



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, January 31, 2022
Electronic Participation, 6:00 PM**

As part of the City's commitment to safety during the COVID-19 pandemic, this meeting of Council will be held electronically.

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, January 31, 2022 before Noon. Comments submitted will be considered as public information and entered into public record.

Electronic Delegations: Those wishing to speak to an item on the agenda must complete the [City's Electronic Delegation Form](#) by Monday, January 31, 2022 before 9:00 a.m. and attend a test session with City staff on Monday, January 31, 2022 at 10:00 a.m.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting with a Land Acknowledgement

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- 1. Mayor's Report**
- 2. Adoption of the Agenda**
- 3. Adoption of the Minutes**
 - 3.1 Regular Council, Minutes of [January 17, 2022](#)
[Addenda]
 - 3.2 Budget Standing Committee, Minutes of [January 24, 2022](#) (draft)
[Addenda]
- 4. Declarations of Interest**
- 5. Motion to Move Consent Reports**

Consent Reports are approved in one motion which approves all of the recommendations contained in each report. Prior to this motion, a councillor may request that one or more of the reports listed under Item 6 be moved to the list of Discussion Reports.

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6. Consent Reports

- 5 - 30 6.1 Financial Management Services, Director
2022 Water and Wastewater Budget and Associated Rates
(Approval of this report will set a Public Meeting for the Council Meeting of February 14, 2022 to discuss the 2022 Water and Wastewater Budget and Associated Rates)
[Addenda]
- 31 - 64 6.2 Legal and Clerks Services, Office of the City Clerk
Council Correspondence

7. Public Meetings

- 65 - 79 7.1 Economic Development and Tourism Services
Application for Exemption to By-law 95-212 - Reptilia, being a By-law to Regulate the Keeping of Animals
The following sub-items are included in the Addendum to Report EDTS-205-2021:
1. Letter from Canada's Accredited Zoos and Aquariums(CAZA) - re. Reptilia Status in CAZA
 2. Letter from First Capital Asset Management ULC - re. Fairview Mall, St. Catharines – Reptilia
 3. Letter from Prof. Robert W. Murphy, Ph.D. - re. Statement of Support to Reptilia's Request for Exemption from the City of St. Catharines By-Law 95-212, which Regulates the Keeping of Animals

8. Presentations

9. Discussion Reports

- 80 - 101 9.1 Engineering, Facilities and Environment Services, Transportation Services and Financial Management Services, Director
Amending Agreement for Intermunicipal Agreement related to Vision Zero
(Presentation by Niagara Region will precede discussion of this item)
- 102 - 106 9.2 Office of the Chief Administrative Officer
COVID-19 Update - January 31, 2022
[Addenda]

10. Motions

- 10.1 **282 and 285 Ontario Street - Request to the Ministry of the Environment, Conservation and Parks to Appear Before Council**
Councillor Porter will move and Councillor Garcia will second the following motion:

WHEREAS the contractor for 282 and 285 Ontario Street has indicated that \$100,000 of PCB mitigation has been undertaken on the subject sites over a period of three days in December 2021; and

WHEREAS 15,000 litres of liquid and three tons of sediment of unknown PCB concentration were removed from the subject sites and sent to a federally-regulated PCB storage facility in Brampton; and

WHEREAS the contractor has indicated that split sampling is scheduled when weather permits, meaning that test samples are taken by both the contractor's qualified engineers and the Ministry of Environment, Conservation, and Parks, and tested by both for comparison; and

WHEREAS it has been 13 months since the MECP became aware of the discharge of PCBs flowing from the 282 and 285 Ontario Street properties and other sites into Twelve Mile Creek which flows into Martindale Pond, Port Dalhousie Harbour and Lake Ontario; and

WHEREAS it has been approximately seven months since Council has received any updates from MECP about their progress in identifying the sources of the discharge and/or stopping it;

THEREFORE BE IT RESOLVED that staff seek a timeline from both the contractor and the MECP for split testing and that staff invite the MECP to present the PCB Clean Up Workplan and split results for the subject properties to Council as soon as possible; and

BE IT FURTHER RESOLVED that Ministry staff and City staff provide an update to Council on the additional PCB hotspots, testing and cleanup efforts in the other known areas of concern along Twelve Mile Creek; and

BE IT FURTHER RESOLVED that staff be directed to request a copy of any manifests or reports from Canada's Environment Ministry in regards to the contaminated materials that were taken offsite from 282 and 285 Ontario Street and sent to the Brampton facility; and

BE IT FURTHER RESOLVED that this motion and a copy of the request be sent to Minister Piccini and Premier Ford.

11. Call for Notices of Motion

12. Report Requests

13. Committee and Task Force Minutes

13.1 Minutes to Receive:

- Anti-Racism Advisory Committee, meeting of [January 18, 2022](#) (draft)
- Equity and Inclusion Advisory Committee, meeting of [January 11, 2022](#) (draft)
- Recreation Master Plan Advisory Committee, meeting of [November 2, 2021](#) (draft)
- St. Catharines Museum Advisory Committee, meeting of [November 23, 2021](#) (draft)

[Addenda]

14. Closed Session

Council will meet in Closed Session for the following purpose(s):

15. Motion Arising from Closed Session

16. By-laws

16.1 Reading of By-laws

[Addenda]

17. Adjournment



Corporate Report City Council

Report from: Financial Management Services, Director

Report Date: January 25, 2022

Meeting Date: January 31, 2022

Report Number: FMS-014-2022

File: 10.57.28

Subject: 2022 Water and Wastewater Budget and Associated Rates

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: Economic and Environmental



Recommendation

That Report FMS-014-2022, regarding the 2022 Water and Wastewater Budget and Associated Rates, be referred to City Council for consideration of the Staff Recommendation after the public meeting scheduled for February 14, 2022, for which notice will be duly given.

Staff Recommendation

That Council approve the 2022 Water and Wastewater Budget and Associated Rates, as outlined in Appendix 1; and

That 2022 water and wastewater rates are effective for billing periods ending on or after March 1, 2022; and

That the City Solicitor be directed to prepare the necessary by-laws.

Relationship to Strategic Plan

This report supports the City's commitment to building and growing a diverse and resilient economy through fiscal responsibility, urban regeneration, and collaborative partnerships. It also enhances the City's strategic goal to adopt innovative approaches and continue responsible community planning that balances growth, enhances quality of life, manages emergencies, and minimizes the environmental impacts of climate change.

Report

At its meeting of January 24, 2022, the Budget Standing Committee received Report FMS-B002-2022 (Appendix A), and approved the following motion:

That the Budget Standing Committee refer the 2022 Water and Wastewater Budget and Associated Rates, as outlined in Appendix 1, to Council for consideration after the public meeting scheduled for February 14, 2022, for which notice will be duly given; and

That 2022 water and wastewater rates are effective for billing periods ending on or after March 1, 2022.

Prepared by

Lucia Chen
Manager, Budgets and Procurement

Submitted and approved by

Kristine Douglas
Director of Financial Management Services and City Treasurer

Appendices

- Appendix A – Report FMS-B002-2022 and appendices



Corporate Report Budget Standing Committee

A

Report from: Financial Management Services, Director

Report Date: January 10, 2022

Meeting Date: January 24, 2022

Report Number: FMS-B002-2022

File: 18.45.259

Subject: 2022 Water and Wastewater Budget and Associated Rates

Recommendation

That the Budget Standing Committee refer the 2022 Water and Wastewater Budget and Associated Rates, as outlined in Appendix 1, to Council for consideration after the public meeting scheduled for February 14, 2022, for which notice will be duly given; and

That, if approved, the 2022 water and wastewater rates be effective for billing periods ending on or after March 1, 2022.

Summary

This report seeks approval for the 2022 Water and Wastewater Budget and associated rates. The report is organized with the following sections:

1. Proposed Rates
2. Fixed Costs
3. Sustainable Funding of Infrastructure
 - a. Watermain replacement
 - b. Sanitary sewer replacement
4. Regional costs: (a) Regional water (b) Regional Wastewater
5. Forecasting Water Volumes
6. Financial Stability of the Wastewater system
7. Operational Challenges and Required Change
8. Bi-Monthly Billing Update

Background

The Water and Wastewater budget is fully funded by user rates with no reliance on property taxes. The water and wastewater rates fund both operating and capital expenditures.

Report

1. 2022 Water and Wastewater Proposed Rates

General Rate Structure

The City's current water and wastewater structure is a combination of fixed and volumetric charges. Each customer account is charged a fixed rate for water and wastewater. In addition, the customer is billed volumetric rates for water and wastewater based on the amount of water used.

Recommended Water and Wastewater Rates

For 2022, staff are proposing an increase to both the water and wastewater volumetric rates as well as the water and wastewater fixed rates.

Staff recommend that effective March 1, 2022, the rate structure for recovering water and wastewater costs be the following:

	2022	2021
Water		
Fixed (annual)	\$183	\$177
Volumetric (per cm)	\$1.424	\$1.372
Wastewater		
Fixed (annual)	\$153	\$135
Volumetric (per cm)	\$2.147	\$2.027

The proposed rates will result in an annual increase to the average ratepayer (at annual consumption levels of 170 cubic metres) of \$53.24 – a 5.98% increase. See Appendix 2 for further details on the calculations.

Description	Amount
Water Rates	\$14.84
Wastewater Rates	\$38.40
Total Increase - \$	\$53.24
Total Increase - %	5.98%

2. The Fixed Charge – Water and Wastewater

In the City's current water and wastewater rate structure, the fixed charge is defined to be the cost of the City's annual replacement programs and fixed regional charges. For each of the systems these costs are calculated to be:

	Water Budget		Wastewater Budget	
	2022	2021	2022	2021
Improvement program	\$5,332,608	\$4,524,250	\$1,849,854	\$2,418,000
Debt Charges	439,655	395,165	767,081	767,390
Total City Fixed Charges	\$5,772,263	\$4,919,415	\$2,616,935	\$3,185,390
Regional Fixed Charges	3,151,522	3,097,272	24,454,734	22,996,058
Total Fixed Costs	\$8,923,785	\$8,016,687	\$27,071,669	\$26,181,448
Change From 2021	\$907,098		\$890,221	
Calculation of Recovery Rates:				
Based on 42,450 customers	\$210	\$189	\$638	\$617
2022 Proposed/2021 Actual	\$183	\$177	\$153	\$135

As the chart indicates, to fully fund the calculated fixed component of the City's rate structure should be \$210 for Water and \$638 for Wastewater. While staff does not propose that the 2022 rates be increased in one year to fully recover these costs, additional future increases over time need to be considered. The increase in the fixed water and wastewater rates in 2022 will result in the recovery of a larger portion of the fixed costs to operate the water and wastewater systems. With the increasing cost of construction, especially related to underground services, there will be the need to increase fixed costs just to complete the same level of infrastructure work.

During the Region's 2021 budget process, the Region deferred the budget request for a 5.15% increase that supports the Regional Council approved Safe Drinking Water Act (SDWA) Financial Plan. Instead, the Region implemented one-time mitigations in 2021 (such as: deferrals of half the 2021 CSO program, student positions, Water wagon / festival, and conferences).

The Region resumed in 2022 the budget request of a 5.15% increase as per their SDWA Financial Plan.

3. Sustainable Funding of Infrastructure

As part of the 2022 Capital budget approval by Council on November 29, 2021, the 2022 Water and Wastewater funding for watermain and sanitary sewer infrastructure replacement were included. Therefore, the capital project portion of the 2022 water and wastewater rates has received Council approval. This report and budget is to obtain Council approval of the rates to fund both the capital projects and operational functions for 2022.

a. Watermain Replacement Program

Approved with the 2022 Capital budget was \$4,259,378¹ for the replacement of watermain and \$1,073,230² for water capital investment (capital out of revenue). This infrastructure cost is funded by the water rates. Details of the watermain replacements in summary can be found in the 2022 Capital Budget under Tab W.

b. Sanitary Sewer Replacement Program

Approved with the 2022 Capital budget was \$1,821,954³ for sanitary sewer infrastructure replacements and \$27,900⁴ for sanitary sewer capital investment (capital out of revenue). This infrastructure is funded by the wastewater rates. Details of the sewer replacements in summary can be found in the 2022 Capital Budget under Tab W.

The table below summarizes the total contribution to capital projects including water and wastewater infrastructure replacements and capital investments.

	2022	2021	\$ Change	% Change
Water	\$5,332,608	\$4,524,250	\$808,358	17.87%
Wastewater	1,849,854	2,418,000	-568,146	-23.50%
Total	\$7,182,462	\$6,942,250	\$240,212	3.46%

In 2019, Council approved a 10-Year Financial Plan for Water and Wastewater (The Water / Wastewater Plan). The Plan includes year over year increases for investment in capital infrastructure, which will reduce the funding gap for these asset classes. As a result of the financial and operational challenges facing the City caused by COVID-19 pandemic, the 2022 budget and 2023-2026 forecast reflects a reallocation of the investment in water and wastewater systems (water distribution system, sanitary sewer collection systems and pollution control). Increases in spending in the years of 2024 through 2026 result in the same net investment in infrastructure, over the next 6 years. However, in the short term the spending deferrals will continue to contribute to the widening infrastructure gap.

4. Regional Costs

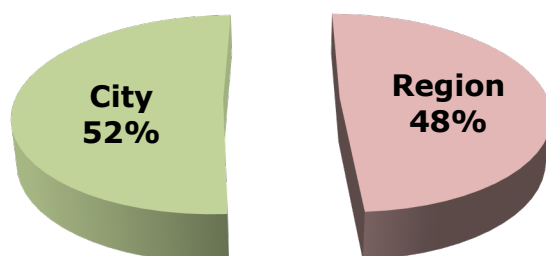
The City and Region are responsible for various aspects of water distribution. The Region is responsible for supply and treatment including all reservoirs and water towers. In general, watermain sixteen inches (400 mm) in diameter or larger are a regional responsibility and the City is responsible for the smaller distribution watermain. There is also a shared responsibility for collection and treatment of wastewater between the City and the Region. The Region is responsible for treatment facilities, pumping stations, sludge disposal and sewers with flows of six cubic feet per second or greater or sewers spanning a municipal boundary. The City is responsible for the remaining wastewater pipelines.

¹ Details can be found in 2022 Capital Budget under Tabs G and K

² Details can be found in 2022 Capital Budget under Tab G and K

³ Details can be found in 2022 Capital Budget under Tabs E, K, and F

⁴ Details can be found in 2022 Capital Budget under Tab K

Figure 1 – Region vs. City Water Expenditure

Determination of St. Catharines' Share of the Regional Costs

In effect, the Region is the service provider to the City, supplying potable water and treatment of wastewater. The cost to provide the service to lower-tier municipalities is part of the Region's budget and each municipality is charged for its respective portion. Based on the Region's Safe Drinking Water Act (SDWA) Financial Plan, the Region has committed to increasing its water and wastewater rates annually for the next several years to ensure program sustainability.

The calculation of each lower municipality's share is dependent upon the municipality's usage of each system (i.e., cubic metres of water purchased, or cubic metres of wastewater treated). This means St. Catharines' share of the total budget may change over time to align with the City's water purchases and wastewater flows.

a. Regional Water Rates

The Region charges the lower tier municipalities for the supply of potable water using both a fixed monthly charge and a variable rate per cubic metre. The rates for 2022 (with comparable 2021 rates) are as follows:

Water	2022	2021	% increase (decrease)
Variable rate per cm	\$0.6360	\$0.6112	4.06%
Fixed Monthly Charge	\$262,627	\$258,106	1.75%

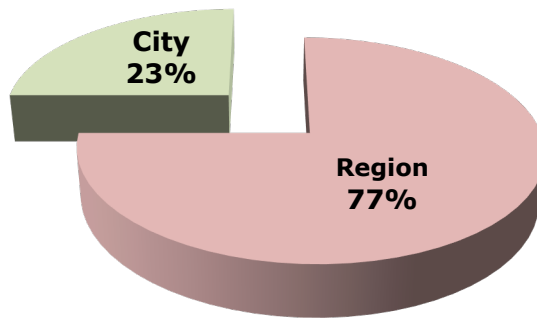
The above rates result in the City's 2022 draft Water budget including Regional costs of \$12,373,522, an increase of \$108,250 (0.88%) from 2021. As \$9,222,000 of these costs are related to the variable rate, this provides some protection to the City should the water consumption decline in 2022. The fixed annual charge of \$3,151,522 will be payable to the Region regardless of City water consumption.

b. Regional Wastewater Rates

The Regional wastewater charges contain no variable rates. The rates for 2022 (with comparable 2021 rates) are as follows:

Wastewater	2022	2021	% increase
Fixed Monthly Charge	\$2,037,895	\$1,916,338	6.34%

Figure 2 – Region vs. City Wastewater Costs

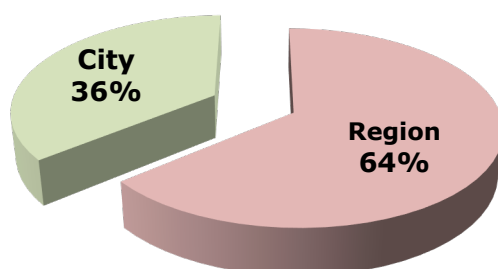


The Region has increased the overall wastewater charges to the lower-tier municipalities by 5.84% for 2022 (6.34% increase for City of St. Catharines).

2022 Water and Wastewater Summary of Expenditures

Expenditure	Water		Wastewater	
City Operating Costs	7,692,288	29.77%	4,738,879	14.90%
Water/Sewer Improvement Program	4,259,378	16.48%	1,821,954	5.73%
City Debentures	439,655	1.70%	767,081	2.41%
Capital Out of Revenue	1,073,230	4.15%	27,900	0.09%
Region	12,373,522	47.89%	24,454,734	76.88%
Total	25,838,073	100.00%	31,810,548	100.00%
Region Controlled Costs	12,373,522	47.89%	24,454,734	76.88%
City Controlled Costs	13,464,551	52.11%	7,355,814	23.12%
Total	25,838,073	100.00%	31,810,548	100.00%

Staff recommends that the 2022 water and wastewater budget increases by 5.98% to the average ratepayer to both meet the Region's annual prescribed increase and to support the City's water and wastewater operations as well as continuing to focus on reducing the City's infrastructure deficit.

Figure 3 – Total Region vs. Total City Water and Wastewater Costs

The details of the water and wastewater expenditures are available in Appendix 1.

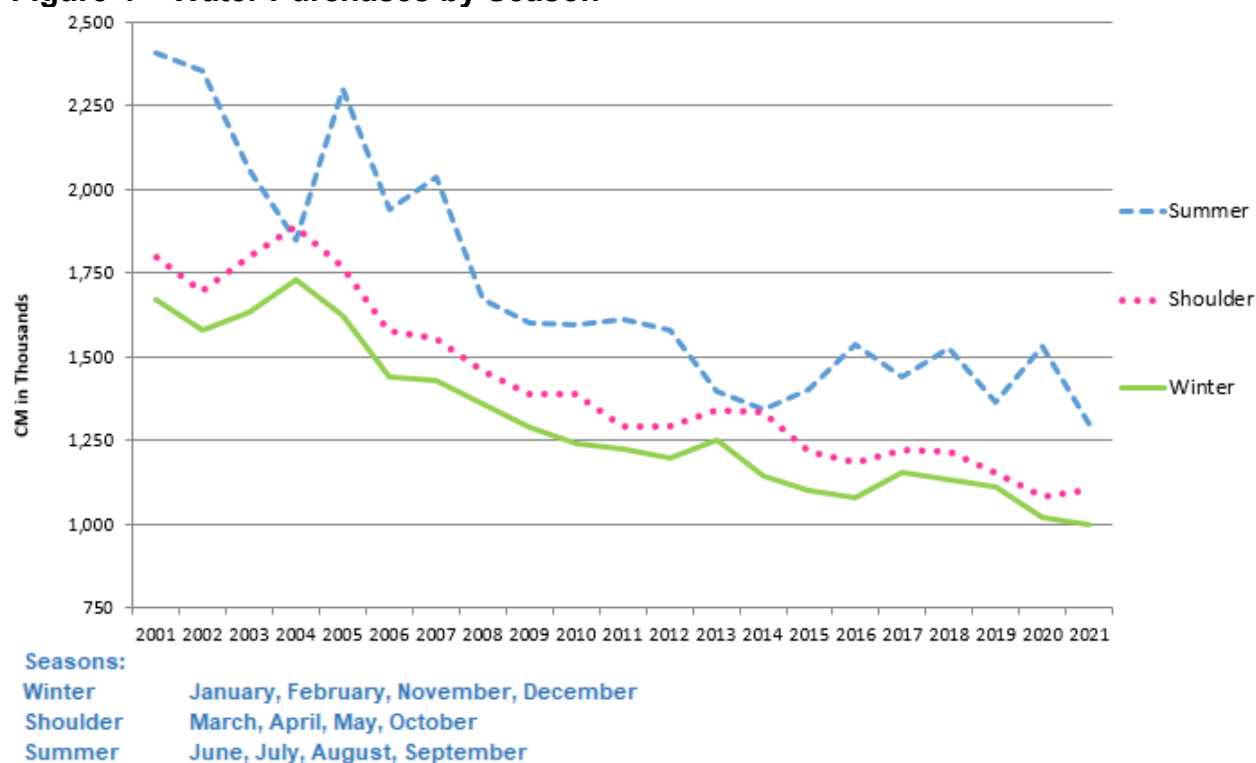
5. Forecasting Water Volumes

An analysis of water purchases has shown conservation efforts by St. Catharine's water customers have resulted in significant reduction in cubic metres of water purchased from the Region. Since 2000 annual water purchases have decreased 41% from 22,795,000 cubic metres annually to 13,600,140 cubic metres in 2021. Each year staff review the history of water purchase volume and utilize that information to forecast what future volumes will be.

