



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, August 12, 2019
Council Chambers, City Hall, 6:00 PM**

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

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- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Declarations of Interest**
- 4. Adoption of the Minutes (Council and General Committee)**

4.1 Regular Meeting of Council, [Minutes of July 15, 2019](#)

4.2 General Committee, [Minutes of July 15, 2019](#)

- 5. Public Meetings Pursuant to Planning Act**

5 - 31

- 5.1 Planning and Building Services
170 Church Street, 26, 28, & 30 Niagara St
Agent: Better Neighbourhoods Inc
Zoning & Official Plan Amendment

- 6. Public Meetings Pursuant to Notice By-Law**

32 - 46

- 6.1 Planning and Building Services / Transportation and Environmental Services
Request to Establish and Name a Public Street as David S Howes Way

47 - 60

- 6.2 Parks, Recreation and Culture Services, Programs and Cultural Services
St. Catharines Farmers Market Rates and Fees
(Report contains links, copies available upon request)

- 7. Special Presentations**

- 7.1 Fiona Peacefull and Chris McQueen, Disruptive Ideology Inc.
Re: Strategic Plan Updates

- 8. Resolve into General Committee**

9. Motions Arising from In-Camera Session

10. Motion to Ratify Forthwith Recommendations

11. Motions

11.1 Vacant Home Tax

Councillor Miller will present the following motion:

WHEREAS St. Catharines currently has a years-long waiting list for social housing, extremely low apartment vacancy rates, rising apartment costs, a need for more shelter spaces and transitional housing, and a residential real estate market that has seen house values grow exponentially in a short period of time; and

WHEREAS these factors combined have resulted in St. Catharines becoming an unaffordable place to live for many, particularly those on fixed incomes, social assistance and those who earn less than the living wage; and

WHEREAS jurisdictions such as British Columbia and Vancouver have successfully implemented vacant property taxes to not only collect more revenue for social housing projects, but also to encourage real estate speculators to rent out vacant homes; and

WHEREAS the Regional Municipality of Niagara has the authority to implement a vacant home tax in St. Catharines (and all other lower-tier municipalities within Niagara);

THEREFORE BE IT RESOLVED that the City of St. Catharines endorse the concept of a vacant home tax and call upon the Niagara Region to investigate, create, and implement a vacant home tax that specifically:

- Addresses vacant residential units in St. Catharines
- Encourages turning empty St. Catharines homes into good housing for people
- Raises revenue that will directly support affordable housing in St. Catharines

BE IT FURTHER RESOLVED that this resolution be circulated to the the Office of the City Clerk at the Niagara Region, Niagara Region Housing, the local area municipalities and the City of St. Catharines City Treasurer / Director of Financial Management Services and the Director of Planning and Building Services.

11.2 Wildlife Population

Councillor Garcia will present the following motion:

WHEREAS residents are concerned about what seems to be an increasingly large coyote and coywolves population, particularly, in the area of Jaycee and Westcliffe Parks parts of the City; and

WHEREAS residents report these animals are not intimidated by human presence and have been reported to be seen at all times of the day;

THEREFORE BE IT RESOLVED that staff work with the Ministry of Natural Resources (MNR), along with any other organizations that may have appropriate expertise and urge them to take immediate action that will mitigate the threat to residents without harming the wildlife population;

FURTHER BE IT RESOLVED that staff report back to Council in September with options and an on-going plan including the cost to implement it. FORTHWITH

12. Call for Notices of Motion

13. Report Requests to Council

- 13.1 That staff initiate the process outlined in the Naming Policy for Parks, Trails and Recreation Facilities to name the parkette at 91 York Street, including consultation with the public, the Heritage Advisory Committee and the Fitzgerald Neighbours, and prepare a report for Council to consider a name for the parkette. (Councillor Siscoe)
- 13.2 That staff report back on the feasibility of expanding the downtown CCTV initiative with the NRP to include the Yates neighbourhood, the area around Montebello Park and the Queen St. area, including costs associated with an expansion into these areas and whether exterior funding sources exist to help defray costs. (Councillor Siscoe)

14. By-laws

- 14.1 Reading of By-Laws

15. Agencies, Boards, Committee Reports

- 15.1 Minutes to Receive:
- Accessibility Advisory Committee, [Minutes of April 24, 2019](#)
 - Arts and Culture Advisory Committee, [Minutes of June 4, 2019](#)
 - Transportation Advisory Committee, [Minutes of June 25, 2019](#)
 - Accessibility Advisory Committee, [Minutes of June 26, 2019](#)

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- Heritage Permit Advisory Committee, [Minutes of June 27, 2019](#)
- Heritage Advisory Committee, Minutes of [July 11, 2019](#) (Draft)
- Advisory Committee on Older Adults, [Minutes of July 23, 2019](#) (Draft)
- Accessibility Advisory Committee, [Minutes of July 24, 2019](#) (Draft)

16. Adjournment of Regular Council Meeting

16.1 That the Regular Council Meeting of August 12, 2019 be adjourned.



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: August 2, 2019

Meeting Date: August 12, 2019

Report Number: PBS-174-2019

File No's: 19 103183 OP
19 103052 ZA

Subject: *Planning Act Public Meeting – Recommendation Report*
Application to Amend Official Plan and Zoning By-law 2013-283
Subject Lands: 170 Church Street, 26, 28 and 30 Niagara Street
Owner: 2544406 Ontario Inc.

Strategic Pillars:



Recommendation

That Council approve an amendment to the City of St. Catharines **Official Plan** (the Garden City Plan) for the lands described as Lots 3688 to 3693, Corporation Plan No. 2, City of St. Catharines, municipally known as 170 Church Street and 26, 28 and 30 Niagara Street, as follows:

That Schedule E10 of the Garden City Plan, Downtown Planning District, be amended by changing the land use designation of the lands from Mixed Medium High Density Residential / Commercial to Mixed High Density Residential / Commercial as identified in Appendix 6 of this report; and

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeals Tribunal for consideration and final approval; and

That the Clerk be directed to make all necessary notifications; and

That Council approve an amendment to the City of St. Catharines **Zoning By-law 2013-283**, for the lands described as described as Lots 3688 to 3692, Corporation Plan No. 2, City of St. Catharines, municipally known as 170 Church Street and 26, 28 and 30 Niagara Street, as outlined in Appendix 9; and

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeals Tribunal for consideration and final approval; and

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

Summary

Staff is recommending approval of these applications, which will permit, subject to conditions, a 6-storey mixed use building with 64 residential units and 5 commercial units directly fronting Niagara Street. The applications are consistent with the Provincial Policy Statement, conform to and do not conflict with the Growth Plan for the Greater Golden Horseshoe, and conform to and do not conflict with the Region of Niagara's Official Plan and the City of St. Catharines Official Plan.

Report

Proposed Development

The applicant proposes to construct a six-storey mixed-use building comprising 5 ground-floor commercial units facing Niagara Street, and 64 residential apartment units, 4 units on the ground floor and 60 units in the upper 5 storeys. The development includes 24 at grade parking spaces and 32 underground parking spaces (56 spaces total). The lands are located on the corner of Church Street and Niagara Street at 170 Church Street and 26, 28 and 30 Niagara Street. A conceptual Site Plan is attached as Appendix 2.

Location and Site Description

The lands are 4 lots known municipally as 170 Church Street and 26, 28, and 30 Niagara Street. They are located on the southeast corner of Church Street and Niagara Street. The lands combined will have a total lot area of 0.26 hectares. The properties together have approximately 22 metres of frontage on Church Street and approximately 67 metres of frontage along Niagara Street. A location map is attached as Appendix 1.

Surrounding land uses include:

North: Mixed use commercial / residential

East: Detached Dwellings, Salvation Army, St. Barnabus Anglican Church

South: Commercial and mixed use commercial / residential properties

West: Green space, commercial uses

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff have evaluated this Application for Official Plan Amendment and Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations have been formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 3.

Provincial Policy Statement (2014)

The Provincial Policy Statement, 2014 (the PPS), provides direction on matters of Provincial interest related to land use planning and development. Section 3(5) of the Planning Act stipulates that decisions of Council "shall be consistent" with the PPS.

The subject lands are located within a settlement area under the PPS. Sections of the PPS, which are particularly relevant to the subject proposal, are summarized below.

Settlement Areas

The PPS requires settlement areas to be the focus of growth and development, with land use patterns based on densities and a mix of land uses that efficiently use land, resources, and infrastructure, and which are transit supportive and support active transportation, among other matters. A range of uses and opportunities for intensification and redevelopment are to be provided, with planning authorities having the ability to identify suitable locations for growth, subject to appropriate development standards. Minimum intensification targets and redevelopment within settlement areas are to be established.

Housing

The Housing policies of the PPS require that planning authorities plan for an appropriate range and mix of housing types and densities to meet the needs of current and future residents. Lands in the municipality shall be suitably zoned with sufficient servicing capacity available to meet a three-year demand of growth through intensification. Planning authorities must permit and facilitate all forms of housing and intensification, subject to appropriate development standards, with densities that efficiently use land and resources, are transit supportive, and support active transportation.

Implementation and Interpretation

The PPS stresses the importance of official plans and zoning by-laws in implementing the policies of the Province. Land use designations and policies of official plans, along with development standards of zoning by-laws, are important tools to protect provincial interests and direct development to suitable areas.

PPS Summary Opinion

Staff are of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the policies of the Provincial Policy Statement in that policies related to intensification, growth, and housing are upheld.

At a density of approximately 248 units per hectare, this transit-supportive proposal will efficiently use existing infrastructure and public service facilities, and will contribute to the range of housing options in the city. The subject lands are located along both an existing transit route and in close proximity to the Region's "Greenbelt" cycling route.

Provincial Growth Plan for the Greater Golden Horseshoe (2019)

Like the PPS, guiding principles within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan supports the achievement of complete communities that "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards." Policies ensure that a range and mix of housing options are available including affordable housing. The Growth Plan provides a policy framework that is intended to be achieved within the context of each individual community, while being sensitive to adjacent areas. The City's Official Plan and Zoning By-law currently implement this existing framework for St. Catharines.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to the subject applications for Official Plan and Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;
- Adapt to climate change through compact and nodal development;
- Conserve, promote cultural heritage to support social, economic and cultural well-being;
- Promote high quality built form, attractive / vibrant public realm through site design and urban design standards;
- Support complete communities; and
- Support multi modal transportation, including active transportation and transit.

Growth Plan Summary Opinion

The subject lands are located within a Provincially designated Urban Growth Centre. The area is ideal for a more intensified and compact built form. The development is located along several transit routes and contributes to the diverse mix of uses in the surrounding neighbourhood. The proposed increase in density is an efficient use of a

currently underutilized parcel. By intensifying in close proximity to the City's downtown transit hub, the development is in good position to consider a parking reduction and will support local transit. The proposed commercial units and residential density will contribute to a diverse mixed use neighbourhood and bring further vitality to the downtown area. The policies of the Growth Plan are upheld.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031 / Conformity Amendment), which is the focus of both residential and employment intensification and redevelopment within the Region over the long term. Municipalities are encouraged to provide a full range of housing types to serve a variety of people through every stage of life.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement for residential intensification and sustainable communities outlined above. The Region's Sustainable Community Policies establish a residential intensification target of 95 per cent for the St. Catharines Built-up Area. The subject lands propose to provide 64 new apartment units and 5 new commercial units. The apartment units will count towards the City's annual residential intensification target of 95%, as set by the Regional Official Plan.

The subject lands are located within close proximity to local transit along Church Street, Niagara Street, Queenston Street and Geneva Street. It is also noted that 170 Church Street was previously used for commercial purposes. The Regional Official Plan is supportive of the intensification of lands within downtowns and underutilized lands to achieve Regional intensification goals and limit the need for urban expansion.

Based on the above, staff consider the applications and proposed development concept to align with Regional policy.

It should be noted that the Region of Niagara is undertaking a comprehensive review (MCR) with the aim of preparing a new regional Official Plan that will be in conformity with the PPS and the Provincial Growth Plan. Once completed, local area municipalities will be required to update their Official Plans accordingly.

Official Plan (Garden City Plan)

The subject lands are designated as Downtown (Appendix 4) by the City's Official Plan, The Garden City Plan (GCP). The Downtown Planning District further identifies the lands as Mixed Medium High Density Residential / Commercial (Appendix 5).

The Official Plan Amendment application seeks to change the land use designation from Mixed Medium High Density Residential / Commercial to Mixed High Density Residential / Commercial (Appendix 6). This amendment is requested to allow high density development in order to facilitate the proposed development which has a density of 248 units per hectare.

The Mixed Medium High Density Residential / Commercial designation of the GCP permits detached, semi-detached, duplex, triplex, fourplex, quadruplex, townhouse and apartment dwellings at a density range generally between 60 and 198 units per hectare of land. Additional permitted uses include institutional, small scale commercial, office, indoor recreation, and creative and cultural uses. The Mixed High Density Residential / Commercial designation of the GCP permits triplex, fourplex, townhouse and apartment dwellings at a density generally 85 units per hectare of land or greater. Additional permitted uses do not change.

Section 16.1 of the Garden City Plan outlines general policies to be considered in evaluating an Official Plan Amendment application. This application for amendment to the Plan has been evaluated on the basis of those prescribed considerations, as follows:

| Garden City Plan Policy (16.1) | Planning Comment |
|---|---|
| i) The degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, planning principles and general policies of the Plan | <p>Part B, 'Vision and Guiding Principles', describes the general intent of the Plan and the basis for which the land use policies of the Plan have been prepared. It establishes priorities including the accommodation of growth and change, housing, and achieving a sustainable community. Part D of the Plan, 'Land Use Policies', emphasizes more compact, innovative and alternative design to manage development. At a density of 248 units / ha, this mixed use development makes efficient use of a vacant site within the built-up area, and includes a mix of uses to contribute to the base of amenities and uses that allow people to live and work in downtown. Existing public infrastructure and services, including nearby transit, are available. Community uses as well as parks and trails are in close proximity.</p> <p>A sustainable community is one that has a vibrant downtown. One of the primary objectives in support of this principle is the creation of residential uses in or in close proximity to downtown. The subject lands are within the downtown designation of the Official Plan. High density mixed use development of the site supports these objectives.</p> |

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| ii) Consistency with Provincial and upper tier government plans, policies and legislation | As is required of the municipality, Provincial and Regional policies are entrenched in the Garden City Plan, as outlined above and throughout this report. The proposal complies with Provincial and Regional land use policies. |
| iii) The availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use | The property is located within the Downtown primary emphasis for housing intensification. The City's policies encourage the redevelopment of vacant and underutilized sites within the urban area to avoid the need to consider urban boundary expansions to meet housing needs. The applications propose to utilize lands located in an Urban Growth Centre to provide greater residential intensification and add to the mix of uses in a mixed use neighbourhood. There is limited available High Density Mixed Use land in the area and this location is ideal for an increase in density. |
| iv) The compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses | The proposed High Density Mixed Use designation proposed is consistent with the designation of the properties located northeast of the site, across Church Street. The proposed density and building mass have not been developed yet in this area, and will be unique in the immediate neighbourhood. Although surrounding buildings are low profile (2-3 storeys) the area is intended to re-develop into higher densities as properties are built up in the future. The proposed use is compatible with surrounding properties which contain similar uses. The required Site Plan Control process will ensure further compatibility through site and building design, landscaping and fencing around the property. |
| v) The potential of the proposal to cause instability within an area intended to remain stable | The area in which the development is proposed is zoned for higher densities and larger building mass than currently exists. Given its close proximity to downtown, the area is intended for a concentration of growth and development rather than remaining stable as is. The |

| | |
|--|---|
| | proposal will bring more residents to the area, and is situated near a variety of amenities, transit options and services that are already established. The additional population and commercial units will positively contribute to the housing mix and available services in and around the downtown neighbourhood and contribute to the intended growth and intensification of the area which is expected to change substantially into the future. |
| vi) The ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City | Development staff are satisfied that the existing capacity of services is sufficient for the proposed number of units. A Functional Servicing Report has been submitted and accepted by Development staff. |
| vii) The financial implications, both cost and revenues, to the City | Any improvements to municipal infrastructure which may be necessary to accommodate the development will be at the sole cost of the applicant. The addition of 64 residential dwelling units and 5 commercial units will provide an increase in property tax revenues. |
| viii) The degree to which approval of the amendment would establish an undesirable precedent | The lands immediately to the south and east are designated Mixed Medium High Density Residential / Commercial. Designating the subject lands at a higher density may potentially result in a gradation of density to the adjacent medium density mixed use to the south and west. The site is appropriately located for residential intensification in close proximity to existing transit, parks and trails and community services. |

Based on the matters outlined above, staff are satisfied that the proposed Official Plan Amendment meets the intent of the Plan and all other policies contained in the Official Plan and recommend approval.

