

The "FORTIETH MEETING" (SPECIAL) of the Port Colborne City Council was held for purposes of a Public Hearing under the *Planning Act* at the Municipal Offices, 66 Charlotte Street, Port Colborne on Monday, October 22, 2012 commencing at approximately 6:30 p.m.

ATTENDANCE

Mayor Vance Badawey presided with the following members in attendance:

COUNCILLORS

	W. Steele
A. Desmarais	Y. Doucet
F. Danch	
R. Bodner	B. Butters

Absent: D. Elliott (due to work commitment), B. Kenny (due to vacation)

REGIONAL COUNCILLOR

Absent: D. Barrick (due to prior commitment)

STAFF

R. Heil, Chief Administrative Officer
A. Grigg, City Clerk
R. Hanson, Director of Engineering & Operations
D. Aquilina, Director of Planning & Development
K. Thomas, Manager of Accounting/Tax Collector/Acting City Treasurer
H. Hakim, Manager of Community Services
S. McIntyre, Licencing Clerk
H. Mahon, Recording Clerk

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

CALL MEETING TO ORDER – MAYOR VANCE BADAWEY

1. **PRAYER**

Councillor Doucet delivered the prayer.

2. **NATIONAL ANTHEM**

Joel Longfellow sang O Canada.

3. **CONFIRMATION OF THE AGENDA**

No. 280 Moved by Councillor Y. Doucet
Seconded by Councillor R. Bodner

That the Agenda of the Special Meeting of Council of October 22, 2012 be confirmed as circulated.

CARRIED.

4. **DISCLOSURES OF INTEREST**

Nil.

5. PUBLIC HEARING UNDER THE PLANNING ACT

**(a) ADOPTION OF A COMMUNITY IMPROVEMENT PLAN UNDER SECTION 28
Department of Planning and Development, Report No. 2012-77, Subject:
Public Meeting: Niagara Gateway Economic Zone and Centre Community
Improvement Plan**

(i) PURPOSE OF MEETING

Dan Aquilina advised that the purpose of the meeting, pursuant to Sections 17 & 28 of the *Planning Act*, is to present the proposed Niagara Gateway Economic Zone and Center Community Improvement Plan.

(ii) METHOD OF NOTICE

Mr. Aquilina advised that the "Notice of Public Meeting" was administered in accordance with Section 17(15) and 22(1) of the *Planning Act* as amended, Section 3 of *Ontario Regulation 543/06*.

The Notice of Public Meeting was published in the October 4, 2012 edition of Niagara This Week and also posted on the City of Port Colborne's website. Mr. Aquilina indicated that no written comments were received as of October 22, 2012.

(iii) EXPLANATION OF PROCEDURE TO BE FOLLOWED

Mr. Aquilina advised that the procedure to be followed would be to present Department of Planning & Development Report No. 2012-77, to hear any comments from Council to planning staff, to open the meeting to the public for comments and questions, to announce the requirements under the *Planning Act* for written notice request of passage of the proposed adoption of the Community Improvement Plan, and to provide a brief explanation of future meetings regarding the application.

(iv) PRESENTATION OF THE COMMUNITY IMPROVEMENT PLAN

Mr. Aquilina provided highlights of the Niagara Gateway Economic Zone and Centre Community Improvement Plan (CIP) as follows:

Mr. Aquilina advised that the CIP being presented is unique in that it was prepared by RCI Consulting for the Region of Niagara in conjunction with the five affected municipalities – Fort Erie, Niagara Falls, Port Colborne, Thorold, and Welland.

Mr. Aquilina advised that one of the primary goals of the Gateway CIP is to create economic benefits through the retention and creation of new jobs.

Mr. Aquilina made reference to the Community Improvement Project Area schedule and noted that the areas highlighted in pink were identified as Strategic Locations for Investment. Port Colborne's strategic locations are identified as the Welland Canal Green Manufacturing and Assembly Zone. Mr. Aquilina further noted that the yellow shaded areas identified the Urban Area Boundaries and anything outside of the urban area is not included in the CIP. Mr. Aquilina advised that the Region decided it was not going to include areas outside of the Urban area as requested by the City.