Over the past years there has been concern as to the determination of how much further the volumes can decline. In effect, are we nearing the end of volume decreases, or is there a significant decline still to come? In the process of this estimation, staff analyzed the water purchase based on three separate "seasons" of the year: **summer** – June to September; **winter** – November to February; **shoulder months** – March to May and October. The global pandemic has also had an impact on the city's water purchases in the summer and winter seasons.

Figure 4 clearly depicts the average monthly summer consumption (the blue or top line) as the most volatile line. It fluctuates significantly each year. While the volume rebounded in 2016, in 2017 it declined and in 2018 rebounded again. The 2019 year saw another year of decline due to the extremely wet spring. The 2020 year saw a rebound in volume during the summer months due to a dry summer season, this was a similar level that we saw in 2018. In 2021 the summer months saw another decline. The summer monthly consumption is still higher than either of the other "seasons" which are less volatile.

Reviewing 2021 water purchases, it looks as if water consumption may be levelling off. The 2021 purchases from the Region totaled 13.60 million cubic metres of water. In 2020, the City purchased 14.55 million cubic metres of water, in 2019 the City purchased 14.53 million cubic metres of water, in 2018 the City purchased 15.5 million cubic metres, and in 2017 purchased 15.25 million cubic meters. Staff estimate water purchases for 2022 to be more in line with the three- and five-year average and slightly lower than the 2020 level of 14.55 million. With the changes to our climate, adaptation planning will be needed to manage the risks.

Figure 4 – Water Purchases by Season

St. Catharines continues to experience climate related events. These events include extreme winds / fallen trees (2011), severe rainstorms / basement flooding (2014, 2017, 2018 and 2019), extreme cold / frozen water services (2015 and 2019) and extreme dry periods / fire ban (2016). Additionally, record high water levels in Lake Ontario in the spring and summer of 2017 and again in 2019 resulted in the closure of Lakeside Park.

2021 has seen less precipitation than typically expected based off the long-term “climate normal” (1981-2010) with the total precipitation in 2021 being 555 millimetres (mm) vs the climate normal of 888.1 mm (37.5% less). While there is a general correlation between rainfall and the number of extraneous flows getting into the sewer system (through inflow and infiltration) there are a number of factors that influence this including the type of precipitation, the amount and location of rainfall, wind direction, soil moisture, etc.

The last two years are unusually difficult to analyze as some of the local weather stations have significant data gaps (likely related to the pandemic) and the pandemic has also likely resulted in significant changes to wastewater patterns (e.g. restaurant capacity restrictions, people working from home, educational institutions moving on-line etc.).

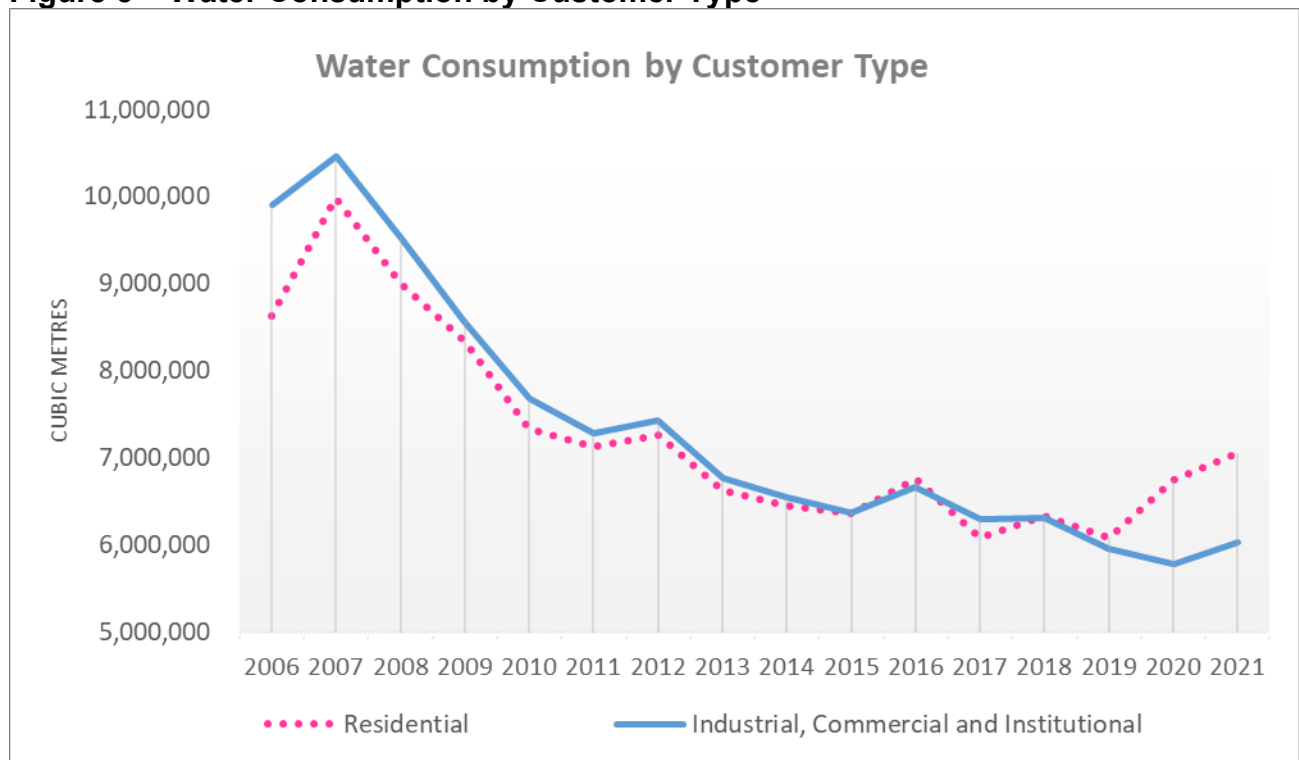
2021 Weather Event Highlights:

- February 15 - a winter storm warning was in affect for all of Niagara
- March 26 - all of Niagara was under a windstorm warning

- Heat warnings in June and July with one heat warning lasting 3 days in August fuelled numerous severe rain and thunderstorm warnings throughout the summer months
- A wind warning was issued and experienced in December 2021
- In 2021 there were 28 weather warnings issued by Environment Canada, with Severe Thunderstorm Warnings as the highest contributing event

Climate projections are long term changes in average conditions, but there will be significant variation from year-to-year. In addition, the Great Lakes area is especially uncertain with respect to future rainfall / precipitation patterns. The impact on the City's water consumption and potential changes required for annual forecasts will be closely monitored by staff, as there will be financial impacts on the water and wastewater rates. By continuing to focus on the water and wastewater infrastructure replacements as identified in the 10-Year Financial Plan for Water / Wastewater (2019-2029) approved by Council in 2019 assists in making the City's infrastructure more resilient and better able to handle these severe and unpredictable events.

Figure 5 – Water Consumption by Customer Type



As shown in Figure 5, since 2007 the City has seen a relatively steady decline in consumption (in cubic metres) of both the Residential and Industrial, Commercial and Institutional (ICI) customers. In 2011, ICI sector consumption began to move closer to the Residential sector until 2015 and 2016 where the ICI transitioned to below the Residential sector. The 2018 year saw Residential and ICI sectors equal. In 2019 are declines in both Residential and ICI consumptions from 2018 due to heavy rainfalls in spring / summer 2019, with Residential sector above the ICI sector similar to 2015 and

2016. The 2020 year saw a significant increase in residential consumptions over ICI, this can be attributed to a significant portion of the population working from home as guided by the provincial government in late March 2020. The global pandemic through 2021 has continued to be the main driver of the increase of residential consumption over ICI, this trend is expected to continue to affect the 2022 consumption levels.

6. Financial Stability of the Wastewater System

A significant portion of the costs of the wastewater system are fixed. While the wastewater rates include a fixed portion, the majority of the revenue is collected through a variable rate based on water purchased by the customer.

When most of a rate structure consists of a variable rate, periods of declining consumption result in the reduction of the overall revenue. Consequently, the revenue generated does not cover the cost of the system. Details are shown in Table 2 below.

Wastewater Annual Recovery / (Loss)

In millions of \$	2021 (est.)**	2020	2019	2018	2017	2016	2015	2014
Revenue	\$30.12	\$28.68	\$26.69	\$26.45	\$26.64	\$27.38	\$25.71	\$25.80
Expenditures	\$30.51	\$29.33	\$27.58	\$25.58	\$25.66	\$26.02	\$25.18	\$25.53
Recovery / (Loss)	<u>(\$0.38)</u>	<u>(\$0.65)</u>	<u>(\$0.90)</u>	<u>\$0.87</u>	<u>\$0.98</u>	<u>\$1.36</u>	<u>\$0.53</u>	<u>\$0.27</u>
Accumulated Surplus / (Deficit)	(\$0.60)	(\$0.22)	\$0.44	\$1.34	\$0.47	(\$0.51)	(\$1.87)	(\$2.40)

** At the end of 2021 it is estimated that wastewater system will have a deficit of \$0.60 million. This trend is partially driving the need for the increase in the wastewater rates in 2022. As a significant portion of wastewater costs are fixed, in future years increases in the fixed wastewater fees will be important to reduce the wastewater system deficits and to have the fully funded wastewater budgets.

In effect, the water rates had been subsidizing the operations of the wastewater system. While many of the City's customers have both water and wastewater charges on their bills, there are customers who do not. As per guidelines from the Province, rates should be structured so that both systems maintain their own financial stability through separate rates.

7. Operational Challenges and Required Change

The following Operational Challenges and changes required were identified through the 2021 budget process, however due to the COVID-19 pandemic uncertainty and budget directives these operational challenges still remain and will need to be addressed in 2022 and future years.

Currently our existing water and wastewater infrastructure systems are experiencing two very distinct challenges, that all systems experience to some degree. With regards to the wastewater collection system, it is subject to “infiltration” or entry of water that does not require treatment. This needs to be kept out of the system to reduce sewer backups, treatment costs and limit the size of capital infrastructure replacements and associated costs. “Infiltration” is the result of a number of things including past practices (i.e. connection of foundation drains, etc.) and leakage of groundwater into the system (i.e. at joints, cracks, etc.) as well as, rainwater entering through the leveling rings just below the metal surface lids.

With regards to the water distribution system, all systems experienced unaccounted for water, or water that is produced / treated and cannot be billed. This is a result of meter accuracy limits (which have been improved with the implementation of the AMR project and the upgraded residential meters installed), bypassing of meters, unbilled water from hydrants (i.e., construction, pool filling, etc.) and illegal connections. In addition, “water loss” occurs from leakage in older watermains (joints, small hole in main pipes); leaking service connections and valves.

Understanding the specific sources and extent of infiltration and water loss, as they apply to a system, and shifting maintenance activities to focus on reducing these, has a number of environmental benefits, and can significantly reduce the long-term costs associated with treatment charges that the City pays to the Region. It also reduces the cost of future capital improvements and can extend the useful life of specific water and wastewater infrastructure.

To date, the city has undertaken some concerted projects / programs to reduce both infiltration and water loss, however an ongoing proactive maintenance program is required. Presently, water and wastewater operations have remained largely reactive; with primary focus on responding to emergencies (i.e., break repairs, blocked basement drains, etc.) and installation of services for new buildings. While these are all needed services, it does not allow resources to be dedicated to any proactive maintenance approach.

As the first step in moving from a reactive to proactive operation model, staff planned in 2021 to undertake a Service Level Review to properly document our current state. Due to COVID-19 the progress of this review has been delayed and staff will continue to review in 2022. This information will be brought to Council in a separate report. From this review, Municipal Works will be developing recommendations on how current service delivery should be modified. With a rationalized service delivery model, our goal is to reallocate existing resources to a proactive maintenance program while providing a reliable and consistent approach to emergencies.

8. Bi-Monthly Billing Update

This section provides details of the changes implemented to the water billing cycle. Starting in December 2021, the City of St. Catharines began to issue water bills bi-monthly. Previously, water was billed three times a year, following a four-month billing cycle. The implementation of Automated Meter Reading (AMR) has allowed the City to adjust the frequency of billing water accounts.

It was anticipated that the billings would be able to transition to bi-monthly billing in Q2 of 2021 as previously reported. There are numerous logistics that were required to implement this change including an upgrade to our existing water billing software system to improve security and to move to the Cloud platform. Alignment with the existing Pre-Authorized Payment Plans (PAP) required alterations in phases for the move to the bi-monthly billing cycle to occur. With the timing of the monthly equal billing plan equalization, which occurs between May 15 to September 1, the earliest the move to bi-monthly billing could occur is mid-September. If the transition was postponed from December 2021, it could not occur until September of 2022. Therefore, staff moved forward in December 2021 with this billing change as the benefits to the ratepayer outweighed waiting another year. City staff worked with the ratepayers to minimize the impact to them, if this change presented any challenges to them.

Financial Implications

The proposed 2022 water and wastewater rates result in an increase for both water and wastewater rates. For the average ratepayer (at annual consumption levels of 170 cubic metres) they will pay \$943.07. This is an annual increase of 5.98% or \$53.24 over the amount they paid in 2021 of \$889.83. This increase is approximately \$1.02 per week.

In addition, based on the 2019-2029 Water and Wastewater Financial Plan, the 2022 estimated rates totaled an annual bill of \$985.13 or an increase of \$56.25 or 6.1%. The 2022 rates proposed are in line with the forecasted financial plan amount. In future years the City will need to adjust the rate increases as a result of the lower rate increase for the 2021 water and wastewater budget as a COVID pandemic mitigation.

Conclusion

Staff recommends that BSC refer the 2022 water and wastewater rates increase as presented, which represents an annual increase of 5.98% or \$53.24 for the average customer annual consumption of 170 cubic metres, to Council for consideration following a public meeting on February 14, 2022.

Prepared by

Sebastian Zukowski, Budget Specialist

Submitted by

Lucia Chen, Manager, Budgets and Procurement
Lisa Read, Manager of Revenue

Approved by

Kristine Douglas, Director of Financial Management Services and City Treasurer

Appendices

Appendix 1 – 2022 Water and Wastewater Budget

Appendix 2 – 2022 Water and Wastewater Annual Bill Change

City of St Catharines
Water/Wastewater Budget Summary

	Budget		Actual		
	2022	2021	2020	2019	2018
Reserve at Beginning of Year	4,493,676	5,014,188	5,606,298	5,790,622	3,824,317
Revenues	56,674,292	55,234,088	53,691,259	49,910,249	49,419,991
Less: Region expenditures	36,828,256	35,261,330	33,599,776	31,968,317	30,893,197
Safe Restart Funding	-	-	854,282	-	-
Net Revenue	19,846,036	19,972,758	20,091,484	17,941,932	18,526,793
City Expenditures					
Water Operating costs	7,692,288	7,829,808	6,774,039	6,431,728	6,049,676
Water Debenture debt	439,655	395,165	426,247	526,248	587,027
Water Infrastructure costs	5,332,608	4,524,250	5,952,806	4,326,590	3,673,591
Sewer Operating costs	4,738,879	4,558,657	3,691,226	3,682,153	3,537,749
Sewer Debenture debt	767,081	767,390	775,933	638,818	640,958
Sewer Infrastructure costs	1,849,854	2,418,000	3,063,343	2,520,719	2,071,487
	20,820,365	20,493,270	20,683,594	18,126,256	16,560,488
Annual Surplus/(Deficit)	-974,329	-520,512	-592,111	-184,324	1,966,305
Reserve at End of Year	3,519,347	4,493,676	5,014,188	5,606,298	5,790,622
City total	20,820,365	20,493,270	20,683,594	18,126,256	16,560,488
Region total	36,828,256	35,261,330	33,599,776	31,968,317	30,893,197
	57,648,621	55,754,600	54,283,370	50,094,573	47,453,685
cm - purchased	14,500,000	15,000,000	14,547,750	14,529,849	15,507,748

WATER SYSTEM (515.XXX)

2022 Water Budget Summary

			Budget		Actual		
Dept.	Acct.		2022	2021	2020	2019	2018
<u>Operating Expenditures:</u>							
General Administration	FMS	105	1,472,931	1,354,717	1,078,214	1,044,540	1,044,900
Engineering Overhead	EFES	110	1,974,474	2,120,018	1,848,411	1,754,004	1,578,150
Mains, Valves, Hydrants	EFES	115	2,358,750	2,282,364	2,045,707	1,844,896	1,899,744
Water service lines	EFES	120	595,982	582,732	535,502	520,206	549,495
Meters	EFES	125	657,047	845,627	710,303	786,722	801,808
New Mains, Valves, Hydrants	EFES	135	154,104	152,350	93,178	85,411	138,264
Services Rendered	EFES	145	0	0	-34,988	-17,051	37,315
Cost Allocations			479,000	492,000	497,713	413,000	
Total Operating Expenditures:			7,692,288	7,829,808	6,774,039	6,431,728	6,049,676
<u>Capital Expenditures:</u>							
Water Capital out of Revenue	FMS	190	1,073,230	325,000	425,250	86,000	0
Debenture Debt	FMS	195	439,655	395,165	426,247	526,248	587,027
Water Improvement Program *	EFES	520	4,259,378	4,199,250	5,527,556	4,240,590	3,673,591
Total Capital Expenditures:			5,772,263	4,919,415	6,379,053	4,852,838	4,260,618
Total Water Expenditures			13,464,551	12,749,223	13,153,092	11,284,566	10,310,294

Note: FMS - Financial Management Services

EFES - Engineering, Facilities and Environmental Services

* - Details of the water improvement program for 2022 are provided in the 2022 Capital budget which was approved by Council on November 15, 2021. For details see under tab G, K, and Q in the 2022 Capital budget

**CITY OF ST. CATHARINES - WATER/WASTEWATER BUDGET
ESTIMATE 2022**

EXPENDITURE ACCOUNT	2022 BUDGET
310.112 <u>WATER/WASTEWATER EQUIPMENT RESERVE:</u>	
OPENING BALANCE	\$674,258
ANNUAL RESERVE PROVISION	100,000
EXPENDITURES, 2022	-168,000
EXPENDITURES, PRIOR YEAR COMMITMENTS *	0
CLOSING BALANCE	<u>\$606,258</u>
<u>2022 EXPENDITURE DETAILS</u>	
ONE (1) CHEVROLET EXPRESS CARGO 2500 VAN	35,000
ONE (1) GMC SAVANA 3500 CUBE VAN	70,000
ONE (1) LEAK DETECTION EQUIPMENT	9,000
ONE (1) ELECTRIC VALVE TURNER	14,000
TWO (2) REPLACEMENT SEWER CAMERAS	<u>40,000</u>
	<u>\$168,000</u>

* There are no outstanding prior year commitments from this reserve.

Water & Wastewater Vehicle & Equipment Reserve (310.112.000)

FMS-188-2021
Council Meeting Nov 17, 2021

Year	Reserve Open Balance	Add: Annual Provision	Add: Proceeds from Auction Sales	Less: Planned Purchase (Full Cost)	Add: Debt Funding Support	Reserve Ending Balance	Purchase Detail
2021	1,286,884	330,000	100,921	(1,043,547)		674,258	Cube van #55, #63, #64; Triaxle dump truck #84; New Tandem dump truck; Sewer flusher/vac combination unit #124
2022	674,258	100,000	5,000	(168,000)		611,258	Chevrolet Express Cargo 2500 Van; GMC Savana 3500 Cube Van; Leak Detection Equipment; Electric Valve Turner; 2 x Replacement Sewer Cameras
2023	611,258	150,000	5,000	(384,000)	320,000	702,258	Ford Transit Connect Van; International 7400 Single Axle Dump Truck (debt funded); Husqvarna FS4800D 30" Road Saw
2024	702,258	150,000	5,000	(94,000)		763,258	Toyota Camry Hybrid; GMC Savana Cargo Van; GMC Terrain
2025	763,258	200,000	5,000	(455,000)		513,258	GMC STV Cube Van (4); Cae 580SN W/T Backhoe
2026	513,258	200,000	5,000	(650,000)	300,000	368,258	Freightliner Single Axle Dump Truck (debt funded); John Deere 310SL Backhoe (2);
2027	368,258	225,000	5,000	-		598,258	
2028	598,258	250,000	5,000	(276,000)		577,258	Ford E350 Cube Van; GMC STV Cube Van (2); GMC Sierra 1/2 Ton Pickup (2)
2029	577,258	250,000	5,000	(382,000)	345,000	795,258	Freightliner Tandem Dump Truck (debt funded); Sullair 185 Compressor
2030	795,258	250,000	5,000	(619,000)		431,258	John Deere 310SL Backhoe; Wachs LX Valve Maintenance Trailer; Ford F250 Crew Cab Pickup (2); GMC STV Cube Van (3)
2031	431,258	275,000	5,000	(545,000)		166,258	Freightliner 114SD Tri-Axle Dump Truck; Freightliner 114SD Tandem Axle Dump Truck

Notes:

- 1 In 2021 and 2022 budget, capital out of revenue is set at 5% of total capital gross cost in order to relief pressure on the annual operating budget; starting 2023, it is expected to bring it back to 10%.

Report FMS-188-2021 Staff Recommendation:

That Council approve to use debt financing to fund vehicle replacements and purchases across City departments exceeding \$0.3 million to maintain sustainable reserve balance and alleviate pressures on the annual operating and rate budgets.

