



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, July 27, 2020
Electronic Participation, 6:00 PM**

This Meeting of Regular Council will be held through Electronic Participation in accordance with Bill 187, the Municipal Emergency Act, which was passed by the Province of Ontario on March 19, 2020.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, July 27, 2020 before Noon. Comments submitted will be considered as public information and entered into public record.

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

- 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 13, 2020](#)
 - 4.2 General Committee, Minutes of [July 13, 2020](#)
- 5. Resolve into General Committee**

Council will proceed to General Committee Agenda Item 1 - Motion to Move Reports on Consent
- 6. Public Meetings Pursuant to Public Notice By-Law**
 - 6.1 Financial Management Services, Billing
Amendment to Parking By-law and Associated Administrative Monetary Penalty By-law (AMPS)
(Staff presentation precedes discussion of report)
[Addenda]

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7. Special Presentations

8. Resolve into General Committee

Council will proceed to General Committee Agenda Item 3 - Discussion Reports

9. Motion to Ratify Forthwith Recommendations

10. Motions

10.1 Removal of Private Alexander Watson Statue and Review of City Policies

Delegations by the following individuals will precede discussion of the motion:

- *Gavin Fearon*
- *Russell Johnston*
- *Michael Ripmeester*
- *Bergen Steiger*

Deferred from the meeting of July 13, 2020. Councillor Porter will present the following motion:

WHEREAS in 2009 the City's Cultural Services Director presented [Report 547, regarding War Memorial and Outdoor Art Condition Assessments](#), which was commissioned to identify how deteriorated some of the City's outdoors structures are and what is needed to maintain and restore them; and

WHEREAS the same report identified that the Private Alexander Watson monument at City Hall had urgent deterioration issues that must be addressed; staff were asked to develop a 5-year Outdoor Art & Memorial Restoration Strategy to be considered in the 2010 Budget; and

WHEREAS since that time the City of St. Catharines in June 25, 2018 signed the Memorandum of Understanding with the Niagara Regional Native Centre; and

WHEREAS [Report CAO-156-2018](#) noted the City's particular responsibilities to implement the Calls to Action outlined in the Truth & Reconciliation Commission's report;

THEREFORE BE IT RESOLVED that staff be directed to consult with the following groups on the relocation of the statue of Private Alexander Watson from the front lawn of City Hall:

- Heritage Advisory Committee

- Public Art Advisory Committee
- Anti-Racism Advisory Committee
- Descendants of the Watson family
- Niagara Métis Council
- Métis National Council; and

BE IT FURTHER RESOLVED that staff be directed to report back on this consultation with a relocation strategy and include options and costs for possible relocation of the statue that includes contextualization of its history and how this is an opportunity to the education of future generations on why the City did this and its importance to our commitment to Truth & Reconciliation.

10.2 Support for Canadian Association of Chiefs of Police Call for Drug Decriminalization

Councillor Miller will present the following motion:

WHEREAS communities like St. Catharines see a significant impact from drug use, none more so than on the user themselves; and

WHEREAS criminalization of drug use has not led to a decrease in drug use, only an increase in the number of individuals in our criminal justice system, and is therefore not a successful harm reduction strategy; and

WHEREAS St. Catharines has committed to being a compassionate city; and

WHEREAS the Canadian Association of Chiefs of Police (CACP) believe that drug consumption is best treated as a public health, rather than criminal, matter; and

WHEREAS on [July 9, 2020](#), the CACP recommended the decriminalization of personal possession of illicit drugs; and

WHEREAS decriminalization should lead to increased funding and access to healthcare, treatment and social services to divert people struggling with substance use or addiction away from the criminal justice system;

THEREFORE be it resolved that St. Catharines City Council endorses the CACP's call for both the decriminalization of personal possession of illicit drugs and also the treatment of drug use as a public health challenge; and

BE IT FURTHER RESOLVED that the Mayor send a letter with this endorsement to the Prime Minister of Canada, the Minister of Public Safety and Emergency Preparedness, the Premier of Ontario, the Minister of Health, local MPs and MPPs, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

10.3 Installation of Pride Flag Crosswalk

Councillor Miller will present the following motion:

WHEREAS staff recommend the installation of the Pride Flag Crosswalk in early 2021 in order to avoid potential additional repairs as a result of winter maintenance activities during the 2020/2021 winter season; and

WHEREAS June is celebrated as Pride Month;

THEREFORE BE IT RESOLVED that staff be directed to install the Pride Flag Crosswalk in spring 2021 in anticipation of having the crosswalk installed in time for Pride Month 2021.