Zoning By-law

Zoning By-law 2013-283 zones the lands as Medium Density Mixed Use (M1 - 107) (see Appendix 7). The M1 Zone permits a range of residential uses that may be standalone or mixed with commercial, recreational or office uses. Special Provision 107

prohibits certain automobile related uses. The maximum residential density in the M1 zone is 100 units per hectare. The proposal has a density of 248 units per hectare. As such, the proposal is to change the zoning to mixed High Density Mixed Use (M3) with a new Special Provision (M3-107-157) to address a number of site specific zoning provisions including setbacks, landscape buffers and parking.

The increase in density is facilitated by the application to Amend the Official Plan. The current Official Plan designation permits up to 198 units per hectare. The current Zoning designation further restricts the permitted density to 100 units per hectare. Staff consider the increase in density from Medium to High appropriate for the subject lands, as per the Official Plan policies discussed in this report.

Proposed Zoning By-law Amendment

The applicant proposes that the property be rezoned from Medium Density Mixed Use (M1 -107) to High Density Mixed Use (M3-107-157), as shown in Appendix 8, to permit the construction of the proposed mixed use building containing 5 ground floor commercial units and 64 apartment dwelling units.

Special Provision 157 is requested to address elements of the site design that do not meet a number of zone standards, as follows:

| Provision | Required | Requested | Variance | Comment |
|--|-----------------|-------------------------------|-----------------|---|
| Minimum Lot Frontage | 30 metres | 29 metres | 1 metre | Site specific zoning provisions are required to address proposed elements of the site design. |
| Minimum Front Yard Setback (Church Street) | 5.0 metres | 2.4 metres (pinch point only) | 2.6 metres | |
| Minimum Rear Yard Setback | 7.5 metres | 5.4 metres | 2.1 metres | |
| Minimum Exterior Side Yard Setback (Niagara Street) | 5.0 metres | 0 metres | 5.0 metres | |
| Minimum Number of Parking Spaces | 72 spaces | 56 spaces | 16 spaces | |
| Minimum width of Landscaped Buffer along a Parking Lot | 3.0 metres | 1.2 metres | 1.8 metres | |

In addition to the above, it is considered appropriate to include a height limit within the special provision to ensure that the proposed setbacks apply to the proposed building height at maximum. Proposed Special Provision 157 is detailed below and attached (Appendix 9):

| Special Provision | Zone | Schedule A | Location | By-law |
|---|--|------------|---|--------|
| 157 | M3 | 13 | 170 Church Street, 26, 28 and 30 Niagara Street | |
| A residential / commercial building is permitted with the following site-specific provisions: | | | | |
| 1. | Maximum Building Height | | 6 storeys up to a maximum of 20 metres | |
| 2. | Minimum Lot Frontage | | 29 metres | |
| 3. | Minimum Front Yard Setback | | 2.4 metres | |
| 4. | Minimum Rear Yard Setback | | 5.4 metres | |
| 5. | Minimum Exterior Side Yard Setback | | 0 metres | |
| 6. | Minimum Number of Required Parking Spaces | | 56 spaces | |
| 7. | Minimum Width of Landscape Buffer along a Parking Area | | 1.2 metres | |
| 1. | Minimum Landscaped Open Space | | 25% | |

Lot Frontage Reduction

The reduction in lot frontage from 30 metres to 29 metres has little impact on the function of the site. The building is oriented towards both Niagara and Church Street, providing adequate frontage to permit a functional access and to facilitate the construction of a building that appropriately addresses the street. Staff have no concerns regarding a reduction in lot frontage.

Setback Reductions

The requested reductions in setbacks to the front, rear and exterior side yard are considered appropriate in this context. The reduced front yard is requested to recognize a pinch point on the irregularly shaped lot, and will not negatively impact the Church Street streetscape. The reduced exterior side yard setback of 0 metres provides flexibility to the developer in working with an exterior side yard that is also irregular. Only a portion of the building will be set at 0 metres from the property line. This area has sufficient space between the sidewalk and property line to avoid negatively impacting the public realm with a reduced set back. The Site Plan process will further ensure that harmony between the building and streetscape are achieved through building design. The rear yard setback reduction from 7.5 to 5.4 metres is not expected to have any negative impacts on the surrounding area. Together, the reduced setbacks allow a building appropriate in its context on a highly visible corner within the downtown, allowing a stronger street presence and achieving an appropriate level of intensification.

Parking Reduction

Section 5.4.2 of the Official Plan states that the reduction or elimination of parking requirements may be considered where transit is readily available. The subject lands are located along several local transit routes and within a 10-minute walk of the Downtown Terminal which provides local, Regional, and intercity transit options. The

location of the development in the Downtown district has the benefit of being within reasonable walking and cycling distance of a significant number of amenities including various medical clinics, a variety of shops, recreational activities, parks and trails, places of worship, community facilities and a higher concentration of jobs. Additionally, there is on-street parking available in the vicinity along Niagara Street, Church Street, and Queenston Street, as shown in Appendix 10, which will assist in accommodating temporary parking needs such as visitor parking subject to the posted parking regulations. The parking reduction is considered appropriate for this location and is not expected to result in significant impacts on the surrounding neighbourhood.

Landscape Buffer

The proposed reduction in the landscape buffer along the parking area from 3.0 to 1.2 metres is considered acceptable. In order to compensate for the lost landscaped area around the perimeter, staff recommend that the Special Provision include a provision requiring a minimum area of landscaped open space of 25% of the lot area. Through the Site Plan process staff will require the landscape buffers to be planted in a way that provides a sufficient buffer between the proposed development and surrounding uses. Additionally, a board-on-board fence will be a requirement of Site Plan to further buffer the parking lot from neighbouring properties.

Site Plan Control

An Application for Site Plan Approval will be required should the requested amendments to the Official Plan and Zoning By-law be approved. Site Plan Control is the City's primary tool for implementing City standards and urban design guidelines; it regulates the placement of buildings, architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. Appendix 2 provides the proposed conceptual site design.

An additional public Open House relating to the detailed design of the site will be hosted by City staff as part of the site plan process. Through that forum, Planning Services staff and the Applicant will present the refined designs to the public for information purposes. Site plan approval includes the registration of a site plan agreement against the title of the lands that will be legally binding upon the existing and future property owners. The Applicant will be required to post securities to ensure the terms of the agreement are carried out.

Affordable Housing

While Council considers affordable housing a priority concern for the City, and the City's Official Plan recognizes the need to provide for affordable housing, actual mechanisms to require and sustain an affordable housing supply in the City, as per the definition in the Provincial Policy Statement 2014, are not currently in place. As such, at this time, applicants are *encouraged* to provide affordable housing, however it is not required.

The Applicant for this project has advised that it is being considered to include a percentage of units which meet the definition of affordable housing as defined by the Provincial Policy Statement (2014). They have reached out to local affordable housing groups to pursue partnership, which may result in some amount of affordable housing

within the development. It is also noted that apartment dwelling units are often considered a more affordable housing option than detached dwellings.

Should Council approve these applications, there is no guarantee at this time that any of the units will be “affordable” pursuant to the definition in the PPS.

Council should be aware that although condominium tenure may be considered in the future for this project, this does not suggest that the units, once constructed, will be owner occupied; it is not unusual for condominium units to become investment properties for rental purposes. Additional availability of residential ownership units and / or rental units in the ownership / rental market serves to increase the inventory of residential accommodation, thereby increasing the availability of dwelling units. In the event that the 64 units proposed by the Applicant do not ultimately meet the definition of affordable under the PPS, but by increasing the inventory of available dwelling units, pressure is exerted in the market place for pricing to be more competitive.

Circulation of Applications

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Official Plan and Zoning By-law Amendment. The feedback that has been received largely relates to site plan approval, a further planning approval which must be obtained should this application be approved by Council.

Region of Niagara

The Region has no objection to the Official Plan Amendment or Zoning By-law Amendment. The Region notes that as a condition of Site Plan Approval, an Environmental Site Assessment and applicable Record of Site Condition shall be completed, and filed as necessary for the subject lands. Additionally, a Noise Study must be submitted prior to final Site Plan Approval to ensure that appropriate noise mitigation measures are put in place for compatibility purposes. A 0.65 metre road widening along 26, 28 and 30 Niagara Street will be required to be conveyed to the Region prior to Site Plan registration.

Parks, Recreation and Culture Services (PRCS)

No objection to the proposed Official Plan and Zoning By-law Amendment. Given that the submitted site plan does not meet minimum landscaping requirements established in the zoning by-law, the detailed landscaping plan should ensure planting is maximized adjacent to residential uses in order to provide appropriate buffering. Tree’s along the property lines must be identified in the future application for Site Plan, and tree protection measures, fencing, landscaping (including boulevard re-instatements) and cash in lieu of parkland dedication will be required through the Site Plan Agreement.

Development Section of Planning and Building Services

Development staff have no objection to the application for Official Plan Amendment and Zoning By-law Amendment. The submitted Functional Servicing Report has adequately demonstrated that servicing capacity is currently sufficient to accommodate the proposed number of units. Detailed drainage design and servicing drawings will be required through the Site Plan process.

Traffic

No objections since the proposed Official Plan and Zoning By-law Amendment. A traffic impact study is not required since surrounding road network has capacity to accommodate the proposed development.

Urban Design

No objections to the proposed Official Plan and Zoning By-law Amendment. The requested density is supported and the requested setback reductions appear to be appropriate given the context of the property as a downtown gateway location. It is recommended that height be limited to six stories, as proposed. Design details will need to be addressed through the site plan submission including the accommodation of waste management and bicycle parking, internal walkways and architectural details.

Public Consultation

A public open house was hosted by Planning and Building Services on May 23, 2019. The purpose of the open house was to present the applicant's proposed Official Plan Amendment, Zoning By-law Amendment and conceptual site plan and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. The applicant and planning consultant were in attendance. Approximately 12 members of the public attended. Questions raised at the Open House are summarized below, with corresponding staff responses.

Comment: Will the requested parking reduction impact the surrounding area? There is concern that overflow parking will impact neighbouring commercial properties and parking lots. How will visitor parking be accommodated?

Response: The parking reduction is not expected to significantly impact the surrounding neighbourhood. As noted previously in this report, the development is situated amongst several City transit routes and is within a 10-minute walk of the Downtown Terminal which provides local, Regional and intercity transit options. Car ownership by residents will be limited by the available parking in the lot. Depending on the time of day, visitors may utilize the unused commercial parking outside of business hours, or find street parking. If unavailable, there are parking garages and municipal parking lots within reasonable walking distance of the site. Should any area landowners become concerned that visitors are parking on surrounding properties, there are tools to ensure that this is prohibited which may be pursued by landowners.

Comment: Will the number of available on-street parking spaces increase or decrease with this development or future road reconstruction plans?

Response: There is on-street parking available in the vicinity along Niagara Street, Church Street, and Queenston Street, as shown in Appendix 10. There are no plans for changes to the roads in the immediate vicinity of this development in the near future. Current roadworks are to be completed this year. Whether or not the number of parking on-street is maintained, increased or decreased in the future is a matter that would be discussed at a later date. At this time, the number of on-street parking spaces in the vicinity of the site is expected to remain the same.

Comment: Will the development be fenced? What type of fencing will be used?

Response: Fencing will be a requirement of the Site Plan process. Typical fencing requirements are 1.8 metre board-on-board fencing which will mitigate light trespass on to surrounding properties and provide adequate separation.

Comment: What will the commercial uses be?

Response: At this time the commercial tenants have not been secured. The land use would allow a variety of small scale service and retail commercial, institutional, and office uses.

Comment: Will the development be rental apartments or condominium?

Response: The applicant has indicated they will likely apply for approval of a condominium. This would allow the option of either rental or condominium tenure of individual units in the future.

Comment: There may be an existing right-of-way over the property to the east in favour of 28 Niagara Street. What will happen to this right of way?

Response: Prior to any development on the subject lands, the 4 subject properties will be merged to become one. At that time, any out-of-date easements or right-of-ways may be removed from the land. These lands are intended to operate in isolation and will not require access over any neighbouring properties.

Comment: Who will maintain the property?

Response: If the building is under one ownership, the owner is responsible to ensure the property is maintained to City standards. If the development is under condominium ownership, the condominium board takes on this responsibility.

Comment: Will the development include affordable housing?

Response: The applicant has discussed the possibility of incorporating affordable units into the development. There have been discussions regarding potential partnership with an affordable housing provider. There has not been any confirmation of affordable units,

nor is there a mechanism to guarantee that any of the units meet the Provincial definition of affordability.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

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 Local Planning Appeals Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

There are no direct costs to the City should these applications be approved. The developer is responsible for all costs related to the proposed development.

Relationship to Strategic Plan

Approval of these applications for Official Plan and Zoning By-law Amendment would support the following pillars of the City's Strategic Plan.

Economic Sustainability: The proposed development supports private investment through new construction on vacant and redevelopment lands. Future residents of the proposed development will support transit and local business in the Downtown.

Social Sustainability: The proposed development contributes to the connectivity of people, places and neighbourhoods by providing additional residential units and commercial units that will serve the local community and enhance the neighbourhood. Future residents will benefit from the local parks, trail systems, transit and mix of residential and commercial uses.

Conclusion

In summary, staff are recommending approval of the proposed Official Plan Amendment and Zoning By-law Amendment, subject to the recommendations set out in this report. The Amendments would facilitate the efficient and appropriate use of vacant lands within the urban area and within downtown with access to existing infrastructure, services, transit, and community facilities. The proposed apartment and commercial units will contribute to the City's intensification targets and to the range of available housing in the community.

This Applications for Official Plan Amendment and Zoning By-law Amendment have regard for matters of provincial interest, are consistent with the Provincial Policy Statement, conform to and do not conflict with the Growth Plan for the Greater Golden

Horseshoe, and conform to and do not conflict with both the Region of Niagara's Official Plan and the City of St. Catharines Official Plan, subject to the staff recommendations herein.

Notification

It is in order to advise Daniel Romanko, Better Neighbourhoods Inc., 190A Ontario Street, St. Catharines, ON L2R 5K9, the owner's agent.

