THE REGIONAL MUNICIPALITY OF NIAGARA
COUNCIL ORDER OF BUSINESS

CL 12-2020

Thursday, July 23, 2020

6:30 p.m.

Meeting will be held by electronic participation only

All electronic meetings can be viewed on Niagara Region's website at:

https://www.niagararegion.ca/government/council/

Due to the efforts to contain the spread of COVID-19 the Council Chamber will not be open to the public to attend Council meetings until further notice. To view live stream meeting proceedings, please visit: niagararegion.ca/government/council

---

Pages

1. CALL TO ORDER

2. ADOPTION OF AGENDA

   2.1 Addition of Items

   2.2 Changes in Order of Items

3. DISCLOSURES OF PECUNIARY INTEREST

4. PRESENTATIONS

5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

6. DELEGATIONS

6.1 Declaration between Niagara Region and the Indigenous Friendship Centres of Niagara - Addendum to the AMO-OFIFC Declaration (Agenda Item 11.2)

6.1.1 Jennifer Dockstader, Executive Director, Fort Erie Native Friendship Centre — 13 - 14
The delegation submission is attached to this agenda item as CL-C 53-2020.

6.2 Letter from A Better Niagara respecting Diversity and Inclusiveness (Agenda Item 8.2.1)

6.2.1 Haley Bateman, Resident, City of St. Catharines — 15 - 19
The delegation submission has been updated and is attached to this agenda item as CL-C 54-2020 Revised.

6.2.2 Vicki-Lynn Smith, Resident, City of St. Catharines — *20 - 21*
The delegation submission is attached to this agenda item as CL-C 69-2020.

This delegation request was received after the deadline. The request must be considered by Council.

6.3 Supplemental Information - Options to Consider for Mandating Face Coverings (Agenda Item 10.1)

6.3.1 Geoffrey Aldridge, Resident, Town of Fort Erie — 22 - 28
The delegation submission has been updated and is attached to this agenda item as CL-C 55-2020 Revised.

7. ADOPTION OF MINUTES

7.1 Council Minutes CL 9-2020 — 29 - 45
Thursday, June 25, 2020

7.2 Council Minutes CL 10-2020 (Special Meeting) — 46 - 51
Wednesday, July 8, 2020

8. CORRESPONDENCE

8.1 Receive and/or Refer

8.1.1 CL-C 50-2020 — 52 - 58
A memorandum from M. Maxwell, Manager, Public Health Communications & Engagement, dated July 23, 2020, respecting Public Communications regarding Facial Coverings.

Recommended Action: Receive.

8.1.2 CL-C 51-2020 — 59 - 60
A memorandum from F. Meffe, Director, Human Resources, dated July 23, 2020, respecting Medical Officer of Health / Associate Medical Officer of Health Compensation Initiative.

Recommended Action: Receive.

8.1.3 CL-C 52-2020 — 61 - 66
A memorandum from F. Meffe, Director, Human Resources, dated July 23, 2020, respecting Response to Councillor Information Requests from the Budget Review Committee of the Whole meeting held on June 25, 2020, regarding Layoffs.

Recommended Action: Receive.

8.1.4 CL-C 56-2020 — 67 - 68
An email from C. Ventura, resident, City of St. Catharines, dated July 10, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.5 CL-C 57-2020 — 69 - 71
An email from K. Nelson-Riley, resident, City of St. Catharines, dated July 10, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.6 CL-C 58-2020 — 72 - 73
An email from J. Rice, resident, Town of Pelham, dated July 12, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.7 CL-C 59-2020 — 74 - 75
A letter from Dr. G. Fearon, President and Vice-Chancellor, Brock University, dated July 17, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.8 *CL-C 63-2020* *76 - 77*
An email from D. Grenke, resident, Town of Fort Erie, dated July 17, 2020, respecting face coverings.

8.1.9 *CL-C 64-2020* *78 - 79*
An email from Dr. Kate Bezanson, Associate Dean, Faculty of Social Sciences, and Associate Professor Sociology, Brock University, dated July 17, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.10 *CL-C 65-2020* *80 - 81*
An email from I. Friedl, resident, Town of Lincoln, dated July 18, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.11 *CL-C 66-2020* *82 - 83*
A letter on behalf of the Council of Covenant Canadian Reformed Church Grassie, dated July 17, 2020, respecting Proposed Mandatory Mask By-law.

Recommended Action: Receive.

8.1.12 *CL-C 67-2020* *84*
A letter from V.-L. Smith, on behalf of Niagara Region Anti-Racism Association, dated July 20, 2020, respecting By-law - Mandatory masking in public.

Recommended Action: Receive.

8.1.13 *CL-C 70-2020* *85 - 86*
An email from R. Atalick, Owner/Master Instructor, Niagara Kung Fu Academy, dated July 21, 2020, respecting mandatory face masks.

Recommended Action: Receive.

8.1.14 *CL-C 71-2020* *87*
A letter from Portage Medical Family Health Team, dated July 16, 2020, respecting Mandatory Masking in Enclosed Public Spaces Niagara Falls/Niagara Region.

Recommended Action: Receive.

8.1.15 *CL-C 72-2020* *88 - 106*

A memorandum from A.-M. Norio, Regional Clerk, dated July 23, 2020, respecting Face Covering By-laws in St. Catharines, Niagara-on-the-Lake and Mississauga.

Recommended Action: Receive.

8.1.16 *CL-C 73-2020* *107 - 108*

A memorandum from C. Habermebl, Director, Waste Management Services, dated July 23, 2020, respecting Waste Management Long Term Strategic Plan – PWC-C 23-2020.

Recommended Action: Receive.

8.1.17 *CL-C 75-2020* *109 - 110*

A memorandum from A.-M. Norio, Regional Clerk, dated July 23, 2020, respecting Notice of Procedural By-law Amendment.

Recommended Action: Receive.

8.1.18 *CL-C 76-2020* *111 - 113*

An email from L. Ugulini, resident, Town of Pelham, dated July 21, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.19 *CL-C 77-2020* *114 - 116*

An email from D. Jones, resident, City of Niagara Falls, dated July 22, 2020, respecting face coverings.

Recommended Action: Receive.

8.1.20 *CL-C 78-2020* *117*

An email from D. Grimes, resident, Town of Fort Erie respecting face coverings.

Recommended Action: Receive.

8.1.21 *CL-C 80-2020* *118*

A memorandum from D. Barnhart, Executive Officer to the Regional Chair, dated July 23, 2020, respecting The Established Practice for Identifying an Official Representative of the Niagara Region.

Recommended Action: Receive.

8.2 For Consideration

8.2.1 CL-C 36-2020 — 119 - 120
A letter from A Better Niagara, dated June 18, 2020, respecting diversity and inclusiveness.

This item was deferred by Council at its meeting held on June 25, 2020.

8.2.2 CL-C 60-2020 — 121 - 123
Niagara Peninsula Conservation Authority Letter of Support Request

8.2.3 CSD 46-2020 — 124 - 129
2020 COVID-19 Cash Flow Update Report - July

8.2.4 CSD 47-2020 — 130 - 143
COVID-19 Financial Impacts Update

8.2.5 CL-C 74-2020 — 144 - 149
A memorandum from Dr. A. Feller, Associate Medical Officer of Health, dated July 23, 2020, respecting Improved Guidance for Food and Restaurant Establishments.

9. COMMITTEE REPORTS - OPEN SESSION

9.1 Budget Review Committee of the Whole — Zalepa — 150 - 197
Minutes BRCOTW 1-2020, Thursday, June 25, 2020

9.2 Public Works Committee — Rigby — 198 - 464
Minutes PWC 6-2020, Tuesday, July 14, 2020

9.3 Public Health and Social Services Committee — Greenwood — 465 - 591
Minutes PHSSC 6-2020, Tuesday, July 14, 2020

9.4 Corporate Services Committee — Foster — 592 - 653
Minutes CSC 6-2020, Wednesday, July 15, 2020

9.5 Planning and Economic Development Committee — Huson — 654 - 874
Minutes PEDC 6-2020, Wednesday, July 15, 2020

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.1 CAO 16-2020 — 875 - 923
Supplemental Information - Options to Consider for Mandating Face Coverings

10.2 CAO 18-2020 924 - 966
Organizational Structure Overview 2011-Present

11. MOTIONS

11.1 Continued Initiatives for Economic Stimulation and Recovery Diodati 967
In accordance with the notice and submission deadline requirements of Sections 18.1 (b) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Diodati a motion to be brought forward for consideration at the June 25, 2020 Council meeting respecting Continued Initiatives for Economic Stimulation and Recovery.

11.2 Signing of the AMO-Ontario Federation of Indigenous Friendship Centres - Declaration of Mutual Commitment and Friendship with Niagara Region and Friendship Centre Support Redekop 968 - 974
In accordance with the notice and submission deadline requirements of Sections 18.1 (b) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Redekop a motion to be brought forward for consideration at the July 23, 2020 Council meeting respecting the Ontario Federation of Indigenous Friendship Centres - Declaration of Mutual Commitment and Friendship with Niagara Region and Friendship Centre Support.

12. NOTICES OF MOTION

13. OTHER BUSINESS

14. CLOSED SESSION

14.1 Council Minutes - Closed Session

14.1.1 Council Minutes CL 9-2020, Closed Session June 25, 2020

14.2 Committee Reports - Closed Session

14.2.1 Public Works Committee - Closed Session
Closed Session Minutes PWC 6-2020
Tuesday July 14, 2020

14.2.2 Corporate Services Committee - Closed Session (Wednesday, July 15, 2020)

14.3 Confidential Reports Submitted Directly to Council

14.3.1 Confidential CL-C 49-2020
A Matter of Advice that is Subject to Solicitor-Client Privilege under s.239(2) of the Municipal Act, 2001 - Proposed On-Demand Transit Pilot

15. BUSINESS ARISING FROM CLOSED SESSION

16. BY-LAWS

16.1 Bill 2020-40 — 975 - 976
A by-law to accept, assume and dedicate Block 41, Plan 59M476, in the Town of Pelham as a part of Regional Road No. 54 (Rice Road).

16.2 Bill 2020-41 — 977 - 978
A by-law to accept, assume and dedicate Part of Township Lot 156, City of Niagara as part of Regional Road No. 98 (Montrose Road).

16.3 Bill 2020-42 — 979 - 980
A by-law to accept, assume and dedicate part of Township Lot 173 in the City of Niagara Falls as part of Regional Road No. 49 (McLeod Road).

16.4 Bill 2020-43 — 981 - 1006
A by-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of $18,660,600.00 ($707,000.00 principal amount of 5 year instalment debentures and $17,953,600.00 principal amount of 10 year instalment debentures) for capital works of the cities Of St. Catharines and Welland.

16.5 Bill 2020-44 — 1007 - 1027
A by-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of $15,525,400.00 ($1,213,776.00 principal amount of 5 year instalment debentures and $14,311,624.00 principal amount of 10 year instalment debentures) for capital works of the Regional Municipality of Niagara.

16.6 Bill 2020-45 — 1028 - 1044
A by-law to provide for the borrowing upon instalment debentures in the aggregate of the principal amounts authorized by By-law No. 2020-41 and By-law No. 2020-42 in the aggregate principal amount of $34,186,000.00 ($1,920,776.00 principal amount of 5 year instalment debentures and $32,265,224.00 principal amount of 10 year instalment debentures) and for the issuing of one series of instalment debentures therefor.

16.7 Bill 2020-46 1045 - 1051

A by-law to require the wearing of face coverings in enclosed public places during the COVID-19 pandemic.

Note: The preparation and consideration of this proposed by-law is dependent on Council's consideration of Memorandum CAO 16-2020.

16.8 Bill 2020-47 1052 - 1053

A by-law to delegate authority to the Director of Transportation to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000.

16.9 Bill 2020-48

A by-law to amend By-law 120-2010 the Procedural By-law to allow Electronic Meeting Participation for Sub-Committees and Advisory Committees.

This by-law has been removed from the agenda as noted in Correspondence Item CL-C 75-2020.

16.10 Bill 2020-49 1054 - 1056

A by-law to amend By-Law No. 48-2012 being a By-Law to remove highways from the Regional Road System in the Town of Grimsby.

16.11 Bill 2020-50 1057

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on July 23, 2020.

17. ADJOURNMENT

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisor at 905-980-6000 ext. 3252 (office), 289-929-8376 (cellphone) or accessibility@niagararegion.ca (email).

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Request to Speak at a Standing Committee
Date: Thursday, July 16, 2020 8:17:14 AM
Attachments: Declaration between Niagara Region and the Native Friendship Centres (Executive Director-Jenn Dockstader).docx

---

From: Niagara Region Website
Sent: Thursday, 16 July 2020 08:16:47 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee

Request to Speak at a Standing Committee

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

Name
Jennifer Dockstader

Address
796 Buffalo Road

City
Fort Erie

Postal
L2A-5H2

Phone
+1 09058718931

Email
ExecutiveDirector@fenfc.org

Organization
Fort Erie Native Friendship Centre

standing committee
Regional Council

Presentation Topic
Declaration between the Niagara Region and the Friendship Centres

Presentation includes slides
No

Previously presented topic
No

Presentation Details
Declaration between Niagara Region and the Indigenous Friendship Centres of Niagara Addendum to the AMO-OFIFC Declaration

Video Consent
Yes

Support_File_1
Declaration between Niagara Region and the Native Friendship Centres (Executive Director-Jenn Dockstader).docx

From: [redacted]
To: Norio, Ann-Marie
Subject: Re: Request to Delegate to Regional Council
Date: Wednesday, July 22, 2020 1:00:22 PM

CAUTION: This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hello Clerk Norio,

My notes are below.

Good evening everyone. I hope you and your families are all healthy and well. I follow several of you on social media and as a lifelong resident, I am grateful for the many encouraging and positive posts you continue to share as we manage the pandemic.

Once again, I am here to address comments from Regional Councillor, Mayor David Bylsma.

Councillor Bylsma and I disagree on virtually everything he has weighed in on this term but it's his comments regarding the raising of the Pride Flag and racist comments about the Black Lives Matter Movement in his radio interview with 610 CKTB that have brought me here tonight. I want to address Council's tepid response.

Earlier in your term, you committed to the Inclusive Municipalities' Coalition, meaning that each of you committed to investing time and resources to create more welcoming and inclusive communities within Niagara. Mayor Bylsma's comments betrayed that commitment. This Council, as a whole, must hold him responsible.

When I last spoke to you, it was in support of firmly composing your Women's Committee membership of people with lived experience. I believe you were given poor advice by your Director of HR, and you chose to keep the membership open. I also spoke about the importance of being an ally and during my delegation Councillor Ip asked me if I could describe what it means to be an ally.

Being an ally means:
1. You act with and for others. **Act**.
2. Your commit **fully** to educating yourself
3. You challenge yourself and your **own discomforts**
4. **Take action to create change interpersonally and institutionally**

Chair Bradley, I listened to your interview with Shelby Knox and I was deeply

disappointed with your response, probably because I trust you feel as I do, that Mayor Bylsma's arrogant comments were intended to demean members of our community.

Councillor Bylsma attempted to use his power as Mayor of West Lincoln to not engage with certain members of our Region; he used his authority to block support of raising a Flag that is arguably the greatest historical symbol of inclusion; and when asked to call a special meeting regarding the raising of the flag, he declined to do so.

I do not feel safe when I see David Bylsma. I believe his actions and his abuse of authority have negatively impacted our Region. I believe that David Bylsma has proven that **he cannot act without bias**. And I ask that this Council demonstrate the value of allyship by taking action. Please prohibit David Bylsma from representing the Region or conducting any business on behalf of our Region.

Thank you,
Haley

On Jul 16, 2020 5:39 PM, "Norio, Ann-Marie" <Ann-Marie.Norio@niagararegion.ca> wrote:

> Good afternoon Ms. Bateman,
>
> Please accept this email as confirmation of your delegation to Regional Council at its meeting on July 23, 2020 respecting Correspondence Item CL-C 36-2020 - Letter from A Better Niagara, dated June 18, 2020, respecting diversity and inclusiveness. Our offices are currently closed to the public and we are holding our meetings using electronic participation. The meeting begins at 6:30 p.m. via Zoom. I will send you the meeting log in details and additional information regarding the electronic meeting next week. Please note that Council meetings are streamed on the internet and/or broadcasted on a local cable network.
>
> In accordance with the Procedural By-law, you will be granted ten (10) minutes to speak, followed by an opportunity to address any questions from Council members. Your delegation may include up to five (5) persons; however, you are limited to two (2) speakers permitted to speak not more than ten (10) minutes in total. Only new information is to be presented by successive speakers of such delegation.
>
> Your delegation request will form part of the official record of the proceedings of Council and will be considered a public document.

Please forward your speaking notes at your earliest convenience.

If you have any questions, please let me know.

Ann-Marie

Ann-Marie Norio, BA, Dipl. M.A., CMM III
Regional Clerk

Administration - Office of the Regional Clerk

Niagara Region
Phone: 905-980-6000 ext. 3220 Toll-free: 1-800-263-7215
Fax: 905-687-4977
MailScanner has detected a possible fraud attempt from "nam11.safelinks.protection.outlook.com" that could be a fraud attempt as the link does not match the site its claiming to be www.niagararegion.ca

---

From: Niagara Region Website
Sent: Thursday, 09 July 2020 14:21:07 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee

Request to Speak at a Standing Committee

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

Name
Haley Bateman

Address
[redacted]

City
St Catharines, ON

Postal
[redacted]

Phone
[redacted]

Email
[redacted]

Organization

standing committee
Regional Council

Presentation Topic
ABN Letter

Presentation includes slides
No

Previously presented topic
No

Presentation Details
I wish to address the commitment of Council respecting, equity, inclusion and Diversity and the most recent remarks made by Mayor David Bylsma. My notes will follow, prior to July 16th.

Video Consent
Yes

The Regional Municipality of Niagara Confidentiality Notice The information contained in this communication including any attachments may be confidential, is intended only for the use of the recipient(s) named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, disclosure, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and permanently delete the original and any copy of it from your computer system. Thank you.

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Request to Speak at a Standing Committee
Date: Friday, July 17, 2020 1:10:47 PM

From: Niagara Region Website
Sent: Friday, 17 July 2020 13:10:43 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee

Request to Speak at a Standing Committee

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

Name
Vicki-Lynn Smith

Address
[redacted]

City
St Catharines

Postal
[redacted]

Phone
[redacted]

Email
[redacted]

Organization
citizen

standing committee
Regional Council

Presentation Topic

Council actions concerning public comments made by Councillor Bylsma

Presentation includes slides
No

Previously presented topic
No

Presentation Details
I believe council will be addressing the letter they received from A Better Niagara, in regards to public comments made by Councillor Bylsma, I would like to speak in regards to that issue.

Video Consent
Yes

The following is my planned presentation on making masks mandatory to the Region of Niagara Council meeting July 23, 2010. This is still a work in process and might be fine tuned before I present tonight but the main points and content will be the same.

Thank you

Geoffrey Aldridge

Mr. Chair and Regional Councilors

Thank you for allowing me the opportunity to speak to you today on this very important, potentially life and death issue.

You are all here today to decide if wearing masks should be made mandatory.

We shouldn't be here but we are because our higher levels of government, federal and provincial, have abdicated their responsibilities to handle this at their levels where they have the most impact and the resources to do this. I continue to be dumbfounded that Prime Minister Trudeau and Premier Ford acknowledge that masks will reduce the spread of the virus and then only recommend that people wear masks! How can they only recommend that individuals can decide whether they will risk spreading this disease? For example at the Ontario level we recommend that people don't smoke but we have the "Smoke Free Ontario Act" that makes it illegal to smoke cigarettes in (mainly) enclosed spaces and as much as smoke may cause cancer that will take many repeated exposures and a long time to develop. The virus only takes one exposure and you can be dead within 2 weeks. Why couldn't we have had a "Virus Free Ontario (or even Canada) Act".

Just this week I heard a governor in the United States say he wouldn't make masks mandatory because you shouldn't have to tell people to do the right thing. That makes no sense since almost all laws are all about telling people to do the right thing – Don't murder, don't steal, don't harm people, stick to speed limits, wear seat belts, etc. What is different with Don't spread disease?

As a result of the inaction of these levels of government we now have hundreds of lower level authorities with less resources reinventing the wheel resulting in a hodge podge of rules and regulations. This region now has within it 2 cities with bylaws; regions and cities around Niagara have bylaws; provinces around us have laws. What a confusing message we are giving out.

The reason for wearing masks is simple. After close, personal contact the main way this Virus is spreading is through the air by people sneezing, coughing, talking and simply breathing. The evidence is indisputable that masks reduce how far and how much virus will be broadcast by a person with the

virus. It is simple common sense, to reduce how much and how far you might breathe out the virus and less people will get infected.

First Slide Please

We are fortunate in the region that the number of cases, number of hospitalizations and number of deaths is relatively low. Here are the Region's statistics. As of yesterday there have been 813 cases with 64 deaths. That means 1 in 13 cases has died. People are still getting sick, 4 yesterday, 9 the day before – that's 13. With 1 in 13 cases dying the next person to die will happen in the near future. Most relevant to this issue is that 44.4 % of cases have no known exposure. In round numbers that means that in 1 in 30 cases somebody dies from a source that cannot be identified, like a supermarket.

Next Slide Please

About the only major interaction with people my wife and I have is going out to supermarkets. We always wear masks to protect others but 80% of those people in supermarkets ignore those recommendations. You can see from the simulation being shown that the 6 foot rule in supermarkets doesn't really work. We fear for our health and lives every time we go shopping.

Now is not the time to reduce our efforts to stop the spread of this disease. With the Region about to enter phase 3 more people will be getting closer together. That is a fact and that means that more people will be getting sick and community spread which is hard to trace will increase. Look at all the crowds there were in Niagara Falls last weekend that may be coming to a supermarket that I shop at. Your decision today will impact when the next person gets sick perhaps goes into intensive care and dies.

I have identified 4 main reasons Councilors said they won't support this motion:

1) The main one is the difficulty in enforcement. This is true. Enforcement would be very difficult. Most bylaws have little or no enforcement. Many significant laws like speeding have limited enforcement. So if 100% enforcement is the issue why don't we cancel all those laws. One of the main reasons we have laws is to tell people clearly what they must do to respect others and as a result most laws are reasonably effective because people are law abiding. Every supermarket I have talked to said they will abide by this law if it is passed. As an additional note I talked to the city of Guelph about their experience and they say that adoption rate is very high. Last night on television, Hamilton said the same thing.
2) The second concern is that some people who for health reasons aren't able to wear masks will be singled out. This is a valid concern but one that should be handled by education. As much as a few people might suffer being singled out, that will not kill them. Ironically it is those same people that will benefit the most by others wearing masks.

3) Another question I have heard is "Why Now?". Why don't we wait to see if cases increase,which is the same as why don't we wait to see if more people die? Now, is the time when prevention is most important. If you wait for cases to rise, if you wait for more people to die, implementing mandatory masks will take weeks and months to take effect during which time even more people will get sick and die.
4) The fourth issue I have heard is that this should be decided by the experts and that councilors don't have the expertise to make these decisions. There are no experts! Yes, there are professionals but they are still learning. They started off saying it wasn't a pandemic, then masks don't work, then masks are recommended. I don't blame them but they aren't experts and because they keep changing their position people don't trust them. That job now falls to you to unequivocally tell people they must wear masks. If you don't feel qualified then abstain from the vote. If you aren't qualified to vote for it then you aren't qualified to vote against it.

I will finish off with a personal note. On June 24 I received an e-mail response from Dr. Hirji when I first started making inquiries about how the region is handling the virus. He concluded the e-mail with *"we hope you will continue to role-model to those around you that wearing a face covering is an act of responsible citizenship to protect everyone around us." That was 4 weeks ago and when I went to the supermarket this week 70 to 80% of those around me are not wearing masks. The message is not getting through and others are not protecting me.*

I don't want to be a role model anymore. I want to be part of the crowd – the safe crowd.

I urge all of you to make masks mandatory (inside public buildings), to reduce how many get sick, how many end up in hospital risking our health care workers, reducing how many die.

Thank you Mr. Chair and Councillors

COVID Cases in Niagara

Number of confirmed cases of COVID-19	Number of deaths in cases with COVID-19
813	64

About 1 in 13 Cases Result in Death

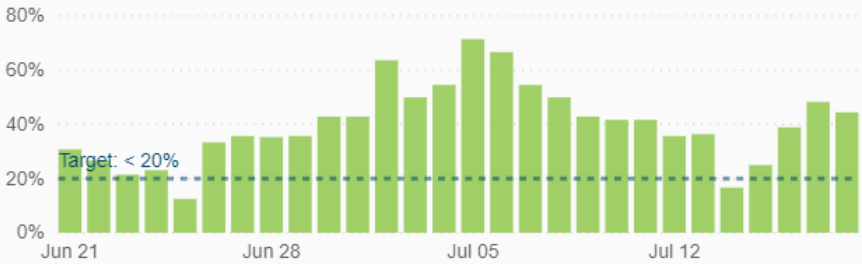
New cases - today	New cases - yesterday	Days to double at current rate
4	9	125

13 Cases In The Last 2 Days

In 4 Months 64 More People Could Die

Per cent of new cases that have no known exposure

Daily seven-day rolling percentage



Current per cent

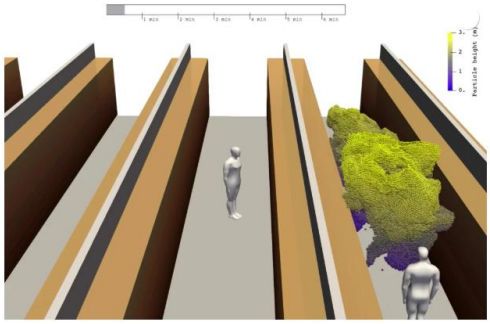
44.4%

July 12-18

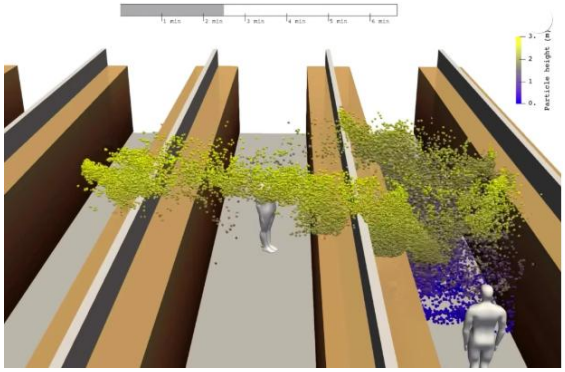
At 44.4% 28 People Could Die With No Known Exposure - Like Supermarkets

A Virus Cloud in a Supermarket

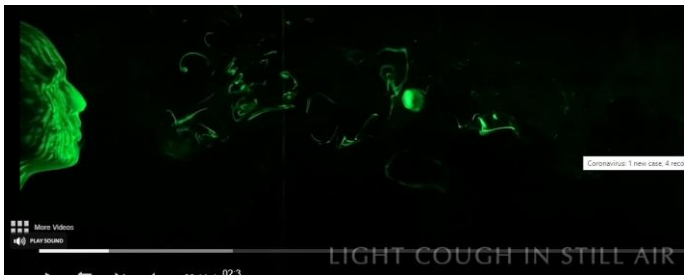
Half a Minute

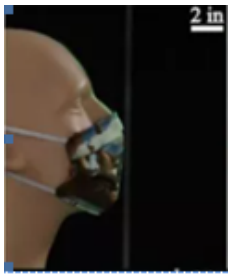


Two and a Half Minutes



Masks Reduce a Virus Cloud





From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Request to Speak at a Standing Committee
Date: Friday, July 10, 2020 8:26:28 PM

From: Niagara Region Website
Sent: Friday, 10 July 2020 20:26:23 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Subject: Online Form - Request to Speak at a Standing Committee

Request to Speak at a Standing Committee

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

Name
geoffrey aldridge

Address
[redacted]

City
crystal beach

Postal
[redacted]

Phone
[redacted]

Email
[redacted]

Organization
[redacted]

standing committee
Regional Council

Presentation Topic

Presentation includes slides
No

Previously presented topic
Yes

Presentation only new info
Yes

Presentation Details
Previously I generally spoke about the need for a bylaw making it mandatory to wear masks inside commercial establishments. At this meeting I want to identify how the upper levels of government have let this country and province down and in that absence identify why it is so important for the Region to show leadership.

Video Consent
Yes

THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
OPEN SESSION

CL 9-2020
Thursday, June 25, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Council Members Present in the Council Chamber:	Bradley (Regional Chair)
Council Members Present via Teleconference:	Bellows, Butters, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa
Absent/Regrets:	Bylsma
Staff Present in the Council Chamber:	M. Elia, Technology Support Analyst, M. Lewis, Technology Support Analyst, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Teleconference:	D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, F. Meffe, Director, Human Resources, D. Morreale, Director, Development Approvals, R. Mostacci, Commissioner, Planning & Development Services, M. Robinson, Director, GO Implementation Project, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, B. Zvaniga, Interim Commissioner, Public Works

---

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:38 p.m.

2. ADOPTION OF AGENDA

2.1 Addition of Items

Moved by Councillor Witteveen
Seconded by Councillor Villella

That Reverend Sandi Mansfield, Khajida Hammuda and Daelle Shannon **BE PERMITTED** to appear before Council as individual delegates respecting the motion regarding Declaration of Public Health Issues.

Carried

2.2 Changes in Order of Items

Moved by Councillor Ip
Seconded by Councillor Easton

That the order of the agenda **BE AMENDED** to move the consideration of the motion respecting the Declaration of Public Health Issues (Agenda Item 11.1) to immediately following the delegations on this matter (Agenda Item 6).

Carried

Moved by Councillor Whalen
Seconded by Councillor Butters

That Council Agenda CL 9-2020, **BE ADOPTED,** as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

Councillor Darte declared a direct pecuniary interest with respect to the presentation (Agenda Item 4.1) respecting Pandemic Impact on Local Government Finances and Taxation as he was one of the signatories on the submission from the Concerned Group of Niagara Business Owners.

Councillor Huson declared a indirect pecuniary interest with respect to Council Minutes CL 8-2020 (Agenda Item 7.2) respecting the Special Council meeting held on June 4, 2020 as the motions that deal with Report CAO 11-2020 (Minute Item 7.1) and Confidential Report CSD 42-2020 (Minute Item 5.2) which reference Brock University as she has an employment relationship with Brock University.

4. PRESENTATIONS

4.1 Pandemic Impact on Local Government Finances and Taxation

Spenser Fox, President, E.S. Fox Limited, appeared before Council on behalf of Concerned Group of Niagara Business Owners and spoke in favour of a decrease in taxes to support the private sector in Niagara, and to request meetings with the Region to advise on the economic recovery of Niagara.

Moved by Councillor Foster
Seconded by Councillor Edgar

That the presentation submission respecting Pandemic Impact on Local Government Finances and Taxation **BE REFERRED** to the Budget Review Committee of the Whole for consideration.

Carried

5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair provided an update respecting activities within the Region and the efforts of Niagara Region with respect to the COVID-19 pandemic.

6. DELEGATIONS

6.1 Motion respecting Declaration of Public Health Issues (Agenda Item 14.1)

6.1.1 Rebecca Dyck, Rebecca Dyck Consulting

Rebecca Dyck, Rebecca Dyck Consulting, provided information respecting the health issues associated with racism, transphobia and homophobia and spoke in favour of the motion.

6.1.2 Magdolene Dykstra, Resident, City of St. Catharines

Magdonlene Dykstra, resident, City of St. Catharines, provided information respecting the impact of discrimination on student and youth populations and spoke in favour of the motion.

6.1.3 Jennifer Dockstader, Executive Director, Fort Erie Native Friendship Centre

Jennifer Dockstader, Executive Director, Fort Erie Native Friendship Centre, appeared before Council in support of the motion and shared personal experiences of racism in Niagara, and examples described to the Friendship Centre.

6.1.4 Robin McBurney and Angela Menotti, Residents, City of Niagara Falls

Robin McBurney and Angela Menotti, residents, City of Niagara Falls, appeared before Council in support of the motion and shared personal experiences of discrimination and its affect on youth in the education system in Niagara.

6.1.5 Shaniqua Goodridge, Resident, City of Niagara Falls

This delegation request was withdrawn.

6.1.6 Reverend Sandi Mansfield, Resident, City of Niagara Falls

Reverend Sandi Mansfield, resident, City of Niagara Falls, appeared before Council in support of the motion and provided examples of shared experiences of racism in the medical system and within the religious communities of Niagara.

6.1.7 Khadija Hammuda, Resident, City of St. Catharines

Khadija Hammuda, resident, City of St. Catharines, spoke in favour of the motion and shared personal experiences with racism in Niagara.

6.1.8 Daelle Shannon, Resident, City of Niagara Falls

Daelle Shannon, resident, City of Niagara Falls, appeared in support of the motion and shared personal experiences with transphobia in the education system in Niagara.

11. MOTIONS

11.1 Declaration of Public Health Issues

Moved by Councillor Ip
Seconded by Councillor Sendzik

WHEREAS racism, homophobia, transphobia, discrimination, and stigma are associated with poorer physical, mental, and emotional health and greater mortality, making racism an important public health issue; and

WHEREAS Public Health has a role in promoting the health of the entire population by working with others to ensure fair opportunities for health and well-being; and

WHEREAS Niagara Region and its Board of Health is guided by Objective 2 in Niagara Region's Strategic Plan to foster a high quality of life through safe, healthy, and inclusive neighbourhoods and delivery of quality, affordable, and accessible human services; and

WHEREAS members of the Black, Indigenous, 2SLGBTQQIA, and many other communities experience physical, social, mental, and emotional harms due to racism, homophobia, transphobia, and other discrimination and stigma present across sectors, including health, education, employment, housing, child care and child welfare, policing and law enforcement, and the criminal justice system; and

WHEREAS the Region of Niagara has become a member of the Coalition of Inclusive Municipalities and committed to appropriately resourcing the work of the Coalition;

NOW THEREFORE BE IT RESOLVED:

1. That Regional Council **ACKNOWLEDGE** that racism, homophobia, transphobia, and all forms of discrimination or oppression are public health issues;
2. That Niagara Region **COMMIT** to using an equity, diversity, and inclusion lens in all future decision-making; and
3. That Niagara Region **RECONFIRM** its efforts through the Coalition of Inclusive Municipalities to promote social inclusion, human rights, and diversity, as well as eradicating all forms of racism and discrimination that continue to persist in Niagara.

The following friendly ***amendment*** was accepted by the Regional Chair, and the mover and seconder of the motion:

4. That this motion BE CIRCULATED to the local area municipalities.

The following friendly ***amendment*** was accepted by the Regional Chair, and the mover and seconder of the motion:

1. That Regional Council **ACKNOWLEDGE** that racism, homophobia, transphobia, and all forms of discrimination or oppression are public health issues;
2. That Niagara Region **COMMIT** to using an equity, diversity, and inclusion lens in all future decision-making;
3. ***That Niagara Region COMMIT to considering social determinants of health, including income, education, employment, early childhood development, food insecurity, housing, social exclusion and social safety network, health services, aboriginal status, gender, race, and disability, in all future program and budget decisions including revising the Region Budget By-Law Principles to include healthy communities;***
4. That Niagara Region **RECONFIRM** its efforts through the Coalition of Inclusive Municipalities to promote social inclusion, human rights, and diversity, as well as eradicating all forms of racism and discrimination that continue to persist in Niagara.
5. That this motion **BE CIRCULATED** to the local area municipalities.

The Regional Chair called the vote on the motion, as amended.

Recorded Voted:

Yes (29): Bellows, Butters, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (0).

Carried

7. ADOPTION OF MINUTES

Moved by Councillor Steele
Seconded by Councillor Huson

That Minutes CL 7-2020 being the Open and Closed Session minutes of the Regular Regional Council meeting held on Thursday, May 21, 2020, and Minutes CL 8-2020 being the Open and Closed Session minutes of the Special Regional Council meeting held on Thursday, June 4, 2020 **BE ADOPTED**.

Carried

8. CORRESPONDENCE

8.1 Receive and/or Refer

Moved by Councillor Jordan
Seconded by Councillor Witteveen

That the following items **BE DEALT WITH** as follows:

CL-C 34-2020 respecting Notice of Procedural By-law Amendment – Amendment to Allow Electronic Participation for Sub-Committees and Advisory Committees, **BE RECEIVED**;

CL-C 35-2020 respecting Amendment to the Flag Raising and Niagara Sign Lighting Policy, **BE RECEIVED**;

CL-C 36-3030 respecting diversity and inclusiveness, **BE RECEIVED.**

Moved by Councillor Heit
Seconded by Councillor Edgar

That Correspondence Item CL-C 36-3030 respecting A letter from A Better Niagara, dated June 18, 2020, respecting diversity and inclusiveness, **BE DEFERRED** to the Regional Council meeting being held on July 23, 2020 for consideration.

Carried

The Regional Chair called the vote on the balance of the motion and declared it,

Carried

Councillor Information Request(s):

Provide information respecting electronic meeting participation and request input on the matter from the members of the Accessibility Advisory Committee. Councillor Huson

8.2 For Consideration

8.2.1 CSD 43-2020

Intra-municipal Transit Fees

Moved by Councillor Sendzik
Seconded by Councillor Greenwood

That Report CSD 43-2020, dated June 25, 2020, respecting Intra-Municipal Transit Fees, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Intra-municipal transit fees in CSD 43-2020 **BE APPROVED**; and
2. That the necessary by-law **BE PRESENTED** to Council for consideration.

Carried

8.2.2 CSD 39-2020

2020 COVID-19 Cash Flow Update Report - June

Moved by Councillor Whalen
Seconded by Councillor Gibson

That Report CSD 39-2020, dated June 25, 2020, respecting 2020 COVID-19 Cash Flow Update Report – June, **BE RECEIVED** for information.

Carried

8.2.3 CSD 40-2020

COVID-19 Financial Impacts Update

Moved by Councillor Fertich
Seconded by Councillor Insinna

That Report CSD 40-2020, dated June 25, 2020, respecting COVID-19 Financial Impacts Update, **BE RECEIVED** for information.

Carried

Councillor Information Request(s):

Provide information respecting how pandemic pay is being distributed across the divisions of the corporation. Councillor Zalepa.

8.2.4 CHR 3-2020

Association of Municipalities of Ontario 2020 Annual Conference

Moved by Councillor Foster
Seconded by Councillor Chiocchio

That Report CHR 3-2020, dated June 25, 2020, respecting Association of Municipalities of Ontario 2020 Annual Conference, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the advocacy issues identified in CHR 3-2020 titled Association of Municipalities of Ontario (AMO) 2020 Annual Conference **BE ENDORSED** as delegation requests at the 2020 AMO Conference; and
2. That staff **BE DIRECTED** to request meetings with cabinet ministers, parliamentary assistants, senior ministry staff, and party leaders to discuss regional advocacy issues during the AMO Conference.

Carried

9. COMMITTEE REPORTS - OPEN SESSION

9.1 Public Works Committee

Minutes PWC 5-2020, Tuesday, June 16, 2020

Moved by Councillor Rigby
Seconded by Councillor Edgar

That Report PWC 5-2020 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, June 16, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED** save and except Minute Items 5.1 and 9.1.

Carried

Minutes Items 5.1 and 9.1 were considered after Closed Session (Minute Item 15.)

9.2 Public Health and Social Services Committee

Minutes PHSSC 5-2020, Tuesday, June 16, 2020

Moved by Councillor Greenwood
Seconded by Councillor Nicholson

That Report PHSSC 5-2020 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, June 16, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.3 Corporate Services Committee

Minutes CSC 5-2020, Wednesday, June 17, 2020

Moved by Councillor Foster
Seconded by Councillor Gibson

That Report CSC 5-2020 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, June 17, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.4 Planning and Economic Development Committee

Minutes PEDC5-2020, Wednesday, June 17, 2020

Moved by Councillor Huson
Seconded by Councillor Witteveen

That Report PEDC 5-2020 being the Open and Closed Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, June 17, 2020, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.1 CAO 13-2020

Update on Recommendations from Ontario Ombudsman Report "Inside Job"

Moved by Councillor Steele
Seconded by Councillor Jordan

That Report CAO 13-2020, dated June 25, 2020, respecting Update on Recommendations from Ontario Ombudsman Report “Inside Job”, **BE RECEIVED** and **CIRCULATED** to the Ontario Ombudsman for information.

Carried

10.2 CAO 14-2020

A Unified Message for All-of-Niagara Vigilance Against COVID-19

Moved by Councillor Greenwood
Seconded by Councillor Ugulini

That Report CAO 14-2020, dated June 25, 2020, respecting A Unified Message for All-of-Niagara Vigilance Against COVID-19, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council, as the Board of Health, **THANKS** the people of Niagara for their sacrifice and diligence in practicing personal conduct that has “flattened the curve” of COVID-19 and enabled Niagara to move into Stage 2 of the province’s “A Framework for Reopening Our Province”;

2. That Regional Council, as the Board of Health, **RESOLVES** that as restrictions on the economy and social interaction are lifted in Niagara, it is more important than ever that everyone practices behaviours that limit the spread of infection, namely:

    a. Keeping a physical distancing of 2 metres from others

    b. Washing or sanitizing hands frequently

    c. Wearing a face covering where it is not possible to maintain a 2 metre distance

    d. Being attentive to one's health, and isolating oneself while seeking testing if one develops any symptoms of infection, however mild;

3. That Regional Council, as the Board of Health, **REQUESTS** all leaders and influencers in Niagara to speak in a unified voice about the importance of practicing the above behaviours;

4. That Regional Council, as the Board of Health, **ENCOURAGES** all residents and visitors to Niagara to practice the above behaviours; and

5. That Regional Council, as the Board of Health, **ENCOURAGES** all businesses and services in Niagara to implement all reasonable measures that enable their clients, employees, and visitors to practice the above behaviours.

Carried

12. NOTICES OF MOTION

12.1 Niagara Regional Police Services

Councillor Sendzik advised that he would be bringing forward a motion to the next Council meeting respecting systemic racism the Niagara Regional Police Services.

Moved by Councillor Sendzik
Seconded by Councillor Darte

That a special Regional Council meeting **BE CALLED** for the consideration of the motion respecting Niagara Regional Police Services.

Carried

Councillor Information Request(s):

Invite the Chief of the Niagara Regional Police Service to the special Regional Council meeting. Councillor Sendzik.

13. OTHER BUSINESS

There were no items of other business.

14. CLOSED SESSION

Moved by Councillor Huson
Seconded by Councillor Insinna

That Council **DO NOW MOVE** into closed session for the purposes of receiving information of a confidential nature respecting:

A Matter of Commercial Information, which if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, under s. 239(2) of the Municipal Act, 2001 - Procurement Process for Material Recycling Facility (MRF) Opportunity Review – Phase 4 (Minute Item 1.1 Closed Session Minutes PWC 5-2020).

Carried

Council Resolved into closed session at 9:34 p.m.

15. BUSINESS ARISING FROM CLOSED SESSION

Council reconvened in open session at 10:36 p.m. with the following individuals in attendance:

Council Members Present in the Council Chamber:	Bradley (Regional Chair)
Council Members Present via Teleconference:	Bellows, Butters, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Junkin, Nicholson, Rigby, Sendzik, Steele, Villella, Whalen, Witteveen, Zalepa
Absent/Regrets:	Bylsma, Campion, Fertich, Ip, Redekop, Ugulini
Staff Present in the Council Chamber:	M. Elia, Technology Support Analyst, M. Lewis, Technology Support Analyst, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Teleconference:	D. Barnhart, Executive Officer to the Regional Chair, D. Gibbs, Director, Legal & Court Services, C. Habermebl, Director, Waste Management Services, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Trennum, Deputy Regional Clerk, B. Zvaniga, Interim Commissioner, Public Works

During closed session, Council passed a motion to extend the meeting's curfew to 11:00 p.m.

15.1 Minute Item 9.1 of the Public Works Committee Minutes (Agenda Item 9.1) respecting Procurement Process for Material Recycling Facility (MRF) Opportunity Review – Phase 4 (Confidential Report PW 17-2020)

The recommendation contained in Minute Item 9.1 of the Public Works Committee (Agenda Item 9.1) respecting Procurement Process for Material Recycling Facility (MRF) Opportunity Review – Phase 4 was considered separately as follows:

That Confidential Report PW 17-2020, dated June 16, 2020, respecting A Matter of Commercial Information, which if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, under s. 239(2) of the Municipal Act, 2001 - Procurement Process for Material Recycling Facility (MRF) Opportunity Review – Phase 4, **BE RECEIVED** and the recommendation contained therein **BE APPROVED**.

Recorded Vote:

Yes (13): Darte, Disero, Easton, Edgar, Foster, Heit, Huson, Jordan, Junkin, Rigby, Steele, Witteveen, Zalepa.

No (12): Bellows, Butters, Chiocchio, Diodati, Gale, Gibson, Greenwood, Insinna, Nicholson, Sendzik, Villella, Whalen.

Carried

15.2 Minute Item 5.1 of the Public Works Committee Minutes (Agenda Item 9.1) respecting Blue Box Program Transition to Full Producer Responsibility

The recommendation contained in Minute Item 5.1 of the Public Works Committee Minutes (Agenda Item 9.1) respecting Blue Box Program Transition to Full Producer Responsibility (Report PW 23-2020) was considered separately as follows:

Moved by Councillor Heit
Seconded by Councillor Whalen

That Report PW 23-2020, dated June 16, 2020, respecting Blue Box Program Transition to Full Producer Responsibility, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Regional Clerk **BE AUTHORIZED** to respond to the Association of Municipalities of Ontario's request that municipal governments pass a resolution to provide a preferred date to transition the residential Blue Box program to full producer responsibility, if provided the opportunity to self-determine (between January 1, 2023 and December 31, 2025), with the following:

    a. Niagara Region's preferred date to transition the residential Blue Box program to full producer responsibility is as early as possible in the transition period, which is on January 1, 2023, subject to cost benefit analysis when the Blue Box regulation is finalized;

b. Niagara Region expresses interest in providing curbside and depot Blue Box collection and haulage services on behalf of producers, subject to mutually agreeable commercial terms, including service duration, beginning on January 1, 2023;

c. Niagara Region anticipates completion of the Material Recovery Facility (MRF) Phase 4 Opportunity Review in late 2020, which will inform how or if the MRF asset will be potentially divested and Niagara Region's potential role in processing services; and

2. That the draft resolution as outlined in Appendix 1 to Report PW 23-2020 **BE APPROVED** and sent to Association of the Municipalities of Ontario and the Ministry of the Environment, Conservation and Parks.

Carried

15.3 Public Works Committee Closed Session Minutes

Closed Session Minutes PWC 5-2020, Tuesday, June 16, 2020

Moved by Councillor Rigby
Seconded by Councillor Steele

That Report PWC 5-2020 being the Closed Session minutes of the Public Works Committee meeting held on Tuesday, June 16, 2020, **BE APPROVED**.