WASTEWATER SYSTEM

2022 Wastewater Budget Summary

			Budget		Actual		
	Dept.	Acct.	2022	2021	2020	2019	2018
<u>Operating Expenditures:</u>							
Sewers - General	EFES	730.100	742,548	702,881	681,362	532,462	619,953
Sewers - Insurance	FMS	730.105	75,000	75,000	88,258	36,329	28,485
FLAP Program	EFES	732.115	340,611	321,964	338,486	506,518	258,087
Lateral Replacement	EFES	732.100	710,573	712,629	461,147	633,901	665,806
New Laterals	EFES	732.105	0	0	2,453	26,913	32,917
Drain Clearing	EFES	732.110	341,352	328,224	165,078	175,209	179,175
Overhead	EFES	732.190	908,500	943,700	738,905	621,129	635,658
Pollution Control	EFES	735.300	984,428	828,416	641,090	611,719	526,951
Overhead	EFES	735.305	268,867	265,843	241,880	208,973	327,035
Cost Allocations	EFES	731.920/925	367,000	380,000	332,566	329,000	263,682
Total Operating Expenditures:			4,738,879	4,558,657	3,691,225	3,682,153	3,537,749
Debenture Debt	EFES	731.195	767,081	767,390	775,933	638,818	640,958
Sewer Improvement Program *	EFES	731.100	1,821,954	2,025,000	2,520,343	2,400,719	1,921,487
Capital Out of Revenue *	FMS	735.304	27,900	393,000	543,000	120,000	150,000
Total Capital Expenditures:			2,616,935	3,185,390	3,839,276	3,159,537	2,712,445
Total City Wastewater Expenditures			7,355,814	7,744,047	7,530,501	6,841,690	6,250,194

Note: FMS - Financial Management Services
EFES - Engineering, Facilities and Environmental Services

* - Details of the sewer improvement program for 2022 are provided in the 2022 Capital budget which was approved by Council on November 15, 2021. For details see under tab E, K, and Q in the 2022 Capital budget

WATER, WASTEWATER AND RELATED SERVICE RATES

1. The following rates shall be paid to The Corporation of the City of St. Catharines for the use of water supplied by The Corporation of the City of St. Catharines:

(a) <u>Consumption - Cubic Metres</u> (For each four month billing period)	<u>Current</u>	<u>Proposed</u>
Customer Charge	\$59.00	\$61.00
Consumption Charge - per cubic metre	1.372	1.424
*Note: Large Industrial Users are billed monthly		
Water meter size of 1" or greater will be subject to a water meter equivalency charge when calculating the Customer Charge. Exemption: Single Family Residential classification. See (b) below.		
(b) <u>Meter Equivalency</u>		
Water meter size of 1" or greater will be subject to a water meter equivalency charge when calculating the Customer Charge. Exemption: Single Family Residential classification.		
1" meter = 1.4 meter equivalency units 1 1/2" meter = 1.8 meter equivalency units 2" meter = 2.9 meter equivalency units 3" meter = 11 meter equivalency units 4" meter = 14 meter equivalency units * 6" meter = 21 meter equivalency units * >6" meter = 21 meter equivalency units		
* Note: Where a single 6" meter or greater is installed for the purpose of additional fire protection, the multiplier equivalency shall be discounted to 50%.		
(c) <u>Flat Rates</u> (For each four month billing period)		
Per Dwelling unit	\$175.00	
Note: Where more than 20 units are being constructed, the maximum number of units charged is 20.		
(d) <u>Estimated Billing</u>		
Where consumption and/or Flat Rate does not apply, estimates are based on previous actual readings. In the absence of previous actual readings, amount to be determined at the discretion of the Treasurer.		
(e) <u>Rates for Services Outside City</u> (For each four month billing period)		
Multiple of Regular Rate	2X	
Customer Charge	\$118.00	\$122.00
Consumption Charge - per cubic metre	2.744	2.848
(f) <u>Bulk Water</u> (Key Pad Operated)		
Multiple of Regular Rate	2X	
Per cubic metre	\$2.744	\$2.848
(g) <u>Water Under Construction</u>		
First four month period Per sq. ft. Water Increase 2017 1.22 %, 2018 1.64%, 2019 4.50%, 2020 7.51% increase, 2021 1.85% increase, 2022 5.98% Increase	\$0.030	\$0.032
Per sq. m.	0.326	0.332

	<u>Current</u>	<u>Proposed</u>
Next Flat Rate per dwelling unit for each four month period until meter is installed	\$175.00	
If there are extenuating circumstances or if large Industrial/Commercial building, "Next Flat Rate" to be determined at the discretion of the Treasurer.		
2. The following rates shall be paid to The Corporation of the City of St. Catharines for the use of water related services supplied by The Corporation of the City of St. Catharines:		
(a) <u>METER RENTALS</u> (Annually)		
<u>Meter Size</u>		
*16mm (5/8") Displacement	\$19.00	
*16mm (5/8")SR II Displacement with ECR	\$35.00	
*16mm (5/8") Accustream/Transmitter	\$40.00	
*16mm (5/8") IPERL/Transmitter	\$45.00	
19mm (3/4") Displacement	\$25.00	
19mm (3/4")SR II Displacement with ECR	\$41.00	
19mm (3/4") Accustream/Transmitter	\$46.00	
19mm (3/4") IPERL/Transmitter	\$50.00	
25mm (1") Displacement	\$29.00	
25mm (1") SR II Displacement with ECR	\$46.00	
25mm (1") Accustream Transmitter	\$51.00	
25mm (1") IPERL/Transmitter	\$55.00	
38mm (1-1/2") Displacement	\$82.00	
38mm (1-1/2") Displacement with ECR	\$115.00	
38mm (1-1/2") Displacement /ECR/ Transmitter	\$120.00	
38mm(1-1/2") Turbine	\$111.00	
38mm(1-1/2") Turbine/Transmitter	\$116.00	
38mm (1 1/2") OMNI C2 Compound	\$122.00	\$140.00
38mm (1 1/2") OMNI R2 Residential	\$75.00	\$100.00
38mm (1-1/2") OMNI T2 Turbine	\$96.00	
50mm(2") Displacement	\$92.00	
50mm(2") Displacement with ECR	\$128.00	
50mm(2") Displacement-ECR/Transmitter	\$133.00	

	<u>Current</u>	<u>Proposed</u>
50mm (2") Compound	\$96.00	
50mm (2") Compound/Transmitter	\$101.00	
50mm (2") Turbine	\$114.00	
50mm (2") Turbine/Transmitter	\$119.00	
50mm (2") OMNI C2 Compound	\$150.00	
50mm (2") OMNI C2 Cmpd/Trans	\$0.00	\$180.00
50mm (2") OMNI R2 Residential	\$80.00	
50mm (2") OMNI T2 Turbine	\$115.00	
75mm (3") Compound	\$418.00	
75mm (3") Compound/Transmitter	\$423.00	
75mm (3") Turbine	\$375.00	
75mm (3") Turbine/Transmitter	\$380.00	
75mm (3") OMNI C2 Compound	\$402.00	
75mm (3") OMNI T2 Turbine	\$375.00	
100mm (4") Compound	\$498.00	
100mm (4") Compound/Transmitter	\$503.00	
100mm (4") Turbine	\$475.00	
100mm (4") Turbine/Transmitter	\$480.00	
100mm (4") OMNI C2 Compound	\$488.00	
100mm (4") OMNI F2 Fire Assembly	\$798.00	
100mm (4") OMNI T2 Turbine	\$475.00	
150mm (6") Compound	\$671.00	
150mm (6") Compound/Transmitter	\$676.00	
150mm (6") Turbine	\$587.00	
150mm (6") Turbine/Transmitter	\$592.00	
150mm (6") Fire Assembly	\$900.00	
150mm (6") Fire Assembly /Transmitter	\$905.00	
150mm (6") OMNI C2 Compound	\$671.00	
150mm (6") OMNI F2 Fire Assembly	\$980.00	
150mm (6") OMNI F2 Fire assembly/Trans	\$0.00	\$1,000.00

	<u>Current</u>	<u>Proposed</u>
150mm (6") OMNI T2 Turbine	\$587.00	
200mm (8") Fire Assembly	\$1,340.00	
200mm (8") Fire Assembly /Transmitter	\$1,345.00	
200mm (8") Turbine	\$665.00	
200mm (8") Turbine/Transmitter	\$670.00	
200mm (8") OMNI C2 Compound	\$930.00	
200mm (8") OMNI F2 Fire Assembly	\$1,350.00	\$1,400.00
200mm (8") OMNI T2 Turbine	\$830.00	
250mm (10") Fire Assembly	\$1,510.00	\$1,750.00
250mm (10") Fire Assembly/Transmitter	\$1,515.00	
250mm (10")Turbine	\$900.00	
250mm (10")Turbine/Transmitter	\$905.00	
250mm (10") OMNI C2 Compound	\$1,125.00	
250mm (10")OMNI F2 Fire Assembly	\$1,810.00	\$1,950.00
250mm (10") T2 OMNI Turbine	\$1,000.00	

* NOTE: No charge for 16mm (5/8") meter unless installed outside the City.

Where meter type consists of two meters combined, one rental rate is applicable, based on the predominant use of the meter.

(a)(i) METER PITS (CHAMBER) RENTALS (Annually)

Meter Size

16mm (5/8")	\$74.00	\$90.00
19mm (3/4")	\$76.00	\$77.00
25mm (1")	\$84.00	\$106.00
38mm (1-1/2")	\$217.00	\$224.00
50mm (2")	\$232.00	\$252.00
75mm (3")	Actual Cost	
100mm (4")	Actual Cost	
150mm (6")	Actual Cost	
200mm (8")	Actual Cost	
250mm (10")	Actual Cost	

	<u>Current</u>	<u>Proposed</u>
3. The following rates shall be paid to the Corporation of the City of St. Catharines for the wastewater system and services as outlined herein:		
(a) <u>Wastewater Fees (for each four month period)</u>		
Sewer Replacement Program	\$45.00	\$51.00
Wastewater charges – per cubic metre	2.027	2.147
Water meter size of 1" or greater will be subject to a water meter equivalency charge when calculating the Customer Charge. Exemption: Single Family Residential classification. See (b) below.		
(b) <u>Meter Equivalency</u>		
Water meter size of 1" or greater will be subject to a water meter equivalency charge when calculating the Customer Charge. Exemption: Single Family Residential classification.		
1" meter = 1.4 meter equivalency units		
1 1/2" meter = 1.8 meter equivalency units		
2" meter = 2.9 meter equivalency units		
3" meter = 11 meter equivalency units		
4" meter = 14 meter equivalency units		
6" meter = 21 meter equivalency units		
>6" meter = 21 meter equivalency units		
Note: Where a single 6" meter or greater is installed for the purpose of additional fire protection, the multiplier equivalency shall be discounted to 50%.		
(c) <u>Flat Rates</u> (For each four month billing period)		
Per Dwelling unit	\$225.00	
(d) <u>Wastewater Under Construction</u>		
First four month period	0.00	
Next Flat Rate per dwelling unit for each four month period until meter is installed	\$225.00	
Note: Where more than 20 units are under construction, the maximum number of units charged is 20.		
If there are extenuating circumstances or if large Industrial/Commercial building, "Next Flat Rate" to be determined at the discretion of the Treasurer.		
4. <u>Unauthorized Use of Water</u>		
(a) Rate when bypass valve is opened without Authorization or any other unauthorized use of water or determination that water provided has not passed through the meter:		
Two (2) times the average of last three representative bills.	2X	
If not applicable, estimate to be determined at the discretion of the Treasurer. (For each four month billing period)		
(b) Where property has operated a grow-op, amount is three (3) times the total Flat Rate per dwelling unit as outlined in Sections 1 and 3 (For each four month billing period)	\$1,200.00	

	<u>Current</u>	<u>Proposed</u>
5. <u>Miscellaneous</u>		
(a) <u>Meter Relocation</u> to a more appropriate position to facilitate reading and/or maintenance:		
When requested by homeowner, equivalent to applicable Water Service Call as defined in Rates and Fees.		
When determined by City Engineer, amount charged at the discretion of the Treasurer		
(b) Installation of Automated Meter Reading (AMR) apparatus when performed not in accordance with scheduled deployment :		
When requested by homeowner		\$450.00
When determined by City Engineer, amount charged at the discretion of the Treasurer		
Customer non compliance with AMR installation		\$500.00
(c) <u>Late Payment Penalty</u>		
A penalty for late payment of 1.5% per month is added the day following the due date and the first day of each month thereafter.		
(d) The rates set out above shall be deemed to have become effective on all accounts with Billing periods ending on or after March 1, 2022 .		

* NOTE: METRIC CONVERSION: 1 cubic metre (CM) equals 220 gallons or 1,000 litres

***bolded script = proposed changes for 2022**

APPENDIX 2
2022 Wate/Wastewater Budget

2

City St. Catharines
Water/Wastewater Budget
Annual Bill Change Comparison (2 month basis)

	2022 New Rates	2021 Old Rates	Change	
			\$	%
<u>Consumption</u>				
Normal Consumption	170	170		
	170	170	0	0.00%
<u>Water - Retail Rate</u>				
Rate per billing period (2 months)	\$30.50	\$29.50		
Fixed Fee	\$183.00	\$177.00	6.00	3.39%
Consumption Rate per CM	\$1.424	\$1.372		
Consumption Fee	\$242.08	\$233.24	8.84	3.79%
Total Water	\$425.08	\$410.24	\$14.84	3.62%
<u>Wastewater - Retail Rate</u>				
Rate per billing period (2 months)	\$25.50	\$22.50		
Fixed Fee	\$153.00	\$135.00	18.00	13.33%
Consumption Rate per CM	\$2.147	\$2.027		
Consumption Fee	\$364.99	\$344.59	20.40	5.92%
Total Wastewater	\$517.99	\$479.59	\$38.40	8.01%
<u>Total Water and Wastewater Bill</u>	<u>\$943.07</u>	<u>\$889.83</u>	<u>\$53.24</u>	<u>5.98%</u>
Fixed Component	\$336.00	\$312.00		
Variable Component	\$607.07	\$577.83		
	\$943.07	\$889.83		
Fixed Percentage	35.63%	35.06%		
Variable Percentage	64.37%	64.94%		
	100.00%	100.00%		



Corporate Report City Council

Report from: Legal and Clerks Services, Office of the City Clerk

Report Date: January 21, 2022

Meeting Date: January 31, 2022

Report Number: LCS-012-2022

File: 10.12.1

Subject: Council Correspondence

Strategic Pillar:

Recommendation

That Council receive and file the items listed within the report; and

That Council endorse the resolution from the Association of Municipalities of Ontario (AMO) regarding Joint and Several Liability; and

That Council appoint Councillor Robin McPherson to the following committees and boards, as outlined in the memorandum from the City Clerk:

- Economic Pillar
- Budget Standing Committee
- Linking Niagara Transit Committee
- St. Catharines Downtown Association (City Council Representative); and

Further, that Council receive and file additional correspondence distributed for the meeting held January 31, 2022, which is available upon request.

Report

The Office of the City Clerk is submitting, for the approval of Council, correspondence received during the period of January 6, 2022 to January 20, 2022.

With the appointment of Robin McPherson as the new councillor for Ward 4, this report is seeking Council's approval for Councillor McPherson to fill the vacancies on the committees and boards previously served by former Councillor Mat Siscoe. Attached as Sub-Item #11 is a memorandum from the City Clerk with additional information on the filling of these vacancies.

Attached as Sub-Item #5 is a response from the Office of the Prime Minister regarding Council's motion approved at the meeting of December 13, 2021 regarding COVID-19 related financial support for municipalities.

At the meeting of November 15, 2021, City Council approved a motion regarding a National Childcare Program. Attached as Sub-Item #6 is a resolution from the Municipality of Trent Lakes supporting Council's motion.

At the meeting of January 17, 2022, Council deferred consideration of an item of correspondence from the Coalition for a Better St. Catharines. The deferred item of correspondence is attached as Sub-Item #8.

Resolutions

1. City of Burlington - re. Measures to Support the Survival of Small Businesses during Modified Step 2 of the Roadmap to Reopen
2. Tay Valley Township – re. Province-Wide Assessment Update
3. City of Kitchener – re. Fire Safety Measures
4. Association of Municipalities of Ontario (AMO) – re. Joint and Several Liability.

Response to Motions from St. Catharines City Council

5. Response from Prime Minister re. COVID-19 related financial support for municipalities
(motion passed at Council Meeting of December 13, 2021)
6. Support for City Council's Motion – re. National Childcare Program
(motion passed at Council Meeting of November 15, 2021)

Correspondence

7. Prime Minister's Awards 2022
8. Coalition for a Better St. Catharines – re. Failure of Government to Protect Its Citizens
9. AMO Watchfile – January 13, 2022
10. AMO Watchfile – January 20, 2022

Memorandums from Staff

11. Memorandum from City Clerk – re. Committee Vacancies
12. Memorandum from Manager of Business Planning & Strategic Services – re. Mandatory Tree Planting on Boulevards

Reports Requested by Council

13. Outstanding Reports List – updated January 21, 2022

Prepared by

Evan McGinty
Council and Committee Coordinator

Submitted and Approved by

Bonnie Nistico-Dunk
City Clerk

Report Page 2 of 2



Burlington Economic Recovery Network (BERN)
414 Locust Street
Burlington, Ontario
L7S 1T7

January 14, 2022

Premier Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

On January 11, 2021, City of Burlington Council passed the enclosed resolution calling for the Federal and Provincial governments to support the survival of small businesses during Modified Step 2 of the Roadmap to Reopen.

The City of Burlington's fundamental priority throughout the COVID-19 pandemic has been to protect the health and safety of Burlington residents, employers and employees, and support our business community to survive the economic impacts of COVID-19 public health measures.

The members of Team Burlington (Burlington Economic Development, Burlington Chamber of Commerce, Tourism Burlington, Burlington Downtown Business Association, and Aldershot Village BIA) came together to create the Burlington Economic Recovery Network (BERN) to engage our business community and ensure they are receiving the support they need during this challenging time. The City of Burlington is an integral part of BERN including members of senior management, the Mayor, and Ward 1 Councillor Kelvin Galbraith who brings his perspective as a business owner in Burlington. From the beginning of the pandemic, BERN has recognized that both the impacts and recovery from the necessary health measures to address the pandemic would vary greatly by economic sector.

Small business, including the Tourism and Hospitality sector, have suffered the greatest negative impacts due to COVID-19 and will face the most significant barriers for businesses to survive the pandemic. According to the latest COVID-19 business survey completed in December 2021, Burlington's main street businesses were already struggling to survive with 1 in 4 Burlington small businesses experiencing a decline in revenue of more than 50% in the last year. In addition almost 80% of Burlington's main street businesses expected it would take more than a year for business to return to pre-pandemic levels without any further lockdowns.



When the Province of Ontario entered Modified Step 2 of the Roadmap to Reopen on January 5, 2022, the restrictions forced many small businesses to either close their doors or significantly decrease their capacity until January 26, 2022. These closures and corresponding drop in revenues will exacerbate the issues that all main street businesses are facing to survive the long-term impacts of COVID-19. With over half of Burlington's businesses taking on more debt due to COVID-19 at levels that they may not be able to sustain, immediate cash infusions are needed to ensure their survival.

In addition, many of Burlington's essential employers who support our critical supply chain infrastructure are struggling with how to create a safe work environment with a lack of access to both Rapid and PCR testing. These employers are not able to pivot their workforces to remote work as they produce the essential products that Ontarians need to survive.

At the January 11, 2022, Burlington City Council meeting the enclosed resolution was passed, in partnership with the Burlington Economic Recovery Network (BERN) and Team Burlington, calling on the Provincial government to:

- Extend the Small Business Support Grant for a third round targeted towards all businesses whose revenues are directly and/or indirectly impacted by current public health restrictions. Eligibility should include businesses previously eligible for the Ontario Tourism and Travel Small Business Support Grant and businesses losing revenue as a result of restrictions affecting their clients (e.g. food service suppliers).
- Work with the Federal government to increase rental subsidies provided under the newly expanded Local Lockdown Program similar to the enhanced Ontario-Canada Emergency Commercial Rent Assistance Program for businesses directly or indirectly impacted by public health restrictions.
- Immediately open the recently announced portal which would allow businesses to access rebates for property taxes and utilities, accompanied by rapid disbursements for eligible business expenses.
- Expand access to Rapid Antigen tests and PCR testing, with priority given to Ontarians unable to work from home, both to limit unnecessary isolation time and allow workers to demonstrate eligibility for paid sick days and other supports.
- Work with financial institutions and the Federal government to forgive loans for businesses most severely impacted by public health restrictions.
- Offer an additional grant to businesses required to implement the government's enhanced vaccine certification protocols and to cover increased pandemic-related expenses for PPE, improved ventilation, etc.

As we move through the pandemic, please know that the City of Burlington, Team Burlington and our business community will continue to seek opportunities to work with you to help Burlington residents and businesses. We would welcome clearer guidance on how to create safe workplaces without immediate access to Rapid or PCR testing with updates on how to manage COVID-19



spread in the workplace when symptomatic individuals cannot be tested. We would ask that PCR testing be expanded to include essential workplaces such as critical supply chain manufacturers. In addition, that efforts be made to immediately allocate Rapid tests to the Chamber of Commerce COVID-19 Rapid Screening initiative that supports small businesses under 150 employees with COVID-19 testing in the workplace. Like many regions across Ontario, our Burlington Chamber of Commerce program was depleted of tests in December 2021 and is still awaiting additional supply. This leaves many local small businesses who need to continue in-person operations without access to testing.

Thank you in advance. If you have any questions, please feel free to contact Burlington Economic Recovery Network's lead on this matter, Anita Cassidy, Executive Director, Burlington Economic Development, at Anita.Cassidy@burlington.ca or (905) 332-9415. It would be a pleasure to hear from you.

