1) the annual rental vacancy rate by dwelling/structure type, as defined and reported through the Canada Mortgage and Housing Corporation (CMHC) Rental Market Survey, is less than 3% within the municipality; and,
 - 2) the ownership housing to be created is not considered to be affordable."
- (Part D, Section 7.8(iv))

In terms of vacancy rate, the latest report from CMHC (Fall 2011) indicates vacancy rates are at 3.2% within the region. More recent data from CMHC (April 2012) indicates vacancy rates are at 3.4% for one bedroom units and 3.2% for two bedroom units within St. Catharines. These rates are above the 3% threshold required by the GCP, and as such the proposal complies with the first criteria.

For Council's information, five (5) (sixth pending) draft plan of condominium approvals for conversion from rental to condominium tenure have been approved by Council and are pending final registration, as summarized below.

OUTSTANDING DRAFT APPROVED CONDOMINIUMS				
Address	Date of Draft Plan Approval	Date of Lapsing	Number of Units	Vacancy Rate (Region) at Time of Draft Approval
28 Bonavem Drive	10/21/08	10/21/2011 (extended to 10/21/2012)	12	3.9%
159 Main Street	10/21/08	10/21/2011 (extended to 10/21/2012)	21	3.9%
7 Riverview Boulevard	12/16/09	12/16/12	31	5.3%
16 Tremont Drive	12/16/11	12/16/14	123	3.9%
345 Geneva Street	12/16/11	12/16/14	104	3.9%
240 Lakeshore Road	Decision pending	Decision pending	98	3.2%

These applications have a combined total of 389 units. In 2011, St. Catharines had a total of 8,245 rental apartment and townhouse units. The removal of these draft plan of condominium units from the rental stock will result in a rental stock of 7,856

units when registered; however, CMHC reports that new rental unit starts in 2011 were 108, thus yielding a total rental housing stock of approximately 7,964 units. The proposed conversion of an additional nine (9) rental units under the present application will lower the rental stock to 7,955 units. As such, staff is of the opinion that the new decrease of 9 units under this application will not adversely affect the supply of affordable housing in St. Catharines.

Staff determine affordability in accordance with the Provincial Policy Statement (PSS) definition, being housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the region. The average purchase price of a resale unit in the region is \$223,000 (CMHC, 2011). Units marketed 10% below this average, \$200,700 or less, are considered affordable.

The applicant has submitted projected resale values for the ownership units, as follows:

- One-bedroom units- \$80,000;
- Two-bedroom units- \$85,000

These purchase prices are well below the affordability threshold outlined above, being \$200,700; therefore, the units are considered to be affordable in accordance with the PPS definition.

The proposal complies with the policies in the Garden City Plan with regard to conversion from rental to condominium tenure.

Council should be aware that condominium conversion is routinely sought for financing purposes. In these instances, the units continue to be rented, notwithstanding they are condominium units. CMHC rental stats do not recognize this scenario.

Condominium Conversion Agreement

As a condition of the previous approval, the applicant was required to enter into a condominium conversion agreement with the City to ensure the property is improved to reflect as many of the current site design standards as possible and to bind the future condominium corporation to the terms of the site plan agreement. The applicant submitted the condominium conversion agreement application, and is in the final stages of that process. Many of the requirements from City departments and agencies outlined in the Circulation Comments section of this report, including waste collection, have been addressed or will be addressed through the condominium conversion agreement. As such, staff recommend that the requirement to enter into a condominium conversion agreement continue to be included as a condition of draft plan of condominium approval. (Appendix "5")

Building Condition

Section 9(4) of the Condominium Act allows Council to require that a building and property condition study be completed by a qualified professional engineer or architect, to confirm that the building and property is safe for occupancy and the intended use. This was also a condition of the previous approval, and the applicant

submitted the required study as part of the condominium conversion agreement process. The study confirmed that the building is well built and maintained, and did not identify any necessary repairs or improvements. A professional engineer has confirmed that the building is safe for its intended use and occupancy. As such, staff do not require that the standard condition for a building and property condition study be included as a condition of the draft plan of condominium approval.

Road Widening

Part C, Section 5.2 (Roads) of the Garden City Plan (GCP) sets out road classifications according to the type of service each class is intended to provide. Vine Street is designated as an arterial road, which shall accommodate relatively high volumes of traffic and act as transit corridors. The GCP states that "sidewalks shall be provided on both sides of the road. Bicycle lanes and facilities shall be provided, except where the road platform is not wide enough, in which shared road use will be promoted in keeping with Regional and local municipal cycling policy and plans." (Part C, Section 5.2.1(B)(c))

The requested road widening of 3.0416 metres (10 feet) in width along Vine Street is not necessarily to facilitate the physical widening of the road pavement, but to increase the road allowance in which all utilities, street trees, bike lanes and sidewalks are located, as outlined in the GCP. Roadways that have a less than standard road allowance generally do not have sufficient width to allow sidewalks that are not located directly at the curb or asphalt roadway (curb faced sidewalks), street trees, bike lanes, utility corridors and pavement widening (if future demand requires additional traffic lanes). The requirement for the road widening is consistent with direction in the GCP, and as such staff recommend that the requirement for a road widening be included as condition of draft plan approval. (Appendix "5")

Parking

There are currently 11 parking spaces provided on the property, including 1 accessible space. The zoning by-law typically requires a ratio of 1.75 parking spaces for condominium units, which equates to 16 spaces. On August 11, 2009, the Committee of Adjustment approved a minor variance application to reduce the parking requirement from 16 spaces to 11 spaces, including 1 accessible space. As such, the property meets the required parking as varied.

Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

In accordance with established procedures the date for the public meeting is provided in the recommendation and notices for the public meeting have been circulated.

Financial Implications

Not Applicable.

Conclusion

Staff is supportive of the application for draft plan of condominium approval to allow for the conversion of the existing nine (9) apartment units from rental to condominium tenure, subject to the condition outlined in this report and included as Appendix "5".

Notification

It is in order to advise Semcor Properties Inc., 23 Marilyn Avenue, Toronto, ON, M1S 1B9, and John Perry.

Submitted by:

Judy Pihach, M.C.I.P., R.P.P.
Manager of Planning Services

Prepared by:

Britney Williamson
Planner I

Approved by:

James N. Riddell, M.Pl., M.C.I.P., R.P.P.
Director of Planning and Development Services



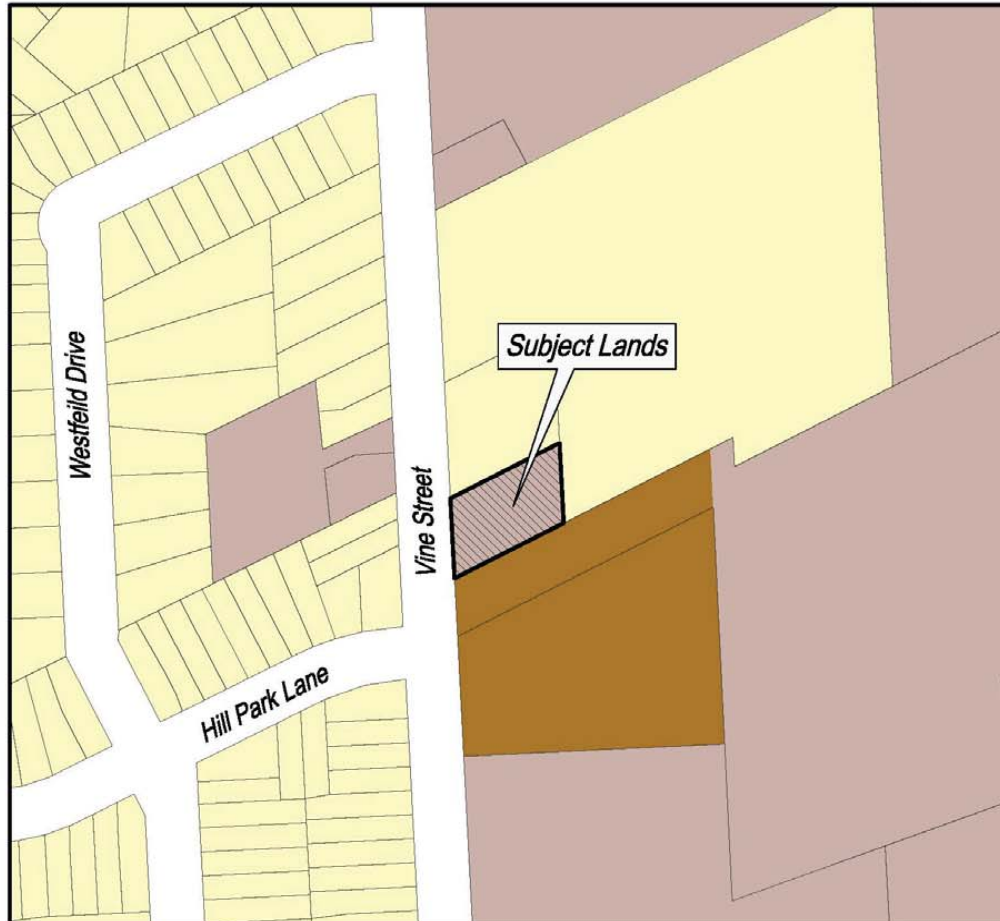
LOCATION MAP



SUBJECT LANDS KNOWN AS
284 VINE STREET





APPENDIX 3

Location: 284 Vine Street
File #: 60.46.379 Vol. 3



GARDEN CITY PLAN

LEGEND

-  Subject Lands
-  High Density Residential
-  Low Density Residential
-  Medium Density Residential

Notes:

This plan is diagrammatic only and should be read in conjunction with the plan policies for purposes of boundary interpretation.

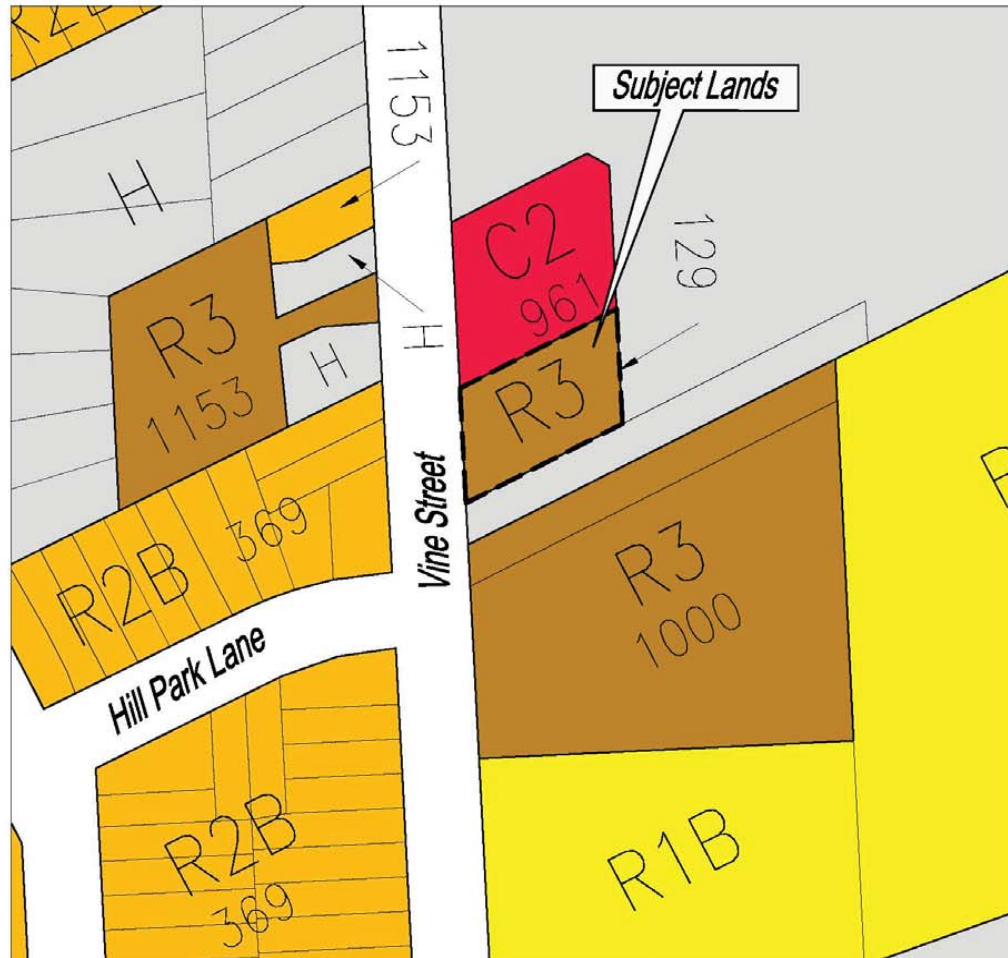
OFFICE CONSOLIDATION

October 2012

S:\planning reports maps & schedules\Vine Street 284 - APPENDIX TO REPORT\284 Vine Street - Garden City Plan.pdf

APPENDIX 4

Location: 284 Vine Street
FILE #: 60.46.379 Vol. 3



ZONING BY-LAW

LEGEND

 	SUBJECT LANDS
 	R1B FIRST DENSITY RESIDENTIAL
 	R2B SECOND DENSITY RESIDENTIAL
 	R3 THIRD DENSITY RESIDENTIAL
 	C2 COMMERCIAL GENERAL
 	H HOLDING

October 2012

S:\planning reports maps & schedules\Vine St 284 - APPENDIX TO REPORT 284 Vine St - Zoning By-law.pdf

**CONDITIONS OF DRAFT PLAN OF CONDOMINIUM APPROVAL
284 VINE STREET
FILE NO. 60.46.379 VOL. 3
SUBMISSION NO. 26CD-10-09003**

General Approval

1. That this approval applies to lands described as Part of Lot 14, Concession 4, municipally known as 284 Vine Street, prepared by Matthews, Cameron, Heywood-Kerry T. Howe Surveying Ltd., dated September 12, 2012, for a total of 9 dwelling units.

Condominium Conversion Agreement

2. The applicant shall enter into a condominium conversion agreement with the City of St. Catharines. This agreement is to address certain matters including, but not limited to, waste collection and landscaping. (City of St. Catharines, Planning Division)
3. That if enhanced front end dumpster service is approved by the City, the Owner shall modify the plan to conform to Niagara Regional Waste collection policy and the owner shall enter into an indemnity agreement with Niagara Region for service.

Should the owner fail to design the site to conform with this policy, the owner shall provide a written undertaking to the Niagara Region Public Works Department (Development Services Division) acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided on-site by the Region. The following warning clause shall be included in the Condominium Conversion Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling to survive closing:

"Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not the Region."

Alternatively, this building is eligible for curbside collection of waste management materials by the Region in compliance with the Regional Waste Policy (limit of one garbage bag per unit and recycling service using boxes or carts at the curb). (Regional Municipality of Niagara, Public Works)

Road Widening

4. That a road right-of-way widening dedication of approximately 3.0416 metres (10 feet) be conveyed gratuitously to the City across the Vine Street frontage of the property free and clear of any mortgages, liens or encumbrances, prior to registration of the condominium conversion agreement. (City of St. Catharines, TES)

Administration

5. That if approval is not given to this plan within three years of the approval date and no extension has been granted, draft approval shall lapse. If the Owner wishes to request an extension to the draft approval period, a written explanation with reasons why the extension is required shall be submitted to the Director of Planning and Development Services.