Carried

16. BY-LAWS

Moved by Councillor Diodati
Seconded by Councillor Easton

That the following Bills **BE NOW READ** and **DO PASS**:

Bill 2020-27
A by-law to accept, assume and dedicate part of Lot 13, plan M94, in the Township of West Lincoln as part of Regional Road No. 14 (Station Street).

Bill 2020-28
A by-law to accept, assume and dedicate part of Lot 25 adjoining Cross Concession, Town of Fort Erie as part of Regional Road No. 25 (Netherby Road).

Bill 2020-29
A by-law to accept, assume and dedicate part of Lot 29 and Core Concession 7, City of Welland as part of Regional Road No. 33 (Humberstone Road).

Bill 2020-30
A by-law to accept, assume and dedicate part of Lot 1, Range 4, Plan 284 in the City of Niagara Falls as part of Regional Road No. 43 (Bridge Street).

Bill 2020-31
A by-law to accept, assume and dedicate part of Lot 18-19, CY plan 29, in the City of St. Catharines as part of Regional Road No. 48 (Niagara Street).

Bill 2020-32
A by-law to accept, assume and dedicate part of Block L, Plan M12, in the City of Thorold as part of Regional Road No. 71 (St. David's Road).

Bill 2020-33
A by-law to accept, assume and dedicate Blocks 125 and 126, Plan 30M451, in the Town of Lincoln as part of Regional Road No. 18 (Mountain Street).

Bill 2020-34
A by-law to amend By-law No. 2019-100, being a by-law to establish fees and charges for the services and activities provided by the Regional Municipality of Niagara and for the use of its property and to repeal By-law 2019-28.

Bill 2020-35
A by-law to authorize the submission of an application to Ontario Infrastructure and Lands Corporation ("OILC") for financing certain capital work(s) of The Corporation of the City of Port Colborne; and to authorize long-term borrowing for such capital work(s) through the issue of debentures by The Regional Municipality of Niagara (the "upper tier municipality") to OILC.

Bill 2020-36
A by-law to adopt, ratify and confirm the actions of Regional Council at it's meeting held on June 25, 2020.

Carried

17. ADJOURNMENT

There being no further business, the meeting adjourned at 10:44 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF SPECIAL COUNCIL
OPEN SESSION

CL 10-2020
Wednesday, July 8, 2020
Council Chamber / Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, Ontario

Council Members Present in the Council Chamber:	Bradley (Regional Chair)
Council Members Present via Teleconference:	Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa
Staff Present in the Council Chamber:	D. Gibbs, Director, Legal and Court Services, T. Harrison, Acting, Chief Administrative Officer / Commissioner/Treasurer, Corporate Services, Dr. M. M. Hirji, Acting Medical Officer of Health, M. Lewis, Technology Support Analyst, A.-M. Norio, Regional Clerk
Staff Present via Teleconference:	D. Barnhart, Executive Officer to the Regional Chair, A. Jugley, Commissioner, Community Services, R. Mostacci, Commissioner, Planning & Development Services, K. Smith, Chief/Director, Emergency Medical Services , M. Trennum, Deputy Regional Clerk, B. Zvaniga, Interim Commissioner, Public Works

---

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 4:32 p.m.

2. ADOPTION OF AGENDA

Moved by Councillor Redekop
Seconded by Councillor Foster

That Geoffrey Aldridge **BE PERMITTED** to appear before Council as a delegate respecting Report CAO 15-2020, concerning Options to Consider for Mandating Face Coverings (Agenda Item 6.1).

Carried

Moved by Councillor Greenwood
Seconded by Councillor Ugulini

That Council Agenda CL 10-2020, **BE ADOPTED**, as amended.

Carried

3. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

4. DELEGATIONS

4.1 Options to Consider for Mandating Face Coverings (Agenda Item 6.1)

4.1.1 C. Rowe, Resident, City of Welland

Cheryl Rowe, resident, City of Welland, appeared before Council in opposition to a by-law to require mandatory face coverings in enclosed public places during the COVID-19 pandemic.

4.1.2 G. Aldridge, Resident, Town of Fort Erie

Geoffrey Aldridge, resident, Town of Fort Erie, appeared before Council in support of a by-law to require mandatory face coverings in enclosed public places during the COVID-19 pandemic.

5. CORRESPONDENCE

5.1 Receive and/or Refer

Moved by Councillor Fertich
Seconded by Councillor Jordan

That the following items **BE DEALT WITH** as follows:

CL-C 39-2020 respecting face coverings, **BE RECEIVED**;
CL-C 40-2020 respecting face coverings, **BE RECEIVED**;
CL-C 41-2020 respecting face coverings, **BE RECEIVED**;
CL-C 43-2020 respecting face coverings, **BE RECEIVED**;
CL-C 45-2020 respecting mandatory masks and impact on people with disabilities, **BE RECEIVED**; and
CL-C 46-2020 respecting face coverings, **BE RECEIVED**;

Carried

5.2 For Consideration

5.2.1 CL-C 42-2020

Joint Statement from Ontario Municipalities

Moved by Councillor Steele
Seconded by Councillor Sendzik

That Correspondence Item CL-C 42-2020, being a memorandum from D. Barnhart, Executive Officer to the Regional Chair, dated July 8, 2020, respecting Joint Statement from Ontario Municipalities, **BE RECEIVED** for information.

Carried

6. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

6.1 CAO 15-2020

Options to Consider for Mandating Face Coverings

Moved by Councillor Whalen
Seconded by Councillor Huson

That Report CAO 15-2020, dated July 8, 2020, respecting Options to Consider for Mandating Face Coverings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020; and
2. That staff **PROCEED** with the option approved by Regional Council.

Moved by Councillor Gale
Seconded by Councillor Zalepa

That Report CAO 15-2020, respecting Options to Consider for Mandatory Face Coverings, **BE REFERRED** to the Public Health and Social Services Committee meeting being held on July 14, 2020.

Recorded Vote:

Yes (10): Bellows, Campion, Chiocchio, Diodati, Gale, Insinna, Junkin, Nicholson, Rigby, Zalepa.

No (21): Butters, Bylsma, Darte, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Redekop, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen.

Defeated

Moved by Councillor Steele
Seconded by Councillor Diodati

That the motion **BE AMENDED** to read as follows:

That Report CAO 15-2020, dated July 8, 2020, respecting Options to Consider for Mandating Face Coverings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020;
2. ***That staff BE DIRECTED to proceed with a comprehensive education campaign regarding face coverings when physical distancing is not possible; and***
3. ***That Regional Council APPROVE the temporary by-law, to require mandatory face coverings in enclosed public places during the COVID-19 pandemic attached as Appendix 3 to Report CAO 15-2020.***

The following friendly ***amendment*** was accepted by the Regional Chair, and the mover and seconder of the motion:

That subsection 10 of the draft by-law (Appendix 3 to Report CAO 15-2020, **BE AMENDED** to include the following:

Every person who is the owner or operator of an enclosed public space ***shall provide hand sanitizer at all public entrances and exits for the use of members of the public attending the enclosed public space*** and shall post clearly visible …

Moved by Councillor Foster
Seconded by Councillor Bylsma

That clause 3 of the motion **BE DEFERRED** to the Regional Council meeting being held on July 23, 2020.

Recorded Vote:

Yes (15): Bylsma, Campion, Chiocchio, Darte, Diodati, Easton, Edgar, Fertich, Foster, Gale, Gibson, Junkin, Nicholson, Witteveen, Zalepa.

No (15): Butters, Disero, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen.

The vote resulted in a tie. The Regional Chair voted in favour of the motion and declared the vote,

Carried

The Regional Chair called the vote on the amended motion as follows:

That Report CAO 15-2020, dated July 8, 2020, respecting Options to Consider for Mandating Face Coverings, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020; and
2. That staff **BE DIRECTED** to proceed with a comprehensive education campaign regarding face coverings when physical distancing is not possible.

Carried

7. BY-LAWS

7.1 Bill 2020-37

Bill 2020-37 was not considered.

7.2 Bill 2020-38

Moved by Councillor Rigby
Seconded by Councillor Steele

That Bill 2020-38, being a by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held on July 8, 2020, **BE NOW READ** and **DO PASS**.

Carried

8. ADJOURNMENT

There being no further business, the meeting adjourned at 9:03 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

Niagara Region Public Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 50-2020

Subject: Public communications regarding facial coverings

Date: July 23, 2020

To: Board of Health/Regional Council

From: Meredith Maxwell, Manager, Public Health Communications & Engagement

Throughout the COVID-19 pandemic, Public Health has communicated with residents through several channels, both traditional and digital, about the risks of the virus and ways to prevent getting sick. In addition to physical distancing and hand-washing, Public Health has encouraged the proper wearing of face coverings when physical distancing is not possible.

This memo summarizes the communications strategy already in place by Public Health and is meant to inform the Regional Council discussion about the need for a marketing campaign to encourage residents to wear face coverings.

Website

A COVID-19 webpage on the Niagara Region website was developed in mid-January, and has been promoted as “one stop shopping” for COVID-19 information. Given the evolving nature of the pandemic, staff have sometimes updated the site two times per day as new information becomes available. Niagararegion.ca/covid19 is a robust site with health statistics, FAQs, information for businesses and links to provincial and national health agencies.

There is also a dedicated page for face masks featuring the latest science, instructions for wearing masks and links to the Ministry of Health website with additional information. The following is a collection of website analytics from April 10 to July 10 from the COVID-19 landing page, FAQ and “Protect Yourself” page that contains information about face coverings.

https://niagararegion.ca/health/covid-19/default.aspx

- 609,910 - Page Views
- 436,756 - Page Visits

https://www.niagararegion.ca/health/covid-19/faq.aspx

- 18,563 - Page Views
- 14,409 - Page Visits

https://niagararegion.ca/health/covid-19/protect-yourself.aspx

- 11,139 - Page Views
- 8,402 - Page Visits

Social Media

Niagara Region, Public Health and EMS have dedicated social media accounts, all sharing COVID-19 information specific to that channel's audience. For instance, the Niagara Parents Facebook page posts COVID-19 information aimed at parents who might be homeschooling their children, the REACT Instagram page posts COVID-19 information for teens, etc.

The following is a summary of digital engagement posts *specific* to face coverings, from April 10 to July 10.

Twitter – Niagara Region Public Health

- 35 Tweets
- 147,947 Impressions
- 4,570 Engagements
- 3.08% Avg Engagement Rate per Tweet *

* For reference, an engagement rate of 3.08% is extremely high, especially for a government agency. In 2019, Niagara Region Public Health's average Twitter engagement rate was 0.97% (which is still high), and the average Twitter engagement rate across all industries is 0.045%.

Additionally

- **36 Retweets of content posted by:**
  - @CPHO_Canada, @ONTHealth, @ONGov, @ChiefMacCulloch, @DMGLeg, @NiagaraRegion, @GovCanHealth, @OntarioHazards, @LauraIp, @NHBugBusterDoc, @MustafaHiri, @PattyHajdu, @NiagaraEMS, @NRPublicHealth
- Numerous **'Likes' of tweets** posted by local municipalities, local media interviews with Dr. Hirji and Dr. Feller, Ontario Public Health Units, government and international health agencies, and many other accounts (these show up in our followers newsfeeds "Niagara Region Public Health liked")

Facebook - Niagara Region

- 16 - Posts
- 158,022 - Reach
- 181,594 - Impressions
- 1.55% - Avg Engagement Rate/Post (share, like, comment)
- 756 - Post Shares (shared on Niagara resident's Facebook profiles, as well as local businesses, organizations and municipalities Facebook pages)

In addition to these channels, face covering content has been shared on **both Dr. Hirji and Dr. Feller's Twitter, Niagara Parent's Twitter and Facebook page, Niagara Region Public Health's LinkedIn page, Niagara Region's YouTube channel and Twitter, REACT's Instagram, and the CASTLE Facebook pages**.

Over the past few months, social media toolkits with face covering messaging and images were created and provided to LAMs and partner organizations to be shared on their social media channels to further expand our reach.

Contents include:

- How to wear a face covering, dispose/wash face covering, the 'do's' of wearing a face covering
- Who shouldn't wear a face covering, how not to wear a face covering, the 'do nots' of wearing a face covering
- When to wear a face covering (essential trips, when physical distancing is a challenge, on transit, at a march, in crowded places, etc.)
- How to make a face covering (sew and no-sew instructions)

- Where businesses can order PPE to protect employees and residents
- Included in steps to stay healthy, how to protect yourself and others, going outside, etc.
- Helping businesses reopen
- Stage 2 recommendations
- COVID-19 is still circulating / added measure / act of kindness

This infographic has been shared on our social media channels, our website, LAM and other stakeholder social media and published alongside a July 15 article in the St. Catharines Standard (see table below for link to article).

Daily media interviews

Since mid-March, Dr. Hirji has participated in daily interviews with local, regional and national media. Given the consolidated media market in Niagara, a single article has the potential to reach residents across the region through the three daily papers in St. Catharines, Welland and Niagara Falls, and weekly papers in other communities. These papers all have online and social media presence, which adds to the potential reach of the message.

Since June 1, Dr. Hirji has been directly and indirectly quoted in dozens of individual articles recommending people wear face masks when physical distancing is not

possible. As explained above, due to the consolidation of local media outlets, a true accounting of the number of these news stories is difficult to determine. For instance, a St. Catharines resident may read the same article in the St. Catharines Standard print edition, online edition and their local edition of Niagara This Week. Furthermore, radio interviews are often recorded and replayed throughout the day, the audio files are posted online and the interviews are summarized and written as a news articles online.

The following are several examples of media interviews where Dr. Hirji discussed the importance of face coverings.

Media outlet & date	Headline & link	Quote
St. Catharines Standard **June 15**	**Hirji pushes possible masking order to municipal council** https://www.stcatharinesstandard.ca/news/niagara-region/2020/06/15/hirji-pushes-possible-masking-order-to-municipal-councils.html	"…he remains concerned too many Niagara residents are no practicing effective infection control, including wearing masks…"
St. Catharines Standard **June 26**	**First week of Niagara's reopening a mixed public health bag, says Hirji** https://www.stcatharinesstandard.ca/news/niagara-region/2020/06/26/first-week-of-niagaras-reopening-a-mixed-public-health-bag-says-hirji.html	"…that is why I am still harping on my same message of physical distancing, hand hygiene and masks when physical distancing is difficult"
TVO **July 2**	**Who can – and should – make masks mandatory in Ontario** https://www.tvo.org/article/who-can-and-should-make-masks-mandatory-in-ontario	"The doctors also stress that masks are not a panacea but – along with handwashing and, most important physical distancing – pieces of the puzzle when it comes to reducing viral transmission"

Media outlet & date	Headline & link	Quote
Thorold News **July 8**	**Social distancing more important than ever, top doctor says as Niagara re-opens** https://www.thoroldnews.com/coronavirus-covid-19-local-news/social-distancing-more-important-than-ever-top-doctor-says-as-niagara-re-opens-2437297	"The way we got COVID-19 under control was the restrictions. When you lift them, you allow the virus to spread. That is why it is more important than ever to wash your hands, use a mask in crowded spaces and keep physical distance"
St. Catharines Standard **July 15**	**How to properly use your pandemic mask** https://www.stcatharinesstandard.ca/news/niagara-region/2020/07/15/how-to-properly-use-your-pandemic-mask.html	Regarded by Niagara's acting medical officer of health as a secondary line of defence, when used in conjunction with handwashing and physical distancing, masks help reduce the transmission of the potentially deadly novel coronavirus.

Feedback loop

Resident feedback has been a critical part of the communications strategy for COVID-19. Staff monitor the resident inquiries received via email, social media and phone, and develop new communications as the need arises. For instance, as Niagara entered Stage 2 of reopening businesses, Public Health received questions about when to wear a face mask or a face shield. Within a week, we added information to our FAQ webpage and developed social media posts explaining the difference between these two types of facial protective equipment.

Other considerations

In addition to the aforementioned communications that are specific to facial coverings, there are also billboards and bus ads across Niagara, all directing people to niagararegion.ca/covid19 for the most current information about the pandemic.

It is worth noting that Public Health is not the only agency communicating to Niagara residents about the importance of wearing masks. The Province of Ontario currently has a digital campaign running across social media channels, digital display ads on websites, and advertisements in print newspapers. If we were to develop a new marketing campaign that encourages residents to wear face coverings, our paid advertisement would potentially be placed alongside an interview with Dr. Hirji and an advertisement from the Province on the same topic, diminishing the incremental benefit. In a time of significant fiscal stressors on Niagara Region, Public Health wishes to be mindful of the incremental value of any taxpayer expenditure.

Respectfully submitted and signed by

_____

Meredith Maxwell, BA
Manager, PH Communications & Engagement
Public Health & Emergency Services

Niagara Region

Human Resources
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 51-2020

Subject: 2020 Medical Officer of Health / Associate Medical Officer of Health Compensation Initiative

Date: July 23, 2020

To: Regional Council

From: Franco Meffe, Director Human Resources

This memo serves to advise Regional Council that the Chair of the Board of Health will be signing the current year application forms as requested by the Ministry of Health for the Medical Officer of Health (MOH) and the Associate Medical Officers of Health (AMOH) Compensation Initiative.

The following is an outline of the key facts associated with this initiative:

- In 2009, the Ministry of Health introduced a program which offered new provincial funding to increase the MOH and AMOH base salary compensation to address recruitment and retention issues, as well as maintain competitive compensation levels with those of other physician specialists.
- To be eligible for the program, applications are submitted on an annual basis.
- The Niagara Region has continued to administer the compensation for the MOH and AMOH roles annually as per the current agreement with the Ministry of Health.
- The cost of providing additional compensation under this program is 100% funded by the Ministry of Health.
- Participation in the program is voluntary and enables the Niagara Region to maintain competitive salaries for the physician roles, reducing the risk of losing physicians to another health unit or regional municipality.
- The Ministry of Health sent the current year application in June with a submission deadline for applications of July 17, 2020.
- For the first time since 2017, the application requires that the Chair of the Board of Health sign the application form. In both 2018 and 2019, the Ministry application required approval by only the Medical Officer of Health and the Chief Financial Officer.

- Applications have been prepared by staff and have been submitted to the Ministry of Health by the deadline of July 17, 2020.
- The timeframe for the funding initiative is January 1, 2020 to December 31, 2020.
- The application to the Ministry of Health is for a fully subsidized portion of additional pay to supplement the base MOH and AMOH pay provided by the public health unit.
- The salary grid for MOH and AMOH roles, set by the Ministry has increased effective April 1, 2020.
- Positioning within the range is based on years of experience, education and level of responsibility.
- In addition to the base salary supplement, the Ministry of Health will fund associated benefit and payroll related costs (e.g. CPP, EI, health and dental).

Respectfully submitted and signed by

_____

Franco Meffe
Director, Human Resources

Niagara Region

Corporate Administration
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 52-2020

Subject: Councillor Information Requests re: Layoffs – June 25, 2020

Date: July 23, 2020

To: Regional Council

From: Franco Meffe, Director, Human Resources

This memo is in response to the Councillor Information Requests regarding layoffs that were raised during the Budget Review Committee of the Whole meeting held on June 25, 2020.

Councillor Information Requests are in **bold** below with the corresponding responses:

1. **How many staff has the Region laid off?**

   There are currently 10 staff on layoff; none of these staff are on layoff as a result of COVID-19.

   As has been previously reported to Council, the Region has focused its workforce planning efforts to support essential and key service delivery. Specifically, the Region identified staffing volumes required to maintain essential services with the dual purpose of; (a) identifying individual staff required to maintain required service levels and, (b) identifying individual staff not required for maintenance of essential services for the purpose of redeployment. As reported on June 25, 360 staff have been redeployed, as at July 10 that figure is 348. *Note: these figures exclude those staff who support the Public Health and Region EOCs.*

   Additionally, there have been a number of other factors that have contributed to the Region's workforce planning, which is summarized as follows **[emphasis added]**:

   - **538** employees are currently on some form of leave of absence:
     - **467 (87%)** of these staff are in Community Services or Public Health/EMS
     - This represents approximately **14%** of all Region employees
     - **236 (44%)** of these leaves of absence **began after March 13, 2020**
     - **145** staff are on an unpaid ESA protected leave (excluding maternity/parental/adoption leaves N=125)
       - **135** (**93%**) of ESA leaves **began after March 13, 2020**, and;
       - **109** of the **135** staff are from Seniors Services **(81%)**
     - **10** staff are on layoff; all layoffs **began before March 13, 2020**
     - **104** staff are on medical leave (excluding LTD and WSIB) – **45** leaves **began after March 13, 2020**

- **6** staff are on unpaid personal leave – **4** leaves **began after March 13, 2020**.

Notwithstanding that most staff delivering services are deemed essential, taking into consideration staff redeployment, and the other impacts noted above, the Region did not pursue layoffs of staff due to the complexities of the layoff and bumping language within collective agreements. Alternatively, in certain circumstance the Region either approved or placed affected staff on *ESA* leave rather than layoff where it was reasonable to do so. This allows for significant mutual benefit in that it avoided the cumbersome layoff and bumping process for the employer, of equal benefit from a staff perspective, it allowed for a job protected leave under the *ESA* and at the same time allowed employees to maintain certain benefits and apply for either provincial or federal wage subsidy assistance.

2. How does the Region compare to other regional municipalities when it comes to layoffs?

The Region was able to gather relative information from six (6) other Regional or Single-Tier municipalities; York Region, Halton Region, Durham Region, Peel Region, City of Hamilton, and Waterloo Region. Our municipal counterparts were requested to provide figures concerning layoffs, and also asked for specific layoff details concerning the areas of operations affected, and in addition to comment on leaves of absence and redeployment efforts in order to provide a more fulsome view of respective staffing impacts.

The following is a summary of the responses, with the individual municipality identifier redacted as consent to disclose was not provided:

Municipality	Layoffs	Leaves of Absence	Redeployment
A	15 layoffs. Temporary Full-time employees temporarily laid off, and 64 casual employees were not offered shifts due to shortages of work. Layoffs in areas across Community & Health Services, Corporate Services,	Some staff did elect to utilize *ESA* Declared Emergency Leave.	Close to 900 staff have been redeployed predominantly to Community & Health Services and Public Health.

	Environmental Services, Finance, Legal & Court Services, Transportation Services, and the Office of the CAO.		
B	36 layoffs. All layoffs in Transit: - 41 Operators, with 5 of those staff moving into vacant Service Person positions.	We have had staff opt to take an *ESA* Declared Emergency Leave or Personal Leave during this time.	461* staff in Health, Long-Term Care, Communications, Emergency Management, and Works *this number represents largely all nursing and associated staff within Health – we phased out programs and uploaded all staff into Infectious Diseases so this high number actually represents redeployment within the same department.
C	30 layoffs. Staff temporarily laid off since March 2020 and will be switched to be on an *ESA* Infectious Disease Leave. Layoffs in the following areas:	62 staff since March 2020 have used an *ESA* Leave. Approximately 190 Long-Term Care staff have been placed on an unpaid leave when they elected to work in another healthcare setting.	776 staff have been redeployed mostly in Public Health and Long-Term Care; everyone in Public Health has been redeployed to support pandemic response.

	- 18 Digital & Information Services - 2 Human Services - 5 Public Works - 5 Corporate Services		
D	154 staff elected to take a layoff (this municipality provided staff the option to accept layoff or take an unpaid *ESA* Declared Emergency Leave). Approximately 126 of these layoffs are Transit employees who were not given the option of *ESA* leave. It was noted that a total of 410 staff were affected, in addition to the above there were staff contracts that were ended early, including student hires. Areas impacted were Community Services, Corporate Services, Human Resources & Citizen Services, Planning Development &	Approximately 202 staff elected to take and *ESA* Declared Emergency Leave. As noted, *ESA* Declared Emergency Leave and layoff were the leave options given to staff. Some employees before the layoffs were already off of work on childcare leaves (*ESA* Infectious Disease Leave), or off of work for being immunocompromised reasons/unsafe to work; however the majority of those staff were laid off and opted for the *ESA* Declared Emergency Leave option.	86 staff were redeployed primarily to our pop-up Community Shelters, Public Health and Emergency Services, and Long-Term Care Home.

	Legislative Services, Regional Chairs Office, Transportation & Environmental Services, and Public Health & Emergency Services.		
E	No layoffs. Approximately 1,338 Part-time and Casual employees stopped being scheduled and no longer guaranteed minimum hours; this took effective May 5, 2020. The areas affected were primarily in Healthy & Safe Communities, and Public Works Departments.	In lieu of layoffs, staff were placed on *ESA* Declared Emergency Leave. It was noted that there were a number of vacant positions that have not been filled, including the number of student hires has been significantly reduced compared to prior year.	Approximately 267 Full-time staff have been redeployed – primarily within our Public Works Department. This figure was as at June 10, 2020, it was noted that this number is higher now; however, data was not provided.
F	No layoffs. There were no staff laid off as a result of COVID-19. It was noted that 18 staff have taken an unpaid leave of absence due to shortage of work.	20 staff since March 2020 have used an *ESA* Leave. 156 staff have taken an unpaid personal leave of absence; this is all Long-Term Care staff who elected to work for another employer per the EMCPA order – this accounts for approximately 75% of the total staff on leave.	293 staff redeployed, mostly in Long-Term Care but also some in Public Health and Paramedics Services. It was noted that many of these were redeployments were within departments, (i.e. Adult Day Program staff or Children's Services

			staff supporting Long-Term Care).

Respectfully submitted and signed by

Franco Meffe
Director, Human Resources

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Friday, July 10, 2020 1:34:50 PM

From: Niagara Region Website
Sent: Friday, 10 July 2020 13:33:40 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Chris Ventura

phone
[redacted]

email
[redacted]

address

municipality
St. Catharines

other mun

subject
Regional Council/Clerk

comments
Hello Regional Councilors of Niagara, I want to add my voice and the voices of my household and family to the chorus of voices supporting a mandatory mask bylaw in Niagara. I am privileged enough to be able to work from home and thankfully no one in my immediate family has been impacted by COVID-

19. That being said, my parents own a retail grocery store in Niagara Falls, and have been following stricter than required public health guidelines, and were early adopters of mask-wearing in our store. We are even offering masks to shoppers who don't have one, but it is very frustrating for them as business owners who want to ensure every shopper has a mask, but they have nothing to point to in terms of a bylaw or support from the government to enforce what they'd like to do. My dad is diabetic and has a heart condition, and is in the highest risk category for COVID-19, and because he runs the store, he has to be there 60+ hours a week and does not have the luxury of working from home. A mask bylaw would mean that they could enforce a mask only shopping environment, which would reduce his chance of being infected by several orders of magnitude. Beyond the personal reasons for supporting this bylaw, the science and research around the spread of COVID-19 (through aerosol droplets) is increasingly clarifying how even rudimentary face coverings like a homemade cloth mask can significantly reduce the chances of spreading COVID-19. Obviously, masks are not 100% effective, but there are very few if any public health or public safety initiatives that are 100% effective (if there was a policy that increased public safety by 60+%, it would be hailed as a remarkable achievement). As public officials, you have access to Dr. Hirji's work, as well as to staff who can provide the specific research being conducted globally, and locally through the WHO, PHAC, OPH, Brock University, and others, so I am not going to provide specific links to the scientific research as it is our collective responsibility to listen to our scientific leaders and take the best advice from them possible. Thank you for receiving and reviewing this request for your support of the mandatory mask bylaw for Niagara. I hope you will do the right thing and pass this bylaw as soon as possible so we can not only crush the curve of the spread of COVID-19, but accelerate the move to a post-COVID Niagara where these measures will no longer be necessary. The sooner masks are made mandatory, the sooner we can get back to normal. Regards, Chris Ventura MEd. [redacted]

reply
yes

Page Referrer
https://l.messenger.com/

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Friday, July 10, 2020 2:19:30 PM

From: Niagara Region Website
Sent: Friday, 10 July 2020 14:19:20 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Katherine Nelson-Riley

phone
[redacted]

email
[redacted]

address

municipality
St. Catharines

other mun

subject
Regional Council/Clerk

comments
Hello Chair Bradley, councillors and staff … Hoping this finds everyone – and yours – safe and healthy. If you are … then what we're doing is working! Here's our synopsis: Myself – 62 yrs ... good health Husband – 80 yrs … non-hodgkins lymphoma cancer survivor, doing well now! 3 daughters &

husbands … 5 of the 6 are literally ON THE FRONT LINE! Hospital Respiratory Therapist in Hamilton, OPP, York Region Police, Fire, Public Health, National Guard 6 grandchildren … 1.5 – 5 yrs old Extended Family - 7 ON THE FRONT LINE! Nurses, Physicians, Epidemiologists In Niagara: - I know of 4 people who have tested positive for CORONA. None serious enough to be hospitalized, however still very sick. 2: "Sickest I've ever been". In the US: - One of my cousins passed away from COVID. Healthy. Mid 50's. Careful with safe practices. Did not know how he contracted COVID. - My Birth-mother's neighbour passed away. She was fine. Then a couple of days later she wasn't. Then within 48 hours she was gone. She was in her upper 60's – but in good health. - The husband from a friend (since childhood) contracted COVID. Healthy. Mid 40's. Careful with safe practices. Did not know how he contracted COVID Was hospitalized and on a ventilator for over 4 weeks. Multiple organ failures. Nerve damage in legs and feed. Almost died several times. He will be undergoing physiotherapy for the next 12-18months JUST to get back to some semblance of 'normal' activities. ie: walking. - 4 others have tested positive and had mild to moderate cases. Additional: The 'homes' that were affected here in Niagara and how quickly COVID spread through – killing many. Copious examples from the US … New York at the beginning … and throughout as their numbers soar. And of course … other countries. Additional 2: Canada Day, walking in Port Dalhousie down Main between Gertrude and Lock. Because I was 'outside', I had the elastic of my mask on my finger. I stepped aside as a group of 5 adults (guessing mid 30's – upper '40's) were walking up the sidewalk so they could safely pass by keeping 2 meters distance. One of the men lunged at me in a mocking manner, waving his hands, 'Ooooh – it's gonna get you' and started laughing (pretty sure he'd had a couple of drinks before hand). His wife 'whopped his arm' sending a 'smarten up' message. He continued to mock me and said I don't know of ANYONE who's been sick. My reply, "Aren't you lucky then? THAT's What taking safety precautions is supposed to do – protect us'. I then let him know that I knew of two who had passed away from COVID and several others who had tested positive and were quite sick, but recovered. These were the first he heard of. He continued – still attempting to 'mock' me .. – even though his wife had her hands full trying to get him to stop, it was nice to know she WAS trying to get him to behave better! We vote to: WEAR MASKS! • Health care providers regularly wear them to protect themselves ie: dental hygienists, surgical teams, ICU • COVID is deemed by the professional MEDICAL and SCIENTIFIC experts to be a challenge – it's unprecedented as to how it presents/affects/mutates/treatments PLUS folks are contagious prior to showing any signs of being ill, or can be asymptomatic … THUS 'the experts' are still trying to figure out common denominators in order to mitigate the number of folks affected or who may die. WASHING your hands, staying 2+ metres apart and wearing masks protects EVERYONE. A SMALL inconvenience for the public to wear them for a SHORT time when in indoor public spaces. • Need a visual as to how far your breath/droplets travel? Think of when it's cold enough to 'see' your breath … add in a cough or sneeze, and it travels even further. • Folks who say NO! Infringement of

their rights? That's all well and good IF your decisions are ONLY affecting you. However, in this instance – because you can be contagious prior to showing any signs – their decision can directly affect others. Potentially MANY others. Potentially overloading medical systems. They have a choice to make a decision to not wear a mask – however, they also have a responsibility to bear the consequences of that decision, and that includes being refused entry into a business who's policy (either by choice or by law) is to wear one. Folks don't balk at wearing a seat belt in a car or on a plane. Taking their shoes and belts off at Airport Security check-points. Any number of other areas. • Perhaps in the (hopefully not too distant) future, when the proven scientific/medical community has been able to get a handle on COVID, we won't need to wear masks. But in the meantime … this is a small individual inconvenience for the good of the whole. What IS showing throughout all of this, is the creativity that we're seeing. How folks are staying connected. How they're continuing to do business. How they're seeing a need and fulfilling those needs. Aren't we lucky that we ARE in the technological age that we are so that we DO have the technology to STAY connected. A short while ago … would have only been through handwritten notes, telephone, newspapers, radio. No face-to-face. We're learning that maybe …we CAN work from home. We don't NEED as much as what we thought we did. We CAN eat dinner as a family. We CAN reach out and 'touch' someone through so many avenues. We CAN access information. We CAN do so much - Start or Finish a project. Take a class (on-line!). Do your taxes – no excuse to not have them in 'on time' this year – LOL! Be thankful we DO live in Canada. That there are financial resources available – no, not to all as some folks will/do 'fall through the cracks' … Positive mindset/attitude. Kindness. Empathy. Creativity. Be thankful. Stay safe! Katherine & Jack Riley Katherine Nelson-Riley [redacted]

reply
yes

Page Referrer
https://www.niagararegion.ca/Forms/Get_Form_Values.aspx

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Sunday, July 12, 2020 9:53:26 AM

From: Niagara Region Website
Sent: Sunday, 12 July 2020 09:52:55 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Jennifer Rice

phone
[redacted]

email
[redacted]

address

municipality
Pelham

other mun

subject
Regional Council/Clerk

comments
Good morning, I am writing you this email to voice my disappointment that the bylaw for mandatory masks was not passed during your last meeting. I understand that it will be revisited on the 23rd but that means we have lost 2 weeks as we sit on our hands on this issue. There is a lot of current, "strong

science" out there that promotes the use of mask wearing is a very solid way to decrease the risk when out in public. One such study said that wearing masks is most effective when 90% of the public wears them. Unfortunately, I do not see 90% of people wearing them when out shopping but more and more people choosing NOT to wear them. The honour system is not working. Right now people in our communities have a false sense of security by looking at the daily numbers that are shared online. They think that because only one or two people each day have tested positive, then the virus isn't around them. Unfortunately, I think that some of these same people currently hold seats on council. My daughter works in a retail store in Welland and is becoming increasingly worried when going to work. She says that the majority of people coming in do not wear face masks and many don't social distance anymore. Who is going to protect the workers? I know that Costco in St. Catharines hands out masks at the door for those people who didn't bring one but should we expect that every business to do the same? Shouldn't this just be an expectation across the region everywhere that when you go into a store you wear a mask? We really need to follow the lead of other regions around us (Hamilton, Peel, Durham, Toronto etc) and those further away (Manitoulin, Ottawa, Nippissing etc) and make mask wearing mandatory. Unfortunately, when given a choice, people often choose the easy way out. Sincerely, Jennifer Rice

reply

no

Page Referrer

https://t.co/zpMzpD4OPo?amp=1

Office of the President

Brock University
Niagara Region
1812 Sir Isaac Brock Way
St. Catharines, ON
L2S 3A1 Canada
T 905 688 5550 x3333
F 905 684 2277

brocku.ca

Friday, July 17, 2020

Mr. Jim Bradley, Regional Chair
Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON
L2V 4T7

(For redistribution to Regional Council)

Dear Chair Bradley,

Brock University continues to work with you and our community partners in dealing with the crisis brought on by the COVID-19 pandemic. We initiated our response to the potential impact of COVID-19 early. By March, we began to undertake steps with other postsecondary institutions such as increased cleaning and disinfection, communicating methods to prevent spreading of the virus, and eventually suspending face-to-face classes and moving significant parts of our operations to online and offsite. We recently communicated our plan to have a primarily online fall semester that balances student health and well-being, while also ensuring the health and safety of our 6,000 employees who live throughout the Niagara Region and support the educational success of our 19,700 students. Our staff and faculty have been working diligently these last few months to ensure that our planning allows students to have a high-quality learning experience, that will also help to prepare them to live and work in an ever changed post-COVID world. While this has been a significantly challenging time for everyone, Brock will continue to be a leader in Niagara's effort to fight COVID-19. We are the second largest employer in the Niagara region and we are committed to supporting the region in its reopening and recovery efforts.

As the provincial and federal government continue to move to increasingly re-open the economy, we would like to state our support for a mandatory mask policy moving forward. Research has continued to find that airborne transmission appears to be the dominant route for infection. A recent study in the *Proceedings of the National Academy of Sciences* (*PNAS*) found that in New York State the daily new infection rate dropped by 3% per day after a policy requiring that people wear face masks or coverings in public took effect. The researchers estimated that requirements related to face masks and coverings significantly reduced the number of infections. The WHO has also acknowledged a growing compendium of observational evidence on the use of masks by the general public and has updated its

guidance to advise that to prevent COVID-19 transmission effectively in areas of community transmission, governments should encourage the general public to wear masks in specific situations and settings as part of a comprehensive approach to suppress SARS-CoV-2 transmission. The federal government's Health Canada and the United States' CDC have also updated their recommendations that people should wear cloth face coverings in public settings and when around people who do not live in their household, especially when other social distancing measure are difficult to maintain. Overall, the growing body of evidence suggests that mandatory mask wearing can be an effective solution to stopping the transmission of COVID-19.

As we have witnessed over recent weeks in many countries around the world, the threat of the virus has not been eliminated and it can re-emerge with similar or even surpass transmission levels we saw in March/April at the peak of the first wave. With restrictions continuing to loosen up, now is the time more than ever to remain vigilant and take every step to limit the transmission of the virus until a solution is found to completely eliminate it. Wearing a mask is comfortable for most with minor inconvenience for a few, but wearing a mask is a proven action that can save the lives of many of our family members, friends and neighbours.

At Brock, our students, faculty and staff will be required to wear a mask in all of our indoor spaces and advised to do so outdoors if physical distancing cannot be assured. Our students, faculty and staff live across the region and we attract nearly 9,000 students to the Niagara region each year. We have put in place a recovery strategy to get students back to the region as soon as possible. The overall economic impact of Brock is $640 million and we are building new residences to support the growth we have seen over the past few years. Wearing a mask is an action to improve health outcomes, but it is also a demonstration of the commitment we all have to the economic recovery of the region.

If you have any questions or if there is anything that Brock can do to further support the Region in its efforts to combat COVID-19 please do not hesitate to reach out to us. You may contact Meaghan Rusnell, Executive Director of Government and Community Relations at mrusnell@brocku.ca.

Sincerely,

Dr. Gervan Fearon
President and Vice-Chancellor
Brock University

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Friday, July 17, 2020 2:23:35 PM

From: Niagara Region Website
Sent: Friday, 17 July 2020 14:23:27 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Denton Grenke

phone

email
[redacted]

municipality
Fort Erie

other mun

subject
Mandatory Face Covering - Niagara Region

comments
I wish the following information be provided to all members of Regional Council prior to the Special Meeting on July 23, 2020. First, let me say, I support the passing of the proposed By-Law for Mandatory Face Covering in Public Spaces. To not pass the By-Law puts all residents of the region and visitors at an extreme health risk. Residents have done an admirable job of reducing the cases within the region, however, now it not the time to take our "foot off the gas", so to speak. I would like each of you to perform this little "experiment" prior to your next meeting. Go to a store (Canadian Tire or

Lowes or Sobeys or Shoppers Drug Mart or another establishment) Walk through the store while observing all the regulations on social distancing, wearing a mask if required by the establishment, one-way aisles, etc.. How many times were you unable to stay 2 meters away from someone else who was not wearing a mask? My observations as I go through my daily or weekly shopping routines (while wearing a mask) is that I come in close contact with at least 6 maskless people during the visit. That's 6 opportunities for me to become infected with Covid-19 every time I go to a store. The experts say "WEAR A MASK". Regional Council needs to pass this By-Law now!

reply
yes

Page Referrer
https://www.niagararegion.ca/government/council/writtenletter.aspx

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Friday, July 17, 2020 4:44:54 PM

From: Niagara Region Website
Sent: Friday, 17 July 2020 16:43:49 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Kate Bezanson

phone

email
kbezanson@brocku.ca

municipality
St. Catharines

other mun

subject
Unconditional Support for Mandatory Indoor Masking

comments
Dear members of Niagara Regional Council: I write to you today to express my unconditional support for adopting mandatory masking in indoor spaces in the Niagara region. The reasons in support of such an approach are well canvassed in public health literature, and other major Canadian municipalities and regions have wisely taken such an approach. In addition to the emerging public health consensus on the advisability of mandatory masking, I urge you to consider the following additional considerations and vote without delay in favour of mandatory indoor masking. 1. Keeping

businesses, workers, and visitors safe: Individual employers are taking different and inconsistent approaches to indoor masking. Such variety results in uneven virus containment, and puts the onus on staff (because Niagara has a great deal of service sector jobs, these are often young staff) to police and enforce safety practices. This puts them at risk of conflict with customers, and also puts their health at risk. Moreover, our region has visitors from many parts of the province and country, increasing risk and harm. Council owes to its citizens the same protections it affords itself and its employees. Mandatory masking achieves this. 2. Childcare and School opening: Adopting mandatory masking now creates the conditions for lower virus spread. Failure to do so puts school and full childcare reopening at risk. If schools and childcare do not reopen at full capacity, parents cannot return to work and the effects on children's mental and social health will be significant. Without parental return to work, there is higher poverty, reduced household spending, slower economic growth, and a guaranteed stalled recovery. There is no economic recovery with childcare and schools, and failure to take this small measure risks the gains and jeopardizes the sacrifices already made. I urge you to take the responsible decision to immediately adopt and without delay implement a mandatory indoor masking bylaw. Yours sincerely, Kate Bezanson, St. Catharines Dr. Kate Bezanson, BA, MA, LLM, PhD Associate Dean, Faculty of Social Sciences & Associate Professor, Sociology SBH 329, Brock University St. Catharines, Ontario, CANADA L2S3A1 kbezanson@brocku.ca

reply
yes

Page Referrer
https://www.niagararegion.ca/government/council/speakingatCouncil.aspx

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Saturday, July 18, 2020 8:51:32 AM

From: Niagara Region Website
Sent: Saturday, 18 July 2020 08:50:47 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Isabella Friedl

phone
[redacted]

email
[redacted]

address

municipality
Lincoln

other mun

subject
Regional Council/Clerk

comments
I would just like to add my support to those on the side of mandating mask wearing in public places where social distancing is compromised, during this time of the fight against Covid

reply
no

Page Referrer
https://www.niagararegion.ca/

Mailing address: P.O. Box 641, Smithville, On, LoR 2Ao
www.grassiechurch.ca Email: clerk@grassiechurch.ca

OF GRASSIE

Niagara Regional Council
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

July 17, 2020

Re: Proposed Mandatory Mask Bylaw

Dear Honourable Members of Regional Council,

As church situated in Grassie, we wish to affirm our respect for you and your fellow governing officials. We want you to know that we are praying for you, your staff, and also the entire Ontario government as you and they seek to protect us during this pandemic.

In Stage 2, we were once again able to meet for public worship (although it looks very different than prior to the pandemic starting) and have followed the Ontario government's guidelines when it came to restricting the building capacity to 30%, as well as ensuring that physical distancing is in place during the worship services. To that end, we have done the following:

- Divided the church membership to be within the 30% building capacity
- Ensured that members from other households sit at a minimum 6 feet from each other (that includes to the sides, front, and back of each family unit)
- Keep attendance records to aid in contact tracing should the need arise
- Have made it a requirement that any member who may have been or has been exposed to the virus to withhold themselves from worship for at least 2 weeks.

We are happy to say that with those measures, we have returned to some sense of normalcy in worship and have not had any reported cases of the virus. Provided that we continue to physical distance, we do not believe that a mandatory mask bylaw is necessary.

Regarding the proposed bylaw (reference page 76 – 78 of your agenda from your July 8th meeting), we noted that Section 1.6.c. includes churches and other places of worship as one such "enclosed public place", and not in Section 1.8 (the places that are not included as an enclosed public place). Section 1.8 includes schools, post-secondary institutions, hospitals, government offices etc...

We respectfully ask that you:

1. Do not vote yes to a mandatory mask bylaw. As cited by many documents in your agenda package, masks offer little, if any, protection from infection
2. If Council votes yes, to then include churches & other places of worship in section 1.8 of the bylaw, and not section 1.6.

Finally, we will continue to uphold you in our prayers, asking God to grant wisdom to you and all those in authority over us. We are pleased to do so as this is in keeping with God's command in 1 Timothy 2:1-2. We trust the Lord will hear and answer our every prayer!

We thank you for your service and leadership. The Lord be with you!

On behalf of the Council of Covenant Canadian Reformed Church in Grassie, Ontario

William Ravensbergen – chairman

Mark VanAndel - clerk

July 20, 2020

Statement to the Niagara Regional Council

RE: Bylaw -Mandatory masking in public

The Niagara Region Anti-Racism Association advocates for the passing of the mandatory wearing of masks in the Niagara Region. Research shows that masks keeps COVID-19 numbers down. It is imperative we keep numbers down for the safety of all community members. Specifically, we highlight a few effects of COVID-19 on marginalized members of our community.

Research has shown that COVID-19 is disproportionately impacting and affecting individuals who are on the margins of society.

HEALTH: Not actively taking every possible precaution to protect residents against COVID-19 deepens current inequalities and oppressions of multiple vulnerable groups including: people of colour, people experiencing poverty, LGBTQ+, people who are elderly and people with health issues. For this reason, we call on the Regional Municipality of Niagara to make mask wearing mandatory. In this way, the Region is taking an active measure to protect our most vulnerable residents from this deadly virus.

EDUCATION: Wearing masks now helps us to have a greater chance of successfully re-opening schools in September. Research has shown that marginalized people are disproportionately affected by school closure. Attending to the implications for people of colour, data shows that racialized people disproportionality experience poverty. Families experiencing poverty do not have the same structural supports available to support the education of their children on-line. For this reason, we call on the Region of Niagara to make mask wearing mandatory. In this way, the Region is taking an active measure to provide equitable access to education for all Niagara residents.

We call on the Niagara Region Councillors to implement mandatory bylaw so that our community can collectively work to reduce the spread of COVID-19 in Niagara. Do it for all of our health, education, and economy.

Signed,

Vicki-Lynn Smith, on behalf of the Niagara Region Anti-Racism Association

From: Niagara Kung Fu
To: Group-Councillors 2018
Subject: mandatory face masks
Date: Tuesday, July 21, 2020 2:19:00 PM

CAUTION: This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Dear Councillors,

I hope you are all doing well. I wanted to reach out with some input into the upcoming regional decision regarding mandatory face masks and hopefully offer some insight as a business owner and wellness educator.

We are hoping this motion to make masks mandatory does not pass. In our form of physical exercise we are ensuring that our students are continually distanced appropriately and screened upon entry. Also we regularly disinfect surfaces and we are keeping track of every person who enters the building (being membership based, we have contact information for everyone). This is done under the advice of Niagara Regional Public Health. These are the most effective measures against further spread of Covid-19, as expressed by Niagara Regional Public Health.

We have been following the guidelines of Dr. Hirji and have noticed that his professional opinion does not recommend the mandate, even though mere political pressure (and not science based evidence) are heavily leaning toward it. We feel this decision, if mandated, does not reflect the views of professional health care authorities but is instead fear based and not actually rational. This concerns me because of the nature of our physical activity.