Sincerely,

Randall Smallbone
Chair
Burlington Economic
Recovery Network

Marianne Meed Ward
Mayor
City of Burlington

CC:

Provincial Minister of Finance
Provincial Minister of Small Business and Red Tape Reduction
Provincial Minister of Economic Development, Job Creation and Trade
Provincial Minister of Health
MPP Jane McKenna
MPP Effie Triantafilopoulos
MPP Parm Gill
Minister Karina Gould
MP Pam Damoff
MP Adam Van Koeverden
Halton Regional Council
Members of the Towns of Milton, Halton Hills and Oakville Councils
Association of Municipalities of Ontario (AMO)
Ontario Big City Mayor's Caucus (OBCM)
Mayors and Regional Chairs of Ontario (MARCO)
Ontario Chamber of Commerce (OCC)
Milton Chamber of Commerce



Halton Hills Chamber of Commerce
Oakville Chamber of Commerce
Team Burlington (Burlington Economic Development, Burlington Chamber of Commerce, Tourism Burlington, Burlington Downtown Business Association, and Aldershot Village BIA)
Burlington Economic Recovery Network (BERN)
Burlington Restaurant Association
Ontario Business Improvement Area Association (OBIAA)



905-335-7600 ext. 7702
905-335-7675
kevin.arjoon@burlington.ca

January 13, 2022

SUBJECT: Resolution for Measures to Support the Survival of Small Businesses during Modified Step 2 of the Roadmap to Reopen (CSSRA-01-22)

Please be advised that at its meeting held Tuesday January 11, 2022, the Council of the City of Burlington approved the following resolution:

Whereas in May 2020 the City of Burlington and Team Burlington (Burlington Economic Development, Burlington Chamber of Commerce, Tourism Burlington, Burlington Downtown Business Association and the Aldershot Village BIA) formed the Burlington Economic Recovery Network (BERN). The Burlington Economic Recovery Network has strategically brought together key stakeholders and business leaders from across Burlington to develop a robust local strategy that will prepare our economy for recovery from the COVID-19 crisis; and

Whereas when the Province of Ontario entered modified Step 2 of the Roadmap to Reopening on January 5, 2022, the restrictions forced many small businesses to either close their doors or significantly decrease their capacity until January 26, 2022; and

Whereas both supply chain issues in the procurement of rapid tests and recent changes to criteria for PCR testing have left many critical supply chain manufacturers and their workers without testing to ensure worker safety and minimize workplace COVID-19 outbreaks; and

Whereas the Ontario Chamber of Commerce met with the Honorable Peter Bethlenfalvy, Minister of Finance, to discuss business concerns and wrote an open letter to the minister requesting immediate business support which can be read in the appendix; and

Whereas the Province of Ontario announced the Ontario Small Business Relief grant on January 7, 2022, we continue to ask that the full \$20,000 grant be reinstated in line with the 2021 grant and that access be expanded to businesses who are not fully closed but required to reduce capacity.

Therefore, be it resolved that Burlington City Council, in partnership with the Burlington Economic Recovery Network (BERN) and Team Burlington, call on the Provincial governments to provide the supports outlined in the Ontario Chamber of Commerce letter Re: Dire Straits for Ontario's Small Businesses including:

- Extend the Small Business Support Grant for a third round targeted towards all businesses whose revenues are directly and/or indirectly impacted by current public health restrictions. Eligibility should include businesses previously eligible for the Ontario Tourism and Travel Small Business Support Grant and businesses

losing revenue as a result of restrictions affecting their clients (e.g. food service suppliers).

- Work with the federal government to increase rental subsidies provided under the newly expanded Local Lockdown Program similar to the enhanced Ontario-Canada Emergency Commercial Rent Assistance Program for businesses directly or indirectly impacted by public health restrictions.
- Immediately open the recently announced portal which would allow businesses to access rebates for property taxes and utilities, accompanied by rapid disbursements for eligible business expenses.
- Expand access to rapid antigen tests and PCR testing, with priority given to Ontarians unable to work from home, both to limit unnecessary isolation time and allow workers to demonstrate eligibility for paid sick days and other supports.
- Work with financial institutions and the federal government to forgive loans for businesses most severely impacted by public health restrictions.
- Offer an additional grant to businesses required to implement the government's enhanced vaccine certification protocols and to cover increased pandemic-related expenses for PPE, improved ventilation etc.; and

Further that the Mayor and Council representative on BERN be directed to write a letter, jointly with BERN and Team Burlington, advocating for the actions outlined above to support the survival of small businesses to the Premier of Ontario; and

That the City Clerk be directed to send a copy of the letter and resolution, once approved, to:

- The Premier of Ontario
- Provincial Minister of Small Business and Red Tape Reduction
- Provincial Minister of Economic Development, Job Creation and Trade
- Provincial Minister of Health
- Provincial Minister of Finance
- Burlington Members of Provincial Parliament Jane McKenna, Effie Triantafilopoulos and Parm Gill
- Halton Regional Council
- Councils of the Towns of Milton, Halton Hills and Oakville
- Association of Municipalities of Ontario (AMO)
- Ontario Big City Mayor's Caucus (OBCM)
- Mayors and Regional Chairs of Ontario (MARCO)
- GTHA Mayors and Chairs
- Ontario Chamber of Commerce (OCC)
- Milton Chamber of Commerce
- Halton Hills Chamber of Commerce
- Oakville Chamber of Commerce
- Team Burlington (Burlington Economic Development, Burlington Chamber of Commerce, Tourism Burlington, Burlington Downtown Business Association and Aldershot Village BIA)
- Burlington Economic Recovery Network (BERN)
- Burlington Restaurant Association

426 Brant Street • P.O Box 5013 • Burlington • Ontario • L7R 3Z6 • www.burlington.ca

- Ontario Business Improvement Area Association (OBIAA)

If you have any questions, please contact me at extension 7702 or the e-mail address above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Arjoon".

Kevin Arjoon
City Clerk



December 15, 2021

The Honorable Doug Ford
Premier of Ontario
Premier's Office
Room 281, Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

RE: Province-Wide Assessment Update

The Council of the Corporation of Tay Valley Township at its Council meeting on December 14th, 2021 adopted the following resolution:

RESOLUTION #C-2021-12-20

"WHEREAS, the government of Ontario recently announced the continued postponement of the province-wide assessment update for the 2022 and 2023 taxation years;

AND WHEREAS, this means that property values will continue to be based on the January 1, 2016 valuation date until at least 2024;

AND WHEREAS, the Municipality of Tay Valley Township is aware of the important increase in property values throughout the province and within its own jurisdiction;

AND WHEREAS, the continued postponement of property valuation translates into a significant loss of taxation revenue for Municipalities;

NOW THEREFORE BE IT RESOLVED THAT, the Council of Tay Valley Township urges the government of Ontario to reconsider its decision and to direct MPAC to proceed with a province-wide assessment update in order for Ontario Municipalities to be able to collect property taxes based upon actual property values;

Tay Valley Township
217 Harper Road, Tay Valley, Ontario K7H 3C6
www.tayvalleytwp.ca
Phone: 613-267-5353 or 800-810-0161 Fax: 613-264-8516



AND BE IT FURTHER RESOLVED THAT, a copy of this resolution be forwarded to the Premier of Ontario, Scott Reid, MP, Randy Hillier, MPP, MPAC, AMO and to all Ontario municipalities.”

If you require any further information, please do not hesitate to contact the undersigned at (613) 267-5353 ext. 130 or clerk@tayvalleytwp.ca.

Sincerely,

A handwritten signature in blue ink that reads "Amanda Mabo".

Amanda Mabo, Acting CAO/Clerk

cc: Scott Reid, MP, Lanark – Frontenac – Kingston
Randy Hillier, MPP, Lanark – Frontenac - Kingston
Municipal Property Assessment Corporation (MPAC)
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



CHRISTINE TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 x 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 519-741-2385

December 1, 2021

Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Dear Premier Ford:

This is to advise that City Council, at a meeting held on November 22, 2021, passed the following resolution regarding fire safety measures:

"WHEREAS the Government of Ontario, in December 1975, enacted the Ontario Building Code for the purpose of regulating the construction of new, safe buildings within the Province of Ontario; and,

WHEREAS the Government of Ontario, in November 1981 enacted the Ontario Fire Code for the purpose of maintaining the life safety systems of all buildings within the Province of Ontario; and,

WHEREAS the Government of Ontario, in November 1983 began the process of amending the Ontario Fire Code to include Retrofit provisions, for the purpose of providing a minimum level of life safety for those existing buildings which had not been built under the provisions of any version of the Ontario Building Code; and,

WHEREAS the government of Ontario, in October 1992 amended the Ontario Fire Code Retrofit provisions, for the purpose of providing a minimum level of life safety to buildings classed as low rise residential (9.5); and,

WHEREAS October 2021 marks twenty-nine (29) years since the requirements outlined by Retrofit 9.5 have been substantially updated; and,

WHEREAS this lack of currently appropriate standards for self-closing devices on suite doors and positive latching on exit stairwell doors has led to significant serious injuries, deaths, long term dislodgement of residents, and significant unnecessary insurance loss due to allowed building deficiencies;

-2-

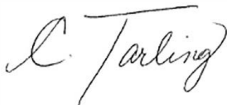
THEREFORE IT BE RESOLVED that the City of Kitchener urges the government of Ontario to direct the Ontario Fire Marshal's Office – Technical Services, to undertake an immediate review of that portion of the Ontario Fire Code known as Retrofit Section 9.5;

THEREFORE IT FURTHER BE RESOLVED that the City of Kitchener urges the Government of Ontario to, as expeditiously as possible, amend the Ontario Fire Code Sentence 9.5.2.8.(1) to require self closing devices on all suite closures (doors) within low rise residential buildings: and,

THEREFORE IT FURTHER BE RESOLVED that the City of Kitchener urges the Government of Ontario to, as expeditiously as possible, amend the Ontario Fire Code Sentence 9.5.3.3.(3) to require that closures (doors) entering exit stairwells be equipped with both self-closing devices and positive latching; and,

THEREFORE IT FINALLY BE RESOLVED that a copy of this resolution be forwarded to the Honourable Premier of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario; and, all other Ontario municipalities."

Yours truly,



C. Tarling
Director of Legislated Services
& City Clerk

c: Honourable Steve Clark, Minister of Municipal Affairs and Housing
Monika Turner, Association of Municipalities of Ontario
Ontario Municipalities

AMO Resolution – Joint and Several Liability

WHEREAS municipal governments provide essential services to the residents and businesses in their communities; and

WHEREAS the ability to provide those services is negatively impacted by exponentially rising insurance costs; and

WHEREAS one driver of rising insurance costs is the legal principle of ‘joint and several liability,’ which assigns disproportionate liability to municipalities for an incident relative to their responsibility for it; and

WHEREAS, the Government of Ontario has the authority and responsibility for the legal framework of ‘joint and several liability;’ and

WHEREAS the Premier of Ontario committed to review the issue in 2018 with a view to helping municipal governments manage their risks and costs; and

WHEREAS the Association of Municipalities of Ontario on behalf of municipal governments has provided recommendations [in this source document](#) to align municipal liability with the proportionate responsibility for incidents and capping awards;

THEREFORE BE IT RESOLVED that the City of St. Catharines, City Council, does hereby support AMO’s recommendations; and

BE IT FURTHER RESOLVED that the City of St. Catharines, City Council, does hereby call on the Attorney General of Ontario to work with municipal governments to put forward a plan of action to address “joint and several liability” before the end of the government’s current term so that municipalities can continue to offer high quality services to their communities.

-----Original Message-----

From: Prime Minister | Premier Ministre <PM@pm.gc.ca>

Sent: Monday, January 10, 2022 12:01 PM

To: Beatty, Maureen <mbeatty@stcatharines.ca>

Cc: Chrystia Freeland <fin.dcu-ucm.fin@canada.ca>

Subject: Office of the Prime Minister / Cabinet du Premier ministre

Dear Mr. Sendzik:

On behalf of Prime Minister Justin Trudeau, I would like to acknowledge receipt of your letter of December 23, 2021, regarding a resolution adopted by the City of St. Catharines, regarding COVID-19 related financial support for municipalities.

Thank you for writing to the Prime Minister. You may be assured that your correspondence has been carefully reviewed.

I have taken the liberty of forwarding your email to the Honourable Chrystia Freeland, Deputy Prime Minister and Minister of Finance, so that she may be made aware of your correspondence.

Once again, thank you for writing.

K. Bentsen

Executive Correspondence Officer / Agente de correspondance Executive

Correspondence Services / Services de la correspondance de la haute direction

From: Clerk <clerk@trentlakes.ca>
Sent: Monday, January 10, 2022 3:20 PM
To: Beatty, Maureen <mbeatty@stcatharines.ca>
Subject: RE: National Childcare Program

Good Afternoon,

The Council of the Municipality of Trent Lakes has passed the following support resolution regarding National Childcare Program.

Resolution No. **R2021-814**

Moved by Councillor Franzen
Seconded by Councillor Lambshead

That Council support the correspondence from the City of St. Catharines regarding National Childcare Program.

Carried.

Jessie Clark
Municipality of Trent Lakes
Director of Corporate Services/Clerk
705-738-3800 x 219
705-738-3801 fax

*** Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available to the public through the Council Agenda process.**

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From: Prime Minister's Awards / Prix du premier ministre (IC) <ic.primeministersawards-prixdupremierministre.ic@canada.ca>

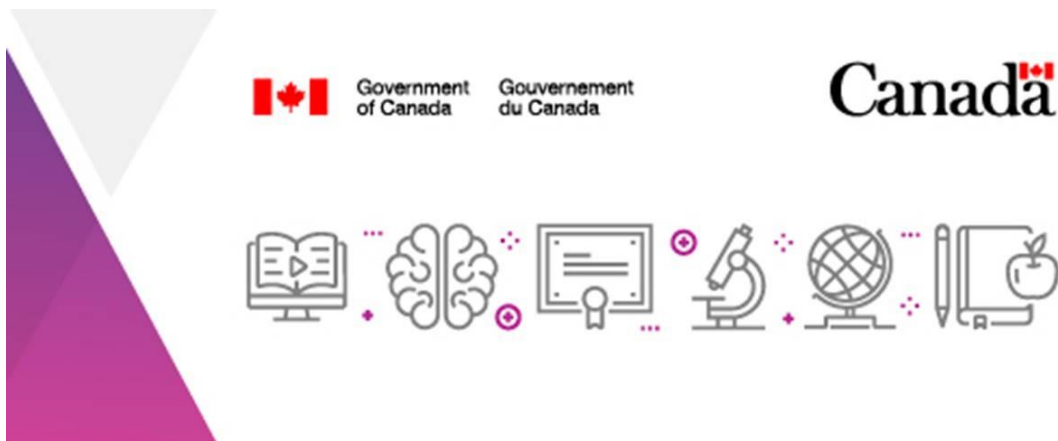
Sent: Tuesday, January 18, 2022 12:00 PM

To: Office of Mayor Sendzik <mayor@stcatharines.ca>

Subject: Prime Minister's Awards 2022/Prix du Premier ministre de 2022

[View this email in your browser](#)

Le français suit l'anglais.

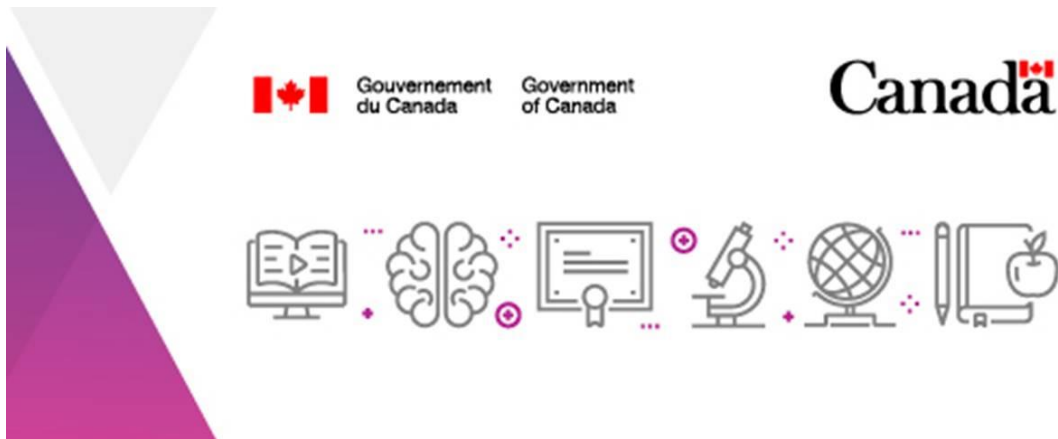


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Proposez dès aujourd'hui la candidature d'un éducateur ou d'une éducatrice, d'un enseignant ou d'une enseignante inspirant la prochaine génération d'innovateurs audacieux. Rendez-leur la reconnaissance qu'ils méritent. **Le délai de proposition de candidatures est le 8 février 2022.**

[CLIQUEZ ICI POUR NOMMER UN\(E\) ENSEIGNANT\(E\)](#)

[CLIQUEZ ICI POUR NOMMER UN\(E\) ENSEIGNANT DE LA PETITE ENFANCE](#)

Vous manquez d'inspiration? Découvrez les lauréats des Prix du Premier ministre de 2021 pour [l'excellence dans enseignement](#), [l'excellence dans enseignement des STIM](#) et [l'excellence en éducation de la petite enfance!](#)

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Development Canada
C.D. Howe Building, West Tower 235 Queen Street, 1st Floor
Ottawa, ON K1A 0H5
Canada

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The Failure of Government to Protect Its Citizens

An Open Letter to Mayor Sendzik and Council:

Despite public concerns over the detection of a significant and continuous PCB discharge coming from the GM site, the City assured citizens that Ontario's Ministry of Environment would protect them and the environment from harm from these hazardous chemicals. However, the recent release of the Ontario Auditor General's Annual Report of Environment Audits (November 2021) confirms that in fact Ontario's Ministry of Environment does not have the ability to remedy this dangerous situation.

"Ontario's Ministry of the Environment, Conservation and Parks (Environment Ministry) does not have effective systems and processes in place to prevent or reduce the risks and negative impacts of hazardous spills to the environment and human health."¹

In December of 2020, Ontario's Ministry of Environment (MECP) detected and measured a significant and continuous spill of Polychlorinated Biphenyls (PCBs) at the storm sewer located on the East side of the former GM site. The concentration of PCBs found in this location close to a playground and daycare centre was measured at more than 900X provincial water quality guidelines. Citizens had hoped that confirmation of this significant source of contamination would spur MECP into ordering the property owner to take immediate action through inspections and enforcement.

The potential impact of a PCB spill into the environment is of grave concern. PCBs are serious poisons which have been shown to cause damage to the reproductive, neurological and immune systems of wildlife and humans and are known to cause cancer. A National Academy of Sciences committee has stated that "PCBs pose the largest potential carcinogenic risk of any environmental contaminant for which measurements exist."

PCBs accumulate in the sediments at the bottoms of streams. These chemicals can build up in the fatty tissues of fish and other animals, and in high concentrations pose serious health risks to people who frequently eat contaminated fish.

¹ Ontario Auditor General's Annual Report of Environment Audits (November 2021)

In early 2020, the Coalition for a Better St. Catharines asked MECP to monitor this heavily contaminated site. It has been almost two years since MECP started monitoring and 12 months since MECP detected a continuous and significant discharge of PCBs into storm sewers at the site and flowing into Twelve Mile Creek. As of this writing, despite our inquiries, we have not been informed of any action taken to remove this threat to the community that surrounds the site on three sides or to protect or restore the aquatic habitat of Twelve Mile Creek. The Auditor General confirmed that MECP cannot be relied upon to take action to reduce the risk from spills.

“Overall, our audit found that the Environment Ministry does not conduct adequate regulatory activities to reduce the risk of occurrence of the most common sources of spills impacting human health and the environment. We also found that its enforcement regime does not effectively ensure compliance with the regulations that do exist.”

Not only does MECP not take decisive action to protect citizens, but it has failed to inform Citizens of the state of the problem or any progress to resolve it. Despite numerous emails and calls, a request for a public hearing and an FOI request that is now 20 months old, we have not been able to determine what, if any, action has been taken to find and to stop the discharge of PCBs from the GM site. This failure of MECP to inform citizens has been documented by the Auditor General.

“The Environment Ministry does not disclose sufficient information to the public about the quantity of hazardous spills and the harm they cause, to inform people of the impacts on their local community”

MECP has indicated that they are working with the property owner to resolve the situation but as stated we have seen no measurable progress. In fact according to the Auditor General MECP may not even be capable of enforcing their own regulations.

“The Environment Ministry’s hazardous spill enforcement regime is not strong enough to bring entities into compliance in a timely manner or deter repeat violations.”

The Government of Canada has also failed to respond to this environmental disaster even though this discharge of PCBs, a chemical of concern, flows into Lake Ontario contravening several joint agreements between the U.S. and Canada.

The Ministry of Environment has provided no evidence that they are prepared to force the property owner to take action to stop the discharge in a timely manner. By relying on the

Ministry, the City of St. Catharines shares responsibility for not protecting the health and safety of its citizens. Now that the Auditor General has exposed and documented the ineptitude of the Ministry of the Environment the City must step up and enforce its own by-laws regarding exposure to hazardous wastes even if it must intervene on the site and recover costs from the property owner.

In the meantime, toxic chemicals like PCBs continue to flow from the GM site into storm sewers and Twelve Mile Creek. It's time for the City to take the lead and clean up this mess. Considering this information, we are asking what course of action the City of St Catharines will take to protect citizens and the environment.

Other quotes from the Auditor General's report:

"The Environment Ministry does not independently confirm that spillers have sufficiently remediated the environment after a spill."

"The Environment Ministry is not fully using its powers to ensure that spills are promptly remediated"

"The Environment Ministry does not properly record or analyze data to identify the highest risk sources and causes of spills that can have negative impacts to human health and/or the environment. "

"The Environment Ministry is decreasing its proactive inspection and enforcement of environmental requirements, such as for spill prevention, because of staffing reductions."

"The Ministry of the Environment, Conservation and Parks (Environment Ministry) does not have effective systems and processes in place to prevent or reduce the risks and negative impacts of hazardous spills to the environment and human health."