Prior to granting approval to the final plan of condominium, the City of St. Catharines shall be satisfied that all conditions have been satisfactorily met.



Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: October 15, 2012 **Date of Meeting:** October 29, 2012

Report Number: PDS-617-2012 **File:** 60.35.993

Subject: Application to Amend Zoning Area By-Law 64-270 (Zone 4) to Permit a three unit residential building at 42 Leeper Street. Owner: Karl Legault

Recommendation

That Council refer the report from Planning and Development Services, Implementation, dated October 9, 2012 regarding the proposal to amend Zoning Area By-law 64-270 (Zone 4) for lands known municipally as 42 Leeper Street, to City Council for consideration after the public meeting scheduled for November 12, 2012. FORTHWITH

Staff Recommendation

That Council approve an amendment to Zoning By-law 64-270 (Zone 4) for lands described as CP 2, Pt. Lot 1878, known municipally as 42 Leeper Street, as follows:

That the existing Second Density R2B zone be amended to permit a triplex dwelling as an additional permitted use for those lands identified on Appendix 1 of this report subject to the following special provisions:

- | | | |
|-------|--|--------------------|
| (i) | Parking spaces | 2 |
| (i) | Front yard setback | 2.0m |
| (ii) | Maximum encroachment of a verandah into front yard | 2.0m |
| (iii) | Minimum side yard setback | 2.0m |
| (iv) | Maximum driveway width | 9.0m |
| (x) | Minimum dwelling unit area | 55.0m ² |

For the purposes of this amendment only, a triplex shall be defined as a building that is divided horizontally or vertically into three separate dwelling units.

And that the City Solicitor be directed to prepare the necessary By-laws to give effect to Council's decision;

And that the Chief Building Official confirm that building permits may be issued.

And that upon expiration of the appeal period, the City Clerk be directed to forward an application to the Ontario Municipal Board for approval of the proposed zoning by-law if any appeals are received;

And further that the Clerk be directed to make the necessary notifications.
FORTHWITH.

Summary

The purpose of this application is to recognize an existing three unit residential building. No new development is proposed. Staff is recommending approval of the application.

Background

Application is made pursuant to Section 34 of the Planning Act which provides the authority to pass and amend zoning by-laws. Currently there is a three (3) unit residential building on the lands. This is not a permitted use in the zoning by-law which zones the land as Second Density Residential (R2B). This application seeks to recognize the existing development on the subject lands.

Report

Site Analysis

a) Location

The subject lands are located in the West Planning District, more specifically, on the west side of Leeper Street, between Chetwood Street and Rykert Street (see Appendix "1").

b) Existing Land Use

(i) Site:

There is a two (2) storey building on the subject lands. The site has a lot area of 863 m² (9,289 square feet) and frontage of 17.98 m (60 feet) on the west side of Leeper Street.

Neighbourhood:

North: Residential (detached dwelling and six unit apartment building)

South: Residential (detached dwelling)

East: Residential (detached dwelling)

West: Residential (detached dwelling)

c) Official Plan

At the time this application was made the former Official Plan was in effect. The former Official Plan designates the land as Neighborhood Residential, which allows all forms of residential development, subject to the policies of the plan.

The Garden City Plan (GCP) was approved by the Region of Niagara and was in full force and effect as of July 31, 2012, after this application was submitted. The policies of the GCP provide guidance in assessing this application. This plan designates the lands as Neighbourhood Residential and Schedule E7 (West Planning District) further designates the lands as Low Density Residential permitting a general density of 20-32 units per hectare. This application complies with the density requirements of the Plan.

The proposal complies with the City's Official Plan and GCP. Amendments are not required.

d) Zoning

Zoning By-law 64-270 (Zone 4) zones the subject lands as Second Density Residential (R2B) permitting single detached dwellings, semi-detached dwellings, and duplex dwellings. An amendment to the by-law is required to permit this three unit residential dwelling.

Circulation Comments

The application was circulated to all departments and agencies for their comments and requirements. No opposition to this application was raised.

Regional Development Services staff has no objection to the proposed Zoning By-law amendment from a Provincial or Regional perspective and note that the proposed amendment will facilitate residential intensification in the built up area of the City.

Public Open House

A public open house was hosted by Planning and Development Services staff on September 6, 2012. The purpose of the meeting was to present the applicant's proposal and allow an opportunity for questions to be asked and comments to be received by City staff before decisions are made. There was one member of the public in attendance. He commented that he was in support of the application and noted that the existing building on the subject lands had been used as three residential units since at least 1967.

After the open house, one additional concern was presented to staff relating to a periodic shortage of on street parking on Leeper Street.

Planning Considerations

The lands under review are zoned for residential purposes which allow single detached dwellings, semi-detached dwellings, and duplex dwellings. An amendment to the zoning by-law is required to allow the subject lands to be used for a three unit residential dwelling. The existing building is comprised of one unit on the main floor and two units on the second floor.

The surrounding area is characterized by residential uses. The immediate neighborhood has a variety of single detached dwellings, duplexes, and low rise apartment buildings.

Provincial Policies

Residential intensification in existing mature neighbourhoods with full urban services is mandated by the Provincial Policy Statement (2005) and in the Growth Plan for the Greater Golden Horseshoe (2006). As well, it is supported by the Regional Policy Plan. The Provincial Policy Statement requires that the City provide for an appropriate range of housing types and densities to meet the requirements of current and future residents. Increased housing densities are to take advantage of existing infrastructure and public transit facilities.

Full urban services are available at this location. Further, Rykert Street is on a bus route served by St. Catharines Transit. The proposal complies with Provincial land use policies.

Regional Policy Plan

The subject lands are within the City's Urban Area defined by the Niagara Region Policy Plan (NRPP). Similar to the Province's growth objectives, the Region's Plan also promotes the efficient use of serviced land through infilling, redevelopment and increased densities, as well as the efficient use of existing infrastructure and community resources. Regional staff has confirmed that the proposed use is compatible with the NRPP.

City of St. Catharines Official Plan

Both the Official Plan and new Garden City Plan (GCP) designate these lands as Neighborhood Residential. The Garden City Plan further designates the lands as Low Density Residential permitting detached, semi-detached, duplex and ground oriented multiple attached dwellings including tri-plexes at a density range generally between 20 and 32 units per hectare (Schedule E7, West Planning District). At 33 units per hectare, the density is just slightly above the 32 unit per hectare threshold for low density residential uses. This increment is considered negligible and staff conclude the density is generally in accordance with the low density residential range. Since the building form is ground related this application complies with the general density requirements and policies of the Plan.

Zoning

The lands are zoned Second Density Residential (R2B), a zone which does not permit, as of right, a 3 unit residential building in this form. In this case, staff conclude that this use is well established in this neighbourhood, possibly dating back to the 1950's. The City has no records of building permits being issued for a third dwelling unit on this site. There is no history of land use issues relating to the additional unit within this building, other than a periodic concern regarding the shortage of on street parking on Leeper Street.

Staff recommends that the existing three unit residential building be added as a permitted use in the R2B zone, subject to site specific provisions to reflect the existing building and parking situation on the lot. In this specific application, the 3 unit residential building shall be defined as a tri-plex which is divided horizontally or vertically into three separate dwelling units.

With respect to the amount of parking that the use generates, the plan submitted with the application provides for two parking spaces. Staff is prepared to support a minimum parking requirement of 2 spaces for the three units, in this instance. The parking policies of the new Garden City Plan (Section 5.4.2) provide that the City may consider reducing or eliminating parking requirements when shared parking is possible or transit is readily available. Transit service is available on Rykert Street and the lands are in close proximity to downtown. Staff is not aware of any parking issues (eg. spillover) generated by the existing three units and the applicants have advised that due to the small size of the units, it is common for some tenants not to require a parking space. The remaining site specific provisions recommended relate to the existing building context.

Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Ontario Municipal Board, then the planner who has provided the second opinion shall be retained for the purpose of a hearing before the Ontario Municipal Board.

In accordance with established procedures the date for the public meeting is provided in the recommendation and notices for the public meeting have been circulated.

Financial Implications

Not Applicable

Conclusion

Staff supports the proposed zoning amendment to recognize the three unit residential building which is specifically defined as a tri-plex. The proposal is consistent with the City's Official Plan policies as well as those of the Province and Region regarding intensification and efficient use of serviced urban land. Recommended site specific provisions reflect the existing building location. There will be no impacts on neighbouring and nearby uses as a result of this application. No concerns were identified by City departments or external commenting agencies.

Notification

It is in order to notify Karl Legault.

Submitted by: Judy Pihach, MCIP, RPP, Manager, Planning Services

Prepared by: Jessica Button, Planner 1

Approved by: James N. Riddell, MPI, MCIP, RPP Director of Planning and Development Service



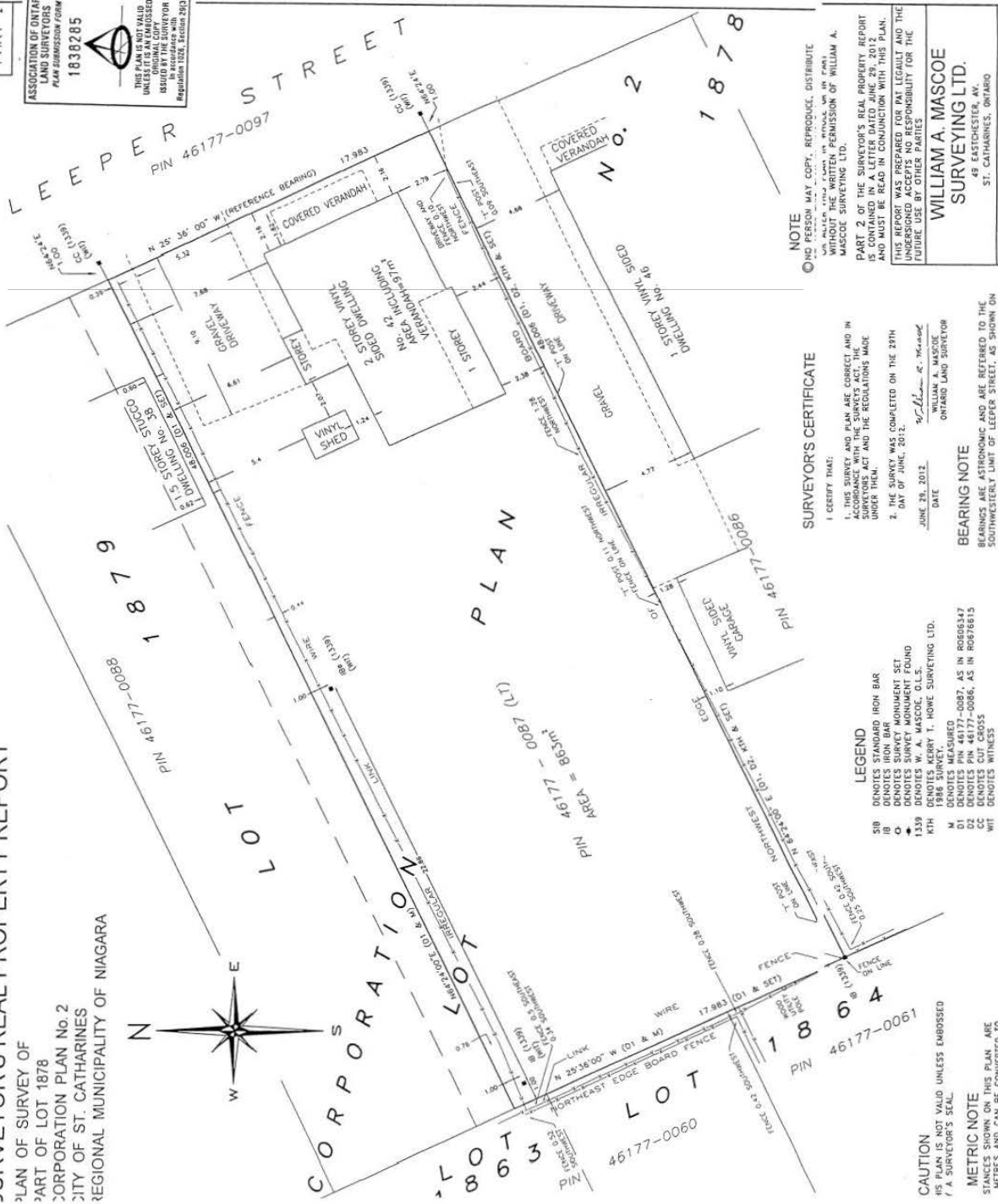
SUBJECT LANDS KNOWN AS
42 LEEPER STREET
FILE: 60.35.993

2

SURVEYOR'S REAL PROPERTY REPORT

PLAN OF SURVEY OF
PART OF LOT 1878
CORPORATION PLAN No. 2
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

PART 1



NOTE

THIS REPORT WAS PREPARED FOR THE
FUTURE USE BY OTHER PARTIES
WITHOUT THE WRITTEN PERMISSION OF WILLIAM A.
MASCOE SURVEYING LTD.

PART 2 OF THE SURVEYOR'S REAL PROPERTY REPORT
IS CONTAINED IN A LETTER DATED JUNE 29, 2012
AND MUST BE READ IN CONJUNCTION WITH THIS PLAN.

THIS REPORT WAS PREPARED FOR THE
FUTURE USE BY OTHER PARTIES
WITHOUT THE WRITTEN PERMISSION OF WILLIAM A.
MASCOE SURVEYING LTD.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN
ACCORDANCE WITH THE SURVEY ACT, THE
SURVEY REGULATIONS AND THE REGULATIONS MADE
UNDER THE SURVEY ACT.
2. THE SURVEY WAS COMPLETED ON THE 25TH
DAY OF JUNE, 2012.

DATE: JUNE 25, 2012
WILLIAM A. MASCOE
ONARIO LAND SURVEYOR

BEARING NOTE

BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO THE
SOUTHWESTERLY LIMIT OF LEEPER STREET, AS SHOWN ON
CORPORATION PLAN No. 2 HAVING A BEARING OF N 25° 36' 00" W

LEGEND

- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- 1339 DENOTES W. A. MASCOE O.L.S.
- 1784 DENOTES T. HONE SURVEYING LTD.
- M DENOTES MEASURED
- D1 DENOTES PIN 46177-0087, AS IN R0605147
- D2 DENOTES PIN 46177-0086, AS IN R0616615
- CC DENOTES CUT CROSS
- WIT DENOTES WITNESS

CAUTION

THIS PLAN IS NOT VALID UNLESS EMBOSSED
BY A SURVEYOR'S SEAL.