Prepared by:

Charlotte McEwan
Planner I

Submitted by:

Judy Pihach, MCIP, RPP
Manager, Planning Services

Approved by:

Tami Kitay, MPA, MCIP, RPP
Director, Planning and Building Services

Appendices:

- Appendix 1 – Location Map
- Appendix 2 – Conceptual Site plan
- Appendix 3 – Planning policy Framework
- Appendix 4 – Garden City Plan Schedule D1
- Appendix 5 – Garden City Plan Schedule E10
- Appendix 6 – Garden City Plan Proposed Designation
- Appendix 7 – Existing Zoning Designation
- Appendix 8 – Proposed Zoning Designation
- Appendix 9 – Special Provision 157
- Appendix 10 – On-Street Parking Locations

Aerial Photo Surrounding Area



Niagara Regional Air Photo (April, 2015)



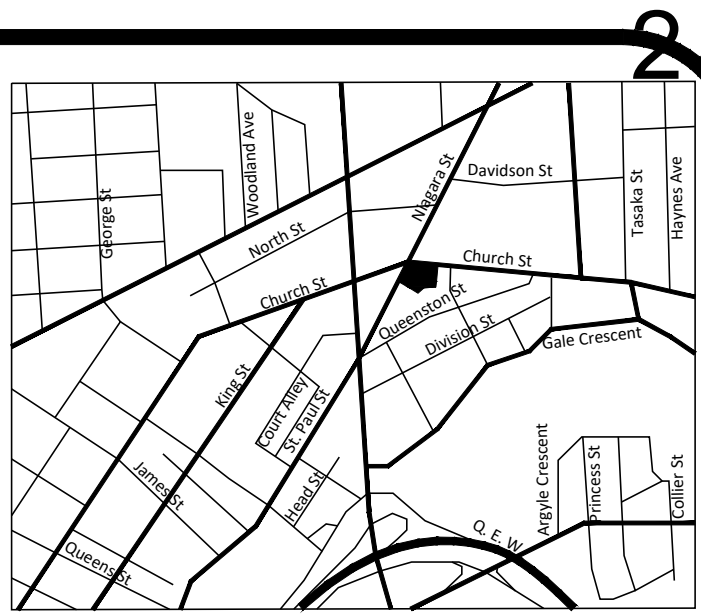
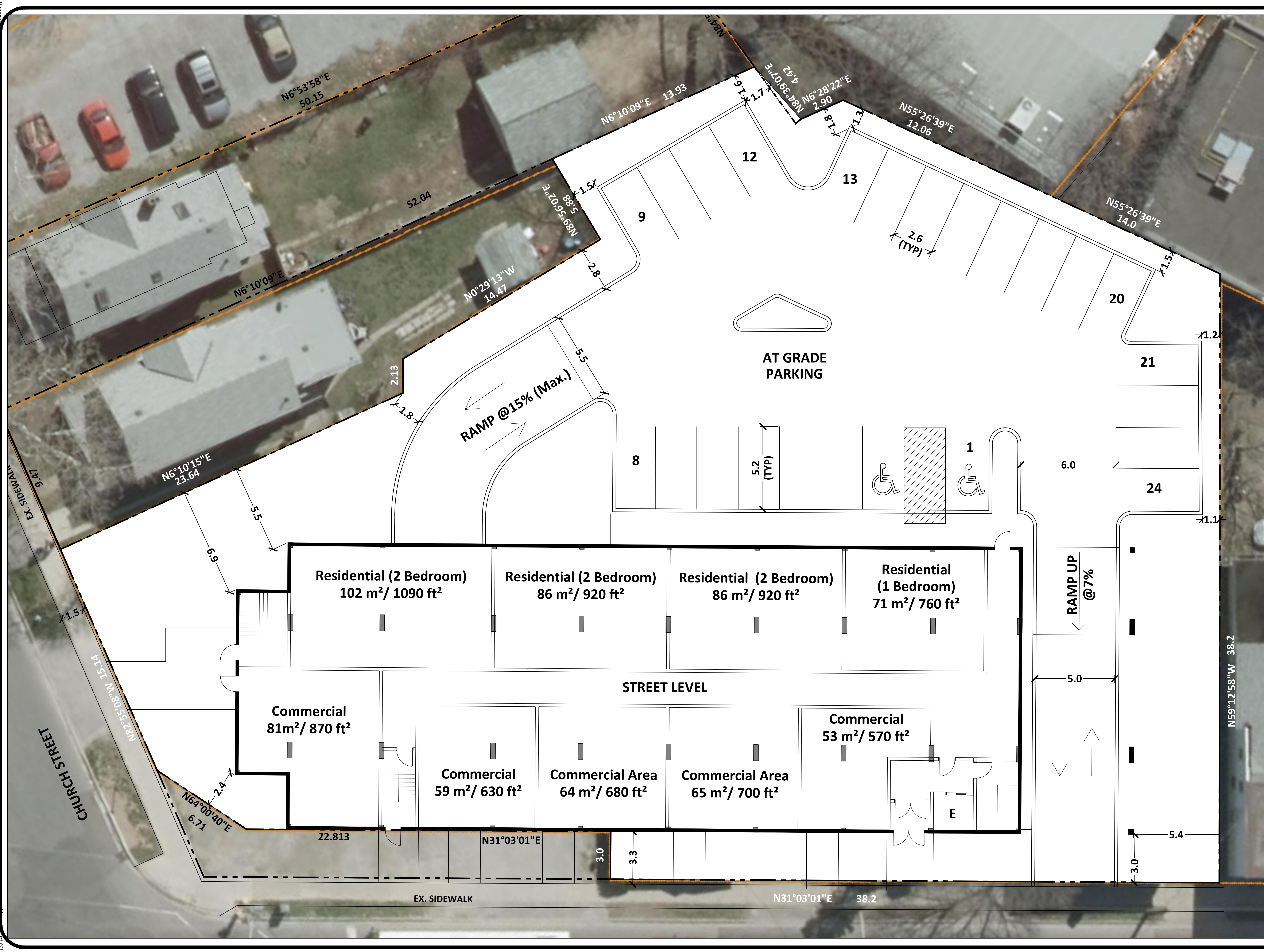
Subject Lands

170 Church Street

26, 28, & 30 Niagara Street

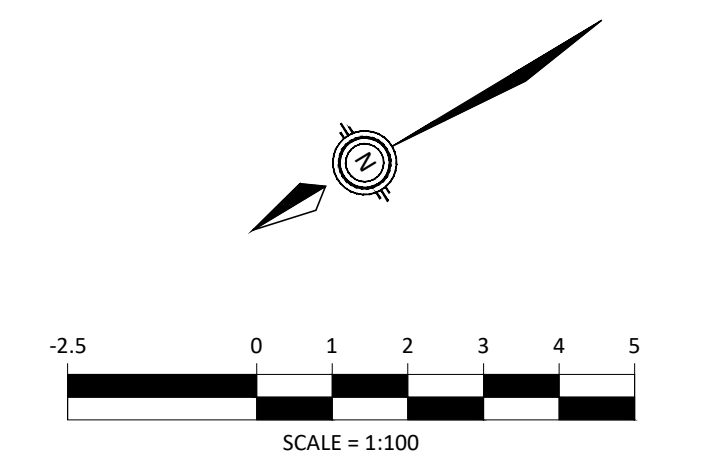
File: 19 103183 OP & 19 103052 ZA

Planning Department
Page 1 of 63
Appendix Item #5.1



| LAND USE SCHEDULE | |
|--------------------|---------------------|
| SITE AREA | 2603 m ² |
| BUILDING COVERAGE | 40% |
| PAVEMENT COVERAGE | 32% |
| LANDSCAPE COVERAGE | 28% |

| PROPOSED DEVELOPMENT | |
|-------------------------|----|
| # STORIES | 6 |
| COMMERCIAL UNITS | |
| AREA 322 m ² | 5 |
| RESIDENTIAL UNITS | |
| 1 BEDROOM | 51 |
| 2 BEDROOM | 13 |
| TOTAL | 64 |
| PARKING PROVIDED | |
| UNDERGROUND | 32 |
| OUTDOOR | 24 |
| TOTAL | 56 |





**better
neighbourhoods**
DEVELOPMENT CONSULTANTS
190A Ontario Street, Ontario L2R 5K9
Office: 905.684.8585 betterneighbourhoods.ca

PROJECT TITLE:

170 CHURCH STREET
St. Catharines, Ontario

DRAWING TITLE:

SITE PLAN

DATE OF ISSUE:

2019 03 12

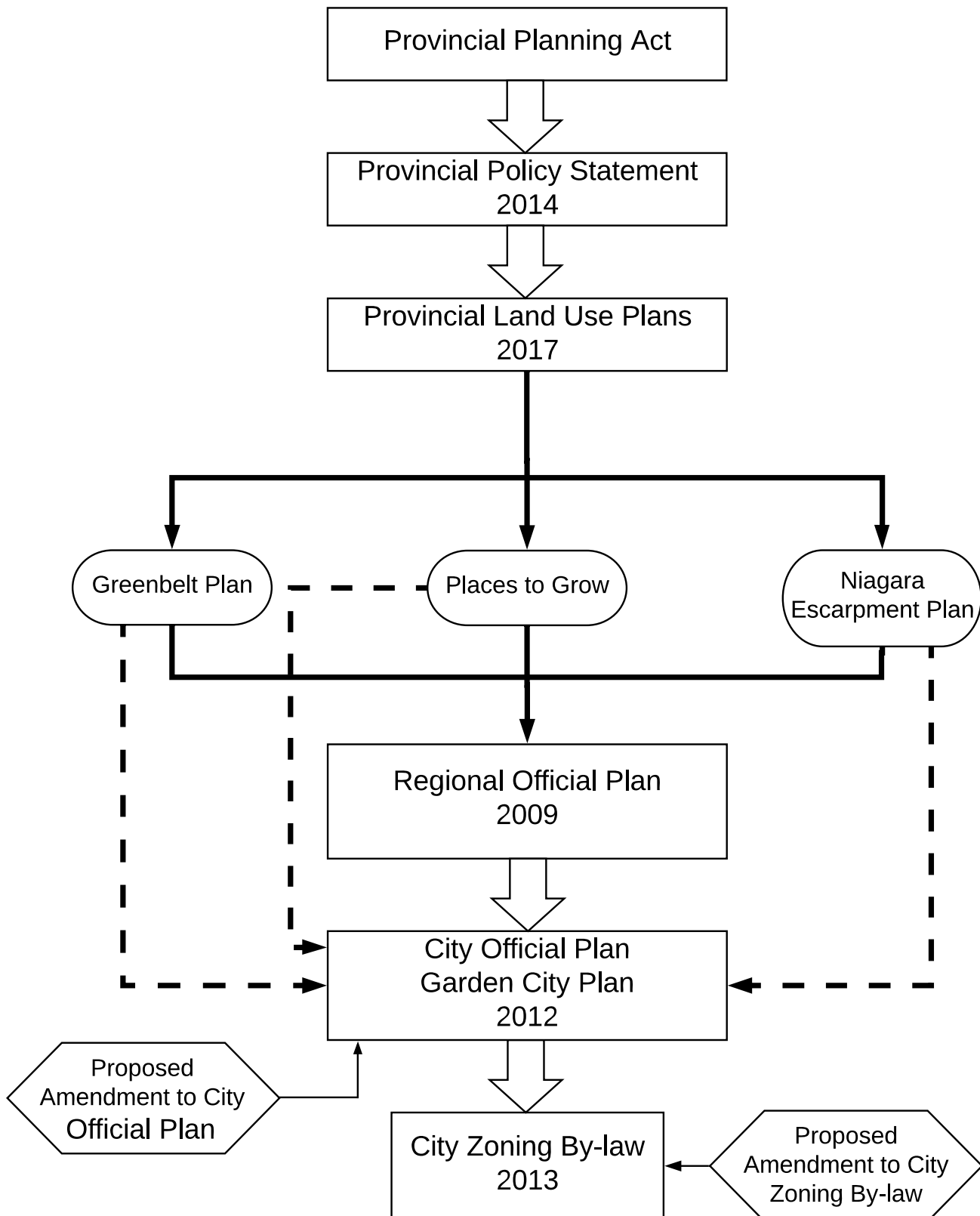
DRAWING No:

0275-SP-1

REV. NO:

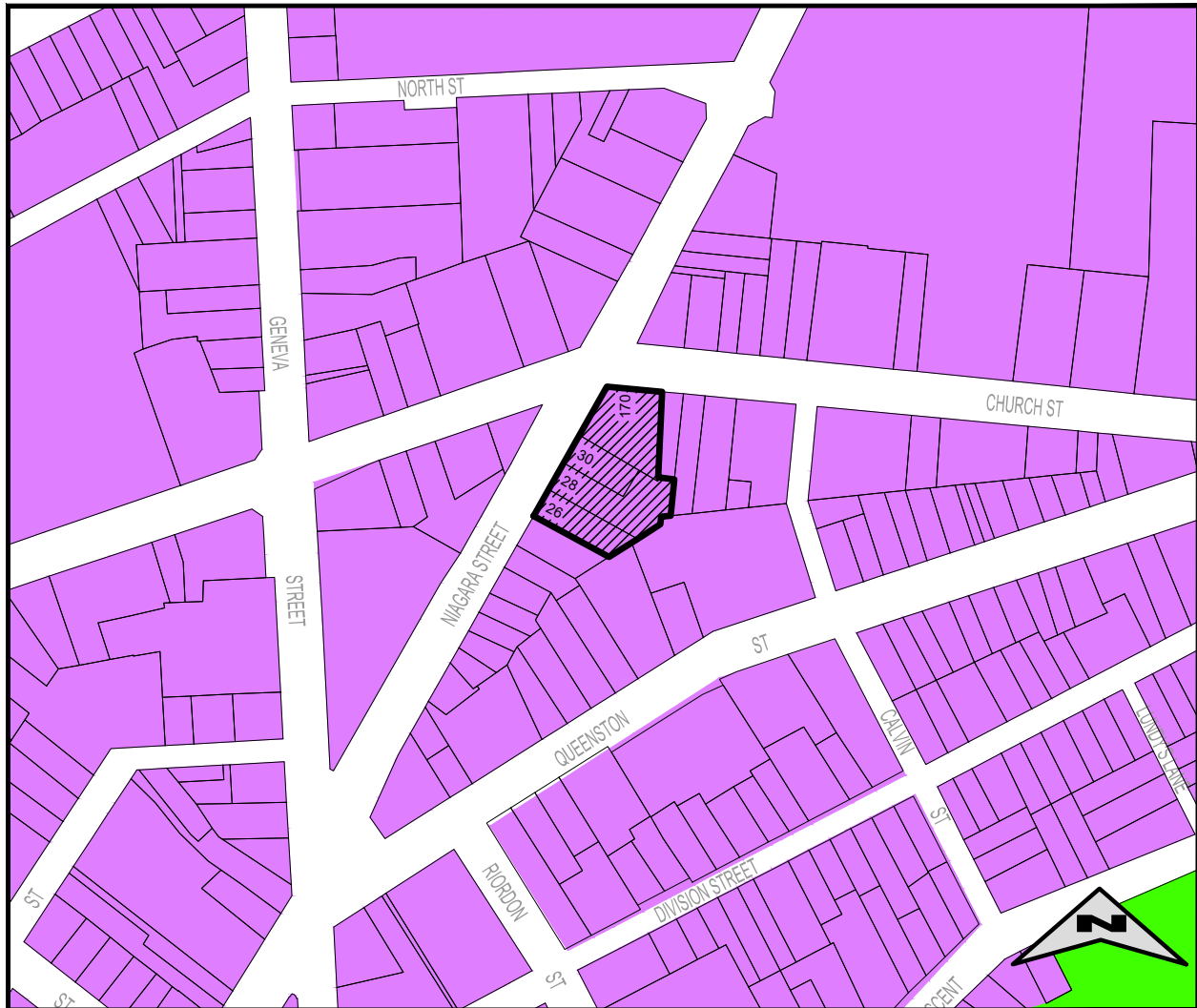
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Ontario Land Use Planning Framework



Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



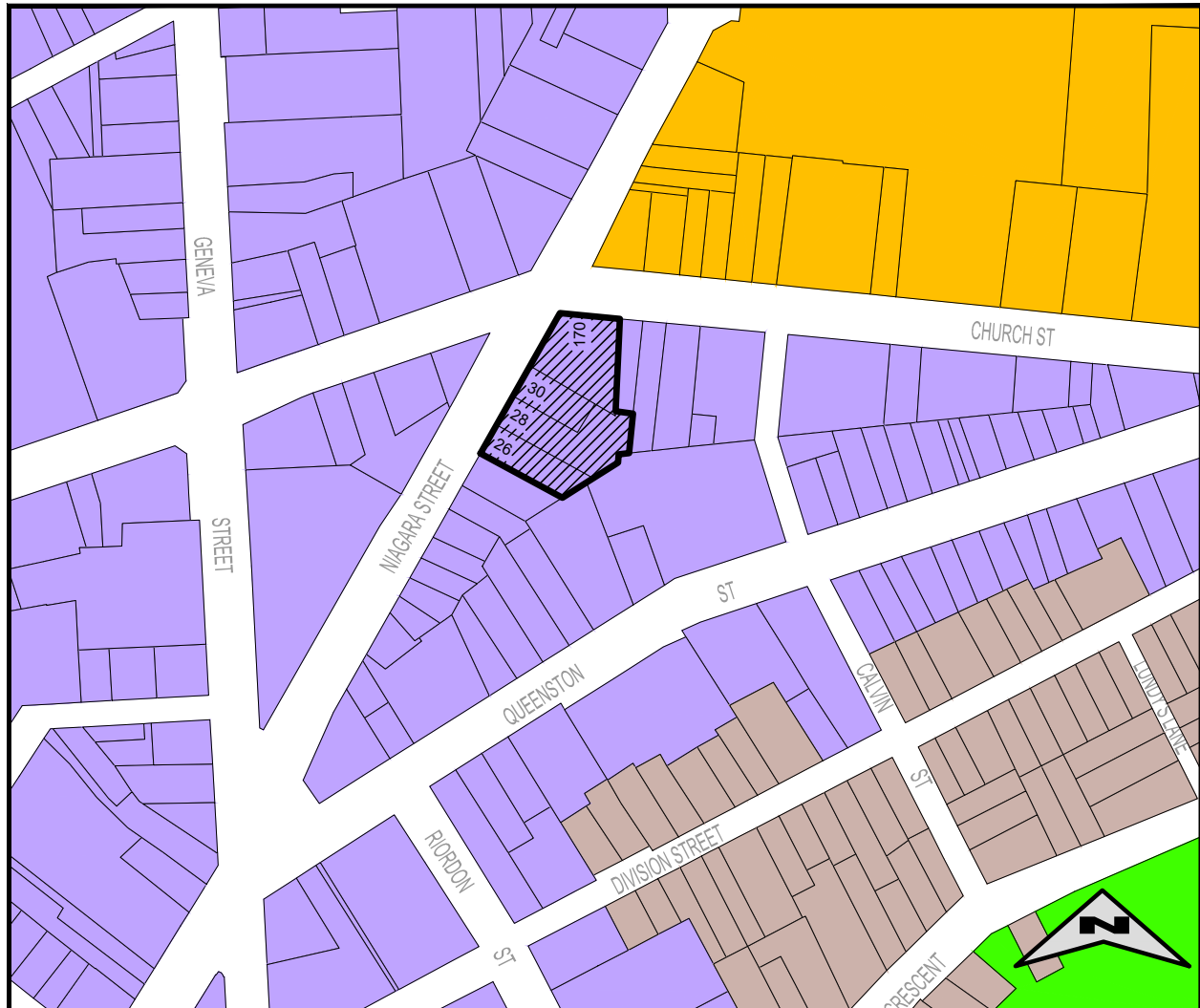
 **Subject Lands**
170 Church Street
26, 28, & 30 Niagara Street



File:19 103183 OP & 19 103052 ZA

Existing Land Use Designation

(The Garden City Plan - Downtown Planning District, Schedule E10)








Subject Lands

170 Church Street

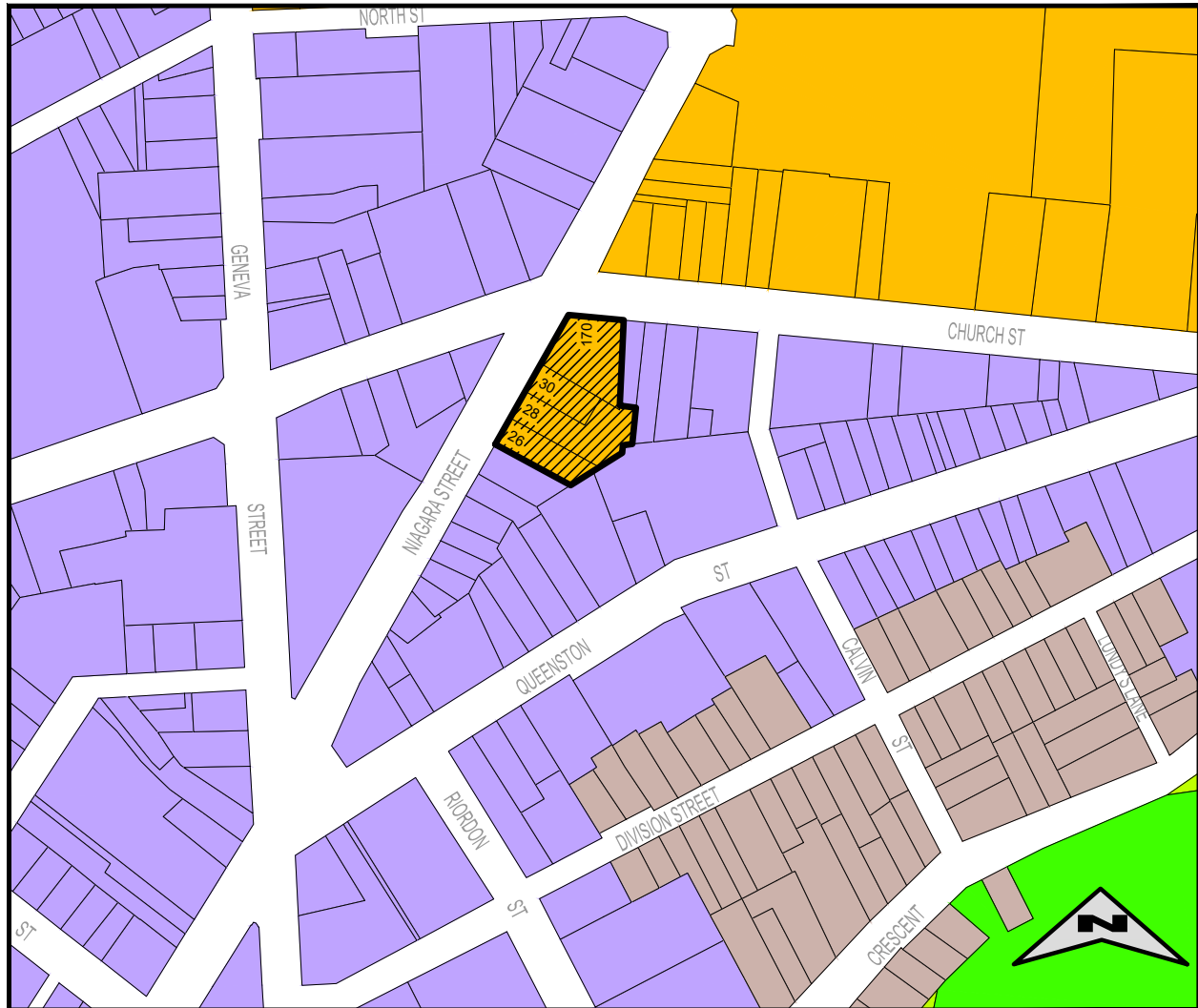
26, 28, & 30 Niagara Street

Land Use Designations

-  Medium Density Residential
-  Medium High Density Residential
-  Mixed Medium High Density Residential / Commercial
-  Mixed High Density Residential / Commercial
-  Natural Areas

File:19 103183 OP & 19 103052 ZA





Proposed Official Plan Amendment (The Garden City Plan - Downtown Planning District, Schedule E10)



 Subject Lands

170 Church Street, 26, 28, & 30 Niagara Street - Lands to be re-designated from Mixed Medium High Density Residential/Commercial to Mixed High Density Residential/Commercial

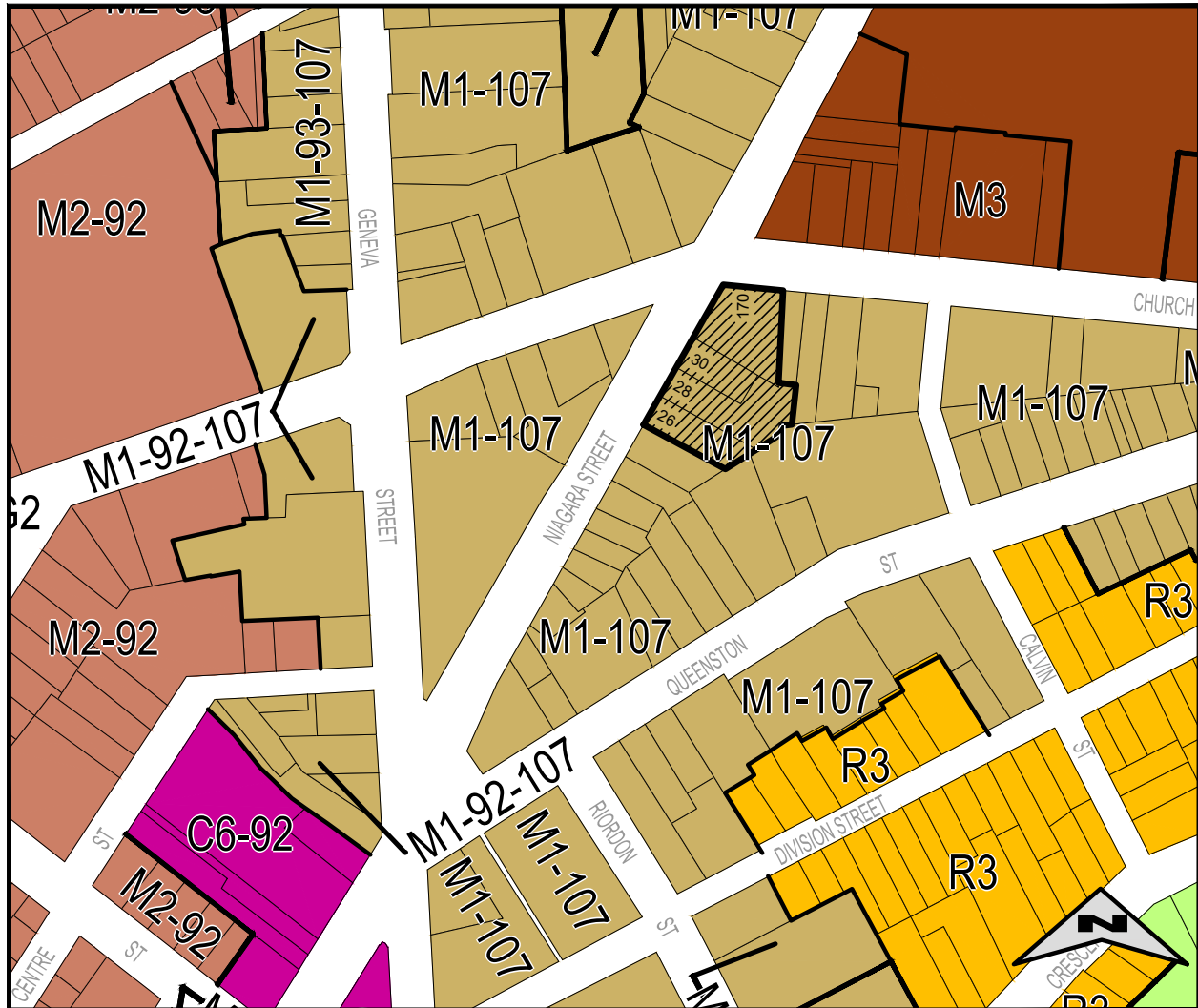
Land Use Designations

-  Mixed High Density Residential / Commercial
-  Mixed Medium High Density Residential / Commercial
-  Medium Density Residential
-  Natural Areas

File:19 103183 OP & 19 103052 ZA

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

170 Church Street

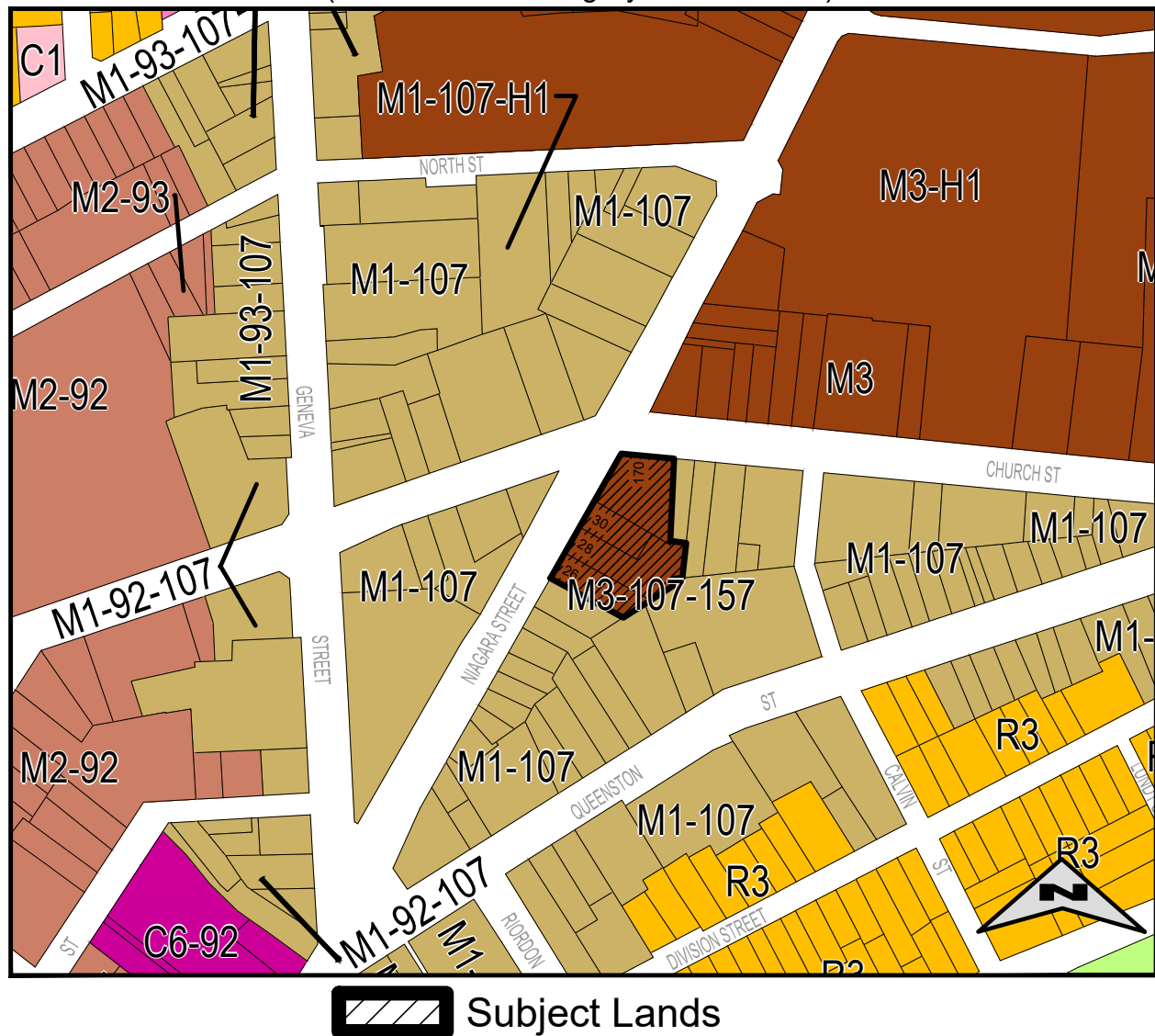
26, 28, & 30 Niagara Street

Zones

- | | |
|--|--|
| R3 Medium Density Residential | G2 Minor Green Space |
| C6 Downtown Traditional Main Street | |
| M1 Medium Density Mixed Use | |
| M2 Medium / High Density Mixed Use | |
| M3 High Density Mixed Use | |