Mr. Aquilina then described the two incentive programs provided within the Gateway CIP; the Tax Increment Based Grant Program and the Development Charge Grant Program in detail.

Mr. Aquilina advised that it is important to note that Council directed City staff to look into creating an Industrial CIP plan for the City. City staff has worked alongside the Region, but the Region felt it was premature for the City to adopt their own plan knowing that the Region's plan was in progress. Mr. Aquilina further noted that Port Colborne is the only municipality who has their own Industrial CIP plan and Council will need to decide what to do with this plan if anything, once the Gateway CIP is considered for approval.

(v) QUESTIONS OF CLARIFICATION TO APPLICANT/PLANNING STAFF

Mayor Badawey questioned Mr. Aquilina on whether the Region's plan will augment the City's plan by offering investors more incentives. Mr. Aquilina concurred; however, he doesn't believe the Region will match the City's funds within the Industrial CIP.

Councillor Butters questioned whether there will still be additional incentives from the City as well as funds available from the Southwestern Economic Fund. Mayor Badawey responded that they will have a better idea later when the report is available as it will outline the steps to take. There will be different opportunities for the private sector from the Province, the Region and the City. He further noted that investors will be able to take advantage through the Region's overall economic strategy and the City with its more than 300 acres of employment lands.

Mr. Aquilina read the following cautionary statements into the record:

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before the proposed Niagara Gateway Economic Zone and Centre Community Improvement Plan is approved, the person or public body is not entitled to appeal the decision of the City of Port Colborne to the Ontario Municipal board."

And;

"If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before the proposed Niagara Gateway Economic Zone and Centre Community Improvement Plan is approved the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party."

(vi) ORAL PRESENTATIONS AND/OR QUESTIONS BY PUBLIC

John Mayne, 119 Adelaide Street, was in attendance and enquired about the eligibility criteria for the Development Charge Grant. Mr. Aquilina responded that if the proposal considers employment in the Niagara Gateway Economic Zone and Centre, then it will be eligible for consideration of the grant.

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

Mr. Aquilina advised that if anyone wishes "to be notified of the adoption of the proposed Niagara Gateway Economic Zone and Centre Community Improvement Plan, they must make a written request to the Clerk. Only those persons and public bodies that give the Clerk a written request for the adoption by-law will be given notice."

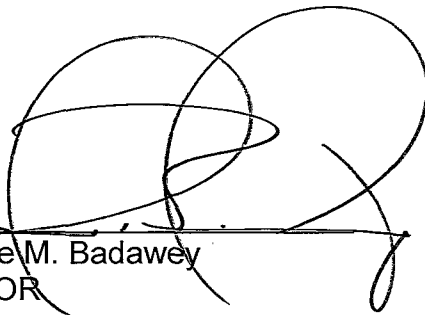
(viii) EXPLANATION OF FUTURE MEETINGS

Mr. Aquilina advised that this concludes the Statutory Public Hearing, held pursuant to Sections 17 & 28 of the *Planning Act*. The proposed amendment will be considered by Council at the last meeting in November.

6. ADJOURN


No. 281 Moved by Councillor Y. Doucet
Seconded by Councillor W. Steele

That there being no further business, the Special Meeting be adjourned at approximately 6:46 p.m.
CARRIED.


Vance M. Badawey
MAYOR



Ashley Grigg
CITY CLERK

AG/hm



What is a Community Improvement Plan?