In the summer months when students are exerting themselves physically, wearing a mask will inhibit this form of exercise, partially through restricting their breathing, but other factors are involved. This difference in breathing is not significant when not engaging in exercise, obviously, but when the heart rate is up continually during exercise the effects are different. When students perspire, masks become moist, increasing the likeliness they will be handled, reducing any effectiveness they may have had. I believe this mandate will generally discourage people from engaging in physical exercise at a time when it is most desperately needed. We hear daily from parents claiming their children are falling into states of depression due to prolonged periods of inactivity. The same is true for adults. The prolonged period of inactivity is having disastrous effects on our community's mental and physical well being, which are not being considered strongly enough, and any mandate that will discourage people from getting out and getting active again must be weighed very cautiously, especially against a motion that is backed only speculatively.

Please let me know if there is anyone else I can share this with to weigh in on this decision while there is time to do so.

Rob Atalick
Owner / Master Instructor
Niagara Kung Fu Academy

905-357-9146
NiagaraKungFu.ca

July 16/20

RE: Mandatory Masking in Enclosed Public Spaces Niagara Falls/Niagara Region

Members of Niagara Regional Council:

As a group of Primary Care Health Practitioners (providing care to 13,000 + patients) it is with strong volition that during this time of global pandemic, with dealing with the health and safety of not only our patients, but the patients/families/community of Niagara Falls and Niagara Region as a whole, that we suggest Niagara Regional Council moves forward with mandatory masking in enclosed public spaces. This is recommended not only based on our medical knowledge and expertise: this includes our first-hand experience with dealing with the COVID-19 patients over the past six (6) months within Niagara Falls and the Niagara Region. The Center for Disease Control and Prevention is now recommending masking as a first step to prevention; we should take heed from the outcome of the United States as they did not choose to make masking mandatory. We need to be proactive not reactive at this time to ensure the health and well-being of our community.

Sincerely,

Dr David A. Dec

Dr Ghazanfar Ahmed

Dr Wilson Leung

Dr Brian Bassil

Dr Alison MacTavish

Dr David Rosa

Dale Rusk, RNEC

303-4256 Portage Road, Niagara Falls L2E 6A4

Ontario

Administration
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 72-2020

Subject: Face Covering By-laws – City of St. Catharines, Town of Niagara-on-the-Lake and City of Mississauga

Date: July 23, 2020

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

At its Special meeting held on July 8, 2020, Regional Council considered Report CAO 15-2020 – Options to Consider for Mandating Face Masks and subsequently deferred the matter of approval of a temporary by-law requiring mandatory face coverings in enclosed public places during the COVID-19 pandemic. Staff were requested to include in the proposed by-law provisions requiring owners and operators of enclosed public spaces to have a policy in place respecting the wearing of face coverings similar to the provisions provided for in the by-law mandating face coverings passed by the City of Mississauga.

Memorandum CAO 16-2020 has been included on the agenda for the July 23, 2020 Regional Council meeting (Agenda Item 10.1) and provides additional information respecting face coverings. Appendix 4 of CAO 16-2020 is an updated draft proposed by-law that in accordance with the direction provided to staff includes provisions similar to those in the City of Mississauga's by-law with regard to required policies for owners and operators of enclosed public spaces. A copy of the City of Mississauga's is attached for Council's information (Appendix 1).

Since the Special Regional Council meeting on July 8, both the City of St. Catharines and the Town of Niagara-on-the-Lake have passed by-laws mandating the wearing of masks in enclosed public spaces within their municipalities. The City of St. Catharines By-law came into effect on July 17 and the Town of Niagara-on-the-Lake's by-law will be effective on July 23. These respective by-laws are attached for Council's information (Appendices 2 and 3).

Respectfully submitted and signed by

_____
Ann-Marie Norio
Regional Clerk

A by-law to require mandatory face coverings in
indoor spaces and vehicles accessible to the public
in the City of Mississauga

WHEREAS on March 17, 2020, an emergency was declared by the Government of Ontario ("Province") pursuant to Order in Council 518/2020 under section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 ("*EMCPA*") in response to the outbreak of COVID-19;

AND WHEREAS on March 18, 2020, the Regional Municipality of Peel ("Region of Peel") declared an emergency in support of the Province's efforts to contain the spread of COVID-19;

AND WHEREAS on March 23, 2020, the Corporation of the City of Mississauga (the "City") declared an emergency pursuant to section 4 of the *EMCPA* in support of the Province's and Region of Peel's efforts to contain the spread of COVID-19;

AND WHEREAS health authorities at the Federal and Provincial level have recommended that persons wear face coverings in public where physical distancing cannot be maintained;

AND WHEREAS in May 2020 the Medical Officer of Health for the Region of Peel strongly recommended the use of masks or face coverings and on June 30, 2020 recommended the mandatory use of masks or face coverings in connection with and to support the safe re-opening of the Region of Peel in accordance with the Province's Stage 2 Re-Opening Framework;

AND WHEREAS Council for the City is desirous to enact a by-law to require mandatory face coverings in indoor public spaces and vehicles that are accessible to the public to help contain the spread of COVID-19;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended ("*Municipal Act, 2001"*) provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* authorizes a municipality to pass by-laws with respect to: economic, social and environmental well-being of the municipality, including respecting climate change; the health, safety and well-being of persons; and the protection of persons and property, including consumer protection;

AND WHEREAS subsections 425(1) and 429(1) of the *Municipal Act, 2001* authorizes a municipality to pass by-laws providing that a person who contravenes a municipal by-law is guilty of an offence and to establish a system of fines for offences under a by-law;

AND WHEREAS subsection 436(1) of the *Municipal Act, 2001* provides that a municipality has the power to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not a by-law passed under the *Municipal Act, 2001* is being complied with;

AND WHEREAS subsection 444(1) of the *Municipal Act, 2001* authorizes a municipality to make an order requiring the person who contravened a by-law, caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

NOW THEREFORE the Council of The Corporation of the City of Mississauga **ENACTS** as follows:

Part 1 – Definitions

1. For the purposes of this By-law:

"By-law" means this By-law;

"City" means The Corporation of the City of Mississauga and/or the municipal boundaries of the City of Mississauga;

"Council" means City Council of the Corporation of the City of Mississauga;

"*EMCPA*" means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9;

"Emergency Orders" means the emergency orders passed by the Province of Ontario pursuant to the *EMCPA* related to COVID-19, including any regulations enacted pursuant to the *EMCPA;*

"Face Covering" means a mask or face covering (including a bandana or scarf) constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping. For greater clarity, a Face Covering may include, but is not required to be, a medical mask such as surgical masks, N95 or other masks required by healthcare workers;

"Medical Officer of Health" means the Medical Officer of Health for the Regional Municipality of Peel;

"*Municipal Act, 2001*" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

"Municipality" means the City and the Regional Municipality of Peel or their local boards or agencies, including the Peel Regional Police;

"Mississauga Transit Vehicle" means any vehicle which is used as part of the City's public bus transportation system and falls under the operation and control of Mississauga Transit;

"Officer" means

(a) a by-law enforcement officer employed by a Municipality to perform the duties of enforcing City or Region of Peel by-laws;

(b) a police officer employed by the Peel Regional Police or the Ontario Provincial Police; or

(c) a public health inspector acting under the direction of the Medical Officer of Health.

"Operator" means a Person or organization who alone or with others, owns and/or has control over and/or directs, the operation of a Public Establishment, or vehicle described in subsection 9(2) of this By-law, but does not include a Municipality;

"Person" or any expression referring to a person, means an individual of any age and also includes a partnership, limited partnership, and a corporation and its directors and officers, and the heirs, executors, assignees and administrators;

"*Provincial Offences Act*" means the *Provincial Offences Act*, R.S.O. 1990, c. P.33;

Part 2 – Public Establishments

2. For the purposes of this By-law, "Public Establishment" means any portion of a building in the City that is located:

(1) indoors; and

(2) where the public is ordinarily invited or permitted access to whether or not a fee or a membership is charged for entry.

3. For greater clarity, Public Establishments shall include the following:

(1) retail stores where goods and services are sold to customers;

(2) businesses that primarily sell food including restaurants, supermarkets, grocery stores, bakeries and convenience stores;

(3) churches, mosques, temples, synagogues and other places of worship, except during a religious rite or ceremony that is incompatible with the face being covered;

(4) indoor sports and recreational facilities and private clubs;

(5) shopping malls or similar structure which contains multiple places of business;

(6) businesses providing personal care services;

(7) common areas of hotels and motels and other short term accommodations, such as lobbies, elevators, meeting rooms or other common use facilities, but does not include the common areas of residential apartment buildings and condominiums;

(8) libraries, museums, galleries and other similar facilities;

(9) banquet halls, conventions centres, arenas, stadiums and other event spaces;

(10) concert venues, theatres, cinemas, casinos and other entertainment establishments;

(11) premises utilized as an open house, presentation centre, or other facility for real estate purposes;

(12) buildings operated by a Municipality; and

(13) other businesses, organizations and places that are permitted to operate in accordance with the Emergency Orders.

4. Notwithstanding the generality of section 2 and the specificity of section 3, Public Establishment shall not include the following:

(1) day cares, schools, post-secondary institutions and other facilities used solely for educational purposes;

(2) hospitals and portions of buildings used by regulated health professionals;

(3) buildings owned or services operated by the Province of Ontario or the Government of Canada;

(4) portions of community centres, arenas or other buildings that are being used for the purpose of providing day camps for children or for the training of amateur or professional athletes;

(5) portions of community centres, arenas or other buildings operated by a Municipality used for the purpose of providing community services or programs for which registration is required; and

(6) school transportation vehicles.

Part 3 – Face Covering Policy

5. The Operator shall adopt a Face Covering policy to ensure that no Person is permitted entry to, or otherwise remains within, a Public Establishment or a vehicle as described in subsection 9(2), unless the Person is wearing a Face Covering, subject to the exemptions set out in Part 5 of this By-law and otherwise in accordance with this By-law.

6. The Operator shall, upon request, provide a copy of the Face Covering policy for inspection by an Officer.

7. No Operator shall permit a Person to enter or to remain in, a Public Establishment or a vehicle as described in subsection 9(2), without a Face Covering in contravention of this By-law or the Face Covering policy required to be adopted in accordance with section 5.

8. Every Operator shall conspicuously post at all entrances to the Public Establishment or inside a vehicle as described in subsection 9(2) of this By-law clearly visible signage that Persons are required to wear a Face Covering in accordance with this By-law.

Part 4 – Face Coverings

9. Every Person shall wear a Face Covering:

   (1) before entering and while inside a Public Establishment; and

   (2) before entering into and while riding in a:

      (a) Mississauga Transit Vehicle;

      (b) vehicle licensed by the City in accordance with the City's Public Vehicle Licensing By-law 420-04, as amended; and

      (c) private vehicle for hire, including but not limited to, a TNC vehicle as further described in the City's Transportation Network Company Licensing By-law 0109-2019.

10. Every Person shall ensure that any Person under ones care including children comply with Section 9 of this By-law.

Part 5 – Exemptions

11. Notwithstanding Part 4 of this By-law, the following Persons shall be exempt from wearing a Face Covering:

   (1) children 2 years of age or younger;

   (2) children between the ages of 3 and 5 who refuse to wear a Face Covering and cannot be persuaded to do so by their caregiver;

   (3) Persons who have trouble breathing or are otherwise unable to wear a Face Covering for medical reasons or for reason of disability, including Persons who are unable to remove masks without assistance;

   (4) Persons inside a restaurant or bar while consuming food or drink, provided such businesses are permitted to operate in accordance with the Emergency Orders and all other conditions of the Emergency Orders are met;

   (5) Persons who are engaged in an athletic, fitness or aquatic activity in accordance with the Emergency Orders;

   (6) employees and agents of the Operator or a Municipality within an area not for public access, or within or behind a physical barrier;

   (7) Persons while receiving services involving the face and requiring the removal of a Face Covering, provided such services are permitted to operate in accordance with the Emergency Orders and provided 2 metre distance is maintained from all other Persons other than the person providing the service;

   (8) police, fire or paramedics during the course of responding to an emergency call; and

   (9) Persons while testifying, examining or making submissions at a court, tribunal, arbitration or other quasi-judicial proceeding.

12. A Person who is not or refuses to wear a Face Covering shall identify if they are a Person who is exempt from wearing a Face Covering when asked by an Operator or Officer but Persons shall not be required to identify which exemption prevents them from wearing a Face Covering or provide proof in order to meet any of the exemptions set out in section 11 of this By-law.

Part 6 – Administration, Enforcement and Inspection

13. The City's Enforcement Division is responsible for the administration and enforcement of this By-law and may appoint delegates or assign duties to City employees for those purposes.

14. The provisions of this By-law may be enforced by an Officer.

15. (1) An Officer may enter any lands, buildings, and structures at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this By-law is being complied with.

    (2) For greater certainty, for the purposes of conducting an inspection pursuant to this By-law, an Officer may:

        (a) require the production for inspection of documents or things relevant to the inspection;

        (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

        (c) require information from any person concerning a matter related to the inspection; and

        (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

16. No Person shall prevent, hinder, or obstruct, or attempt to hinder or obstruct, an Officer who is lawfully exercising a power or performing a duty under this By-law, including by refusing to identify themselves when requested to do so by an Officer.

Part 7 – Orders

17. An Officer may order any Person or Operator found in contravention or a Person or Operator who caused or permitted the contravention of this By-law to leave a Public Establishment or a vehicle described in subsection 9(2) of this By-law.

18. An order made pursuant to this Part may be given by an Officer verbally or in writing.

19. An order in writing shall:

    (1) identify the following:

        (a) the location where the contravention occurred;

        (b) the reasonable particulars of the contravention; and

        (c) the date and time by which compliance with the order is required; and

    (2) be served personally to the Person to whom it is directed or by registered mail to the Person and shall be deemed to be served on the fifth day after mailing.

20. Every Person and Operator shall comply with an order made under this By-law.

Part 8 – Offences and Penalties

21. (1) Every Person over the age of 12 and every Operator who contravenes any provision of this By-law, including failing to comply with an order made under this By-law, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act, 2001*, as each may be amended from time to time.

    (2) In addition to section 21 (1), any Person or any Operator who is charged with an offence under this By-law by the laying of an information under Part III of the *Provincial Offences Act* and is found guilty of the offence is liable, pursuant to the *Municipal Act, 2001*, to the following fines:

    (a) a minimum fine not exceeding $500 and a maximum fine not exceeding $100,000;

(b) in the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine not exceeding $500, and a maximum fine not exceeding $10,000, and the total of all daily fines for the offence is not limited to $100,000; and

(c) in the case of a multiple offence, for each offence included in the multiple offence, a minimum fine not exceeding $500, and a maximum fine not exceeding $10,000, and the total of all fines for each included offence is not limited to $100,000.

22. An offence under this By-law may constitute a continuing offence or a multiple offence as set out in the *Municipal Act, 2001*.

Part 9 – General

23. In the event of conflict, the specific conflicting provision of this By-law will be of no force and effect to the extent that it conflicts with:

(1) an Emergency Order, and for greater certainty nothing in this By-law shall be construed as permitting the opening or access to a Public Establishment that is not permitted or is restricted by an Emergency Order;

(2) any statute, regulation, rule, by-law, order or instrument of the Province of Ontario or the Government of Canada; or

(3) a by-law enacted by the Regional Municipality of Peel.

24. Words importing the singular number shall include the plural, and words importing the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law otherwise requires.

25. Should a court of competent jurisdiction declare any part or provision of this By-law to be invalid or of no force and affect, it is the intention of Council in enacting this By-law that the remainder of its provisions remain valid and binding, and that it be applied and enforced in accordance with its terms to the fullest extent possible according to law.

26. This By-law may be referred to as the "COVID-19 Mandatory Face Covering By-law."

Part 10 – In Force and Repealing Dates

27. This By-law shall be in force and effect commencing on July 10, 2020.

28. This By-law shall remain in effect until 12:01a.m. on October 1, 2020 at which time this By-law shall be repealed, unless extended by resolution of Council on the advice of the Medical Officer of Health.

ENACTED AND PASSED THIS DAY OF , 2020.

APPROVED AS TO FORM City Solicitor MISSISSAUGA			
R. Genoway			
Date	2020	7	7

MAYOR

CLERK

CITY OF ST. CATHARINES

BY-LAW NO. 2020-97

A By-law to impose temporary regulations requiring the wearing of masks within enclosed public spaces in the City of St. Catharines (the "City").

WHEREAS the spread of COVID-19 has been declared a pandemic by the World Health Organization on March 11, 2020; and

WHEREAS an emergency was declared by the Provincial Government pursuant to Order in Council 518/2020 ("Ontario Regulation 50/20") on March 17, 2020 pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (the "Act"); and

WHEREAS an emergency was declared by the City's Head of Council on April 3, 2020 pursuant to section 4 of the Act; and

WHEREAS the Province of Ontario has enacted O. Reg. 263/20 (STAGE 2 CLOSURES) under Subsection 7.0.2 (4) (or as current) of Emergency Management and Civil Protection Act to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials; and

WHEREAS health authorities at the Federal, Provincial, and Regional level have all recommended that persons wear face coverings in public where physical distancing cannot be maintained; and

WHEREAS physical distancing is difficult to maintain in enclosed public spaces; and

WHEREAS it is believed that the existence of an enforceable temporary by-law

requirement will help to educate the public on the importance of a properly worn face coverings and encourage voluntary compliance; and

WHEREAS Council for the City of St. Catharines desires to enact a temporary by-law to require mandatory face coverings in enclosed public spaces as a necessary, recognized, practicable and effective method to help limit the spread of COVID-19, and thereby help protect the health, safety and well-being of the City residents;

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

Part 1 – Definitions

1. In this By-law, the following terms shall have the following meanings:

"Emergency Order" means the emergency orders passed by the Province of Ontario pursuant to the Emergency Management and Civil Protection Act ("the Act") related to COVID-19 including any regulations enacted pursuant to the Act.

"Mask" or **"Face Covering"** means: a cloth (non-medical) Mask, medical mask or other face coverings, (e.g., bandana, a scarf or cloth), for filtering respiratory droplets that securely covers the nose, mouth, and chin and is in contact with the surrounding face without gapping. For clarity, a Mask may include, but is not required to be a medical mask such as surgical masks, N95 or other masks required by healthcare workers;

"Medical Officer of Health" means the Medical Officer of Health for the Regional Municipality of Niagara;

"Municipality" and "Municipal" means the City and the Regional Municipality of Niagara;

"Officer" means:

(a) a provincial offences officer appointed by a Municipality to enforce Municipal bylaws;

(b) a public health inspector; acting under the direction of the Medical

Officer of Health; or

(c) a police officer employed by the Niagara Regional Police Service;

"Operator" means the person who controls, governs, directs, or is responsible for the activity carried on within the Enclosed Public Space and includes the person who is actually in charge at any particular time.

Part 2 – Enclosed Public Spaces

2. For the purposes of this By-law, "Enclosed Public Space" means all or any portion of a building that is located:

(a) indoors; and

(b) where the public is ordinarily invited or permitted access to whether or not a fee is charged or a membership is required for entry.

3. For greater clarity Enclosed Public Spaces include but are not limited to:

a. premises or any portion thereof which are used as a place of business for the sale or offering for sale of goods and services;

b. businesses that primarily sell food including restaurants, cafés, cafeterias, supermarkets, grocery stores, bakeries and convenience stores;

c. shopping malls or similar structures which contain multiple places of business;

d. churches, mosques, synagogues, temples, or other places of worship;

e. libraries, museums, galleries, bingo halls, banquet or convention halls, community centres, cinemas, theatres, concert venues, special event venues, or other similar entertainment, cultural, leisure or event spaces and facilities;

f. indoor sports and recreational facilities, sports clubs, gyms, yoga studios, dance studios, arenas, stadiums and clubhouses;

g. common areas of hotels, motels, and other short-term accommodations, such as lobbies, elevators, meeting rooms, rest rooms, laundry rooms, gyms, and kitchens or other common use facilities but does not include the common areas of residential

apartment buildings and condominiums;

h. premises utilized as an open house, presentation centre, or other facility for real estate purposes;

i. other businesses, organizations and places that are permitted to operate in accordance with the Emergency Orders.

4. Notwithstanding section 2 and 3 above, the following premises or portions of premises used for the following purposes are not an Enclosed Public Space for purposes of this By-law even if they would otherwise fall within the definition of an Enclosed Public Space:

a. day cares, child care facilities, day camps for children, schools, and post-secondary institutions;

b. private and public transportation;

c. hospitals, independent health facilities and offices of regulated health professionals;

d. buildings and services owned or operated by the Province of Ontario or the Federal Government of Canada;

Part 3 – Face Covering Policy

5. Every Operator of an Enclosed Public Space that is open to the public, shall adopt a policy as required under this By-law that prohibits persons to enter or otherwise remain within, the public areas of the Enclosed Public Space unless that person is wearing a Mask, subject to the exemptions provided in this By-law.

6. The Operator shall provide a copy of the policy for inspection by an Officer, upon request.

7. The Operator of an Enclosed Public Space shall post, at every public entrance to the premises, prominent and clearly visible signage containing the following text:

ALL PERSONS ENTERING OR REMAINING IN THESE PREMISES SHALL WEAR A MASK OR A FACE COVERING WHICH COVERS THE NOSE, MOUTH AND CHIN, AS REQUIRED UNDER CITY OF ST. CATHARINS BY-LAW NO. 2020-97.

8. The policy shall:

a. exempt the persons set out in Section 10 from the obligation of wearing a Mask, without requiring proof of such exemption;

b. ensure that all persons working at the business or organization are trained in the requirements of the policy;

c. require that employees and agents wear a Mask, except when they are:

i. Within an area of the premises where the public is not permitted access, or

ii. within or behind a physical barrier;

d. permit the temporary removal of a Mask where necessary for the purpose of:

i. receiving services;

ii. while actively engaging in an athletic or fitness activity including water-based activities;

iii. while actively engaged in delivering a vocal artistic performance, paid for or otherwise arranged by the Operator;

iv. while participating in a religious rite or ceremony that is incompatible with the face being covered;

v. consuming food or drink; or

vi. for any emergency or medical purpose

9. Every Operator of an Enclosed Public Space shall ensure the availability of alcohol-based hand rub at all public entrances and exits.

Part 4 – Personal Exemptions

10. The following persons shall be exempt from the requirement to wear a Mask:

a. children under ten (10) years of age (either chronologically or developmentally);

b. persons with medical conditions which inhibit their ability to wear a Mask, including breathing difficulties or cognitive difficulties;

c. persons who are unable to apply or remove a Mask without assistance, including those who are accommodated under the Accessibility for Ontarians with Disabilities Act (AODA);

d. persons who have protections, including reasonable accommodations, in accordance with the Ontario Human Rights Code which would prevent them from wearing a Mask;

e. persons while assisting or accommodating another person with a hearing disability.

11. An Operator shall not require any person to provide proof of any of the exemptions set out in Section 10.

Part 5 - General

12. This By-law shall not be interpreted so as to conflict with a provincial or federal statute, regulation, or instrument of a legislative nature, including an Emergency Order.

13. For greater certainty, nothing in this By-law shall be construed as permitting the opening or access to an Enclosed Public Space that is not permitted or is restricted by an Emergency Order. The Operator is responsible to ensure that the business or organization operates in accordance with all applicable Emergency Orders and laws, including the Occupational Health and Safety Act and the regulations made under it.

14. Where any provision of this By-law is inconsistent with or conflicts with any provision of any other by-law of the City, the provisions of this By-law shall prevail, but only to the extent of such inconsistency or conflict.

15. Every Person who contravenes any provision of this By-law is guilty of an offence, and upon conviction is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act.

Part 6 – In Force and Effect

16. This By-law shall come into force on a date to be determined jointly by the Mayor and the City's Chief Administrative Officer, in consultation with the Medical

Officer of Health.

17. This By-law shall cease to be effective upon the withdrawal of the local municipal emergency declaration described in the recitals of this by-law, or a such date to be determined jointly by the Mayor and the City's Chief Administrative Officer, in consultation with the Medical Officer of Health, whichever comes later.

Read and passed this 13th day of July 2020.

CLERK

MAYOR

THE CORPORATION

OF THE

TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 5248-20

A BY-LAW TO PROVIDE FOR TEMPORARY REGULATIONS TO REQUIRE THE WEARING OF MASKS OR FACE COVERINGS IN ENCLOSED PUBLIC SPACES IN THE TOWN OF NIAGARA-ON-THE-LAKE DURING THE COVID-19 PANDEMIC.

WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act related to COVID-19;

AND WHEREAS on March 23, 2020 an emergency was declared by the Lord Mayor, under the provisions of the Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9, relating to the outbreak of the Novel Coronavirus 19 (COVID-19);

AND WHEREAS the Province of Ontario has enacted O. Reg. 263/20 (STAGE 2 CLOSURES) under Subsection 7.0.2 (4) (or as current) of Emergency Management and Civil Protection Act to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials;

AND WHEREAS subsection 8 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

AND WHEREAS The Council of The Corporation of the Town of Niagara-on-the-lake has the authority to enact by laws for the health, safety and well-being of persons pursuant to section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended;

AND WHERAS health authorities at the Federal, Provincial, and Regional level have recommended that persons wear face coverings in public where physical distancing cannot be maintained;

AND WHEREAS the existence of an enforceable temporary by-law requirement will help to educate the public on the importance of a properly worn mask or face covering and encourage voluntary compliance;

AND WHEREAS the Council of The Corporation of the Town of Niagara-on-the-Lake wishes to implement temporary regulations to protect the health, safety, and well-being of residents and visitors as the Town reopens to require individuals to wear a face covering while in certain enclosed public spaces to assist in reducing the spread of COVID-19 in the Region.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purpose of this By-Law:

1.1. “Emergency Order” means the emergency orders passed by the Province of Ontario pursuant to the Emergency Management and Civil Protection Act

("the Act") related to COVID-19 including any regulations enacted pursuant to the Act.

1.2. "Mask" or "Face Covering" means a mask, face shield, or other face covering, including a bandana or scarf constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin.

1.3. "Municipality" and "Municipal" means the Town and the Regional Municipality of Niagara;

1.4. "Officer" means:

(a) a provincial offences officer appointed by a Municipality to enforce Municipal bylaws;

(b) a public health inspector; acting under the direction of the Medical Officer of Health; or

(c) a police officer employed by the Niagara Regional Police Service;

1.5. "Operator" means the person who controls, governs, directs, or is responsible for the activity carried on within the Enclosed Public Space and includes the person who is actually in charge at any particular time.

2. ENCLOSED PUBLIC SPACES

2.1. For the purposes of this By-law, "Enclosed Public Space" means all or any portion of a building that is located:

(a) indoors; and

(b) where the public is ordinarily invited or permitted access to whether or not a fee is charged or a membership is required for entry

2.2. For greater clarity Enclosed Public Spaces include but are not limited to:

(a) premises or any portion thereof which are used as a place of business for the sale or offering for sale of goods and services;

(b) businesses that primarily sell food including restaurants, cafés, cafeterias, supermarkets, grocery stores, bakeries and convenience stores;

(c) shopping malls or similar structures which contain multiple places of business;

(d) churches, mosques, synagogues, temples, or other places of worship;

(e) libraries, museums, galleries, bingo halls, banquet or convention halls, community centres, cinemas, theatres, concert venues, special event

venues, or other similar entertainment, cultural, leisure or event spaces and facilities;

(f) indoor sports and recreational facilities, sports clubs, gyms, yoga studios, dance studios, arenas, stadiums and clubhouses;

(g) common areas of hotels, motels, and other short-term accommodations, such as lobbies, elevators, meeting rooms, rest rooms, laundry rooms, gyms, and kitchens or other common use facilities but does not include the common areas of residential apartment buildings and condominiums;

(h) premises utilized as an open house, presentation centre, or other facility for real estate purposes;

(i) other businesses, organizations and places that are permitted to operate in accordance with the Emergency Orders.

2.3. Notwithstanding section 2.1 and 2.2 above, the following premises or portions of premises used for the following purposes are not an Enclosed Public Space for purposes of this By-law even if they would otherwise fall within the definition of an Enclosed Public Space:

(a) day cares, child care facilities, day camps for children, schools, and postsecondary institutions;

(b) private and public transportation;

(c) hospitals, independent health facilities and offices of regulated health professionals;

(d) buildings and services owned or operated by the Province of Ontario or the Federal Government of Canada;

3. FACE COVERING POLICY

3.1. The Operator of an Enclosed Public Space shall post, at every public entrance to the premises, prominent and clearly visible signage that persons are required to wear a Mask in accordance with this By-law.

3.2. The operator shall:

(a) exempt the persons set out in Section 4.1 from the obligation of wearing a Mask, without requiring proof of such exemption;

(b) ensure that all persons working at the business or organization are trained in the requirements of this by-law;

(c) require that employees and agents wear a Mask, except when they are:

I. Within an area of the premises where the public is not permitted access, or

II. within or behind a physical barrier;

(d) permit the temporary removal of a Mask where necessary for the purpose of:

I. receiving services;

II. while actively engaging in an athletic or fitness activity including water-based activities;

III. while actively engaged in delivering a vocal artistic performance, paid for or otherwise arranged by the Operator;

IV. while participating in a religious rite or ceremony that is incompatible with the face being covered;

V. consuming food or drink; or

VI. for any emergency or medical purpose

4. PERSONAL EXEMPTIONS

4.1. The following persons shall be exempt from the requirement to wear a Mask:

(a) children under 10 years of age;

(b) persons with medical conditions which inhibit their ability to wear a Mask, including breathing difficulties or cognitive difficulties;

(c) persons who are unable to apply or remove a Mask without assistance, including those who are accommodated under the Accessibility for Ontarians with Disabilities Act (AODA);

(d) persons who have protections, including reasonable accommodations, in accordance with the Ontario Human Rights Code which would prevent them from wearing a Mask;

(e) persons while assisting or accommodating another person with a hearing disability.

4.2. An Operator shall not require any person to provide proof of any of the exemptions set out in Section 4.1.

4.3. Masks can be temporarily removed if the service provided requires they be removed. Exemptions include:

(a) Receiving services that require removal of a mask such as dental, medical, cosmetic, or other related services;

(b) Actively engaging in athletic or fitness activity, including water-based activities;

(c) While actively engaged in delivering vocal artistic performances arranged for by the operator of the establishment;

(d) Participation in religious rights or ceremonies not compatible with the face being covered;

(e) Consuming food or drinks; and

(f) Emergency or medical purposes.

5. GENERAL

5.1. This By-law shall not be interpreted so as to conflict with a provincial or federal statute, regulation, or instrument of a legislative nature, including an Emergency Order.

5.2. For greater certainty, nothing in this By-law shall be construed as permitting the opening or access to an Enclosed Public Space that is not permitted or is restricted by an Emergency Order. The Operator is responsible to ensure that the business or organization operates in accordance with all applicable Emergency Orders and laws, including the Occupational Health and Safety Act and the regulations made under it.

5.3. Where any provision of this By-law is inconsistent with or conflicts with any provision of any other by-law of the Town, the provisions of this By-law shall prevail, but only to the extent of such inconsistency or conflict.

5.4. Every Person who contravenes any provision of this By-law is guilty of an offence, and upon conviction is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act.

5.5. Enforcement of this by-law shall first take the form of education and every effort to encourage voluntary compliance.

6. FORCE AND EFFECT

6.1. This By-law shall come into force seven days following approval of this by-law to allow for every Operator of an Enclosed Public Space that is open to the public, sufficient time to post approved signage and prepare as required under this By-law that prohibits persons to enter or otherwise remain within, the public areas of the Enclosed Public Space unless that person is wearing a Mask, subject to the exemptions provided in this By- law.

6.2. This By-law shall cease to be effective upon the withdrawal of the local municipal emergency declaration described in the recitals of this by-law or by repeal of the by-law by Council whichever comes first.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 16th DAY OF JULY, 2020.

_____	_____
LORD MAYOR BETTY DISERO	TOWN CLERK PETER TODD

Public Works
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 73-2020

Subject: Waste Management Long Term Strategic Plan – PWC-C 23-2020

Date: July 23, 2020

To: Regional Council

From: Catherine Habermebl, Director Waste Management Services

The intention of this memorandum is to provide further information and clarity regarding the Waste Management Long Term Strategic Plan (WMLTSP), which was presented to Public Works Committee (PWC-C 23-2020) on July 14, 2020.

There is no impact on the 2020 or 2021 Waste Management operating budget by deferring the initiative to next year as the WMLTSP was funded through the 2017 to 2019 operating budgets as part of a multi-year project. A total of $400,000 for the WMLTSP was encumbered into the 2020 fiscal year from prior approved budget dollars. Due to staff resource availability and additional higher priority work, such as the service level consultation, Recycling Centre Opportunity Review and new collection contract, this project was deferred until the fall of 2020. To date, no spending has occurred on the WMLTSP.

These funds will be utilized to retain a consultant through a Request for Proposals process via our Procurement Office. In an effort to complete the work within the budgeted amount of $400,000, it is anticipated that staff will:

- Participate in Public (Virtually Accessible) Open Houses/Workshops/Telephone Town halls and other stakeholder engagement;
- Secure and pay for rental fees for the venue, if applicable, coordinate and organize the broadcasting of the Public (virtually accessible) Open Houses/Workshops, develop media releases and monitor Niagara Region's website, Facebook and Twitter pages;
- Manage, develop and issue procurement documents for printing, surveys as applicable and other pieces required for stakeholder engagement; and
- Prepare mailing lists, household counts and mail merges and coordinate required mailings.

The rationale to retain a professional planning and engineering consultant is as follows:

- To provide necessary resources to complete this strategic work on a timely basis
- To provide a knowledge base and technical expertise to:
  - establish a planning framework and strategic direction for waste management in Niagara Region over the next 25 years;
  - recommend sustainable, diverse and innovative long-term waste management practices and systems;
  - complete scientific assessments of alternative technologies using a sustainability framework (economic, environmental and social impacts) and life cycle analysis of any recommended programs and infrastructure;
  - develop an implementation plan that will make recommendations on disposal and diversion infrastructure, including transfer stations, financing, performance indicators and a process for monitoring and reporting.

If the WMLTSP was cancelled completely, the result would be a return of the formerly encumbered $400,000 back to the 2020 Waste Management operating surplus, which would then become part of the transfer to the Waste Management stabilization reserve, for use in other initiatives.

Council would not require a two thirds vote to cancel or defer the project, however, it would require a majority vote. Staff recommend that the WMLTSP is needed to move forward as planned, to commence in the fall of 2020. A municipality the size of Niagara needs a long-term plan to guide decision making based on longer term strategic goals rather than developing plans and policies for infrastructure and programs/services based on a piece meal or ad hoc approach or short term window of 5 to 7 years. This is more important now than ever as the Province will present its draft regulations in late summer 2020 for the Transition of the Blue Box program to a Full Producer Responsibility model. The WMLTSP will reflect changing legislation/regulation, increasing Provincial targets, population growth, changes in waste composition and promote sustainability.

Respectfully submitted and signed by

_____

Catherine Habermebl
Director, Waste Management Services

Administration
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 75-2020

Subject: Notice of Procedural By-law Amendment – Amendment to allow Electronic Meeting Participation

Date: July 23, 2020

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

In response to the COVID-19 pandemic, the Province enacted the *Municipal Emergency Act* on March 19, 2020, which amended the provisions of the *Municipal Act* regarding electronic participation to allow members that participate electronically to count towards quorum, and participate in closed session, in circumstances when an emergency has been declared.

On March 26, 2020, the Region's Procedural By-law was amended to permit members of Council to participate in both open and closed meetings electronically and be counted towards quorum during the period of the emergency declared by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act, related to the COVID-19 Pandemic.

At its meeting held on June 25, 2020, Regional Council received Correspondence Item CL-C 34-2020 Notice of Procedural By-law Amendment – Amendment to allow Electronic Meeting Participation for Sub-Committees and Advisory. This memorandum provided notice of a procedural amendment to allow Niagara Region advisory and sub-committees to hold meetings via electronic participation during the period of the emergency declared by the Province of Ontario. The amended by-law was to be considered at the July 23, 2020 Council meeting.

On July 21, 2020, *Bill 197, COVID-19 Economic Recovery Act,* received royal assent. This bill included provisions to amend the *Municipal Act 2001*, to provide municipalities with new permissive authority related to electronic meetings. These amendments allow, under a municipality's procedural by-law, members of municipal councils to continue to participate electronically in both open and closed meetings and be counted towards quorum, even in the absence of an emergency.

The current Provincial Emergency declaration is set to expire on July 24, 2020. In order to ensure Council still has the ability to meet electronically should the Province terminate the declared emergency, a procedural by-law amendment is necessary. Based on this new legislation, staff will bring forward a procedural by-law amendment that will permit electronic participation for Council, Standing Committees as well as advisory and sub-committees, consistent with Council direction provided on June 25, 2020, in the absence of a Provincial declaration of emergency.

In accordance with the Procedural by-law (section 2.5) no amendment to the by-law may be considered unless notice of the proposed amendment has first been given at a previous regular meeting of Council.

This memorandum provides notice that the applicable Procedural By-law amendment to update the by-law accordingly, will be brought to the Special Regional Council meeting being held on July 30, 2020, for Council's consideration.

Respectfully submitted and signed by

_____

Ann-Marie Norio
Regional Clerk

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Tuesday, July 21, 2020 7:35:48 PM

From: Niagara Region Website
Sent: Tuesday, 21 July 2020 19:35:44 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Leah Ugulini

phone
[redacted]

email
[redacted]

municipality
pelham

other mun

subject
Regional Council Re: Mask Bylaw

comments
Good evening Councillors , I am writing to you as I am in support of mandatory masking for the safety of our Niagara Region (stop Covid transmission) and to reduce hospitalization which would have a negative effect on elective surgeries if cases surge. As a member of masks4canada we are all supportive of opening the economy with a layered approach that includes masks/ Face coverings handwashing/ 6 ft distancing if possible. We value a supportive approach for anyone that can participate and allow for

accommodation for those who can't without penalty,(personal shopper/ curbside pickup as alternative) maybe businesses can provide masks. As a dental hygienist I have protected my clients with my mask ; now it's the community's turn to protect me and others. If we normalize mask wearing it will reduce the harassment/racism that our Asian community has endured. The reduction of cases will speak for themselves, please keep our communities in the loop as to how well they are doing . This will keep people participating in this journey till we find a tx or vaccine. Education is a must , this is new to many of us .. Please consider the hearing impaired and their interpreters they need an exemption. I have seen some students at Western University designing masks that are clear in the mouth area for our lip As our society re-opens this coming weekend, the risk of transmitting grows as we start to venture inside more. We are sure to expect a surge of out of towner in our Area, we had over 200 cases today. We are not off to a good start already. Our Rt is 1.26 !... if we keep this up we will have over 7000 by the end of the month. How many contact tracers we will need to keep up We need a mask mandate yesterday ... No one can afford another shutdown, not businesses or citizens. Working in dental, our supplies will be sent to the hospital and we quickly will be back where we started. We all want to feel safe in our workplace/ our shopping and back enjoying life in a new normal .. I truly believe this is the only way we can prevent another lockdown .. that is way more harmful economically, financially and mentally. If you see Someone in a mask it's a sign that we are still at risk in the pandemic and also a gesture of respect. I protect you from my droplets and visca versa. We only need about 70-80% compliance so the nay sayers are a minority and won't have too much of a negative effect with the goal of reducing transmission.. this isn't forever .. set a renewal date for review .. Masks compliment current public health measures such as handwashing and 6ft physical distancing principals. If we keep waiting we are behind this curve that is approaching like a tidal wave with opening the most high risk sites , anything indoors. Bars and Strip Clubs will be our highest risk. You will not get names for contract tracing at the Sundowner. Do we have a number of specific number of cases, deaths, hospitalizations that the Niagara Region will put us back to stage 2? They public needs to know. Mandates aside, we have to be accountable, and educated as to our role in society to protect each other from this virus and keep open and keep working to pay our bills, and keep our homes.
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7186508/
https://jamanetwork.com/journals/jama/fullarticle/2768532 If you would like any other resources or to discuss with one of our team Physicians, epidemiologist, Infection Disease or biostaticians experts please contact me or our organization. www.masks4canada.org Stay safe ... Leah Ugulini RDH
Sent from my iPhone 11 [redacted] cell Www.masks4canada.org

reply
yes

Page Referrer
https://www.niagararegion.ca/government/council/calendar/default.aspx

From: PF-Mailbox-01
To: Norio, Ann-Marie; Trennum, Matthew
Subject: FW: Online Form - Enquiry from Region website
Date: Wednesday, July 22, 2020 2:53:41 PM

From: Niagara Region Website
Sent: Wednesday, 22 July 2020 14:53:36 (UTC-05:00) Eastern Time (US & Canada)
To: Clerks
Cc: webincoming
Subject: Online Form - Enquiry from Region website

Enquiry from Region website

To reply, copy the email address from below and put into 'To'. (if resident entered their email address)

name
Derek Jones

phone
[redacted]

email
[redacted]

municipality
Niagara Falls

other mun

subject
Regional Council - Mask By-law Letter of support

comments
Dear Clerk, please add the following correspondence for Thursday's Council meeting in support of a Regional Mask By-law Dear Councillors, I am writing in full support for wearing of masks and passing a by-law that supports the health and well-being of Niagara residents. I firmly believe this should be a Regional effort. And now that more Municipalities have approved masks, I encourage the Region to take a leading role, for all the right reasons. I watched the last Niagara Region meeting and debate on the subject, and

one of the questions raised was "Why now?" Why now? Science suggests we're still crushing the curve. Now what we have to do, is crush this virus. That means continuing to be vigilant and using every tool we have to succeed in that critical goal. And if anyone is hoping that an effective vaccine is just around the corner, science says it's still awhile away, although there has been some promising new developments in just the last couple of days. Until there is an effective vaccine, we must use every possible tool we have to mitigate the unprecedented effects of this virus. Washing our hands, physical distancing, and wearing masks where and when it's appropriate. From the very beginning of this devastating pandemic we have been advised to use "an abundance of caution", while many have paid the ultimate sacrifice, lost jobs, homes, and their lives. It frankly makes no sense to not continue our vigilance, as we are far from over this scourge. It makes no sense to gamble with lives, "hoping" we have his beat. We are not done. The virus is still here. All we need to do is look at the very clear examples of of States that have opened up too soon, misguidedly and recklessly, to devastating effect. While Niagara has been trending in the right direction, we also need to look closely at trends of opening too soon in other communities, without proper guidance or safety measures. For that is our roadmap on what works, and what obviously has not. Ontario's current numbers are 38,107 confirmed cases and 2,755 deaths, second Nationally behind Quebec. Some have suggested we have now "pivoted". In my estimation, we are not pivoting, that is not an accurate way to frame this. We are re-opening in stages based on best expert medical advice. Wearing masks will become absolutely crucial as we enter stage 3 reopening. It seems obvious that wearing masks can only help us achieve our goal of re-opening faster, successfully and safely. This will be of critical importance as indoor spaces, many with inadequate ventilation, begin to open again. There is clear science and advice from medical experts that wearing masks help to protect everyone, and helps to mitigate the spread of the virus. It's not only science, but common sense. No one is looking to throw someone in jail for not wearing a mask. It's about sending a positive message, like "stay healthy", I care about you. Masks work to protect everyone, not just the individual wearing it. Te repeated argument against masks suggesting that it's too difficult to enforce is completely ridiculous. It's no more difficult than enforcing social distancing, which everyone already accepts as a sound strategy. So there is no additional burden on enforcement than what already exists. They work in tandem. To educate those who still may be ignorant or unaware. Education is key. I can see no valid reason for not supporting a Regional mask by-law. It's imperative to our recovery as a Region in what is an ongoing pandemic. I would also like to share some personal perspective on why I firmly support wearing masks. I have an Immune Disorder, Diabetes, and have had problems with asthma since I was a kid. So I take precautions to avoid contracting this virus, so I can stay healthy, be here to take care of my kids, and my Father who is now in his 80's and disabled. When I go to a store, or anywhere where distancing is not possible, I wear a mask. It does not restrict my breathing. These are things that are in my control. What is not in control, is economic collapse, and it's disastrous

effects. In April, after 20 years with the same Employer and faithfully serving many clients throughout Niagara, my job was suddenly terminated due to the pandemic. At that time, I reached out to my Landlord (Niagara Regional Housing) to request assistance, and inquire about rent subsidies or other options available. In the mean time, I have continued to pay rent on time throughout the pandemic. To my utter shock, just over a week ago, I received an eviction notice from NRH. Now I'm both unemployed, and facing eviction. To say this is truly overwhelming, is an understatement. This pandemic has changed everything for so many in such a short time, and has completely exposed how vulnerable our society is, especially in the face of a global pandemic. This is especially true for those of us struggling to get by. As you might be able to appreciate with this context, from my perspective, I'm looking at what appears to be rapid systemic societal collapse. We need positive, decisive leadership now more than ever. We need to be addressing more urgent issues, including a looming rental and affordable housing crisis (that I wrote to the Region about back in April), rather than unnecessarily prolonging a debate about masks. Thank you. Regards, Derek Jones Niagara Falls

Page Referrer

From: [redacted]
To: Norio, Ann-Marie
Subject: Mandatory masking
Date: Wednesday, July 22, 2020 5:19:58 PM

CAUTION: This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

July 22, 2020

Dear Councillor,

I am very concerned about the potential results of the Thursday evening vote on mandatory masks for the Niagara Peninsula. In light of the recent increase in numbers of active cases of Covid 19 in the Niagara area (doubled to 44 over the past 10 days), I believe that this issue of mandatory masking is imperative!

It is becoming increasing more evident that expecting people to use common sense and good judgement when in the public, is not an effective means of preventing the spread of the Covid 19 virus. We must mandate the requirement of masks when individuals are out in public in order to keep all of us safe.

Please cast your vote to make the wearing of masks while in public mandatory and thus keep us all safer.

Sincerely, a concerned citizen

Debbie Grimes
[redacted],
Ridgeway L0S-1N0

Office of the Regional Chair | Jim Bradley
1815 Sir Isaac Brock Way Thorold, ON L2V 4T7
Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243
Email: jim.bradley@niagararegion.ca
www.niagararegion.ca

Memorandum

CL-C 80-2020

TO: Members of Regional Council

FROM: Daryl Barnhart, Executive Regional Chair

DATE: July 23, 2020

SUBJECT: The Established Practice for Identifying an Official Representative of the Niagara Region

Given the recent public interest in councillor representation of the Niagara Region, this memo will provide a high-level overview of the practice undertaken by the Regional Chair's office to select an official and formal representative of the Regional Chair.

The Regional Chair serves as the official representative of the Regional Municipality of Niagara at various functions, events, announcements and meetings with dignitaries. From time to time, the Chair may be unavailable to attend these events due to scheduling conflicts or other personal matters. In these cases, the Chair will ask another elected official to formally represent him.

The practice for selecting this representative is as follows:

1. The Regional Councillor from the municipality in which the announcement/event is being held will be asked first to represent the chair
2. In the event there is no local Regional Councillor available, the chair of the most appropriate standing committee will be asked
3. In the event no standing committee chair is available, the chair's office will reach out to a local city or town councillor to represent his office

Due to a number of logistical complexities, the 12 local area mayors are not asked to represent the Regional Chair in a formal capacity.