11. Call for Notices of Motion

12. Report Requests

- 12.1 Parking Deficiency at The Beaches Condo, 6-10 Dalhousie Avenue
Councillor Williamson will present the following report request:

That staff be directed to conduct a thorough site inspection at 6-10 Dalhousie Avenue, further review the process and events that led to this unfortunate situation and prepare a report by the end of the third quarter 2020 that clearly addresses all the questions raised in the residents' letter: including input from the City's Transportation staff, and recommends:

1. What corrective action will be taken to ensure all the residents of the condo have appropriate regular and accessible parking and will not need to park on the already crowded City streets.
2. What changes will be made to ensure the concerns of local residents will be addressed fairly through planning consultations.
3. What actions will be taken to ensure this situation does not recur in other projects.

13. Agencies, Boards, Committee Reports

- 13.1 Minutes to Receive:

- Heritage Permit Advisory Committee, minutes of [June 25, 2020](#) and [July 17, 2020](#) (Draft)

[Addenda]

- 13.2 Board Updates from Council Representatives

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14. Resolve into General Committee

Council will proceed to General Committee Agenda Item 4 - In-Camera Session

15. Motions Arising from In-Camera Session

16. By-laws

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16.1 Reading of By-Laws

[Addenda]

17. Adjournment



Corporate Report City Council

Report from: Financial Management Services, Billing

Report Date: July 9, 2020 **Meeting Date:** July 13, 2020

Report Number: FMS-105-2020 **File:** 77.34.1

Subject: Amendment to Parking By-law and Associated Administrative Monetary Penalty By-law (AMPS)

Strategic Pillar:



Recommendation

That the Staff Recommendation in Report FMS-105-2020, regarding Amendment to Parking By-law and Associated Administrative Monetary Penalty By-law (AMPS) be referred to City Council for consideration after a public meeting to be scheduled as part of the next Regular meeting of City Council for which notice will be duly given. FORTHWITH

Staff Recommendation

That Council approve the proposed amendment to By-law 2014-67, being a By-law to establish a System of Administrative Penalties respecting the stopping, standing or parking of vehicles in the City of St. Catharines, as amended, to create fines for Special Provision Areas; and

That Council approve the proposed amendment to By-law 2014-67- Traffic By-law 89-2000 Schedule A to create a new Administrative Penalty for Parked Where Prohibited – Special Provision applicable only during the months of May, June, July, August and September of each year; and

That Council approve the proposed amendment to By-law 2014-67 Municipal **Parking** By-law 89-305 Schedule C to create a new Administrative Penalty for Parked Where Prohibited – Special Provision Area applicable only during the months of May, June, July, August and September of each year; and

That Council approve the proposed amendment to By-law 89-2000 being the Traffic and **Parking and 89-305 Municipal Parking By-law** to create Special Provision Areas applicable only during the months of May, June, July, August and September of each year, as identified in Appendix 1; and

Further, that the City Solicitor be directed to prepare the necessary by-laws.

Summary

With summer upon us, record breaking temperatures and with Niagara in Phase 2, Stage 2 of the Province's COVID-19 Recovery Plan, the City has seen a dramatic increase in visitors and vehicles parking illegally in the Sunset Beach, Jones Beach, Lakeside Park and Morningstar Mill areas. It should also be noted that this is not just occurring during the COVID-19 Emergency Orders; this is a recurring and ongoing annual issue at this time of year.

Report

Over the past weeks, By-law and Parking Enforcement staff have increased their patrol and enforcement in these areas in response to public complaints. Since May 3, 2020, the City has issued an increased number of parking penalty notices. The majority of the infractions are "Parked where Prohibited," "Parked Within 1.5 meters of a driveway," "Parked within 3 metres of a Fire Hydrant" and "Parked on Boulevard."

Staff is recommending that Council create special provision areas and increase the penalties associated with Parked Where Prohibited parking offences. It would be a seasonal violation applicable only during the months of May, June, July, August and September of each year. Currently, the penalties for these infractions are set \$30.00 per violation. It has been found that people attending these areas are treating these parking penalties as a small price to pay while visiting the beach and surrounding areas. Deterrence is one of the primary goals of parking penalties; and staff is of the opinion that the current penalties are no longer sufficient to deter persons from parking illegally in these areas. Staff is therefore recommending that a new Administrative Penalty be created for these areas. The Special Provision areas would include Sunset Beach and surrounding areas, Jones Beach, Lakeside Park and Morningstar Mill (see Appendices 2,3,4 and 5). If approved, the penalties would increase from a \$30.00 Parked Where Prohibited – to a Special Provision - Parked Where Prohibited penalty of \$100.00 applicable only during the months of May, June, July, August and September of each year.