"The Environment Ministry is also not ensuring that sufficient action is taken to prevent, eliminate or reduce adverse effects resulting from hazardous spills by spillers. It is not informed in a timely manner of all such spills, and it is not independently confirming that spillers have properly remediated the spills they caused."



January 13, 2022

In This Issue

- There is still time to submit questions for ROMA's Ministers' Forums.
- AMO/LAS *Municipal Energy Symposium* March 31 - April 1. Registration open.
- AMO/LAS *Municipal Energy Symposium* - Call for Proposals.
- LAS is eager to help in 2022.
- Canoe's spring webinar series starts January 26.
- Ontario Municipal Leaders Summit on Antisemitism on January 21. Register today!
- Careers: Brampton, Niagara Region, Simcoe, Waterloo, Fort Frances and Bruce.

Eye on Events

ROMA 2022 delegates have the opportunity to engage in two Ministers' Forums where TVO's John Michael McGrath will pose your questions live to provincial Cabinet Minister's. Submit your questions [here](#) by January 14, 12:00 pm EST.

AMO and LAS are excited to host a virtual *Municipal Energy Symposium* March 31 - April 1. This leading edge event takes a critical look at the intersection of climate change, land use planning and energy post-COP26. Explore examples of how municipalities are planning for the future and what this means to daily operations. Register [here](#).

AMO and LAS are calling on municipalities and partners to showcase initiatives and innovation in addressing municipal energy and climate change at the seminal virtual *Municipal Energy Symposium*, March 31 - April 1. For more information and to submit your proposal, [click here](#). Deadline for proposals is February 4.

LAS

LAS currently has almost 20 different programs and services including AMO's digital services partners to make your lives easier. Keep LAS in mind as you consider your 2022 workplans. As your Association's business services arm, we're the "easy button" for Ontario's municipal sector.

Canoe's popular bi-weekly webinar series is back. Join us every other Wednesday at 11:00 am to hear how different vendors make municipal life easier and more affordable. From office printers to equipment to water and wastewater, we've got it covered. Register today: Sharp Technology (Jan 26), Doosan/Bobcat (Feb 9), Exprolink/Madvac (Feb 23), and Computrol (Mar 8).

Municipal Wire*

The Centre for Israel and Jewish Affairs (CIJA) is hosting an Ontario Municipal Leaders Summit on Antisemitism on January 21, 2022. This virtual event will be Chaired by Vaughan Mayor the Hon. Maurizio Bevilacqua. [Register today](#).

Careers

Supervisor, Inspections, Building - City of Brampton. This position is responsible for the supervision of inspectors; monitors the inspection program to ensure proper and consistent application of technical standards and divisional standard practices and more. Please [apply online](#) by January 19, 2022.

Claims Examiner - Niagara Region. The Claims Examiner is responsible for the administration of claims, including claim response, assessment, defense, settlement negotiation, and the disposing of claims. Closing date: January 17, 2022.

Business Systems Analyst - County of Simcoe. Leads the systems analysis and design process for major systems projects across the Corporation to ensure that business needs are thoroughly understood and that the technical solutions are properly aligned and adequately specified. Apply [online](#) by January 31, 2022.

Database Applications Specialist II SAP - County of Simcoe. The Specialist provides systems analysis and design support for corporate database systems and web-based applications, including vendor liaison during implementation, programming support, troubleshooting, and operational support. Apply [online](#) by January 31, 2022.

Senior Sustainability Officer - City of Waterloo. Reporting within the CAO's Office, the Senior Sustainability Officer will lead corporate and community sustainability plans and actions, with a significant focus on climate change action. Apply [online](#) by January 28, 2022.

Chief Building Official/Municipal Planner - Town of Fort Frances. Apply by submitting a completed application package to the attention of 'Human Resources Manager' at jobs@fortfrances.ca with the subject line: Chief Building Official/Municipal Planner. At present, we are only accepting external job applications by email or by fax at (807) 274-8479. Deadline: February 11, 2021.

Chief Administrative Officer - Bruce County. The CAO is responsible for providing vision and leadership to members of the senior management team and for the administration and coordination of the delivery of services to the County's residents and businesses. Apply by email by February 7, 2022 to careers@waterhousesearch.ca quoting project BC-CAO. To receive a detailed position description, contact [Jon Stungevicius](#) at 416-214-9299 x1, or [Amy Oliveira](#) at 416-214-9299 x4.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

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January 20, 2022

In This Issue

- Community housing regulatory posting.
- ROMA Conference 2022: Information you need to know to participate.
- AMO/LAS *Municipal Energy Symposium* March 31 - April 1. Registration open.
- AMO/LAS *Municipal Energy Symposium* - Call for Proposals.
- Managing your Occupational Health and Safety Program with 4SafeCom.
- Blog: Does your municipality use safety technology?
- New Year's Resolution: Help staff performance with LED lighting.
- Canoe vendor spotlight: Siemens Canada.
- Canoe webinar: Sharp Technology.
- Careers: Brampton and the Ontario Securities Commission.

Provincial Matters

The government has a community housing regulatory posting for public comment until February 18. The changes are expected to be potentially significant for municipalities and District Social Administration Boards concerning community housing service agreements, service levels, and access. AMO will provide a submission in response to the posting.

Eye on Events

All registered delegates will receive platform log-in credentials on **Friday, January 21 from chime.ca** to participate in the virtual 2022 ROMA Annual Conference. Remember to check your spam and junk folders. If you haven't registered and wish to participate in the conference, [click here](#).

AMO and LAS are excited to host a virtual *Municipal Energy Symposium* March 31 - April 1. This leading edge event takes a critical look at the intersection of climate change, land use planning and energy post-COP26. Explore examples of how municipalities are planning for the future and what this means to daily operations. Register [here](#).

AMO and LAS are calling on municipalities and partners to showcase initiatives and innovation in addressing municipal energy and climate change at the seminal virtual *Municipal Energy Symposium*, March 31 - April 1. For more information and to submit your proposal, [click here](#). Deadline for proposals is February 4.

AMO's Health & Safety Partner, 4S Consulting Services Inc., will conduct a live demonstration of the 4SafeCom Online Safety Training & Management System. The focus of the demo will be to show how municipalities can manage their OHS program easily and effectively. Demos are on [January 25](#) and [February 1](#). Register today.

LAS

Safety management software can help your municipality in managing your Ontario Health Service program real-time across departments. Read our [latest blog](#) by 4S Consulting Services, Inc.

Did you know that better lighting can boost staff morale and enhance productivity? Use our [Facility Lighting Service](#) to improve light levels, reduce energy consumption and help your staff do their best. [Give us a call](#) for a free budget proposal.

We're pleased to welcome Siemens Canada to the [Canoe Procurement Group](#), expanding our offerings of surveillance systems, fire protection, building automation, and more. [Contact Tanner](#) to find out about this and our other 180+ vendors.

[Canoe Procurement Group](#) vendor Sharp Electronics is one of the leading suppliers of printers, multifunction devices, displays and more. Join us virtually on January 26 at 11 am to see how your offices can benefit. Be sure to [register here](#).

Careers

[Government Relations Specialist - City of Brampton](#). This role contributes to the development and implementation of government relations initiatives to support the Mayor, Councillors, Chief Administrative Officer and the Corporate Leadership Team. Apply [online](#) by January 26, 2022.

[Senior Analyst, Domestic Affairs - Ontario Securities Commission](#). The Senior Analyst is accountable for keeping abreast of domestic policy and matters, and providing advice, analysis and recommendations on domestic securities policies and regulatory affairs to stakeholders across the Commission. Apply [online](#) by January 26, 2022.

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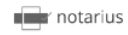
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Memorandum

To: Mayor & Members of City Council

Cc: Senior Leadership Team,
Kristen Sullivan, Donna Delvecchio, Evan McGinty

From: Bonnie Nistico-Dunk, City Clerk

Date: January 20, 2022

Subject: Committee and Board Vacancies

Mr. Mayor and Councillors:

I am writing to you at this time to provide information regarding the committee and board vacancies that have been left by the now Regional Councillor Siscoe and to provide an interim recommendation for the remainder of this term of Council, being November 14, 2022.

Staff are recommending that the following committee and board work be transferred to Councillor McPherson immediately:

- Economic Pillar
- Budget Standing Committee
- Linking Niagara Transit Committee
- St. Catharines Downtown Association Representative (no longer Chair)

Councillor McPherson has resigned as the Chair of the St. Catharines Downtown Association and she has resigned her seat on the Committee of Adjustment.

I have spoken to Councillor McPherson and she is agreeable to sit on the committees and boards noted above, if that is the wish of Council.

By endorsing this memorandum in your Council correspondence motion at the meeting of January 31, 2022, staff will ensure the appropriate committees and boards are notified of this change as soon as possible.

Thank you.

Memorandum

To: Mayor and Council

Cc: Department Heads; Bonnie Nistico-Dunk, City Clerk

From: Eric Lamothe, Manager of Business Planning & Strategic Services

Date: January 20, 2022

Subject: Mandatory Tree Planting on Boulevards

At the Council meeting on October 18, 2021, Council approved that staff report back on the following:

- Tree management and protection policy, with a focus on construction; and
- The feasibility of a fee-for-service agreement with the Niagara Region to have the City take over tree planting and maintenance on Regional Roads; and
- Mandatory tree planting on boulevards.

This memorandum will address mandatory tree planting on boulevards. Staff continue to explore the tree management and protection policy and feasibility of a fee-for-service agreement with the Niagara Region and will report back at a later date.

Current City Practice for Tree planting on Boulevards

The City does not have a mandatory tree planting on boulevards policy. The City's current practice for tree planting on boulevards is directed through three programs:

Tree Replacement Program

When a boulevard tree is at end of life, the City's Forestry operation removes the tree and stumps the location. Once this process has occurred, the City's tree planting contractor then plants a new tree on the boulevard the following season (Spring or Fall).

Green Our Street Tree Planting Program

Residents can request a free tree for their property through the City's [Green Our Street Tree Planting Program](#), or share their suggestions of a street or boulevard that could benefit from a new tree.

New Residential Development Infill Tree Planting

When new residential development occurs in the city, a requirement of the new development is to have infill trees planted. The cost of the new development infill tree planting is the responsibility of the developer, not the City. In the rare circumstance that a tree cannot be planted on the new residential development due to space limitations and/or existing infrastructure, the tree is planted at a nearby park so that the neighbourhood will still benefit from a new tree.

Communication with Residents

Through the three tree planting programs, residents are provided a letter from the City prior to the tree planting which indicates that the resident will be receiving a boulevard tree and the tree species that has been selected for their property. Tree species are based on address and are selected by City staff. The species selection takes into account overhead wiring, existing utilities, existing plantings on the street in an effort to diversify canopy and urban surroundings. The letter provides residents with the opportunity to change the selected tree species and/or contact information should the resident wish to speak with staff prior to the tree planting. After the boulevard tree has been planted, staff also provide residents with a tree care instruction door hanger and a tree watering bag to help ensure the tree remains healthy.

Tree Planting on Boulevards Success Rate

Staff plant approximately 1,000 trees per year on boulevards through the City's three tree planting programs. Currently, staff do not track the number of residents who decline tree planting on boulevards. However, anecdotally staff would estimate that approximately 1%-2%, or 10-20 residents, annually decline the opportunity for a boulevard tree. In 2022, staff will begin to track the number of residents who decline the planting of boulevard trees.

Sincerely,

Eric Lamothe
Manager, Business Planning & Strategic Services

City Council Outstanding Reports List

Sub-Item 13

Reports by Strategic Pillar

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Environmental 3 Social 22

Reports Related to Strategic Plan 33

Reports Unrelated to Strategic Plan 3

Updated: January 21, 2022

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2019-22	15-Jul-19	Townsend	Amend sign by-law to permit digital signage on City-owned properties and buildings, including the appropriateness and ability to include third-party advertising as part of digital signage on City-owned properties.	PBS / COMMS	Q1 2022	Appeal Information Report - Application for Sign By-law Variance; 142 St. Paul Street; Owner: 2400795 Ontario Inc. was deferred 8-12-19 until ORL #2019-22 is presented to Council. COVID delayed.
Economic	2021-11	10-May-21	Social Pillar	That the diverse supplier policy proposal from the Anti-Racism Advisory Committee, as amended, be sent to City Council to request a report back by the end of Q4 2021 from City staff on the development of a Diverse Supplier Policy.	FMS	Q2 2022	
Economic	2021-14	10-May-21	Surplus Lands Dev TF	That staff be directed to prepare a report regarding 2 Facer Street, including condition of the facility and the potential to declare the property surplus with consideration to not displacing the existing tenant.	FMS / EFES	Q1 2022	
Economic	2021-15	14-Jun-21	Miller	Report back on the City's current remuneration formula for members of Council, including how and when the formula was developed, as well as the remuneration for Councillors at comparator municipalities.	FMS	Q1 2022	Include information on reimbursement for committee chairs and administrative supports for Councillors at other municipalities
Environmental	2020-18	16-Nov-20	Townsend / Sorrento	That staff be directed to prepare a report on the costs associated with beautifying the Bunting Road corridor between Scott Street and the Garden City Skyway to include tree planting, grassed boulevards, floral, etc.	EFES	Q1 2022	From Nov. 18, 2020 GC meeting (formerly BSC) - That \$50,000 for a visioning or master streetscape plan to recommend improvements to the Bunting Road corridor be included in the Draft 2022 Operating Budget
Environmental	2021-24	18-Oct-21	Porter	Prepare a report with information on the following: •Tree management and protection policy, with a focus on construction •Feasibility of a fee for service agreement with the Region to have city take over tree planting and maintenance on Regional Roads •Mandatory tree planting on boulevards	MW	April 11, 2022	
Social	2019-29	09-Sep-19	Littleton	Report back on the existing street naming process with ways to include more public engagement, perhaps similar to the park naming process	PBS	Q2 2022	Delayed due to COVID.
Social	2020-14	19-Oct-20	Kushner	The approval of a Cannabis grow-op at the corner of St. Paul Street West and Vansickle Road	PBS	February 14, 2022	Canadian Public Health issued license. Will be captured in February 14, 2022 report.
Social	2021-02	18-Jan-21	Miller	Repeal / review and update the City's loitering by-laws and report back to Council	MW	Q1 2022	Staff to provide a memo to Council noting issue will be included in Pilot study with Gateway of Niagara
Social	2021-04	18-Jan-21	Social Pillar	Produce a report on amending Facility and Design Standards (FADS) in the following sections: Section 4.2.7 Universal Washrooms and Section 4.5.2 Outdoor Recreational Facilities – Playground	CRCS / EFES	Q1 2022	See Council Minutes of January 18, 2021 for what is to be included in the report
Social	2021-12	10-May-21	Social Pillar	Amend the current by-law for the erection of signs and other advertising devices to state that no person shall display or cause to be displayed a sign that bears a hate message or a logo, crest or graphic that would convey such a message	PBS / LCS	Q1 2022	
Social	2021-13	10-May-21	Social Pillar	That staff provide a report by Q4 2021 on the options for improving accessibility of the Carousel to make it more inclusive	CRCS / EFES	Q2 2022	
Social	2021-18	9-Aug-21	Social Pillar	Amend By-law 2007-295 (a By-law to address Public Nuisances) under Section 2 "Prohibitions" to add: "No person shall, in a public place, unnecessarily interfere with another person's use and enjoyment of the Public Place by using abusive or insulting language as a personal invective."	LCS	Q1 2022	Staff report to also include information on adding "aggressive behaviour" to the Public Nuisances by-law
Social	2021-19	30-Aug-21	Phillips	That staff be directed to prepare a report on the possibility of capturing grey water from municipal facilities, such as splash pads and the St. Catharines Kiwanis Aquatics Centre, into cisterns in order to irrigate municipal sports fields and gardens as well as hanging baskets and planters.	EFES / PBS	2022	In the report include information on the timing, locations and costs associated with capturing grey water.
Social	2021-21	27-Sep-21	Garcia	Review issues with bird feeders and seed		2022	Include what other municipalities are doing

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2021-23	18-Oct-21	Siscoe	Stop signs for Coronation Boulevard at Vansickle Road North and options for the creation of a safe crosswalk and other appropriate traffic calming measures in the school zone at the intersection of Dufferin and George Street	EFES	Q3 2022	Required studies can only be done in the Spring / Summer
Social	2021-22	4-Oct-21	Miller	Prepare a report exploring options for improving accessibility for those with invisible disabilities, including, but not limited to, providing closed captioning on livestreamed videos and identification options for those with invisible disabilities who are working at or otherwise accessing City facilities	CAO	2022	Consult with the Accessibility Advisory Committee in the creation of the report.
Social	2021-26	15-Nov-21	Social Pillar	Prepare a report regarding the Anti-Racism Advisory Committee's recommendations on a Racist / Hate Incident Response Protocol	CAO	2022	See Social Sustainability Minutes of November 4, 2021, page 45, for the Anti-Racism Advisory Committee's recommendations on a Racist / Hate Incident Response Protocol.
Social	2021-28	15-Nov-21	Social Pillar	What Council can do to support the initiatives contained in the motion put forward by the Anti-Racism Advisory Committee, and referred by the Social Sustainability Committee, regarding Calls to Action in the Wake of the London Islamophobic Attack.	CAO	2022	See Social Sustainability Minutes of November 4, 2021, page 40, for the Anti-Racism Advisory Committee's recommended Calls to Action in the Wake of the London Islamophobic Attack.
Social	2021-30	29-Nov-21	Siscoe	Traffic calming on Dufferin Street East	EFES	Q3 2022	Required studies can only be done in the Spring / Summer
Social	2021-31	29-Nov-21	Dodge	Prepare a report on the suitability of modifying Bylaw 89-2000 to permit vehicles to legally park within the confines of a residential driveway apron subject to specific safety and operational constraints	EFES	Q4 2022	
Social	2022-04	17-Jan-22	Porter	Report back on a policy for warming / cooling centres	CRCS / EFES		
None	2021-27	15-Nov-21	Williamson	Respond to the issues raised in the item of correspondence from Marianne Murray regarding Regional Road 87, including the legal questions raised by Ms. Murray		2022	Item of correspondence available as additional correspondence from Council meeting of November 15, 2021
None	2019-47	16-Dec-19	Miller / Mayor Sendzik	That the request for funds to be used to record in-camera meetings be referred to 2020 for a report including the upgrading of screening services for all meetings (open and closed sessions).	LCS	2022	

Follow Up Reports

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Economic	2020-16	09-Nov-16	Garcia	That staff report back in 2021 on remediation costs for applications that are a minimum of 5% of total past and future project costs.	PBS	Q1 2022	Follow up report to PBS-154-2020. See General Committee minutes of November 9, 2020
Economic	2020-17	09-Nov-16	Mayor Sendzik	That Council bring back the Accessory Dwelling Unit Program in 2022 to come back as part of an update on the overall CIP program annual report.	PBS	Q1 2022	Follow up report to PBS-154-2020. See General Committee minutes of November 9, 2020
Economic	2021-10	10-May-21	Siscoe	That staff report back on removing the owner occupant requirement for rural properties	PBS	Q1 2022	Memo to Council in January 2022.
Environmental	2021-16	28-Jun-21	Siscoe	Report back in Q4 2021 on the Ontario Street Secondary Plan launch including scope, preliminary workplan, public engagement strategy, and study partnership options	PBS	February 28, 2022	
Social	2020-07	24-Feb-20	Porter	Revised Graffiti Program: Consult with the community, the relevant cultural committees and downtown stakeholder groups to modernize the graffiti program and by-law by 2021.	PBS	Q2 2022	Follow up report. Initial report (PBS-010-2020) approved February 10, 2020. Delayed due to COVID.
Social	2022-01	27-Sep-21	Littleton	That staff be directed to report to Council the funding requirements for recognition within the park for Richard Pierpoint, the Indigenous community and the history behind Canada's Centennial and the creation of the park.	CRCS	March 28, 2022	Follow up report to CRCS-151-2021. See Council minutes of September 27, 2021.
Social	2022-02	17-Jan-22	Phillips	Report back to Council with information from the Resident Beach Parking Permit Expression of Interest (EOI) for the 2022 Beach Season and that the report include information on an incentive for using transit to commute to the beaches.	CAO		Follow up report to CAO-004-2022. See Council minutes of January 17, 2022
Social	2022-03	17-Jan-22	Phillips	That staff report back with additional information on the boat launch	CAO		Follow up report to CAO-004-2022. See Council minutes of January 17, 2022
None	2021-01	18-Jan-21	Social Pillar / Siscoe	That staff be directed to prepare a report on the current protections in place to deal with harassment directed at Mayor and members of Council, and the resources it would require to provide further support to Mayor and members of Council who are subjected to harassment, intimidation and threats.	LCS	Q1 2022	Report Request part of motion arising from Integrity Commissioner report from January 18, 2021. See Council Agenda Item 7.1. Report to go to Equity and Inclusion Committee for feedback prior to going to

Reports Affected by COVID-19

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2019-12	15-Apr-19	Porter	Review of Citizen Appointments to Boards and Committees Policy	LCS	2022	Report was postponed due to COVID-19. See Council Minutes of April 15, 2019, Item 8.2, for original motion.