File:19 103183 OP & 19 103052 ZA

Proposed Amendment to Zoning By-Law 2013-283 (Schedule A - Zoning By-law 2013-283)



170 Church Street, 26, 28, & 30 Niagara Street - Lands to be re-zoned from Medium Density Residential with Special Provision No. 107 (M1-107) to High Density Mixed Use with Special Provision No. 107-157 (M3-107-157)

Zones

| | |
|--|---|
| R3 Medium Density Residential | G2 Minor Green Space |
| M1 Medium Density Mixed Use | |
| M2 Medium / High Density Mixed Use | |
| M3 High Density Mixed Use | |
| C6 Downtown Traditional Main Street | |

File:19 103183 OP & 19 103052 ZA

Amendment to Zoning By-law 2013-283

That Section 15.1, Schedule A (A14), Zoning Maps, be amended by changing the zoning of the subject lands from Medium Density Mixed Use (M1-107) to High Density Mixed Use (M3-107-157); and

That Section 13.1, 'List of Special Provisions', be amended by adding Special Provision 157, as follows:

| Special Provision | Zone | Schedule A | Location | By-law |
|---|--|------------|---|--------|
| 157 | M3 | 14 | 170 Church Street, 26, 28 and 30 Niagara Street | |
| A residential/commercial building is permitted with the following site-specific provisions: | | | | |
| 1. | Maximum Building Height | | 6 storeys up to a maximum of 20 metres | |
| 2. | Minimum Lot Frontage | | 29 metres | |
| 3. | Minimum Front Yard Setback | | 2.4 metres | |
| 4. | Minimum Rear Yard Setback | | 5.4 metres | |
| 5. | Minimum Exterior Side Yard Setback | | 0 metres | |
| 6. | Minimum Number of Required Parking Spaces | | 56 spaces | |
| 7. | Minimum Width of Landscape Buffer along a Parking Area | | 1.2 metres | |
| 8. | Minimum Landscaped Open Space | | 25% | |

On Street Parking Surrounding Area



Niagara Regional Air Photo (April, 2015)



Subject Lands



On Street Parking

170 Church Street

26, 28, & 30 Niagara Street

File: 19 103183 OP & 19 103052 ZA



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: July 23, 2019

Meeting Date: August 19, 2019

Report Number: PBS/TES-170-2019

File: 60.2.19

Subject: Public Meeting and Request to Establish and Name a Public Street as David S Howes Way

Recommendation

That the lands described as Part of Lots 10, 24, 25, 26, 33, 47, 48, 49, 75, and 76, Corporation Plan No.2 shown as Parts 1, 3, 4, 5, and 6 on Plan 30R-15307, identified as Part 1 in Appendix 3, be assumed and declared as highway forming part of David S Howes Way; and

That part of Lots 10 and 49, Corporation Plan No. 2 shown as Part 2, Plan 30R-15307 forming part of McGuire Street by By-law 2012-183, Instrument No. NR303397, outlined as Part 2 in Appendix 3, be renamed David S Howes Way; and

That By-law 2012-183, Instrument No. NR303397 be amended to reflect the removal of Part 2, Plan 30R-15307, identified as Part 2 in Appendix 3, to be renamed David S Howes Way; and

That the City Solicitor be directed to prepare the necessary by-laws and documents; and

Further, that the by-laws be registered in the Registry Office for Niagara North (30).
FORTHWITH

Summary

The travelled road extending from McGuire Street to the Meridian Centre (formerly known as "The Parkway" now locally known as IceDogs Way) was never formally established as highway. The request to name the road to David S Howes Way is recommended by staff together with establishing the road as highway by by-law under the Municipal Act. The proposed name recognizes the significant contributions made by David S Howes to the City, Brock University and numerous charitable and philanthropic causes. The proposed name complies with emergency response and street naming protocols.

Background

On July 15, 2019, Council considered a request from a member of the public to name the access road lying between the Meridian Centre and the Marilyn I. Walker School of Fine and Performing Arts in honour of David S Howes (see Appendix 2) and directed staff to initiate the process to establish the highway to be known as David S Howes Way (see Appendix 1). The purpose of this report is to provide a recommendation to Council on that direction.

The land originally formed part of the lands that were assembled for the construction of the first and second canals which were later transferred to the City of St. Catharines and in the early 1960's, the filling was completed and the lands were used for parking with a road constructed for access known as "The Parkway" which is in a similar location to the access road that now provides access to the newly constructed Meridian Centre and is currently signed as Icedogs Way.

This reconstructed road services the Meridian Centre and provides access to the parking at the rear of the parcels that front on St. Paul Street for over 70 years. Plan 30R-15307 was deposited in 2018 to prepare for assumption and declaration of the land to be highway, and permit the continued public access to the Meridian Centre and parking at rear of the St. Paul Street parcels.

The intersection of the new highway with McGuire would be located in the middle of its intersection with Artists Common. Part 2, Plan 30R15307 was created to describe the portion of McGuire Street defined by By-law 2012-183, Instrument No. NR303397 that should form part of the newly defined highway.

A by-law for the assumption and declaration of Parts 1, 3, 4, 5, and 6, Plan 30R-15307 and the renaming of Part 2, Plan 30R-15307 is required to establish David S Howes Way and a second by-law to amend By-law 2012-183, Instrument No NR303397 to remove the section of McGuire Street to be renamed David S Howes Way from the McGuire Street description are required to complete the process.

Appendix 3 outlines the Part 1 to be established and named, and Part 2 to be renamed.

Appendix 4 includes Reference Plan 30R-15307.

Report

The City has an established protocol for naming streets, as follows:

- Fire and Emergency Management Services (FEMS) reviews the proposed name to ensure the name is appropriate from an emergency response perspective.

FEMS has approved the name David S Howes Way (it is noted, that FEMS recommends no period after the S to comply with emergency protocols).

- Planning and Building Services (PBS) staff evaluate the proposed street name based on the Regional Municipality of Niagara's "911 Public Emergency Reporting Service – Road and Addressing Best Practices," as well as best practices established by other municipalities.

PBS staff have reviewed the name David S Howes Way and find it compliant with road naming best practices and are recommending approval.

- A public meeting is required, in accordance with the City's Public Notice By-law (By-law 2007-310). Notice of the proposed street naming requires posting on the City's website advising the public of the proposed street name and requesting input.

Notice of the proposed street name and public meeting was posted on the City's website on July 31, 2019.

Prior to the finalization of this report, a number of public submissions were received (Appendix 5). With the exception of one submission, all were in support of the proposed name.

Should additional submissions be received prior to Council's consideration of this report on August 12, 2019, they will be forwarded to Council separately.

Council should be aware the only property impacted by the proposed street name is the Meridian Centre, a facility owned and operated by the City. The General Manager of the Meridian Center has been advised of the proposed street name.

For Council's awareness, Brock University's Marilyn I. Walker School of Fine and Performing Arts is located on its own private road, addressed as 15 Artists Common. It is not impacted directly by the proposed street name.

Staff considers the proposed street name to appropriate based on the following:

- The street name honours the significant community contributions made by David S Howes, specifically relating to the Marilyn I Walker School of Performing Arts and the Meridian Centre, as outlined in Appendix 1. FEMS supports the name change as being appropriate for emergency response purposes.
- PBS staff support the name change as being consistent with 911 emergency response addressing protocols.

Public notice has been issued in accordance with the City's Public Notice By-law 2007-310.

Financial Implications

Council's approval of this request for a street name change has minimal financial impact. The placement of street signage falls within the approved 2019 budget.

Conclusion

Staff recommend approval of the establishment and naming of a local road, extending from McGuire Street to the Meridian Centre, as David S Howes Way. The proposed name honours David S Howes and his family for the many contributions he made to the City, to Brock University and to many community and philanthropic causes.

Notification

It is in order to notify:

Jeff Dixon, General Manager, Meridian Centre, 1 IceDogs Way, St. Catharines, ON L2R 0B3; and

Patrick Little, Heelis, Little, Almas & Murray, LLP, 14 Church, St. Catharines, ON L2R 3B3.

Prepared and Submitted by:

Judy Pihach, MCIP, RPP
Manager of Planning Services

Approved by:

Tami Kitay, M.P.A., MCIP, RPP
Director of Planning and Building Services

Appendices:

Appendix 1 – Regular Council Minutes, Item 8.6
Appendix 2 – Letter from H. A. Patrick Little
Appendix 3 – Location Map
Appendix 4 – Reference Plan 30R-15307
Appendix 5 – Public Submissions



| | |
|-----------------------------------|--------------|
| EXCERPT OF THE MINUTES OF THE | |
| Council | COMMITTEE |
| DATE July 15/19 | ITEM NO. 8.6 |
| RATIFIED BY COUNCIL July 15, 2019 | |

8.6. Re-naming of IceDogs Way

Moved By: Councillor Phillips
 Seconded By: Councillor Harris

WHEREAS correspondence has been received requesting that the re-naming of the former IceDogs Way be named after the late David S. Howes; and

WHEREAS the family of the late David S. Howes has been contacted regarding the request and fully endorses the recommendation to have David S. Howes' name go forward for consideration; and

WHEREAS David S. Howes is a former Chair of Brock University and served as Chair of the Committee that relocated Brock University's School of Fine and Performing Arts to downtown St. Catharines becoming the Marilyn I. Walker School of Fine and Performing Arts; and

WHEREAS David S. Howes enjoyed a long history of sport in St. Catharines – both as an athlete, coach and supporter of St. Catharines sports teams and was instrumental in the creation of the St. Catharines Sports Hall of Fame, which is now named after him; and

WHEREAS David S. Howes was one of the first business people to fully endorse the creation of the Meridian Centre by sitting on a committee and financially contributing to the feasibility study of the spectator sports and entertainment facility in the downtown; and

WHEREAS David S. Howes was a generous philanthropist. After his passing, he bequeathed the largest single donation to the Niagara Community Foundation - \$18 million – to support causes that David cared deeply about: post-secondary education, health care services, education or research facilities and humanitarian issues throughout Niagara. David has left a wonderful legacy for our community. The naming of a street between two iconic buildings in our city in which David played a leading role in establishing is a fitting way to forever remember his activities and contributions to St. Catharines;

THEREFORE BE IT RESOLVED that staff be directed to begin the public process of the City's public naming policy putting forward David S. Howes Way to replace the road formerly known as IceDogs Way; and

BE IT FURTHER RESOLVED that a Public Meeting be called for Monday, August 12, 2019, at 6:30 p.m. in Council Chambers regarding the re-naming of IceDogs Way.

Yeas: Councillors Phillips, Miller, Harris, Garcia, Dodge, Porter, Sorrento, Townsend, Williamson, and Mayor Sendzik

Nays: Councillor Littleton

Carried

2

RECEIVED
MAYOR'S OFFICE

JUL - 3 2019

H. A. PATRICK LITTLE

[REDACTED], St. Catharines, ON, L2R 4X9, Phone #: [REDACTED]

July 3, 2019

City of St. Catharines
50 Church Street
St. Catharines, ON
L2R 7K2**Attention: Mayor Walter Sendzik and City Council**

Dear Sirs and Madams:

**Re: Private Street Naming
Recommendation: David S. Howes**

I express the thoughts of many in placing before you the name of David Howes for consideration as the name of the roadway leading westerly from McGuire Street, between the Marilyn I. Walker School of Fine and Performing Arts of Brock University and the Meridian Centre of the City of St. Catharines.

The name of David Howes is synonymous with community commitment - in industry, education, sports, health care and philanthropy - and no better reminder of his contribution to St. Catharines could be found than in naming a public thoroughfare between the downtown Brock Campus and our City's major athletic facility, both of which he played a significant role in bringing to fruition.

David's quiet leadership and ample generosity to St. Catharines is reflected in the revitalization of Downtown and the sound management of Lincoln Fabrics Ltd., his family's business interest in Port Dalhousie, is giving rise to the renewal of the Port Dalhousie Harbour District.

Others will emphasize the vital role he played at Brock, the Performing Arts Centre, Meridian Centre, the St. Catharines Campus of the Niagara Health System, Community Care and Niagara Community Foundation and no one can deny his life-long willingness to work for the betterment of his home town.

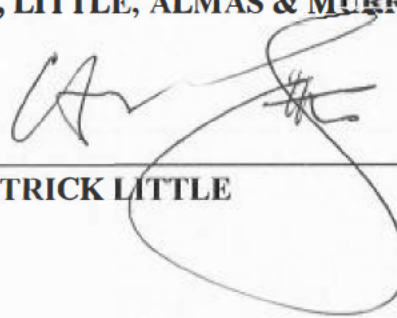
Page 2 of 2

The naming of this roadway as David Howes Way would be both a fitting tribute to him and a sign to others of what such a person can accomplish.

Yours very truly

HEELIS, LITTLE, ALMAS & MURRAY, LLP

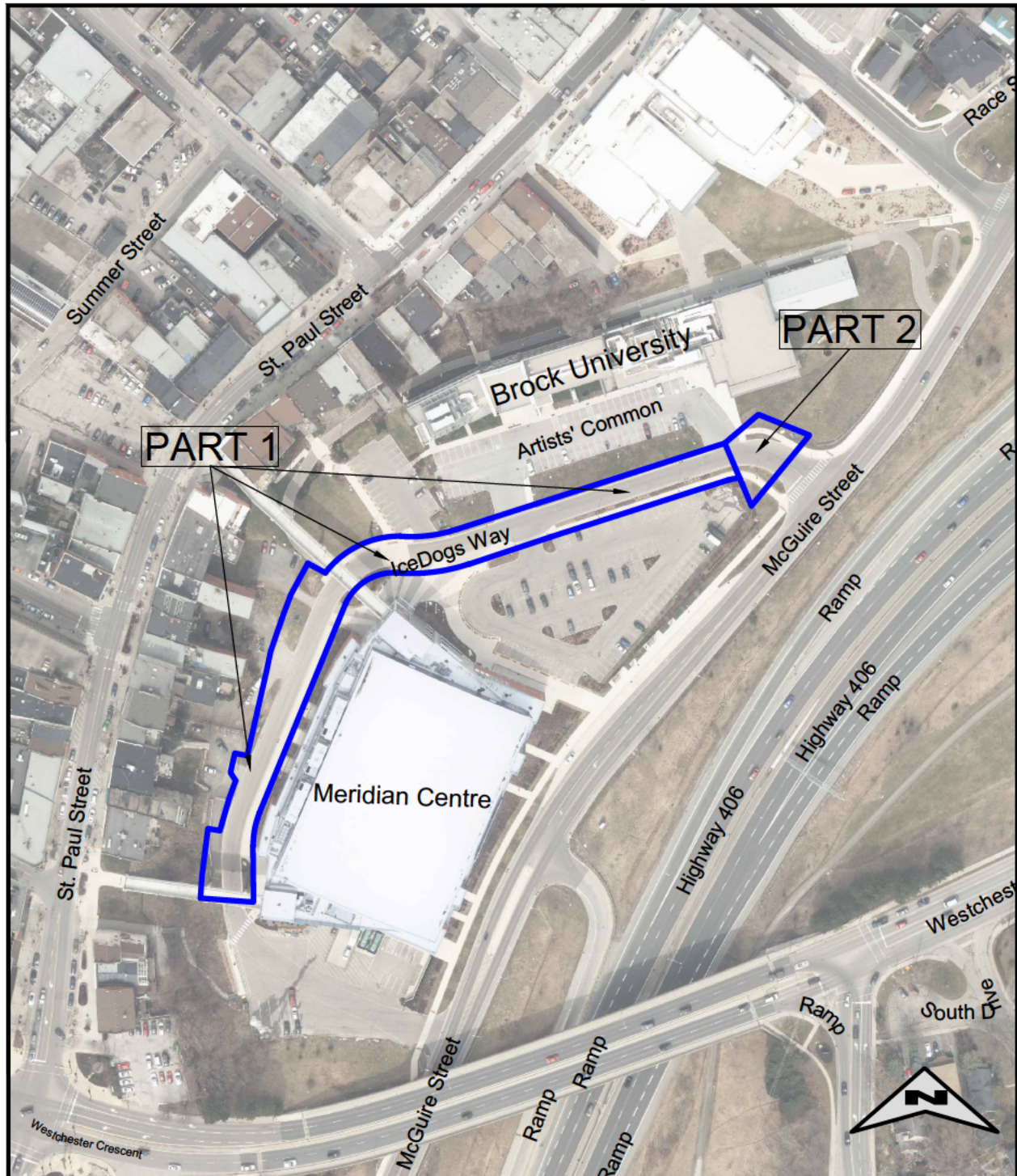
Per:

A handwritten signature in black ink, appearing to be 'H. A. Patrick Little', written over a horizontal line.