Some municipalities across Ontario have made amendments to their Associated Administrative Monetary Penalty By-law (AMPs) and Parking By-Law. The Town of Wainfleet has increased a number of their infractions from \$30.00 to \$100.00. The City of Barrie has identified special areas, increased set fines and increased their daily parking rates around water front areas. Innisfil has significantly increased their enforcement, with many tickets being handed out and many vehicles being towed when visitors park where they shouldn't park. The City of Toronto is enacting stricter parking rules at their popular beaches.

Staff have delegated authority to implement parking-related prohibitions on City roadways. Through this authority, staff is in the process of implementing restricted parking on one side of each street that does not currently have a prohibition. This would include sections of Arthur Street, Beachaven Drive, Bogart Street, Cumberland Street and Grandview Drive. It would be a full-time prohibition, not a seasonal one, as this is consistent with the southern half of the neighbourhood that already has this in place.

Staff will also be installing “tow away zone” signage on the north side of Lombardy Avenue as well as within the park itself to deter visitors from parking illegally in that area.

Financial Implications

The City has issued approximately 353 tickets in the proposed Special Provision Area since May 2020, with the majority written for the violation “Parked Where Prohibited.” An increase to the penalty amount for this violation from the current \$30 to \$100 can be expected to generate additional parking violation revenues annually. The increase in revenue will offset lost parking revenue with the 2020 parking budget.

Special Provisions Areas	Penalty Notices Issued Since May 2020
Sunset Beach	262
Lakeside Park	4
Morningstar Mill	87
Jones Beach	0

Conclusion

It is staff's recommendation to create Special Provision areas with increased penalties for parking-related infractions applicable only during the months of May, June, July, August and September of each year. Staff feel that visitors will be more likely to comply with parking prohibitions, reducing the impact that visitors have on residents in the area. The proposed recommendations will result in additional parking revenues also.

Prepared and Submitted by

Lisa Read, Manager of Revenue

Approved by

Kristine Douglas, CPA, CMA

Director, Financial Management Services / City Treasurer

Appendices

- Appendix 1 – Traffic By-Law Special Provision Area
- Appendix 2 – Sunset Beach and surrounding areas - Map of Special Provision Area
- Appendix 3 – Jones Beach - Map of Special Provision Area
- Appendix 4 – Lakeside Park - Map of Special Provision Area
- Appendix 5 – Morningstar Mill - Map of Special Provision Area

Appendix 1

By-law 2014 -67 – INTERPRETATION be amended by adding the following

“Special Provision Area” and “SPA” mean the lands, including but not limited to highways, roadways and municipally owned or operated lands, located within the limits of the dashed bold line shown on each aerial map attached hereto as Schedule “H” of this Bylaw;

For the new Schedule:

Schedule H – No Parking **where Prohibited by Sign** Within Special Provision Area

Sunset Beach Special Provision Area includes the following streets and is inclusive of Sunset Beach driveway and parking areas

- Lombardy Ave
- Bogart St
- Beachaven Dr
- Grandview Dr
- Arthur St between Wildwood Rd and Beachaven Dr
- Cumberland St
- Northglen Ave
- Durham Dr
- Melody Trail
- Wildwood Dr
- Jarrow Rd

Morningstar Mill Special Provision Area includes the following streets and is inclusive of Morningstar Mill driveway and parking area

- First Street Louth between Pelham Rd and Decew Rd
- Decew Rd between First St Louth and Cataract Rd

Lakeside Park Special Provision Area includes the following streets and is inclusive of Lakeside Park driveway and parking area

- Lakeport Rd between Main St and Lock St
- Main St between Lock St and Lakeport Rd
- Lock St between Dalhousie Ave and Main St
- Dalhousie Ave between Brock St and Lock St
- Simcoe St
- Gertrude St
- Canal St
- Michigan Ave
- John St
- Lighthouse Rd

Jones Beach Special Provision Area includes the following streets and is inclusive of Jones Beach driveway and parking area

- Broadway between Runcorn St and its northerly terminus
- Lakeside Dr between Broadway and Bromley Dr