Relation to Strategic Plan	ORL #	Requested	Requested by	Request	Lead Dept.	Expected Return Date	Comments
Social	2019-23	15-Jul-19	Littleton	Opportunities and strategies for the City to support neighbourhood associations and neighbourhood-based community groups, including best practices and information gathered from the forum	CRCS	Q4 2022	Staff report will come forward following the neighbourhood association forum. Forum was scheduled for March 28, 2020 but was postponed to a later date due to the COVID-19 pandemic
Cultural	2020-15	19-Oct-20	Littleton / Siscoe / Harris	Report back on excluding 101 Oakdale Avenue, 25 Duke Street and 160, 168, 174, 176 St. Paul Street from the register of non-designated cultural heritage properties. Report to include update on the request for the property owners of 101 Oakdale Avenue and 25 Duke Street to attend a Heritage Committee meeting about their request to be excluded. Report to include update on correspondence from 160, 168, 174, 176 St. Paul Street requesting exclusion from the register.	PBS	Q1 2022	Follow-up report to PBS-111-2020. See General Committee minutes from October 19, 2020. Due to the effects of the COVID-19 pandemic on downtown businesses, staff will report back to Council once the downtown economic climate strengthens. Staff will report back on 25 Duke Street upon completion of renovations at the property



Corporate Report City Council

Report from: Economic Development and Tourism Services

Report Date: November 26, 2021

Meeting Date: December 13, 2021

Report Number: EDTS-205-2021

File: 10.13.9

Subject: Application for Exemption to By-Law 95-212 – Reptilia, being a Bylaw to Regulate the Keeping of Animals

Strategic Pillar: This report aligns with the following St. Catharines Strategic Plan pillars: Economic and Social.



Recommendation

That Report EDTS-205-2021, regarding a Request to Amend By-law 95-212 (being a By-law to Regulate the Keeping of Animals), be referred to City Council for consideration of the Staff Recommendation after a public meeting to be scheduled for January 17, 2022, for which notice will be duly given.

Staff Recommendation

That Council approve an amendment to By-law 95-212, attached as Appendix 2, to authorize Reptilia Inc. to operate at 285 Geneva St. (known as the Fairview Mall) and to offer off-site educational project, training, or authorized special event activities within City limits, including transportation to and from such off-site locations; and

That the City Solicitor be directed to prepare the necessary by-law(s); and

That the Clerk be directed to make all necessary notifications.

Relationship to Strategic Plan

This report relates directly to the Economic Prosperity Pillar of the City's 2019 -2028 Strategic Plan.

- Continue to implement the Economic Development Strategy (2017-2022) with particular focus on investments, employment and partnerships to attract, retain, and grow the economy of the City.

It further supports the Council approved Economic Development and Tourism Services Pandemic Recovery Strategy.

Background

The Municipal Act provides authority for lower-tier municipalities to pass by-laws respecting health, safety and well-being of persons and further provides authority for municipalities to pass by-laws with respect to animals.

On June 19, 1995, City Council adopted [By-Law No. 95-212](#) to regulate and govern the keeping and harbouring of animals within the city. This By-Law was further amended on [November 4, 2013](#) by adding an extensive list restricting the harbouring of specific Reptilia as defined in the amending bylaw on lands within the geographical boundaries of the city outlined in the amendment.

In a letter request to Council, Reptilia Inc. is seeking an amendment to By-Law No. 95-212 to establish operations in St. Catharines (Appendix 1).

Report

Since 2017, Economic Development & Tourism Services (EDTS) staff have been engaged with Reptilia Inc. regarding their interest in expanding and investing in a new flagship tourist attraction in St. Catharines. In February 2021, First Capital Realty announced Reptilia as its first new tenant to lease space in its recently renovated southwest end of the mall. Reptilia plans to occupy the former IKEA store space serving as an anchor draw for the mall and surrounding areas.

Reptilia Inc. has educated and entertained the public for more than 20 years at their existing Ontario locations in Vaughan and Whitby. Accredited through the Canadian Association of Zoos and Aquariums (CAZA), Reptilia operates a permanent zoo as well as a mobile zoo in each of the municipalities. Each of the facilities are multi-functional, featuring family attractions, camp programs for youth, curriculum-based education programs for schools and extends a professional program that provides training to military personnel and first responders. An additional part of the operations includes working with local animal authorities on save and rescue missions serving as a benefit to the community.

To operate in St. Catharines, Reptilia Inc. requires an amendment to the current animal control by-law. Currently, the bylaw exempts the City or any other government authority from operating an exhibit or zoological garden and maintain animals therein. This exemption would be expanded to include a person specifically authorized in a new schedule to the bylaw to be added, subject to any conditions set out in the schedule. The new schedule will specifically identify Reptilia Inc. at its proposed location at the Fairview Mall.

Also, as a condition to be included in the new schedule permitting the exemption, Reptilia Inc. would be required to notify the City's contracted service provider for animal control enforcement (currently NRAS Inc.) and the City's By-Law Enforcement Division

prior to attending any off-site educational projects, training, or special event activities within the city, including the anticipated duration of the off-site event.

Financial Implications

There are no financial implications associated with this report.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Conclusion

EDTS is responsible for leading a business retention and expansion program that enhances St. Catharines position as a competitive and prosperous location for private and public investment that positively contributes to the City's employment and non-residential tax base. The tourism and attraction industry continues to be one of the hardest hit sectors of the economy. Reptilia Inc.'s planned investment in St. Catharines has the ability to bolster recovery efforts in establishing a flagship attraction in the City. Staff support is of the opinion that the requested amendment is reasonable and are satisfied that Reptilia Inc. will comply fully with all conditions and by-laws.

Staff support this application By-law 95-212 a by-law to regulate the keeping of animals including exotic animals within the City.

Notifications

It is in order to advise Mr. Brian Child, President, Reptilia Inc.

Prepared and Approved by

Brian York

Director of Economic Development and Government Relations

Heather Salter

Director of Legal and Clerks Services / City Solicitor

Appendices

- Appendix 1 – Letter Request from Reptilia
- Appendix 2 – Proposed Draft By-Law Amendment No. 95-212



Reptilia Inc.
2501 Rutherford Road
Vaughan, Ontario L4K 2N6
(905) 7616223
www.reptilia.org

1

November 26, 2021

City of St. Catharines

Re: Application by Reptilia for an exemption to Bylaw 2013-252 as amended

Honourable Mayor and Council

Reptilia Inc. was founded in April of 1996 in Vaughan, Ontario and has operated there for the past 25 years offering a mix of education and entertainment to tourists, families – kids and parents, without a single animal ever escaping. In fact, we have taken in from the public - rescues which comprise of more than 75% of the animals we now have, aiding the entire GTA with this service – free of charge - thereby saving the taxpayer the extra expense of animal services, police, fire fighters having to deal with ever constant potential of a dangerous reptile being dumped into the environment by an illegal owner.

Animals are frequently smuggled in from the US and other places. In some cases, they are adequately cared for but in many, they are let loose. Since most reptiles cannot survive Canadian winters, they freeze to death when the temperatures drop, but they are on the loose in our towns and cities until that happens.

We have – in conjunction with many Cities in Ontario – rescued alligators from Hwy 401, caimans from High Park pond in Toronto's centre, collected more than 500 venomous snakes illegally kept by residents of condos, houses and apartments. We've homed several baby alligators (about 15 cm long and weighing just a few grams) - when CBSA stopped a chap at the Windsor border suspecting something amiss and the found the baby gators ingeniously sewn into his jacket. But he did not know when baby gators are frightened, they call with a peeping sound for their mother and when they did – CBSA arrested the gentleman.

With the assistance of the Economic Development team of St. Catharines we have now found suitable premises at the Fairview Mall in the former IKEA space. We hereby request an exemption from the applicable portions of the exotic pet animal bylaw to permit our operation.

Our operational longevity and experience, coupled with the creation of the tourist and hospitality impact at the profile location we have chosen will have a similar economic impact of our investments in Whitby and Vaughan.

Sincerely,

Brian Child
President
Reptilia Inc.

CITY OF ST. CATHARINES

BY-LAW NO. _____

A By-law to amend By-law No. 95-212 entitled "A By-law to regulate the keeping of animals."

WHEREAS section 11 (2) of the Municipal Act provides authority for municipalities to pass by-laws respecting health, safety and well-being of persons;

AND WHEREAS section 103 of the Municipal Act provides authority for municipalities to pass by-laws to regulate or prohibit with respect to animals being at large and trespassing of animals;

AND WHEREAS by giving the required public notice and holding a public meeting, the City of St. Catharines has complied with the public notice requirement, and notice of the said by-law was posted to the City of St. Catharines website on 12/09/2021 and the public meeting was held on January 17, 2022;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts as follows:

1. That By-law No. 95-212, as amended, be and the same is hereby further amended by deleting section 1(b)(i) and replacing it with the following:

1 (b) "Officer" means:

(i) a municipal law enforcement officer appointed by the City.

2. That By-law No. 95-212, as amended, be and the same is hereby further amended by deleting section 3(c) and replacing it with the following:

3 (c) this corporation, any other government authority, or such other person listed in Schedule C and subject to any conditions set out in Schedule C, while lawfully operating a public park, exhibit, or zoological garden, and maintaining animals therein;

3. That By-law No. 95-212, as amended, be and the same is hereby further amended by adding Schedule "C" attached hereto.

4. That provisions of this by-law come into force on January 17, 2022.

Read and passed this _____ day of _____ 2021.

CLERK

MAYOR

SCHEDULE "C" TO BY-LAW NO. 95-212, as amended

Persons permitted to operate an exhibit or zoological garden:

1. Reptilia Inc., subject to the following conditions:
 - a. Only at the retail location located at 285 Geneva Street (also known as Fairview Mall) and to any off-site educational project, training, or authorized special event activities within the City limits, including the transportation to and from such off-site locations; and
 - b. That Reptilia Inc. notify the City's contracted service provider for animal control enforcement and the City's By-Law Enforcement Division prior to attending any off-site educational projects, training, or special event activities within the City of St. Catharines and the approximate duration of said off-site event.



160 Fourth Avenue, St. Catharines, ON L2S 0B6
www.nras.ca

December 17, 2021

The Corporation of the City of St. Catharines
50 Church Street, P.O. Box 1531
St. Catharines, ON L2R 7C2

Attention: Mrs. Bonnie Nistico-Dunk
City Clerk

RE: Report EDTS-205-2-21 Application for Exemption to By-Law 95-212

Further to a request to provide feedback regarding the above application, we respectfully provide the following.

The current City of St. Catharines exotic by-law and many others in use today across Ontario municipalities were designed to protect citizens from the dangers of some exotic creatures, by removing or prohibiting them from being present in our communities.

On occasion, individuals chose to still own these animals and the Lincoln County Humane Society and Niagara Region Animal Services have had a number of occasions to obtain dangerous or illegal exotic animals. Once in our custody, or stemming from an investigation, we have reached out to our professional partners, one of them being Reptilia, for assistance.

Including Reptilia, these organizations have assisted us with removing, housing and adopting exotic animals, whether they are dangerous or not. These partnerships have provided us with exposure to educated and professional organizations who recognize the challenges individuals face when acquiring such animals. To this end, we support the work these organizations perform and support Reptilia in their efforts to educate the public about exotics, share knowledge, experience and expertise with everyone.

In our opinion, the inclusion of Reptilia in St. Catharines will be a positive addition to our community. The education component of the work they do will provide considerable insight to individuals who wish to learn about exotic creatures. We understand that animals will not be available for sale and we support this decision.

In closing, we thank you for the opportunity to provide comment on this report and we agree with its contents and the recommendation contained therein.

Regards,

Kevin Strooband, President



Creating thriving
urban neighbourhoods

4

First Capital Asset Management ULC

85 Hanna Avenue, Suite 400, Toronto, ON, M6K 3S3
T: 416.504.4114 F: 416.941.1655

Date: December 10, 2021

To: Mayor and Council of the City of St. Catharines, Ontario

RE: Fairview Mall, St. Catharines - Reptilia

I am writing to you as the owner for the above-mentioned property. First Capital's focus is on creating thriving urban neighbourhoods to generate value for businesses, residents, and communities. Fairview Mall is a strong regional mall in St. Catharines and has been a community hub in this community since 1961. Our commitment is to ensure that we continue this tradition and help to create an environment for families, businesses, tourists, and all other stakeholders to prosper.

As you may be aware, there have been challenges for quite some time as it relates to the future of the enclosed retail shopping mall experience. One of the reasons for this is due to the changes in how consumers prefer to shop in today's technological world. We have seen the demise of many large anchor tenants such as Target, Sears, Zellers, for example, that were not able to adapt effectively to these changes. These anchor tenants typically draw consumers to a mall and ultimately those consumers may shop at other retailers to create a hub of retail activity.

Owners of regional malls have been challenged for many years in trying to determine the future of the enclosed shopping experience. Retailers are continuing to adapt and create more experiential reasons for customers to visit their stores. Across North America, many owners are looking to add uses that cater to everyday needs, daycare, fitness, medical uses, and entertainment. The reason for this is that many of these experiences cannot be accomplished online and therefore bring the community together to create a thriving environment.

Adding to an already challenging situation is the current global pandemic. During this time the enclosed mall has been severely impacted as this environment is not conducive to social distancing. Many retailers are considering changing how they operate and are moving away from the enclosed mall and considering outdoor shopping centres or insisting on exterior access only. It is becoming extremely challenging to attract new retailers to the enclosed shopping centre. To create a thriving environment there must be many elements at play such as entertainment, culinary experiences, arts, education, interaction, etc.

Reptilia is one such use that we believe will be a draw for the community and tourists in search of an educational and exciting experience. Bringing more people to Fairview Mall will also benefit the other retailers. It is our belief that we can continue to improve the retail offering at Fairview Mall and ultimately contribute to this thriving hub within the City of St. Catharines.

Kind Regards,

A handwritten signature in black ink, appearing to read "Terry Ledamun".

Terry Ledamun
Vice President, Leasing Central
First Capital

City of St. Catharines
50 Church Street
P.O. Box 3012
St. Catharines ON L2R 7C2
c/o: City Clerk

Via: email

Re: Reptilia Status in CAZA

To City of St. Catharines,

As some may be aware, a key purpose for the existence of Canada's Accredited Zoos and Aquariums (CAZA) is our accreditation program. Our Canadian program has been developed over the past 35 years and continues to evolve.

CAZA's mission is to inspire excellence in our members using science-based animal welfare, conservation, and education. We advocate for Canadian zoos, aquariums, museums, and science centers, speaking with one voice with stakeholders.

Our standards are recognized by municipal, provincial and a federal government agency. This largely explains why we take our brand, the accreditation program by extension, seriously.

Every five years each accredited facility is required to re-apply for accreditation; between those years they are required to submit an annual attestation to their compliance.

Our peer reviewed accreditation program is shaped in a way that it is outcome based requiring 100% compliance. If a facility is not 100% compliant, they will likely lose their accreditation status. Decisions are made on a case-by-case basis.

Reptilia is an accredited CAZA facility and like any other member is part of the 5-year cycle.

A copy of our standards and supporting guidance documents can be found on our website.

I hope this letter provides the necessary information for City Council and Reptilia's status in CAZA and their CAZA accreditation obligations.

Best Regards,



Jim Facette
Executive Director & CEO

c.c. Mr. Brian Child, CEO, Reptilia Inc.

Creating thriving
urban neighbourhoods**First Capital Asset Management ULC**

85 Hanna Avenue, Suite 400, Toronto, ON, M6K 3S3

T: 416.504.4114 F: 416.941.1655

January 13, 2020**To: Mayor and Council of the City of St. Catharines, Ontario****RE: Fairview Mall, St. Catharines – Reptilia**

Further to our letter dated December 10, 2021, we have since had the opportunity to review the Staff Report prepared by Economic Development and Tourism Services (Report No.: EDTS-205-2021), recommending that Council approve an amendment to By-law 95-212. As part of our commitment to reinvesting in the future of Fairview Mall and the City of St. Catharines' tourism objectives, First Capital supports the staff recommendations set out in the Report.

To date, First Capital has invested in excess of \$15 million in revitalization and re-merchandising efforts at Fairview Mall with the leasing of the former Walmart space with 3 national tenants as well as new leasing in the enclosed portion of the mall. This shows our commitment to the future and success of this shopping centre and our ongoing investment in the City of St. Catharines.

Kind Regards,

DocuSigned by:
A blue ink signature of Terry Ledamun, consisting of a stylized 'T' and 'L'.

Terry Ledamun**Vice President, Leasing Central**

Prof. Robert W. Murphy, Ph.D.
GTA, Ontario

STATEMENT OF SUPPORT TO REPTILIA'S REQUEST
FOR EXEMPTION FROM THE CITY OF ST.
CATHARINES BY-LAW 95-212, WHICH REGULATES
THE KEEPING OF ANIMALS

18 January 2022

RECOMMENDATION: Approve the request for exemption to By-Law 95-212

TO:

Mayor and Members of City Council
City of St. Catharines
50 Church Street, P.O. Box 3012
St. Catharines, ON, L2R 7C2

Background and perspective:

First, please allow me to briefly highlight my background because I am writing this letter of support for Reptilia's request for exemption to By-law 95-212, and as a private citizen only; I am not representing my employer. As a scientist, educator and student, I have worked with amphibians and reptiles since 1964. To date, I have authored or co-authored about 400 peer-reviewed science publications. As a professional educator, I taught The Biology of Amphibians and Reptiles at UCLA and the University of Toronto, among other courses, and have sponsored

many graduate students at the UofT and in China. I have served on graduate student committees in the University of Guelph, Mexico, Chinese Academy of Sciences and elsewhere. I am an elected member of the Executive Council of the World Congress of Herpetology (the study of amphibians and non-avian reptiles), serve on the Council of the Vertebrate Genomes Project as the coordinator for reptiles and hold various editorial positions. Some of my former students now hold faculty positions in Canadian, US and Chinese universities, and one former student is the Vice president for Protected Area Establishment and Conservation in Parks Canada. Three of my former students have worked at Reptilia, and I maintain a close friendship and professional association with two of them. This certifies that I am familiar with Reptilia's operations and educational goals.

My research mostly involves amphibians and non-avian reptiles, but also extends to virology, all other vertebrate groups, and invertebrates. Some publications center on conservation, biodiversity, methods of data gathering and analysis, and also other topics. I hold a faculty appointment in Canada and three appointments in China. As a field-based biologist, I have worked extensively in North America, including Mexico, as well as Australia and Southeast Asia. I am an Ontario Court-certified witness in cases involving amphibians and reptiles, and have worked with the IUCN. I am extremely familiar with CITES as I use their permits often multiple times each year. I have served as the Chair of an Animal Care Committee. On the academic website ResearchGate, I am normally the most frequently read member from the Department of Ecology and Evolutionary Biology at the University of Toronto.

This training and experience leads to my perspectives on Reptilia's application.

Education value: Like Reptilia, I do not support keeping large snakes, venomous reptiles\ and wild-caught animals as pets.

That said, Reptilia and zoos serve the public by maintaining and displaying these incredible animals, and Reptilia effectively delivers the critical message that such species should not be purchased and kept as pets. Given social media outlets such as YouTube, and many online sources to purchase animals, there is no hiding these animals from public view and access. Indeed, it is estimated that about 3% of 122.8M American households (ca. 3.7M households) keep amphibians and reptiles as pets. Knowledge allows for informed decision-making.

There is great educational and emotional value in touching a reptile. The eyes of a child's first touch of a snake open wide in amazement, and so do those of many adults. Touching builds empathy for the animals, which is invaluable in the current plight of all species. Reptiles are not cold and slimy. Such experience can eliminate fear and gain respect for wildlife, which can

preclude decapitating or stoning a garter snake to death. This is where local conservation begins. It's great to see pictures of animals in books, or videos on YouTube, but there's nothing quite like personalizing experiences. Public engagement and awareness are essential for local conservation initiatives, and this starts with hands-on experience. Reptilia's message of "leave it alone" provides one avenue for appreciating much-maligned species.

Reptilia is also involved in bio-survey monitoring in GTA, and at their own cost. They, and their volunteers, support the conservation by providing and monitoring cover for reptiles and amphibians. Other initiatives do the same.

Previous feedback: I have read the feedback and reports submitted to Toronto re. Reptilia's request for a similar exemption. I assume the same group of people will submit similar feedback to your Council as well, so I will offer my alternative perspective on two of the greatest concerns for which I have knowledge.

Zoonotic disease: Much ado has been made by those who do not support Reptilia about the potential for zoonotic disease associated with reptiles and amphibians, but this was not put into scientific perspective. The absence of perspective suggests biased, yellow journalism that relies on old data. Such is very unbecoming of "experts" because science should be objective.

Previous concerns about salmonella, a bacterial disease, provide an example of non-objective feedback. Consider only the following publically available data from USA's Center for Disease Control (CDC): "CDC estimates *Salmonella* bacteria cause about 1.35 million infections, 26,500 hospitalizations, and 420 deaths in the United States **every year** [emphasis added]. Food is the source for most of these illnesses" (<https://www.cdc.gov/salmonella/index.html>).

Taken alone, the numbers are quite alarming, but they pale when put it into perspective. Nowadays, annual infections from all sources including food involve about 0.4% of the US population. In comparison, guns (ca. 38k), automobile accidents (>38k) and drug overdoses (>70k) kill far more people. Nowadays, data reveal 44 cases linked to bearded dragons (lizards) and 87 cases to small turtles in total during the past 5 years, and only one other lizard and no snake has been linked to infections. In comparison, onions (892 cases) are a far greater source of infection than reptiles, as are backyard poultry (1135 cases). This occurs even though up to 90% of reptiles carry some form of *Salmonella*. (The infection rate in herbivorous lizards and terrapins will not change because babies must eat adult feces to inoculate themselves with the gut flora needed to digest plant materials—sorry). Thus, the number of cases in reptiles pales in the light of the danger posed by food.

Further to this, Reptilia estimates that almost 1M people have been involved in their educational initiatives involving controlled touching of reptiles and without a single linked

case of infection. Thus, Reptilia's scientifically protocols have successfully minimized the possibility of infection.

This unbiased perspective suggests that concerns about zoonotic occurrences via Reptilia constitute a red herring, perhaps put forth as a scare tactic designed to suppress the expansion of Reptilia and its concomitant education programmes. In fact, Reptilia emphasizes the need for cleanliness when handling animals. Their programmes are an effective form of educating the public on conservation, the keeping of pets and how to avoid a zoonotic infection.