This practice is separate and distinct from the provisions laid out in the council-approved Acting Chair By-law. This by-law establishes an alphabetical rotation of councillors who are required to serve as the Regional Chair in the event he or she is unable to perform the duties required by the office. This by-law ensures equitable legislative continuity and is only utilized in the exceptionally rare occasion the Regional Chair is otherwise unavailable.

It is worth noting that all Regional Councillors, including those who serve in their capacity as a mayor, are legislatively required under the *Municipal Act, 2001* to carry out the business of the Region as an elected official.

Sincerely,

Daryl Barnhart, M.A., APR
Executive Officer to the Regional Chair

June 18 2020

Dear Regional Chair and Councillors:

A Better Niagara's Board was deeply concerned by West Lincoln Mayor Dave Bylsma's recent comments in his radio interview.

As we said in our recent Facebook post about the matter:

Now is not the time for tone-deaf leadership.

People can't pretend that the legacies of slavery, racism, colonialism, residential schools and homophobia aren't still weaving their insidious threads through our society.

In recent weeks, thousands of Niagara's citizens joined people from across the globe to say it is time to put an end to the forces that keep those toxic legacies in place.

Now is the time for people who have enjoyed privilege to listen to those who have not, to be open and self-reflective and to ask themselves what they can do to foster a more just society.

Leaders can't lead solely from their own lived experience. They have to be able to put themselves in another's shoes, to challenge their assumptions and be willing to learn from the people they serve.

Now more than ever, leaders need empathy guided by wisdom.

Now more than ever, leaders need to embody that or get out of the way.

While we appreciate Chair Bradley's comments to CKTB describing a few steps that have been taken to be inclusive and, acknowledging that there is more work to be done, we believe that more action is called for.

We would like Council to pass a motion, along the lines of the one issued recently by the Niagara Peninsula Conservation Authority[1], affirming that the Region is committed to living up to the sign outside the Regional building: Region of Niagara: Everyone Welcome.

---

[1] The NPCA recognizes that diversity is a source of strength and believes there should be zero tolerance towards racism, prejudice and discrimination within our organization, Conservation Areas, and watershed community as a whole.
Our success in meeting our mandate and mission is dependent upon working in collaboration with our partners in conservation. We are committed to ensuring every individual in the NPCA watershed, regardless of age, gender, ethnicity, sexual orientation, religion, or disability has the opportunity to connect with nature and conservation, to take action towards protecting water and biodiversity, while working in collaboration towards sustainable communities in ways that are appropriate and meaningful to them.

Second, we would like the Region to re-evaluate the training provided to Regional Councillors to ensure that it includes a discussion of anti-racism, unconscious bias and what real inclusivity means and looks like in action.

Third, we ask that Mayor Bylsma be excluded from acting as the Region's representative in any external capacity. We are not asking for his exclusion from conferences, community events, etc. We are simply asking that he not be allowed to be the Region's representative.

And finally, we ask you to take a good look around your Council and leadership tables. Do those positions of power reflect the diversity of our Region? How can we change that? What can you do, collectively and as individuals, to make sure everyone is really welcomed, everyone's voice is truly heard, every one of our citizens are not only "tolerated" but valued for the unique gifts and experiences they bring to our community.

We look forward to your response.

Ed Smith
Director, A Better Niagara

Liz Benneian
Director, A Better Niagara

Haley Bateman
Director, A Better Niagara

Dennis Edell
Director, A Better Niagara

Corporate Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **CL-C 60-2020**

Subject: Niagara Peninsula Conservation Authority Letter of Support Request

Date: July 23, 2020

To: Regional Council

From: Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer

The Niagara Peninsula Conservation Authority (NPCA) has requested Niagara Region's support of a funding application to the Federation of Canadian Municipalities for a grant funding opportunity for 80% of eligible costs of an approved 2020 capital project for asset management software.

This project is a shared initiative, with contributions from each of the watershed's three municipal partners. The City of Hamilton and Haldimand have also provided letters of support and the Region's letter is attached as Appendix 1.

Should Council support the funding application being made by the NPCA, a suggested motion would be:

That Niagara Regional Council **SUPPORT** the Niagara Peninsula Conservation Authority funding application for a grant funding opportunity through the Federation of Canadian Municipalities Municipal Asset Management Program of an approved 2020 capital project for asset management software.

Respectfully submitted and signed by

_____
Helen Chamberlain, CPA, CA
Director, Financial Management & Planning/Deputy Treasurer
Corporate Services

Appendices

Appendix 1 Letter of Support for MAMP Application: Asset Management Capital Planning Program, Niagara Peninsula Conservation Authority

Corporate Services
1815 Sir Isaac Brock Way, PO Box 1042 Thorold, ON L2V 4T7
Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243
niagararegion.ca

CL-C 60-2020
Appendix 1

July 24, 2020

Municipal Asset Management Program
Federation of Canadian Municipalities
24 Clarence Street
Ottawa, Ontario K1N 5P3

Re: Letter of Support for MAMP Application: Asset Management Capital Planning Program, Niagara Peninsula Conservation Authority

Dear Sir/Madam,

This letter is to confirm that we are aware that the **Niagara Peninsula Conservation Authority** is applying for funding through the Municipal Asset Management Program to advance asset management practices related to data collection and reporting and capital planning. Niagara Region supports the project mentioned above and recognizes that this project will benefit residents in our community.

Yours sincerely,

Todd Harrison, CPA, CMA
Commissioner of Corporate Services and
Regional Treasurer

Subject: 2020 COVID-19 Cash Flow Update Report - July

Report to: Council

Report date: Thursday, July 23, 2020

Recommendations

That this report **BE RECEIVED** for information.

Key Facts

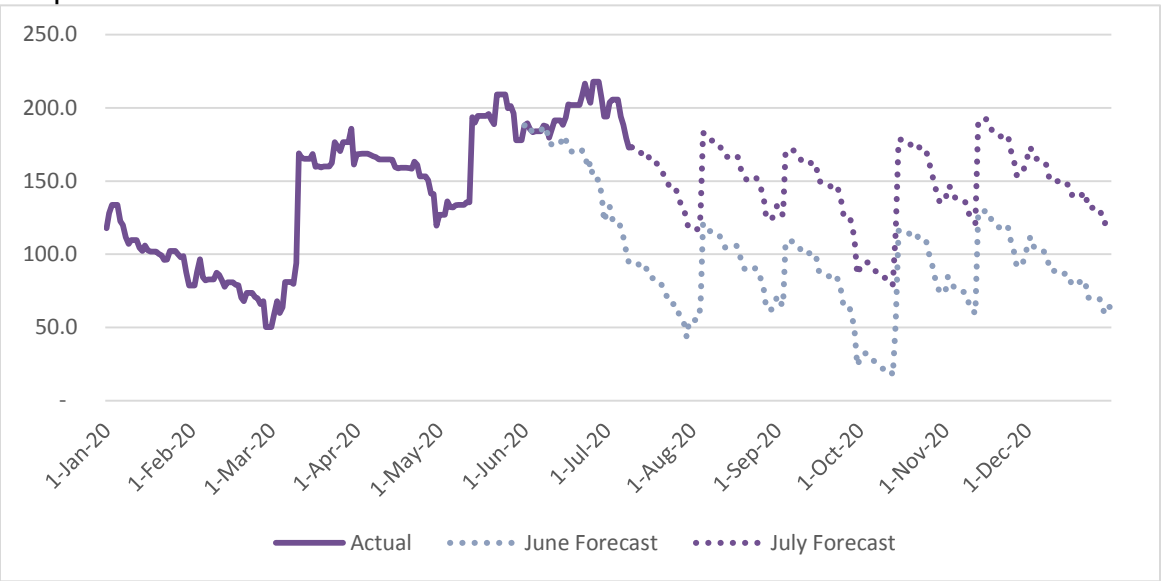
- The purpose of this report is to provide Council with an update on Niagara Region's cash flow position and forecast for July with specific reference to the impacts of concessions made to Local Area Municipalities (LAMs) to align with their concessions to the taxpayers in Niagara.
- Monthly cash flow updates will be provided to Council in response to report CSD 31-2020, which generally approved deferrals of LAM tax and water and wastewater remittances to the Region, as well as waiving interest charges on late payments.
- Overall the amount due from the LAMs for general and special purposes tax levies and water and wastewater payments in Q2 is approximately $130 million, of this only $1.6 million is in arrears; the amount due for the third and fourth quarters are approximately $148 million and $146 million, respectively.
- Cash flow results for July have improved over the June forecast primarily from all tax remittances from the LAMs being paid in full.
- Cash flow forecasting is an important tool to ensure that sufficient funds are available to meet the Region's operating and capital payment obligations.

Financial Considerations

The COVID-19 pandemic continues to cause a strain on a number of financial resources. Niagara Region cash balances are impacted by increased spending for pandemic relief services, as well as by deferred and/or reduced revenue collections.

The Region's cash flows are monitored to ensure sufficient liquidity to provide for ongoing operations. Balances as at the middle of July have increased compared to forecast; this is the result primarily of improved collection experienced by the LAMs. Graph 1 provides an illustration of the updated cash flow forecast for the Niagara Region for the remainder of the year.

Graph 1: 2020 Cash Flow Forecast



The following are updates since the June cash flow report CSD 39-2020 – 2020 COVID-19 Cash Flow Update Report – June:

- Tax levy remittances have been paid in full resulting in 0% arrears.
- Water and Wastewater remittances of $9.4 million, versus the total billed $10.0 million (for May flows, due June 30), represent 6% arrears ($0.6 million)
- Water and Wastewater February through April flows have remittances outstanding of $1.0 million, which is an improvement from the last report of $0.4 million.
- CSD 39-2020 reported a year-to-date water flow decline of 7% over the three-year average. This has reduced to a decline of 5.6%, improving cash flow.
- Responsibility for managing the construction of the Canada Summer Games Park is being transitioned to the Niagara Region. Once all information is available updates to the cash flow forecast will be made.

Analysis

The Region conducts cash flow forecasts to ensure sufficient operating liquidity by estimating the available cash deposits, expected inflows, and required disbursements. Common inflows include tax and rate remittances from the LAMs, grant revenue from other levels of government, debenture proceeds, interest revenue from investments and other revenue from fees and services. Outflows typically represent employee payroll and benefits, anticipated payments such as debt service and payments to vendors for goods and services for both operating and capital costs.

COVID-19 implications have had an adverse impact on the Region's cash flow forecast. Some measures taken by the Region include foregoing planned investments that would have enhanced investment income and delaying spending on previously approved capital projects. These are discussed in the cash flow impact section below.

Impacts on Niagara Region Cash Flows:

LAM remittances:
The largest impact to the Region's cash flow forecast is the implementation of the concessions approved through report CSD 31-2020, including partial payments for the general tax and special purpose levy amounts as well as amendments to the water and wastewater collections.

The second interim tax bill of $100.3 million has now been remitted in full, with no interest charges applied to the LAMs. The third levy instalment has an initial due date of August 5th, with concessions allowing the waiving of interest charges to the LAMs until September 4th for partial or late payments. Some municipalities have extended the due date for their third and fourth levy instalments. Potentially impacting their ability to remit to the Region on a timely basis however their changes are still within the interest and penalty waiver period approved by the Region.

Water and Wastewater billings are completed on the 15th of the following month and due by the end of that month; January through May have been billed and due dates passed. Nine municipalities have paid May billings in full, two municipalities have made partial payments with $0.6 million outstanding or 6% in arrears of the total $10.0 million. Amounts outstanding for February through April billings from CSD 39-2020 of $1.4 million were reduced by $0.4 million, resulting in the number of LAMs in arrears down from four to two; the total unpaid balance is $1.6 million. Billings for the June water and wastewater charges occurs on July 15th and is due at the end of July.

Conclusion: Cash flows from the remittances of LAM payments are providing support to the Region's cash flow position and are trending positively relative to our initial forecasts. With the levy collection experienced to date, there are no recommendations to change the treatment for the third or fourth levy instalments at this time.

Capital Project activity:
Subsequent to the capital project review done as a part of CSD 34-2020, the province has lifted restrictions on capital project works. As a result, capital projects continue to progress to the extent possible acknowledging any staff and industry constraints. Capital project spending has an impact on cash flows, it does not impact the operating

budget, as the cost of capital has been previously approved in prior year budgets, either through contributions to capital reserves, debt issuances, or from external contributions. There are currently 583 approved capital projects with budget remaining as at the end of June of $851 million.

Conclusion: Capital spending continues to be less than forecasted resulting in a positive impact on the cash flow to date; this has not impacted strategy, however staff will continue to monitor cash flows and update the strategy if required. The capital projects that were deemed non-urgent previously continue to be delayed. Spending on these projects will extend into next year and possibly beyond based on the scope of the project.

Incremental COVID – 19 costs:
Incremental costs associated with COVID-19 are affecting the Region's cash flows. Staff have used cost analysis information from report CSD 47-2020 – 2020 COVID-19 Financial Impacts Report for July that captures and models financial impacts to the end of the year on the cost of COVID-19. Incremental payroll costs and the additional cost of the pandemic pay increase will affect the Region's cash flow until funding is received from the Province. There are also incremental costs associated with the procurement of supplies and services that would not have occurred outside of the pandemic that are being modeled in the cash flow forecast.

Conclusion: Incremental COVID-19 costs are negatively affecting the Region's cash flow. However, savings and mitigation efforts have been identified in CSD 47-2020 that will provide some relief to cash flows.

Treasury activities:

Since the pandemic started, the Niagara Region has seen no increase to the investment portfolio, to address uncertainty surrounding projected and outstanding collections, at the risk of reduced investment income. This strategy will be reviewed in August based on the collection experience of the Levy, Water and Wastewater remittances.

The Region plans to issue a total of $77 million in debentures during 2020 to finance capital projects, of which $15.5 million has been successfully priced through capital markets with settlement on July 31st. The remaining debentures will be issued through Infrastructure Ontario during Q4.

Conclusion: The delay on planned investments has provided cash flow relief in the short term, however it has negatively impacted investment income. An increase to the

investment portfolio may be considered if timing of LAM remittances is earlier than forecasted in the second half of 2020 . The Region will settle the $15.5 million debenture issuance on July 31st which will provide additional cash flow.

Summary:
Staff will continue to monitor the Region's cash flow position and will take action to ensure there is sufficient liquidity to fund operating and capital payment obligations. Based on the updated information, it is projected that the Region's cash flow will remain positive to the end of the year, however any changes in projected timing and collection could alter the forecast.

Alternatives Reviewed

No alternatives are offered for this report.

Relationship to Council Strategic Priorities

This report highlights how the Niagara Region is supporting the Council Priority of Sustainable and Engaging Government

Other Pertinent Reports

CSD 31-2020	Concessions to Local Area Municipalities regarding Taxes and Wastewater Billings
CSD 39-2020	2020 COVID-19 Cash Flow Update Report - June
CSD 40-2020	2020 COVID-19 Financial Impacts Report
CSD 37-2020	Debt Information Report – 2020 Debenture Issuance

Prepared by:
Margaret Murphy, CPA, CMA
Associate Director, Budget Planning & Strategy
Corporate Services

Recommended by:
Todd Harrison, CPA, CMA
Commissioner Corporate Services, Treasurer
Corporate Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Helen Chamberlain, Director, Financial Management and Planning, Deputy Treasurer.

Subject: COVID-19 Financial Impacts Update

Report to: Regional Council

Report date: Thursday, July 23, 2020

Recommendations

1. That this report **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide an update on the potential financial impacts of the COVID-19 pandemic in the Niagara Region.
- Staff expect that a budget adjustment related to the changes in services, incremental cost and lost revenue associated with the COVID-19 emergency response will be required. Staff will bring back a proposed budget adjustment for Council approval when more clarity around funding sources and full cost is available.
- All financial implications quantified in this report include estimates up to December 31, 2020 unless otherwise noted. Estimates in this report are fluid and changing on a weekly basis as new information becomes available. Some items have not yet been quantified and this is outlined in the report.
- The Niagara Region's current estimate of the 2020 total gross cost of COVID-19 pandemic is $49 million. Total regional gross cost (including all Local Area Municipalities, LAMS) is estimated at $78 million.
- The Region's current estimate of 2020 net deficit as a result of the COVID-19 pandemic is $5 million. Total regional net deficit (including LAMS) is estimated at $12.9 million.
- The Region has received confirmed 2020 funding announcements of $10.5 million in specific program areas. Additional funding announcements are expected but not confirmed.
- 2021 budget pressures exist as a result of ongoing COVID-19 measures. To date limited 2021 funding announcements from upper levels of government have occurred and our estimates only include confirmed funding sources. Should additional funding sources be received this would reduce the pressure identified.
- The 2021 projected net budget pressure identified to date is $10.7 million or 2.74% for levy programs, $0.1 million or 0.04% for water/wastewater programs, and $0.1 million or 0.14% for waste management and will continue to be refined as new information is received.

Financial Considerations

Given the uncertainty around timelines and availability of funding sources, it still remains difficult to quantify the full impact of individual items as well as the overall long term impact to the Region. That being said, based on estimates at this time the pandemic will result in a 2020 operating deficit at year-end. Ongoing discussions continue with respect to opportunities for cost savings and mitigations as well engaging of Provincial and Federal governments for financial assistance. Staff will continue to provide monthly updates to Council and any action that may be required as more details become known.

It is important to note that this report only contains financial estimates of the pandemic and does not attempt to quantify other non-COVID related pressures that may exist. A more fulsome forecast considering all regional activities will be prepared after the second quarter of 2020 is complete.

As the pandemic progresses, the Region continues to identify strategies to fund any projected deficit. The following strategies have been identified in order of preference.

1. Continue pursuing Provincial and Federal government financial assistance. Advocacy continues by the Region through memos to the province however to date only confirmed sources of funding have been included in this report.
2. Leverage the Taxpayer Relief Reserve and Rate Stabilization reserves.
3. Should the above be insufficient, use of other specific reserves could be recommended through the yearend transfer report.
4. Deficit could be funded in the 2021 budget. In light of existing known pressures for 2021 this is least desirable.

As of December 31, 2019 the Taxpayer Relief Reserve balance was $23.8 million which is 4.2% of gross budgeted expenditures excluding agency boards and commissions (our minimum reserve target per the reserve policy is 10% of gross budgeted operating expenses or $56 million at December 31, 2019). Should the Region draw approx. $5 million from this reserve in 2020, it would be further depleted to $18.8 million or 3.4% of gross budget. The depletion of this reserve to extremely low levels would eliminate the option of leveraging it to fund one-time pressures in the 2021 budget process. Funds in the reserve would need to be maintained to address unknown/unbudgeted risks in 2021 and beyond.

Analysis

Staff have been monitoring and assessing the potential financial impacts to the Region since the onset of the pandemic. A variety of operating expenditures and revenues are expected to be impacted. While it is still too early to fully understand and quantify all of the potential impacts, staff update projections as new information becomes available.

The information available and estimated to date has been summarized into the following key categories.

1. Total Gross Cost: This category represents all cost tracked and associated with the emergency response including costs that can be accommodated within our approved 2020 budget. It is important to note that while the Region does have an established base budget to support some of these expenditures, it is not what was originally contemplated in the base budget and may result in delays in work plans and/or backlogs after the emergency is complete.

2. Total Net Cost: This category considers confirmed funding sources that have been matched to eligible expenditures.

3. Total Deficit/(Surplus): This category removes the costs that can be supported by our approved base budget. It also considers strategic and other mitigations the Region has been able to identify and put in place to help manage the cost of the emergency.

The following is the current summary of the financial impacts. All estimates in the analysis have been made up to December 31, 2020 unless otherwise noted in Appendix 1.

Table 1: 2020 COVID-19 Financial Impact Summary

2020 Financial Impacts	Levy	Water/ Wastewater	Waste Management	Total
Total Gross Cost	**$ 48,220,202**	**$ 1,236,817**	**$ 243,783**	**$ 49,700,802**
Less: Confirmed Funding Matched to Expenses	(9,624,370)	-	-	(9,624,370)
Net Cost to Region	**38,595,832**	**1,236,817**	**243,783**	**40,076,432**
Less: Strategic and Other Mitigations	(12,882,242)	(726,164)	(160,064)	(13,768,470)
Less: Cost supported by our approved base budget	(21,061,514)	(205,406)	(58,956)	(21,325,876)
Net budget deficit/(surplus)	**$ 4,652,076**	**$ 305,247**	**$ 24,763**	**$ 4,982,086**

Further detail on the corporate assumptions and cost categories can be found in Appendix 1. Also a more detailed breakdown by operating department can be found in Appendix 2.

The Region has also been coordinating with local area municipalities to consolidate the full impact to Niagara residents. While all municipalities have been reporting to their Council using different estimates, assumptions and reporting schedules, we have been able to consolidate the information available into similar categories to provide big picture context on the total regional impact.

Table 2: Total Regional Impact

	Region & Local Area Municipalities
Total Gross Cost	**$ 78,321,402**
Funding Received	(9,624,370)
Net Cost to Region	**68,697,032**
Accomodated in the Budget	(25,696,607)
Strategic and other Mitigations	(30,106,184)
Net Deficit	**$ 12,894,241**

Since our previous report CSD 40-2020 on June 25th new information has been received and/or quantified and new assumptions have been established. The most significant driver of change in the projected net deficit is a result of downward trend in the use of additional staff and overtime which is the basis for our projection to December 31.

In general the Niagara Region deficit reported continues to be driven by the following significant cost and saving items:

- **Niagara Regional Transit:** fare revenue reduction due to reduced ridership and cancellation of Niagara College on-campus spring/summer classes;

- **POA Court:** Reduced POA revenue due to lower ticket volumes and court closure, with some related expenditure savings offsets;

- **Public Health:** Increased staffing and overtime, supplies (including personal protective equipment and vaccination supplies) and cleaning costs; additional staff to support higher call volumes;

- **Paramedic Services**: Increased staffing, overtime, supplies (including personal protective equipment), and cleaning;

- **Housing:** Increased cleaning costs in common spaces; lower tenant income levels would result in higher rent subsidies at community housing units and lower rent payments at NRH units;

- **Homelessness programs:** Increased costs to support homelessness agencies, housing allowances and expenses relating to the rent, staffing, cleaning, personal protective equipment and food for a self-isolation center;

- **Seniors' Services:** Increased cleaning, staffing, security and personal protective equipment costs;

- **Niagara Regional Police Service**: Lost revenue from OLG payments through the City of Niagara Falls due to the closure of Casino operations. Staff are in ongoing discussions with the City of Niagara Falls to confirm funding that may be received if the Casino re-opens;

- **Technology Services**: Additional costs relating to increased licenses to ensure sufficient capacity for staff working remotely;

- **Labour related savings:** not filling non-essential vacant positions**;**

- **Fuel savings:** Short/medium term savings due to significant drop in world oil and local fuel prices;

- **Niagara Regional Transit/Niagara Specialized Transit savings:** reduction in daily service schedules resulting from decreased demand will result in significant savings;

- **Non-emergency maintenance work savings:** limiting work at NRH owned units to emergencies and move-outs; and

- **Operational savings:** reduced travel, meeting expenses, and conferences due to travel restrictions and cancelled events.

2020 Funding announcements

The Region has also received announcements of confirmed funding sources of $10.5 million identified below. Amounts where eligibility criteria have been confirmed have been matched to expenses in the analysis above. There is a remaining $0.9 million yet to be allocated to eligible 2020 expenditures and this funding is expected to support costs that occur in Q1 2021.

Table 3: 2020 Confirmed Funding Announcements

Description	Funding Agency	Amount
Community Homelessness Prevention Initiative *	Ministry of Municipal Affairs and Housing	$ 2,408,100
Reaching Home Funding *	Employment and Social Development Canada	1,253,271
Community Response Fund	Canadian Medical Association Foundation	62,500
Childrens Services Fees Subsidy Funding Reallocation	Ministry of Education	927,690
Long-term Care Emergency Funding	Ministry of Long-term Care	1,394,100
Pandemic Pay **	Province of Ontario	4,484,934
		$ 10,530,595

* Incremental funding to cover full fiscal year of April 1, 2020 to March 31, 2021
** Estimate to support pandemic payments from April 24 to August 13. Final amount to be determined based on eligibility and actual payments.

In addition to the confirmed funding announcements above, the Region is monitoring the following announcements. The timing and allocation to Niagara Region of these funding announcements is uncertain at this time.

- An additional $9.2 million of provincial funding for continued prevention and containment of COVID-19 (for example, screening staff, additional staff, PPE) in long-term care homes. The total funding originally announced was $88.3 million and $34.8 million and $44.3 million were allocated in May and June respectively.
- An additional $150 million of provincial funding through its Social Services Relief Fund to protect vulnerable people from COVID-19 by improving homeless shelters and creating opportunities for longer-term housing announced in June. This funding doubles the funding made available earlier in the year where Niagara received an allocation of $2.4 million.
- An additional $129 million in emergency capacity funding in long-term care homes. This funding is to be used to increase bed capacity and ease pressures in hospitals as they battle COVID-19.

- Re-instated minor capital funding program for long-term care homes. This funding was not anticipated for 2020 as the Ministry had signaled in would be ending the program. We now have an indication that it will be re-instating the program. This funding was not anticipated in our 2020 budget and therefore will help support the 2020 budget pressures in long-term care when received.
- Ontario Works expects to see increased funding to support a substantial increase in subsidy claim payments to Ontario Works clients.
- The Province has indicated that it plans to work with municipal service managers to support Children's Services operations to minimize shortfalls.
- The Province has announced it plans to defer further reductions to the public health funding formula in 2021.
- The Province has issued a memorandum to Public Health saying they plan to help support incremental costs but no details provided yet.

2021 Budget Pressures & Long-term Considerations

On June 25, Council endorsed a budget planning strategy for 2021. This strategy includes identifying and quantifying separately all COVID-19 related budget considerations. Additionally Council expressed interest in being informed on a more regular basis of the other base service delivery pressures so that the COVID-19 and these pressures could be understood collectively. To that end as the operating budget process has now begun we will provide in this report each month a brief summary of the status of the consolidated operating budget inclusive of normal business costs as well as COVID-19 beginning with the September report.

Staff have begun efforts to identify and quantify the COVID-19 pressures. While there is still lots of work to be done on these items, at the time of this report staff have identified 2021 net budget pressures related to COVID-19 as $10.9 million and is summarized by program area below. It is important to note that no new funding sources (outside of the homelessness program which has identified funding until the end of its fiscal year of March 31st 2021) have been identified from provincial and/or federal levels of government. Should additional funding sources be received this would reduce the pressure identified.

Table 4: 2021 Net COVID-19 Related Budget Pressure by Department

2021 Financial Implications		Amount	Increase %
General Government & Corporate		TBD	TBD
Corporate Services	$	1,102,000	0.28%
Niagara Regional Housing	$	300,000	0.08%
Transportation	$	59,000	0.02%
Public Health			
Public Health	$	1,410,000	0.36%
Emergency Medical Services	$	688,000	0.18%
Community Services			
Seniors Services	$	5,921,000	1.51%
Social Assistance & Employment Opportunities	$	50,000	0.01%
Homelessness	$	1,210,000	0.31%
Levy Budget Pressure	**$**	**10,740,000**	**2.74%**
Water & Wastewater Services Pressure	**$**	**55,000**	**0.04%**
Waste Management Pressure	**$**	**56,000**	**0.14%**

Recognizing the levy is most impacted and to better understand the components, a summary of levy items by category is provided below. The most significant pressure relates to required incremental staffing in public health for five contact tracing resources and in long-term care homes for one additional housekeeping, registered nurse and personal support worker per shift per home per day. It is anticipated these resources would be secured on a temporary basis until long-term clarity on sustainable funding is received.

Table 5: 2021 Levy COVID Related Budget Pressure by Category

		Amount	Increase %
Staffing	$	6,014,000	
Personal Protective Equipment		906,000	
Cleaning & Sanitation		1,710,000	
Shelter		1,902,000	
Agency Support		214,000	
Vaccination Program		900,000	
Total Gross Levy Cost		11,646,000	
Confirmed Funding		906,000	
Net Levy Cost	$	10,740,000	2.74%

The following items have been identified as potential impacts but have not yet been quantified. Staff will continue to monitor these items and work towards setting assumptions and quantifying impacts in future monthly updates.

- **Cost of borrowing:** a lower cost of borrowing for planned 2020 debenture issues would lower the amount of debt servicing costs required in the 2021

budget which can be used to offset the ongoing funding pressure of the infrastructure deficit;

- **Investment returns:** lower investment rate could impact interest income and interest allocations to reserves;

- **Property taxes:** the economic disruption could lead to a material increase in tax write-offs and lower supplementary taxes collected in year that would then result in lower net assessment growth for 2022;

- **Building Activity:** as construction activity has declined, this would also lead to a reduced level of development charge collections, potentially impacting the Region's ability to fund growth-related capital projects, and potentially a reduction in development charge grant costs. A slow down similar to last recession in 2008/2009 could result in building activity of approximately 25% equating to reduced development charges collected of approximately $7 million this year;

- **Incremental staffing models for Seniors Services & Public Health:** the Region is expecting the Province to mandate changes in the way long-term care homes are staffed and managed. Staff have started to quantify these resources it believes are needed to support current COVID-19 measures but many assumptions remain unknown. These will continue to be refined as we work to finalize the 2021 budget and get clarity on directives from the province;

- **Replacement pay related to increased vacation carry-over**: the Region is seeing higher vacation balances owed to staff and as result of business needs not all staff can take vacation as planned. Increased vacation carry-over into 2021 is expected and may result in increased replacement pay costs and/or reduced work capacity in the future when the time off is taken. Staff will continue to monitor vacation balances and should this be significant it would be considered in the 2021 budget;

- **Contract costs:** the Region has received request to support suppliers with their increase COVID-19 related costs. Each request would be reviewed in alignment with contractual obligations and only quantified if deemed a contractual obligation of the Region;

- **Rent revenue & additional support to housing providers:** the economic disruption could lead to reduced collections of rents in NRH and/or housing providers seeking additional support from NRH. NRH continues to monitor the impact of COVID-19 on NRH rent and arrears balances. To date, NRH has been able to manage any rent and arrears impacts within its budget;

- **Recycling end markets:** the economic disruption could lead to volatility in prices for the sale of recyclables in waste management; and

- **Provincial gas tax:** the economic disruption could impact Niagara Regions gas tax allocation in 2021 and 2022 if we experience a greater decrease in ridership relative to other municipalities or if the total provincial gas tax collected declines due to less gas purchases.

In addition to the items above, the Region and local area municipalities have been monitoring water and wastewater flow data. Reduction in water usage does not change the total water/wastewater budget, however it can put increased pressure on the volumetric rates used by both the Region and the local area municipalities or it could result in a shortfall in revenues. The current decline in water usage is generally driven by the business/commercial sector due to mandatory COVID-19 closures therefore the increase in rates would create a shift in the burden to the residential sector if business closures continue into 2021. The need to incorporate changes in water volumes into the 2021 budget will be assessed in alignment with the economic recovery permitted by the Provincial reopening orders.

Alternatives Reviewed

Staff are working with both the area municipality treasurers within Niagara Region and with colleagues across the province (through the Ontario Regional and Single-Tier Treasurers group) to share ideas and strategies to respond to the financial and operational impacts of this pandemic.

Staff will also work with Standard and Poor’s (who provide the Region's credit rating) to discuss potential implications on the ratings of the municipal sector as a whole across the country.

Relationship to Council Strategic Priorities

Supporting the COVID-19 emergency response directly supports Councils strategic priority of a Healthy and Vibrant Community.

Other Pertinent Reports

- CSD 30-2020 COVID-19 Preliminary Overview of Financial Impacts (April 23, 2020)
- CSD 31-2020 Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings (April 23, 2020)
- CSD 34-2020 COVID Cash Flow Update (May 21, 2020)
- CSD 35-2020 COVID-19 Financial Impact Update (May 21, 2020)
- CSD 39-2020 COVID Cash Flow Update (June 25, 2020)
- CSD 40-2020 COVID-19 Financial Impact Update (June 25, 2020)
- CSD 46-2020 COVID Cash Flow Update (July 23, 2020)

Prepared by:
Melanie Steele, MBA CPA CA
Associate Director, Reporting & Analysis
Corporate Services

Recommended by:
Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with regional departments and EOC members, and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer.

Appendices

Appendix 1	COVID-19 2020 Financial Impact Summary
Appendix 2	COVID-19 2020 Financial Impact by Department

Appendix 1: COVID-19 2020 Financial Impact Summary

	Spent & Committed As of Date	Spent & committed	Projected to Dec 31	Total
Costs supported by our approved base budget				
EOC Dedicated Resources [1]	13-Jul	$ 2,905,230	$ 1,983,162	$ 4,888,392
Lost Productivity – Staff Unable to Work [2]	27-Jun	1,694,009	1,004,067	2,698,076
Redeployed Resources [3]	13-Jul	5,128,175	8,009,047	13,137,222
Emergency Child Care Costs [4]	13-Jul	602,186	-	602,186
Total costs supported by our approved base budget		10,329,600	10,996,276	21,325,876
Costs incremental to base budget				
Additional labour related costs [5]	27-Jun	4,058,538	5,296,006	9,354,544
Pandemic Pay [6]	N/A		4,484,934	4,484,934
Purchases made or committed [7]	13-Jul	5,511,566	3,869,126	9,380,692
Total costs incremental to base budget		9,570,104	13,650,066	23,220,170
Lost Revenue [8]			10,494,171	10,494,171
Cost Savings [9]			(5,339,415)	(5,339,415)
Total Gross Cost		**19,899,704**	**29,801,098**	**49,700,802**
Confirmed Funding Matched to Expenses [10]			(9,624,370)	(9,624,370)
Net Cost to Region		**19,899,704**	**20,176,728**	**40,076,432**
Strategic and Other Mitigations [11]			(13,768,470)	(13,768,470)
Cost supported by our approved base budget		(10,329,600)	(10,996,276)	(21,325,876)
Net Deficit/(Surplus)		**$ 9,570,104**	**$ (4,588,018)**	**$ 4,982,086**

[1] Mar 13 to June 29 - Assumes 100% of salary and benefit costs to any staff member fully activated in the Regional EOC, Public Health EOC, and EMS EOC . As of June 30th all EOC members have estimated their ongoing time commitment and costs have been projected accordingly.

[2] Staff unable to work due to self-isolation, needing to care for family members or being sick directly associated with COVID-19

[3] Corporate cost of redeployed resources.

[4] Emergency child care services were provided as requested by the province. Cost include base staffing and supplies used while delivering emergency childcare in April through June.

[5] Additional salary, benefits and overtime costs related to managing the emergency. Overtime (banked and paid) to date represent 28% of the additional labour related cost which averages to an additional 26 FTE each week of the pandemic.

[6] Pandemic pay estimates from April 24 to August 13.

[7] Additional purchase commitments made to directly support the emergency (e.g. cleaning supplies and services, personal protective equipment, emergency shelter,

screening, advertising). Included in the purchases the Region has executed 31 special circumstance purchases over $10,000 for a total value of $3.3 million. These purchase consist mainly of personal protective equipment, cleaning supplies/services, emergency shelter, homelessness agency support and screening services. Staff will continue to rely on the special circumstance provisions in the procurement by-law on an as-required basis and report back to Council as needed.

[8] Estimated loss of expected revenue sources (e.g. rental income on owned units, transit fare revenue, business licensing revenue, development applications, parental fees, POA infraction revenue, investment income).

[9] Estimated cost savings directly related to the COVID measures (e.g. reduced travel costs, reduced electricity, cancelled events). Fuel savings in EMS and transportation estimated at $297,000.

[10] Funding received has been matched to eligible expenditures.

[11] Strategic mitigations put in place by the Region (e.g. gapping of vacant positions, reduced non-emergency repair work, reduced transit service costs, other non-COVID related savings).

Appendix 2: COVID-19 2020 Financial Impact by Department

	Costs supported by our approved base budget	Costs incremental to base budget	Lost Revenue	Cost savings	Total Gross Cost	Confirmed Funding Matched to Expenses	Net Cost to Region	Strategic & Other Mitigations	Costs supported by our base budget	Net Deficit/ (Surplus)
General Government & Corporate	$ -	$ 5,597	$ 1,291,225	$ (2,474,000)	$ (1,177,178)		$ (1,177,178)	$ (850,000)	$ -	$ (2,027,178)
Corporate Administration	1,207,359	525,848	-	(68,230)	1,664,977		1,664,977	(961,548)	(1,207,359)	(503,930)
Corporate Services	941,322	1,139,001	240,500	(13,500)	2,307,323		2,307,323	(775,234)	(941,322)	590,767
Court Services	14,610	3,876	942,834	(292,995)	668,325		668,325	(147,072)	(14,610)	506,643
Planning	275,420	7,940	300,000	-	583,360		583,360	(435,019)	(275,420)	(127,079)
Niagara Regional Housing	833	214,584	-	(102,000)	113,417		113,417	(775,881)	(833)	(663,297)
NRPS *	1,244,362	466,862	3,624,861	(1,255,229)	4,080,856		4,080,856	(1,218,040)	(1,244,362)	1,618,454
Transportation	183,685	133,921	2,097,103	(269,009)	2,145,700		2,145,700	(6,754,178)	(183,685)	(4,792,163)
Public Health										
Public Health	8,591,939	2,496,605	162,185	(25,000)	11,225,729	-	11,225,729	-	(8,591,939)	2,633,790
EMS	2,211,726	3,223,749	33,016	(238,697)	5,229,794	(969,081)	4,260,713	(115,000)	(2,211,726)	1,933,987
Sub-total Public Health	10,803,665	5,720,354	195,201	(263,697)	16,455,523	(969,081)	15,486,442	(115,000)	(10,803,665)	4,567,777
Community Services										
Childrens Services **	898,382	587,690	340,000	-	1,826,072	(927,690)	898,382	-	(898,382)	-
Seniors Services ***	4,804,285	11,121,614	5,684	-	15,931,583	(4,889,837)	11,041,746	(850,270)	(4,804,285)	5,387,191
SAEO	125,212	94,891	-	-	220,103		220,103	-	(125,212)	94,891
Homelessness Services	562,379	2,837,762	-	-	3,400,141	(2,837,762)	562,379	-	(562,379)	-
Sub-total Community Services	6,390,258	14,641,957	345,684	-	21,377,899	(8,655,289)	12,722,610	(850,270)	(6,390,258)	5,482,082
Total Levy Supported	**21,061,514**	**22,859,940**	**9,037,408**	**(4,738,660)**	**48,220,202**	**(9,624,370)**	**38,595,832**	**(12,882,242)**	**(21,061,514)**	**4,652,076**
Waste Management	58,956	146,034	412,000	(373,207)	243,783		243,783	(160,064)	(58,956)	24,763
Water/Wastewater	205,406	214,196	1,044,763	(227,548)	1,236,817		1,236,817	(726,164)	(205,406)	305,247
										-
Total Rate Supported	**264,362**	**360,230**	**1,456,763**	**(600,755)**	**1,480,600**	**-**	**1,480,600**	**(886,228)**	**(264,362)**	**330,010**
Total	**$ 21,325,876**	**$ 23,220,170**	**$ 10,494,171**	**$ (5,339,415)**	**$ 49,700,802**	**$ (9,624,370)**	**$ 40,076,432**	**$ (13,768,470)**	**$ (21,325,876)**	**$ 4,982,086**

*NRPS figures reflect amounts reported in May 7, 2020 report to the NRPS Board Report 91.2020 in addition to signficant new lost revenue assumptions identified in June and labour related costs of members participating in the Regional EOC. NRPS will be updating their total projections to their board in July and we will align our reporting at that time.

** Confirmed funding matched to expense in Childrens Services is a reallocation of existing funding and not incremental funding. The MOE has advised service providers it will allow them to be flexible in how they apply their existing grants against their costs to minimize or eliminate any deficits. As a results, the division is confident it will be able to use its current grant to support COVID related items.

*** The incremental costs in seniors services is 45% labour related, 31% pandemic pay related and 24% supplies/PPE/screening related. While there has been incremental staffing needs in the long-term care homes, the hours per bed per day is 3.62 which remains under the recommended level of 4.

Public Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CL-C 74-2020

Subject: Improved Guidance for Food and Restaurant Establishments

Date: July 23, 2020

To: Niagara Regional Council

From: Andrea Feller, Associate Medical Officer of Health

We are pleased that Niagara is able to move to Stage 3 this Friday, July 24. Everyone's actions, commitment, leadership and vigilance across Niagara's municipalities have helped keep cases down.

Following on that, we need to share with you a concern and information at this time. Given the short timelines to prepare a document for Council, we are sending this in memo format, which has a quicker approvals process than a report.

Case increases are being seen in Niagara, Ontario, parts of Canada, and some areas worldwide. These are largely linked to re-opening. Niagara's current situation includes three out of the last five days (as of July 22 reporting) with cases of four or above. This is in contrast to June and the rest of July, when there were very few days with cases above three, and days with no cases at all.

While it is too soon to say whether this is a cluster that will not persist, or it is the beginning of a large growth in cases with resumption of community spread, it nonetheless is worrisome. Ontario and other parts of Canada, similarly, have seen recent increased numbers being reported despite only recently moving to Stage 3 in the case of Ontario.

Coupled with this, well-publicized outbreaks have emerged in areas that have reopened bars and restaurants including in Western Canada. These areas mostly had a lower density of cases compared to Ontario, or very similar, but not higher density. However, Ontario's restrictions are more restrictive for bars, than those of other provinces.

On July 18, 2020, a letter (attached) was sent to Premier Ford by the City of Toronto, asking for increased protective restrictions and measures in Stage 3 for food and beverage establishments. As Niagara is about to enter Stage 3, given the concerning

evidence about outbreak risk and a backdrop of increasing cases provincially and potentially, locally, and the need for local business owner/operators to have clear guidance as soon as possible, we want to ensure Council is aware of this letter, should Niagara Region choose to endorse it.

Comments on specific points in the letter:

1. Capacity limits for various settings differ in Ontario currently (e.g. places of worship v. bars/restaurants). Harmonization based on evidence will be beneficial, and will provide improved guidance and expectations around the numbers of patrons that can be present at any given time.

2. Collection of contact information for patrons is standard in personal services settings, but not typical in bars and restaurants that do not require reservations, in this country. New Zealand and the UK are examples of two countries that do not usually collect this information, but are doing so as part of the pandemic. Given the risk, uncertainties, and the critical importance of having accurate contact information for the protection of all residents, this temporary measure during the pandemic is recommended.

3. Limiting hours of operation has been an important tool to help businesses implement enhanced cleaning, training time, and other preparations. It likely has also assisted in decreasing the numbers of patrons indoors overall. However, it is unknown how effective or appropriate this recommendation is in the context of bars and restaurants for the purposes of COVID-19 prevention.

4. While the City of Toronto is not opposed to province-wide implementation, it specifically asks for these measures for Toronto. Unlike other measures that depend heavily on local conditions and lend themselves better to regional variation, settings such as bars and restaurants can be considered to have a very similar risk in any area where cases of COVID are occurring or can be expected to occur.

We recommend that Council support the endorsement of the letter from Toronto, with wording for a suggested motion being as follows:

That the Regional Chair **BE DIRECTED** to write a letter to the Minister of Health and Chief Medical Officer of Health for Ontario expressing the endorsement of the City of Toronto's letter dated July 18, 2020 respecting Stage 3 reopening, and requesting that

the province apply the recommendations that are most likely to assist in managing the pandemic consistently across the province.

Respectfully submitted and signed by

_____

Andrea Feller, MD MS FAAP FACPM
Associate Medical Officer of Health

John Tory
Mayor

July 18, 2020

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

Dear Premier Ford,

I want to thank you and your government for working with the City of Toronto throughout the COVID-19 pandemic and our ongoing efforts to make sure all of Ontario experiences a strong restart and recovery.

Throughout this crisis, I have listened, as you have, to the advice of our public health professionals – I am confident this has saved lives and protected the health of the city and the province.

I know you are just as concerned as I am about a second wave and the disastrous impact that a return to a more stringent lockdown would have on the health of our residents and the restart of the Ontario economy. We have seen in other jurisdictions that further reopening can lead to increased outbreaks of COVID-19 and growing case count numbers. We do not want to go in that direction.

I firmly believe that for the good of the province and our city, we must continue to move forward safely but we also must do everything we can to continue to stop the spread of COVID-19.

As the City of Toronto moves closer to Stage 3 of the reopening, I have asked Toronto Public Health to work with City Legal and Municipal Licensing and Standards to determine how best we could strengthen the provincial rules to help protect residents. I am writing to you today to share those recommendations in the hopes that they could be quickly implemented ahead of any Stage 3 reopening. I believe it is easier to add them ahead of time so that businesses and residents can adopt them immediately, rather than having to add further down the road should outbreaks start to occur.

City Hall, 100 Queen Street West, 2nd Floor, Toronto, Ontario M5H 2N2
T: 416-397-CITY (2489) F: 416-338-7125 mayor_tory@toronto.ca

The City has reviewed O. Reg 364/20: Rules for Areas in Stage 3 issued pursuant to the Emergency Management and Civil Protection Act.

We are requesting the following amendments be made in the Stage 3 order that will apply at least to the City of Toronto, recognizing the province may want to include other large jurisdictions as well:

1) The provisions that apply to food and drink establishments (Schedule 2, section 1(1)2 in O. Reg 364/20) should be amended to require that patrons be seated at all times unless entering, exiting, travelling to and from the washroom, or paying. The present requirement applies only while people are actually eating or drinking.

2) The amended Stage 3 order should include the following requirement: operators of food and drink establishments where patrons will be seated shall,
    a. Maintain a client log with a name and contact information for one person, minimum, in each party along with the date, check in and check out times, and table number
    b. Store these logs for a period of 30 days, after which the information can be destroyed
    c. Permit local public health units to access this information when tracing contacts of someone with COVID-19 who was a patron at the restaurant/bar or otherwise for public health purposes pursuant to the Health Protection and Promotion Act

3) In addition to the current capacity limits set out in Schedule 1, section 3 of O Reg 364/20, food and drink establishments should be subject to additional capacity restrictions that limit occupancy to ensure that physical distancing can be easily maintained by all patrons. There is a precedent for this in O. Reg. 52/20 pertaining to wedding and funeral services.

4) The amended Stage 3 order should implement early closure times (e.g. midnight last call) for food and drink establishments for at least an initial period of time, similar to what was done in Quebec.

5) The amended Stage 3 order should require operators of food and drink establishments to implement COVID-19 screening protocols for staff, such as completion of a screening questionnaire, prior to the commencement of their shifts.

6) Mandatory face covering requirements for staff and patrons should be clearly outlined in the amended Stage 3 order.

According to our health officials, these establishments present a high level of risk of transmission of the COVID-19 virus: all of the factors known to be associated with high risk are present—close, prolonged contact with many other people in a closed environment. This is borne out by reports of multiple cases arising from bars in Quebec, Alberta, many US states and South Korea.