METRIC NOTE

SPACES SHOWN ON THIS PLAN ARE
IN METRIC UNITS AND ARE CONVERTED TO
FEET BY DIVIDING BY 0.3048



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: October 16, 2012

Date of Meeting: October 29, 2012

Report Number: PDS-619-2012

File: 60.51.896, 60.46.373 Vol. 2

Subject: Site Plan Agreement and related Condominium Assumption Agreement, 42 Parkside Drive, 53-Unit Condominium (Vacant Land) Townhouse Development; Owner: Grey Forest Homes Ltd.

Recommendation

That Council approve the Staff Recommendation as outlined in the Report from Planning and Development Services, dated October 16, 2012, regarding authorization to execute the site plan agreement and condominium assumption agreement. FORTHWITH

Staff Recommendation

That Council authorize the execution of the site plan agreement and condominium assumption agreement for a 53-unit condominium townhouse development at 42 Parkside Drive; and

That all outstanding municipal requirements be met and all draft plan of condominium conditions be cleared prior to the registration of the final plan of condominium and related site plan and condominium assumption agreements; and

That the City Solicitor be directed to prepare the necessary by-laws authorizing the execution of the site plan agreement and condominium assumption agreement and other related documents; and

Further, that the City Clerk be directed to make the necessary notifications. FORTHWITH

Summary

The purpose of the report is to request Council's authorization to execute the site plan agreement and related condominium assumption agreement for the development at 42 Parkside Drive, notwithstanding certain normal requirements for the agreements have yet to be met. The advance authorization is intended to foster the Corporation's 'open-for-business' approach to development in the City and to avoid unnecessary delays to applicants.

Background

The approval of agreements, including site plan agreements and condominium assumption agreements, is an authority delegated to staff “as long as those agreements are prepared and reflect the policies and by-laws of The Corporation of the City of St. Catharines together with all applicable legislation.” However, Council is required to approve the actual execution of the final agreement.

The owner is working with staff to finalize certain matters related to these applications for site plan agreement and condominium assumption agreement. It is expected that all outstanding requirements will be met in the coming days. Rather than delay the Council authorization to the next meeting of Council on November 12, 2012, staff is requesting Council’s authorization now.

Report

The owner of the above-noted property is proposing to construct a 53-unit condominium (vacant land) townhouse development at 42 Parkside Drive (see Appendix “1”).

City staff have reviewed and are generally satisfied with the drawings submitted for site plan approval. Staff have also reviewed and are satisfied with the final plans of condominium submitted. The owner has committed to providing the required fees and securities prior to Council’s meeting on Monday, October 29, 2012. A site plan agreement and condominium assumption agreement are currently being drafted and reviewed by staff. Under normal circumstances, these agreements would be reviewed by the City Solicitor and subsequently signed by the owner before Council authorizes the execution of the agreement. It is reasonable that any outstanding requirements can be completed in a timely manner after passage of the necessary by-laws.

Financial Implications

None.

Conclusion

Staff support Council’s authorization to execute the site plan agreement and related condominium assumption agreement once finalized, since securities will be in place in advance of Council’s meeting on October 29, 2012, and since registration of the agreements and final plan of condominium will not occur until all requirements are met. Council has approved similar authorization in the past.

Notification

It is in order to advise Ms. Jennifer Vida of Upper Canada Consultants, 261 Martindale Road, Unit 1, St. Catharines, Ontario, L2W 1A1.

Submitted by:

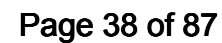
Judy Pihach, MCIP, RPP
Manager, Planning and
Development Services

Prepared by:

Amanda Knutson
Development Agreement
Coordinator

Approved by:

James N. Riddell, MPI, MCIP, RPP
Director, Planning and
Development Services





Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: October 9, 2012

Date of Meeting: October 29, 2012

Report Number: PDS-603-2012

File: 60.35.599 Vol. 2

Subject: Application to Remove Holding Provision from Zoning, 55 McGuire Street;
Applicant: City of St. Catharines

Recommendation

That Council grant approval to remove the Holding (H) designation from the zoning for lands known as 55 McGuire Street; and

That the City Solicitor be directed to prepare the necessary by-law to give effect to Council's decision. FORTHWITH

Background

The lands at 55 McGuire Street (Appendix "1") include the site for the proposed spectator facility. In order to approve the site plan for the proposed development, the Holding (H) provision must be removed from the current zoning.

Report

The lands are zoned Business and Commercial- Holding (BC-H) by amending By-law 91-433, which was passed by Council on October 28, 1991. The BC zoning permits the proposed spectator facility, providing the Holding (H) provision is removed. Section 2 of the by-law requires that studies of slope stability, foundation conditions and flood hazards be approved by the NPCA and the City of St. Catharines prior to the removal of the Holding (H) provision. The Holding (H) provision shall be removed by Council without any further public meeting once these studies have been completed to the satisfaction of the NPCA and the City of St. Catharines.

The Niagara Peninsula Conservation Authority (NPCA) has advised that a review of current mapping indicates that the lands lie within an area that was once a part of the Twelve Mile Creek Valley system, which may be impacted by steeper slopes. However, Highway 406 now traverses through this area, and the section of Twelve Mile Creek that once traversed along the southern edge of the lands is now piped. Therefore, this area can now be considered more of an isolated valley and not part of the larger Twelve Mile Creek Valley system. As such, the NPCA does not regulate this area as a valley and will not need to review any studies relating to

slope stability, foundation concerns or flooding hazards. The NPCA recommends that the Holding (H) provision be lifted. Any stormwater management issues can be addressed through the site plan control process as per normal procedures.

The application was also circulated to Transportation and Environmental Services (TES) for clearance on behalf of the City. TES advised that there has been extensive environmental work done on the lands in recent past, and staff have no concerns with removing the Holding (H) provision. Any concerns may be addressed through the site plan control process.

No further public meeting is required prior to Council considering this matter. The notice of Council's intent to remove the Holding (H) provision has been issued as required by the Planning Act.

Staff have reviewed the request to remove the Holding (H) provision and advise that the conditions required in accordance with By-law 91-433 have been resolved.

Financial Implications

Not Applicable.

Submitted by:

Judy Pihach, M.C.I.P., R.P.P.
Manager of Planning Services

Prepared by:

Britney Williamson
Planner I

Approved by:

James N. Riddell, M.Pl., M.C.I.P., R.P.P.
Director of Planning and Development Services

1



SUBJECT LANDS KNOWN AS
55 MCGUIRE STREET
FILE NO.: 60.35.599 Vol. 2



CITY OF
ST. CATHARINES

Corporate Report

Report from Transportation & Environmental Services, Engineering and Construction

Date of Report: October 16, 2012

Date of Meeting: October 29, 2012

Report Number: TES-621-2012

File: 18.20.198

Subject: Project P09-099 Victoria Lawn Cemetery Improvements, Completion and Release of Holdback Payment

Recommendation

That Council grant approval to release the completion and release of holdback payment for Project P09-099 Victoria Lawn Cemetery Improvements in the amount of \$54,347.34 plus applicable taxes to Vic Vatr Contracting Limited.
FORTHWITH

Background

Approval of completion and release of holdback payments was delegated to staff by Council at its meeting of March 8, 2004. Exceptions to this delegation deal with those projects whose final costs exceed the awarded contract price.

Council awarded Project P09-099 Victoria Lawn Cemetery Improvements on May 14, 2012 to Vic Vatr Contracting Limited at their tender price of \$252,407.18 plus taxes.

The tendered project included the northern portion of the Cemetery north of Queenston Street and required the contractor to install new storm sewers and reconstruct the existing roadways to eliminate the surface flooding issues. This contract was the first of a multiphase project to upgrade the Cemetery roadways.

Report

On August 28, 2012 Vic Vatr Contracting Limited completed all the work under Project P09-099. The total value of work completed is \$297,773.44, plus applicable taxes.

During the course of the contract, the contractor was asked to complete additional resurfacing of deteriorated roadways at the limits of the proposed construction. These roadways would have been part of the next phase of construction but since the tendered unit pricing was favourable, it was completed under this contract, P09-099. Additional costs were also incurred to relocate many unknown water services encountered during construction.

In accordance with the Construction Lien Act the 10% holdback for work can be released 45 days after completion, which was October 15, 2012. Corporate Support Services has confirmed that no outstanding liens exist against this project.

All amounts in this report are without applicable H.S.T.

Financial Implications

An additional amount of \$45,366.26 is required to pay the final costs for this project. The City Treasurer confirms there are sufficient funds available in the project account to cover the additional costs incurred for this project.

Submitted by:

Christine Adams, P. Eng.
Manager of Engineering and Construction

Prepared by:

Mike Wilson, A.Sc.T.
Project Supervisor

Approved by:

Sandra Lawson, P. Eng.
Director of Transportation and Environmental Services



CITY OF
ST. CATHARINES

Corporate Report

Report from Transportation & Environmental Services, Engineering and Construction

Date of Report: October 16, 2012

Date of Meeting: October 29, 2012

Report Number: TES-622-2012

File: 18.45.249

Subject: Project P11-133 Happy Rolph's Petting Farm, Animal Viewing Area Improvements, Completion Payment and Partial Release of Holdback Payment

Recommendation

That Council grant approval to release the completion and release of holdback payments for Project P11-133 Happy Rolph's Petting Farm, Animal Viewing Area Improvements to Stevensville Lawn Service Inc. in the amount of \$39,332.91 less deficiency holdback as approved by the City Engineer plus applicable taxes, FORTHWITH

Background

Approval of completion and release of holdback payments was delegated to staff by Council at its meeting of March 8, 2004. Exceptions to this delegation deal with those projects whose final costs exceed the awarded contract price.

Council awarded Project P11-133 Happy Rolph's Petting Farm, Animal Viewing Area Improvements on March 12, 2012 to Stevensville Lawn Service Inc. at their tender price of \$256,101.00 plus taxes.

The tendered project required the contractor to complete a variety of viewing area improvements for the public and improvements to benefit the safety of the animals.

Report

On June 26, 2012 Stevensville Lawn Service Inc. completed all the work under Project P11-133 with some deficiencies to be corrected thereafter. The total value of work completed is \$294,381.07 plus applicable taxes.

During the course of the contract the contractor was asked to complete additional works to improve the quality of viewing experience and to provide better habitat for the animals. Additional shelters were constructed for the animals and additional paving undertaken.

In accordance with the Construction Lien Act the 10% holdback for work can be released 45 days after completion, which was August 13, 2012. Corporate Support Services has confirmed that no outstanding liens exist against this project.

However, some deficiencies still exist. Hence, staff recommends a \$5,000.00 deficiency holdback be retained until such time as the outstanding works are completed to the satisfaction of the City Engineer.

All amounts in this report are without applicable H.S.T.

Financial Implications

An additional amount of \$38,280.07 is required to pay the final costs for this project. The City Treasurer confirms there are sufficient funds available in the project accounts to cover the additional costs incurred for this project.

Submitted by:

Christine Adams, P. Eng.
Manager of Engineering and Construction

Prepared by:

Mike Wilson, A.Sc.T.
Project Supervisor

Approved by:

Sandra Lawson, P. Eng.
Director of Transportation and Environmental Services



CITY OF
ST. CATHARINES

Corporate Report

Report from Recreation & Community Services, Parks and Facilities

Date of Report: October 11, 2012

Date of Meeting: October 29, 2012

Report Number: RCS-604-2012

File: 68.32.112

Subject: West Park Washroom Reconstruction

Recommendation

That Council receive the report for information purposes. FORTHWITH

Background

At its meeting on September 10, 2012, Council approved the following motion:

“Report on the washroom facilities at West Park sports field, including 2013 budget plans for upgrades.”

Report

Each year, washroom upgrades and reconstructions are identified in priority sequence for the capital budget. The current listing for washroom reconstructions in parks includes (in order of priority) Happy Rolph's, Pearson Park, Lakeside Park, West Park, and Municipal Beach.

In 2011, the washroom facilities at West Park were identified as a future capital expenditure, and construction was forecasted for 2015. It should be understood that the washroom will be built to meet the typical requirements and needs of a sports park. As such, the Niagara Olympic Club or any other parks users will still be required to bring in additional temporary facilities for special events.

Financial Implications

Not applicable as the reconstruction of washroom facilities at West Park have already been included in the Capital Budget Forecast.

Submitted by: Jim Benson, Assistant Director/Manager of Parks & Facilities

Prepared by: Stuart Green, Landscape Architect/Planner
Kristen Sullivan, Project & Development Planner

Approved by: Rick Lane, R.D.M.R., Director of Recreation & Community Services



Corporate Report

Report from Recreation & Community Services, Parks and Facilities

Date of Report: October 2, 2012

Date of Meeting: October 29, 2012

Report Number: RCS-605-2012

File: 68.31.99, 68.81.2

Subject: Garbage Collection from City Parks

Recommendation

That Council receive the report for information purposes. FORTHWITH

Background

At its meeting on February 2, 2009, Council approved the following motion:

"That staff be directed to report on the lack of garbage collection from receptacles in some of the City's parks."

Report

Most waste and garbage complaints that Recreation and Community Services staff receive are corrected quickly by dealing directly with Waste Management at the Niagara Region who administers the waste collection contract. Most of the complaints received stem from one of the following issues:

1. Illegal dumping

The Region of Niagara has assumed all waste management powers conferred by any Act upon the area municipalities. As part of these powers, the Region passed the Solid Waste Management By-Law (By-law No. 04-2012). Under this by-law, a set fine of \$150 can be charged to any person who deposits waste generated from private property into litter bins on any road or public property, including City parks. This would include individuals who deposit their household waste into the garbage cans in parks. Further, a set fine of \$500 can be charged to any person who is found dumping or depositing any material whatsoever on or in any road or public property, including City parks.

Enforcement of illegal dumping can often be difficult as there needs to be sufficient evidence that the dumping occurred. If there is a witness to the dumping, the Region can pursue enforcement. If there is no witness, the Region can search dumped material for personal information identifying the offender. Either way, the waste is collected and removed by the contractor.

One approach to discourage illegal dumping is to limit the amount and type of garbage being deposited into the public bins by installing lids with smaller openings. Staff will work with the Region and the contractor to identify options which meet operational requirements of the contractor and to assess the feasibility of retrofitting litter bins. Once a solution is found it would be phased in by retrofitting bins in locations known to have dumping issues.

2. Overflowing garbage cans

Reports of overflowing garbage cans are forwarded by staff to the Niagara Region for immediate follow-up with the waste collection contractor. The Region maintains a tracking system whereby perpetual issues can be identified. For example, if a garbage can is consistently overflowing each week, it is likely that this site either requires additional cans or more frequent pick-up. City staff are responsible for alerting the Region of any parks events which may require increased waste collection.

3. Garbage can was missed by scheduled pick-up

Typically, when a garbage can is missed, it is either early in the season and a new can location has not been properly communicated to the waste collection contractor or a park user has moved the garbage can. The former issue can be prevented through proper communication of any changes to garbage can locations to the contractor, through the Region. If a specific user group, such as a sports team, is known to consistently move a garbage can, the case needs to be explored to determine if the current location does not meet the needs of the park users, and if not, if the proposed location is accessible for waste collection. If the new location works, then this needs to be communicated to the contractor through the Region.