Animals care: Reptilia has a staff veterinarian. In fact, Reptilia provides feedback and advice to Ontario's only veterinarian training centre at the University of Guelph. Here, again, Reptilia provides a public service. Note that CAZA has accredited Reptilia, and both CAZA and Provincial AWS inspectors provide welcomed feedback. Reptilia seeks this feedback and responds positively and rapidly to their suggestions.

Reptilia provides relatively large housing for their species, and this usually provides more space than similar housing at Toronto Zoo. Display animals are kept in simulated native habitats and attention is paid to the potential needs of species. For example, most snakes have sufficient space to stretch themselves. Nutrition is monitored closely and in a way that precludes growth abnormalities, such as "domed shells" in turtles. Caloric intake and water are designed to simulate each species' occurrence in nature. For example, desert species are not given open access to water, but rather water is offered to them occasionally (and most often they do not drink it).

Reptilia occasionally rehomes abandoned pets. The alternative is for the public to release them where they may compete with native species, or euthanize them, neither of which Reptilia supports. Venomous animals are never rehomed to the public, but rather only to CAZA accredited institutions. In such cases, the animals may be housed temporarily in restricted yet adequate caging while in quarantine.

In summary, Reptilia safely fills a curiosity-driven, educational niche. Its success attests to public interest in its services and overall support. I encourage you to be responsive to this need by granting the exemption to By-law 95-212.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'M' or 'W' followed by a flourish.



Corporate Report City Council

Report from: Engineering, Facilities and Environmental Services, Transportation Services / Financial Management Services, Director

Report Date: January 5, 2022

Meeting Date: January 31, 2022

Report Number: EFES-FMS-001-2022

File: 77.37.3; 77.37.1

Subject: Amending Agreement for Intermunicipal Agreement related to Vision Zero

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars:



Recommendation

That Council authorize the entering of an amending agreement to the Niagara Region Courts Inter-Municipal Agreement for a term of three years from the effective date for the purposes of advancing the Region's Vision Zero Program; and

That the Mayor and Clerk be authorized to execute the Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement; and

That Council approve the creation of a Road Safety Reserve to deposit the City's funds received from the Niagara Region related to the Vision Zero Program; and

That the Transportation Services Division of EFES and the Budget Division of FMS develop a policy for the usage of the Road Safety Initiatives Reserve in accordance with provincial guidelines; and

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

Summary

The purpose of this report is to obtain Council approval to enter into an amending agreement to the Intermunicipal Agreement (IMA) related to the Vision Zero Program being implemented by the Niagara Region.

The IMA is the agreement between all the local area municipalities (LAMs) and the Regional Municipality of Niagara, entered into in April 2000, that provides for the joint undertaking of Provincial Offences Court administration, support, prosecution and the apportionment of costs and revenue. Amendments to the agreement require the consent of all parties.

The Vision Zero Program requires significant upfront capital investment by the Region and will see ongoing operating costs to the Region and, as such, City staff agree that the Region should be permitted to recover its Vision Zero Program implementation and operating costs, from the gross Vision Zero Program revenues, prior to distribution of the net Vision Zero Program revenues pursuant to sections 8.2 and 8.3 of the IMA.

Additionally, with respect to the City's actions, the creation of a Road Safety Initiatives Reserve and the creation of a companion policy, to adhere to provincial guidelines for the City's net Vision Zero revenues received, is also recommended.

Relationship to Strategic Plan

Council approval to enter into this amending agreement supports the Economic Prosperity pillar through the potential additional revenue stream for the City to fund road safety initiatives.

The Social Well-Being pillar is also supported through improved road user safety and an enhanced overall experience in interaction with the transportation network for all modes and users, as well as the potential to reduce greenhouse gas emissions for an improved environment for our communities and residents. This is consistent with the policies and direction in the newly adopted Transportation Master Plan.

Background

Vision Zero is a multi-national road safety initiative that aims to achieve a road network with no fatalities or serious injuries involving road traffic. The Niagara Region's Vision Zero Program will include Automated Speed Enforcement (ASE) and Red-Light Cameras (RLC). The Program was approved as part of the Region's 2020 budget contingent on successful negotiations of a revised IMA with the LAMs to address apportionment of revenue and costs of the program. Accordingly, Regional staff received authorization from Regional Council to initiate discussions with the LAMs regarding the required amendments to the IMA and were directed to report back to Regional Council on the outcome of those discussions in November 2019 ([PW 64-2019](#)).

Report

Regional staff have indicated that the Vision Zero Program is critical to enhancing road safety for all residents of and visitors to Niagara, and accordingly, are seeking to advance implementation of the Program in or about Q2 2022. However, the implementation of the Vision Zero Program by the Region requires a significant upfront investment and, as such, the Region is seeking to amend the current IMA to allow the

Region to recover its Vision Zero Program Implementation and Operating Costs from the gross Vision Zero Program revenues, prior to distribution of the net Vision Zero Program revenues pursuant to sections 8.2 and 8.3 of the IMA. Regional staff received authorization from Regional Council to initiate discussions with the LAMs regarding the required amendments to the IMA in November of 2019 (PW 64-2019).

Region staff initially met with the LAMs' treasurers and CAOs in March 2019, with follow-up discussions with the CAO group in September 2019. The delay in discussions was a result of staff's attention being allocated to pandemic response, with a renewed focus on the initiative in Fall 2020. Regional presentations and discussions have centred on program overview, financial implications and proposed amendments to the IMA with guiding principles of improving road safety and equitable financial outcomes.

The current IMA was approved by the 12 LAMs and the Niagara Region on April 26, 2000. The IMA includes a revenue sharing arrangement between the Region and the 12 LAMs, whereas 50% of net revenues obtained through the IMA are retained by Niagara Region and 50% of net revenues are shared with the LAMs. In its current form, this would apply to net Vision Zero revenues as well. However, due to the financial implication to the Region, Regional Council have expressed support for an amendment to the IMA that would allow the Region to recover the costs of the Program from gross revenues to ensure it is financially sustainable and share net revenues 50/50 with the LAMs. The Amending Agreement includes a requirement to report to Regional Council on an annual basis regarding operational costs and technical performance of the Vision Zero Program and the use of the net Vision Zero Program revenues to ensure transparency.

An amendment to the IMA requires approval of all 12 LAMs and the Region. If the Amending Agreement is not approved by all LAMs, the Program, based on the current Regional Council approval and Regional Staff assessment of financial viability, would not proceed.

The Amending Agreement attached as **Appendix 1** is proposed for a term of three years from the Effective Date and includes an opportunity for the parties, on or about two years from the Effective Date, to engage in discussions to collectively review available data related to the Program for purposes of considering long-term projections and plans for the Program. This could include possible sites for future capital investment and any further amendments that may be required to the IMA. A minimum commitment of three years is being requested to get the Program up and running. This will allow the Region to ensure there is enough data to assess the Program to support that it is making a difference to driver behaviour and improving road safety.

There is financial risk initially as there are many unknowns associated with volumes, staffing levels required, timing and collections of infraction revenue, etc. A minimum of three years of 100% of the Vision Zero infraction revenue in excess of Court Services' operating costs is anticipated to be required to cover the Region's investment over those three years. The establishment of the Program will require significant upfront investment and ongoing operating costs, including but not limited to equipment

installation, leasing and maintenance costs, infrastructure upgrades, communication, and education.

Infractions issued under the Program will be processed through Niagara Region Provincial Offences Court which is administered by the Court Services division of the Niagara Region. Under the revenue sharing methodology prescribed by the IMA, the Region and the 12 LAMs share net revenues 50/50; this would include net revenues realized as a result of the Program.

As part of the 2020 Regional Operating Budget, Regional Council approved a business case for the Program (Appendix 2). That business case outlined costs to be incurred for both Court Services and the Niagara Region (in the transportation and business licensing divisions) in the first full year of operations of approximately \$4 million annually with a break-even ticket volume of approximately 32,500 tickets. It is anticipated that the tickets generated from the Program will allow for enough funds to cover both the increased costs in Court Services as well as to cover the costs to implement and operate the program in the first one to three years. The Program has been included in the Court Services 2022 operating budget with an estimated start date of Q2 2022 and revenues equal to expenditures. There are no anticipated net revenues available for distribution in relation to the Program in 2022.

**Table 1 – Three Year Operating Expense Budget Impacts
(in millions)**

	2021	2022	2023
Niagara Region*	\$1.75	\$2.32	\$2.27
Court Services	1.07	1.69	2.05
Total	\$2.82	\$4.00	\$4.31

*Transportation and Business Licensing

(Table 1 – Information based on original business case presented in the Region's 2020 operating budget. The stated years to be updated to reflect the program starting in Q2 2022.)

According to Provincial Guidelines, any municipal revenue collected under a Municipal ASE program that exceeds the costs of delivering the Municipal ASE program is required to be used to support local public safety and educational initiatives. Based on this guideline, all revenue that exceeds the costs of delivering the Program would be used for future reinvestment into the Program. Reinvestment includes such things as strategically expanding technology, intersection improvements, geometrics, street lighting, signage, pavement markings and pedestrian crossovers, communications, and education platforms.

Therefore, the Region Transportation Services Division shall use its share of the net Vision Zero Program revenues exclusively for the operation and enhancement of the Vision Zero Program. The Amending Agreement similarly provided that the LAMs agree to use their share of the net Vision Zero Program revenues exclusively either: (a) for

Vision Zero road safety projects and initiatives in their own municipality; or (b) to support the Region's operation and enhancement of the Vision Zero Program to be in alignment with Provincial requirements.

Given that the charges issued under the Program are processed by Court Services through the Provincial Offences Court, infraction revenue from the Program will flow through Court Services similar to other traffic ticket revenue. Vision Zero related infraction revenue will be segregated and will be used firstly to offset the Program Court costs incurred by Court Services; and then to fund the capital and operating costs associated with the implementation and operation of the Program. Any remaining revenue will be distributed pursuant to sections 8.2 and 8.3 of the IMA.

If the Program gross revenues are less than the Court Costs at the end of any fiscal year, the Region will provide funding to cover the deficit from the Region's share of the net revenue distribution, so that the net revenues distributed to all municipalities, with the exception of the Region, are not negatively impacted by the Program. In subsequent years, any net Program revenues will first be used to repay the Region for previous years' deficit and then used for the operation and reinvestment in the Program.

Region Transportation staff are participating in a working group established by the Ontario Traffic Council related to possible legislation being considered by the Province that would permit municipalities to process vision zero related charges outside of the Provincial Offences Court through an Administrative Monetary Penalty System (AMPS); similar to the way local area municipalities currently deal with parking by-law offences. If the legislation is approved and implemented, charge revenue related to the Program would not flow through the POA courts, and there would be a need to establish and resource an AMPS framework to manage these charges in its place.

It is anticipated that the Niagara Regional Police Service will continue to allocate similar resources to policing roads throughout the region and would be able to shift their focus to areas outside of the ASE and RLC areas.

Financial Implications

The Region is taking a financial risk with the capital investment for this project. The 12 LAMs will share in any net revenues after initial capital investment and ongoing operating costs at rate of 50/50 with the Niagara Region; however, it is not expected that there will be any net revenues distributions to the LAMs in year one (2022) of the Vision Zero Program.

As directed by Provincial guidelines, municipalities shall use their share of net Vision Zero program revenues exclusively either: (a) for vision zero road safety projects and initiatives in their own municipality; or (b) to support the Region's operation and enhancement of the Vision Zero Program. Therefore, City staff will create a reserve policy for the Road Safety and Initiatives Reserve to align with these provincial guidelines.

In addition, the City will provide to the Region information necessary and in the form and frequency required in order for the Region to complete Provincial reporting requirements.

Finally, the Amending Agreement to the IMA term is for three years from the effective date. The Region and the LAMS will engage on or about two years from the effective date in discussions to collectively review the available data related to the Vision Zero Program Court Costs, charges, gross revenues, technical performance and trends for purposes of considering long-term projections and plans for the Vision Zero Program, including possible sites for future capital investment in the Vision Zero Program and any potential future amendments that may be required to the IMA.

Environmental Sustainability Implications

Benefits offered through the proposed program are not only realized through road safety, but they can also assist in environmental sustainability. Generally, higher speeds reduce fuel efficiency and generates more pollution per kilometre. Areas with lower average speeds and with fewer accelerations and decelerations overall promote a better driving style and driving habits. Constant, slower speeds produce fewer particulate emissions as well as wear and tear on vehicles (brakes and tires).

Moderate speed reductions or traffic calming in certain settings can also aid in greater uptake towards the shift towards active transportation as cyclists and pedestrians feel safer with slower traffic. Active transportation then lends to increased equity by including more general access to various modes of transportation and the demographic who use the public street.

The transportation sector is the largest single source of Greenhouse Gas emissions in Canada. These outcomes, while minor, will help advance the City's objective of reducing local greenhouse gas emissions and reducing environmental pollution.

Conclusion

City staff recommend that Council provide its approval to enter into an amending agreement for the IMA related to the Region's Vision Zero Program, as this program is intended to improve road safety and change driving habits within Niagara. There is also the potential for the City to receive some additional revenues after year one to be used toward road safety initiatives, for which a reserve would be created.

Notifications

Beth Brens, Acting Associate Director of Financial Reporting and Analysis, Niagara Region

Carolyn Ryall, Director of Transportation Services, Niagara Region

Prepared and Submitted by

Brian Applebee, Manager Transportation Services

Kristine Douglas, Director Financial Management Services / City Treasurer

Approved by

Anthony Martuccio, Director Engineering, Facilities and Environmental Services
Kristine Douglas, Director Financial Management Services / City Treasurer

Appendices

- Appendix 1 – Amending Agreement to Inter-Municipal Agreement
- Appendix 2 – Niagara Region Business Case for Vision Zero Program

NIAGARA REGION COURTS INTERMUNICIPAL AGREEMENT- AMENDMENT 2

This Agreement dated the _____ day of _____, 20_____.

BETWEEN:

THE CORPORATION OF THE TOWN OF FORT ERIE
(hereinafter called "Fort Erie")

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWN OF GRIMSBY
(hereinafter called "Grimsby")

OF THE SECOND PART

-and-

THE CORPORATION OF THE TOWN OF LINCOLN
(hereinafter called "Lincoln")

OF THE THIRD PART

-and-

THE CORPORATION OF THE CITY OF NIAGARA FALLS
(hereinafter called "Niagara Falls")

OF THE FOURTH PART

-and-

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
(hereinafter called "Niagara-on-the-Lake")

OF THE FIFTH PART

-and-

THE CORPORATION OF THE TOWN OF PELHAM
(hereinafter called "Pelham")

OF THE SIXTH PART

-and-

THE CORPORATION OF THE CITY OF PORT COLBORNE
(hereinafter called "Port Colborne")

OF THE SEVENTH PART

-and-

THE CORPORATION OF THE CITY OF ST. CATHARINES
(hereinafter called "St. Catharines")

OF THE EIGHTH PART

-and-

THE CORPORATION OF THE CITY OF THOROLD
(hereinafter called "Thorold")

OF THE NINTH PART

-and-

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
(hereinafter called "Wainfleet")

OF THE TENTH PART

-and-

THE CORPORATION OF THE CITY OF WELLAND
(hereinafter called "Welland")

OF THE ELEVENTH PART

-and-

THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN
(hereinafter called "West Lincoln")

OF THE TWELFTH PART

-and-

THE REGIONAL MUNICIPALITY OF NIAGARA
(hereinafter called "the Region")

OF THE THIRTEENTH PART

WHEREAS, by the Niagara Regional Court Intermunicipal Agreement dated April 26, 2000 (the “Intermunicipal Agreement”), all parties agreed, among other thing things, to appoint the Region as Agent to undertake the court administration, support and prosecution program for the operation of the Provincial Offences Court on behalf of all municipalities;

AND WHEREAS effective November 22, 2005, the Parties amended the Intermunicipal Agreement to update Schedule A entitled “Reporting Relationships”;

AND WHEREAS the Region wishes to proceed with the implementation of the Vision Zero Program, which among other things would include enforcement of the *Highway Traffic Act* through Automated Speed Enforcement and Red Light Camera enforcement for purposes of enhancing traffic safety for the benefit of all visitors to and residents of the region of Niagara;

AND WHEREAS in order for the Region’s implementation of the Vision Zero Program to be financially sustainable, the initial capital and ongoing operating costs to establish and operate the Vision Zero Program would need to be fully supported by the fines received through charges issued under the Vision Zero Program that will be processed through the Court;

AND WHEREAS the Council of the Region have approved the Vision Zero Program subject to an amendment to the Intermunicipal Agreement regarding the apportionment of costs and revenue to ensure that the Vision Zero Program is financially sustainable in the long term;

NOW THEREFORE in consideration of the promises, mutual covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto agree as follows:

1. Definitions

In this Amending Agreement:

“Effective Date” means the date upon which the first Certificate of Offence issued pursuant to the *Provincial Offences Act* for a charge under the Vision Zero Program is filed with the Court;

“Vision Zero Program” means the Vision Zero Road Safety Program to be administered by the Region that includes without limitation: enforcement of the *Highway Traffic Act* through Automated Speed Enforcement (ASE), Red Light Camera (RLC) enforcement and such other automated technology-based traffic enforcement tools that may be approved for use by the Province from time to time; infrastructure upgrades such as street lighting, signage and intersection improvements; and, communication and educational programs; all for purposes of enhancing traffic safety for all road users;

“Vision Zero Program Court Costs” means the Court costs and expenses related to administration, prosecution, adjudication of Vision Zero Program charges, including all staffing costs, fees and collection costs incurred by the Agent in processing charges issued under the Vision Zero Program; and,

“Vision Zero Program Implementation and Operating Costs” means the costs incurred by the Region related to initial establishment of the Vision Zero Program approved by the Council of the Region as part of the 2020 Regional budget approval process, being comprised of (a) the capital costs of the installation of 10 RLC units and 4 ASE units; and, (b) the ongoing operating costs and expenses to administer the Vision Zero Program, subject to annual adjustments as may required pursuant to applicable agreements, including but not limited to:

- i. all staffing and training;
- ii. consulting services;
- iii. equipment fees, operation and maintenance;
- iv. fees and charges imposed pursuant to agreements required to be entered into by the Region to implement the Vision Zero Program, including by the Ministry of Transportation and the Joint Processing Centre;
- v. communication and public education; and
- vi. related infrastructure maintenance such as signage, pavement markings and intersection improvements.

2. The parties acknowledge that implementation of the Vision Zero Program by the Region requires significant upfront investment and ongoing operating costs and as such agree that the Region shall be permitted to recover its Vision Zero Program Implementation and Operating Costs from the gross Vision Zero Program revenues, prior to distribution of the net Vision Zero Program revenues pursuant to sections 8.2 and 8.3 of the Intermunicipal Agreement.
3. The Region shall use its share of the net Vision Zero Program revenues exclusively for the operation and enhancement of the Vision Zero Program. The Municipalities shall use their share of the net Vision Zero Program revenues exclusively either: (a) for vision zero road safety projects and initiatives in their own municipality; or (b) to support the Region’s operation and enhancement of the Vision Zero Program. Recognizing the Provincial reporting to be undertaken by the Region regarding the Vision Zero Program and revenue use; the Municipalities shall report to the Region in such form and with such frequency as necessary to achieve alignment with Provincial reporting requirements from time to time, and in any case at least annually, as to their use of their share of the net Vision Zero Program revenues.
4. Regional Staff shall report to the Council of the Region on an annual basis regarding: Vision Zero Program Implementation and Operating Costs; the use of the Region’s share of the net Vision Zero Program revenues; and the technical performance of, and any proposed enhancements to, the Vision Zero Program.

5. The costs of the Program, as defined in the Intermunicipal Agreement, will be adjusted as a part of the annual budget process in accordance with section 7.1 of the Intermunicipal Agreement as necessary to address any change in Vision Zero Program Court Costs required to accommodate the volume of charges processed pursuant to the Vision Zero Program and shall be recovered by the Agent from gross revenues in accordance with section 8.1 of the Intermunicipal Agreement.
6. The Agent will track the Vision Zero Program Court Costs and revenues separately to the extent reasonably possible for inclusion in the annual budget and financial reporting submitted to the Board from time to time, and the report provided to the Council of the Region pursuant to section 4 of this Amending Agreement.
7. In the event that the gross Vision Zero Program revenues are less than the Vision Zero Program Court Costs at the end of any fiscal year, the Region will provide funding to cover the deficit from the Region's share of the net revenue distribution pursuant to section 8.2 of the Intermunicipal Agreement, so that the net revenues distributed to all Municipalities, with the exception of the Region, pursuant to section 8.3 of the Intermunicipal Agreement are not negatively impacted by the Vision Zero Program. In subsequent years, any net Vision Zero Program revenues will first be used to repay the Region for previous years' deficit, prior to distribution of the net Vision Zero Program revenues pursuant to sections 8.2 and 8.3 of the Intermunicipal Agreement.
8. The Region agrees to notify the parties in writing of the date that the first Certificate of Offence issued for a charge under the Vision Zero Program is filed with the Court for purposes of confirming the Effective Date of this Amending Agreement.
9. The term of this Amending Agreement will be three (3) years from the Effective Date. The parties agree that on or about two (2) years from the Effective Date they will engage in discussions to collectively review available data related to the Vision Zero Program compiled as of that date, including but not limited to Vision Zero Program Court Costs, charges, gross revenues, technical performance and trends for purposes of considering long-term projections and plans for the Vision Zero Program including possible sites for future capital investment in the Vision Zero Program and any potential future amendments that may be required to the Intermunicipal Agreement.
10. This Amending Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
11. The acceptance of this Amending Agreement may be communicated by facsimile or email transmission reproduction between the Parties, and such reproduction will be binding upon the Parties with the same effect as an executed original of the Amending Agreement.

12. Save and except as modified herein, the provisions of the Intermunicipal Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have executed this Amending Agreement:

Dated at _____, this _____ day of _____, 20____.