The rationale for limiting numbers and for distancing is that there is evidence that about 10% of cases account for about 80% of transmission. It takes only one case (perhaps asymptomatic) in a bar to infect many people, possibly equivalent to several times Toronto's average daily total. This rationale also supports seating and customer log requirements as well as mandatory masking, staff screening and limits on capacity.

The key potential mitigating measures are to maintain distancing at all times (e.g. require customers to be seated at all times, no more customers than seats) and cap numbers in the space.

These changes would also ensure a speedy response to new cases. As you know, speed in contact tracing is essential: by the time the first secondary case is detected the outbreak may have spread to many others. A requirement to maintain a list of customers to facilitate contact tracing is essential. The most effective measure, however, is to respond immediately and vigorously to violations, before transmission can occur. All of the above measures would support these important public health goals.

While many of these measures are already Toronto Public Health guidelines and recommendations, they are not included in the province's legal regulation. I believe ensuring these are requirements rather than recommendations will help ensure compliance and ultimately, protect the health of our residents.

I support the province introducing these measures as part of moving the City of Toronto into Stage 3.

I believe they will ensure the progress we have made, by following public health advice consistently, will continue.

I also believe that businesses will follow these measures because they will understand this will help protect their customers and employees and help prevent a spike in COVID-19 cases that could ultimately lead to a return to more restrictive measures, including a return to the closure of these same businesses as we have seen in other cities.

Thank you again for your ongoing cooperation and the cooperation of your government and public health officials throughout this crisis.

Sincerely,

John Tory
Mayor

Minute Item No. 5.1
CSD 41-2020
2021 Budget Planning

Moved by Councillor Steele
Seconded by Councillor Heit

That Report CSD 41-2020, dated June 25, 2020, respecting 2021 Budget Planning, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2021 budget timetable (option A) per Appendix 1 of Report CSD 41-2020 **BE APPROVED**; and

2. That Report CSD 41-2020 **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with By-Law 2017-63 Budget Control.

Carried

THE REGIONAL MUNICIPALITY OF NIAGARA
BUDGET REVIEW COMMITTEE OF THE WHOLE
MINUTES - OPEN SESSION

BRCOTW 1-2020
Thursday, June 25, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Committee Members Present in the Council Chamber:	Zalepa (Committee Chair), Bradley (Regional Chair)
Committee Members Present via Teleconference:	Butters, Campion, Darte, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen,
Absent/Regrets:	Bellows, Bylsma, Chiocchio, Diodati
Staff Present in the Council Chamber:	H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, M. Elia, Technology Support Analyst, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, M. Murphy, Associate Director, Budget Planning & Strategy, A.-M. Norio, Regional Clerk, T. Potts, Senior Budget Analyst, R. Tripp, Acting Chief Administrative Officer
Staff Present via Teleconference:	D. Barnhart, Executive Officer to the Regional Chair, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, F. Meffe, Director, Human Resources, R. Mostacci, Commissioner, Planning & Development Services, , D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, B. Zvaniga, Interim Commissioner, Public Works

---

1. CALL TO ORDER

Committee Chair Zalepa called the meeting to order at 4:01 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Service Delivery Impacts During COVID-19

Ron Tripp, Acting Chief Administrative Officer, provided information respecting Service Delivery Impacts During COVID-19. Topics of the presentation included:

- Essential Service Identification and Delivery
- Service Level Identification
- Impact to Service Delivery
  - Public Health/EMS
  - Community Service
  - Public Works
  - Corporate Services
  - Corporate Administration
- Redeployment Activities
- Summary

Councillor Information Request(s):

Provide information respecting the number of employees laid off as a result of COVID-19. Councillor Junkin.

Provide information comparing the number of layoffs due to COVID-19 at Niagara Region to other Regional municipalities. Councillor Sendzik.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 CSD 41-2020
2021 Budget Planning

Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, provided information respecting 2021 Budget Planning. Topics of the presentation included:

- Recap of the Budget Planning By-law
- Proposed Strategy for 2021
- Considerations for Budget Development
- Timetable for Budget Deliberations

Moved by Councillor Steele
Seconded by Councillor Heit

That Report CSD 41-2020, dated June 25, 2020, respecting 2021 Budget Planning, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2021 budget timetable (option A) per Appendix 1 of Report CSD 41-2020 **BE APPROVED**; and
2. That Report CSD 41-2020 **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with By-Law 2017-63 Budget Control.

Clause 1 of the motion was voted on separately as follows:

That the 2021 budget timetable (option A) per Appendix 1 of Report CSD 41-2020 **BE APPROVED**.

Carried

Clause 2 of the motion was voted on separately as follows:

That Report CSD 41-2020 **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with By-Law 2017-63 Budget Control.

Carried

6. CONSENT ITEMS FOR INFORMATION

There were no consent items for information.

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be held on Thursday, October 15, 2020 at 6:30 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 6:14 p.m.

Councillor Zalepa Committee Chair	Ann-Marie Norio Regional Clerk

Niagara Region

Service Delivery Impacts During COVID-19

Phase I – Initial Response

Presented by: Ron Tripp, Acting CAO

June 25, 2020

Essential Service Identification and Delivery

- In March, 2020 the Region engaged in the categorization of its current Services into three categories with the purpose of maintaining or enhancing services deemed as essential during a human health emergency

- Supplemental to this exercise, the Region identified staffing volumes required to maintain essential services with the dual purpose of a) identifying individual staff required to maintain required service levels and b) identifying individual staff not required for maintenance of essential services for the purpose of redeployment

- During Phase I 'Initial Response' to COVID-19 through the categorization of services the following occurred:
  - Services deemed **Essential** were maintained or expanded
  - Services deemed **Key** – were reduced or maintained (depending on service)
  - **New** Services were initiated and delivered to support our response
  - Services deemed **Non-Essential** were greatly reduced, paused or eliminated

Priority Level
Essential Service
Key Service
Non-Essential

Service Level Identification

Department	Essential Service	Key Service	Non Essential
Community Services	25	3	4
Corporate Administration	8	16	10
Corporate Services	28	36	27
Niagara Regional Housing	6	3	
Planning and Development	9		
Public Health	33	18	10
Public Works	42	18	5
Grand Total	**151**	**94**	**56**

- Service level identification was completed by Senior Leaders at the request of the EOC
- Identification was based on priority level descriptions provided in the BCP Essential Services Guide
- 81% of services continued or were enhanced → **90% of staff delivering those services**

Data as of June 19, 2020

Impact to Service Delivery – Public Health / EMS

- Public Health experienced significant change in service delivery requirements due to emerging public supports required to support COVID–19 such as education, communication, initiation of our call centre, testing, tracking etc.

- New Service delivery to support COVID-19
  - Region employee screening program; screening tools and methodology
  - Information management and records retention
  - Call centre (intake line, chat support and physician support line)
  - EMS call response and increased cleaning and sanitization of vehicles and equipment

- Key services were greatly reduced or have been paused to support essential services, including redeployment of staff
  - Health Promotion
  - Public clinics and classes
  - School services & Community programs
  - Private drinking water testing

Impact to Service Delivery – Community Services

- To continue to maintain the health and safety of vulnerable populations, residents and clients; a series of new roles and services were established
  - Long Term Care Support – Screeners, Housekeeping Support Role, Social Visit Support Role
  - Homelessness COVID – 19 Shelter – staffed with Region Employees
  - Homelessness Housing Pilot
  - Child Care for Front Line workers
  - SAEO and Ontario Works support

- Key Services and Programs were stopped or paused to resource essential services, including redeployment of staff
  - Local Immigration Partnership Services
  - Regional Child Care paused to support Front Line Child Care requirements
  - Service System and Fee Subsidy for Child Care due to Closure of Centres and Camps etc.
  - Job Development
  - Seniors Adult Day Programming
  - Face to Face Supports for Seniors in Community

Impact to Service Delivery – Public Works

- Public Works continued to provide essential services within their Divisions; Water/Wastewater, Transportation, GO Implementation and Waste Management
- Through work prioritization and increased staff accountability/hours, this Department was able to support Redeployment and provide essential resources to Long Term Care. Transportation Services Division also has been responding to incoming calls to the Region with the closure of HQ Main Reception
- While, legislative and safety standards were maintained, some program elements were scaled down or paused to resource essential services, including redeployment of staff
  - Vision Zero
  - Environmental assessments/ Public Engagement
  - Field surveys, permitting
  - Policy Research
  - Tenders
  - Capital Projects (In collaboration with Finance)
  - Community Outreach

Impact to Service Delivery – Corporate Services

- Provided the development of strategic supports, tools and operational support to enable Essential Service Delivery as well as maintaining the safety and wellbeing of our workforce
  - EOC Support
  - Enhanced facility cleaning and Consultation on Building Opening Readiness
  - Economic Rapid Response Team (ERRT) in collaboration with all economic development offices
  - Enhanced financial tracking of COVID related costs and projections
  - New data analytics and visualization to assist Public Health
  - IT supports to enable flexibility of staff to work in other locations, including remotely from home

- Key Services and programs were stopped or paused to resource essential services, including redeployment of staff
  - Stopped all external marketing of Niagara as a location for business and resident attraction
  - Non urgent, non essential Procurement on hold
  - Business Licensing and Courthouse closed to the public and all court matters adjourned

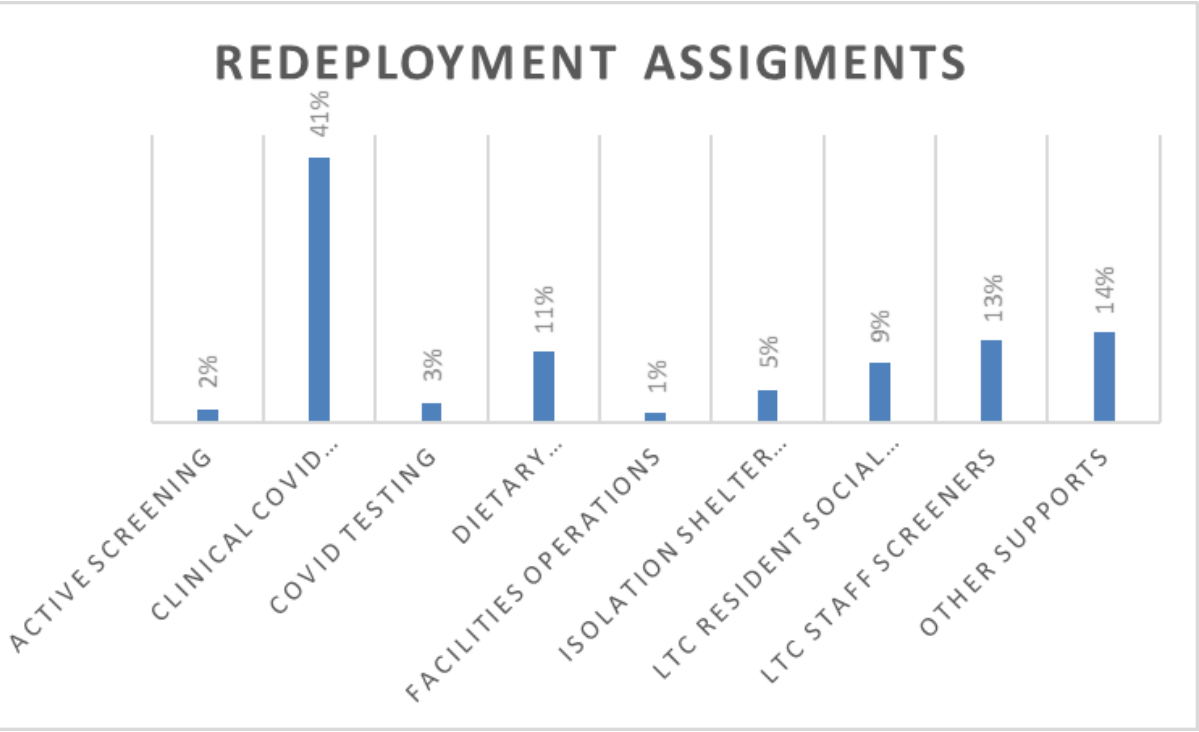
Impact to Service Delivery – Corporate Administration

- Provided the development of strategic supports, tools and operational support to enable Essential Service Delivery as well as maintaining the safety and wellbeing of our workforce
  - EOC Leadership and Support
  - BCP Coordination, Redeployment Coordination and database/tool development with IT staff
  - Health and Safety – Consultation and Collaboration with PH, LTC and Facilities
  - Leadership consultation and support, creation of Manager Guides and Staff Q&A
  - Implementation of virtual Council and Standing Committee meetings

- Key Services and programs were stopped or paused to resource essential services, including redeployment of staff
  - Recruitment reduced to roles required for essential service delivery
  - Training and Development programs paused
  - Sub-Committees and Advisory Committees paused – staff resources who support were redeployed

Redeployment Activity

Number Employees Redeployed by Department	
Community Services	75
Corporate Administration	8
Corporate Services	39
NRH	1
Planning & Development	3
Public Health	184
Public Works	50
Grand Total	**360**



Data as of June 19, 2020

Summary

- Region service delivery and program support will continue to evolve into Phase 2 to support COVID–19 requirements
- Corporate Recovery Plan is currently being prepared within each Department and will be coordinated and finalized in the coming weeks
  - All current, modified, cancelled, and new services will be evaluated for relevancy and/or best methodology for execution
  - Decisions on recommencing and/or enhancing services will be prioritized
  - Redeployments are expected to continue into Phase 2
- Recovery Planning will ensure coordination amongst Regional Departments with a unified approach to service delivery

TWENTY21

NIAGARA REGION BUDGET

Budget Planning

June 25, 2020

2021 Budget Planning

What we're going to cover tonight:

- Recap of the Budget Planning By-law
- Proposed Strategy for 2021
- Considerations for Budget Development
- Timetable for Budget Deliberations

Budget Planning By-law

Approved by Council on October 17, 2019

Guiding principles of sustainability, transparency and supporting council priorities.

2020 Gross Budget of $1.4 Billion

2021 Multi-year Forecast

Prepared with 2020 Budget

	BASE SERVICES		CAPITAL PROGRAM		NEW PROGRAMS		ASSESSMENT GROWTH		
Levy	3.0%	+	1.1%	+	0.2%	+	0%	=	4.3%
W/WW	2.0%	+	3.2%	+	0.0%	+	N/A	=	5.2%
WM	9.9%	+	0.0%	+	0.0%	+	N/A	=	9.9%

2021 Multi-year Forecast Plus COVID-19

Prepared with 2020 Budget

	BASE SERVICES		CAPITAL PROGRAM		NEW PROGRAMS		ASSESSMENT GROWTH		COVID-19
Levy	3.0%	+	1.1%	+	0.2%	+	0%	+	$+/-
W/WW	2.0%	+	3.2%	+	0.0%	+	N/A	+	$+/-
WM	9.9%	+	0.0%	+	0.0%	+	N/A	+	$+/-

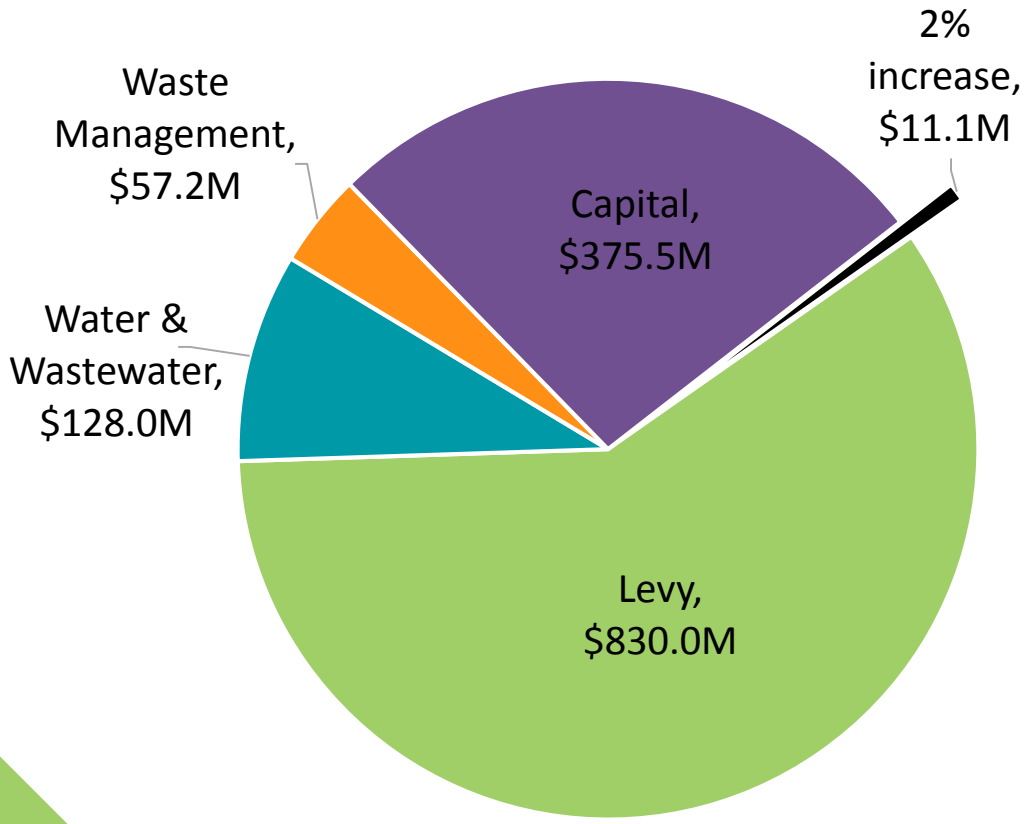
- COVID-19 emergency response and changing the way we do business
- Community job losses
- Development slow down, access to trades and industry capacity

2021 Proposed Strategy

	BASE SERVICES		CAPITAL PROGRAM		NEW PROGRAMS		ASSESSMENT GROWTH		COVID-19
Levy	1.0%	+	1.0%	+	0.0%	+	0%	+	$+/-
W/WW	1.0%	+	1.0%	+	0.0%	+	N/A	+	$+/-
WM	2.0%	+	0.0%	+	0.0%	+	N/A	+	$+/-

2% Increase + ?% COVID-19
1% allocated to Operating Services
1% allocated to Capital Funding

2020 Gross Budget of $1.4 Billion



Proposed strategy allocates to:

Levy	$7.8 million
Water & Wastewater	$2.5 million
Waste Management	$0.8 million

Current Environment

Operating Cost Challenges

- KPMG Sustainability Review identified operating budget is lean and discretionary services “are more the exception than the rule”
  - “cost reductions have been underway prior to the service sustainability review”; “Financial constraints have impacted service levels in certain areas”
- Labour related cost represent 43% of budget and guided by collective agreements
- Still trying to understand on-going and one time expenses of COVID-19 and how Prov/Feds will support

Current Environment

Capital Cost Challenges

- 2016 AMP identified $0.5 billion renewal backlog that is not going away.
- The 10 year capital plan has a funding shortfall of $1.2 billion.
- 2016 AMP requires Average Annual Rate of investment of $225 million to maintain current levels of service. We are at $67 million.
- Option to fund the gap in alignment with Financing Strategy or reduce desired levels of service or continue to defer with risks

Base Services

Revenues and Expenses

Achieving a 1% increase will be challenging:

- Levy pressures of labour related costs and Development Charge grants
- Water & Wastewater pressures of labour related costs, repairs and maintenance
- Waste Management $8.1 million increase for curbside collection contract awarded in 2020 (net of reserve mitigation)

Capital Program

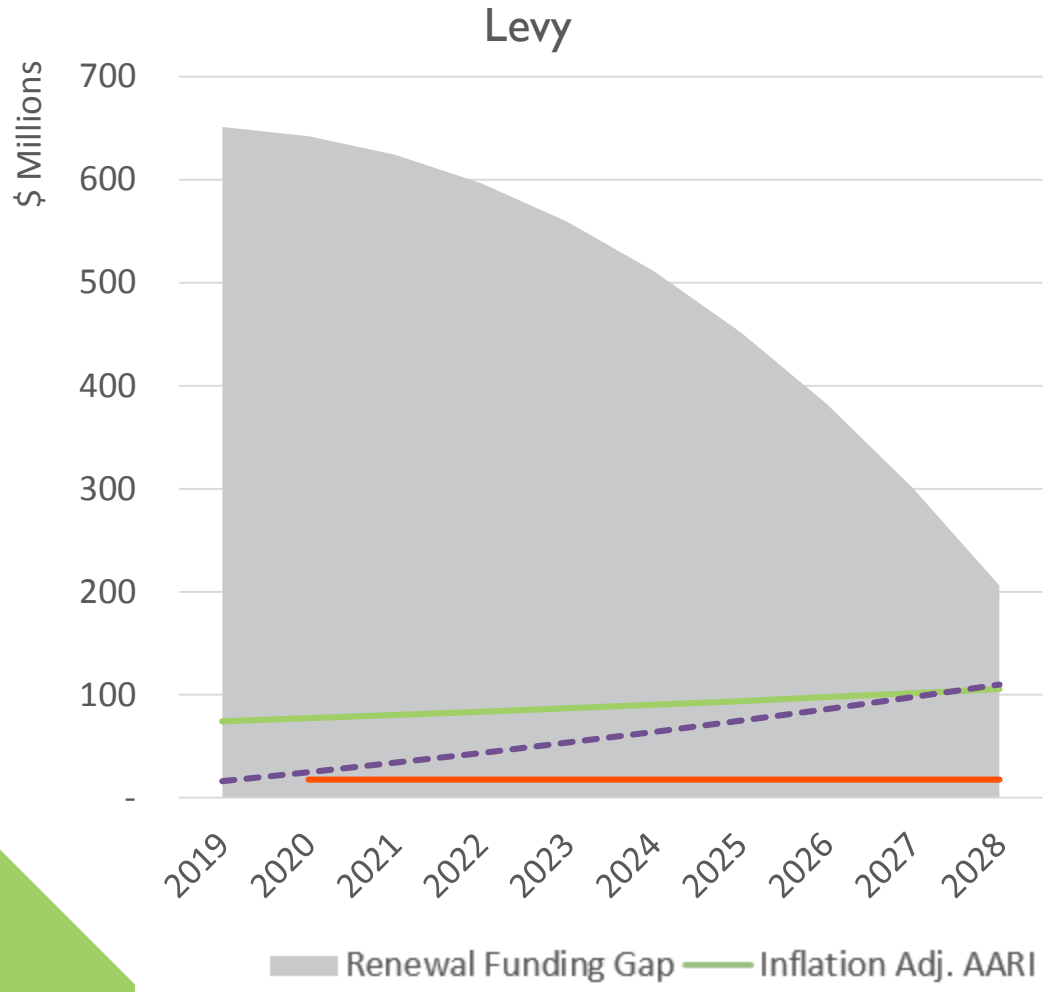
Debt Charges & Pay-As-You-Go/Reserves

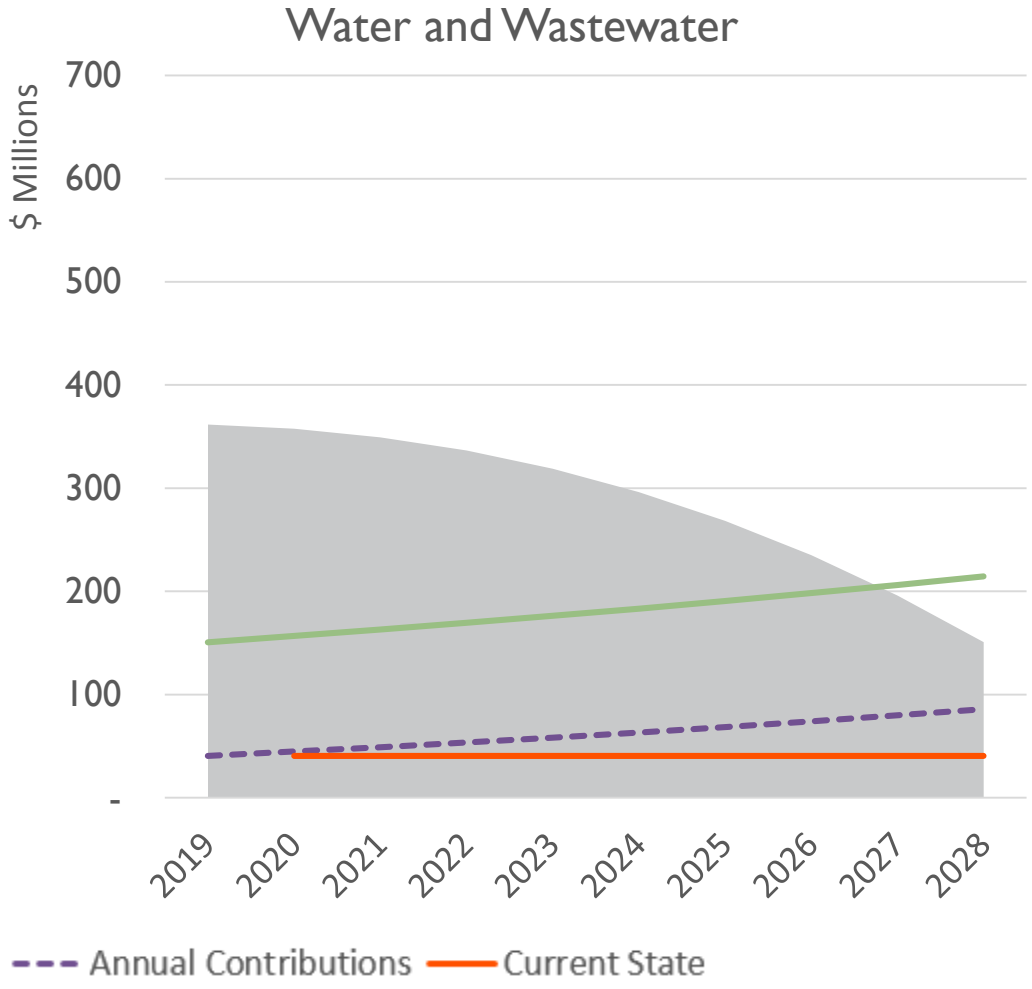
Levy W/WW WM

- Levy - Capital Financing Policy need of 2.16%/yr. for 10yrs
- W/WW – Safe Drinking Water Act need avg. of 3.15%/yr. for 10yrs
- Modify request in light of current environment:
  - Minimize increase to capital asset backlog
  - Avoid exponential impact of catch up on future budgets
  - Be ready for potential stimulus
- Waste Management - reserve strategy established and funded in base.

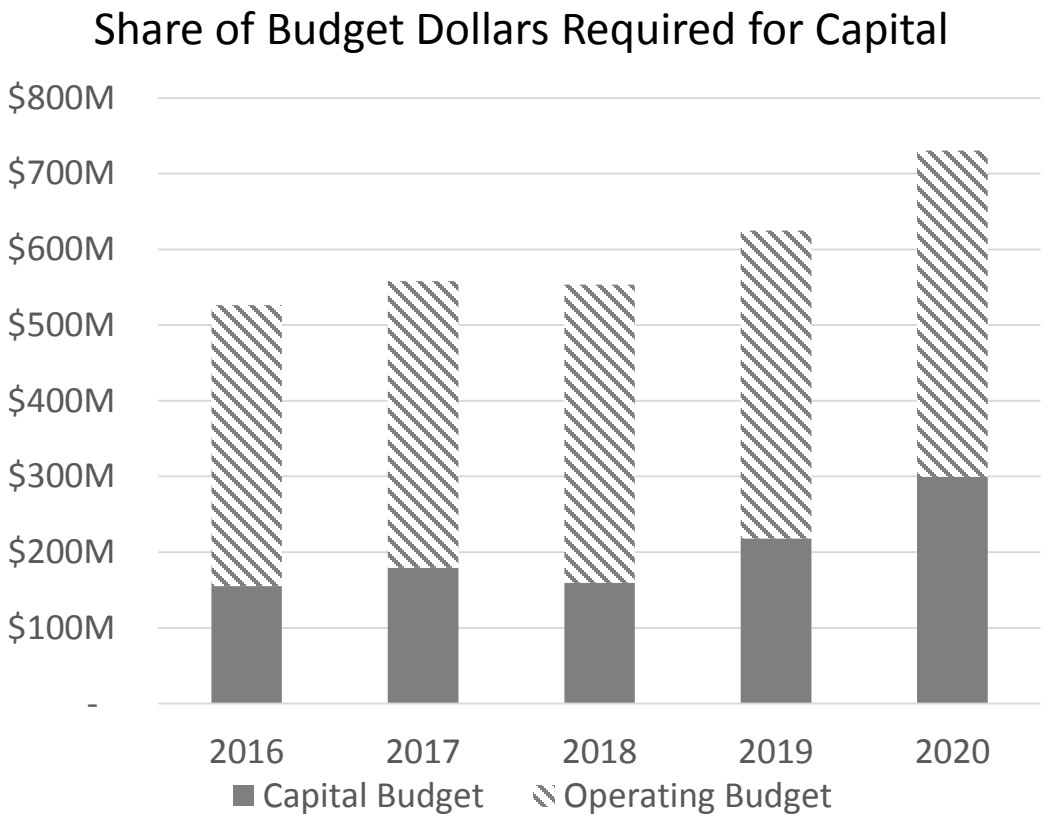
Required Capital Funding

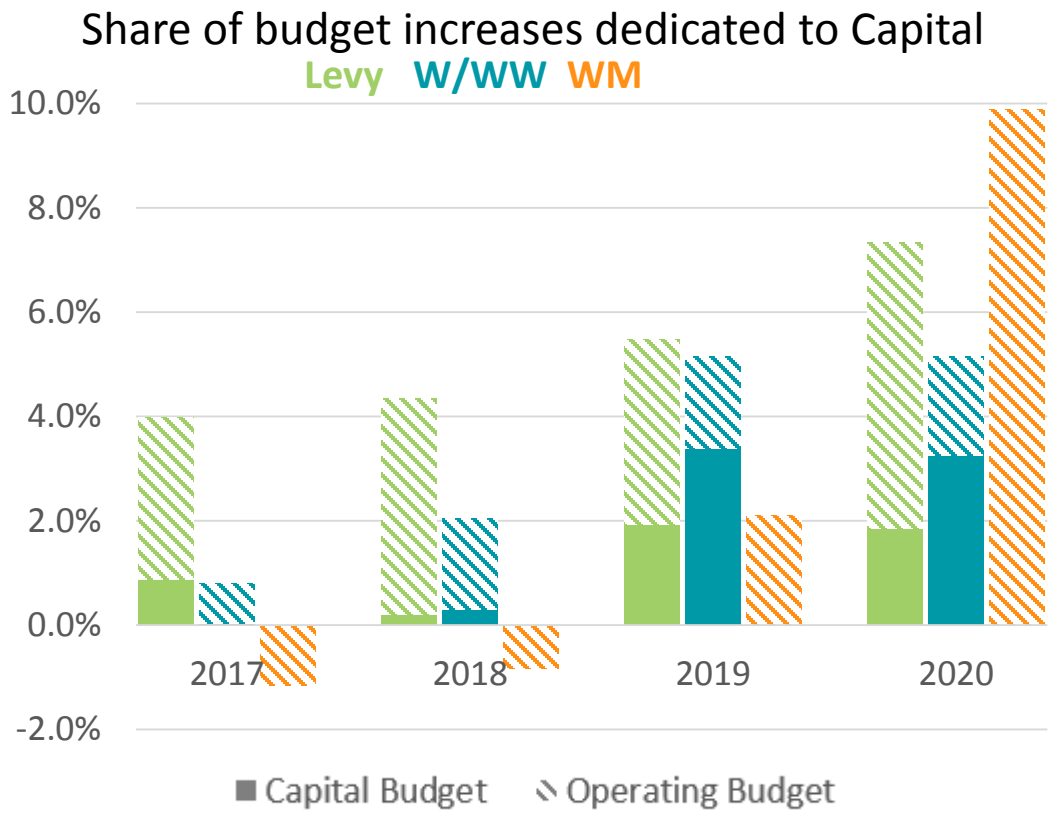
Based on Capital Financing Strategies





Capital vs Operating Budget Requirements



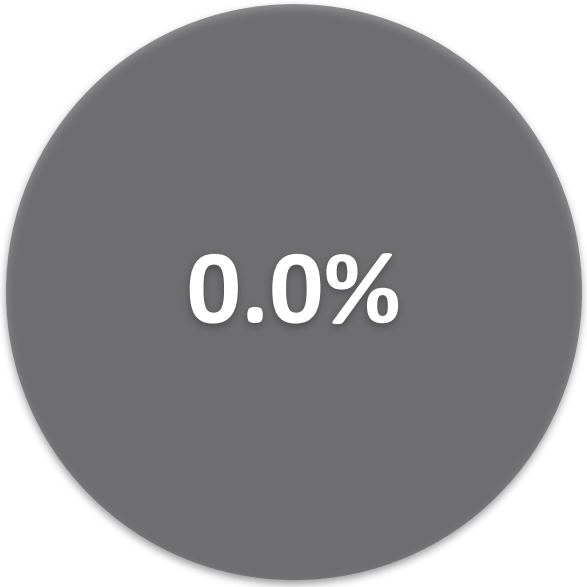


Capital requirement has risen from 30% to 41% of annual budget requirements

Have made more gains with funding for capital in W/WW rather than the Levy

New Programs

Council Priorities and Other

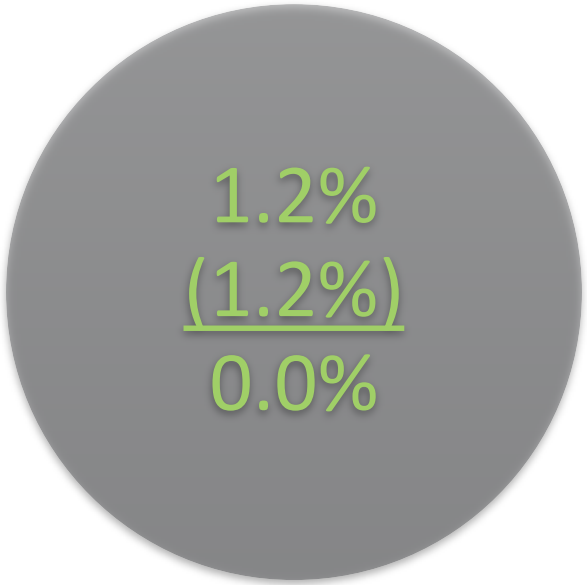


Acknowledging the impact of COVID-19:

- No new programs will be recommended in 2021
- New programs be given consideration in 2022 or beyond

Assessment Growth

Used for Costs of Growth

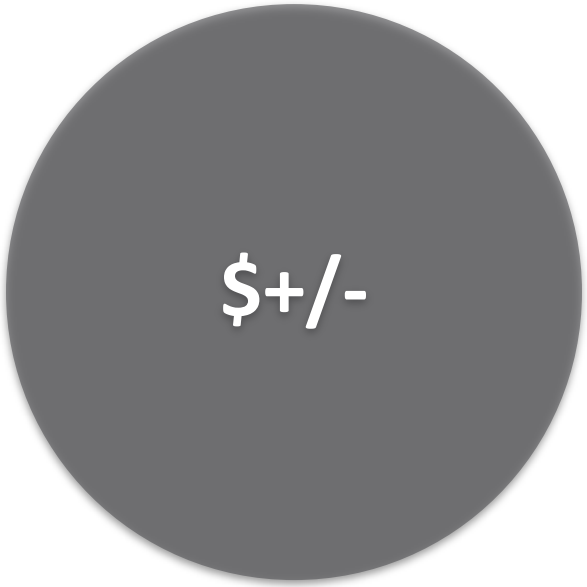


Levy W/WW WM

- 2020 decline in building activity will likely impact 2022 assessment growth
- 2021 Estimate based on MPAC projections
- Historical 3 year average was 1.5%
- Funds used for tax increment grants, growth capital and operating

COVID-19

Base and One-time



- Changes to the way we do business will have base and one-time costs
- Reasonable expectation of Prov/Fed funding supports to mitigate but outstanding
- Recovery plan may identify opportunities to reduce costs (i.e. work from home)
- Financial impact will be reported to council monthly to inform budget

2021 Proposed Strategy

	BASE SERVICES		CAPITAL PROGRAM		NEW PROGRAMS		ASSESSMENT GROWTH		COVID-19
Levy	1.0%	+	1.0%	+	0.0%	+	0%	+	$+/-
W/WW	1.0%	+	1.0%	+	0.0%	+	N/A	+	$+/-
WM	2.0%	+	0.0%	+	0.0%	+	N/A	+	$+/-

2% Increase + ?% COVID-19
1% allocated to Operating Services
1% allocated to Capital Funding

Proposed timetable

Subject/Topic	Meeting Type	Option A	Option B
Budget Planning	BRCOTW	June 25, 2020	*June 25, 2020*
Capital	BRCOTW	October 15, 2020	*November 26, 2020*
Rate	BRCOTW	November 26, 2020	*January 14, 2021*
Rate	Council	December 17, 2020	*January 21, 2021*
ABCs	BRCOTW	December 10, 2020	*January 28, 2021*
Consolidated Levy	BRCOTW	January 14, 2021	*February 11, 2021*
Levy, Capital, User Fees	Council	January 21, 2021	*February 18, 2021*

Budget workshops to precede each BRCOTW meeting, as per appendix 1 of the report

Next Steps

- Council approval of the Budget Timetable
- Monthly updates on COVID-19 impacts
- First Budget Review Committee to review Capital October 15
- Review of timetable at all subsequent BRCOTW meetings with consideration for COVID-19 uncertainties

Questions?

Subject: 2021 Budget Planning

Report to: Budget Review Committee of the Whole

Report date: Thursday, June 25, 2020

Recommendations

1. That the 2021 budget timetable (option A) per appendix 1 **BE APPROVED**.

2. That this report **BE CIRCULATED** to agencies, boards and commissions (ABC's) in accordance with By-Law 2017-63 Budget Control.

Key Facts

- The purpose of this report is to initiate the 2021 budget process, approve the Budget Review Committee of the Whole timetable, inform Council of the preliminary assessment of pressures and opportunities impacting service delivery, and to propose the strategy for the preparation and presentation of the 2021 Tax Levy, Water, Wastewater and Waste Management Operating and Capital Budgets.
- This planning report is a departure from previous reports as it is not seeking to approve direction on percentage increases for the components of the Budget Planning By-law but rather providing a framework for the process whereby Council will be able to make budget decisions when budget information is presented to Council throughout the fall.
- Recognizing the reality of the impact of COVID-19, staff are proposing a strategy for the 2021 budget that acknowledges the difficulties of job losses, need for economic recovery balanced with the needs of critical and essential services.
- Not withstanding the budget pressures forecast, the proposed budget strategy will be to present a budget increase not to exceed Core Consumer Price Index target of 2%, before addressing impacts of COVID-19, in a transparent manner that will allow Council to understand the mitigation options proposed.
- The budget impact of COVID-19 will be identified explicitly throughout the budget process. There is a reasonable expectation of mitigation from upper levels of government that will also be identified in the monthly Financial Impact Update report. Should this funding be insufficient or not realized the net budget impact will be fully disclosed.

Financial Considerations

The Budget Planning By-law approved on October 17, 2019, provides the framework for preparing and presenting the budgets of the Niagara Region. The four areas of budget development included in the by-law are:

1. Base services: Ongoing costs and revenues that are influenced by multi-year contracts, collective agreements and inflationary pressures and funded through sustainable budget increases.
2. Capital program: requirements of the Asset Management Plan should be funded in accordance with the Capital Financing Strategy and with a separate operating budget increase
3. New programs: should be funded through separate increases so not to erode ability to delivery base services.
4. Assessment Growth: After Tax Increment Grants (TIGs) are funded, consideration is given to fund both growth operating and capital programs, for a net impact of zero

Following the by-law methodology, the following was the forecast for 2021 operations as prepared during the 2020 budget process.

Table 1: Multiyear Financial Plan Increase

	Levy Increase	Water & Wastewater Increase	Waste Management Increase
Base Services	3.0%	2.0%	9.9%
Capital Program	1.1%	3.2%	0.0%
New Programs	0.2%	0.0%	0.0%
Assessment Growth	Net 0%	N/A	N/A
Total	**4.3%**	**5.2%**	**9.9%**

Given the COVID-19 pandemic impact on the community, staff recognize the importance of proposing a budget with a more moderate impact on the taxpayer to allow for economic recovery. However, it must incorporate the new incremental costs associated with the ‘new normal’ and still be guided by the by-law principles of sustainability and transparency.

To that end the strategy for 2021 is to propose a budget with an all in cost of 2% in line with forecast inflation plus the increased cost of delivering services based on the new

COVID-19 protocols, which will be quantified over the coming months. Given the increasing demands of capital and the significant Asset Management Plan backlog that is described more fully in the Analysis section of this report, the strategy is that the 2% be shared equally with 1% to operating costs and 1% to support capital renewal costs. The final decisions, as always, will be made by Council through the budget deliberations and with receipt of full disclosure of pressures, mitigation strategies and associated risks. This treatment would apply to Levy and Rates, and be suggested as a consistent strategy to the ABCs.

Council will be informed of incremental COVID-19 pressures in the monthly COVID-19 financial updates and these will be incrementally identified with the budget.

Analysis

Proposed Budget Strategy

The Budget Planning By-law formalized best practices and principles for use in the preparation of the Region's annual budgets. The by-law has four main budget development areas that were to guide budget planning in a transparent and sustainable manner. While staff would typically follow the Budget Planning by-law in the development of the proposed annual budget strategy, it is recognized that the impacts of COVID-19 have driven the need to propose a different strategy for 2021. The strategy proposed in this report takes into consideration the negative impacts on the community resulting from the pandemic, as well the need to continue to focus on delivering municipal services in a safe and responsible manner. The strategy proposed is not to exceed the Core Consumer Price Index target of 2%, before addressing impacts of COVID-19.

To understand the limitation on operating and capital budgets of proposing only a 2% in light of the forecast noted above, staff analyzed the historical demands of both operating and capital budgets. As more asset management information became available the capital budget continued to grow with very limited funding in the operating budget to support those capital costs. Of the total tax levy only 13% goes to fund the capital program and on the water and wastewater program 42% goes to fund the capital program. The capital budget (net of growth projects) as a proportion of the total annual budgets has grown to over 40%, whereas the average share of the budget increase dedicated to funding capital is approximately 28%. As a result, we need to continue to defer capital and without the investments to sustain the Region's capital assets the risk of asset failure or reduced level of service will increase.

Based on the above trend it is proposed that the 2% strategy for 2021 budget increase be apportioned 1% to support operating programs and 1% to funding that supports the capital program. This direction is proposed as well for the rate programs and ABCs. Considerations for this approach are further explained below:

Base Services

Per the by-law, budgeting for operating costs of service delivery is generally influenced by inflation and collective agreements that are often tied to inflation. While these are generally not the same as CPI, it is recognized that CPI is more easily understood, the strategy for budgeting for these costs is to align to CPI and the impacts of this constraint on service levels is disclosed throughout the budget process.

The multiyear forecast prepared in the 2020 Budget identified a 2021 pressure to base services in the amount of 3% for levy programs, 2% for water and wastewater and 9.9% for waste management. Main factors driving the multi-year budget are:

- Levy: Labour related costs of $10 million, development charge exemptions of $2.4 million
- Water & Wastewater: Labour related costs of $0.9 million, repairs and maintenance of $0.6 million,
- Waste Management: Recently awarded curbside collection contract increase of $8.1 million approved with 2020 budget

Achieving a 1% increase in operating budgets will be challenging as a result of a number of operating considerations including:

- KPMG Sustainability Review identified the Region's operating budget is lean therefore cost reductions will likely impact service levels. Additionally KPMG did identify a number of opportunities for service delivery changes that could be further investigated to provide budget mitigation options.
- Operating programs are not as easily deferred as capital (both result in reduced level of service)
- Inflationary pressures (union contracts, multiyear contractual obligations etc.) will continue to impact operating
- New normal of COVID-19, expense and revenue pressures (these will be discussed separately below)
- Water flows for 2020 are forecast to be down by 3% due to COVID-19 related business closures. Should this trend continue into 2021, this would put pressure

on the wholesale variable rate for water which would be based on the reduced consumption.

Capital Program

Per the by-law, financing to address the capital funding gap in the Asset Management Plan (AMP), Safe Drinking Water Act Financial Plan and capital budget reports is presented separately from the base budget. By doing so it allows for the transparent disclosure and separate request for sustainable funding of the infrastructure gap. Council approved a Capital Financing Policy in October 2019 that established additional guiding principles for the basis of the capital financing request in the operating budget.

In alignment with Council's priority of responsible growth and infrastructure planning a 10 year financing plan was created to support the Asset Management Plan and the elimination of the $546 million capital backlog identified in 2016. Table 2 compares the 2020 10-year capital forecast of $3 billion to the principles of the Capital Financing Policy. The principles apply funding based on project type i.e. pay-as-you-go/reserves for AMP, development charges (DCs) for growth and debt for strategic investment. The result is a gap in reserves to fund renewal projects of approximately $1.2 billion over 10 years. Due to a lack of incremental operating budget for pay-as-you-go/reserves to fund capital, the backlog has grown as projects continue to be deferred. In addition the strategy requires additional financing to support $37M of debt over 10 years for strategic investments.

Table 2: 2020 Consolidated 10 Year Capital Forecast vs Current Funding ($millions)

Funding Source	AMP Expenditure	Growth Expenditure	Strategic Investment Expenditure	Total Expenditure	Current Funding available	Funding Strategy realignment
Reserves	1,870			1,870	722	1,148
Debt			362	362	325	37
DCs		564		564	564	
Other			52	52	52	
Gas Tax			147	147	147	
Total	**1,870**	**564**	**561**	**2,995**	**1,810**	**1,185**

The annual current contributions to Capital reserves is $67 million. This is not sufficient when compared to either the annual amortization (annual consumption of assets based on useful life and historical cost) of $87 million or the 10-year Average Annual Renewal Investment ("AARI") (annual investment needed to sustain existing assets based on

replacement value) of $225 million (Levy $78M, ABCs $9M, Waste Management $3M, Water and Wastewater $135M).

Since Levy, Water and Wastewater make up the majority of the backlog funding gap, two capital strategies have been developed to address the gap and achieve financial sustainability.

For the Levy capital program excluding ABCs, using a strategy of an annual incremental capital levy contribution of 2.16%, provides $85 million at the end of 10 years, which increases the annual contribution for Levy from $17 million to $102 million for asset sustainment. When compared to the 2016 Asset Management Plan 10-year Levy AARI of $78 million indexed to 2028 using the Non-Residential Building Construction Index, the AARI required to sustain existing infrastructure is $106 million; this aligns to the capital reserve contribution at the end of the 10-year plan.

For the Water and Wastewater capital program, a strategy was developed in accordance with O.Reg. 453/07 Water and Wastewater financial plan. Due to the need for increased sustainable funding, the plan identified a need for an annual increase of 5.15% for 10 years to support operating and capital budgets (2% for operating and 3.15% for capital). At the end of the 10 years the annual contribution to capital would be $80 million for asset sustainment. When compared to the 2016 Asset Management Plan 10-year Water and Wastewater AARI of $135 million indexed to 2028 using the Non-Residential Building Construction Index, the AARI required to sustain existing infrastructure is $214 million. Until annual contributions to capital are sufficient to support the AARI, the strategic use of debt will be needed to transition the Water and Wastewater capital program to financial sustainability.