- Municipalities in Ontario are prohibited by the Municipal Act from providing grants/loans to promote development, i.e., "bonusing rule".
- A Community Improvement Plan (CIP) provides an exception to this rule.
- A CIP provides the guiding framework for municipal actions and incentives to promote improvement of a Community Improvement Project Area.
- Once adopted by municipal council, a CIP allows a municipality to provide grants and loans to owners, tenants and assignees and undertake infrastructure and other improvements in a coordinated manner.
- CIPs:
 - Are a long term strategic investment, not a quick fix;
 - Have long-term benefits that outweigh short-term costs;
 - Have a proven track record of producing significant results in Niagara;





Goals of the Gateway CIP

- **Primary**
 - Revitalize, strengthen and diversify the Regional economy.
 - Improve attractiveness of employment lands in the Gateway Economic Zone and Centre.
 - Create and retain jobs.
 - Increase property assessment and the non-residential tax base.
 - Develop energy efficient sustainable employment buildings.
- **Secondary**
 - Increase opportunities for cross border trade, goods movement and tourism.
 - Increase attractiveness of Niagara as an economic centre to international market.
 - Support entrepreneurs and small business growth.






Community Improvement Project Area

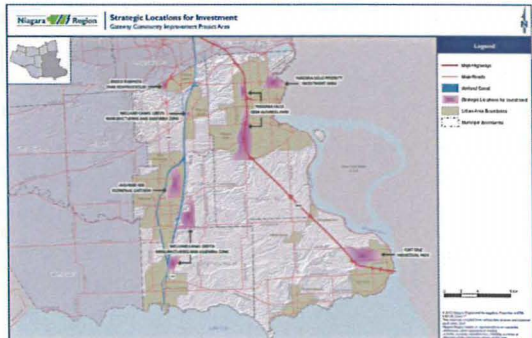
- 5 Local Municipalities with employment lands in Niagara Gateway Economic Zone and Centre - Fort Erie, Niagara Falls, Port Colborne, Thorold, and Welland.
- Gateway Community Improvement Project Area defined as: *all designated employment lands in the settlement areas within Welland, Port Colborne, Niagara Falls, Fort Erie and Thorold, as amended from time to time.*
 - "designated employment lands" = lands designated in Local Official Plan for employment uses; and,
 - "settlement areas" = urban area, villages or hamlets.
- Gateway Employment Lands Study identifies "Strategic Locations for Investment".
- Community Improvement Project Area and Strategic Locations for Investment conform to definitions/direction in key policy documents and reflect consultation input from stakeholders.







Community Improvement Project Area

Strategic Locations for Investment
Gateway Community Improvement Project Area







Incentive Programs


1) Tax Increment Based Grant Program (TIBG)


- Economic Performance (max. 15 points) scored based on combination of job creation and project construction value as follows:

Full-time Jobs Created/Retained	Points
1-9	5
10-19	6
20-34	7
35-50	8
51-74	9
75-100	10
100+	11

PLUS

Construction Value (from building permit)	Points
\$200,000 - \$1,999,999	1
\$2,000,000 - \$9,999,999	2
\$10,000,000 - \$39,999,999	3
\$40,000,000+	4





Incentive Programs


1) TIBG (Cont'd)


- Environmental Design Performance (max. 5 points)
 - All projects must conform to Region's Model Urban Design Guidelines or Local Municipal Design Guidelines that conform to the Region's Guidelines
 - Points scored based on LEED certification or conformity of project with Region's new Smart Growth Design Criteria (to be developed) as follows:

Level of LEED Certification	Points
LEED	2
LEED Silver	3
LEED Gold	4
LEED Platinum	5

OR

Region's Smart Growth Design Criteria	Points
Conforms with 70% of Smart Growth Design Criteria	2
Conforms with 80% of Smart Growth Design Criteria	3
Conforms with 90% of Smart Growth Design Criteria	4
Conforms with 100% of Smart Growth Design Criteria	5





Incentive Programs

1) TIBG and DC Grant Programs

Scoring System Matrix (total points)

Total Score	Tax Increment Based Grant Level
0-7	No Grant
8	40%
9	45%
10	50%
11	55%
12	60%
13	65%
14	70%
15	75%
16	80%
17	85%
18	90%
19	95%
20	100%

2) Development Charge Grant Program

- Exceptional project is approved TIBG Program project that scores high on both economic performance and environmental design performance (14+ total points).
- DC Grant is a one-time payment equal to % of DC paid in green shaded area with payment capped at \$1.5 million.
- Amount of DC Grant is not deducted from TIBG to be paid to applicant, i.e., no offset.