If it was ever believed or reported that the waste collection contractor was skipping garbage cans, this could be confirmed and corrected by the Region as each of the trucks is equipped with GPS tracking devices.

While reviewing the process of garbage collection from parks, City staff met with members of the administration of Waste Management at the Region to discuss mutual concerns and issues. Through this discussion, communication channels have been improved and staff are able to quickly correct and monitor future issues.

Financial Implications

Not Applicable.

Submitted by: Jim Benson, Assistant Director/Manager of Parks & Facilities

Prepared by: Kristen Sullivan, Project & Development Planner

Approved by: Rick Lane, R.D.M.R., Director of Recreation & Community Services



Corporate Report

Report from Corporate Support Services, Clerks

Date of Report: October 10, 2012

Date of Meeting: October 29, 2012

Report Number: CSS-602-2012

File: 10.12.35

Subject: Council Meetings in the Community

Recommendation

That City Council continue to hold their regular meetings in the City Hall Council Chambers; and

That no further consideration of moving the meetings be entertained at this time.
FORTHWITH

Summary

Council directed staff to review the possibility of moving Council meetings into the community to various off-site venues.

Background

At their meeting on March 19, 2012, Council approved a report to temporarily move their Council meetings to Brock University for July and August 2012. The reason for the move was based upon a need due to scheduled renovations in City Hall and to the Council Chambers.

At that same meeting, Councillor Siscoe asked staff to report back relative to the possibility of hosting Council meetings at other sites within the community.

Report

Preparing for this move required many staff hours. It became evident early on that there were very few facilities that could host a council meeting. This is due to the fact that Council meetings have very specific needs. It was determined that Brock University was the best choice because they could accommodate most of the many needs. Once this space was chosen, there were still many issues that needed to be addressed. Those issues were:

Television and sound synchronization

Council meetings are televised and therefore require a rather elaborate microphone system for speaking; this had to be built. The City also did not have the in-house staff support to have this highly specialized system monitored so that it was

effective with the Cogeco feed; staff had to contract that work out. This was costly because the City paid for the makeshift system to be upgraded and for staff time of the sound specialist.

Size and accessibility

The size was also an issue. Although the meetings do not have a large council and staff proponent, the meeting space must be able to provide a gallery for members of the public to attend. Not only do staff need to ensure there is room, staff also need to ensure the space is accessible to individuals with special needs.

Extra space for In Camera Meetings

The need for a break-out room for In Camera Meetings was also an issue. Many other sites had spaces but no additional rooms close by for the closed portion of the meetings.

Internet availability

Internet access for was also an issue. Staff learned in this process that very few facilities had internet access. Although it is not always necessary, it is a benefit if and when Councillors need this to download their agendas or when members of the public need access for a presentation before Council.

Special equipment for public hearings and appointments

Projectors and other equipment necessary for public hearings and appointments also posed a problem. Some sites had equipment, others did not. This meant staff needed to move equipment after regular working hours off site and then tear it down to bring it back at the beginning of the next work day.

Meeting time

The City's meeting time poses a restriction in terms of what facilities would even contemplate hosting the meetings. Many public facilities are closed after regular working hours and did not want to keep security and staff available beyond their own schedules.

Willingness to host the City's Meetings

Many facilities are limited in terms of their space and were reluctant to book Council meetings. In fact, many of the facilities just said no.

Very quickly the choices were pared down and were very limited. Since Brock University hosts many conferences and conventions, they were overall the best choice. Staff still needed to make adjustments but with their assistance it worked out well for the short term.

Financial Implications

The total cost to hold the Council meetings at Brock University, not including the City's own staff time, was approximately \$7,000.

Conclusion

In conclusion, staff is not recommending that Council meetings be held outside of the City Hall Council Chambers. This conclusion is due to the cost, time involved and many other priority projects staff are working on at this time.

Submitted by:

Dan Carnegie, Deputy CAO/Director of Corporate Support Services

Prepared by:

Bonnie Nistico-Dunk, City Clerk



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning & Development Services, Implementation

Date of Report: October 9, 2012

Date of Meeting: October 29, 2012

Report Number: PDS-600-2012

File: 60.51.99

Subject: Proposed Soccer Facility in 2008 at 1901 Welland Canals Parkway

Recommendation

That Council receive the report regarding future site plan approval for a proposed soccer facility on lands located at 1901 Welland Canals Parkway, for information purposes. FORTHWITH.

Summary

This report responds to a request of Council dated September 29, 2008, regarding a proposed soccer facility for lands on Welland Canals Parkway. To date, there has been no site plan submission for a soccer facility on these lands. Staff have flagged the property in the City's AMANDA property management system so that any future site plan submission for a soccer facility on these lands will trigger inclusion of the residents of Lock III Estates, abutting to the north, within the site plan approval process.

Background

On September 29, 2008, Council supported a motion by Councillor Stevens requesting a report to Council on a future site plan application for a proposed soccer facility on lands at 1901 Welland Canals Parkway. In addition, Council approved the inclusion of residents of Lock III Estates as part of the site plan approval process once an application was submitted.

Report

In 2008, a proponent approached staff of the former Planning Services department regarding a proposal to lease lands from Transport Canada at 1901 Welland Canals Parkway for an indoor / outdoor soccer facility. The lands are located south of the Lock III Estates subdivision. Although a number of discussions transpired in 2008 regarding the planning approvals that would be required to permit the facility, including site plan approval, no applications have been submitted. Staff conclude that the proponent has abandoned the proposal since there has been no ongoing discussions since 2008.

The Planning Act does not require public involvement in the site plan approval process. Periodically, Council directs that residents be involved in a specific site plan to assure concerns are addressed, as is the case here. In this instance, there is no site plan submission to date, and staff do not anticipate one in the near future. In the event that the proposal does materialize in the future, staff have flagged the property in the City's AMANDA property management system, as one where residents of the Lock III Estates subdivision to the north, be included in the site plan approval process.

Financial Implications

There are no financial implications associated with the report.

Prepared, Submitted and Approved by:

Judy Pihach, M.C.I.P., R.P.P.

Manager of Planning Services

Planning and Development Services Department



CITY OF
ST. CATHARINES

Corporate Report

Report from Fire & Emergency Management Services, Administration

Date of Report: October 9, 2012

Date of Meeting: October 29, 2012

Report Number: FS-601-2012

File: 10.10.3

Subject: Attendance at Canadian Association of Fire Chief's Conference,
September 23-27, 2012, St. John's, Newfoundland

Recommendation

That Council receive the report regarding attendance at the Canadian Association of Fire Chief's Conference in St. John's, Newfoundland, for information purposes.
FORTHWITH

Background

In accordance with Council direction, a report is to be filed within three months of attendance by the person who attended an out of province conference. As part of the 2012 budget, Council approved the Director of Fire & Emergency Management Services to attend this conference.

Report

The theme of this year's conference, "Ashes to Innovation", brought together not only Fire Service leaders but also subject experts from across Canada and the United States to speak on labour relations, adversity and health and safety issues affecting today's fire service.

Relevant presentations included "Twenty-Four Hour Shifts – Moral Booster or a Tragedy in Waiting" which gave an overview of diametrically opposed medical evidence regarding the 24 hour shift. There were also presentations on fiscal restraint that looked at various service delivery models and health and safety issues geared to protecting not only the firefighter physically but also how dealing with tragic and traumatic calls can build up over time and affect the mental state of firefighters.

One of the major advantages of attending this conference is the interactive nature of each of the sessions allowing various fire service perspectives to be shared from all parts of the country. This annual conference assists staff to remain current with the evolving issues faced by senior fire officials.

Financial Implications

Not applicable.

Prepared by:

Mark Mehlenbacher, Director
Fire & Emergency Management Services, Fire Chief

Approved by:

Mark Mehlenbacher, Director
Fire & Emergency Management Services, Fire Chief



Corporate Report

Report from Transportation & Environmental Services, Operations

Date of Report: October 16, 2012

Date of Meeting: October 29, 2012

Report Number: TES-611-2012

File: 68.81.3

Subject: Sidewalk Snow Removal Program for Seniors and Persons with Disabilities
File: 300-186-03

Recommendation

That the Sidewalk Snow Removal Program for Seniors and Persons with Disabilities be approved for 2012/2013 Winter Season; and

That the City enters into an agreement with the Wayside House of St. Catharines for their services up to September 30, 2013; and

Further, that the City Solicitor be requested to prepare the necessary by-law and agreement. FORTHWITH.

Summary

For several years, the City has offered a Sidewalk Snow Removal Program for Seniors and Persons with Disabilities to provide assistance to those individuals who aren't physically capable of clearing snow from sidewalks abutting their properties. This report recommends renewing the City's agreement with Wayside House Rehabilitation Centre for carrying out this work.

Background

Since 1988 Council has endorsed a Sidewalk Snow Removal Program for Seniors and Persons with Disabilities. Residents who are eligible may request the service whereby snow and ice is removed from City sidewalks for properties occupied by residents who are unable to do the work themselves. Eligibility for inclusion in the program requires medical confirmation of the resident's restrictions. There is no cost to the residents for the service and the work is coordinated by the City. Tenant occupied properties are not eligible for the program. In recent years the work has been carried out almost entirely by the Wayside House Rehabilitation Centre under contract to the City.

Report

The existing agreement with Wayside expired on September 30, 2012 and a new agreement is required for the upcoming 2012/2013 winter season. The proposed

length of the term will run from November 20, 2012 to September 30, 2013. The terms of the agreement stipulate a budget estimate or upset limit and the provision by which the actual service is billed. The cost is based on a minimum hourly wage, as prescribed by the Employment Standards Act, for the work crews plus an administration fee of 37%.

Summary of Annual Costs

There are approximately 761 residents who are taking advantage of this program. The budget and actual cost for the service over the last 5 years are shown below:

5 Year Cost Summary of Sidewalk Snow Removal Program			
YEAR	BUDGET	ACTUAL COST	
		TOTAL	WAYSIDE
2007	\$55,000.00	\$39,368.37	\$33,873.17
2008	\$55,000.00	\$68,527.78	\$63,642.58
2009	\$55,000.00	\$41,875.89	\$38,706.13
2010	\$55,000.00	\$50,101.03	\$44,514.47
2011	\$55,000.00	\$65,275.30	\$59,688.38
2012 (to date)	\$55,000.00	\$18,289.54	\$17,365.94

As indicated in this table, the actual cost of the service is often less than the estimated cost. The actual cost of the service depends almost solely on the weather conditions for a given year.

Financial Implications

There are sufficient funds identified in the 2012 Operating Budget to cover the remainder of the estimated cost of \$55,000 for 2012. An amount of \$55,000 will be included in the proposed 2013 Operating Budget for this program

Submitted and Prepared by:

Dan Dillon, P.Eng.
Assistant Director – Transportation and Environmental Services Department

Approved by:

Sandra Lawson, P. Eng.
Director – Transportation and Environmental Services Department



CITY OF
ST. CATHARINES

Corporate Report

Report from Transportation & Environmental Services, Operations

Date of Report: October 15, 2012

Date of Meeting: October 29, 2012

Report Number: TES-620-2012

File: 77.37.99

Subject: Lockhart Drive – Speed Concerns

Recommendation

That the report be received for information purposes. FORTHWITH.

Background

At the August 13, 2012 Council meeting, Councillor Harris requested the following:

That staff be directed to prepare a report regarding vehicles speeding on Lockhart Drive.

The following report will address this request.

Report

Lockhart Drive is a two lane, two-way minor collector road located off of Glenridge Avenue just north of the Niagara Escarpment. The street has no curbs or sidewalks (rural cross section) and parking is prohibited on both sides of the street from Glenridge Avenue to Marsdale Drive. A review of the collision history for Lockhart Drive revealed five reported collisions over the last five years. The types of collisions varied and showed no discernible pattern. The collision experience is considered low (average of 1 collision per year).

In order to assess vehicular speeds, staff undertook a six day speed study at two locations on Lockhart Drive, the results were as follows:

Lockhart Drive (easterly half)

Average speed – 52.1 km/hr

85th percentile speed – 62.3 km/hr (85% of the traffic was travelling at 62.3 km/hr or less)

Percentage of traffic in excess of 65 km/hr – 8%

Average daily traffic count – 1,600 vehicles per day

Lockhart Drive (westerly half)

Average speed – 50.1 km/hr

85th percentile speed – 59.8 km/hr (85% of the traffic was travelling at 59.8 km/hr or less)

Percentage of traffic in excess of 65 km/hr – 5%

Average daily traffic count – 1,540 vehicles per day

Based on the results of the study, a speeding issue appears to exist on Lockhart Drive. A typical residential street has an average speed between 40 to 45 km/hr, an 85th percentile speed between 50 to 55 km/hr with up to 2% of the traffic in excess of 65 km/hr. On Lockhart Drive, the observed speeds are above these ranges, specifically the number of vehicles travelling in excess of 65 km/hr. An analysis of the data showed that the incidents of excess speeds were observed throughout the day and there were no significant clusters or patterns to the speeding.

Conclusion

Based on the results of the investigation, staff have determined that the vehicular speeds observed on Lockhart Drive warrant further action. The results of the speed study will be forwarded to the Niagara Regional Police with a request for increased speed enforcement.

Financial Implications

Not applicable.

Submitted by:

Kris Jacobson

Manager of Transportation Services

Prepared by:

Steve Bittner

Transportation Technologist

Approved by:

Sandra Lawson, P. Eng.

Director



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning & Development Services, Building & Development

Date of Report: October 12, 2012

Date of Meeting: October 29, 2012

Report Number: PDS-618-2012

File: 56.2.5

Subject: Request to Vary Sign By-law – 188 Linwell Road (Grantham Optimist Club)

Recommendation

That Council approve the Staff Recommendation for the request to vary the Sign By-Law to allow an electronic ground sign located within 20 metres (65 ft. 7 in.) of lands zoned for residential use.

Staff Recommendation

That the request to vary the Sign By-Law to allow an electronic ground sign located within 20 metres (65 ft. 7 in.) of lands zoned for residential use be approved with the following conditions:

1. That the sign be located approximately 1.5 metres (4 ft. 11 in.) from the easterly property line, and approximately 17.5 metres (57 ft. 5 in.) from the westerly property line of the subject property; and
2. That the digital portion of the sign shall be illuminated only between 7 am and 11 pm each day; and
3. That the brightness of the digital portion of the sign must be dimmed by 25% of the normal daytime brightness at dusk of each day and remain dimmed until the sign is turned off as per Section 1, above.

For the purpose of this sign variance, dusk will be as follows:

6:00 pm – September 21 thru December 20
5:00 pm – December 21 thru March 20
7:00 pm – March 21 thru June 20
8:00 pm – June 21 thru September 20; and

That the Grantham Optimist Club be so advised; and

That the Office of the Clerk be directed to make the necessary notifications.
FORTHWITH

Background

The Grantham Optimist Club wishes to replace its existing reader board sign with a new modern style sign that can more conveniently advertise its various programs and events. The new sign has a lighted upper sign advertising the club, and a lower digital electronic sign (see Appendix "A".)