In order to continue to make progress towards a sustainable capital plan staff have proposed as part of the 2021 budget a 1% increase in operating contributions to support capital. Due to the 2.16% required for the levy and 3.15% increase needed for water and wastewater as identified above, a 1% increase dedicated to capital will still require project deferrals. The Asset Management Office has developed a capital asset management resource allocation model (CAMRA) to facilitate the prioritization of capital spending. All capital projects will be run through this model and those that are not included in the 2021 Budget due to funding constraints will be deferred into the 10 year forecast but will not reduce the 10 year funding gap.

New Programs

As per the by-law, new programs and services should be identified separately from the existing service pressures. Some examples of these types of initiatives include Council priorities, programs reflecting the changing needs of the taxpayer or changes in provincial funding methodologies. It is important that in offering these new programs the funding source should not erode funding of existing programs and the use of unsustainable funding should only be considered for time limited or transitional periods.

Acknowledging the impact of COVID-19 no new programs will be recommended for 2021. Programs that were deferred from the 2020 operating budget had been included in the multi-year budget as program changes for consideration in 2021. These program changes totaled $646 thousand (0.2% of the levy) and included items such as sports tourism and external mass notification system. These may be reconsidered in the 2022 budget or beyond.

Assessment Growth

As per the by-law, use of assessment growth funding is prioritized first to tax increment grants (TIGs), operating growth costs and the development charge residual on growth capital projects (i.e. growth capital costs that are not eligible for development charge funding if necessary). Should there be any remaining assessment growth it would be used to help fund the capital financing gap and new programs, with any residual aimed at driving new growth or other Council priorities, however given the current environment of capital shortfalls this is unlikely.

Assessment growth has been forecasted for 2021 at 1.2% ($4.5 million). The economic slow-down as a result of COVID-19 is not expected to have a significant impact to 2021 assessment growth as the growth experienced for 2021 is primarily representative of the development that occurred in 2019. In order to manage the risks involved with the estimate of assessment growth and needs of the Niagara Region, staff do not recommend allocating assessment growth to any costs other than those committed to TIGs and growth related capital costs at this time as we continue to monitor estimates and requirements.

COVID-19 Incremental Costs

Staff have been monitoring and assessing the financial impacts to the Region since the onset of the COVID-19 pandemic. Staff will continue to provide monthly updates to

Council for the remainder of the year and will begin to identify incremental COVID-19 costs that will form part of the new normal in the 2021 budget. As a result of the uncertainty surrounding these incremental costs and any potential new funding sources, staff will present these to Council separately from the 1% operating and 1% capital increases. It is recognized that there may be base budget and one-time costs in the budget to reflect the way the Region delivers particular services due to COVID-19 which may include costs such as personal protective equipment, extra cleaning disinfecting costs and supplies, modifications to work spaces to allow for physical distancing and executing a vaccination program.

The above impact will be presented net of any funding from upper levels of government which we expect to realize on an on-going basis for some of our services. Additionally, with the recovery plan (Open Niagara) may identify opportunities to realize savings from items such as reductions in required office space due to staff working remotely. The impact presented will be net of any savings related to costs that will not be incurred or savings that may be realized as a result of business changes brought on by COVID-19.

Budget Timetable

The proposed budget timetable (option A) is provided in appendix 1, with the objective of approving most of the 2021 budget before the end of the year. The operating budget deliberations have been delayed by one month each with the levy budget to be considered in January to accommodate a shift in recent priority given to dealing with the pandemic.

An alternative timetable (option B) is provided as well in the event that outstanding information regarding revenues and expenses related to COVID-19 create too much uncertainty in the budget process that can’t be resolved with the regular schedule in mind. This alternative delays the rate operating budgets and levy operating into 2021.

Alternatives Reviewed

The purpose of this report is to inform Council of the 2021 proposed strategy to support the development of the operating and capital budget for 2021. Information will continue to be developed, analysed and summarized for the Budget Review Committee to facilitate decision making. As staff are not making any recommendations with respect to increases for the 2021 budget, Council will have the opportunity to consider all options throughout the budget process.

Relationship to Council Strategic Priorities

The 2021 Budget will provide the financial framework to achieve Council's Strategic Priorities.

Other Pertinent Reports

- 2021 budget forecast as presented in the 2020 multi-year budget (appendix 2)
- PW 4-2019 – Financial Plan for O.Reg 453/07 Safe Drinking Water Act financial plan
- CSD 51-2019 – Capital Financing Policy
- COVID-19 Monthly Financial updates to Council

Prepared by:
Helen Chamberlain, CPA, CA
Director Financial Management and Planning, Deputy Treasurer
Corporate Services

Recommended by:
Todd Harrison, CPA, CMA
Commissioner Corporate Services, Treasurer
Corporate Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Tyler Potts, Senior Budget Analyst, and reviewed by Margaret Murphy, Associate Director Budget Planning and Strategy.

Appendices

Appendix 1	2021 Budget Timetable
Appendix 2	2021 Budget Multi-year Forecast

Appendix 1 – 2021 Budget Timetable

Option A

Meeting Type	Subject/Topic	Date
BRCOTW	Budget Planning	June 25, 2020, 4:00 p.m.
Budget Workshop	Capital	October 1, 2020, 4:00 p.m.
BRCOTW	Capital	October 15, 2020, 6:30 p.m.
Budget Workshop	Rate	November 19, 2020, 6:30 p.m.
Budget Workshop	Council Authority over ABCs	*November 26, 2020, 4:00 p.m.
BRCOTW	Rate	*November 26, 2020, 6:30 p.m.
BRCOTW	ABCs	December 10, 2020, 6:30 p.m.
Council	Rate By-laws	December 17, 2020, 6:30 p.m.
Budget Workshop	Levy	*January 7, 2021, 9:00 am
BRCOTW	Consolidated Levy	January 14, 2021, 6:30 p.m.
Council	Levy, Capital, User Fee By-laws	January 21, 2021, 6:30 p.m.

*all dates align with Council and Committee meeting weeks except November 26 and January 7

Option B

Meeting Type	Subject/Topic	Date
BRCOTW	Budget Planning	June 25, 2020, 4:00 p.m.
Budget Workshop	Capital	November 19, 2020, 4:00 p.m.
BRCOTW	Capital	*November 26, 2020, 6:30 p.m.
Budget Workshop	Rate	*January 7, 2021, 6:30 p.m.
BRCOTW	Rate	January 14, 2021, 6:30 p.m.
Budget Workshop	Council Authority over ABCs	January 14, 2021, 4:00 p.m.
Council	Rate By-laws	January 21, 2021, 6:30 p.m.
Budget Workshop	Levy	*January 28, 2021, 9:00 am
BRCOTW	ABCs	*January 28, 2021, 6:30 p.m.
BRCOTW	Consolidated Levy	February 11, 2021, 6:30 p.m.
Council	Levy, Capital, User Fee By-laws	February 18, 2021, 6:30 p.m.

*all dates align with Council and Committee meeting weeks except November 26 and January 7 & 28

Appendix 2 – 2020 Budget Multi-year Forecast for 2021

Levy

	2020 Budget	2021 Forecast	$ Increase	% Increase
Labour Related Costs	408,729	418,748	10,019	2.5%
Administrative	32,415	32,552	136	0.4%
Operational & Supply	47,303	49,171	1,869	4.0%
Occupancy & Infrastructure	29,839	30,996	1,157	3.9%
Equipment, Vehicles, Technology	15,894	16,587	694	4.4%
Community Assistance	196,142	200,243	4,100	2.1%
Partnership, Rebate, Exemption	20,300	22,194	1,894	9.3%
Financial Expenditures	69,373	67,107	(2,266)	-3.3%
Intercompany Charges	(1,907)	(1,947)	(40)	-2.0%
Transfers To Funds	30,204	29,928	(276)	-0.9%
Expense Allocations To Capital	(140)	(143)	(3)	-2.0%
Total Expenses	**848,152**	**865,436**	**17,283**	**2.0%**
Taxation	(17,064)	(17,344)	(280)	-1.6%
Federal & Provincial Grants	(319,544)	(322,752)	(3,208)	-1.0%
By-Law Charges & Sales	(22,085)	(22,302)	(216)	-1.0%
Other Revenue	(72,054)	(73,679)	(1,625)	-2.3%
Transfers From Funds	(6,648)	(3,216)	3,432	51.6%
Total Revenues	**(437,396)**	**(439,293)**	**(1,896)**	**-0.4%**
Net Budget Before Allocations	**410,756**	**426,143**	**15,387**	**3.7%**
Indirect Allocation	(6,321)	(6,754)	(433)	-6.8%
Capital Financing Allocation	(11,865)	(9,859)	2,006	16.9%
Total Allocations	**(18,186)**	**(16,613)**	**1,573**	**8.6%**
Net Budget After Allocation	**392,570**	**409,530**	**16,960**	**4.3%**

Water & Wastewater

	2020 Budget	2021 Forecast	$ Increase	% Increase
Labour Related Costs	24,852	25,762	910	3.7%
Administrative	3,433	2,233	(1,200)	-34.9%
Operational & Supply	13,166	13,508	342	2.6%
Occupancy & Infrastructure	17,700	18,053	353	2.0%
Equipment, Vehicles, Technology	6,588	6,679	91	1.4%
Partnership, Rebate, Exemption	4,010	4,010	0	0.0%
Intercompany Charges	1,777	1,814	37	2.1%
Transfers To Funds	40,749	46,112	5,363	13.2%
Total Expenses	**112,275**	**118,172**	**5,897**	**5.3%**
By-Law Charges & Sales	(1,421)	(1,421)	0	0.%
Other Revenue	(3,162)	(2,442)	720	22.8%
Transfers From Funds	(500)	0	500	100.0%
Total Revenues	**(5,083)**	**(3,863)**	**1,220**	**24.0%**
Net Budget Before Allocations	**107,192**	**114,309**	**7,117**	**6.6%**
Indirect Allocation	4,823	5,222	400	8.3%
Capital Financing Allocation	10,927	9,740	(1,187)	-10.9%
Total Allocations	**15,750**	**14,962**	**(787)**	**-5.0%**
Net Budget After Allocation	**122,942**	**129,271**	**6,330**	**5.2%**

Waste Management

	2020 Budget	2021 Forecast	$ Increase	% Increase
Labour Related Costs	3,923	3,881	(42)	-1.1%
Administrative	1,296	990	(306)	-23.6%
Operational & Supply	42,448	50,912	8,465	19.9%
Occupancy & Infrastructure	1,453	1,490	37	2.5%
Equipment, Vehicles, Technology	1,214	1,233	19	1.6%
Partnership, Rebate, Exemption	189	193	4	2.0%
Intercompany Charges	130	133	3	2.3%
Transfers To Funds	4,136	4,136	0	0.0%
Total Expenses	**54,789**	**62,967**	**8,179**	**14.9%**
By-Law Charges & Sales	(11,609)	(12,150)	(541)	-4.7%
Other Revenue	(5,191)	(5,177)	14	0.3%
Transfers From Funds	(1,604)	(4,514)	(2,910)	-181.5%
Total Revenues	**(18,404)**	**(21,840)**	**(3,437)**	**-18.7%**
Net Budget Before Allocations	**36,385**	**41,127**	**4,742**	**13.0%**
Indirect Allocation	1,499	1,532	33	2.2%
Capital Financing Allocation	938	119	(819)	-87.3%
Total Allocations	**2,437**	**1,651**	**(786)**	**-32.2%**
Net Budget After Allocation	**38,822**	**42,778**	**3,957**	**9.9%**

Minute Item No. 5.1
PW 5-2020
Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations

That Report PW 5-2020, dated July 14, 2020, respecting Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** Appendix 1 of Report PW 5-2020 titled - Delegation of Traffic and Parking By-law Matters Policy, and **DELEGATE AUTHORITY** to the Director of Transportation Services to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000, as amended, in accordance with the Policy;
2. That the Director of Transportation Services **BE DIRECTED** to coordinate and/or notify affected municipal staff and affected members of Regional Council of any amendments to the schedules of Traffic and Parking By-law 89-2000 that are proposed to be made pursuant to the Policy, prior to the passage of the necessary amending by-law(s);
3. That the Regional Clerk **SUBMIT** the necessary by-law(s) to amend the Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services in accordance with the Policy;
4. That the Director of Transportation Services **INFORM** Public Works Committee members of the amendments made to the schedules of Traffic and Parking By-law 89-2000 pursuant to the Policy on quarterly basis; and
5. That the necessary by-law to delegate authority to the Director of Transportation Services in accordance with Recommendation 1 of Report PW 5-2020 **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Minute Item No. 5.2
PW 24-2020
Award of Tender 2020-T-6 Area Winter Maintenance

That Report PW 24-2020, dated July 14, 2020, respecting Award of Tender 2020-T-6 Area Winter Maintenance, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2020-T-6 Area Winter Maintenance **BE AWARDED** to Steed and Evans Limited, based on year one pricing of $3,605,378 (including 13% HST) for a ten (10) year term; and

2. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the Contract and any required documents related thereto in a form satisfactory to the Director of Legal and Court Services.

Minute Item No. 5.3
PW 25-2020
Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road)

That Report PW 25-2020, dated July 14, 2020, respecting Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road), **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2020-T-59 – Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road), in the City of St. Catharines and the City of Thorold, **BE AWARDED** to Beam-Rankin Joint Venture Limited, at their bid price of $9,451,597 (including 13% HST); and

2. That a gross capital budget adjustment in the amount of $3,290,153 gross and $0 net **BE APPROVED** (and **INITIATED**) for the Reconstruction of Regional Road 71 (St. David's Road), and that the gross capital budget adjustment **BE FUNDED** from cost sharing agreements with both the City of St. Catharines ($2,115,852) and City of Thorold ($1,174,301).

Minute Item No. 5.4
PW 29-2020
Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region

That Report PW 29-2020, dated July 14, 2020, respecting Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That pursuant to its authority under Subsection 52(1) of the Municipal Act, 2001, Regional Council **APPROVE** adding the following lower-tier highway in the Town of Grimsby to its highway system, namely Livingston Avenue from Casablanca Boulevard to west of Emily Street, within the limits of Ofield Orchard Plan 441;

2. That a copy of Report PW 29-2020 and a copy of Regional Council's decision **BE SENT** to The Corporation of the Town of Grimsby;

3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council to add the highway to the Regional Road system; and

4. Upon passage, a copy of the by-law **BE SENT** to The Corporation of the Town of Grimsby, as the highway will be removed from the jurisdiction of the Town.

Minute Item No. 5.5
PW 30-2020
Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby

That Report PW 30-2020, dated July 14, 2020, respecting Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That By-law No. 48-2012 passed on May 24, 2012 **BE AMENDED** to clarify the description of the lands intended to be removed from the Regional Road system and transferred to the Town of Grimsby; and
2. That the form of Amending by-Law, attached to Report PW 30-2020 as Appendix 5, **BE APPROVED** by Regional Council.

Minute Item No. 5.6
PW 26-2020
Update on Extended Producer Responsibility - Batteries

That Report PW 26-2020, dated July 14, 2020, respecting Update on Extended Producer Responsibility - Batteries, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Commissioner of Public Works **BE AUTHORIZED** to enter into an agreement on behalf of The Regional Municipality of Niagara with Call2Recycle Canada Inc. for the funding of the Region's Drop-off Depot Battery Collection and Recycling Program in a form satisfactory to the Director of Legal & Court Services;
2. That the Director of Waste Management Service or his/her delegate **BE AUTHORIZED** to enter into negotiations with Raw Materials Company Inc. for an agreement for the funding of Niagara Region's Multi-Residential Battery Collection and Recycling Program; and
3. That Niagara Region Public Works staff **BE AUTHORIZED** to cease operation of the Curbside Battery Collection and Recycling Program as of July 1, 2020.

Minute Item No. 6.4
PWC-C 23-2020
Terms of Reference for Long Term Waste Management Strategic Plan

That Correspondence Item PWC-C 23-2020, being a memorandum from J. Mazurek, Program Manager, Policy, Planning and Engagement, dated July 14, 2020, respecting Terms of Reference for Long Term Waste Management Strategic Plan, **BE RECEIVED** for information.

Minute Item No. 6.0
Consent Items for Information

That the following items **BE RECEIVED** for information:

PWC-C 24-2020
COVID-19 Response and Business Continuity in Public Works

PWC-C 16-2020
2018 Waste Management Benchmarking Report

PWC-C 22-2020
Update on the New Waste Collection Contract (2019-RFP-156)

PW 10-2020
Dain City Sewage Pumping Station Forcemain Emergency Replacement

PW 31-2020
Contract 2014-T-114 (RN14-14) NOTL Wastewater Treatment Plant and Contract 2014-T-113 (RN14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Update

PW 32-2020
Status Update for Contract 2015-T-109 (RN 15-09) Welland Wastewater Treatment Plant, Phase I

Minute Item No. 9.1
Confidential PWC-C 21-2020
A Matter of Advice that is Subject to Solicitor Client Privilege – Update Regarding Investigation of Source of Material Causing Flooding in Dain City Sewer System

That Confidential Report PWC-C 21-2020, dated July 14, 2020, respecting A Matter of Advice that is Subject to Solicitor Client Privilege – Update Regarding Investigation of Source of Material Causing Flooding in Dain City Sewer System, **BE RECEIVED** and the recommendation contained therein **BE APPROVED**.

Minute Item No. 9.2
PW 29-2020
A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP")

That Correspondence Item PWC-C 26-2020, being a memorandum from T. Harrison, Commissioner, Corporate Services/Treasurer, dated July 14, 2020, respecting Confidential Report CSD 29-2020 - A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP"), **BE RECEIVED** for information.

THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC WORKS COMMITTEE
MINUTES

PWC 6-2020
Tuesday, July 14, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Committee Members Present in the Council Chamber:	Rigby (Committee Chair)
Committee Members Present via Teleconference:	Bradley (Regional Chair), Chiocchio, Diodati, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Ip, Junkin, Nicholson, Sendzik, Steele, Ugulini, Witteveen, Zalepa
Staff Present in the Council Chamber:	M. Elia, Technology Support Analyst, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works
Staff Present via Teleconference:	D. Ane, Manager, Program Financial Support, T. Byrne, Procurement Manager, T. Cimino, Associate Director, Water Wastewater Engineering, S. Crocco, Legal Counsel, M. Cruickshank, Legal Counsel, D. Gibbs, Director, Legal & Court Services, C. Habermebl, Director, Waste Management Services, B. Menage, Director, Procurement and Strategic Acquisitions, R. Mostacci, Commissioner, Planning and Development Services, M. Robinson, Director, GO Implementation Office, C. Ryall, Director, Transportation Services, R. Salewytsch, Program Manager, Transit Services, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk, S. Wood, Legal Counsel

---

1. CALL TO ORDER

Committee Chair Rigby called the meeting to order at 9:31 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

3.1 Niagara Region Transit On-Demand

Rob Salewytsch, Program Manager, Transit Services provided information respecting Niagara Region Transit On-Demand. Topics of the presentation included:

- Background
- Pilot Goals
- Service Parameters, Metrics & Reporting
- Vehicles
- Branding - Logo, Vehicles, Phone App
- Service App
- Local Engagement
- Timelines - Pre-Launch & Milestones

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 PW 5-2020

Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations

Moved by Councillor Insinna
Seconded by Councillor Steele

That Report PW 5-2020, dated July 14, 2020, respecting Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **APPROVE** Appendix 1 of Report PW 5-2020 titled - Delegation of Traffic and Parking By-law Matters Policy, and **DELEGATE AUTHORITY** to the Director of Transportation Services to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000, as amended, in accordance with the Policy;

2. That the Director of Transportation Services **BE DIRECTED** to coordinate and/or notify affected municipal staff and affected members of Regional Council of any amendments to the schedules of Traffic and Parking By-law 89-2000 that are proposed to be made pursuant to the Policy, prior to the passage of the necessary amending by-law(s);

3. That the Regional Clerk **SUBMIT** the necessary by-law(s) to amend the Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services in accordance with the Policy;

4. That the Director of Transportation Services **INFORM** Public Works Committee members of the amendments made to the schedules of Traffic and Parking By-law 89-2000 pursuant to the Policy on quarterly basis; and

5. That the necessary by-law to delegate authority to the Director of Transportation Services in accordance with Recommendation 1 of Report PW 5-2020 **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Carried

5.2 PW 24-2020

Award of Tender 2020-T-6 Area Winter Maintenance

Moved by Councillor Gale
Seconded by Councillor Zalepa

That Report PW 24-2020, dated July 14, 2020, respecting Award of Tender 2020-T-6 Area Winter Maintenance, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2020-T-6 Area Winter Maintenance **BE AWARDED** to Steed and Evans Limited, based on year one pricing of $3,605,378 (including 13% HST) for a ten (10) year term; and

2. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the Contract and any required documents related thereto in a form satisfactory to the Director of Legal and Court Services.

Carried

5.3 PW 25-2020

Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road)

Moved by Councillor Ugulini
Seconded by Councillor Foster

That Report PW 25-2020, dated July 14, 2020, respecting Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road), **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Contract 2020-T-59 – Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road), in the City of St. Catharines and the City of Thorold, **BE AWARDED** to Beam-Rankin Joint Venture Limited, at their bid price of $9,451,597 (including 13% HST); and

2. That a gross capital budget adjustment in the amount of $3,290,153 gross and $0 net **BE APPROVED** (and **INITIATED**) for the Reconstruction of Regional Road 71 (St. David's Road), and that the gross capital budget adjustment **BE FUNDED** from cost sharing agreements with both the City of St. Catharines ($2,115,852) and City of Thorold ($1,174,301).

Carried

5.4 PW 29-2020

Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region

Moved by Councillor Fertich
Seconded by Councillor Diodati

That Report PW 29-2020, dated July 14, 2020, respecting Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That pursuant to its authority under Subsection 52(1) of the Municipal Act, 2001, Regional Council **APPROVE** adding the following lower-tier highway in the Town of Grimsby to its highway system, namely Livingston Avenue from Casablanca Boulevard to west of Emily Street, within the limits of Ofield Orchard Plan 441;

2. That a copy of Report PW 29-2020 and a copy of Regional Council's decision **BE SENT** to The Corporation of the Town of Grimsby;

3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council to add the highway to the Regional Road system; and

4. Upon passage, a copy of the by-law **BE SENT** to The Corporation of the Town of Grimsby, as the highway will be removed from the jurisdiction of the Town.

Carried

5.5 PW 30-2020

Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby

Moved by Councillor Heit
Seconded by Councillor Nicholson

That Report PW 30-2020, dated July 14, 2020, respecting Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That By-law No. 48-2012 passed on May 24, 2012 **BE AMENDED** to clarify the description of the lands intended to be removed from the Regional Road system and transferred to the Town of Grimsby; and
2. That the form of Amending by-Law, attached to Report PW 30-2020 as Appendix 5, **BE APPROVED** by Regional Council.

Carried

5.6 PW 26-2020

Update on Extended Producer Responsibility - Batteries

Moved by Councillor Edgar
Seconded by Councillor Sendzik

That Report PW 26-2020, dated July 14, 2020, respecting Update on Extended Producer Responsibility - Batteries, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Commissioner of Public Works **BE AUTHORIZED** to enter into an agreement on behalf of The Regional Municipality of Niagara with Call2Recycle Canada Inc. for the funding of the Region's Drop-off Depot Battery Collection and Recycling Program in a form satisfactory to the Director of Legal & Court Services;
2. That the Director of Waste Management Service or his/her delegate **BE AUTHORIZED** to enter into negotiations with Raw Materials Company Inc. for an agreement for the funding of Niagara Region's Multi-Residential Battery Collection and Recycling Program; and
3. That Niagara Region Public Works staff **BE AUTHORIZED** to cease operation of the Curbside Battery Collection and Recycling Program as of July 1, 2020.

Carried

6. CONSENT ITEMS FOR INFORMATION

Correspondence Item PWC-C 23-2020 (Agenda Item 6.4) was dealt with separately.

6.4 PWC-C 23-2020

Terms of Reference for Long Term Waste Management Strategic Plan

Moved by Councillor Gale
Seconded by Councillor Junkin

That Correspondence Item PWC-C 23-2020, being a memorandum from J. Mazurek, Program Manager, Policy, Planning and Engagement, dated July 14, 2020, respecting Terms of Reference for Long Term Waste Management Strategic Plan, **BE RECEIVED** for information.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Chiocchio
Seconded by Councillor Zalepa

That the following items **BE RECEIVED** for information:

PWC-C 24-2020
COVID-19 Response and Business Continuity in Public Works

PWC-C 16-2020
2018 Waste Management Benchmarking Report

PWC-C 22-2020
Update on the New Waste Collection Contract (2019-RFP-156)

PW 10-2020
Dain City Sewage Pumping Station Forcemain Emergency Replacement

PW 31-2020
Contract 2014-T-114 (RN14-14) NOTL Wastewater Treatment Plant and Contract 2014-T-113 (RN14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Update

PW 32-2020
Status Update for Contract 2015-T-109 (RN 15-09) Welland Wastewater Treatment Plant, Phase I

Carried

7. OTHER BUSINESS

7.1 Regional Grass Cutting

Councillor Steele requested that Public Works staff coordinate with the City of Port Colborne respecting grass cutting on Regional property in the City of Port Colborne. Councillor Foster requested information respecting grass cutting along Regional Roads.

7.2 Regional Branding Policy

Councillor Zalepa requested information respecting the policy or process for a local area municipality to put its name on a water tower. Ron Tripp, Acting Chief Administrative Officer advised there is a Council approved branding policy that would be provided to the Councillor.

8. CLOSED SESSION

Moved by Councillor Fertich
Seconded by Councillor Nicholson

That this Committee **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter of Advice that is Subject to Solicitor Client Privilege - Update Regarding Investigation of Source of Material causing Flooding in Dain City Sewer System

Carried

Committee resolved into closed session at 10:54 a.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 11:02 a.m. with the following individuals in attendance:

Committee Members Present in the Council Chamber:	Rigby (Committee Chair)
Committee Members Present via Teleconference:	Chiocchio, Diodati, Disero, Edgar (Committee Vice-Chair), Fertich, Foster, Gale, Heit, Insinna, Ip , Junkin, Nicholson, Steele, Ugulini, Witteveen, Zalepa
Absent/Regrets:	Bradley (Regional Chair), Sendzik
Staff Present in the Council Chamber:	M. Elia, Technology Support Analyst, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works
Staff Present via Teleconference:	D. Ane, Manager, Program Financial Support, T. Cimino, Associate Director, Water Wastewater Engineering, S. Crocco, Legal Counsel, M. Cruickshank, Legal Counsel, D. Gibbs, Director, Legal & Court Services, R. Mostacci, Commissioner, Planning and Development Services, J. Tonellato, Director, Water & Wastewater Services, M. Trennum, Deputy Regional Clerk

9.1 Confidential Report PWC-C 21-2020

A Matter of Advice that is Subject to Solicitor Client Privilege – Update Regarding Investigation of Source of Material Causing Flooding in Dain City Sewer System

Moved by Councillor Zalepa
Seconded by Councillor Steele

That Confidential Report PWC-C 21-2020, dated July 14, 2020, respecting A Matter of Advice that is Subject to Solicitor Client Privilege – Update Regarding Investigation of Source of Material Causing Flooding in Dain City Sewer System, **BE RECEIVED** and the recommendation contained therein **BE APPROVED**.

Carried

9.2 Confidential Memorandum PWC-C 26-2020

A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP")

Moved by Councillor Zalepa
Seconded by Councillor Witteveen

That Correspondence Item PWC-C 26-2020, being a memorandum from T. Harrison, Commissioner, Corporate Services/Treasurer, dated July 14, 2020, respecting Confidential Report CSD 29-2020 - A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP"), **BE RECEIVED** for information.

Carried

10. NEXT MEETING

The next meeting will be held on Tuesday, August 4, 2020 at 9:30 a.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 11:04 a.m.

Councillor Rigby
Committee Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

Niagara Region Transit On-Demand

Public Works Committee

July 14, 2020

Robert Salewytsch – Program Manager, Transit Services

Niagara Region

Agenda

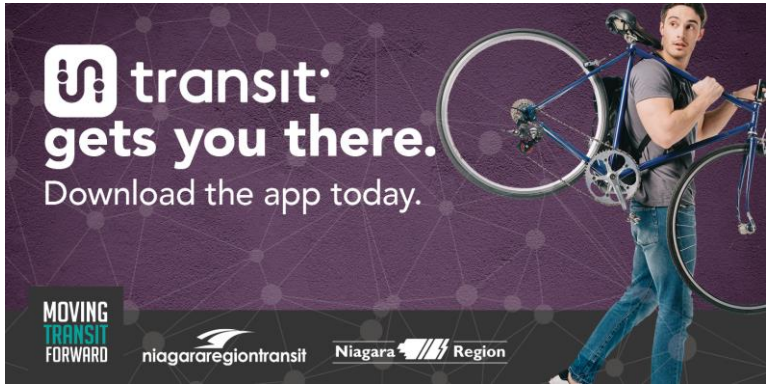
- Background
- Pilot Goals
- Service Parameters & Metrics
- Vehicles
- Branding
- Service App
- Local Engagement
- Timelines

Background

- West Niagara Pilot Authorization (Simulation Results) – PW 60-2019
- Municipal Contributors
  - Grimsby, Pelham and Lincoln
  - Pelham and Lincoln to transition local service to NRT by Via
- Service Agreement Signed
  - February 25, 2020
  - 12 month pilot with option to extend for another 12 months
- Vehicle supply chain issues due to COVID-19 delayed launch

Pilot Goals

- Assess Via's software for on-demand service
- Balance customer satisfaction with service parameters
- Maximize coverage areas – access for everyone with increased connectivity
- Ensure cost containment
- Strong service utilization
- Assess potential to include specialized transit



Service Parameters

- Inter **and** intra-municipal trips
  - Grimsby, Lincoln, Pelham
- Inter-municipal trips **only**
  - Wainfleet, West Lincoln
- Connection to nearest transit hub
  - St. Catharines Bus Terminal, Welland Bus Terminal, Port Colborne City Hall
- Potential Connection to Hamilton
  - Winona Crossing Shopping Centre

Service Parameters Cont'd

- Service Hours: 7 a.m. – 10 p.m.
- Fare Structure:
  - $3.00 for intra-municipal
  - $6.00 for inter-municipal
  - NRT Transfer tickets
- Payment Type
  - Credit card or pre-paid debit for in-app or over the phone
  - Pre-purchased tickets
  - Payments to driver not permitted
- Maximum 1 hour wait time
- Maximum 20 minute detour time

Service Metrics & Reporting

- On-time performance = 95%
  - Within 10 minutes of pick-up time
- Origin/destination
- Vehicle utilization
- Average trip length
- Driver ratings
- Un-met demand
- Booking method
- Accessible rides

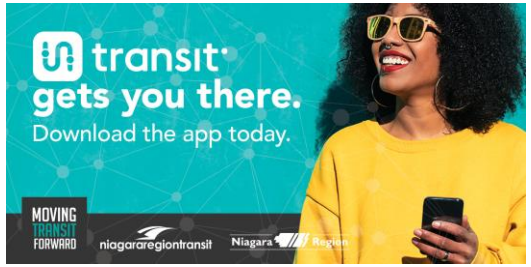
Vehicles

- Toyota Sienna – Black
- Delivery Status – mid/late July
- 7-10 vehicles (+1 spare)
  - *3 Wheelchair Accessible Vehicles (WAV's)
- Bike Racks – TBD
- COVID-19 Policy
  - Restricted number of passengers per trip
  - Plexiglas driver shields
  - Masks strongly encouraged
  - Regular cleanings

Branding - Logo

MOVING ROADS FORWARD

MOVING WATER FORWARD



MOVING TRANSIT FORWARD + transit = CONNECTING MORE PEOPLE TO MORE POSSIBILITIES

DOWNLOAD IN THE APP STORE OR GOOGLE PLAY TODAY!

Niagara Region

niagara region transit

nrt ON DEMAND

MOVING TRANSIT FORWARD

CONNECTING MORE PEOPLE TO MORE POSSIBILITIES

Niagara Region

Branding – Vehicles

Branding – Phone App

App Launcher

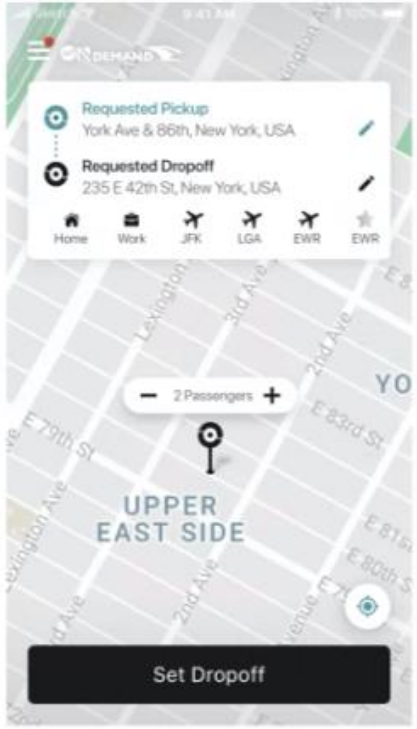
Splash Screen

Onboarding Screen

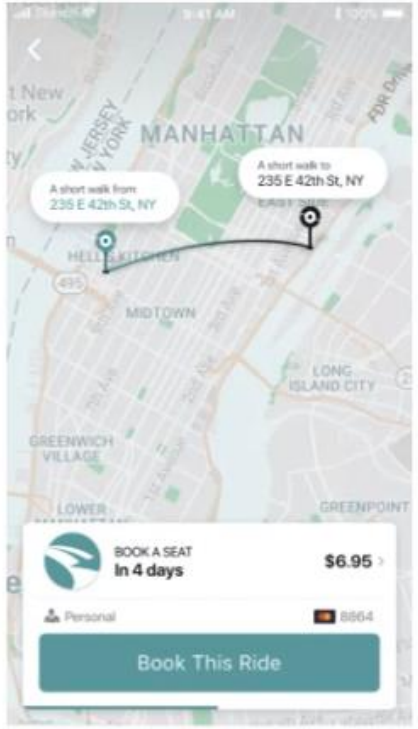
Phone App – How it Works

Set Pickup

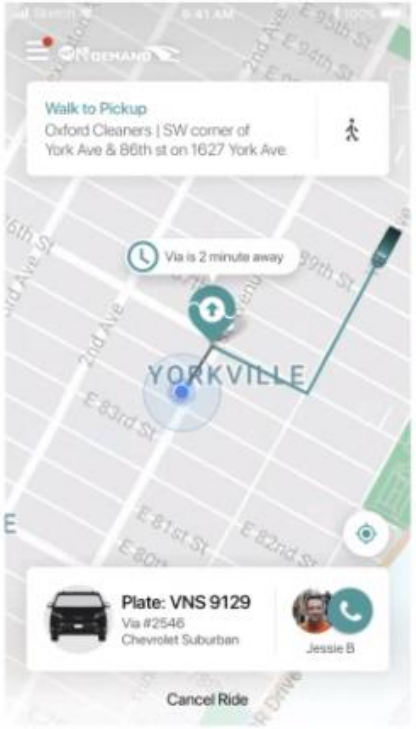
Set Drop Off



Ride Proposal



Wait for Ride



Local Engagement

- MOU/Agreements with those offering intra-municipal service
- Local recommendations for:
  - Ticket sales/point of sale locations
  - Out-of-home advertising: wayfinding signage, posters. etc.
  - Community engagement: local event opportunities
  - Brand Ambassadors: staff, community groups

Timelines – Pre-launch

Beginning at **6 weeks** from deployment

- **Public Relations**
  - Prepare web and social media updates
  - Determine press event and press release details
  - Traditional government communications
- **Vehicle Wraps**
  - Fabrication and installation
- **Promotions & Referral Program**
  - Ridership incentives and reward programs, future areas of growth
- **Out-of-home Advertising**
  - Wayfinding signage, posters, etc.
- **Performance Marketing**
  - Marketing streams that can be evaluated, i.e. Social media platforms
- **Community Engagement**
  - Local events, presentations, brand ambassadors

Timelines - Milestones

- June 25 – Council Approval of Fee Bylaw
- July 14 – Public Works Committee Presentation
- August 3 – Robust Communication Efforts Begin
  - Media Release
  - Rider Communications – social media, email, etc.
- August 10 - Service Area Community Engagement
  - In alignment with provincial COVID related guidelines
- **August 17 – Service Launch**

Questions?

Robert Salewytsch

Program Manager, Transit Services

GO Implementation Office

Robert.Salewytsch@niagararegion.ca

905-980-6000, ext. 3232

Subject: Delegation of Authority Respecting Routine Traffic and Parking Schedule Regulations

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Council **APPROVE** Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy and **DELEGATE AUTHORITY** to the Director of Transportation Services to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000, as amended, in accordance with the Policy;
2. That the Director of Transportation Services **BE DIRECTED** to coordinate and/or notify affected municipal staff and affected members of Regional Council of any amendments to the schedules of Traffic and Parking by-law 89-2000 that are proposed to be made pursuant to the Policy, prior to the passage of the necessary amending by-law(s);
3. That the Regional Clerk **SUBMIT** the necessary by-law(s) to amend the Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services in accordance with the Policy;
4. That the Director of Transportation Services **INFORM** Public Works Committee members of the amendments made to the schedules of Traffic and Parking By-law 89-2000 pursuant to the Policy on quarterly basis.
5. That the necessary By-law to delegate authority to the Director of Transportation Services in accordance with Recommendation 1; of this report **BE PREPARED** and **PRESENTED** to Regional Council for consideration.

Key Facts

- The purpose of this report is to seek Council's approval in delegating the authority to the Director of Transportation Services to make routine and administrative changes to the schedules of Niagara Traffic and Parking By-law 89-2000, as amended.
- The current process requires that any change to the Traffic and Parking By-law requires a formal report to Public Works Committee. Once approved by Committee

the approved report and appropriate by-law is submitted to Regional Council for approval.

- The report preparation and approval process takes 5 to 6 weeks for routine and administrative items.
- Streamlining the approval process through delegated authority provides a higher level of service to Regional Council and to the public as amendments to the Traffic and Parking schedules can be implemented more efficiently and in a shorter time period.
- The delegated authority will be exercised based on sound engineering principles and guidelines, best practices, applicable policies and current legislation as described in the proposed policy attached as Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy; and will support Transportation Services' direction in implementing Niagara's Vision Zero Road Safety Program.
- Any decisions made by the Director of Transportation Services pursuant to the delegated authority, with related correspondence, will be documented and filed in accordance with the Retention by-law.
- The Director of Transportation Services will provide a memorandum to the Regional Clerk requesting the submission of the necessary by-law(s) directly to Council for passage to effect any proposed revisions to the schedules of the Traffic and Parking by-law pursuant to the policy.
- A quarterly report will be issued to the Public Works Committee with the updated Traffic and Parking By-law 89-2000 to reflect the summary of the aforesaid Traffic Schedule revisions that come into force and effect during that time.

Financial Considerations

This proposed change will improve efficiencies in the overall process and service delivery by reducing the volume of reports received by Public Works Committee and redirecting Transportation Services staff to other projects and requests.

There are no direct financial implications to these proposed changes.

Analysis

Section 23.1 of the *Municipal Act, 2001* permits municipalities to delegate their powers and duties subject to certain restrictions, depending on the nature and scope of the

delegation. A delegation may be made to members of Council, committees, individuals appointed by Council or Regional staff and may be subject to conditions that Council considers appropriate.

Staff regularly submit reports to the Public Works Committee on routine or housekeeping items contained in the Traffic By-law 89-2000. These reports require Public Works and Clerks' staff time as well as the attention of the Public Works Committee. The process of preparing a report and submitting it for approvals has a five (5) to six (6) week minimum lead time. The by-law is then submitted for Council approval nine (9) days after Public Works Committee.

In order to simplify and expedite the implementation of changes to the schedules of Traffic and Parking By-law 89-2000, staff are recommending that authority to make routine and administrative revisions to the Schedules of By-law 89-2000 listed in Appendix 2 - Traffic By-law 89-2000 Schedules, be delegated to the Director of Transportation Services. The required by-law amending the schedules of the Parking and Traffic by-law will be submitted directly to Regional Council for approval based on a memorandum from the Director of Transportation Services to the Regional Clerk documenting the exercise of the delegated authority in accordance with the Policy attached as Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy.

If the Director of Transportation Services determines that the proposed change is not of a routine nature or is otherwise outside of the scope of the Policy, a report would be brought forth to Public Works Committee. An example of a matter that is not routine, would be the removal of an all-way stop control.

An example of the type of matter that would be delegated to the Director of Transportation Services is a request to adjust the speed limit along a section of regional roadway. Pursuant to the policy, Staff would collect all the necessary data such as operating speeds, roadway geometry, collision data, number of accesses and land use type. The data would be populated into the warrants of the Council approved Speed Limit Policy PW5.R01.5 and based on the results of this review the Director of Transportation Services would determine if a speed limit adjustment is warranted (and if so provide a memorandum (example attached as Appendix 3) to the Regional Clerk to request the submission of the necessary by-law to Regional Council for passage).

Another example is when the Region reconstructs a roadway and has to prohibit parking to allow for the implementation of bike lanes. Prior to construction of the roadway; an Environmental Assessment Study including public consultation takes

place, and the necessary approvals to proceed with the capital improvements. The parking prohibition to implement the findings of the study is a routine task that would be undertaken pursuant to the delegated authority. Staff are also contacted by local area municipalities requesting parking prohibitions, duration adjustments or other related matters that can be undertaken pursuant to the policy.

The schedules of Traffic and Parking By-law 89-2000 that would be subject to the delegated authority are outlined in Appendix 2 - Traffic By-law 89-2000 Schedules. The proposed Delegation of Traffic and Parking By-law Matters Policy is attached as Appendix 1 - Delegation of Traffic and Parking By-law Matters Policy which describes the manner in which the proposed delegated authority will be exercised.

Alternatives Reviewed

The alternative would be to continue to report to Public Works Committee to seek approval for all changes to the Traffic and Parking by-law. This is not recommended because delegated authority provides a higher level of service to Council and to the public, as amendments to the Traffic and Parking Schedules can be implemented more efficiently. Regional Staff consulted with their counterparts in City of Hamilton and Regional Municipality of York where this model has been successful during the last decade.

Relationship to Council Strategic Priorities

This report is being brought forth as the result of direction by Public Works Committee and supports a sustainable and engaging government.

This recommendation is part of Council Strategic Priorities of Community Well-Being, by ensuring Public services and programs are delivered in equitable, coordinated, efficient, effective manner to Niagara residents and will allow operational changes to be implemented quickly to promote a sustainable transportation network.

Prepared by:
Petar Vujic
Road Safety and Permits Program Manager
Public Works Department

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Recommended and Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Sulaf Alkarawi, Associate Director - Transportation Services, Carolyn Ryall, Director Transportation Services and Donna Gibbs, Director, Legal and Court Services

Appendices

Appendix 1	Delegation of Traffic and Parking By-law Matters Policy
Appendix 2	Traffic By-law 89-2000 Schedules
Appendix 3	An example of Speed Limit Reduction Memorandum to Regional Clerk

Niagara Region

Corporate Policy | **C-XXX-000**

Policy Category	*Name of Policy*
Administrative	*Delegation of Authority Respecting Traffic and Parking By-law 89-2000 matters*

Policy Owner	Public Works, Transportation Services, Director
Approval Body	Council
Approval Date	July 23, 2020
Effective Date	July 23, 2020
Review by Date	July 23, 2025

1. Policy

Regional Council has delegated authority to the Director of Transportation Services to make routine and administrative amendments to Schedules A-N; P-R; and, T-Y of Traffic and Parking By-law 89-2000, as amended, as may be required from time to time in response to complaints, requests or reviews undertaken to ensure the safety of Regional roads in compliance with applicable standards, policies and legislation.

2. Purpose

The delegation of authority to the Director of Transportation Services will streamline the approval process for necessary routine and administrative amendments to Traffic and Parking By-law 89-2000 to enhance responsiveness to community safety and increase efficiency in process and service delivery.

3. Scope

The Director of Transportation Services is delegated the authority to make routine and administrative amendments as may be required from time to time in response to complaints, requests or reviews undertaken to the following schedules of the Traffic and Parking By-law 89-2000:

- SCHEDULE A - Stopping Prohibitions
- SCHEDULE B - Standing Prohibitions
- SCHEDULE C - Parking Prohibitions
- SCHEDULE D - Trailer & Commercial Motor Vehicle Parking Prohibitions
- SCHEDULE E - Limited Parking Restrictions

- SCHEDULE F - Angle Parking
- SCHEDULE G - Parking Meter Zones
- SCHEDULE H - Public Parking Zones
- SCHEDULE I - Public Vehicle Bus Stops
- SCHEDULE J - Vending Stops
- SCHEDULE K - Taxi Cab Stands
- SCHEDULE L - Loading Prohibitions
- SCHEDULE M - Loading Zones
- SCHEDULE N - Through Highways
- SCHEDULE P - Stop Sign Locations
- SCHEDULE Q -Yield Sign Locations
- SCHEDULE R - Prohibited Turns
- SCHEDULE T - One-way Highways
- SCHEDULE U - Designated Lanes
- SCHEDULE V - Speed Limits on Bridges
- SCHEDULE W - Speed Limits
- SCHEDULE X - Speed Limits – 40 km/h in School Zones
- SCHEDULE Y - Reduced Load Restrictions - March 1st to April 30th

The Director of Transportation Services will exercise the delegated authority to achieve an improvement in road safety in compliance with applicable standards, policies and legislation and sound engineering principles and guidelines, and based on the following considerations:

<u>Schedules A-M</u>

When making decisions related to Zones or Restrictions in Schedules A-M, the Director of Transportation Services will consider the following factors:

- Existing geometric design (lane widths, sidewalk, curvature, elevations, etc.)

- Heavy Vehicle Percentages
- Road classification
- Presence of curb and gutter
- Impact to sight lines as outlined by TAC Geometric Design Guide for Canadian Roads
- Adherence to standards as outlined by TAC Geometric Design Guide for Canadian Roads
- Presence of bicycle lanes and potential impact
- Area Designation (Rural, Urban, Commercial, Residential, Tourist section, etc.)
- Vicinity to traffic control device
- Vision Zero and Safe System Approach

<u>Schedules N; P; Q; R; T; U</u>

When making decisions related to Zones or Restrictions in Schedules N; P, Q, R, T and U, the Director of Transportation Services will consider the following factors:

- Warrants from OTM Book 5 – Regulatory Signs using traffic counts conducted at intersections as part of annual traffic study program
- Collision History
- Vicinity to traffic control device
- Vision Zero and Safe System Approach

<u>Schedules V-X</u>

When making decisions related to Zones or Restrictions in Schedules V – X the Director of Transportation Services will consider the following factors:

- Council approved policy PW5.R01.5 Public Works Department Policy Manual – Speed Limit Policy, December 15 2005.