Sunset Beach Special Provision Area



CITY OF ST. CATHARINES

--- Special Provision Area
— Existing No Parking Restrictions



Jones Beach Special Provision Area



- Special Provision Area**
- Existing No Parking Restrictions**





Lakeside Park Special Provision Area



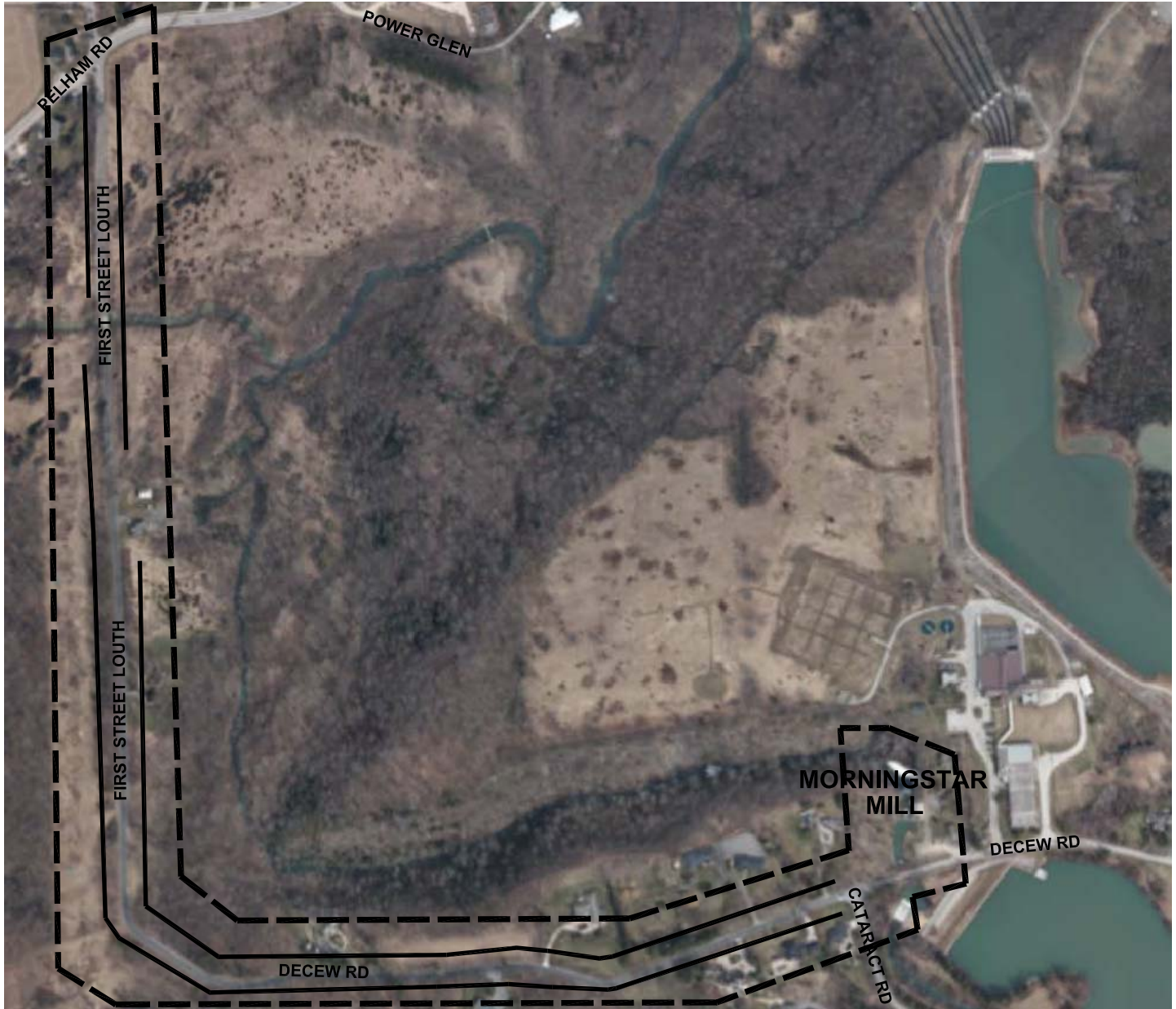
- Special Provision Area**
- Existing No Parking Restrictions**



Morningstar Mill Special Provision Area



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CITY OF ST. CATHARINES

--- Special Provision Area
— Existing No Parking Restrictions



By-laws to be considered Monday, July 27, 2020

- (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 parking prohibitions on McCaffery Crescent. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to impose certain rates and fees charged by The Corporation of the City of St. Catharines with respect to certain administrative matters. (One reading - with respect to 2021 Schedule of Rates and Fees. Council, July 13, 2020, Item No. 6.1.)
- (c) A By-law to authorize a contract with Anthony's Excavating Central Inc. (One reading - with respect to Replacement of Third Avenue Louth Bridge at Richardson Creek under Project No. P18-123. To be considered at General Committee, July 27, 2020.)
- (d) A By-law to amend By-law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads", By-law No. 89-305 entitled "A By-law to provide for regulating, supervising and governing the parking of vehicles in various municipal parking facilities", and By-law No. 2014-67 entitled "A By-law to establish a System of Administrative Penalties respecting the stopping, standing or parking of vehicles in the City of St. Catharines". (One reading - with respect to parking-related infractions in Special Provision Areas - Sunset Beach, Jones Beach, Lakeside Park and Morningstar Mill. To be considered at Council, July 27, 2020.)
- (e) A By-law to confirm the proceedings of council at its meeting held on the 27th day of July 2020. (One reading - with respect to confirming the proceedings of the meeting held on July 27, 2020.)