The proposed location of the sign is less than 20.0 metres (65 ft. 7 in.) from residential-zoned properties both to the east and west of the subject property. This distance is less than the minimum distance required under the City of St. Catharines By-Law 2012-154 (the By-Law), as amended. It appears that only the residents of the property to the west may be affected by the digital sign.

The presence of a Fire Hall on the property to the east represents a non-residential use: thus staff are satisfied with the proposed sign setback of 1.5 metres (4 ft. 11 in.). The property to the west contains a 2-storey apartment building, also zoned residential. The proposed location of the sign would be approximately 34 metres (111 ft. 6 in.) from the corner of the apartment building itself. This is a distance that staff believes is an acceptable buffer to the digital sign subject to the requirements to dim the digital portion of the sign each evening, and to turn off the digital portion of the sign each night.

Report

Existing Sign

The existing lighted reader board sign is a legally existing ground sign located immediately adjacent to the front and side property lines, not in compliance with the requirements of the current Sign By-Law. It is proposed that this sign will be removed in favour of the new sign.

Proposed Sign

The proposed sign is shown in the application (see Appendix "A") to be 2.08 metres (6 ft. 10 in.) in height with an area of 2.4 sq. m. (25.9 sq. ft.). The top portion is a two-sided lighted sign box advertising the "Grantham Optimist Club" including its logo. The lower portion contains a two-sided digital electronic reader board.

Affected Parties

The property to the east contains a Fire Hall which is zoned 'H' (treated as residential – single detached dwellings permitted only). As a result, the zoning requires that this property be considered a residential use for the purposes of the Sign By-Law. Since the Fire Hall is a non-residential use, it is not adversely affected by the proposed sign.

The property to the west contains a two-storey apartment building. The Sign By-Law requires a 20.0 metre (65 ft. 7 in.) setback to residential properties, whereas the property line is approximately 17.5 metres (57 ft. 5 in.) from the proposed sign (see Appendix "B"). The distance to the actual building is approximately 34 metres (111 ft. 6 in.). Staff believe that this distance serves to adequately buffer the residents from the digital sign and meets the intent of the By-Law. The driveway serving the

apartment building runs alongside the east side of the building serving to further buffer the property from the sign.

Financial Implications

Not Applicable.

Conclusion

Staff support the proposed variance to the Sign By-Law with the conditions that the digital portion of the sign be operated as described in the Recommendation above.

Notification

That the Grantham Optimist Club, c/o PO Box 28023, RPO Lakeport, St. Catharines, ON L2N 7P8, be so advised.

Submitted by:

Sandra Burrows
Manager of Building & Development

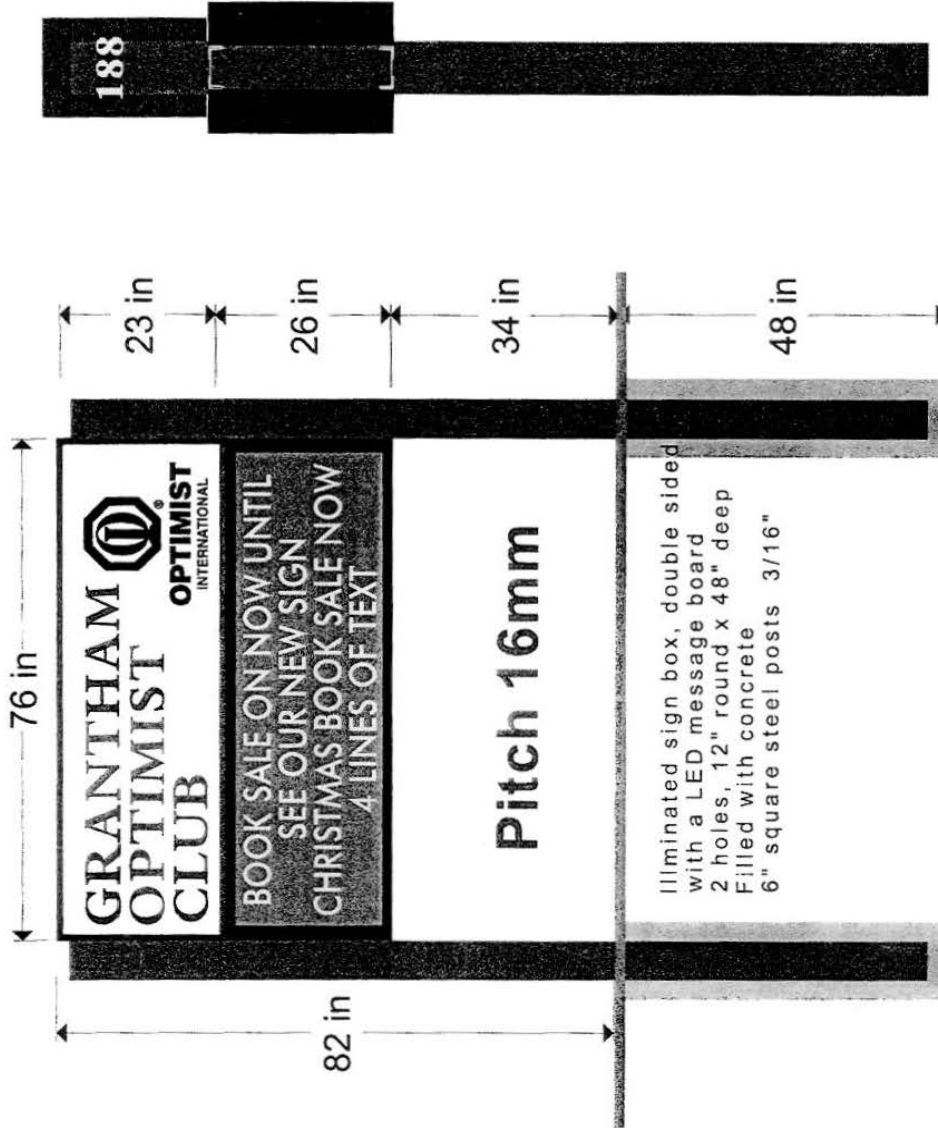
Prepared by:

Todd Rogers
Building inspector II

Approved by:

James N. Riddell, MPI., MCIP, RPP
Director of Planning and Development Services

Layout for Approval



ph: 905.938.7446

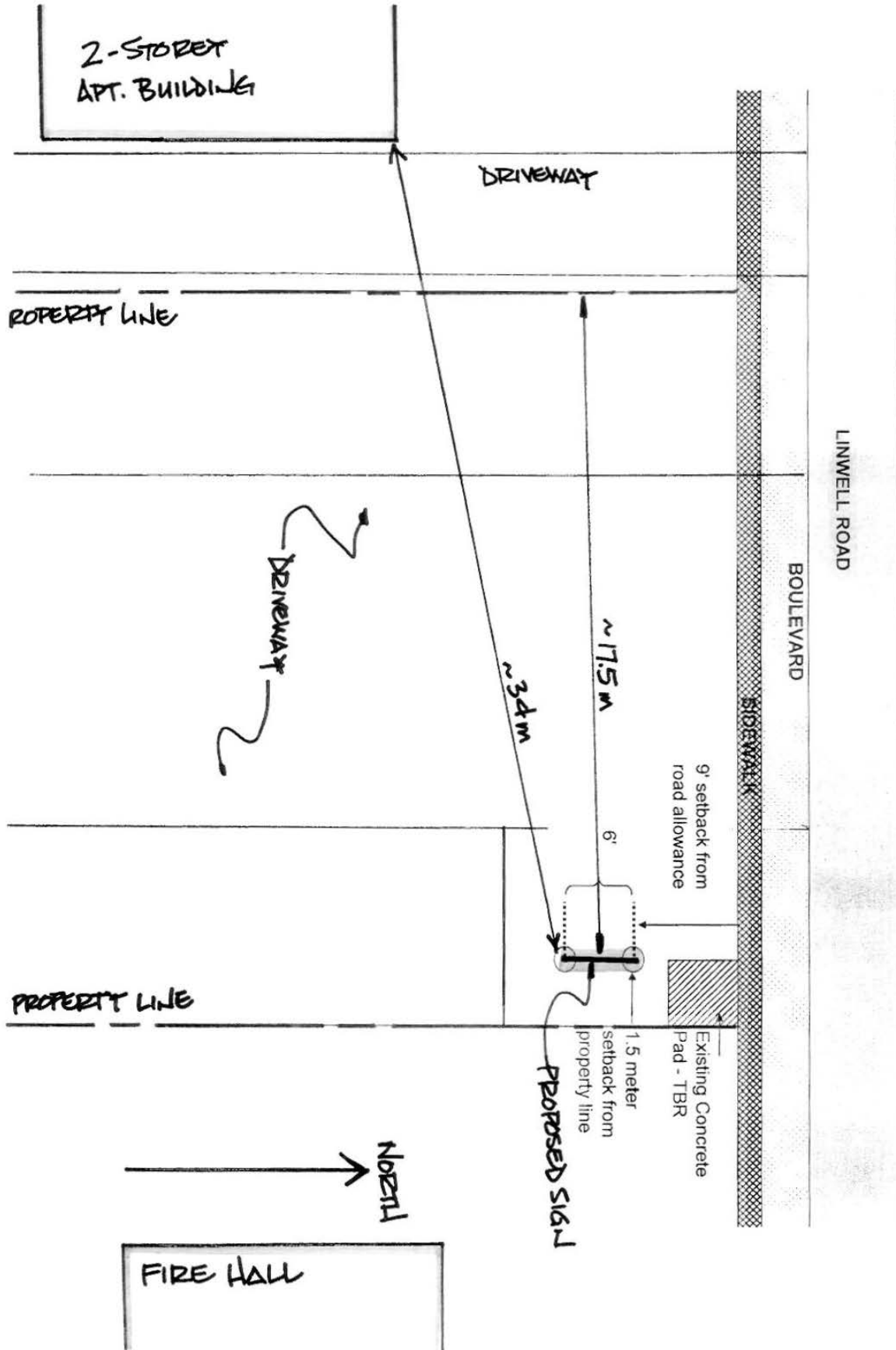
fax: 905.938.7443

20 Secord Drive
St. Catharines Ontario,
Canada L2N 1K8

www.creativesignworks.ca

Date: Feb 28th 2012

2





CITY OF
ST. CATHARINES

Corporate Report

Report from Financial Management Services, Billing

Date of Report: October 15, 2012 **Date of Meeting:** October 29, 2012

Report Number: FMS-608-2012 **File:** 10.57.19

Subject: 2013 Tax Due Dates and Interim Billings

Recommendation

That Council approve establishment of the 2013 property tax due dates as:

Interim

1 st Instalment	March 8, 2013
2 nd Instalment	May 10, 2013

Final

1 st Instalment	July 12, 2013
2 nd Instalment	October 11, 2013; and

That the 2013 interim tax levy be established as detailed below; and

That the City Solicitor be authorized to prepare the necessary by-law.

Report

Interim tax rates for the Unprotected Property Classes (Residential, Pipeline and Farm) are based on 50% of the total amount of taxes for municipal (Region and City) and school purposes levied on the property in the previous year (i.e. 2012).

Interim tax rates for the Protected Property Classes (Multi-residential, Commercial and Industrial) are protected from reassessment and tax reform increases under the Continued Protection for Property Taxpayers Act (CPPTA). The interim levy for protected properties is based on 50% of the previous year as amended by the previous year CPPTA adjustment on a property by property basis.

Interim Levy

The interim tax levy is to be set at 50% of the previous year as detailed above.

Property Tax Due Dates

Property tax due dates are customarily established as the 2nd Friday of each instalment month. In 2012, the approved dates were:

Interim

1 st Instalment	March 9, 2012
2 nd Instalment	May 11, 2012

Final

1 st Instalment	July 13, 2012
2 nd Instalment	October 12, 2012

Accordingly, the proposed 2013 property tax due dates are:

Interim

1 st Instalment	March 8, 2013
2 nd Instalment	May 10, 2013

Final

1 st Instalment	July 12, 2013
2 nd Instalment	October 11, 2013

Financial Implications

Not applicable.

Submitted by:

Tracey Miller, Billing Manager

Prepared by:

Tracey Miller, Billing Manager

Approved by:

Shelley Chemnitz, CA, Director/Treasurer



CITY OF
ST. CATHARINES

Corporate Report

Report from Financial Management Services, Accounting

Date of Report: October 11, 2012

Date of Meeting: October 29, 2012

Report Number: FMS-609-2012

File: 10.57.99

Subject: Monthly Investment Report – Operating Fund as at September 30, 2012

Recommendation

That Council receive the report for information purposes and no further action be taken.

Background

An Operating Fund investment report is provided to Council each month. Included in this report is a record of each investment, ordered by due date, outstanding as of the last day of the month. The report details the settlement date, the investment term and interest rate.

Report

Financial Management Services has forwarded the Monthly Investment Report – Operating Fund as at September 30, 2012, for consideration of the General Committee (see Appendix “1” attached).

Financial Implications

Not applicable.