- Vision Zero and Safe System Approach

Schedule Y

When making decisions related to Zones or Restrictions in Schedule Y, the Director of Transportation Services will consider the following factors:

- The required duration of the prohibition to protect damaged or deteriorated highways until such time as they can be either repaired or reconstructed.

- Vision Zero and Safe System Approach

Prior to any by-law being submitted for Council approval, the Director of Transportation Services shall communicate with the affected municipality to advise of the recommended change(s).

If the Director of Transportation Services determines that the proposed change to the Traffic and Parking By-law 89-2000 is not of a routine or administrative nature or is otherwise outside of the scope of this policy, a report will be brought forth to Public Works Committee for consideration.

Any decision made by the Director of Transportation Services, including related correspondence and studies, will be documented and retained in accordance with the Region's Records Retention by-law.

Upon receipt of a memorandum from the Director of Transportation Services documenting the exercise of delegated authority pursuant to this policy, the Regional Clerk will submit the necessary by-laws to amend Traffic and Parking By-law 89-2000 directly to Council for passage at their next meeting.

The Director of Transportation Services will report to Public Works Committee for information purposes regarding amendments made to Traffic and Parking By-law 89-2000 by delegated authority pursuant to this policy on a quarterly basis.

3.1. Roles and Responsibilities

- The Director of Transportation Services, is responsible for implementing this policy, including establishing any procedures as may be required and reporting to Public Works Committee on a quarterly basis regarding amendments made by delegated authority pursuant to this policy.

- The Commissioner of Public Works is responsible for monitoring compliance with the policy and reporting to Council regarding required updates to the policy.
- The Regional Clerk is responsible for submitting the necessary by-laws to amend Traffic and Parking By-law 89-2000 directly to Regional Council for passage upon receipt of a memorandum from the Director of Transportation Services issued pursuant to this policy.

4. References and Related Documents.

4.1. Legislation, By-Laws and/or Directives

Highway Traffic Act

Ontario Traffic Manuals

Municipal Act, s.23.1

4.2. Procedures

The Director of Transportation Services is authorized to develop procedures as required to implement this policy.

5. Related Policies

PW5.R01.5 Public Works Department Policy Manual – Speed Limit Policy, December 15 2005

C-A-008 Delegation of Powers and Duties policy

6. Document Control

The electronic version of this document is recognized as the only valid version.

Approval History

Approver(s)	Approved Date	Effective Date

Revision History

Revision No.	Date	Summary of Change(s)	Changed by

PW 5-2020 APPENDIX 2
TRAFFIC BY-LAW 89-2000 SCHEDULE

SCHEDULE A
Stopping Prohibitions

SCHEDULE B
Standing Prohibitions

SCHEDULE C
Parking Prohibitions

SCHEDULE D
Trailer & Commercial Motor Vehicle Parking Prohibitions

SCHEDULE E
Limited Parking Restrictions

SCHEDULE F
Angle Parking

SCHEDULE G
Parking Meter Zones

SCHEDULE H
Public Parking Zones

SCHEDULE I
Public Vehicle Bus Stops

SCHEDULE J
Vending Stops

SCHEDULE K
Taxi Cab Stands

SCHEDULE L
Loading Prohibitions

SCHEDULE M
Loading Zones

SCHEDULE N
Through Highways

SCHEDULE P
Stop Sign Locations

SCHEDULE Q
Yield Sign Locations

SCHEDULE R
Prohibited Turns

SCHEDULE T
One-way Highways

SCHEDULE U
Designated Lanes

SCHEDULE V
Speed Limits on Bridges

SCHEDULE W
Speed Limits

SCHEDULE X
Speed Limits – 40 km/h in School Zones

SCHEDULE Y
Reduced Load Restrictions
March 1st to April 30th

Niagara Region

Public Works
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

PW 5-2020 – Appendix 3

Subject: Speed Limit Reduction, Regional Road 37 Merritt Road, City of Thorold and City of Welland

Date: July 14, 2020

To: Regional Clerk

From: Carolyn Ryall, Director Transportation Services

The purpose of this memorandum is to amend the posted speed limit on Regional Road 37 (Merritt Road) from Highway 406 to Regional Road 50 (Niagara Street) from 80km/h to 60km/h as determined necessary by Transportation Services Staff

Merritt Road is a two-lane east west arterial roadway, having a rural cross-section with some curbing and paved shoulders. Merritt Road has an average annual daily traffic of 10100 vehicles, providing a connection to Welland north, Thorold south and Highway 406.

Over the past several years many residential homes have been developed on the south side of Merritt Road. A westbound left turn lane was installed on Merritt at Eastman Gateway. The MTO also modified the off-ramp configurations and added a median to deter rear end collisions at Grisdale Road.

Regional staff has undertaken the necessary studies to determine if the reduction in the posted speed limit is warranted, incorporating best practices specific to design and operational effectiveness within the geometric design of the roadway. Based on the findings, staff has recommended the posted speed limit reduction from 80 km/h to 60 km/h on Merritt Road from Highway 406 to Regional Road 50 (Niagara Street). The reduction of the posted speed limit is reflective of the land use change and compliant with the Council approved Speed limit Policy.

Respectfully submitted and signed by

_____

Carolyn Ryall
Director, Transportation Services

EXAMPLE

Subject: Award of Tender 2020-T-6 Area Winter Maintenance

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Contract 2020-T-6 Area Winter Maintenance **BE AWARDED** to Steed and Evans Limited, based on year one pricing of $3,605,378 (including 13% HST) for a ten (10) year term, and;

2. That the Regional Chair and Regional Clerk **BE AUTHORIZED** to execute the Contract and any required documents related thereto in a form satisfactory to the Director of Legal and Court Services.

Key Facts

- The purpose of this report is to seek Council's approval to award Contract 2020-T-6, Area Winter Maintenance to Steed and Evans Limited for a ten (10) year term.
- The Procurement By-law 02-2016 as amended on February 28, 2019 requires Council approval for all tender awards in excess of $5,000,000, which is the case with the cumulative value of this contract award.
- The procurement was undertaken in anticipation of the expiration of the current Area Winter Maintenance contract at the end of the current 2019 – 2020 winter season.
- A Request for Tender for Area Winter Maintenance Contract (Contract 2020-T-6) was issued to the following subset of prequalified bidders developed from Request for Prequalification (2019-RFPQ-301):
    - Steed and Evans Limited;
    - Integrated Maintenance & Operations Services Inc.
- As outlined in Appendix 1 appended to this report as Appendix 1 – 2010-T-6 Summary of Bids, one (1) bid submission from Steed and Evans Limited at a year one (1) bid price of $3,190,600 (excluding taxes) was received and deemed compliant with the requirements of the Tender.

- The estimated cumulative value of this contract over the ten (10) year term is $35,419,192 (excluding taxes).

Financial Considerations

The estimated cumulative value of this contract over the ten (10) year term is $35,419,192 (excluding taxes) with due consideration to annual adjustment for CPI and diesel fuel escalation.

In 2020 Council approved an operating budget for this contract in the amount of $2,702,991. To date in 2020, $1,830,382 has been spent on these services. With the award of this contract, it is anticipated that the actual costs for these services would exceed budget by approximately $407,000 in 2020.The increase in the contract actuals compared to budget will be accommodated by the overall transportation services 2020 operating budget. As communicated in PWC-C 17-2020 Snowplow Costs (Appendix 6), to date winter maintenance savings of $400,739 have been realized which will be used to offset this overage.

Through the annual budget approval process, staff will adjust future year operating budgets as needed, taking into consideration the new cost of this contract throughout the duration of the Contract term. Staff estimated there would be an increase of approximately fifteen percent (15%) in the 2021 budget forecast (See Appendix 4 - Multi Year Forecast) for this contract. Forecasted increases were based on additional legislated service level requirements and a review of other recent winter maintenance contract awards with MTO and other comparable Municipalities. The projected increase were based on the following:

- Increase in winter material costs;
- Increase in insurance costs;
- Increase in level of service to match legislation of mandated bike lane maintenance;
- Higher level of accountability in liquidated damage section;
- Increase costs of purchasing new winter vehicles;
- MBNC benchmarking indicated the following % increases from the 2017-18 winter seasons for other Municipalities.

ROAD309 Operating Cost for Winter Control of Roadways per Lane Km Maintained

Municipality	2018 Result	2017 Result	% Change
Durham	$5,450.22	$4,770.79	14.24 %
Halton	$5,202.32	$4,974.55	4.58 %
Hamilton	$3,635.58	$3,532.64	2.91 %
London	$3,974.28	$3,405.58	16.70 %
Niagara	$4,413.43	$4,060.28	8.70 %
Waterloo	$4,729.31	$4,088.91	15.66 %
York	$6,622.97	$5,621.76	17.81 %

Staff will recalibrate the operating budget each year based on best estimates of anticipated contract payments.

Analysis

In April 23 2019, Council approved a second one year extension of the current Area Winter Maintenance Contract 2008-RFP-40 to provide staff with adequate time to complete a service delivery review. This extension is scheduled to expire prior to the start of the 2020 – 2021 Winter season (Appendix 2 – PW 18-2019 Winter Maintenance Extension). As part of this report the following amendment was accepted:

That an amending agreement with Steed and Evans Limited **BE PREPARED** by the Director of Legal and Court Services to exercise the ***final*** one year option and extend the contract end date to September 3, 2020, following Council approval.

<u>Operational Review:</u>

In accordance with the recommendations outlined in the Value for Money Audit of Snowplowing, Road Maintenance and Landscaping Services – Final Report 15-2387, a competitive service delivery was completed in 2019.

Currently the Transportation Operations division operates within a “hybrid” business model during the winter season utilizing the Niagara Region, City of St. Catharines and an Area Maintenance Contractor forces.

As part of the analysis performed in 2019, Niagara Region Operation staff conducted a competitive service delivery exercise encompassing all established winter routes. As part of the routing analysis, Niagara Region evaluated all of the existing winter routes

and the total lane kilometers maintained and made strategic decisions on the overall routing strategy and areas of maintenance based on:

- current Niagara Region winter vehicle capacity and staff complement;
- geographical areas in proximity to the four (4) Regional Operation facilities;
- optimizing partnerships with Municipalities; and
- the award of an Area Maintenance Contract as part of a hybrid winter operations model.

Based on the analysis, in those areas that Niagara Region staff did not have the capacity to manage in-house, staff consulted with other local municipalities including Niagara-on-the-Lake, Wainfleet, Fort Erie, St Catharines, Lincoln and Port Colborne.

St Catharines indicated they could continue with present agreement but would not have capacity to manage any additional Niagara Region Roads. Port Colborne was the only other Municipality that indicated they had capacity to undertake any winter maintenance on Niagara Region Roads.

Staff have reviewed changes in pertinent legislation, Ontario Regulation 239/02 Minimum Maintenance Standards for Municipal Highways which includes Bike Lane standards for winter maintenance and have updated internal policies and procedures to reflect legislative changes and to incorporate the Transportation Master Plan objectives around Complete Streets.

Staff then developed a revised Hybrid business model based on the conclusions of the competitive service delivery exercise identified above and attached as, Appendix 3 - Winter Service Area Map. The findings of the operational review were considered/included in the 2020 RFPQ and tender processes to ensure Niagara Region's winter level of service met all current regulations and standards.

<u>Request for Prequalification (RFPQ) Process</u>:

Transportation and Procurement staff met on September 17, 2019 to identify the optimum procurement strategy and process which would be employed for this procurement. The team evaluated the merits of both a Request for Proposal and a Request for Prequalification followed by a Request for Tender process.

A prequalification process, followed by a competitive tender was selected as the preferred procurement strategy because it offered the best combination of procurement processes to provide the optimum balance of bidder capability, financial stability, staff resourcing to meet service levels and qualifications/experience in similar work coupled with providing Niagara Region with best value from a financial perspective.

Pursuant to consultation with Staff in Transportation Operations, procurement initiated a prequalification process, 2019-RFPQ-301, in November 2019 which included a minimum technical threshold of seventy-five percent (75%) of the evaluation criteria.

During this open Prequalification process, a total of three (3) addenda were issued to provide Proponents with responses to questions which they asked. Staff noted that none of the questions received suggested that further refinements outlined in the RFPQ document were necessary.

Pursuant to the prequalification process, a total of three (3) submissions were received, two (2) of which were deemed prequalified on February 20, 2020 as they had met the minimum technical threshold based on the stated evaluation criteria; Steed and Evans Limited and Integrated Maintenance & Operations Services Inc. In accordance with our stated process, on May 14, 2020, Niagara Region extended invitations to both prequalified bidders to bid on Contract 2020-T-06.

It should be noted that from the onset of the procurement, Staff did anticipate there could potentially be a limited number of Bidders who would be both qualified and capable of facilitating this contract in large part due to the significant requirements in terms of the scope and service level requirements. In this regard, Staff note that currently within the Niagara Region area there are only two (2) winter maintenance contracts of this magnitude (Niagara Region and MTO).

Request for Tender (RFT) Process:

To ensure Niagara Region's requirements were aligned with best practices and current market standards, the tender was developed with due consideration of Staff experience, a review of similar procurements conducted from other jurisdictions including the MTO's procurement documentation for winter maintenance and the outcomes from the competitive service delivery process which was initiated from the Value for Money Audit of Snowplowing, Road Maintenance and Landscaping Services.

In reviewing contracts of a similar nature from other Municipalities and the Ministry of Transportation (Region of Waterloo, Peel Halton East, Toronto-York and Niagara), a ten (10) year term was considered to be the best option:

- Ten (10) year term aligns the amortization of Contractor Fleet with the amortization of the Niagara Region Winter Fleet which allowed for an accurate comparisons of costs.
- The contractors' capitalization of a fleet in a competitive procurement process for a shorter term could potentially result in increased costs, making the value of this tender unaffordable within the Operating budget.
- Recommendations from the Office of the Auditor General of Ontario, Special Report on Winter Highway Maintenance, recommended that Contracts became longer in duration: Previous AMC contracts were for seven to nine years. The current performance-based MTO contracts are for nine (9) to 13 years.

The tender document Contract 2020-T-6 was posted on May 14 2020. While there was some delay in the targeted posting in large part due to COVID-19, staff considers the time afforded to Bidders to respond to the tender, and prepare for commencement of services following award sufficient. During this open tendering period, a total of one (1) addendum was issued on May 25, 2020 to provide Proponents with responses to questions which they asked. Staff noted that none of the questions received suggested that further refinements to the requirements and tendering timeline were necessary.

Pursuant to that public tendering process, a total of one (1) bid was received. Niagara Region's Procurement & Strategic Acquisitions division reviewed the bid received for compliance, and determined it to be complaint with the requirements of the tender document. In this second stage, the submission from Steed and Evans Limited is being recommended for award of this contract.

Of note, on the day before the closing date of Contract 2020-T-6, Niagara Region did receive a notice of no bid from one of the Prequalified Bidders.

Staff are confident that a fair, transparent and competitive procurement process was undertaken and as such are supportive of the recommendation being presented to Council.

Contract award requires resources from Corporate Services in order to finalize and approve the required contract documents for execution. Transportation Operations staff

will be providing resources throughout the length of the contract in order to manage the contract and conduct periodic audits of the Contractor's performance.

Alternatives Reviewed

Three alternative solutions were reviewed:

1. Renew existing contract for an additional one (1) year term.
2. Tender existing winter maintenance service model in place for a ten year term.
3. Tender revised hybrid winter maintenance service model for a ten (10) year term based on routing analysis maximizing:

    a) Capacity of Niagara Region Winter Fleet;

    b) Capacity of Local Municipality Winter Fleets if available;

    c) Adjusted Contract area to manage remainder of winter routes.

The preferred alternative was option three (3) to tender based on the results of the competitive service delivery exercise encompassing all established winter routes.

Relationship to Council Strategic Priorities

Sustainable and Engaging Government, this winter maintenance tender shows a commitment to high quality, efficient, fiscally sustainable and coordinated core services activities.

Foster Partnerships, leveraging resources of other Municipalities with the Niagara Region resources maximizes capacity in an efficient cost effective manner.

Other Pertinent Reports

Value for Money Audit of Snowplowing, Road Maintenance and Landscaping Services – Final Report 15-2387 (Appendix 5).

PW 18-2019 Winter Maintenance Extension (Appendix 2).

PWC-C 17-2020 Snowplow Costs (Appendix 6).

Prepared by:
Shawn McCauley
Associate Director Transportation Operations
Public Works Department

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with: Carolyn Ryall, Director Transportation Services, Brian McMahon, Program Financial Specialist, Donna Gibbs, Director Legal and Court Services and Bart Menage, Director Procurement and Strategic Acquisitions.

Appendices

Appendix 1	2020-T-6 Summary of Bids
Appendix 2	PW 18-2019 Winter Maintenance Extension
Appendix 3	Winter Service Area Map
Appendix 4	Multi Year Forecast
Appendix 5	Value for Money Audit of Snowplowing, Road Maintenance and Landscaping Services – Final Report 15-2387
Appendix 6	PWC-C 17 -2020 Snowplow Costs

Appendix 1 2020-T-6 Area Winter Maintenance

	2020-2021	13%	Total
Steed & Evans Ltd			
Year 1 Price	$ 3,190,600	$ 414,778.00	$ 3,605,378
Total Estimated Contract Price (excluding tax)	$ -	$ -	$ 35,419,192

Subject: Winter Maintenance Extension

Report to: Public Works Committee

Report date: Tuesday, April 16, 2019

Recommendations

1. That the amending agreement option to extend the term of the Area Winter Maintenance Services Contract under 2008-RFP-40 for an additional one year term ending September 3, 2020, as outlined in Appendix 1 of Report PW 18-2019, **BE APPROVED**;

2. That an amending agreement with Steed and Evans Limited **BE PREPARED** by the Director of Legal and Court Services to exercise the one year option and extend the contract end date to September 3, 2020, following Council approval; and

3. That the Chief Administrative Officer **BE AUTHORIZED** to execute the amending agreement with Steed and Evans Limited.

Key Facts

- The purpose of this report is to seek approval to exercise the option agreed to as part of the first amending agreement to extend the terms of the Area Winter Maintenance Services Contract - 2008-RFP-40 (Contract) with Steed and Evans Limited for one additional winter season (2019-2020) for reasons outlined in this report.
- The Purchasing By-law 2016-02 requires that Council approve negotiation awards/extensions greater than $1,000,000.
- The Contract negotiated in 2008 with Steed and Evans Limited was scheduled to expire on September 6, 2018.
- Staff proceeded with an amending agreement to extend the Contract for an additional winter season (2018-2019) and include an option for a further one year extension (2019-2020).
- The negotiation award extension (2018-2019) to Steed and Evans Limited was done in accordance with Purchasing By-law 2016-02 Section 19 (a) (vi) - the extension of an existing Contract being more effective than undertaking a formal procurement process – approved by the CAO under delegated authority in the fall of 2018 pursuant to Report GM 8-2018 for a total amount of $2,599,822 before taxes and Consumer Price Index (CPI) increase.

Financial Considerations

The amending agreement (Appendix 1) entered into with Steed and Evans Limited extended their contract to cover one additional winter season (2018-2019) and included an option for a further one year extension (2019-2020). Staff are now recommending to exercise the second one-year option on the 2019-2020 winter season. In year 11 (2018-2019), Steed and Evans Limited's contract increased by $40,000 to cover increases to their insurance premiums plus the annual CPI increase of 2.5% (approximately $63,995). In year 12 (2019-2020), only an annual CPI increase would be applied.

Funding for the Contract and anticipated Contract increases is provided for in the approved 2019 Transportation Services operating budget and will be provided for in the 2020 operating budget.

Transportation Operations winter maintenance budget totalling $7,971,739 in 2016, $8,482,487 in 2017 and $8,301,562 in 2018 is divided into four (4) sections. A detailed budget breakdown is outlined in Appendix 2 comparing actuals to budget for calendar years 2016 - 2018. A summary of 2018 actual costs are noted below by section:

1) Niagara Region utilizes regional staff and equipment to provide winter maintenance to 990 lane kilometers of roadway with an actual cost of $3,995,834 for the 2018 calendar year. It is important to note that this cost represents all vehicles and equipment, over a five-month period, within the Transportation Operations section. A more precise figure will be made available in the coming months once staff are further able to isolate work-specific tasks for each vehicle/equipment.

2) Area Winter Services Maintenance Contract utilizes Steed and Evans Limited staff and equipment to provide winter maintenance to 674 lane kilometers of roadway with an actual cost of $2,821,368 for the 2018 calendar year.

3) City of St Catharines utilizes city staff and equipment to provide winter maintenance to 126 lane kilometers of roadway at a cost of $348,617 for the 2018 calendar year.

4) Supporting winter services activities are delivered across the entire regional road network of 1790 lane kilometers with a budget of $852,498 for the 2018 calendar year. Services such as snow fence erection and removal, winter sand cleanup and winter drainage are delivered through a combination of Niagara Region staff and outside contractors.

Niagara Region's actual costs in 2016 and 2017 are significantly lower than budgeted cost due to the milder winter conditions resulting in lower overtime costs and lower fuel usage. The 2018 calendar year costs are higher due to the increase in winter events

from January to April. The City of St. Catharines' actual costs are relatively constant from 2016 - 2018. The Contract, with Steeds and Evans Limited, (a fixed price plus contract) actual costs are relatively flat to budget costs with the slight variance attributed to adjustments for fuel and salt usage.

Analysis

Niagara Region operates within a "hybrid" business model during the winter season utilizing the Niagara Region, City of St. Catharines and an Area Maintenance Contractor (currently Steed and Evans Limited) forces.

- Niagara Region Staff maintain 19 plow routes covering 990 lane kilometers of roadway.
- City of St. Catharines maintain 126 lane kilometers of Regional Roads through an amalgamation of Region Roads within in the City's own routing system.
- Steed and Evans Limited maintains 10 plow routes covering 674 lane kilometers.

As outlined in the Corporate Value for Money Audit of Snowplowing, Road Maintenance and Land Scaping Services eight (8) recommendations were provided concerning value-for-money, effective risk management and operational Improvement for winter control.

Several of these recommendations required staff to collect the necessary data, which will influence the terms of a new Area Winter Maintenance Services Contract.

- **R1: Document the end time of winter events so it is possible to measure the time it takes to reclaim bare pavement.**
  - Starting in 2016, Staff have collected this information and at the end of the 2018-2019 winter season will have three (3) complete winter seasons to analyse. This information measures timeframes for reclaiming bare pavement as per winter Maintenance Standards contained in Ontario Regulation 366/18.This data will be used to update our Level of Service documents to be included in the tendering of a new Area Maintenance Services contract.

- **R2: Restructuring budgeting/ accounting to separate core winter services from supporting services and allow accurate comparisons of the costs of direct delivery versus contracted delivery for winter control.**
  - The implementation of The Enhanced Financial Management Service has allowed Staff to streamline finance processes and provide comprehensive reporting capabilities. As shown in Appendix 1, Niagara Region winter control costs are in line with Steed and Evans Limited costs. At the end of the 2018-2019 winter season, Staff will have three (3) full years of data to analyse.

- **R3: Collect and use pass kilometer data to better monitor and report on winter control activities.**

- In 2016 staff began to collect this information and determined that comparing costs against actual lane kilometers was a more productive measure because it could be calculated utilizing our existing plow routes. This GIS data could be updated yearly to reflect any additions or subtractions of road segments throughout the year as indicated in Appendix 2.

- **R4: Implement winter control achievement reports for winter storm events.**
  - Niagara Region Staff have collected this information starting in the 2016–2017 winter season. In the 2017-2018 winter season Steed and Evans Limited also began collecting this data. This data measures the event responses by Niagara Region and its contracted service providers.
    - System wide winter event responses > 24 hours in duration;
    - System wide winter event responses < 24 hours in duration
    - Significant localized winter event responses > hours in duration.

    This data will be used to update our Level of Service documents to be included in the tendering of a new Area Maintenance Services contract.

- **R5: Provide Annual reports to Council on the level of service achievement for the winter season.**
  - Staff have developed a process to collect the necessary data recommended over the last two winter seasons and will provide a report outlining these findings at the end of the 2018 - 2019 winter season.

- **R6: Reduce the Winter Control Budget to the level required for a typical winter instead of a severe winter.**
  - Through the annual budget approval process over the last three (3) years, staff have adjusted the budgets accordingly based on Council guidance.

- **R7: Prepare in advance for forecasted winter storm events by rescheduling staff shifts within the two-week pay period.**
  - Staff have adjusted winter shift schedules accordingly based on weather forecasts and the conditions outlined in the CUPE 1287 Collective Agreement.

- **R8: Conduct a competitive service delivery exercise at the end of the current winter contract encompassing all established routes.**
  - This analysis will be completed after the 2018 – 2019 winter season. Yard replacement/rehabilitation decisions at Niagara Region's Smithville and Pelham patrol yards will have to be taken into consideration as part of this analysis.

Staff have been in communication with the MTO on their new Contractor Directed Maintenance Contract model that commenced in August 2018. Staff will be reviewing

the effectiveness of this new contract throughout the 2018-2019 winter season with MTO staff in order to see if the principle concepts in this contract can be applied to Niagara Region's next Area Maintenance Services contract.

The Transportation Master Plan has put more emphasis on street scaping and active transportation. In the short term, by 2021, the Region will focus on implementing policies that will transform its approach to transportation, addressing existing constraints in the road system, filling in gaps in the active transportation network, and taking the next steps to plan for the major network needs for the future. Specifically, the early actions to be undertaken in the first five (5) years of the program include incorporating the Complete Streets approach in the Region's design process. Staff are gathering information on how these changes will impact winter maintenance costs.

The major objective for winter operations are to meet or exceed the Minimum Maintenance Standards for Municipal Highways (Ontario Provincial Regulation 239/02 – Municipal Act 2001). This regulation was amended May 3, 2018 to the Minimum Maintenance Standards for Municipal Highways O. Reg. 366/18 (Appendix 3). These amendments added maintenance sections on snow accumulation on bicycle lanes. Staff will be compiling data on additional maintenance costs associated with this change that will be incorporated into a new winter maintenance services contract to ensure compliance with the Act.

Alternatives Reviewed

In 2017, staff considered issuing a two year contract to cover the 2018-2019 and 2019 – 2020 winter seasons. When reviewing this option, Staff felt it was an unreasonable expectation to ask a contractor to capitalize a fleet in a competitive procurement process for this short duration (2 years). It is Staff's recommendation to go forward with a procurement in the fall of 2019 for a new 10-year winter maintenance contract once the data collection analysis identified in the Value for Money Audit, as noted above, is completed, and staff can incorporate necessary changes in the new Area Maintenance Services Contract document. The new contract will commence in October 2020.

Steed and Evans Limited has indicated they have no concerns utilizing their existing fleet throughout the proposed extension.

Relationship to Council Strategic Priorities

Moving people and goods: winter maintenance activities allow for the safe movement of vehicles and pedestrians throughout the Niagara Region.

Other Pertinent Reports

- Value for Money Audit of Snowplowing, Roads Maintenance, and Landscaping Services – Final Report 15-2387

Prepared by:
Shawn McCauley, CRSS, C-Tech, B.B.E.
Associate Director Transportation

Recommended by:
Catherine Habermebl
Acting Commissioner
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Brian McMahon Program Financial Analyst, reviewed by Carolyn Ryall, Director Transportation Services and Curt Anderson, Manager Road and Bridge Operations.

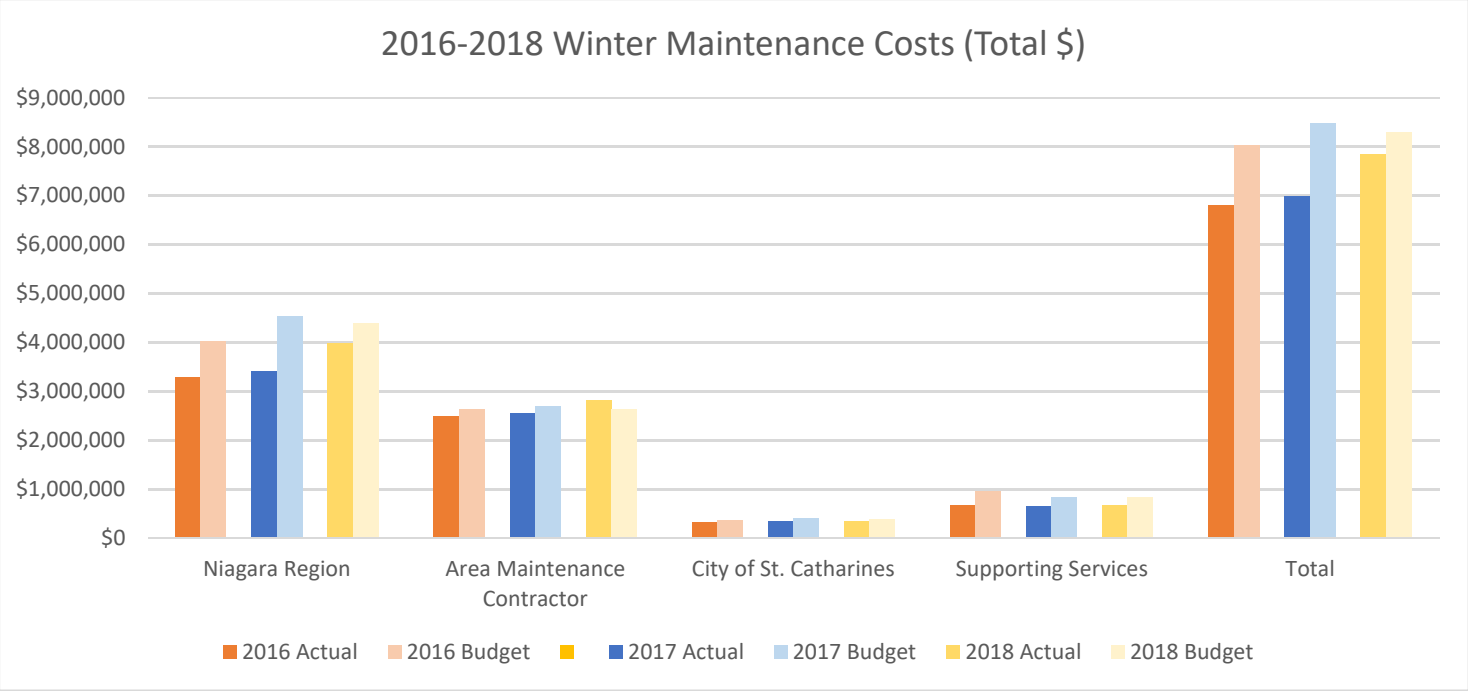
Appendices

Appendix 1	Winter Maintenance Costs
Appendix 2	Amending Agreement 2008-RFP-40
Appendix 3	Minimum Maintenance Standards for Municipal Highways O. Reg. 366/18

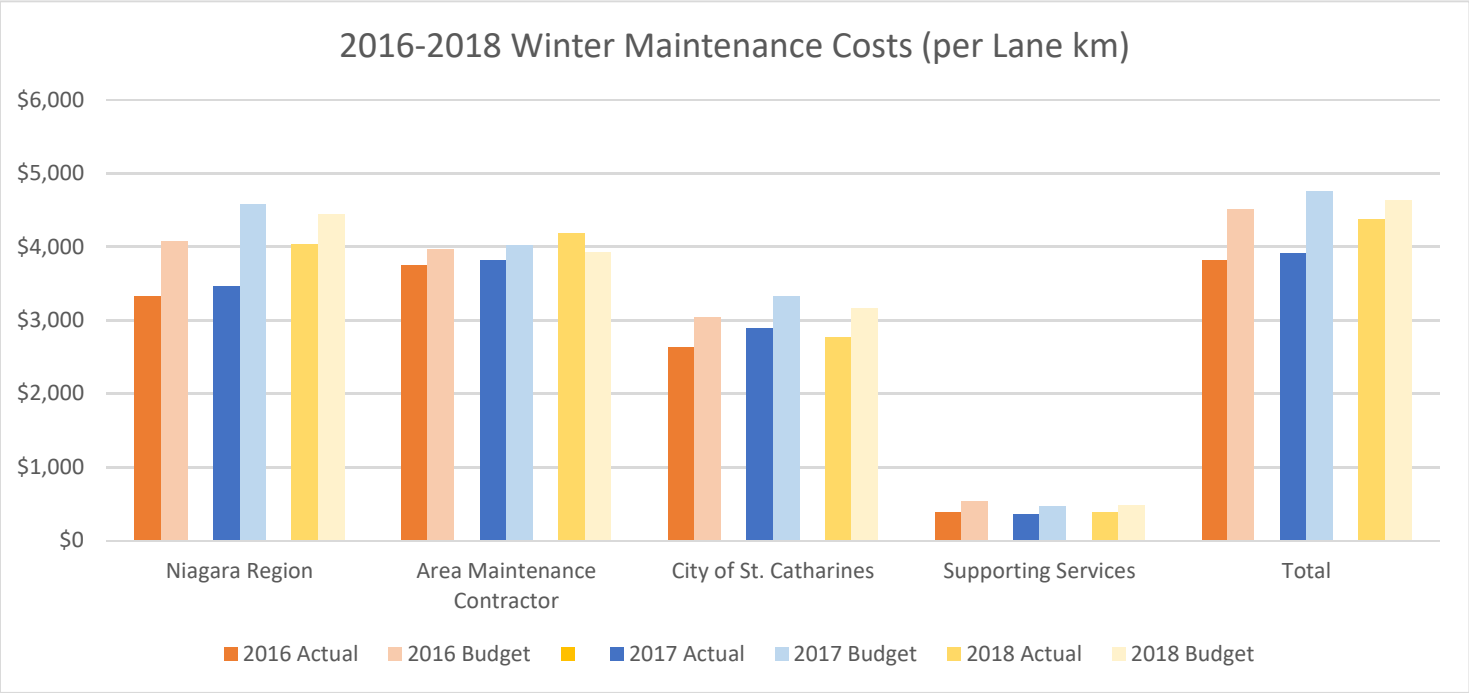
2016-2018 Winter Maintenance Costs
Budget vs Actuals

Budget vs Actual $	Niagara Region			Area Maintenance Contractor			City of St. Catharines			Supporting Services			Total		
Total Lane Km's Maintained	**989**	**989**	**990**	**668**	**670**	**674**	**125**	**122**	**126**	**1782**	**1781**	**1790**	**1782**	**1781**	**1790**
Year	**2016**	**2017**	**2018**	**2016**	**2017**	**2018**	**2016**	**2017**	**2018**	**2016**	**2017**	**2018**	**2016**	**2017**	**2018**
Winter Budget	4,037,881	4,533,599	4,399,064	2,650,000	2,700,000	2,650,000	381,000	406,000	400,000	968,289	842,888	852,498	8,037,170	8,482,487	8,301,562
Winter Actual	3,287,709	3,425,507	3,995,834	2,504,624	2,559,293	2,821,368	329,728	353,490	348,617	687,276	648,681	686,215	6,809,336	6,986,972	7,852,034
Budgeted Cost per lane Km	4,083	4,584	4,443	3,967	4,030	3,932	3,048	3,328	3,175	543	473	476	4,510	4,763	4,638
Actual Cost per Lane Km	3,324	3,464	4,036	3,749	3,820	4,186	2,638	2,897	2,767	386	364	383	3,821	3,923	4,387

Appendix 1: Table 2



Appendix 1: Table 2



PW 18-2019 Appendix 2

AMENDING AGREEMENT

THIS AGREEMENT made as of the 4th day of September, 2018.

BETWEEN:

THE REGIONAL MUNICIPALITY OF NIAGARA

(Hereinafter called the "**Region**")

- and -

STEED AND EVANS LIMITED

(Hereinafter called the "**Contractor**")

WHEREAS by an Agreement dated the 6th day of October, 2008 (hereinafter called the "Original Agreement"), the Region and the Contractor agreed that the Contractor shall provide Area Winter Maintenance Services under 2008-RFP-40 (hereinafter called the "Project");

AND WHEREAS the parties hereto desire to amend the Original Agreement to extend the term of the Original Agreement;

NOW THEREFORE this in consideration of the sum of TWO DOLLARS ($2.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Original Agreement shall be amended as of the date set out above for one additional year ending on September 3, 2019 with the option in favour of Niagara Region and at Niagara Region's sole and absolute discretion to extend the term for one additional one year term ending on September 3, 2020.

2. Payment to the Contractor shall be in accordance with the terms and conditions outlined in the Original Agreement, save an except for a one-time increase to the annual payment of $40,000.00 to cover increased insurance premiums. The parties agree the applicable aggregate fee, inclusive of the $40,000.00 increase, for the period September 4, 2018 to September 3rd, 2019, is $2,599,822.11.

3. Section 2.5 Contract Security in 2008-RFP-40 forming part of the Original Agreement shall be amended by requiring the substitution of a Performance Bond in the amount of $2,000,000.00 in place of the Original Agreement requirement of a combination Performance Bond and Letter of Credit, which replacement Performance Bond shall will remain in effect for the duration of the contract.

4. The terms, covenants, provisos, and stipulations in the Original Agreement are hereby confirmed in full force save and except such modifications only as are necessary to make them applicable to this Amending Agreement.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement.

THE REGIONAL MUNICIPALITY OF NIAGARA

Per: _____

Name: Carmelo D'Angelo, BSC, MPA
Title: Chief Administrative Officer

I have the authority to bind the Corporation.

STEED AND EVANS LIMITED

Per:

BOB HUNTER

Name:

Title: CONSTRUCTION MGR

Name:

Title:

We have the authority to bind the Corporation.

PW 18-2019 Appendix 3

O. Reg. 366/18: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS

filed May 3, 2018 under *Municipal Act, 2001, S.O. 2001, c. 25*

Skip to content
Print Download

ontario regulation 366/18

made under the

Municipal Act, 2001

Made: May 2, 2018
Filed: May 3, 2018
Published on e-Laws: May 3, 2018
Printed in *The Ontario Gazette*: May 19, 2018

Amending O. Reg. 239/02

(MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS)

1. (1) The definition of "surface" in subsection 1 (1) of Ontario Regulation 239/02 is amended by striking out "roadway or shoulder" and substituting "sidewalk, roadway or shoulder".

(2) Subsection 1 (1) of the Regulation is amended by adding the following definitions:

"bicycle facility" means the on-road and in-boulevard cycling facilities listed in Book 18 of the Ontario Traffic Manual;

"bicycle lane" means,

(a) a portion of a roadway that has been designated by pavement markings or signage for the preferential or exclusive use of cyclists, or

(b) a portion of a roadway that has been designated for the exclusive use of cyclists by signage and a physical or marked buffer;

"encroachment" means anything that is placed, installed, constructed or planted within the highway that was not placed, installed, constructed or planted by the municipality;

"pothole" means a hole in the surface of a roadway caused by any means, including wear or subsidence of the road surface or subsurface;

"sidewalk" means the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited;

"significant weather event" means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

"utility" includes any air, gas, water, electricity, cable, fiber-optic, telecommunication or traffic control system or subsystem, fire hydrants, sanitary sewers, storm sewers, property bars and survey monuments;

"utility appurtenance" includes maintenance holes and hole covers, water shut-off covers and boxes, valves, fittings, vaults, braces, pipes, pedestals, and any other structures or items that form part of or are an accessory part of any utility;

"weather hazard" means the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program.

(3) Subsections 1 (2) and (3) of the Regulation are amended by striking out "annual" wherever it appears.

(4) Subsection 1 (4) of the Regulation is revoked and the following substituted:

(4) For the purposes of this Regulation, unless otherwise indicated in a provision of this Regulation, a municipality is deemed to be aware of a fact if, in the absence of actual knowledge of the fact, circumstances are such that the municipality ought reasonably to be aware of the fact.

(5) The Table to section 1 of the Regulation is revoked and the following substituted:

TABLE
CLASSIFICATION OF HIGHWAYS

Column 1 Average Daily Traffic (number of motor vehicles)	Column 2 91 - 100 km/h speed limit	Column 3 81 - 90 km/h speed limit	Column 4 71 - 80 km/h speed limit	Column 5 61 - 70 km/h speed limit	Column 6 51 - 60 km/h speed limit	Column 7 41 - 50 km/h speed limit	Column 8 1 - 40 km/h speed limit
53,000 or more	1	1	1	1	1	1	1
23,000 - 52,999	1	1	1	2	2	2	2
15,000 - 22,999	1	1	2	2	2	3	3
12,000 - 14,999	1	1	2	2	2	3	3
10,000 - 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	4	4
5,000 - 5,999	1	2	2	3	3	4	4
4,000 - 4,999	1	2	3	3	3	4	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	5	5
1,000 - 1,999	1	3	3	3	4	5	5
500 - 999	1	3	4	4	4	5	5
200 - 499	1	3	4	4	5	5	6
50 - 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

2. The Regulation is amended by adding the following section:

Purpose

2.1 The purpose of this Regulation is to clarify the scope of the statutory defence available to a municipality under clause 44 (3) (c) of the Act by establishing maintenance standards which are non-prescriptive as to the methods or materials to be used in complying with the standards but instead describe a desired outcome.

3. (1) The heading before section 3 of the Regulation is amended by striking out "MINIMUM" and substituting "MAINTENANCE"

(2) Subsections 3 (1) and (2) of the Regulation are amended by striking out "minimum" wherever it appears.

(3) Subsection 3 (4) of the Regulation is amended by striking out "section 16.1" and substituting "section 16.1, 16.2, 16.3 or 16.4".

4. Subsections 3.1 (1) and (2) of the Regulation are amended by striking out "minimum" wherever it appears.

5. (1) Subsection 4 (1) of the Regulation is amended by striking out the portion before clause (a) and substituting the following:

Snow accumulation, roadways

(1) Subject to section 4.1, the standard for addressing snow accumulation on roadways is,

. . . . .

(2) Subsection 4 (3) of the Regulation is amended by adding "and, if applicable, lane width under clause (1) (b)," after "roadway" in the portion before paragraph 1.

(3) Subsection 4 (4) of the Regulation is amended by adding "and lane width" after "roadway" in the portion before clause (a).

(4) Subsections 4 (5) and (6) of the Regulation are revoked and the following substituted:

(5) For the purposes of this section, addressing snow accumulation on a roadway includes,

(a) plowing the roadway;

(b) salting the roadway;

(c) applying abrasive materials to the roadway;

(d) applying other chemical or organic agents to the roadway;

(e) any combination of the methods described in clauses (a) to (d);

(6) This section does not apply to that portion of the roadway,

(a) designated for parking;

(b) consisting of a bicycle lane or other bicycle facility; or

(d) used by a municipality for snow storage;

(5) The heading of the Table to section 4 of the Regulation is revoked and the following substituted:

SNOW ACCUMULATION - ROADWAYS

7. The Regulation is amended by adding the following sections:

Snow accumulation on roadways, significant weather event

4.1 (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on roadways until the declaration of the end of the significant weather event is,

(a) to monitor the weather in accordance with section 3.1; and

(b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on roadways, starting from the time that the municipality deems appropriate to do so.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4 expires following the declaration of the end of the significant weather event by the municipality.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address snow accumulation on roadways in accordance with section 4.

Snow accumulation, bicycle lanes

4.2 (1) Subject to section 4.3, the standard for addressing snow accumulation on bicycle lanes is,

(a) after becoming aware of the fact that the snow accumulation on a bicycle lane is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and

(b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table to this section to provide a minimum bicycle lane width of the lesser of 1 metre or the actual bicycle lane width.

(2) If the depth of snow accumulation on a bicycle lane is less than or equal to the depth set out in the Table to this section, the bicycle lane is deemed to be in a state of repair in respect of snow accumulation.

(3) For the purposes of this section, the depth of snow accumulation on a bicycle lane and, if applicable, lane width under clause (1) (b), may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3), with necessary modifications.

(4) For the purposes of this section, addressing snow accumulation on a bicycle lane includes,

(a) plowing the bicycle lane;

(b) salting the bicycle lane;

(c) applying abrasive materials to the bicycle lane;

(d) applying other chemical or organic agents to the bicycle lane;

(e) sweeping the bicycle lane; or

(f) any combination of the methods described in clauses (a) to (e).

TABLE

Snow Accumulation – Bicycle Lanes

Column 1 Class of Highway or Adjacent Highway	Column 2 Depth	Column 3 Time
1	2.5 cm	8 hours
2	5 cm	12 hours
3	8 cm	24 hours
4	8 cm	24 hours
5	10 cm	24 hours

Snow accumulation on bicycle lanes, significant weather event

4.3 (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on bicycle lanes until the declaration of the end of the significant weather event is,

(a) to monitor the weather in accordance with section 3.1; and

(b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on bicycle lanes, starting from the time that the municipality deems appropriate to do so.

(2) If the municipality complies with subsection (1), all bicycle lanes within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4.2 expires following the declaration of the end of the significant weather event by the municipality.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address snow accumulation on bicycle lanes in accordance with section 4.2.

8. Section 5 of the Regulation is revoked and the following substituted:

Ice formation on roadways and icy roadways

5. (1) The standard for the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:

1. Monitor the weather in accordance with section 3.1.

2. Patrol in accordance with section 3.

3. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway, if practicable, to prevent ice formation within the time set out in Table 1 to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose.

(2) If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy.

(3) Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in Table 2 to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that a roadway is icy.

(4) For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand.

(5) For greater certainty, this section applies in respect of ice formation on bicycle lanes on a roadway, but does not apply to other types of bicycle facilities.

TABLE 1
ice formation prevention

Class of Highway	Time
1	6 hours
2	8 hours
3	16 hours
4	24 hours
5	24 hours

TABLE 2
Treatment of ICY ROADWAYS

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

Icy roadways, significant weather event

5.1 (1) If a municipality declares a significant weather event relating to ice, the standard for treating icy roadways until the declaration of the end of the significant weather event is,

(a) to monitor the weather in accordance with section 3.1; and

(b) if deemed practicable by the municipality, to deploy resources to treat icy roadways, starting from the time that the municipality deems appropriate to do so.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to any ice which forms or may be present until the applicable time in Table 2 to section 5 expires after the declaration of the end of the significant weather event by the municipality.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) treat icy roadways in accordance with section 5.

8. (1) Subsection 6 (1) of the Regulation is amended by striking out “minimum”.

(2) Section 6 of the Regulation is amended by adding the following subsections:

(1.1) For the purposes of this section, the surface area and depth of a pothole may be determined in accordance with subsections (1.2) and (1.3), as applicable, by a municipal employee, agent or contractor whose duties or responsibilities include one or more of the following:

1. Patrolling highways.

2. Performing highway maintenance activities.

3. Supervising staff who perform activities described in paragraph 1 or 2.

(1.2) The depth and surface area of a pothole may be determined by,

(a) performing an actual measurement; or

(b) performing a visual estimate.

(1.3) For the purposes of this section, the surface area of a pothole does not include any area that is merely depressed and not yet broken fully through the surface of the roadway.

9. (1) Subsections 7 (1) and (2) of the Regulation are revoked and the following substituted:

Shoulder drop-offs

(1) If a shoulder drop-off is deeper than 8 cm, for a continuous distance of 20 metres or more, the standard is to repair the shoulder drop-off within the time set out in the Table to this section after becoming aware of the fact.

(2) A shoulder drop-off is deemed to be in a state of repair if its depth is less than 8 cm.