THE CORPORATION OF THE TOWN OF FORT ERIE

Per:

Name:

Title:

Name:

Title:

Dated at _____, this _____ day of _____, 20____.

THE CORPORATION OF THE TOWN OF GRIMSBY

Per:

Name:

Title:

Name:

Title:

Dated at _____, this _____ day of _____, 20____.

THE CORPORATION OF THE TOWN OF LINCOLN

Per:

Name:

Title:

Name:
Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE CITY OF NIAGARA FALLS

Per:

Name:
Title:

Name:
Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Per:

Name:
Title:

Name:
Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE TOWN OF PELHAM

Per:

Name:
Title:

Name:

Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE CITY OF PORT COLBORNE

Per:

Name:

Title:

Name:

Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE CITY OF ST. CATHARINES

Per:

Name:

Title:

Name:

Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE CITY OF THOROLD

Per:

Name:

Title:

Name:

Title:

Dated at _____, this _____ day of _____, 20_____.

**THE CORPORATION OF THE TOWNSHIP OF
WAINFLEET**

Per:

Name:
Title:

Name:
Title:

Dated at _____, this _____ day of _____, 20_____.

THE CORPORATION OF THE CITY OF WELLAND

Per:

Name:
Title:

Name:
Title:

Dated at _____, this _____ day of _____, 20_____.

**THE CORPORATION OF THE TOWNSHIP OF WEST
LINCOLN**

Per:

Name:
Title:

Name:
Title:

Dated at _____, this _____ day of _____, 20_____.

THE REGIONAL MUNICIPALITY OF NIAGARA

Per:

Name:
Title:

Name:
Title:

Vision Zero Road Safety Program - 2020 Operating Budget Business Case

Public Works-Levy - Transportation Planning; Business Licensing; Court Services

Initiative Start Date: January 01, 2020

Reason for Business Case: Operating Project

Description of program change:

Vision Zero is a multi-national road traffic safety project that aims to achieve a road network with no fatalities or serious injuries involving road traffic. The Vision Zero Road Safety Program strives to eliminate traffic fatalities and serious injuries on Niagara regional roads; while increasing safe, healthy, equitable mobility for all road users.

The implementation of the Vision Zero Road Safety Program will impact the Regional Transportation, Business Licensing and Court Services Operating Budgets, at an estimated annual gross cost, including the mandatory Victim Fine Surcharge paid to the Ministry of the Attorney General, of approximately \$5 – \$5.8 million (\$3.5 million in 2020 for a partial year of operation, dependent upon timing and duration of implementation).

Transportation Services will be responsible for the operation of the Vision Zero program, including monitoring, evaluation and expansion. Budgeted costs include equipment-related costs, ticket processing charges through a Joint Processing Centre (JPC), MTO charges, staffing and other and are estimated at approximately \$2.28 million on an annual basis (\$1.725 million in 2020 for partial year of operation).

Business Licensing will act as the Provincial Offences Officer and will be responsible for the processing the delivery of the tickets between the JPC and Court Services. Annual costs are estimated at approximately \$34,000.

Infractions issued under the Vision Zero Road Safety Program will be processed through Niagara Region Provincial Offences Court which is administered by Court Services. Costs are estimated at \$2.7 – \$3.5 million annually and include the Victim Fine Surcharge, as well as adjudication and court-related costs, ticket processing and staffing costs (\$1.8 million in 2020 for partial year of operation). Costs are expected to increase if ticket volumes increase over time.

The operating costs for the program are conservatively estimated to be fully recovered from fine infraction revenue. However, this is dependant upon the ability of Niagara Region to recover its full operating costs, which would require an amendment to the Niagara Region Courts Inter-municipal Agreement net revenue sharing formula which is currently based on a 50/50 sharing between the Region and the LAMs. Therefore, negotiations with the LAMs are required and have been authorized by Council. Staff will engage the LAMs to review the Niagara Region Courts Inter-Municipal Agreement as it pertains to net revenues from the Vision Zero Road Safety Program to ensure the program is fiscally sustainable to the Region.

It is important to note that the Vision Zero program will not proceed and no costs will be incurred under this program unless an agreement can be reached with the LAMs and the Inter-Municipal Agreement is successfully amended with respect to the sharing of revenues and operational costs, and therefore no net revenue has been included in the 2020 budget.

Niagara Region experiences a high collision fatality rate when compared to other jurisdictions in Southern Ontario. Deployment of Automated Speed Enforcement (ASE) cameras at school zones and community safety zones, reference to the Province of Ontario Safer School Zones Act - 2017, will facilitate the municipal adoption of this technology on roads with speed limits under 80 km/h in school and community safety zones.

Vision Zero Road Safety Program - 2020 Operating Budget Business Case

Red Light Cameras (RLCs) have been operating in the Province since November 2000 and have so far been installed in 7 Ontario municipalities. The RLC program and processes are well established and respected for their consistency and quality. For legal and practical reasons, all components of the program, from the equipment used through to the processing of the violations, are identical for all participating municipalities within Ontario.

RLCs are an effective safety tool since they reduce the incidence of motorists running red lights. Red light running is one of the causes of angle or "t-bone" collisions, the most severe type of collision that often results in serious injuries. A review of Niagara Region's collision database indicated that there are an average of 60 right-angle collisions at signalized intersections per year. The most reliable statistics currently available suggest that RLCs can reduce the frequency of right-angle collisions by 25%.

Business Reasons for Program Change:

For many years, Niagara Region Staff have been dealing with concerns raised by residents regarding speeding on regional roads. Speeding is a primary crash factor and a leading road safety problem, often contributing to fatal crashes and serving as an aggravating factor in most crashes. A review of Niagara Region's collision data to-date shows that the total number of collisions are continuously increasing on Niagara regional roads.

A step forward to adopting a Vision Zero Road Safety Plan in Niagara Region; helping to reduce aggressive driving and speeding by enhancing a safe systems approach, and drawing solutions from engineering, enforcement, education, engagement and evaluation. Those solutions focus on 6 emphasis areas of pedestrians, cyclists, motorcyclists, school-aged children, older adults and aggressive and distracted driving.

Supports Council's Strategic Priorities: Businesses and Economic Growth, Healthy and Vibrant Community, Responsible Growth and Infrastructure Planning, Sustainable and Engaging Government

Niagara Region HOW WE GO Transportation Master Plan defined programs and infrastructure improvements required to address transportation and growth needs from today through to 2041. One of the main goals is to provide integrated network of roads and highways for the safe movement of people and goods.

The proposed Vision Zero Road Safety Program is a critical part in building a safe and inclusive community. It is an important mechanism to remove barriers for equity seeking groups by prioritizing vulnerable road users. Niagara Region is undergoing significant change and by 2041 will have grown and evolved on economic, demographic, social and technological fronts. This recommendation will support growth and enhance Niagara globally by promoting an integrated network of roads and highways for the safe movement of people and goods.

Vison Zero Road Safety Program - 2020 Operating Budget Business Case

Staffing Impact:

14 Permanent, Full Time, 1 Student - Non-Union and CUPE 1287

Total Cost of Staffing Position: - 2020 \$933,303, 2021 - \$1,177,839

Staffing Implementation Date: January 01, 2020

The implementation of the Vision Zero program will require additional staffing complement in both Transportation Services and Court Services as detailed below:

Transportation Services - 2 permanent, full-time non-union project manager FTE's and 1 non-union student will be required to implement, monitor and expand the Vision Zero program in future.

Court Services - 12 permanent, full-time FTE's, 1 non-union and 11 unionized CUPE 1287, will be required to manage the significant increase in ticket volumes that will be processed through the Court system with the implementation of the Vision Zero program. The non-union position will be a Prosecution Coordinator position. The unionized positions will consist of 9 Court Clerks and 2 Trial Coordinators.

Vison Zero Road Safety Program - 2020 Operating Budget Business Case

Financial Impact Summary	Current Year Impact		Multi Year Impact	
	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>Beyond</u>
Gross Expenditures	3,546,591	5,058,960	5,759,125	-
Gross Revenues	(3,546,591)	(5,058,960)	(5,759,125)	-
Net Impact to levy	-	-	-	-
% Change over prior year	0.000%			

Prepared by Division Manager:
Reviewed by Program Financial Specialist:
Approved by Director / Commissioner:

Sulaf Al Karawi/ Jackie Foley
Brian McMahon/ Sara Mota
Carolyn Ryall/ Donna Gibbs/Angelo Apfelbaum

VISION ZERO ROAD SAFETY PROGRAM

		Total Vision Zero		
		2020	2021	2022
Revenue:				
	Gross Ticket Revenue	\$ 3,546,591	\$ 5,058,960	\$ 5,759,125
	less: Victim Fine Surcharge expense	(723,710)	(1,057,160)	(1,447,420)
	Net Ticket Revenue	\$ 2,822,881	\$ 4,001,800	\$ 4,311,705
Expenses:				
Transportation Services	Equipment Costs	\$ 388,292	\$ 714,356	\$ 319,390
	Ticket Processing Costs	601,625	804,250	1,143,250
	Staffing	282,899	288,557	294,328
	Other	452,500	475,000	475,000
		1,725,316	2,282,163	2,231,968
Business Licensing	Processing and Delivery Costs	\$ 26,528	\$ 34,089	\$ 34,092
Court Services	Staffing	\$ 650,404	\$ 889,282	\$ 1,178,678
	Courtroom Costs	240,300	529,600	532,800
	Ticket Processing Costs	108,000	148,500	216,000
	Other	72,333	118,167	118,167
		1,071,037	1,685,548	2,045,645
Total Expenses (excluding Victim Fine Surcharge)		\$ 2,822,881	\$ 4,001,800	\$ 4,311,705
Net Revenue (Cost)		\$ -	\$ -	\$ -

Red Light Camera (RLC)		
2020	2021	2022
\$ 878,977	\$ 1,444,309	\$ 1,052,475
(138,320)	(276,640)	(276,640)
\$ 740,657	\$ 1,167,669	\$ 775,835
\$ 290,978	\$ 581,956	\$ 186,990
93,125	126,250	126,250
115,098	117,400	119,748
72,500	95,000	95,000
571,701	920,606	527,988
\$ 3,626	\$ 6,193	\$ 6,197
\$ 124,213	\$ 168,637	\$ 169,161
19,700	39,400	39,656
6,750	13,500	13,500
14,667	19,333	19,333
165,330	240,870	241,650
\$ 740,657	\$ 1,167,669	\$ 775,835
\$ -	\$ -	\$ -

Automated Speed Enforcement (ASE)		
2020	2021	2022
\$ 2,667,615	\$ 3,614,651	\$ 4,706,650
(585,390)	(780,520)	(1,170,780)
\$ 2,082,225	\$ 2,834,131	\$ 3,535,870
\$ 97,314	\$ 132,400	\$ 132,400
508,500	678,000	1,017,000
167,801	171,157	174,580
380,000	380,000	380,000
1,153,615	1,361,557	1,703,980
\$ 22,902	\$ 27,896	\$ 27,896
\$ 526,191	\$ 720,645	\$ 1,009,517
220,600	490,200	493,144
101,250	135,000	202,500
57,667	98,833	98,833
905,708	1,444,678	1,803,994
\$ 2,082,225	\$ 2,834,131	\$ 3,535,870
\$ -	\$ -	\$ -

Total Expenses per above (excluding Victim Fine Surcharge)	\$ 2,822,881	\$ 4,001,800	\$ 4,311,705
add: Victim Fine Surcharge Costs	723,710	1,057,160	1,447,420
Total Expenses including Victim Fine Surcharge	\$ 3,546,591	\$ 5,058,960	\$ 5,759,125

\$ 740,657	\$ 1,167,669	\$ 775,835
138,320	276,640	276,640
\$ 878,977	\$ 1,444,309	\$ 1,052,475

\$ 2,082,225	\$ 2,834,131	\$ 3,535,870
585,390	780,520	1,170,780
\$ 2,667,615	\$ 3,614,651	\$ 4,706,650



Corporate Report City Council

Report from: Office of the Chief Administrative Officer

Report Date: January 28, 2022

Meeting Date: January 31, 2022

Report Number: CAO-015-2022

File: 10.4.19

Subject: COVID-19 Update – January 31, 2022

Strategic Pillar: This report aligns with the following St. Catharines Strategic Plan pillars: economic, social, environmental and cultural.



Recommendation

That Report CAO-015-2022, regarding COVID-19 Update – January 31, 2022, be received for information.

Summary

The purpose of this report is to provide Council with ongoing updates on the City's Municipal Emergency Control Group's (MECG) planning activities to address the rapidly evolving global COVID-19 pandemic from a strategic and proactive approach.

For the latest information on resurgence and recovery, visit <http://www.EngageSTC.ca> and the City's social media platforms. For more information on City services and facilities, or to report a concern relating to COVID-19, visit www.stcatharines.ca/COVID19.

Relationship to Strategic Plan

City staff is responding to the COVID-19 pandemic as it has affected the economic, social, environmental and cultural sustainability of the city. City staff have prioritized their objectives to heavily focus on recovery efforts of COVID-19 to mitigate the impact on the community and support the sustainably pillars through new and innovative ways.

Background

On March 12, 2020, the City of St. Catharines partially activated its Emergency Operations Centre (EOC), to support the work of the Municipal Emergency Control Group (MECG) in their response to COVID-19 pandemic and the provision of essential services.

Details regarding the MECG's preparedness, response, recovery and future planning can be found in this report.

Report

The COVID-19 pandemic continues to pose a serious threat to the community as well as the City's ability to provide all levels of service in the same manner as they were previously delivered.

The MECG continues to respond to the pandemic proactively and has been diligently planning for potential future developments. The MECG continues to be dedicated to the safety of staff and the community, while ensuring essential services continue to be delivered without interruption and focusing on recovery and resurgence.

MECG's planning and decisions are guided by their four key objectives:

1. To focus on recovery while continuing to provide essential services;
2. To ensure the health, safety and security of the public and staff during the pandemic and through the recovery process;
3. To continue to be able to support Niagara Health, Public Health, Niagara Region and our other partners; and
4. To ensure the organization remains in a financially stable condition during this pandemic.

Move to Modified Step Two of the Roadmap to Reopen

Effective January 31, 2022, the Ontario government, in consultation with the Chief Medical Officer of Health, will begin to cautiously and gradually ease public health measures implemented earlier in the month on January 5, 2022.

The province is beginning to see signs of stabilization in key public health and health system indicators, and, as a result, will begin to gradually ease public health measures over the next several months, with at least 21 days between each step.

Effective January 31, 2022, Ontario will ease a number of restrictions, including:

- Increasing social gathering limits to 10 people indoors and 25 people outdoors.
- Increasing or maintaining capacity limits at 50 per cent in indoor public settings, including but not limited to: Restaurants, bars and other food or drink establishments without dance facilities; Retailers (including grocery stores and pharmacies); Shopping malls.
- Increasing or maintaining capacity limits at 50 per cent in indoor public settings, including but not limited to: Non-spectator areas of sports and recreational fitness facilities, including gyms; Cinemas; Meeting and event spaces; Recreational amenities and amusement parks, including water parks; Museums, galleries, aquariums, zoos and similar attractions; Casinos, bingo halls and other gaming establishments; Religious services, rites, or ceremonies.

- Allowing spectator areas of facilities such as sporting events, concert venues and theatres to operate at 50 per cent seated capacity or 500 people, whichever is less.

Enhanced proof of vaccination and other requirements would continue to apply in existing settings.

Effective February 21, 2022, Ontario will continue to lift public health measures, including:

- Increasing social gathering limits to 25 people indoors and 100 people outdoors.
- Removing capacity limits in indoor public settings where proof of vaccination is required, including but not limited to restaurants, indoor sports and recreational facilities, cinemas, as well as other settings that choose to opt-in to proof of vaccination requirements.
- Permitting spectator capacity at sporting events, concert venues, and theatres at 50 per cent capacity.
- Limiting capacity in most remaining indoor public settings where proof of vaccination is not required to the number of people that can maintain two metres of physical distance.
- Indoor religious services, rites or ceremonies limited to the number that can maintain two metres of physical distance, with no limit if proof of vaccination is required.
- Increasing indoor capacity limits to 25 per cent in the remaining higher-risk settings where proof of vaccination is required, including nightclubs, wedding receptions in meeting or event spaces where there is dancing, as well as bathhouses and sex clubs.

Enhanced proof of vaccination and other requirements would continue to apply in existing settings.

Effective March 14, 2022, Ontario will lift additional public health measures, including:

- Lifting capacity limits in all indoor public settings. Proof of vaccination will be maintained in existing settings in addition to other regular measures.
- Lifting remaining capacity limits on religious services, rites, or ceremonies.
- Increase social gathering limits to 50 people indoors with no limits for outdoor gatherings.

Full details, including all public health and workplace safety measures for each step will be shared as Ontario progresses through its reopening plan.

Facility Impact

As of January 31, 2022, most City facilities – including City Hall, sport and recreation facilities, and the St. Catharines Museum – will be permitted to reopen under the new public safety measures implemented by the Province. These re-openings will happen when facilities can be safely staffed and social distancing and other public safety

measures can be adhered to. Where possible, staff will continue to offer services online or deliver them through alternate channels, including by appointment.

Specifically, the following facilities will reopen on January 31, 2022, with restrictions:

City Hall

- Open by appointment which can be booked online at st.catharines.ca/CityHall
- Remote service delivery options will continue to be offered

St. Catharines Museum and Welland Canals Centre

- Open to the public with 50% capacity limit, including gift shop
- Outdoor viewing platform open

Arenas

- Open to the public with 50% capacity for participants and spectators, including dressing rooms (12-person limit per room)
- Public programming to resume

Community Centres (Russell Avenue and Port Weller)

- Open to the public with 50% capacity

Older Adult Centres

- Open to the public with 50% capacity

St. Catharines Kiwanis Aquatics Centre

- Open to the public with 50% capacity, including changerooms

Recreational and Older Adult Programming

- Reservations are required for most drop-in-style programs (public skating, leisure swimming, pickleball, chair yoga, etc.), register online starting Jan. 29 at stcatharines.ca/ActiveSTC
- Classes and other registration-based programming (programs with multiple instalments), including swimming lessons, will resume at the start of the spring programming session in April
- Participants are asked to arrive no more than 15 minutes before their program's start time

With facilities reopening several COVID-19 prevention requirements will be in place at City facilities, in line with Provincial directives:

- Proof of vaccine required for individuals aged 12 and up. An [enhanced vaccine certificate with QR code](#) is required.
- Screening and contact tracing information is required on entry. Individuals can complete screening ahead of time on the day of their visit at www.stcatharines.ca/VisitorScreening.
- Masks required.
- Physical separation of two metres must be maintained unless explicitly stated otherwise.

As Ontario progresses through its reopening steps, staff will continue to adjust how facilities provide services to residents.

Additional information regarding COVID-19 updates can be found online on the City's COVID-19 Update webpage.

Vaccine Rollout Update

Niagara Region Public Health and its partners at Niagara Health, Pharmacies, and Local Health Care Providers continue to rollout vaccinations throughout the region. As of January 26, 2022, over 82% of Niagara residents have been vaccinated with the first dose and over 77% of residents have been fully vaccinated (two doses). Vaccine clinics continue to be operational, and vaccine pop-up clinics continue to be made available to the public across the region to support walk-ins and the overall vaccine rollout.

As booster eligibility continues to expand, eligible individuals will be able to book their booster dose through the COVID-19 Vaccination Portal or by calling the Provincial Vaccine Contact Centre.

Financial Implications

A comprehensive financial update was recently provided to Council via report [CAO-006-2022](#).

The COVID-19 pandemic is continually changing and impacting the City's financial position. City staff will continue to monitor the fluidity of the situation and provide updates to Council as required.

Environmental Sustainability Implications

There are no environmental implications associated with this report.

Conclusion

The COVID-19 pandemic continues to evolve and is still a threat to the community. The MECG will continue to implement proactive responses and plan for potential developments with the safety and well-being of the community and staff at the forefront.

The MECG will continue to focus on resurgence and recovery for the City of St. Catharines while remaining committed to MECG's four objectives.

For the latest information on resurgence and recovery, visit <http://www.EngageSTC.ca> and the City's social media platforms. For more information on City services and facilities, or to report a concern relating to COVID-19, visit www.stcatharines.ca/COVID19.

Prepared and Submitted by

The City of St. Catharines Municipal Emergency Control Group (MECG)

Approved by

David Oakes, Chief Administrative Officer



By-laws to be considered Monday, January 31, 2022

- (a) A By-law to authorize the acceptance of a conveyance of certain lands from 2841157 Ontario Ltd. for road widening along Forest Hill Drive. (One reading – with respect to severance application regarding 124 South Drive. Delegation of Powers and Duties By-law No. 2020-156.)
- (b) A By-law to authorize a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario (the “Ministry”). (One reading – with respect to use of dedicated gas tax funds under the 2021-2022 Dedicated Gas Tax Funds for Public Transportation Program. Delegation of Powers and Duties By-law No. 2020-156.)
- (c) 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 removal of the Holding (24H) designation that applies to all properties within the City of St. Catharines in relation to licensing program to regulate operation of short-term rentals. Delegation of Powers and Duties By-law No. 2020-156.)
- (d) A By-law to amend By-law No. 95-212 entitled "A By-law to regulate the keeping of animals". (One reading – with respect to authorizing Reptilia Inc. to operate at 285 Geneva St. To be considered by Council, January 31, 2022.)
- (e) A By-law to authorize a Niagara Region Courts Intermunicipal Agreement-Amendment 2. (One reading – with respect to implementation and advancing of the Region’s Vision Zero Program. To be considered by Council, January 31, 2022.)
- (f) A By-law to confirm the proceedings of council at its meeting held on the 31st day of January 2022. (One reading - with respect to confirming the proceedings of the meeting held on January 31, 2022.)