Submitted by:

John Sim, Manager of Accounting & Payroll

Prepared by:

John Sim, Manager of Accounting & Payroll

Approved by:

Shelley Chemnitz, CA, Director/Treasurer

City of St. Catharines
Monthly Investment Report - Operating Fund
As at September 30, 2012

1

INVESTMENT SUMMARY:

Institution ¹	Individual Share ²	Portfolio Share ²	Maturity Value	Policy Limit ²
Schedule I banks		93.9%	\$51,901,452	100%
Bank of Montreal	9.0%		\$5,000,000	50%
Bank of Nova Scotia	24.8%		\$13,689,643	50%
Canadian Imperial Bank of Commerce	18.0%		\$9,949,092	50%
Manulife Bank	3.6%		\$2,009,245	50%
Royal Bank of Canada	12.2%		\$6,753,472	50%
Toronto Dominion Bank	26.2%		\$14,500,000	50%
Provincial Governments		5.2%	\$2,900,000	10%
Municipal Finance Authority of B.C.	5.2%		\$2,900,000	5%
Credit Unions		0.9%	\$500,258	10%
Meridian Credit Union	0.9%		\$500,258	5%
TOTAL		100.0%	\$55,301,710	100%

INVESTMENT DETAIL BY DUE DATE:

Security Issuer (Dealer ³), Type ⁴	Settlement Date	Due Date	Term Days	Interest Rate	Maturity Value
Toronto Dominion Bank, SU	1-Oct-10	1-Oct-12	731	2.30%	\$500,000
Toronto Dominion Bank, SU	14-Oct-11	14-Oct-12	366	3.00%	\$500,000
Toronto Dominion Bank, SU	27-Oct-11	27-Oct-12	366	2.50%	\$750,000
Bank of Nova Scotia, GIC	30-Oct-09	30-Oct-12	1096	3.35%	\$2,000,000
Toronto Dominion Bank, SU	10-Nov-11	10-Nov-12	366	2.60%	\$1,000,000
Toronto Dominion Bank, SU	17-Nov-10	17-Nov-12	731	2.50%	\$750,000
Toronto Dominion Bank, GIC	11-May-12	10-Dec-12	213	1.75%	\$5,000,000
Toronto Dominion Bank, GIC	14-May-12	10-Dec-12	210	1.75%	\$3,000,000
Canadian Imperial Bank of Commerce, SU	21-Jan-10	21-Jan-13	1096	2.75%	\$500,000
Toronto Dominion Bank, GIC	28-Jan-12	28-Jan-13	366	1.86%	\$3,000,000
Canadian Imperial Bank of Commerce, GIC	29-May-09	29-May-13	1461	3.34%	\$5,000,000
Royal Bank of Canada (TD), DN	6-Apr-09	17-Jul-13	1563	3.07%	\$2,000,000
Bank of Montreal (RBC), NC/DN	6-Feb-09	3-Sep-13	1670	3.99%	\$5,000,000
Bank of Nova Scotia, GIC	30-Oct-09	30-Oct-13	1461	3.81%	\$2,000,000
Municipal Finance Authority of B.C. (TD), DN	6-Apr-09	3-Dec-13	1702	3.05%	\$2,900,000
Bank of Nova Scotia, GIC	30-Oct-09	30-Oct-14	1826	4.10%	\$2,000,000
Bank of Nova Scotia (CIBC), DN	9-Apr-10	25-Mar-15	1811	3.55%	\$1,007,000
Manulife Bank (TD), CA	31-Aug-11	N/A	N/A	1.50%	\$2,009,245
Royal Bank of Canada (TD), CA	7-Oct-10	N/A	N/A	1.45%	\$4,753,472
Canadian Imperial Bank of Commerce (TD), CA	13-Oct-10	N/A	N/A	1.45%	\$4,449,092
Bank of Nova Scotia (TD), CA	29-Nov-10	N/A	N/A	1.45%	\$6,682,643
Meridian Credit Union, CA	19-Jul-12	N/A	N/A	1.45%	\$500,258
TOTAL					\$55,301,710

NOTES:

¹ Investment eligibility in accordance with Section 418 of the *Municipal Act 2001* and O. Reg 438/97, amended to O. Reg 399/02.

² The "Policy Limit" sets out the maximum share of a particular investment or investment category at the time of placement.

Refer to the City of St. Catharines Investment Policy, Appendix B Approved Investments, Diversifications and Ratings.

³ Security dealer noted if different than security issuer.

⁴ Investment Types:

BA = Bankers' Acceptance, purchased at discount
BDN = Bearer Deposit Note, purchased at discount
CD = Certificate of Deposit
FRN = Floating Rate Note, purchased at premium
GN = Guaranteed Note, purchased at discount
DN = Deposit Note (Senior Bank Paper)
NC = Non-Callable
CA = Cash Account
GIC = Guaranteed Investment Certificate
SU = Extendible Step-Up Deposit Note



CITY OF
ST. CATHARINES

Corporate Report

Report from Corporate Support Services, Clerks

Date of Report: October 19, 2012

Date of Meeting: October 29, 2012

Report Number: CSS-616-2012

File: 35.60.99

Subject: Council Correspondence

Recommendation

That Council receive and file the items listed below, as attached; and

That Council receive and file additional correspondence distributed for the meeting held October 29, 2012.

Report

Corporate Support Services – Clerks is submitting for the approval of Council, correspondence received during the period October 6, 2012 to October 19, 2012.

- 1) Building Activity Statistics Sept 2012
- 2) Niagara Region, Smarter Niagara Incentives Program, ICP 86-2012
- 3) Niagara Regional Police Services Board Report
- 4) City of Welland, Proposed Changes to Hospital in South Niagara, Request for endorsement of petition
- 5) Committee of Adjustment, Notices of Hearing
- 6) Fort Erie-Municipal Infrastructure Strategy

Prepared by:

Carol Coull

Approved by:

Bonnie Nistico-Dunk



THE CORPORATION OF THE
CITY OF ST. CATHARINES

www.stcatharines.ca

PO Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2
Tel : 905.688.5600 | Fax: 905.682.3631
TTY: 905.688.4TTY (4889)

PLANNING AND DEVELOPMENT SERVICES
Building and Development
Building Permit Statistics

To: His Worship the Mayor and Members of Council

Re: Building Activity Statistics for the Month of September 2012

MONTH	NO. BUILDING PERMITS	NO. DEMOLITION PERMITS	NO. SIGN PERMITS	NO. PLUMBING ONLY PERMITS	EST. VALUE OF CONSTRUCTION	NO. NEW DWELLING UNITS
Jan.	47	6	28	25	\$4,147,025	15
Feb.	48	5	37	11	\$4,138,542	4
March	63	8	37	27	\$7,434,781	10
April	79	13	38	19	\$5,849,841	13
May	85	17	26	18	\$5,694,943	6
June	86	8	51	21	\$9,716,490	13
July	81	8	16	24	\$13,714,297	10
August	72	10	50	21	\$7,700,865	13
Sept.	62	4	33	23	\$8,944,865	61
TOTAL	623	79	316	189	\$67,341,649	145

MAJOR BUILDING PROJECTS OVER \$250,000 for the Month of September 2012 (excluding single and two dwelling units)

* Construct New 3-Storey
Residential Apartment Building
38 Lincoln Avenue
\$4,750,000

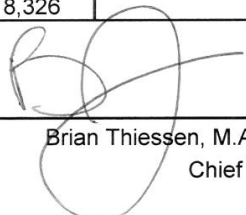
* 8-Unit Row House
15 Glory Hill Road
\$800,000

* Construct Additions and Alter
Interior to McDonalds
500 Welland Avenue
\$586,000

* Interior Alterations
Tim Horton's
209 Glenridge Avenue
\$336,000

Re: Building Activity Statistics for the Month of September 2011

MONTH	NO. BUILDING PERMITS	NO. DEMOLITION PERMITS	NO. SIGN PERMITS	NO. PLUMBING ONLY PERMITS	EST. VALUE OF CONSTRUCTION	NO. NEW DWELLING UNITS
Jan.	34	2	32	12	\$8,088,830	7
Feb.	41	2	25	12	\$2,334,250	7
March	43	2	27	12	\$5,131,119	3
Apr	70	8	44	23	\$3,970,714	5
May	78	9	38	22	\$23,051,066	4
June	92	6	30	17	\$6,499,200	8
July	83	13	23	14	\$11,422,732	48
August	88	12	38	15	\$7,640,120	17
Sept.	77	7	39	43	\$7,780,295	15
TOTAL	606	61	296	170	\$75,918,326	114


Brian Thiessen, M.A.A.T.O., C.B.C.O.
Chief Building Inspector



Office of the Regional Clerk

2201 St. David's Road, P.O. Box 1042, Thorold
ON L2V 4T7
Tel: 905-685-1571 Toll-free: 1-800-263-7215
Fax: 905-687-4977
clerk@niagararegion.ca
www.niagararegion.ca

October 16, 2012

CL 13-2012, October 4, 2012
ICPC 12-2012, September 26, 2012
Report ICP 86-2012

Bonnie Nistico-Dunk, City Clerk
City of St. Catharines
P.O. Box 3012
St. Catharines, ON L2R 7C2

SENT ELECTRONICALLY

Smarter Niagara Incentives Program
Grants to Local Municipalities
ICP 86-2012

Dear Ms. Nistico-Dunk,

Regional Council, at its meeting of October 4, 2012, approved the following recommendations of its Integrated Community Planning Committee:

That Report ICP 86-2012, September 26, 2012, respecting Smarter Niagara Incentives Program, Grants to Local Municipalities, **BE RECEIVED**;

That staff continue to **RECEIVE** and **BRING FORWARD** to Regional Council for consideration requests from Niagara's local municipalities to fund local planning projects relating to advancing growth management implementation priorities and local public realm improvement projects; and

That this report **BE CIRCULATED** to Niagara municipalities.

A copy of Report ICP 86-2012 is enclosed for your information.

Yours truly,

Janet Pilon
Acting Regional Clerk
:nld

cc: Mr. P. Robson, Commissioner, Integrated Community Planning
Mr. C. Benson, Manager, Regional Policy Planning
Ms. M. L. Tanner, Associate Director, Regional Policy Planning
Ms. S. McPetrie, Administrative Assistant, Integrated Community Planning
Ms. J. Feren, Legal Services
Ms. M. L. Macara, Legal Services

Building Community. Building Lives.



REPORT TO: Integrated Community Planning Committee
SUBJECT: Smarter Niagara Incentives Program
Grants to Local Municipalities

RECOMMENDATIONS

1. That staff continue to **RECEIVE AND BRING FORWARD** to Regional Council for consideration requests from Niagara's local municipalities to fund:
 - a. Local planning projects relating to advancing growth management implementation priorities.
 - b. Local public realm improvement projects
2. That this report **BE CIRCULATED** to Niagara municipalities.

PURPOSE

The purpose of this report is to provide information to Regional Council on the *Smarter Niagara* Incentives Program (SNIP) and confirm a direction on how to manage requests from municipalities to co-fund special projects relating to smart growth. This report supports Council's Business Plan Objectives relating to a Responsive Region, Open for Business and Public Engagement and Communications.

BUSINESS IMPLICATIONS

This report recommends that staff continue to receive and bring forward to Regional Council requests from local municipalities to fund local planning projects and public realm improvements.

Local planning projects and public realm improvements are funded from the Smarter Niagara Incentives budget, only as funds are available. Currently the SNIP budget is \$1 million annually and is used primarily to fund the Region's contribution to local municipal community improvement plans and programs. Council will recall that this was increased from \$750,000 in the 2012 budget to respond to the increase in local municipal CIPs and programs, resulting in increased uptake to matching Regional contributions to incentive programs.

Requests to co-fund local planning projects and public realm improvements are subject to available funds and will be brought forward for Council's consideration. This approach is consistent with past practice and allows Council the opportunity to review the merits of each on a case by case basis and assess financial and community impact before arriving at a decision.

REPORT

Committee will note ICP 97-2011, regarding the Review and Update of the *Smarter Niagara* Incentives Program, contained recommendations relating to the budget for SNIP. Specifically, the report recommended that:

- “a) a portion of the total annual budget for the Smarter Niagara Incentive Programs be dedicated to the Public Realm Incentives Program;*
- b) advanced visualization exercises no longer be funded from the Smarter Niagara Incentive Programs budget; and,*
- c) Local Municipal plans and planning exercises/work other than Local Municipal CIPs not be funded from the Smarter Niagara Incentive Programs budget.”*

This report aims to address these recommendations as at least one conflicts with feedback that Regional Policy Planning have received through a recent Customer Service Review. This report provides rationale for maintaining current practice in how requests for funding local planning projects and public realm improvements are managed.

The *Smarter Niagara* Incentives Program can be visualized in its current state as outlined in Appendix I.

Public Realm Improvement Projects

Prior to 2011, funding for local public realm improvement projects have been offered through an annual ‘application call’ pending funds are available in the annual SNIP budget. In 2011 there was no application call issued as there were limited funds available for these projects, in most cases involve contributions of \$100,000 per project. Regional staff are recommending that the ‘application call’ process continue to be used pending available funds near the end of the budget year. Based on a review of budget capacity for 2012, staff expect to be issuing a call for applications in November 2012.

To date, approximately \$980,000 has been provided to seven different local municipalities for 15 public realm projects.

Local Planning Projects and Visualization

Although the SNIP review recommended that funds not be granted for local planning work (local planning projects, visualization, etc.) beyond the preparation of local Community Improvement Plans (CIP), the recent Customer Service Review initiated by Regional Policy Planning (RPP) suggests very different conclusions. The Customer Service Review concluded that local municipal planners value the financial assistance offered through the SNIP for these types of projects. In most cases these funds are used to advance Regional policy interests and to ensure implementation at the local level.

ICP 86-2012
September 2012
Page 3 of 4

Local planning projects¹ are currently funded from the Smarter Niagara Incentives budget, only as funds are available. Currently the SNIP budget is \$1 million annually. This was increased from \$750,000 in the 2012 budget to respond to the increase in local municipal community improvement plans and programs, resulting in increased uptake to matching Regional contribution to incentive programs. The recommendation of this report to continue to 'receive and bring forward' requests for funding local planning projects as these are support policy implementation and economic stimulus in Niagara's communities. The suggested approach will ensure that these projects are considered as the SNIP budget will accommodate.

To date, approximately \$1.25 million has been provided for 39 different planning projects in all 12 local municipalities.

The *Smarter Niagara* Incentives Program is identified as being a useful and necessary tool to help promote redevelopment, smart growth, and promote economic prosperity. Since its inception, the *Smarter Niagara* Incentives Program has experienced considerable success. Uptake from local municipalities and private developers continues to grow. This report recommends that the original core programs be maintained and strengthened where possible.

PREVIOUS REPORTS PERTINENT TO THIS MATTER


- **ICP 97-2011:** Review and Update of the *Smarter Niagara* Incentives Program, November 30, 2011
- **ICP 52- 2012:** Customer Service Review of Regional Policy Planning, May 16, 2012

Submitted by:



Patrick Robson
Commissioner of
Integrated Community Planning

Approved by:

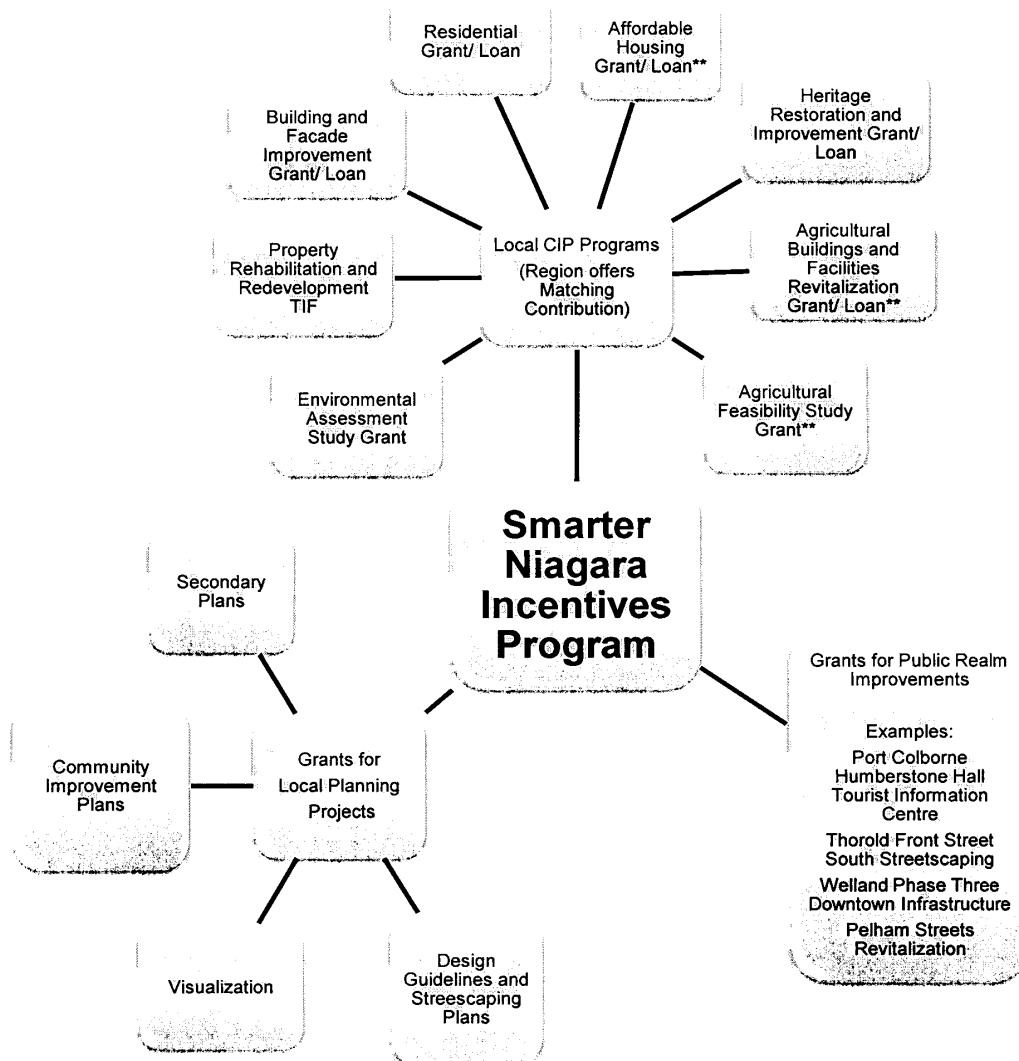


Mike Trojan
Chief Administrative Officer

This report was prepared by Kelly Martel, Planning Student, Regional Policy Planning and Curt Benson, MCIP, RPP, Manager of Policy Planning and reviewed by Mary Lou Tanner, MCIP, RPP, Associate Director of Regional Policy Planning

¹ For the purpose of this report, "local planning projects" is meant to capture all initiatives undertaken by municipalities that have in the past qualified for funding. These include, but are not limited to, community improvement plans, secondary plans, design guidelines, visualization projects, streetscaping plans, etc.