H. A. PATRICK LITTLE

HAPL:ljs

Location Map



PART 1 - Road to be
Established and Named
David S Howes Way

PART 2 - Road to be
Renamed from McGuire Street
to David S Howes Way

| REGISTRY SCHEDULE | | | | |
|-------------------|--------------------------------------|--------------------|------------------------|-----------|
| PART | LOT | PLAN | PIN | AREA |
| 1 | PART OF 10, 24, 25, 33, 47, 48 & 49, | Corporation Plan 2 | PART OF 46218-0263 (R) | 0.382 HA. |

| LAND TITLES SCHEDULE | | | | |
|----------------------|-----------------|--------------------|-------------------------|-------------|
| PART | LOT | PLAN | PIN | AREA |
| 2 | PART OF 10 & 49 | Corporation Plan 2 | PART OF 46218-0251 (LT) | 500.0 SQ.M. |
| 3 | PART OF 24 | | PART OF 46218-0105 (LT) | 89.2 SQ.M. |
| 4 | PART OF 26 | | ALL OF 46218-0258 (LT) | 41.3 SQ.M. |
| 5 | PART OF 75 | | ALL OF 46218-0259 (LT) | 3.1 SQ.M. |
| 6 | PART OF 76 | | ALL OF 46218-0255 (LT) | 20.6 SQ.M. |

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT AND THE REGISTRY ACT.

DATE Oct. 23, 2018

Alan J. Heywood
ALLAN J. HEYWOOD
ONTARIO LAND SURVEYOR

PLAN 30R-15307

RECEIVED AND DEPOSITED

DATE Oct. 23, 2018

Zach Patterson
REPRESENTATIVE FOR THE REGISTRY DIVISION OF NIAGARA (30) AND THE LAND TITLES DIVISION OF NIAGARA NORTH (30)

PLAN OF SURVEY OF
PART OF LOTS 10, 24, 25, 26, 33, 47, 48, 49, 75 & 76
CORPORATION PLAN 2
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 500
MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LTD.

DETAIL "B"
SCALE 1:250

| INTEGRATION DATA | | | |
|--|-----------|------------|--|
| OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (ORIGINAL). | | | |
| COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF OREG 216/10. | | | |
| POINT ID | EASTING | NORTHING | |
| ORP (A) | 642934.17 | 4779843.63 | |
| ORP (B) | 642703.05 | 4779668.38 | |
| COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN. | | | |

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES

SEARCHES ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS (A AND B) BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9998433.

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT SET
 - SIB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - WIT DENOTES WITNESS
 - MEAS DENOTES MEASURED
 - 744 DENOTES MATTHEWS, CAMERON, HEYWOOD-KERRY T. HOWE SURVEYING LTD.
 - JOB DENOTES J.D. BARNES LIMITED
 - P1 DENOTES PLAN 30R-13886
 - P2 DENOTES PLAN 30R-13539
 - P3 DENOTES CORPORATION PLAN 2
 - P4 DENOTES EXPROPRIATION PLAN NR202885
 - P5 DENOTES PLAN 30R-10404
 - P6 DENOTES PLAN 30R-14136
 - P7 DENOTES PLAN 30R-14625
 - P8 DENOTES PLAN 30R-14162
 - P9 DENOTES PLAN 30R-13922
 - S39 DENOTES D.S. LINE, O.L.S.
 - 992 DENOTES T.G. CAHILL, O.L.S.
 - OU DENOTES ORIGIN UNKNOWN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

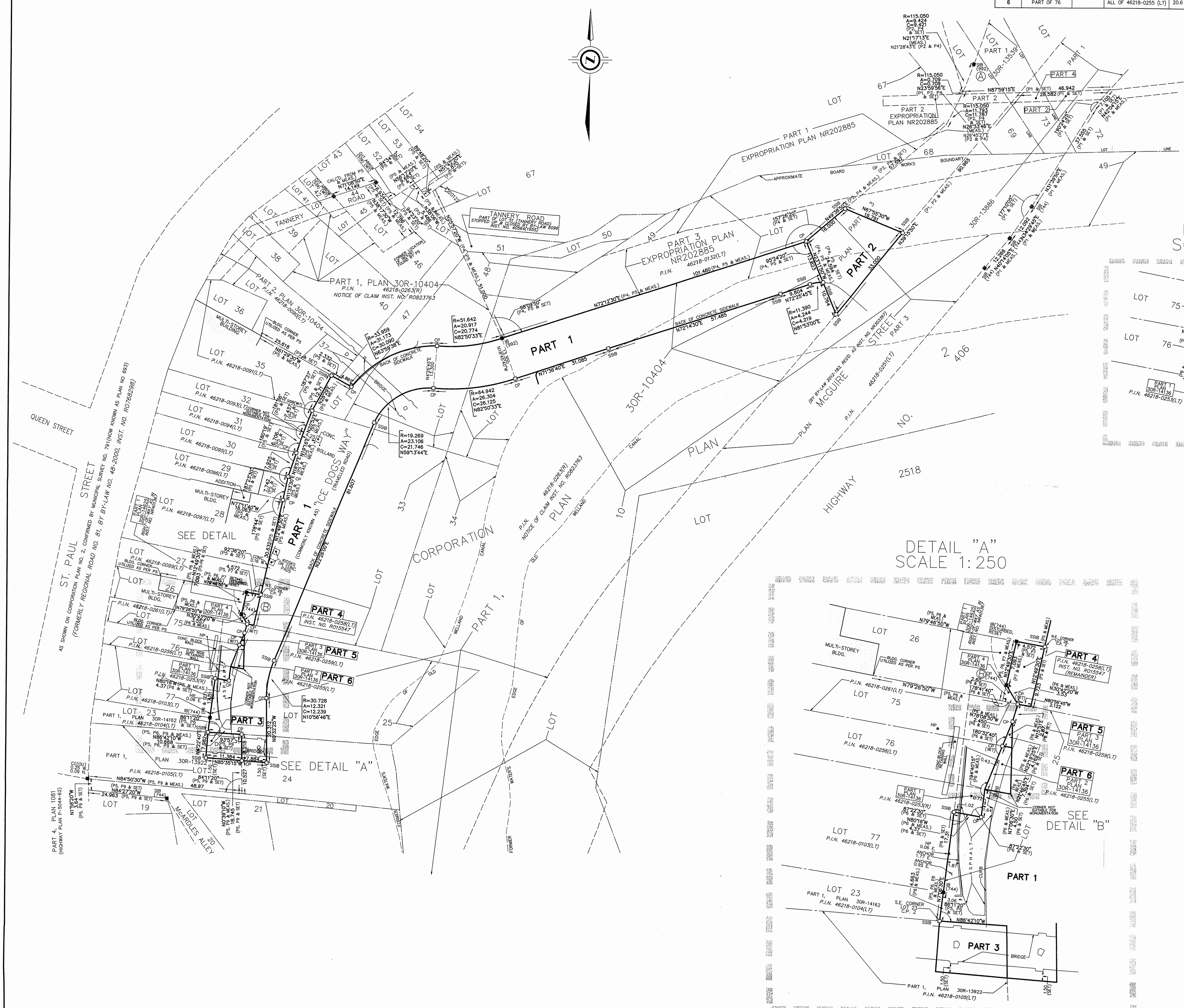
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE REGISTRY ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON OCTOBER 9, 2018

DATE Oct. 23, 2018

Alan J. Heywood
ALLAN J. HEYWOOD
ONTARIO LAND SURVEYOR

| | | |
|--|-------------------|--|
| | | MATTHEWS, CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LIMITED |
| A wholly owned subsidiary of J.D. Barnes Limited | | |
| 2323 STANLEY AVENUE, UNIT 1, NIAGARA FALLS, ON L2E 7C2 | | |
| T: (905) 358-3693 F: (905) 358-6224 www.sjrhomes.com | | |
| DRAWN BY: S.S. | CHECKED BY: A.C. | REFERENCE NO: 18-16-308-00 |
| FILE: C:\2018\18-16-308\00\Drawing\18-16-308-RE7.dgn | DATED: 10/10/2018 | PLOTTED: 10/23/2018 |



Subject: FW: That's a better name !!

From: Alan Phillips [REDACTED]
Sent: Wednesday, July 31, 2019 2:55 PM
To: Crooks, Tague <tcrooks@stcatharines.ca>
Subject: That's a better name !!

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear T. Crooks,

I like that. That's a good idea. It's a much better name than "Ice Dogs Way". Thank you very much ! I suspect that the hockey team name will vanish in 50 years or less but, hopefully, the Howes family will still be here. Good work !

Alan Phillips
 St.Catharines (born and bred for more than six decades)

Click [here](#) to report this email as spam.

Subject: FW: Street naming

From: Scott Bradley <[REDACTED]>
Date: July 29, 2019 at 10:52:31 AM EDT
To: "Littleton, Lori" <llittleton@stcatharines.ca>
Subject: Re: Street naming

CAUTION: This email originated from outside of City of St.Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you very much for the reply. As you you know I am against the street being named after David Howes, primarily only because it came up so suddenly and also because he already has a theater and a park named in his honor.

I have never agreed with developers naming streets, because it usually involves family members of the corporations, and there is no relations to the cities and areas involved.

I have no actual names that I would at this moment to suggest, but there are many that could be submitted.

Since the land the road is actually located on, has great historical value to the city, a name that actually shows its ties with the early Welland Canal's would work.

An actual road that was used in the area in the late 1800's and early 1900's along the 12 Mile Creek with all its businesses was a foot path that the workers and and wagons used called "The Parkway"

And if you had to use some sport celebrities of the past, I would suggest someone like Stan Mikita, or Bobby Hull, two famous alumni from our past who made it big. I would prefer Mikita, but he has passed now, but could you imagine Bobby Hull coming into town for an opening.... It would be great for the city.

Either way, I will wait to hear back.

Hope your having a great day.

Scott Bradley

Get [Outlook for Android](#)

29 July 2019

To: Members of the Saint Catharines City Council

From: Jack N. Lightstone, Professor of History and Former President and Vice-Chancellor,
Brock University

CC: Mayor Walter Sendzik, Patrick Little

Re: **Honoring the Late David S. Howes**

Dear Councilors,

Mr. Patrick Little has recently informed me of an initiative to ask Council to (re)name a road in the “lower level” of the downtown core in honor of David S. Howes. I cannot think of a more apt tribute the City may offer to the memory of David than this. Permit me to elaborate from my particular vantage point.

From the “lower level” or from the vantage of the 406, no one familiar with the view of the downtown core as it was a decade ago can deny that the view and image of downtown St. Catharines has radically changed (and for the better). This change is not only in appearance, but also in vibrancy. The Meridian Centre, the Marilyn I. Walker School of Fine and Performing Arts and the First Ontario Performing Arts Centre (PAC) have engendered new life in St. Catharines’ downtown core and in Niagara. Already names of those whose actions and generosity contributed to this transformation appear on and in these buildings; they include names of local institutions and individuals. Yet only a few are fully aware of the role(s) David S. Howes played in the realization of these projects, particularly in the coordination of the building of the PAC and the Walker School complexes.

From the beginning, it was apparent that these latter projects needed to be tied at the hip. Their proximity required it, for one. Moreover, that each of the two projects be understood and operate as the important complement of the other was key to the City’s advancement, to the University’s strategy, to the procurement of government support and to the motivation of donors. Both projects’ functionality and operations depended upon sharing of their respective facilities, adding a necessary element of efficiency and cost effectiveness. And architecturally they needed to be united. Yet, the legal and financial responsibility for one rested with the staff, Mayor and Council of the City, and for the other, with the administration and Board of Brock University, two completely different governance structures that needed to coordinate their activities and resources throughout the planning, building and future operation the two facilities. Ultimately, therefore, the Board of the University and City Council had to assume responsibility and accountability for their respective projects. Yet the coordinated planning and realization of the projects had to be near perfect.

In order to achieve the foregoing, it was decided to strike a joint City-University coordinating committee, so that both projects would evolve in tandem through all phases of their development. Who would and could chair such a committee and be trusted by all parties to

take a lead to resolve differences as they arose? That person ended up being David S. Howes. So, his role, largely unknown and confined to a meeting room over a number of years, is to a significant degree responsible for the life one currently sees in the downtown core, the visual impact of these buildings that so aptly represent the growing vitality of the City core, and the synergy that exists between the functioning of the School and the PAC.

I hope that Council will choose to commemorate and honor David by naming the street that provides access to these transformational projects.

Thank you.

From: "Partridge, Peter W"

Date: July 29, 2019 at 5:45:56 PM EDT

To: "Walter Sendzik (wsendzik@stcatharines.ca)" <wsendzik@stcatharines.ca>, "Patrick Little

Subject: **David S Howes Way**

Hi Walter,

I am very happy to hear that City Council is considering honouring David Howes with the naming of the lane/street that passes both the Meridian Centre and the Marilyn I Walker School of Fine and Performing Arts. I think this is absolutely perfect as David was so instrumental with both the Meridian Centre and Brock.

David loved sports and he was instrumental in the St. Catharines Sports Hall of Fame finding a permanent home in the Meridian Centre. He also loved Brock University and did so much to give back to the University in so many ways.

I can't think of a better honour than the naming of the lane/street being called David S. Howes Way.

I hope city staff and council think the same thing.

Many thanks

Peter

Archie Katzman

RECEIVED
MAYOR'S OFFICE

AUG 08 2019

Council

August 7, 2019

Mayor Walter Sendzik
The Corporation of the City of St. Catharines
50 Church Street St. Catharines ON

Hand Delivered

Re: Public Meeting Naming and Renaming Street to **David S Howes Way**
being held at 6:00 pm August 12, 2019

Dear Mayor Sendzik,

Please accept this letter in strong support to adopt a by-law to rename the street to **David S Howes Way** as indicated in the Public Meeting Notice issued July 31, 2019.

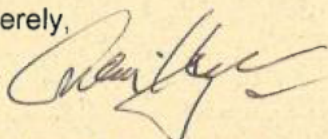
Dave Howes was a dear friend of mine who demonstrated selfless and continuous support of countless projects for the benefit of the residents of St. Catharines and Niagara. He would lead fundraising campaigns with his astute business acumen and his understated mannerisms to encourage others to step forward and support facilities and services to benefit the greater good for all.

The Dave Howes that I know loved St. Catharines and was committed to our community.

From coaching the St. Catharines Raiders, chairing the board of the St. Catharines Sports Hall of Fame, contributing as Cabinet Member of the new hospital fundraising campaign to chairing the Board of Trustees for Brock University, David S Howes led by example and inspired community involvement.

I completely endorse renaming the corridor passing the amazing facilities in downtown St. Catharines as **David S Howes Way** as an outstanding way to celebrate one of our most outstanding citizens.

