

City of Mississauga
Corporate Report



<p>Date: February 25, 2020</p> <p>To: Mayor and Members of Council</p> <p>From: Paul Mitcham, P.Eng, MBA, Commissioner of Community Services</p>	<p>Originator's files:</p>
	<p>Meeting date: April 1, 2020</p>

Subject

Canadian Coast Guard Divestment of Navigational Aids in Port Credit

Recommendation

1. That the Commissioner of Community Services be authorized to execute an agreement with Her Majesty the Queen, as represented by the Minister of Fisheries and Oceans with regard to the divestment of navigational aids at the mouth of the Credit River, and any amendments or ancillary documents thereto, in a form satisfactory to the City Solicitor.
2. That all necessary by-laws be enacted.

Report Highlights

- As an agency of the Ministry of Fisheries and Oceans, the Canadian Coast Guard (CCG) completes a Level of Service (LOS) reviews for marine navigational aids every 5, years to determine if they are exceeding their level of service requirements.
- The 2018 LOS review for navigational aids in Port Credit determined that the CCG was exceeding its service levels for the harbour, as it has transitioned from a commercial port to a recreational port.
- CCG has approached the City to determine if we would accept the divestment of seven navigational aids in a state of good repair.
- Staff recommend the City accept the divestment of six navigational aids to ensure continuity of navigational aids at Port Credit and provide safety to the mariners using the harbour.
- Staff do not support accepting the divestment of the seventh navigational aid at this time as the aid is not located on City-owned or leased lands.
- Any future maintenance or replacement costs would be absorbed by existing Park Operations operating budgets.

Background

The Canadian Coast Guard (CCG) completes Level of Service (LOS) reviews for marine navigational aids in systems across Canada approximately every 5 years, or when triggered by something warranted (eg. change in traffic or types of users at a harbour). CCG initiated a LOS review of the marine navigational aids in Port Credit in late 2018 and have prepared recommendations for the City to consider.

The LOS review determined that CCG is exceeding its level of service requirements for Port Credit, as it now predominately services recreational users as opposed to commercial users. The primary recommendation is for CCG to divest all aids to the municipality after replacing the existing structures to bring them into a state of good repair. However, if divestment is not accepted by the City, the secondary recommendation is for CCG to discontinue all navigational aids in Port Credit.

It is the responsibility of the landowner to determine if they want to mark hazards, obstructions and channels for mariners accessing their facilities. As such, staff recommends that the City accept the navigational aids given the Credit Village Marina in Port Credit. There would be considerable safety issues, risk and liability, if the aids were discontinued entirely since mariners currently rely on them to navigate existing hazards within the harbour (please see Figure 1 for a map of the aids).

Consultations with Risk Management and Legal Services staff have occurred and they agree that the City should pursue this divestment opportunity. Legal Services has reviewed the Bill of Sale received from the Ministry of Fisheries and Oceans and will negotiate, as necessary, its terms and conditions.

Comments

CCG has indicated that should the divestment process be accepted by the City:

1. CCG will forward the divestment procedures and paperwork to the necessary parties;
2. CCG will replace the existing navigational aids prior to divestment with remote-controlled solar powered LED lights:
 - a. LL #521:Port Credit East Breakwater – located on eastern most breakwater;
 - b. LL #523:Port Credit East Breakwater Extension – located on the Ridgetown; and
 - c. LL #525:Port Credit Inner Harbour – located on JJ Plaus Pier;
3. Floating aids MC1, MC3, MC5 – replace with similar buoys
4. CCG will provide City staff with all necessary information, documentation, advice, and expertise to maintain the aids; and
5. CCG will provide support, in terms of future design if the City is interested in establishing new or modifying aids so they are safe and effective for mariners.

One additional navigational aid in Port Credit Harbour, LL #522 Port Credit West Breakwater, is located on lands owned by Canada Lands Company (CLC) and leased to a private marina operator. Staff do not support accepting the divestment of the aid at this time as the aid is not located on City-owned or leased lands.

CCG provided information that has been collected since 1995 in terms of maintenance of the aids to be divested. At most, there were seven outages reported since 1995, with the last outage being reported in 2013.

Due to the condition of the Ridgetown, a lighted buoy will be installed by CCG to replace the navigational aid (#LL523) currently on the boat. The buoy would alleviate health and safety concerns related to accessing the lighted mast on the boat. Permission is not required for the installation of the buoy as long as they meet the requirements in the Private Buoy Regulations, issued by Transport Canada.

CCG's maintenance staff inspected the aids once a year, as well as relying on mariners, members of the public and the National Navigational Warning (NAVWARN) system to inform them of any issues. They would anticipate that with the divestment, local mariners would report it to the Marina directly. Mariners may also send an email through the NAVWARN system which would then be forwarded to the City. The City would need to develop an inspection program for the navigational aids during our operating season (May 1 to October 31).

Once the season is closed for the winter (November 1 to April 30), the City can send a notice to the NAVWARN system indicating such and inspections and maintenance of the aids would not need to occur in winter months.

If the City feels that the mariner use of Port Credit harbour changes, the City can trigger a LOS review with the CCG to see if they would then re-assume the navigational aids.

Financial Impact

There are no financial impacts resulting from the recommendations in this report. Any future maintenance or replacement costs would be absorbed by existing Park Operations operating budgets.

Conclusion

The Canadian Coast Guard has determined through a Level of Service review that they are currently exceeding their requirements for navigational aids in Port Credit. The CCG approached the City to divest of these aids, and committed to bringing them into a state of good repair before completing the divestment. To ensure continuity of service at Port Credit, staff recommend accepting the divestment.

Attachments

Appendix: Port Credit Navigational Aids



Paul Mitcham, P.Eng, MBA, Commissioner of Community Services

Prepared by: Jamie Ferguson, Manager, Parks Services