ICP 86-2012
Appendix I
September 2012
Page 4 of 4



* The Smarter Niagara Incentives Program was subject to a comprehensive review and update in 2011 (Report ICP 97-2011).

** These are new programs resulting from the review and update of the Smarter Niagara Incentives Program in 2011.

Board Report



Civilian Governance and
Oversight for the Niagara
Regional Police Service

A Newsletter from the Niagara Police Services Board

POLICE SERVICES BOARD

Chair
Regional Cllr. Henry D'Angela

Vice-Chair
Todd Shoalts

Members
Mayor Vance Badawey
Regional Chair Gary Burroughs
Kenneth Gansel
Bob Marshall
Vaughn Stewart

Executive Director
Deb Morton

Executive Assistant
Dawn Cichocki

Address
110 James Street, 2nd Floor
St. Catharines, ON L2R 7E8

Phone
(905) 685-0321

Fax
(905) 688-0036

Email
psb@nrps.on.ca

Web
www.nrps.com/psb

UPCOMING EVENTS

October 11
Police Services Board
Committee Meetings
8:30 am – 2:00 pm, PSB Boardroom

October 25
Police Services Board
Regular Monthly Meeting
8:30 am, PSB Boardroom
1st Floor, 110 James Street,
St. Catharines

November 8
NRPS Budget Presentation
to Regional Council
Budget Review Committee
9:30 pm, Regional Council Chambers

November 12 & 13
OAPSB Fall Seminar
Doubletree Toronto Airport Hotel
Toronto, Ontario

2013 "DRAFT" POLICE BUDGETS TABLED

The Niagara Regional Police Service tabled the 2013 *Draft Operating and Capital Budgets* at the September 27th meeting of the Niagara Police Services Board.



The *Draft Operating Budget* that police staff tabled follows the direction of the Board to achieve a 2.57% increase for 2013 as requested by Regional Council. The projected 2013 net operating budget for the Niagara Regional Police Service will be \$125.8 million. This is a net incremental operating budget increase of \$3.15 million over 2012. The biggest driver of the increase is wages, benefits and other compensation costs, which account for approximately 94% of the police operating budget. The draft budget, as presented, meets the guidance target set by Regional Council and the Police Services Board and allows the Service to maintain services at existing levels.

Chief of Police Jeff McGuire told the Board that the Service has taken steps to mitigate the budget impact, including the rationalization and reduction of discretionary expenditures, the continued restriction of backfill for civilians to operationally essential positions and the reprioritization and realignment of resources.

The Board asked the Chief to provide further details on the budget and come back with a more realistic view of what resources are required to address challenges such as overtime, unfunded liabilities and the pre-hire recruitment strategy.

The *Draft Capital Budget* was approved by the Board and totals \$17.544 million, which is funded by reserve transfers and debenture debt. The majority of projects included in the capital work plan are for the renewal of police assets such as facilities, fleet, and information technology infrastructure.

Deliberations on the 2013 *Draft Operating Budget* are scheduled to continue at the Police Services Board Finance Committee meeting on October 11th and the beginning of the regular meeting of the Board on October 25, 2012 at 8:30 am, at NRPS Headquarters, 1st Floor (PSB Boardroom) 110 James Street, St. Catharines. This is the same meeting that the Niagara Regional Police 2013 Budget is scheduled for approval. The Board and Service are tentatively scheduled to present the 2013 budget to the Region's Budget Review Committee of the Whole on November 8, 2012.



NRPS "RIDE TO REMEMBER"

For many years now, the Niagara Regional Police Service has participated in the annual Ride to Remember. Service members embark on a four-day, 645 km, bicycle ride to the Canadian Police and Peace Officers Memorial in Ottawa. A total of 12 members of the NRPS departed from #3 District in Welland on September 26th and cycled to Parliament Hill to attend the memorial ceremonies on September 30th. They were joined by approximately 50 cycling members from other policing agencies as they passed through the various jurisdictions enroute to Ottawa.

The Ride is a tribute to remember the ultimate sacrifice officers have given. It is a solemn occasion, but is also a celebration of the unity of policing. Members of the NRPS along with Peace Officers from several other agencies united for a single purpose and completed the journey of remembrance to the Canadian Peace and Police Officers Memorial on Parliament Hill in Ottawa. The Board is proud to support the Niagara team effort and donated \$500 to accomplish this ride of awareness for fallen police officers.

The Niagara Police Services Board is the civilian body established by provincial legislation that provides governance and oversight of the Niagara Regional Police Service. It is accountable to the Ministry of Community Safety and Correctional Services and the Ontario Civilian Police Commission. If you are interested in viewing past issues of the "Board Report" newsletter or other information about the Niagara Police Services Board, please visit www.nrps.com/psb

A Newsletter from the Niagara Police Services Board

REPORTS RECEIVED BY THE BOARD

The Board received reports on the following topics at the September 27th meeting that may be of interest to you. All reports can be accessed on-line at www.nrps.com/psb

- **Ministry of Community Safety & Correctional Services** – Letter from the Minister advising there will be no increase to the current funding allocation of the cost-sharing programs for the Community Partnership Program (CPP) and 1,000 Officers' Partnership Program.
- **Greater Niagara Circle Route** – Presentation by Regional Councillor Bruce Timms, Chair, Greater Niagara Circle Route Steering Committee, providing an overview of the Committee and the growing concern from citizens and homeowners about motorized trail users.
- **NRPS Financial Overview** – Monthly report summarizing the NRPS year-end budget forecast as at August 2012.
- **NRPS Audit Requirements** – Proposal to eliminate the separate external audit of police financial statements which is performed in addition to the Region's consolidated financial statement audit.
- **Special Fund** – Monthly report summarizing the transactions and fund activities.
- **Regional Council** – Notification of information received on provincial grant correspondence, police financial variance reports, NRPS 2011 Annual Report, and Regional reports on unemployment and the increasing social assistance caseloads in Niagara Region.
- **Skills Development and Learning Plan** – Annual report to ensure the Service meets the mandated and identified needs of police employees in compliance with legislative guidelines.

POLICE FACILITIES PROJECT UPDATE



NRPS Headquarters/2 District and 1 District
The new NRPS Headquarters, 2 District station in Niagara Falls and 1 District station in St. Catharines will finish the Schematic Design this month. The architect team, along with the NRPS and Niagara Region Working Group, will be integrating all comments and feedback from the Board and internal meetings into the facilities design.

The architects are in the process of refining and advancing the building layouts with guidance from the project Working Group. Building exterior design is advancing including the refinement of exterior materials, extent of windows and landscape elements. Preliminary structural, electrical and mechanical requirements are being integrated into the Schematic Design package. The design floor plans will be advancing to accommodate all furniture, day lighting and special considerations from the user group sessions to date. The focus will be on refining the facility design to produce an efficient and functional set of Schematic Design documents.

Once reviewed, vetted and approved by the Working Group, the design team will prepare documentation to go before the Police Services Board, then the Region's Corporate Services Committee and Regional Council. The architects and Working Group will hold a public open house to discuss the two new facilities with the community. These are critical milestones for feedback that will ultimately shape the project in the months to come.

BOARD WELCOMES NEW RECRUITS



The Police Services Board welcomed eight new officers to the Niagara Regional Police Service at a special graduation ceremony held on August 9th.

Jordan Atkinson, Vince Bonazza, Matthew Cizmar, Wendy Cools-Lartigue, Jeffrey Dam, Richard Maggiolo, Avril Murphy, and Tony Zenga were all honoured at Niagara College, and officially sworn in as active members of the NRPS. Constable Jeff Dam delivered the graduate address on behalf of his peers. Prior to graduation, all eight officers completed an intensive 12-week program at the Ontario Police College in Aylmer, and received additional in-service training upon their return.

Board Chair Henry D'Angela offered congratulations on behalf of the Board and the entire Niagara Region, and Members Vance Badawey, Ken Gansel and Vaughn Stewart also attended the ceremony. Badges were presented to the new officers by Chief of Police Jeff McGuire, who spoke of the proud moment as his first opportunity as Chief to present badges to new officers. Chief McGuire reminded our new officers to pay attention to their coach officers, and to look forward to a diverse career with the NRPS and count on the full support of the Senior Officers, Uniform and Civilian members of the Service, and to simply, "have a little fun each day."

NRPS OPERATIONAL STATISTICS

- Homicides** – Three compared to two same period in 2011.
- Traffic Fatalities** – Year to date, 14 collisions with 17 deceased, which is considerably higher than 2011 and 2010 and slightly behind 2009.
- Life Threatening Injury Collisions** – 23 compared to 20 for same period in 2011; which remains fairly consistent over the past four years.
- Marijuana Grow Operations** – Year to date, NRPS seized illegal drugs totaling a street value of over \$15.5 million and \$186,500 in equipment.
- Robberies** – In August, NRPS solved five of 14 reported robberies, nine remain under investigation.

www.nrps.com/psb



CITY OF WELLAND

City Clerk and Legal Services

Office of the City Clerk

Corporate Services

60 East Main Street, Welland, ON L3B 3X4

Phone: 905-735-1700 ext. 2159 Fax: 905-732-1919

E-mail: laura.bubanko@welland.ca

www.welland.ca

October 5, 2012

File No. 08-143

Ministry of Health and Long-Term Care
10th Floor, Hepburn Block
80 Grosvenor Street
Toronto, ON M7A 2C4

Attention: The Honourable Deb Matthews, Minister of Health and Long-Term Care for Ontario.

Dear Ms. Matthews:

RE: September 25, 2012 – WELLAND CITY COUNCIL

At its meeting of September 25, 2012 Welland City Council passed the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND directs the Health Care Committee to initiate the attached petition which, upon completion, will be delivered to the Minister of Health & Long Term Care and all members of the Legislative Assembly; and further THAT this petition be distributed to other Niagara municipalities requesting their endorsement of the petition and asks for their assistance in implementing the petition within their municipalities.”

If you have any questions, please contact Frank Campion, Chair of the Health Care Committee at 905-735-1050 or frank.campion@welland.ca.

Yours truly,

Laura Bubanko
Acting City Clerk

Encl.

- c - Councillor Campion, Chair, Health Care Committee
- Cindy Forster, MPP, Unit 103, 60 King Street, Canal View, Welland, Ontario L3B 6A4
VIA EMAIL:
- Ashley Grigg, Clerk, City of Port Colborne, 66 Charlotte Street, Port Colborne, ON L3K 3C8
- Carolyn Kett, Clerk, Town of Fort Erie, 1 Municipal Centre Drive, Fort Erie, ON L2A 2S6
- Tanya Lamb, Clerk, Township of Wainfleet, P.O. Box 40 Wainfleet, ON L0S 1V0
- Nancy Bozzato, Town Clerk, Town of Pelham, P.O. Box 400, 20 Pelham Town Square, Fonthill, ON L0S 1E0
- Dean Iorfida, City Clerk, City of Niagara Falls, 4310 Queen Street, Niagara Falls, ON L2E 6X5
- Hazel Soady-Easton, Town Clerk, Town of Grimsby, 160 Livingston Avenue, Grimsby, ON L3M 4G3
- William J. Kolasa, Director of Corporate Services/Clerk, Town of Lincoln, 4800 South Service Road, Beamsville, ON, L0R 1B1
- Holly Dowd, Town Clerk, Town of Niagara-on-the-Lake, 1593 Four Mile Creek Road, Virgil, ON L0S 1T0
- Bonnie Nistico-Dunk, City Clerk, City of St. Catharines, 50 Church Street, St. Catharines, ON L2R 7C2
- Susan Daniels, City Clerk, City of Thorold, 3540 Schmon Parkway, Thorold, ON L2V 4A7
- Carolyn Langley, Clerk, Township of West Lincoln, 318 Canborough Street, Smithville, ON L0R 2A0

PETITION

TO The Legislative Assembly of Ontario:

Re: Dr. Kevin Smith's Niagara Health System Report to the Minister of Health and Long Term Care proposed changes to the hospital services in South Niagara.

Whereas the residents of South Niagara will not have equal, fair, safe and timely access to in-patient Gynaecological, Obstetrical and Paediatric Services due to distance, and

Whereas excessive travel times and lack of public transportation for residents in South Niagara will put patient safety at risk, and

Whereas if implemented, Dr. Smith's recommendations and the proposed location of a new south Niagara hospital in Niagara Falls is approved, a two tier health system in Niagara will be created, where north Niagara will be over serviced and south Niagara will be under serviced in relation to the safe and timely access to health and hospital care, and

Whereas if Hospital Services including in-patient Gynaecological and Mental Health, and all Obstetrical and Paediatric Services from the Welland Hospital Site and the Greater Niagara Hospital site will be re located to the new north Niagara St. Catharines site in 2013 it will undermine the continued viability of these two sites as full service hospital sites.