Most sincerely,



Archie Katzman, LL.D. (Hon)

St. Catharines ON



Corporate Report City Council

Report from: Parks, Recreation and Culture Services, Programs and Cultural Services

Report Date: July 19, 2019 **Meeting Date:** August 12, 2019

Report Number: PRCS-159-2019 **File:** 68.45.130, 10.57.28

Subject: St. Catharines Farmers Market Rates and Fees

Strategic Pillar: 

Staff Recommendation

That Report PRCS-159-2019 regarding St. Catharines Farmers Market rates and fees be referred to City Council for consideration after the public meeting, as per the City's Notice by-law 2007-310, on August 12, 2019, for which notice will be duly given.
FORTHWITH

Recommendation

That Council approve a simplified rates and fees model for vendors at the St. Catharines Farmers Market; and

That the City Solicitor prepare the necessary by-law.

Summary

The St. Catharines Farmers Market is an important social and economic institution in our community. The allure of farmers markets include nostalgia, increasing demand for fresh, local produce, distrust of supermarket power, concern over industrialized food production and desire to help local producers. Farmers markets are now an integral part of the "real food" revolution and, according to Farmers' Markets Canada, they generate \$3 billion in economic activity annually.

To sustain a healthy farmers market, it is imperative that the rates and fees paid by the vendors are fair, reasonable and balanced. The St. Catharines Farmers Market Vendor Association (Association), in collaboration with City staff, are recommending an updated and simplified rates and fees model which is easier to understand, more transparent and responds to economic and climate change challenges which vendors are currently

facing. The Association is recommending this model to achieve a higher level of participation and to keep costs down for local farmers.

Background

The St. Catharines Farmers Market (Market) has been an important element of the City's social and economic landscape since the early 1860s offering farm to table, locally grown produce and fresh food year round. The Market currently operates three days per week (Tuesday, Thursday and Saturday).

Market Square was originally an outdoor space with limited canopy coverage. Market Square was considered an open air market and vendors would only relocate inside the Corblos building during extreme cold temperatures in the winter.

In 2001 a permanent Market Square facility was constructed. It is considered a St. Catharines landmark prominently located in the downtown core, known for its open-concept design, glass walls, skylights and towering ceilings and boasting 7,600 square feet of indoor event space. It is located at 91 King Street next to the historic Courthouse and City Hall.

In 2002 City staff updated the Market Square Marketing Strategy and identified, at that time, that "market rates must remain competitive and attractive to potential users".

Report

Rates and Fees

Below is a summary of the rates and fees increases for the past three years.

| Year | Rates and Fees Increase (%) |
|------|-----------------------------|
| 2018 | 1.9% |
| 2019 | 1.4% |
| 2020 | 1.9% |

Every year, the City reviews its rates and fees and proposes adjustments based on the cost to deliver services, local market conditions, comparator municipality research and user demand.

The Market rates and fees structure prior to 2018 was a basic model which included a flat fee per stall for a six-month lease period. However, the rates and fees evolved to include the following, making the overall fee structure more complex.

- Additional fee for hydro use
- Additional fee for a Marketing Fund (a fund which City staff manage and strategically invest in various marketing, advertising and social media campaigns including Music in the Square live entertainment and the Market Discovery Table)

- Discount for attending two days and three days (to incentivize more vendors to attend during the week, rather than just Saturday's)
- Discount for MyPick certified vendors (MyPick is a national certification which is recognized by Farmers Markets of Ontario which confirms that produce is locally grown)
- The MyPick discount was also extended to certified organic vendors
- Vendors now pay a combination of weekly rates, monthly and annual fees

Table A below provides an overview of the Council approved rates and fees.

| Table A – Council Approved Rates and Fees (Fees include HST) | | | | |
|--|---------|-----------|-----------|-----------|
| Fee | 2017 | 2018 | 2019 | 2020 |
| Daily Rates | | | | |
| Daily Rate | \$31.20 | \$32.00 | \$32.45 | \$33.05 |
| Daily Rate - Charity | \$17.40 | \$18.00 | \$18.25 | \$18.60 |
| Weekly Rates | | | | |
| Lease – 1 day per week | \$26.05 | \$33.90 | \$34.35 | \$35.00 |
| Lease – 2 days per week | \$22.10 | \$28.25 * | \$28.65 * | \$29.20 * |
| Lease – 3 days per week | \$18.20 | \$28.25 * | \$28.65 * | \$29.20 * |
| MyPick Verified | \$15.65 | \$22.60 | \$22.90 | \$23.35 |
| Monthly Fees | | | | |
| Marketing Fund | \$30.50 | \$31.10 | \$31.55 | \$32.15 |
| Hydro | \$19.55 | \$19.90 | \$20.20 | \$20.60 |
| Annual Fees | | | | |
| Vendors Association Fee ** | \$25.00 | \$25.00 | \$25.00 | \$25.00 |

*In 2018, the rates and fees structure changed. Regardless of whether a vendor attended two days per week or three days per week, they were charged the same fee. This was to incentivize higher weekday attendance.

**The St. Catharines Farmers Market Vendors Association Fee is explained in greater detail under the Report section (page 5).

The change in the rates and fees structure in 2018 was not well received by most vendors who found the incentive program confusing and punitive. The intent was to close the gap between the various fees and make the fees more equitable amongst vendors. For example, in 2017 the weekly rate for a lease holder attending one day per week was \$26.05 (the equivalent of \$26.05 per day), whereas a lease holder attending 3 days per week was being charged \$18.20 per week (the equivalent of \$6.07 per day). The vast range in rates and fees caused concern amongst vendors which threatened to impact the vendor attendance at the Market. In particular, the vendors who were attending three days per week saw a significant increase in their weekly fees, jumping from \$18.20 per week in 2017 to \$28.25 per week in 2018 (more than a 55% increase). While staff had best intentions at the time to make the vendor fee structure more fair for everyone, the proposed changes actually caused concerns for vendors due to the price increases.

At its meeting on [October 16, 2017](#), City Council approved a new Rates & Fees Transition Program for City Facilities to address these types of significant increases. Businesses which have been operating at City facilities and have experienced substantial increases in their rates or fees were eligible, therefore, Market vendors qualified. The rates and fees transition program applied to the weekly rates only and would be in effect for a three-year transition period. A direct comparison between Council approved rates and fees and transition program rates and fees for the Market is found in Table B below.

| Table B – Council Approved Rates and Fees vs. Rates and Fees Transition Program (Fees include HST) | | | | | | |
|--|--------------------|--------------------|------------------|--------------------|------------------|----------------------|
| Fee | 2018 | | 2019 | | 2020 | |
| | * Council Approved | Transition Program | Council Approved | Transition Program | Council Approved | * Transition Program |
| Lease – 1 day/week | \$33.90 | \$28.67 | \$34.35 | \$31.29 | \$35.00 | \$33.90 |
| Lease – 2 days/week | \$28.25 | \$24.15 | \$28.65 | \$26.20 | \$29.20 | \$28.25 |
| Lease – 3 days/week | \$28.25 | \$21.55 | \$28.65 | \$24.90 | \$29.20 | \$28.25 |
| MyPick Verified | \$22.60 | \$17.97 | \$22.90 | \$20.29 | \$23.35 | \$22.60 |

*Note that the fees in the 2018 Council approved column are the same as the Transition Program fees in 2020. This is due to the intent of the transition program to bring fees back up to the Council approved level over a three-year period.

While the transition program did provide some financial relief for vendors, it did not ultimately address the underlying problems associated with the current Market rates and fees model. The transition program will expire in 2021 and once again certain vendors will be subject to significant increases when the 2021 Council approved rates come into effect.

Comparators

There are no direct comparators for the St. Catharines Farmers Market, for a variety of reasons.

1. While some markets are municipally run, many are also privately, community or vendor run. The costs associated with each operating model are different.
2. Few markets operate year round, the majority are May/June to September/October only.
3. Few markets are indoors (weather protected), the majority are open air outdoor markets.
4. Few markets operate more than one day per week
5. There are different size markets – small, medium and large (criteria established by the Greenbelt Farmers' Market Network). The St. Catharines Farmers Market would be considered large with an average of 45 vendors.
6. The rates which vendors are charged vary immensely from market to market and take into consideration the market size, location (rural vs. urban), daily

vs. seasonal rates, hydro availability, equipment loans (for example, some outdoor markets provide tents for an additional fee), etc. Some markets charge a premium for certain spots (corner vs. aisle) and charge by the square footage.

In Niagara, there are nine other established markets located in Welland, Ridgeway, Port Colborne, Wainfleet, Grimsby, Beamsville, Niagara-On-The-Lake, Niagara Falls and Pelham. While it is true that the daily rates at some of these markets are lower than in St. Catharines, it would not necessarily be a fair comparison.

A detailed review of other market rates and fees is provided in Appendix 1.

St. Catharines Farmers Market Vendors Association

The St. Catharines Vendors Association is not a committee of Council, but rather an autonomous advisory committee which meets annually and is comprised of all recurring Market vendors. Each vendor pays \$25.00 per year to be a member. Since 2001, the City has been collecting the membership fees on behalf of the association. This has proven successful for the association in ensuring that all Market vendors become members with all its benefits and responsibilities. Most importantly, the membership fees cover the cost of a blanket liability insurance policy which is purchased through Farmers Markets of Ontario and provides coverage for all vendors.

In June 2019, the St. Catharines Vendors Association elected a new Steering Committee with a mandate to provide City Council and staff with recommendations to enhance current Market operations, administration, vendor selection to provide an ideal vendor mix and to provide suggestions and feedback on a new rates and fees structure.

On June 25, 2019 the Steering Committee met with City staff and collaborated on a simplified rates and fees model for Council consideration.

Simplified Rates & Fees

Vendors have requested a rates and fees model which would be more equitable, transparent and easy to understand. The result is a simplified rates and fees proposal outlined in Table C below. This model reduces nine different individual fees into just two and takes a start fresh approach.

| Table C – Simplified Rates & Fees Model (Fees include HST) | |
|--|----------|
| Fee | |
| Daily Rates * | |
| Weekday Rate - Per Day Per Stall | \$14.00 |
| Weekend Rate – Per Day Per Stall | \$27.00 |
| Discounts ** | |
| Booking 2 days per week | 25% off |
| Booking 3 days per week | 45% off |
| MyPick Verified | 45% off |
| Hydro Fee *** | |
| Hydro Access – Additional 15% | 15% more |

*Eliminate Charity Daily Rate entirely. The 2019 Council approved Charity Daily Rate is \$18.25, so in this model depending on what day of the week is requested, the customer would either be paying \$4.25 less (Tuesday and Thursday) or \$8.75 more (Saturday). This was intentional to encourage not-for-profit promotional booths during the week, rather than Saturday when the Market is already very busy and space is limited.

**Discounts are applied to the Daily Rates.

***Hydro Fee applied to the Daily Rates for the number of stalls actually using hydro (for example; vendor has two stalls but only requires one electrical outlet, the vendor would only be charged hydro fee for one stall). This addresses some current inequities in the hydro billing.

The monthly Marketing Fund Fees, the annual Vendors Association Fee and applicable HST have all been rolled up into the Daily Rates.

The net result of this model is a more equitable distribution of fees amongst all vendors, while still providing discount incentives for attending on more than just one day. Both staff and the The St. Catharines Farmers Market Vendor Association's Steering Committee recommend this option.

Financial Implications

The City realizes revenue from rates and fees charged to Market vendors. The majority of this revenue is generated from vendors with six month leases, however there are also approximately twenty vendors who rent on a monthly basis and twelve one-time stall rentals per year.

| Year | Total Vendor Revenue |
|------|----------------------------|
| 2016 | \$45,444 (actual) |
| 2017 | \$48,034 (actual) |
| 2018 | \$53,286 (actual) |
| 2019 | \$50,000 (budgeted amount) |

The simplified rates and fees model is projected to have a \$2,316 net increase in revenue for the City in 2019. An increase in 2019 is attributable to the total number of vendors at the Market, as the number of six month lease holders has increased by two and the number of new monthly vendors has increased by fourteen. The goal of the simplified rates and fees model is to retain new vendors and transition as many monthly vendors to six month leases as possible.

The net impact on the vendors varies for the simplified rates and fees model. Of the thirty-two current six month lease holders, thirteen would see an increase of their fees in 2019 (the highest single increase would be \$169.00/six months) whereas the majority of vendors would realize a decrease in their fees. This outcome represents a more justifiable re-distribution of fees amongst all vendors.

The majority of vendors at the Market have six month leases with the City. The current lease cycle is April 2019 – September 2019. To date all vendors have been invoiced 50% of their 2018 fees as an interim payment until Council votes on the recommendation provided in this report.

Relationship to Strategic Plan

The recommendation in this report aligns with two pillars of the St. Catharines Strategic Plan.

Economic Sustainability

- Attract public and private investment, support local businesses and provide excellent customer service to demonstrate that we are open for business.
- Be an affordable city for all.

Social Sustainability

- Connect people, places and neighbourhoods.

Conclusion

Niagara farmers play a big role in contributing to the regional economy and they are champions of the “farm to table” movement. A vibrant farmers market gives farmers an opportunity to connect with customers, the community and other farmers. To ensure the future viability, growth and prosperity of the St. Catharines Farmers Market, it is essential that the market rates and fees be reasonable and affordable. A new simplified rates and fees model would respond to the concerns of the St. Catharines Farmers Market Vendors Association.

Notification

Notification to the St. Catharines Farmers Market Vendors Association c/o Mr. Tom Neufeld (President), address on file.

Prepared and Submitted by:

Lori Mambella
Manager, Programs and Culture Services

Approved by:

Phil Cristi
Director, Parks, Recreation and Culture Services

Appendices:

Appendix 1 - Review of Markets in Niagara and Municipal Comparator Cities

| City | How much do they charge? | Days and hours of operation | Vendor Stall Size | Extra Fees | Municipal or Board Market | Indoor or Outdoor Market | Vendors | Notes |
|--------------|--|--|---|--|---------------------------|--|---|---|
| Peterborough | <p>New vendors pay \$25/week for a 4 week trial.</p> <p>If new vendors want to become a member, they must pay balance of the regular full season which is \$135.</p> <p>Full season vendor fees are \$240 for each stall</p> | Wednesday 8:30 a.m.-2:00 p.m. May-October | 10' x 10' | <p>Membership fee annually (\$25)</p> <p>Toilet fee annually (\$30)</p> | Board Market | Outdoor | <p>Total Vendors 35</p> <p>Produce 15 Vendors</p> <p>Dairy and Meat 5 Vendors</p> <p>Honey and Maple Syrup 1 Vendor</p> <p>Fresh Cut Flowers and Plant 4 Vendors</p> <p>Prepared Food 9 Vendors</p> <p>Artist 1 Vendor</p> | All fees are due at the Annual General Meeting, or no later than March 15 |
| Guelph | <p>\$32.23 per stall (outdoor)</p> <p>\$6.84/linear foot basis plus tax. Maximum of 12 feet (Indoor)</p> | Saturdays year-round 7:00 a.m.-12:00 p.m. | <p>Maximum of 3 stall spaces.</p> <p>Assigned up to 20 feet of space (indoors)</p> <p>6 feet of table space</p> | <p>Electrical fees calculated by on and off peak usage and total kilowatt hours per appliance, per week times the current hydro rate the city pays.</p> <p>\$50 cancellation fee</p> | Municipal Market | Both: Indoor all year Outdoor April 1- November 20 | <p>Total Vendors 56</p> | <p>Monthly license fees are due by the first day of the preceding license month for full time licensed spaces.</p> <p>Occasional and daily vendor license fees are due at time of reservation</p> |
| Brantford | <p>Corner Stall \$218/monthly (Indoor)</p> <p>Isle Stall \$184.35/monthly (Indoor)</p> <p>Single Stall (outdoor) \$28.50 one day \$45.00 two days \$155.50 month</p> | Friday 9:00 a.m. -5:00 PM, Saturday 7:00 a.m.-2:00 p.m. all year round | <p>10' x 12' (indoor)</p> <p>12' x 19' (outdoor)</p> | <p>Sink \$60</p> <p>Sink with grease tray needs to be cleaned once per quarter which is a \$20.85 fee</p> <p>Fridge \$60</p> | Municipal Market | Both: Outside May-October | | Payments must be made 1 month in advance |