WE the undersigned petition the Legislative Assembly of Ontario as follows: We request the Legislative Assembly of Ontario to maintain existing services at the Welland Hospital site and the Niagara Falls Hospital site and that no services are to be moved until this new South Niagara Hospital is open and request that any approval for a new Niagara South Hospital include a site that is centrally located in Welland.

NAME (please print)	ADDRESS (please print)	SIGNATURE

PETITION INSTRUCTIONS

- **Please use the prescribed form
(Blank pages without the full petition wording are not valid)**
- **Anyone who resides in Ontario may sign the petition regardless of age**
 - **Please return any completed petition pages to Civic Square
no later than November 12, 2012**

THANK YOU



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

NOTICE OF HEARING

FILE NO. 60.81.4735
SUBMISSION NO. A-90/12

In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and;
In the matter of an application for minor variance on behalf of:

Raymond & Maria Kolochuk

Notice is hereby given that an application for minor variance under the above noted file number will be heard by the Committee of Adjustment for the City of St. Catharines on the date and at the time and place shown below:

DATE AND TIME: Wednesday, November 7, 2012 at 5:00 p.m.

PLACE: City of St. Catharines, Municipal Building, Council Chambers, 50 Church St., St. Catharines, ON

LOCATION OF THE LAND AND PURPOSE OF THIS APPLICATION:

12 PRINCE HENRY COURT

The subject parcel being described as Lot 7, Plan 603 is located on the south side of Prince Henry Court, west of Brookbanks Drive.



Application A-90/12 is made pertaining to City of St. Catharines By-law 64-207 as amended for the following:

1. A reduction in minimum distance of an accessory structure to the main building from 2m to 0.9 m.
2. A reduction in minimum distance of an accessory structure to a lot line from 0.6 m to 0.02 m.

The variances are requested to permit the existing 4 sheds to remain as they are and in their current location.

This is a public hearing called for the purpose of hearing evidence for or in opposition to the above noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on this application they may be forwarded in writing to the Secretary-Treasurer or you may appear in person or by counsel and make a verbal presentation to the Committee. If a person or public body that files an appeal of a decision of the Committee of Adjustment does not make written submissions to the Committee before it gives or refuses to give approval to an application, the Ontario Municipal Board may dismiss the appeal. If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment. This will entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

Forward written submissions and requests for a copy of the Notice of Decision to Darlene Faulkner, Secretary-Treasurer, Committee of Adjustment, City Hall, P.O. Box 3012, 50 Church St., St. Catharines, ON, L2R 7C2.

The applicant or the agent of the applicant **MUST** be present at the hearing. Take notice that if you do not attend this hearing or make a written submission the Committee may proceed in your absence and you will not be entitled to any further notice in the proceedings.

Note: Other applications will be heard at this hearing. The order of the agenda can be obtained 1 day prior to the hearing from the Planning Services Department. For additional information, contact the undersigned during normal business hours; 8:30 am to 4:30 pm Monday to Friday.

Date of Mailing: Tuesday, October 16, 2012

DISTRIBUTION
Staff: Council
Copies to:
TES: _____
PS: _____
LS: _____
HR: _____
FIRE: _____
FMS: _____
EDTS: _____
CAO/MAYOR: _____

Darlene Faulkner
Secretary-Treasurer
Telephone: (905)688-5600, Ext. 1715
Fax No: (905)688-5873
TTY Phone: (905)688-4889

RECEIVED

OCT 17 2012

CITY CLERK'S OFFICE
ST. CATHARINES, ONTARIO



CITY OF ST. CATHARINES

COMMITTEE OF ADJUSTMENT
P.O. Box 3012, 50 Church Street
St. Catharines, ON L2R 7C2

NOTICE OF HEARING

FILE NO. 60.81.4736
SUBMISSION NO. A-91/12

**In the matter of the Planning Act; Revised Statutes of Ontario, 1990, Chapter P.13 and;
In the matter of an application for minor variance on behalf of:**

ALLISON GLAZEBROOK & DAVID SHARPE

Notice is hereby given that an application for minor variance under the above noted file number will be heard by the Committee of Adjustment for the City of St. Catharines on the date and at the time and place shown below:

DATE AND TIME: Wednesday, November 7, 2012 at 5:00 p.m.

PLACE: City of St. Catharines, Municipal Building, Council Chambers, 50 Church St., St. Catharines, ON

LOCATION OF THE LAND AND PURPOSE OF THIS APPLICATION:

48 GLENRIDGE AVENUE

The subject parcel being described as Part of Lots 2328 & 2329, Corporation Plan 2 is located on the west side of Glenridge Avenue, north of Wychwood Road.



Application A-91/12 is made pertaining to City of St. Catharines By-law 83-211 as amended for the following:

1. A reduction in minimum side yard setback from 1.0 m to 0.305 m.
2. A reduction in minimum distance of an accessory structure to the main dwelling from 2 m to 0 m (northerly located shed).
3. A reduction in minimum distance of an accessory structure to a lot line from 0.6 m to 0.07 m (northerly located shed) and from 0.6 m to 0.3 m (southerly located shed).

The variances are requested for the proposed construction of a carport addition to the existing single detached dwelling and to recognize the location of the existing detached sheds on the property.

This is a public hearing called for the purpose of hearing evidence for or in opposition to the above noted application. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are asked to inform that person of this hearing. If you have comments on this application they may be forwarded in writing to the Secretary-Treasurer or you may appear in person or by counsel and make a verbal presentation to the Committee. If a person or public body that files an appeal of a decision of the Committee of Adjustment does not make written submissions to the Committee before it gives or refuses to give approval to an application, the Ontario Municipal Board may dismiss the appeal. If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment. This will entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

Forward written submissions and requests for a copy of the Notice of Decision to Darlene Faulkner, Secretary-Treasurer, Committee of Adjustment, City Hall, P.O. Box 3012, 50 Church St., St. Catharines, ON, L2R 7C2.

The applicant or the agent of the applicant **MUST** be present at the hearing. Take notice that if you do not attend this hearing or make a written submission the Committee may proceed in your absence and you will not be entitled to any further notice in the proceedings.

Note: Other applications will be heard at this hearing. The order of the agenda can be obtained 1 day prior to the hearing from the Planning Services Department. For additional information, contact the undersigned during normal business hours; 8:30 am to 4:30 pm Monday to Friday.

Date of Mailing: Tuesday, October 16, 2012

Darlene Faulkner
Secretary-Treasurer

Telephone: (905)688-5600, Ext. 1715
Fax No: (905)688-5873
TTY Phone: (905)688-4889

35.11.2.



Legal & Legislative Services

October 10, 2012

The Honourable Bob Chiarelli
Minister of Infrastructure
77 Wellesley Street West
Ferguson Block, 3rd floor
Toronto, ON L7A 1Z8

Honourable and Dear Sir:

Re: Municipal Infrastructure Strategy

The Municipal Council of the Town of Fort Erie at its meeting of September 17, 2012 approved the following recommendation:

THAT: Council hereby receives Report No. CS-31-12 for information purposes, and further

THAT: Council hereby directs staff to estimate the cost to implement an Asset Management Plan to be considered with the 2013 budget, and further

THAT: Council hereby requests the Ministry of Infrastructure to reconsider the criteria for distribution of the \$9 million allocation to small, rural and northern communities to meet capacity challenges to develop long term municipal asset management plans.

A full copy of Report No. CS-31-12 is attached as background information and for your reference.

We thank you for your attention to this matter.

Yours very truly,

Carolyn J. Kett, A.M.C.T.,
Town Clerk

ckett@forterie.on.ca

CJK/dlk

c.c. The Honourable Rob Nicholson, MP, Minister of Justice and Attorney General of Canada
Kim Craitor, M.P.P., Niagara Falls
Tim Hudak, M.P.P. Niagara West Glenbrook and Leader of the Opposition
Niagara Area Municipalities
H. Chamberlain, Director of Financial Services

RECEIVED

OCT 15 2012

CITY CLERK'S OFFICE
ST. CATHARINES, ONTARIO

DISTRIBUTION

Staff: Council

Copies to:

TES: _____

PS: _____

LS: _____

HR: _____

FIRE: _____

FMS: _____

EDTS: _____

CAO/MAYOR: _____

The Corporation of the Town of Fort Erie
Municipal Centre, 1 Municipal Centre Drive, Fort Erie, Ontario, Canada L2A 2S6
Office Hours: 8:30 a.m. to 5:00 p.m. Tel: (905) 871-1600 Fax: (905) 871-4022 Web-Site: www.forterie.on.ca

Town of Fort Erie

Corporate Services

Our Focus: Your Future

Prepared for	Council-in-Committee	Report No.	CS-31-12
Agenda Date	September 17, 2012	File No.	230203

Subject

PROVINCE RELEASES MUNICIPAL INFRASTRUCTURE STRATEGY

Summary of Recommendation

THAT Council receives CS-31-12 for information purposes, and

THAT Council direct staff to estimate the cost to implement an Asset Management Plan to be considered with the 2013 Budget.

THAT Council requests the Ministry of Infrastructure to reconsider the criteria for distribution of the \$9 million allocation to small, rural and northern communities to meet capacity challenges to develop long term municipal asset management plans.

Relation to Council's 2011-2014 Corporate Strategic Plan

Priority: **Financial Stewardship**

Goal: 11 Cost effective delivery of Town services

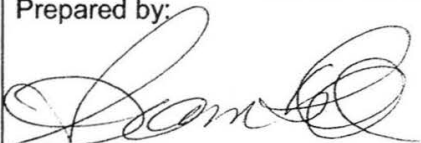
12 Develop a financial sustainability plan for the Town

Key Initiative: 11.2, 11.3, 11.4, 12.3, 12.8, (see Background for further details)

List of Stakeholders

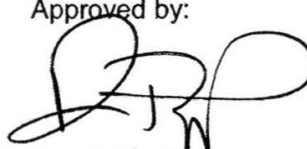
- Members of Council
- Fort Erie Ratepayers
- Town employees

Prepared by:



Helen Chamberlain, CA
Director of Financial Services

Approved by:



Ron Tripp, P. Eng.
Acting Chief Administrative Officer

Purpose of Report

The purpose of this report is to provide Council with information related to the Province's Municipal Infrastructure Strategy released on August 16, 2012.

Background

The Provinces' direction over the last number of years has been to emphasize Asset Management Plans. Recent funding program grant applications have required a commentary on the Town's asset management planning.

Last year the Province announced a 10 year capital plan that noted that asset management plans "would be required of organizations seeking significant capital funds". The recent announcement identified \$60 million to the Municipal Infrastructure Investment Initiative to help municipalities in funding critical capital over the next three years. The fund also includes \$9 million dedicated to helping small, rural and northern municipalities in developing their asset management plans.

Good asset management planning principles, procedures and manual processes are in place for managing the Town's assets however in the context of the recent information issued by the Province the Town cannot point to an Asset Management Plan (Plan) as described in the Provinces' "Building Together, Guide for Municipal Asset Management Plans". The Building Together document states that the Province is "moving toward standardization and consistency in municipal asset management. The first step is requiring any municipality seeking provincial capital funding to prepare a detailed asset management plan and show how its proposed project fits within it" because "asset management planning will allow needs to be prioritized over wants".

Analysis

The province is looking for some standardizing by way of requiring the following components to be included in an asset management plan:

- Identify what we own. This is complete by way of implementation of PSAB 3150, Accounting for Tangible Capital Assets. This inventory is updated on an ongoing basis for capital additions and disposals and reported at a summary level in the audited annual financial statements.
- Assess condition. The Town has master plans for several of its asset categories i.e. water, wastewater, roads, bridges, facilities which include condition information. They also include some replacement costs information but primarily for the cost of asset to be replaced or rehabilitated in the shorter term. Full replacement cost information is not currently available.

- Service level expected. The Town reports annually on Municipal Performance Measures as part of the Province's reporting requirements. Staff review and report trends as well as Town results relative to similar municipalities.
- Replacement cost of assets. Limited replacement cost information is available in master plans.
- A financial plan. The Town prepares annual a capital budget and five year forecast. The Province is recommending capital plans be for a minimum of 10 years and strongly encouraging that they be extended to cover the full life-cycle of assets in use which can be up to 75 years for buried infrastructure. The 2013 budget will propose the Town's capital plan be extended to include a 10 year forecast.

The Town's capital plan coordinates replacement of infrastructure with other Town infrastructure i.e. watermain replacement with road replacement, as well as with Regional infrastructure. This insures that assets are not simply recommended for replacement based on their condition but on the impact they have on adjacent infrastructure.

The Town's operating budget includes allocations for maintenance of capital assets i.e. crack sealing, pipe lining, so that asset life is prolonged and costly replacement is deferred in a proactive way. Some of these programs are still being funded with reserves as part of the transition to fully comply with PSAB 3150 which had them moved from capital to the operating budget. Funding of maintenance costs with operating budget funds rather than reserves has been built into the budget forecasts.

- A strategy to implement the financial plan. The Town's capital plan is based on what we can afford rather than what is necessary. The gap that exists continues to be the debate of budget and is addressed in the target documented in the recently prepared Reserve Policy. A commitment to a strategy that provides adequate capital funding through a balance of debt and reserve financial is a critical element of the Plan. The province states in their document that "Municipal Councils must be open to all available revenue and financing tools" inclusive of their policies regarding water rates "The prices of water and wastewater services in Ontario are low compared to many other jurisdictions and in many cases rates charged do not reflect the full cost of services". The Town has made significant improvements in the allocations to water and wastewater capital reserves over the period to 2008 which has put upward pressure on utility rates. However this was a necessary step in the responsible stewardship of capital assets.

To take the form of the Plan recommended by the Province some gaps in the Town's information need to be closed and the available elements should be more integrated. Several software providers have applications available to do so however the integration of new software with existing systems, ensuring the desired outcomes and establishing processes for maintenance will require financial and human resources. Staff currently does not have the capacity to take this on.

Financial/Staffing Implications

Without an Asset Management Plan the Town may be ineligible for future provincial and federal funding grant programs.

The Province has recognized that many municipalities are in the same dilemma and has allocated \$9 million in funding to assist municipalities to develop their asset management plans. However this funding has been restricted to lower tier municipalities with populations less than 20,000 and upper and single tier municipalities with infrastructure populations under 50,000. The Director of Financial Services has consulted with Municipal Affairs and has confirmed that the Ministry is holding strict to their population criteria for funding. It is therefore recommended that Council pass a motion to advise the Ministry of the financial challenges of municipalities with a population greater than 20,000 and ask that the criteria for funding be reconsidered.

Policies Affecting Proposal

By-law No. 30-11 adopted Council's 2011-2014 Corporate Strategic Plan.

Comments from Relevant Departments/Community and Corporate Partners

N/a.

Alternatives

Council may wish to direct staff to continue with the current processes in place for asset management.

Conclusion

The Province is placing great emphasis on integrated asset management planning. Council's Strategic Plan includes maximizing funding opportunities through other levels of government and capital forecasting to support optimal infrastructure funding. Increased resources are necessary to take the Town's asset planning to the level recommended by the Province and to ensure continued access to grant programs.

Attachments

N/a.