| City | How much do they charge? | Days and hours of operation | Vendor Stall Size | Extra Fees | Municipal or Board Market | Indoor or Outdoor Market | Vendors | Notes |
|---------|--|---|---|--|---------------------------|--|--|--|
| Barrie | Annual: May 4- Apr 25= \$510 Outdoor: May 4- October 26= \$390 Indoor: November 2- April 25= \$390 Casual/Weekly (max 3 markets May-April): Indoor (\$35) December (\$50) Outdoor (\$50) | Every Saturday 8:00 a.m.-12:00 p.m. | 10' x 10' (outdoor) 6' x 3' (Indoor) | \$30/person for electrical hook ups (per season) Oversized vehicle/vehicle space \$50 (per vehicle May through October only) Membership fee \$30 | Board Market | Both: Outdoor May 4-October 26 Indoor November 2- April 25 | Total Vendors 53 | Membership fee is a one time payment |
| Welland | Zone A, B and E: First Table= \$207 Second Table= \$192 Third Table= \$180 Including HST= \$256.91 Zone C: First Table= \$717 Including HST= \$833.21 C4: First Table= \$605 Including HST= \$706.65 C11: First Table= \$1,024 Including HST= \$1180.12 Zone D: First Table= \$525 Including HST= \$616.25 Zone F and G: First Table= \$123 Second Table= \$110 Third Table= \$97 Including HST= \$161.99 | Saturdays year-round 6:00 a.m.-12:00 p.m. | Zone A and B are 8' x 4' Zone C indoor stalls 12' x 8' (includes hydro and handwashing sink) Zone D indoor 8' x 8' (includes hydro) Zone E 8' x 6' | Hydro: First Table= \$75 Including HST= \$84.75 Insurance: First table= \$23 | Municipal Market | Both | Total Vendors 60-80 vendors per year Fresh Produce - 17 vendors Meat/Deli 10 vendors Prepared Foods 10 vendors Artisans & Crafters 11 Vendors Baked Goods 5 Vendors Flowers 2 Vendors Miscellaneous 7 Vendors | Daily Rates: First Table= \$37 Including HST= \$41.81 Stalls are rented and charged annually. As well as hydro (January to December) |

| City | How much do they charge? | Days and hours of operation | Vendor Stall Size | Extra Fees | Municipal or Board Market | Indoor or Outdoor Market | Vendors | Notes |
|-----------|--|--|---|---|---------------------------|---|--|--|
| Grimsby | All vendors charged \$350.00 for their first 10'x10' space \$150.00 charge for each additional 10'x10' space | Every Thursday 3:00 p.m.-7:00 p.m. | 10' x 10' | Hydro: \$100 for full season (20 weeks) Special Event: Fee of \$35 (one time payment) | Board Market | Outdoor: End of May-Thanksgiving weekend | Total vendors 35 Food and Drink 7 vendors Flower and Plants 1 vendor Produce 12 vendors Local winery 4 vendors Meats and Cheeses 4 vendors Treats 4 vendors Perserver 3 vendors | Membership fee and insurance are included in vendor spaces |
| Ancaster | Full Season (19 Weeks): \$30.50/week = \$579.50 Half Season (10 Weeks): \$35.50/week = \$355.00 VQA Wineries (19 Weeks): \$50.50/week = \$959.50 | Wednesdays starting, June 12- October 16 from 3:00 p.m.- 7:00 p.m. | 10' x 10' | Vendor administration fee is \$25.00 annually | Board Market | Outdoor | Total vendors 40 | |
| Stratford | Outside wall space \$3.28/foot (year round) 8' table price \$3.15/foot (outside) 8' inside table price \$2.19 (year round) | Every Saturday year round 7:00 a.m.- 12:00 p.m. | No exact size but table surface can not surpass 2.5' x 8' | Hydro: \$10.00 Advertising/ Insurance: \$5.00 All NSF cheques will be subject to a \$35.00 administration fee | Board Market | Both: Outdoor June 1- October 31 | Total vendors 49 | Prices quoted on a weekly basis All invoices are due on the first Saturday of each month All weekly invoices are due on the receipt each Saturday that the vendor is attending the |

| City | How much do they charge? | Days and hours of operation | Vendor Stall Size | Extra Fees | Municipal or Board Market | Indoor or Outdoor Market | Vendors | Notes |
|--|---|---|----------------------------|--|---------------------------|---|---|--|
| Kingston (Memorial Centre Farmers Market) | 10' x 10' booth= \$650 May-October (\$25/week) 10' x 20' booth+space for vehicle behind booth= \$910 May-October (\$35/week) 10' x 20' corner= \$1300 May-October | May-October 9:00 a.m.-2:00 p.m. every Sunday (Outside) November-April 10:00 a.m.-2:00 p.m. every Sunday (Inside) | 10' x 10' 10' x 20' | If accepted into the Farmers Market, a \$60 cheque goes to the "Farmers Market Association of Kingston" Daily fee of \$30 | Board Market | Both: Outdoor May-October Indoor November-April | Total Vendors 90 Artisans 14 Vendors Baked goods 8 Vendors Dairy 3 Vendors Food Court 7 vendors Meat 5 vendors Prepared Food 18 vendors Produce 15 vendors Other 20 vendors | All fees must be payed all at once before May 1, 2019 |
| Whitby | Seasonal stall fee= \$275 Additional stall(s) =\$125 max of 2 additional stalls 4 week fee= \$75 Daily single stall fee= \$20.00 | May 8-October 16, every Wednesday 9:00 a.m.-3:00 p.m. | 10' x 10' | \$20 new vendor fee | Board Market | Outdoor | | New vendor membership fees are to be paid upon acceptance into the market and before you set up on your first day at the market Payment of membership fees for returning vendors is to be paid at the same time your application is passed in Stall fees, when paying on a daily or monthly basis are to paid by 10:00 a.m. on market day Seasonal stall fees are to be paid on, or before the first market day in June |

| City | How much do they charge? | Days and hours of operation | Vendor Stall Size | Extra Fees | Municipal or Board Market | Indoor or Outdoor Market | Vendors | Notes |
|---------------|--|--|--|---|--|--|---|---|
| Phelham | \$200 for the season (23 weeks) | First Thursday in May-Thanksgiving, 4:00 p.m.-dusk | 10' x 22' | N/A | Municipal market with executive board of vendors | Outdoor | Total Vendors 23 vendors Prepared Food 6 Vendors Farmers 14 Vendors Not-For-Profit 1 Vendor Cider 1 Vendor Winery 1 Vendor | |
| Niagara Falls | Weekly rate of \$25 plus HST \$125+ HST for the year Monthly rate of \$75 | Saturdays 7:00 a.m.-1:00 p.m. | 10' x 10' | N/A | Municipal Market | Both | Total vendors 25 | |
| Wainfleet | \$40/Month \$125 for full season | Thursdays 3:00 p.m.-7:00 p.m. May-September | 10' x 10' | \$10 donation fee charged every Thursday | Municipal Market | Outdoor | Total Vendors Approximately 10 | |
| Hamilton | Standard footage= \$25.09 per square foot/ year+HST Premium footage= \$28.22 per square foot/ year +HST | Tuesdays 8:00 a.m.-6:00 p.m. Thursdays and Fridays 8:00 a.m.-6:00 p.m. Saturdays 7:00 a.m.-5:00 p.m. | Width and depth of stalls vary in size | Each stall will be billed for energy consumed within that stall | Board Market | Indoor | Total Vendors Over 60 vendors | Payment Example 20 ft x 15 ft. stall= 300 square feet 300 sq. ft. x \$25.09 = \$7527/ year \$7527/ 12 months= \$627.25/ month |
| Ridgeway | Base rate= \$195.00 Rate with hydro= \$220.00 Day rate= \$25 | Saturdays: 8:00 a.m.-1:00 p.m. May 5, 2019- October 13, 2019 | 10' x 10' | \$50 administration fee | Board Market | Outdoor | Total Vendors 35 Vendors | |
| Beamsville | Season= \$360.00 1/week= \$40 4/week= \$120 | Saturdays: 8:00 a.m.-12:00 p.m. June-September | 10' x 10' | Hydro fee | Board Market | Outdoor with indoor available if need be | Total Vendors 16 Vendors | No set hydro fee |

| City | How much do they charge? | Days and hours of operation | Vendor Stall Size | Extra Fees | Municipal or Board Market | Indoor or Outdoor Market | Vendors | Notes |
|---------------------|---|---|--------------------------------|---|---------------------------|--------------------------|---------------------------------------|--|
| Niagara on the Lake | <p>Saturdays: Produce/Farmer/Artisan Annual: Weekly Rate= \$22 Annual: Vendor Fee= \$440</p> <p>Seasonal: Weekly Rate= \$25 Seasonal: Vendor Fee= \$125</p> <p>Casual: Weekly Rate= \$30 Casual: Vendor Fee= \$60</p> <p>Prepared Foods Annual: Weekly Rate= \$50 Annual: Vendor Fee= \$1,000</p> <p>Seasonal: Weekly Rate= \$65 Seasonal: Vendor Fee= \$325</p> <p>Casual: Weekly Rate= \$75 Casual: Vendor Fee= \$150</p> <p>Wednesday: Produce/Farmer/Artisan If also vending on Saturdays it is a weekly rate of \$10 (Rest of prices can be seen in "Extra Fees" column)</p> | <p>Saturday: 8:00 a.m.- 1:00 p.m. May 25- October 5</p> <p>Wednesday 4:30 p.m.- 9:00 p.m. May 22-September 18</p> | 10' x 10' | <p>If only vending on Wednesdays it is a weekly rate of \$15</p> <p>Prepared Foods Annual: Weekly Rate= \$110 Annual: Vendor Fee= \$1,980</p> <p>Seasonal: Weekly Rate= \$139 Seasonal: Vendor Fee= \$695</p> <p>Casual: Weekly Rate= \$162.50 Casual: Vendor Fee= \$325</p> <p>Dessert Vendor/ Non-Alcoholic Beverage Vendor Weekly Rate= \$70 Vendor Fee= \$1,260</p> | Board Market | Outdoor | Total Vendors 51 Vendors | <p>Saturdays: Annual= 20 Weeks Seasonal= 5 Weeks Casual= 2 Weeks</p> <p>Wednesdays: Annual= 18 Weeks Seasonal= 5 Weeks Casual= 2 Weeks</p> |
| Port Colborne | <p>Annual stall charge of \$155</p> <p>Large stall charge of \$230</p> | <p>Thanksgiving-Victoria Day 7:00 a.m.-1:00 p.m.</p> <p>Victoria Day- Thanksgiving 6:00 a.m.- 1:00 p.m.</p> | The size of a car parking spot | <p>Hydro Fee \$100</p> <p>Insurance \$28.50</p> | Municipal Market | Outdoor | Total Vendors 55-60 vendors | Stall charge increases by \$5 every year |



By-laws to be considered Monday, August 12, 2019

- (a) A By-law to amend By-Law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to addition of Stopping Prohibitions, Loading Zones, and Through Highways to Garden Park Highway. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to amend By-Law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to various Stop Sign Locations. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to amend By-Law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading – with respect to Speed Limits on North Street and Church Street. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to amend By-law No. 2002-81 entitled "A By-law to appoint certain employees of the Canadian Corps of Commissionaires (Hamilton) as municipal law enforcement officers." (One reading – with respect to change in personnel. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to amend By-law No. 89-304 entitled "A By-law to designate private roadways as fire routes along which no parking of vehicles is permitted." (One reading – with respect to 139 Glendale Avenue. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to authorize a contract with Duomax Developments Limited. (One reading – with respect to Port Weller Community Centre – Addition & Alterations, P18-178. Delegation By-law No. 2004-277, as amended.)
- (g) A By-law to amend By-law No. 2014-169 entitled "A By-law to appoint a Chief Building Official and Inspectors under the Ontario Building Code Act, 1992." (One reading – with respect to appointment. Delegation By-law No. 2004-277, as amended.)
- (h) A By-law to amend By-law No. 2017-246 entitled "A By-law to appoint Jeff McCormick as Acting Fire Chief and Acting Emergency Management Program Coordinator." (One reading – with respect to the appointment of a Community Emergency Management Coordinator.)
- (i) A By-law to appoint Brendan MacMullin as Community Emergency Management Coordinator. (One reading – with respect to appointment.)
- (j) A By-law to delegate authority to the City Clerk to execute such documents necessary for the operation of the FirstOntario Performing Arts Centre (FOPAC). (One reading – with respect to the day to day operations of the FOPAC.)



- (k) A By-law to authorize an Agreement with Nickel Developments Ltd. (One reading – with respect to the Community Improvement Plan – Brownfield Tax Increment Finance Program for 57 Carlisle Street. General Committee, March 18, 2019, Item No. 3.1.)
- (l) A By-law to authorize an Agreement with 2605831 Ontario Inc. (One reading – with respect to the Community Improvement Plan - Tax Increment Finance Program for 405 Merritt Street. General Committee, March 18, 2019, Item No. 3.1.)
- (m) A By-law to amend By-law No. 2019-193 entitled “A By-law to authorize an Amendment to the Brownfield Tax Increment Based Incentive Grant Program Agreement with Brickyard Developments Limited and to repeal By-law No. 2019-108.” (One reading – with respect to changing the Applicant’s name for the redesigned development project at 40 Woodburn Avenue /50 Herrick Street, Phase II, Heritage Point Subdivision. General Committee, April 15, 2019, Item No. 3.4.)
- (n) A By-law to amend By-law No. 2019-174 entitled “A By-law to authorize a Voter List Management Services Agreement with Comprint Systems Inc. (doing business as “DataFix”).” (One reading – with respect to name correction. Delegation By-law No. 2004-277, as amended.)
- (o) A By-law to amend By-law No. 2019-162 entitled “A By-law to authorize a contract with Brennan Paving Limited.” (One reading – with respect to name correction. General Committee, June 10, 2019, Item No. 4.1.)
- (p) A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines. (One reading - with respect to 170 Church Street and 26, 28 and 30 Niagara Street. To be considered by Council, August 12, 2019.)
- (q) A By-law to amend By-law No. 2013-283 entitled “A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines.” (One reading – with respect to 170 Church Street and 26, 28 and 30 Niagara Street. To be considered by Council, August 12, 2019.)
- (r) A By-law to assume and declare certain lands to be a highway and to be known as David S Howes Way. (One reading – with respect to establishing and naming a public street. To be considered by Council, August 12, 2019.)
- (s) A By-law to amend By-law No. 2012-183 entitled “A By-law to assume and declare certain lands to be highway and to be known as part of Race Street and McGuire Street.” (One reading – with respect to establishing and naming a public street as David S Howes Way. To be considered by Council, August 12, 2019.)
- (t) A By-law to change the name of part of McGuire Street to David S Howes Way. (One reading – with respect to establishing and naming a public street. To be considered by Council, August 12, 2019.)



- (u) A By-law to authorize a contract with Rankin Construction Inc. (One reading – with respect to Plaza Improvements at 40 St. Paul Street, P18-045. To be considered by General Committee, August 12, 2019.)
- (v) A By-law to authorize a contract with B.A. Construction & Restoration Inc. (One reading – with respect to Yates Street Historic Retaining Wall Repairs, P17-135. To be considered by General Committee, August 12, 2019.)
- (w) A By-law to authorize a Memorandum of Understanding with Brock University, as represented by the Environmental Sustainability Research Centre. (One reading – with respect to Niagara Adapts Project. To be considered by General Committee, August 12, 2019.)
- (x) A By-law to authorize an Agreement with Niagara Grape and Wine Festival. (One reading – with respect to a fee-for-service agreement for a period covering 2019 to 2023. To be considered by General Committee, August 12, 2019.)
- (y) A By-law to confirm the proceedings of council at its meeting held on the 12th day of August, 2019. (One reading - with respect to confirming the proceedings of the meeting held on August 12, 2019.)