(2) The Table to section 7 of the Regulation is revoked and the following substituted:

TABLE
SHOULDER DROP-OFFS

Class of Highway	Time
1	4 days
2	4 days
3	7 days
4	14 days
5	30 days

10. (1) Subsections 8 (1) and (2) of the Regulation are revoked and the following substituted:

Cracks

(1) If a crack on the paved surface of a roadway is greater than 5 cm wide and 5 cm deep for a continuous distance of three metres or more, the standard is to repair the crack within the time set out in the Table to this section after becoming aware of the fact.

(2) A crack is deemed to be in a state of repair if its width or depth is less than or equal to 5 cm.

(2) The Table to section 8 of the Regulation is revoked and the following substituted:

TABLE
CRACKS

Column 1 Class of Highway	Column 2 Time
1	30 days
2	30 days
3	60 days

4	180 days
5	180 days

11. Subsection 9 (1) of the Regulation is amended by striking out “minimum”.

12. Subsections 10 (0.1), (1), (2), (3), (4), (5) and (6) of the Regulation are revoked and the following substituted:

Luminaires

(1) The standard for the frequency of inspecting all luminaires to check to see that they are functioning is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection.

(2) For conventional illumination, if three or more consecutive luminaires on the same side of a highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact.

(3) For conventional illumination and high mast illumination, if 30 per cent or more of the luminaires on any kilometre of highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact.

(4) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles on the same side of a highway are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires.

(5) Despite subsections (1), (2) and (3), for conventional illumination and high mast illumination, if more than 50 per cent of the luminaires on any kilometre of a Class 1 highway with a speed limit of 90 kilometres per hour or more are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires.

(6) Luminaires are deemed to be in a state of repair,

(a) for the purpose of subsection (2), if the number of non-functioning consecutive luminaires on the same side of a highway does not exceed two;

(b) for the purpose of subsection (3), if more than 70 per cent of luminaires on any kilometre of highway are functioning;

(c) for the purpose of subsection (4), if one or more of the luminaires on consecutive poles on the same side of a highway are functioning;

(d) for the purpose of subsection (5), if more than 50 per cent of luminaires on any kilometre of highway are functioning.

13. The Regulation is amended by striking out “minimum” wherever it appears in the following provisions:

1. Sections 11 to 16.

2. Subsection 16.1 (1).

14. Subsections 16.1 (2), (2.1), (3) and (4) of the Regulation are revoked and the following substituted:

(2) If a surface discontinuity on or within a sidewalk exceeds two centimetres, the standard is to treat the surface discontinuity within 14 days after acquiring actual knowledge of the fact.

(3) A surface discontinuity on or within a sidewalk is deemed to be in a state of repair if it is less than or equal to two centimetres.

(4) For the purpose of subsection (2), treating a surface discontinuity on or within a sidewalk means taking reasonable measures to protect users of the sidewalk from the discontinuity, including making permanent or temporary repairs, alerting users' attention to the discontinuity or preventing access to the area of discontinuity.

(5) In this section,

"surface discontinuity" means a vertical discontinuity creating a step formation at any joint or crack in the surface of the sidewalk or any vertical height difference between a utility appurtenance found on or within the sidewalk and the surface of the sidewalk.

15. The Regulation is amended by adding the following sections.

Encroachments, area adjacent to sidewalk

16.2 (1) The standard for the frequency of inspecting an area adjacent to a sidewalk to check for encroachments is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection.

(2) The area adjacent to a sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair in respect of any encroachment present.

(3) For greater certainty, the area adjacent to a sidewalk begins at the outer edges of a sidewalk and ends at the lesser of the limit of the highway, the back edge of a curb if there is a curb and a maximum of 45 cm.

(4) The area adjacent to a sidewalk is deemed to be in a state of repair in respect of any encroachment present unless the encroachment is determined by a municipality to be highly unusual given its character and location or to constitute a significant hazard to pedestrians.

(5) If a municipality determines that an encroachment is highly unusual given its character and location or constitutes a significant hazard to pedestrians, the standard is to treat the encroachment within 28 days after making such a determination, and the encroachment is deemed in a state of repair for 28 days from the time of the determination by the municipality.

(6) For the purpose of subsection (4), treating an encroachment means taking reasonable measures to protect users, including making permanent or temporary repairs, alerting users' attention to the encroachment or preventing access to the area of the encroachment.

Snow accumulation on sidewalks

16.3 (1) Subject to section 16.4, the standard for addressing snow accumulation on a sidewalk after the snow accumulation has ended is,

a) to reduce the snow to a depth less than or equal to 8 centimetres within 48 hours; and

b) to provide a minimum sidewalk width of 1 metre.

(2) If the depth of snow accumulation on a sidewalk is less than or equal to 8 centimetres, the sidewalk is deemed to be in a state of repair in respect of snow accumulation.

(3) If the depth of snow accumulation on a sidewalk exceeds 8 centimetres while the snow continues to accumulate, the sidewalk is deemed to be in a state of repair with respect to snow accumulation, until 48 hours after the snow accumulation ends.

(4) For the purposes of this section, the depth of snow accumulation on a sidewalk may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3) with necessary modifications.

(5) For the purposes of this section, addressing snow accumulation on a sidewalk includes,

(a) plowing the sidewalk;

(b) salting the sidewalk;

(c) applying abrasive materials to the sidewalk;

(d) applying other chemical or organic agents to the sidewalk; or

(e) any combination of the methods described in clauses (a) to (d).

Snow accumulation on sidewalks, significant weather event

16.4 (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on sidewalks until the declaration of the end of the significant weather event is,

(a) to monitor the weather in accordance with section 3.1; and

(b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on sidewalks starting from the time that the municipality deems appropriate to do so.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any snow present until 48 hours following the declaration of the end of the significant weather event by the municipality.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address snow accumulation on sidewalks in accordance with section 16.3.

Ice formation on sidewalks and icy sidewalks

16.5 (1) Subject to section 16.6, the standard for the prevention of ice formation on sidewalks is to,

(a) monitor the weather in accordance with section 3.1 in the 24-hour period preceding an alleged formation of ice on a sidewalk; and

(b) treat the sidewalk if practicable to prevent ice formation or improve traction within 48 hours if the municipality determines that there is a substantial probability of ice forming on a sidewalk, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose.

(2) If ice forms on a sidewalk even though the municipality meets the standard set out in subsection (1), the sidewalk is deemed to be in a state of repair in respect of ice until 48 hours after the municipality first becomes aware of the fact that the sidewalk is icy.

(3) The standard for treating icy sidewalks after the municipality becomes aware of the fact that a sidewalk is icy is to treat the icy sidewalk within 48 hours, and an icy sidewalk is deemed to be in a state of repair for 48 hours after it has been treated.

(4) For the purposes of this section, treating a sidewalk means applying materials including salt, sand or any combination of salt and sand to the sidewalk.

Icy sidewalks, significant weather event

16.6 (1) If a municipality declares a significant weather event relating to ice, the standard for addressing ice formation or ice on sidewalks until the declaration of the end of the significant weather event is,

(a) to monitor the weather in accordance with section 3.1; and

(b) if deemed practicable by the municipality, to deploy resources to treat the sidewalks to prevent ice formation or improve traction, or treat the icy sidewalks, starting from the time that the municipality deems appropriate to do so.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any ice which forms or is present until 48 hours after the declaration of the end of the significant weather event by the municipality.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

(a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and

(b) address the prevention of ice formation on sidewalks or treat icy sidewalks in accordance with section 16.5.

Winter sidewalk patrol

16.7 (1) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice

formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that the municipality selects as representative of its sidewalks at intervals deemed necessary by the municipality.

(2) Patrolling a sidewalk consists of visually observing the sidewalk, either by driving by the sidewalk on the adjacent roadway or by driving or walking on the sidewalk or by electronically monitoring the sidewalk, and may be performed by persons responsible for patrolling roadways or sidewalks or by persons responsible for or performing roadway or sidewalk maintenance activities.

Closure of a highway

16.8 (1) When a municipality closes a highway or part of a highway pursuant to its powers under the Act,the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality.

(2) For the purposes of subsection (1), a highway or part of a highway is closed on the earlier of,

(a) when a municipality passes a by-law to close the highway or part of the highway; and

(b) when a municipality has taken such steps as it determines necessary to temporarily close the highway or part of a highway.

Declaration of significant weather event

16.9. A municipality declaring the beginning of a significant weather event or declaring the end of a significant weather event under this Regulation shall do so in one or more of the following ways:

1. By posting a notice on the municipality's website.

2. By making an announcement on a social media platform, such as Facebook or Twitter.

3. By sending a press release or similar communication to internet, newspaper, radio or television media.

4. By notification through the municipality's police service.

5. By any other notification method required in a by-law of the municipality.

Commencement

16. This Regulation comes into force on the day it is filed.

Made by:

Kathryn McGarry

Minister of Transportation

Date made: May 2, 2018

Tags

- Laws

Rate

Rate this page

Share

Facebook Twitter Print

o

e-Laws

e-Laws provides access to official copies of Ontario's statutes and regulations.

Contact Us

Contact us c

Topics

- Arts and culture
- Business and economy
- Driving and roads
- Education and training
- Environment and energy
- Government
- Health and wellness
- Home and community
- Jobs and employment
- Law and safety
- Laws
- Rural and north
- Taxes and benefits
- Travel and recreation

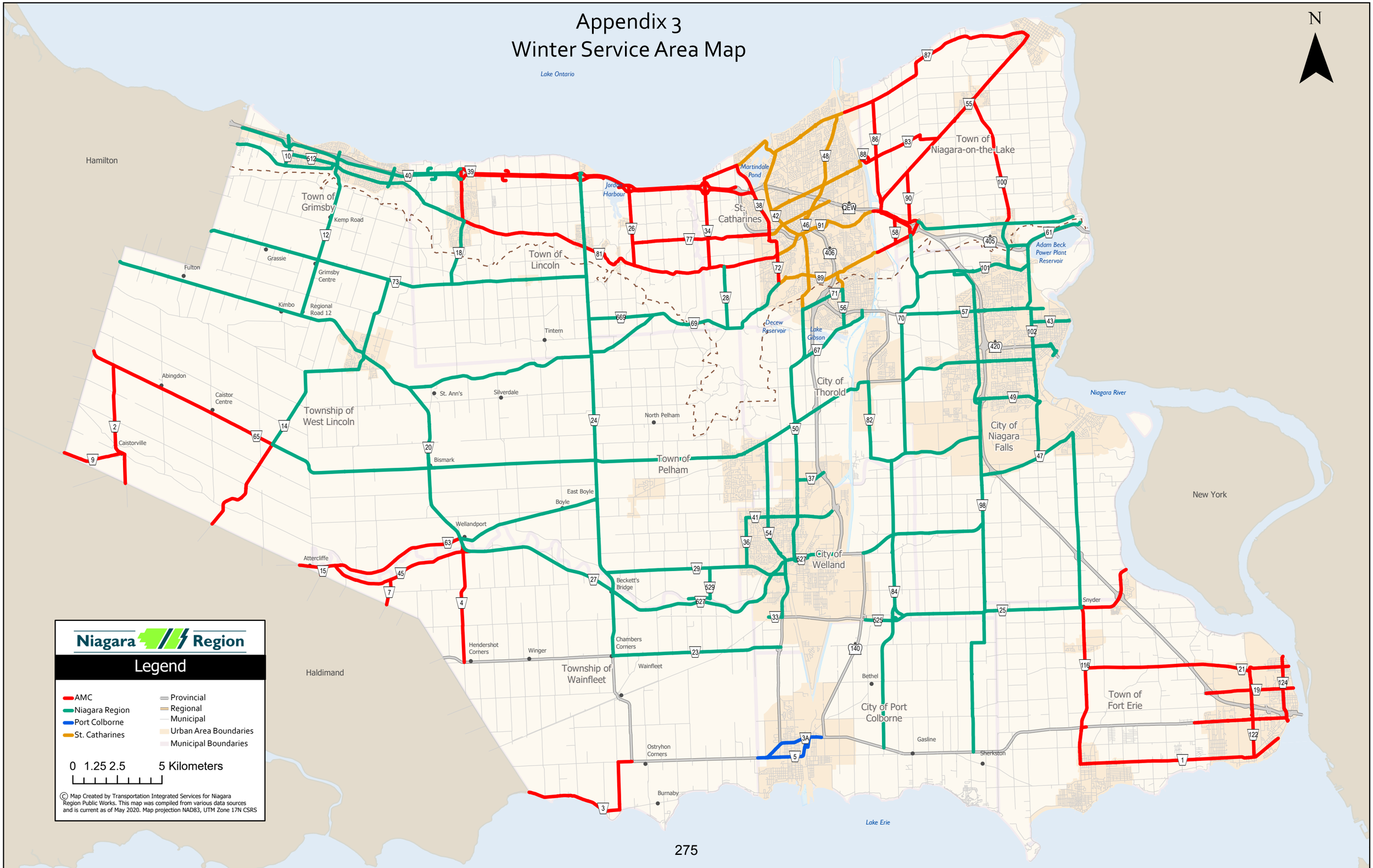
ABOUT ONTARIO

- privacy
- accessibility
- terms of use

© Queen's Printer for Ontario, 2012-19

b

Appendix 3
Winter Service Area Map



Appendix 4 Multi Year Forecast

Niagara Region

Prior Year Schedule of Revenue and Expenditures by Account (including Multi Year)

DeptID: D_60108 Winter Maintenance Contract

Fiscal Year: 2020

	2019	2020			2021			2022		
	Budget 2020	Budget 2020			Budget 2020			Budget 2020		
	Total	Total	Variance	Variance %	Total	Variance	Variance %	Total	Variance	Variance %
A_44482 Hired Equipment - Roadways	2,700,000	2,700,000	0	-	3,105,000	405,000	15.0%	3,167,100	62,100	2.0%
A_44000AB Operational & Supply	**2,700,000**	**2,700,000**	**0**	**-**	**3,105,000**	**405,000**	**15.0%**	**3,167,100**	**62,100**	**2.0%**
A_60014 ABD Radio & Comm Equip (60114)	3,142	2,991	(151)	(4.8%)	3,051	60	2.0%	3,112	61	2.0%
A_60000AA Intercompany Charges	**3,142**	**2,991**	**(151)**	**(4.8%)**	**3,051**	**60**	**2.0%**	**3,112**	**61**	**2.0%**
Gross Expenditure Subtotal	**2,703,142**	**2,702,991**	**(151)**	**0.0%**	**3,108,051**	**405,060**	**15.0%**	**3,170,212**	**62,161**	**2.0%**
Gross Revenue Subtotal	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
Net Expenditure (revenue) before indirect allocations	**2,703,142**	**2,702,991**	**(151)**	**0.0%**	**3,108,051**	**405,060**	**15.0%**	**3,170,212**	**62,161**	**2.0%**
A_70002 Ind Alloc FMP Trans (70102)	99	94	(5)	(4.8%)	95	1	0.7%	97	2	2.1%
A_70003 Ind Alloc FMP Budget (70103)	14,902	13,992	(910)	(6.1%)	14,587	596	4.3%	14,982	394	2.7%
A_70023 Ind Alloc Procure Admin(70123)	1,241	2,842	1,601	129.0%	2,899	57	2.0%	2,961	62	2.1%
A_70224 Cap Levy-Prog Support (70324)	-	5	5	-	5	0	0.6%	5	0	0.4%
Allocation Subtotal	**16,242**	**16,933**	**690**	**4.3%**	**17,587**	**654**	**3.9%**	**18,045**	**458**	**2.6%**
Net Expenditure (revenue) after indirect allocations	**2,719,385**	**2,719,924**	**539**	**0.0%**	**3,125,637**	**405,714**	**14.9%**	**3,188,256**	**62,619**	**2.0%**
FTE - Reg	-	-	-	-	-	-	-	-	-	-
FTE - Temp	-	-	-	-	-	-	-	-	-	-
FTE - Student	-	-	-	-	-	-	-	-	-	-

DILLON
CONSULTING

The Regional Municipality of Niagara Value for Money Audit of Snowplowing, Roads Maintenance, and Landscaping Services

Final Report

May 24, 2016 – 15-2387

Table of Contents

Executive Summary

1.0 Introduction 1

1.1 Program Review Background 1
1.2 Overview of Transportation Operations 1
1.3 Program Review Scope and Team 2
1.4 Program Review Objectives 3
1.5 Methodology 3
1.6 How this Report is Organized 4
1.7 Acknowledgements 4

2.0 What We Heard 5

2.1 Focus Groups with the Region of Niagara 5
2.2 Interview with Steed & Evans (Snow Removal Contractor) 5

3.0 Industry Research and Peer Benchmarking Analysis 8

3.1 Industry Research 8
3.1.1 OMBI Reporting 8
3.1.2 Ontario Auditor General Report on Winter Highway Maintenance 10
3.1.3 Trends Reported by the Ontario Good Roads Association 11
3.1.4 Trends Reported by Steed & Evans 13
3.1.5 Observations from the Industry Research 13
3.2 Peer Municipalities 14
3.2.1 Observations from the Peer Benchmarking and "Better Practices" Analysis 25
3.3 Risks and Benefits of Contracting Out 27

4.0 Winter Analysis and Findings 29

4.1 Direct Delivery of Core Winter Services by Region Staff 29
4.2 Direct Staff Delivery of Supporting Winter Control and Other Activities 31
4.3 Man-Hour and Machine Hour Trends 31
4.4 Winter Control and Public Safety – Direct Delivery Model 32
4.5 Winter Control Overtime Trends – Direct Delivery Model 33

4.6 Private Contractor Delivery of Core Winter Services 34
4.7 City of St. Catharines Delivery of Core Winter Services 36
4.8 Actual Winter Control Performance Against the Region's Bare Pavement Service Level Standard 36
4.9 Winter Control Findings 38
4.10 Recommendations: Winter Control 39

5.0 Non-Winter Analysis and Findings 44

5.1 Productivity and Cost Trends in Non-Winter Maintenance 46
5.2 Non-Winter Maintenance Findings 48
5.3 Recommendations: Non-Winter Maintenance 49

6.0 Workforce Demographics Analysis and Findings 50

6.1 Workplace Demographics Findings 51
6.2 Recommendations: Workforce Demographics 52

7.0 Key Performance Indicators and CityWorks 53

7.1 Towards a Performance Reporting Dashboard 54
7.2 Assessment of CityWorks Roll-Out 54
7.3 KPIs and CityWorks Findings 55
7.4 Recommendations: KPIs and CityWorks 55

8.0 Closure 57

References 59

Appendices

A Results from Focus Group Sessions
B Summary of Strengths, Weaknesses, Opportunities and Threats

Executive Summary

Background

At the February 23, 2015 Audit Committee meeting, Report RRIT 01-2015 External Value for Money Audits was discussed and members selected three value-for-money audits to be completed. One of the three program/service areas identified for a value for money audit was snowplowing, roads maintenance, and landscaping services.

The Regional Municipality of Niagara retained Dillon Consulting Limited, in collaboration with Performance Concepts Consulting Limited, to undertake the program review of its snowplowing, roads maintenance, and landscaping services which are delivered by its Transportation Operations division. This audit was completed using the best available data as provided by the Region.

Overview of Transportation Operations

Niagara Region provides winter maintenance, landscaping and road maintenance services across 1,697 lane kilometers of roads through areas of geographic diversity (urban versus rural areas). The Transportation Operations division of Public Works is a multidisciplinary service area that manages and performs all road and roadside maintenance activities, including forestry and signs maintenance. The Transportation Operations division operates within a "hybrid" business model whereby a mix of in-house staff and contracted service providers are utilized to meet operational objectives. The average direct-staffing operating budget for roads over the past few years has been $16.4 million dollars (annually). Additionally, approximately $4.2 million is allocated to private contractors or to local area municipal cost sharing contracts.

Program Review Scope and Team

The scope of this program review included:

- Document/map the current Region's business model including the level of outsourced vs. internally managed activity – current work processes, performance measures, service levels and operational standards;
- Determine if the Region uses an appropriate mix of internal and contracted services for all services;
- Detail and validate all costs and their components such as service costs, long term capital costs and maintenance costs, etc.;
- Identify, through a comparative analysis, business model and process improvements that should be considered, indicating the relevant benefits and risks to the various business enhancements including competitive service delivery, in-sourcing, or total outsourcing of services/activities (risks to include, but not be limited to service/operational risks, financial risks and market risks); and,

- Consider input from private sector contractors in transportation operations and any relevant industry associations; and,
- Provide comment on any other relevant information obtained during the program review which would be of importance for Council to know, act upon in the future or investigate further.

The program review was undertaken independently by Dillon Consulting Limited and Performance Concepts Consulting using information provided by Regional Staff.

Focus Group Findings: A Culture of Continuous Improvement
Semi-structured interviews and semi-structured focus group discussions were conducted at the outset of the program review to provide an initial sense of core issues that would help focus the program review's analysis on areas for improvement. These positive aspects about the organization were noteworthy from the interviews and focus group sessions:

- staff had clear opinions about how things are working;
- there are high levels of collaboration and team work; and,
- there is a clear culture of "continuous improvement".

Industry Research: Better Performance Measurement Is Needed Industry-Wide
Industry-wide quantitative peer benchmarking of transportation operations suffers from shortcomings in the input data and a lack of standardized documentation. This is indicative of the industry-wide need to strengthen performance measurement and reporting. Municipalities are still in a transition period to fully implementing an asset management IT platform that would assist with this challenge. From the perspective of the Ontario Auditor General in the Report on Winter Highway Maintenance, there are on-going problems with verifying/monitoring contractor performance.

The Ontario Good Roads Association indicates that many municipalities have contracted out transportation operations services but the degree of contracting out varies so there is no apparent ideal mix of contracted-out and in-sourced services. Steed & Evans, the Region's snow removal contractor, notes that contractors will accept performance-based contracts but are wary of penalty charges. Although the trend is for municipalities to make the contractor fully liable when outsourcing transportation operations, the municipality should retain supervisory capacity and some in-house capacity to maintain its own assets.

Peer Benchmarking Findings: Niagara Faces Many of the Same Challenges as its Peers
Municipal peer jurisdictions were investigated to determine what others are doing to improve efficiency and effectiveness. Peer municipalities were selected because they face similar operational challenges. The following peer municipalities were investigated: Durham (Region); Halton (Region); Ottawa (single tier City); Peel (Region); and, Waterloo (Region).

Niagara, with its structure including a Commissioner, Directors, Managers, Supervisors and frontline staff, is on par with the peer municipalities of Durham, Halton, Peel, and Waterloo that have similar organizational structures. Niagara also delivers a similar range of transportation operations services as its peers that deliver winter control, surface maintenance, roadside maintenance, and signs and signals maintenance. There is no apparent need for restructuring based on this evidence.

Table ES-1: Peer Benchmarking Summary

	Durham	Halton	Ottawa*	Peel	Waterloo	Niagara
Asset mgmt. IT platform	No	Yes	In progress	Yes	In progress	Yes
MMS reporting	No	No	No	No	No	No
Service-based budget	No	No	In progress	Yes	In progress	No
Flexible staffing	No	n/a	No	No	No	Yes
Contracting-out	Mostly in-sourced	100% to local municipalities	Mostly in-sourced	~80%	~35%	~20%
Comparable unit costs	No	n/a	No	No	No	No

*winter control only

Niagara faces many of the same challenges as peer municipalities. As shown in the above table, Niagara is on par with peers in terms of adopting new technologies and moving toward stronger asset management. Niagara is also on par with many peers regarding MMS reporting – there is room for improvement across all jurisdictions. Niagara should move towards more direct communications with Council on Level of Service/budgeting and should move toward selecting and reporting on clear, relevant KPIs. With regards to contracting-out, each municipality has a unique model. The variation of service delivery models across all of the municipalities suggests that there are no models that are inherently superior. Similar to the peer municipalities, Niagara does not have sufficient information to accurately compare the cost of in-sourced versus out-sourced services, and would require further due diligence before changing its blend.

Recognizing that there is interest in alternative service delivery to potentially achieve cost-savings, the following provides an overview of the risks and benefits based on the industry research and feedback from the peer municipalities:

Table ES-2: Risk and Benefits of Contracting Out

	Risks	Benefits
Cost	Cost-saving measures implemented by the contractor assist with its profitability and do not get passed on to the municipality, as compared to cost-saving measures implemented by the municipality that allow it to reduce its operational budget (or deliver more services for the same amount) in following years.	Under a contract, the municipality can control year-over-year cost by indexing the services provided, which is currently the case in the Region's contract with Steed & Evans. Competition among contractors is an incentive to demonstrate cost-effectiveness when bidding.
Resources	As experienced by MTO, a contract may be awarded to contractor that does not have sufficient personnel and equipment to do the work.	A contractor has greater flexibility than a municipality to make adjustments to its workforce level.
Levels of Service / MMS Response Times	If Council decides it wants to change the level of service, this would be difficult to implement until the contract comes up for renewal. As experienced by MTO, when the contractor does not meet MMS response times then the penalties may be so great that the contractor walks away from the contract.	As experienced in Ottawa, a municipality may be more likely to over-deliver on level of service, as compared to a contractor that aims to meet the level of service while matching effort to budget.
Supervision	As experienced by MTO, contractors cannot be expected to reliability report on their own performance.	There are no apparent benefits when supervision is contracted out.
Reporting	From a liability perspective, the municipality should maintain its own records, resulting in some duplication if the contractor is also providing reports. It is unusual for a contractor to integrate with a municipality's asset management and work order platform, whereas this is better integrated when the services are delivered by staff.	If the vehicles are properly equipped, the contractor can generate detailed reports from the AVL systems, although the same applies if municipal vehicles are similarly equipped.
Liability	The municipality remains liable regardless of how much work is contracted out.	The contractor shares some liability.

Areas of Analysis

The following areas of Transportation Operations have been analyzed and full details appear in the body of this report:

- winter season maintenance activities;
- non-winter season maintenance activities;
- workforce demographics; and,
- CityWorks maintenance management system and key performance indicators.

Summary of Recommendations

The following is a compilation of all the thirteen recommendations arising from this program review, organized into three themes.

A. Better Manage the Winter Control Budget and Consider Alternative Service Delivery after Due Diligence

Reduce the winter control budget to the level required for a typical winter instead of a severe winter.

Niagara should transition to a risk-based budgeting model (weather defined risk) by adopting a reduced-but-sustainable winter control budget. This reduced budget should be calibrated to provide event response core capacity for a normal-to-moderately severe winter season. In order to ensure the reduced risk-based budget does not negatively impact levels of service, bare pavement achievement performance data should be used to determine the appropriate sustainable level of budget reduction for the next year. Based on the difference between the 2014 direct-delivered core winter control budget and actual of approximately $400,000, the audit team recommends that the Region reallocate this amount from the direct delivery budget to the reserve for the 2016/2017 winter. This is a prudent approach that manages the risk of being under-resourced until the Region has performance data demonstrating the ability to consistently meet bare pavement achievement levels below 6 hours as per Regulation 293/02. When the Region is certain it is meeting the MMS, then it can consider further budget adjustments.

Conduct a competitive service delivery exercise at the end of the current winter contract encompassing all established routes.

To determine whether in-sourcing or out-sourcing is the most cost-effective, Niagara needs to conduct a competitive service delivery exercise that includes all the routes delivered by Region staff and delivered by the outside contractor. The

competitive service delivery bids submitted by Region management/staff and/or potential contractors should provide total service delivery costs, pass-kilometre based unit costs, and guaranteed bare pavement achievement response times. Scheduling/deployment should not be prescribed, allowing Region and/or contractor bids to adopt a wide range of potential scheduling/deployment models featuring best practices. Bid requirements could set out expected winter season severity (i.e., an events profile) to inform costing and bare pavement achievement responses.

In support of the above principal recommendation, the following supporting recommendations are made to facilitate due diligence:

i) **Document the end time of winter events so it is possible to measure the time it takes to reclaim bare pavement.**
ii) **Restructure budgeting accounting to separate core winter services from supporting services and allow accurate comparison of the costs of direct delivery versus contracted delivery for winter control.**
iii) **Collect and use pass kilometre data to better monitor and report on winter control activities.**

B. Strengthen Key Performance Indicators and Reporting

Implement winter control achievement reports for winter storm events.

Reports should be prepared for the following categories of event responses by the Region and its contracted service providers:

- system-wide winter event responses > 24 hours in duration;
- system-wide winter event responses < 24 hours in duration; and,
- significant localized winter event responses > 24 hours in duration.

Provide annual reports to Council on the level of service achievement for the winter season.

For this (2015-2016) and all subsequent winter seasons, Council should receive a report demonstrating actual levels of winter control "bare pavement achievement" (versus the 4-6 hour service level timeframes in Regulation 239/02). The report should provide a breakdown of level of service achievement in the event categories identified in this audit. Each subsequent winter season will require this report.

Niagara should use the portfolio of KPIs set out in this program review to create annual service delivery targets and report on actual results achieved.

To ensure the appropriate data is available to populate these KPIs, it will be necessary to track time spent on productive activities (i.e. directly generating work outputs) separately from non-productive time/activities (example: travel time).

Niagara should implement a performance dashboard that reports on KPIs to support operational improvement and a results-based culture.

The dashboard tool should integrate enterprise financial data; CityWorks activity based operational data, and CityWorks asset management information.

C. Ensure Labour is Aligned to Niagara's Needs

Prepare in advance for forecasted winter storm events by rescheduling staff shifts within the two week pay-period.

Niagara should transition to a more flexible "fixed cost" staffing/deployment model. This would build on the existing approach used during the "shoulder seasons" when staff levels are ramped up or down depending on the weather conditions and forecasts. The current version of the Region's fixed cost model features a pool of staff resources scheduled uniformly across each two-week pay period – essentially deploying its available event response capacity independently of winter event timing. This static/uniform approach to staff deployment can evolve, since the Region has advanced weather forecasting capabilities. Restructuring the static/uniform scheduling process into a more dynamic process will achieve improved "matching" of a reduced winter staff pool with forecast winter events during each two-week staffing cycle.

- Shifts can be changed 24-hours' notice (as appropriate) to meet forecast winter events, thereby concentrating staff's straight-time man hours around predictable/forecast periods of event response.
- Shifts without a forecast winter event response (during the same two-week period) may end up featuring below-normal scheduled staffing.
- A dynamic staffing model of cancelled/rescheduled shifts is permitted within the collective agreement, provided that the total number of hours are correct over a 2-week period and provided that 24-hours' notice is given for shift changes.

The restructured model will function more like a standard mandatory callout for forecast winter events. Traditional callouts with overtime are still available when needed to deal with unanticipated winter events.

Conduct an "activity-based" review of budget allocations based on the labour hours required to properly maintain infrastructure and complete reactive maintenance.

Niagara should conduct an activity-based review of its 2016 annual budget allocations for surface, roadside, signs/markings, and signals maintenance activity categories. The activity-based budget review should be based on a process that first considers the required number of planned maintenance man-hours for each activity category. These planned maintenance man-hour calculations will permit the Region to prepare a planned maintenance "coverage rate" – where a consistent / targeted percentage of assets are inspected / maintained each year in each activity category. Once calculated man-hour requirements are in place, staff pay rates can then be applied to arrive at the new budget allocations for each activity category. Finally, a reactive maintenance hours allowance should be added to the planned man-hours requirement for each activity category.

Shortfalls in actual labour hours of maintenance completed should be offset with an increase in the following year so the Region does not fall behind in maintenance.

Once an activity-based budget is in place for non-winter maintenance activity categories, any major shortfall between actual service hours versus budgeted hours should be corrected in the following budget year. The correction should ensure actual maintenance hours catch up with the budgeted maintenance hours for the two years in question. This budget catch-up provision will ensure planned maintenance workload remains a priority – resulting in the preservation of asset values over time.

The Region of Niagara should closely monitor its changing workforce demographics.

The Region needs to:

- Manage predictable future budget impacts;
- Implement appropriate cost controls provisions when/if needed; and,
- Improve service delivery capacity by maximizing the number of annual productive hours available per employee.

Closure

After this report is submitted to Council and direction is received by Management, it is imperative that an implementation plan be prepared to help Transportation Operations implement this program review's recommendations. This will provide Transportation Operations with the logical roadmap that it needs to achieve change management, continuous improvement, and demonstrate value-for-money.

1.0 Introduction

1.1 Program Review Background

On February 5, 2015, Regional Council approved the 2014-2018 Council Strategic Priorities, which included direction to have external Value-For-Money or Performance Audits completed and reported directly to the Audit Committee.

At the February 23, 2015 Audit Committee meeting, Report RRIT 01-2015 External Value for Money Audits was discussed and members selected three value-for-money audits to be completed. One of the three program/service areas identified for a value for money audit was snowplowing, roads maintenance, and landscaping services.

The Regional Municipality of Niagara retained Dillon Consulting Limited, in collaboration with Performance Concepts Consulting Limited, to undertake the program review of its snowplowing, roads maintenance, and landscaping services which are delivered by its Transportation Operations division.

1.2 Overview of Transportation Operations

Niagara Region provides winter maintenance, landscaping and road maintenance services across 1,697 lane kilometers of roads through areas of geographic diversity (urban versus rural areas). The Transportation Operations division of Public Works is a multidisciplinary service area that manages and performs all road and roadside maintenance activities, including forestry and signs maintenance. The activity based approach used in this division allows management to assign the appropriate in-house or contracted resources required to meet the road maintenance standards as set by the Region.

The Transportation Operations division operates within a “hybrid” business model whereby a mix of in-house staff and contracted service providers are utilized to meet operational objectives. The average direct-staffing operating budget for roads over the past few years has been $16.4 million dollars (annually). Additionally, approximately $4.2 million is allocated to private contractors or to local area municipal cost sharing contracts.

Transportation Operations’ business model requires that it efficiently deploys available resources to meet its mandated performance objectives. The business model is defined by the use of “split-job” staffing. The division consolidates its summer workforce from seasonal service groups (e.g. signs, lane marking and forestry) to create a 24/7 core winter complement from November to April. The core winter complement provides direct supervision and winter maintenance services across 19 pass-routes. These pass-routes cover 939 lane kilometers of

roadway (717 rural lane kilometers and 211 urban lane kilometers. Coverage is delivered out of four separate depots (yards): the Pelham Patrol Yard, the Smithville Patrol Yard, the Thorold Patrol Yard, and the Welland Patrol Yard. The Region's winter area maintenance contractor maintains 10 routes, consisting of 637 lane kilometers (378 rural lane kilometers and 259 urban lane kilometers). Finally, the City of St. Catharines maintains 122 urban lane kilometers and 2 rural lane kilometers within its borders on behalf of the Region.

Summer maintenance activities include road surface maintenance, shoulder maintenance, drainage maintenance, mowing, tree trimming and removal and repairs to safety devices. Typically, Transportation Operations staff monitor road surface and other asset (e.g. bridges) conditions, conduct minor repairs and manage contractors brought on for larger scale activities. For larger scale projects, the division develops a scope of work, and puts out a request for quotation or tender, using a competitive process to award the work to third party contractors.

The Transportation Operations division is staffed as follows:

- 1 Director, 1 Associate Director, 3 Managers;
- 10 non-union supervisors;
- 4 clerks;
- 6 winter patroller / lead heads;
- forestry: 5 arborists year round, 2 seasonal;
- general Transportation Operations front line: 60 full-time unionized field staff;
- signals: 13 year round – installers / technicians / electricians, including 2 lead hands; and,
- signs and markings: 6 year round, 15 seasonal including 1 extra seasonal lead hand.

1.3 Program Review Scope and Team

The scope of this program review included:

- Document/map the current Region's business model including the level of outsourced vs. internally managed activity – current work processes, performance measures, service levels and operational standards;
- Determine if the Region uses an appropriate mix of internal and contracted services for all services;
- Detail and validate all costs and their components such as service costs, long term capital costs and maintenance costs, etc.;
- Identify, through a comparative analysis, business model and process improvements that should be considered, indicating the relevant benefits and risks to the various business enhancements including competitive service delivery, in-sourcing, or total

outsourcing of services/activities (risks to include, but not be limited to service/operational risks, financial risks and market risks); and,

- Consider input from private sector contractors in transportation operations and any relevant industry associations; and,
- Provide comment on any other relevant information obtained during the program review which would be of importance for Council to know, act upon in the future or investigate further.

The program review was undertaken independently by Dillon Consulting Limited and Performance Concepts Consulting using information provided by Regional Staff, as well as the consultant's own research and analysis.

1.4 Program Review Objectives

The objectives of this program review were:

- Benchmark peer municipalities to investigate what they are doing to optimize efficiency and effectiveness, and identify any "better practices" in terms of organizational design, service bundles, core delivery processes, business planning/measurement frameworks, IT tools, asset management, risk management, performance measurement, and/or budgeting suitable for Niagara to adopt;
- Assess the Region's current transportation operations costs and program delivery functions through an engagement strategy (interviews, group working sessions, etc.) and a performance profile of service levels, actual results, unit cost trends, and available effectiveness data;
- Review the Region's other linked programs to identify potential cross-department linkages meriting investigation and develop a potential restructuring critical path if any organizational scenarios seem viable for implementation; and,
- Consider and identify alternative service delivery approaches, including differing blends of direct versus purchased services.

1.5 Methodology

A key component of a value-for-money audit through a program review is to maintain objectivity that provides a reliable, evidence-based analysis. This Program Review has been structured with an overriding commitment to an impartial third party evidence-based assessment applying four main analytical approaches:

- metric and data-based historic and current performance assessment (i.e., using quantifiable / measurable information);
- risk-based assessment of go-forward cost savings and process improvements;
- SWOT (strengths, weaknesses, opportunities and threats) analysis leading to identification of improvement opportunities; and,

- a blend of quantitative and qualitative assessment tools.

This audit was completed using the best available data. Previous reports were also referenced particularly for the winter and non-winter analysis. Two key reports were the "Transportation Services Operations Delivery Review" (2014) and the "Niagara Patrol Yards Study Retrofit Smithville & Pelham Patrol Yards" (2013).

Approximately 65% of the Region's operational budget is for winter control, so the audit team expected a high likelihood of finding cost-saving opportunities in winter control.

1.6 How this Report is Organized

The report is organized by the major areas of analysis that were conducted for this program review, as follows:

- **Section 2.0: Focus Groups – What We Heard** provides an overview of the findings from individual and group interviews conducted at the outset of the program review;
- **Section 3.0: Peer Benchmarking and "Better Practices" Analysis** provides an overview of the findings from studying peer municipalities, industry expertise/research, and OMBI data;
- **Section 4.0: Winter Analysis and Findings** provides the analysis of the winter season maintenance activities;
- **Section 5.0 Non-Winter Analysis and Findings** provides the analysis of the non-winter season maintenance activities;
- **Section 6.0 Workforce Demographics Analysis and Findings** contains the analysis of the division's staffing;
- **Section 7.0: Key Performance Indicators and CityWorks** contains the analysis of the maintenance management system tools; and,
- **Section 8.0: Closure** provides closure to the review.

In addition, **Appendix A: Results from Focus Group Sessions** provides details of the interviews noted in Section 2.0 and **Appendix B: Summary of Strengths, Weaknesses, Opportunities, and Threats** provide a matrix overview of the study findings and their linkages to the recommendations.

1.7 Acknowledgements

The consulting team would like to acknowledge the contributions and cooperation of Transportation Operations staff, Human Resources staff, and Organizational Performance staff for this program review.

2.0 What We Heard

2.1 Focus Groups with the Region of Niagara

Semi-structured interviews and semi-structured focus group discussions were conducted at the outset of the program review to provide an initial sense of core issues that would help focus the program review's analysis on areas for improvement. These interviews occurred in September 2015 and were conducted with:

- the Director of Transportation Services, the Associate Director of Transportation Operations, and the Associate Director of Systems and Planning;
- Managers in sections of Transportation Operations (e.g., roads/bridges, technology, signals/signs, pavement marking);
- Project managers responsible for deployment of CityWorks;
- maintenance yard supervisors; and,
- lead hands /winter patrollers.

Generally the tone of the interviews demonstrated the characteristics of a culture supportive of continuous improvement and/or internal communication. The tone of the interviews was:

- authentic (i.e., staff spoke freely and openly);
- respectful; and,
- largely positive.

These positive aspects about the organization were noteworthy from the interviews and focus group sessions:

- staff had clear opinions about how things are working;
- there are high levels of collaboration and team work; and,
- there is a clear culture of "continuous improvement".

It should be noted that observations emanating from the interviews and focus groups do not lead to any specific recommendations since these sessions were intended to assist the program review team in focusing their analysis efforts. The results from the interviews and focus group sessions are provided in **Appendix A**.

2.2 Interview with Steed & Evans (Snow Removal Contractor)

A semi-structured interview was conducted with the Niagara area manager for Steed & Evans. Steed & Evans holds a 10-year winter control contract for several of the Region's snow removal routes. The contract term is from 2008-2018. Overall, the contractor believes that the Region has a suitable blend of direct and contracted service delivery and emphasizes that they have a good relationship with the Region. Steed & Evans noted that it would have capacity to take on

more work as long as they had sufficient time to prepare[1]. The following bullets summarize the key insights from the interview:

- **Winter Maintenance Activities:**
  - The contractor's vehicles are all equipped with AVL and satellite equipment to track the vehicle's movements:
    - The AVL data is paid for by the Region and both the Region and the contractor have access to the data;
    - Currently the AVL and the material spreader communicate – and it is possible that in the next generation of equipment the standard will be for the AVL to communicate with the plow as well (this is available now but not standard);
  - Reporting is done through winter patrol diaries which are provided to the Region:
    - Patrol deployment is through two 10-hour shifts and increases dependent on the weather;
    - It is difficult to determine when "bare pavement" is achieved since this can depend on temperature and/or traffic volume to activate the salt;
    - A clear protocol would be needed to mark the storm event end times and the definition of "bare-pavement" achievement;
  - The contractor completes its own internal "daily costing" tracking/reporting to monitor spending for its own purpose;
  - The contractor pays an hourly rate rather than an on-call rate for their senior drivers as a way to keep good staff;
    - In this respect, the contractor believes that the municipality has an advantage since it could assign drivers to other tasks whereas for the contractor this is idle time;
  - It is appreciated that there is a relationship with the Region of Niagara and the sense that they can work together to solve problems;
  - Capacity and the existing contract:
    - The contractor could increase capacity to complete more work but would need to be an adequate time-frame to implement an increase;
    - The existing contract is for 10 years and a shorter contract would have the impact of heavily favouring the existing contractor since a 5-year

[1] It is presumed that six months' notice would be needed since this timeframe was noted in Section 1.9 of the 2008 Request for Proposals: "No later than six (6) months prior to the end of the first five (5) years of the contract term, the Region and the Proponent will then have an opportunity to decide whether or not to continue the contract under the same terms and conditions as the original contract for the remaining five (5) years based on the Region's assessment of the Proponent's performance",

minimum is required to make it feasible to purchase or lease equipment; and,

- The overall impression by the contractor is that the Region is doing a good job of balancing a blend of direct and contracted service delivery.

- **Non -Winter Maintenance Activities:**
  - Re-iterated that it is important for a municipality to have some capacity to take care of its assets rather than contracting 100% of service delivery.

3.0 Industry Research and Peer Benchmarking Analysis

This section of the report provides observations and findings regarding the industry and peer municipalities, and helps inform the discussion in Sections 4 through 7 of the report where the ultimate recommendations are made.

3.1 Industry Research

The following subsections summarize the audit team's research of the industry. This research was conducted to determine the current state of transportation operations service delivery and to gather any industry knowledge (e.g., trends) that might be relevant for improving Niagara's service delivery.

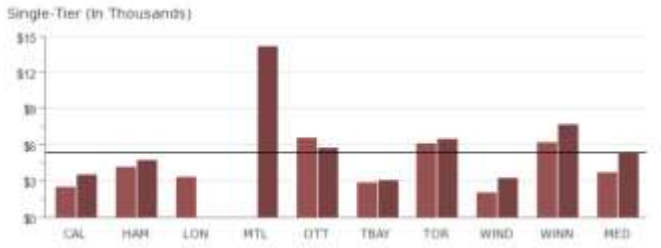
3.1.1 OMBI Reporting

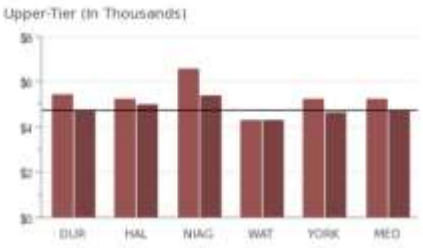
The audit team reviewed the 2014 Road reporting from the Ontario Centre for Municipal Best Practices for the same municipalities for winter and non-winter activities. As well, the audit team reviewed twelve winter control "best practice" cases prepared by the Ontario Centre for Municipal Best Practices across 2000-2006.

The 2014 OMBI data for winter control appears below.

How much does it cost to maintain our roads in winter?

Fig 28.4 Total Cost for Winter Maintenance of Roadways per Lane Km Maintained (includes amortization)





2013	$2,800	$4,194	$3,379	N/A	$6,814	$2,900	$6,190	$2,139	$6,279	$3,787
2014	$3,605	$4,823	N/A	$14,196	$5,813	$3,133	$6,582	$3,345	$7,715	$5,318

$5,478	$5,266	$6,620	$4,310	$5,288	$5,288
$4,741	$5,009	$5,394	$4,355	$4,675	$4,741

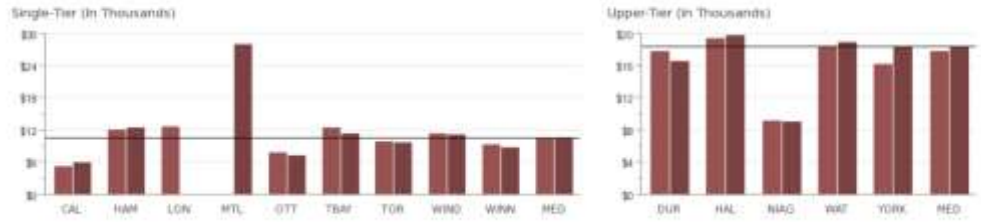
Source: ROAD309T (Efficiency)

OMBI does not publicly report winter event frequency/severity along with its cost per lane kilometre data. Therefore it is difficult to make value-for-money inferences about relative unit costs across the peers. The audit team holds the professional opinion that comparisons of Niagara's system performance against itself over time will provide greater insights than potentially misleading OMBI comparisons that lack weather based context and do not address differences in bare pavement achievement times.

OMBI reports regional municipalities' spending on non-winter road maintenance (see below). It is clear that there is an inherent problem with the OMBI data because Durham, Halton, and Waterloo's spending totals are 100% higher than Niagara's reported data; this is more likely a result of what data is provided by the municipalities and less likely to be a true benchmark of cost-effectiveness. OMBI has long suffered from inconsistent definitions of operating versus capital cost definitions used by participants, as well as wide variations in the approach to amortized asset values/replacement value calculations for road networks of different ages.

How much does it cost to maintain one Km of paved road?

Fig 28.2 Total Cost for Paved "Hard Top" Roads per Lane Km (includes amortization)



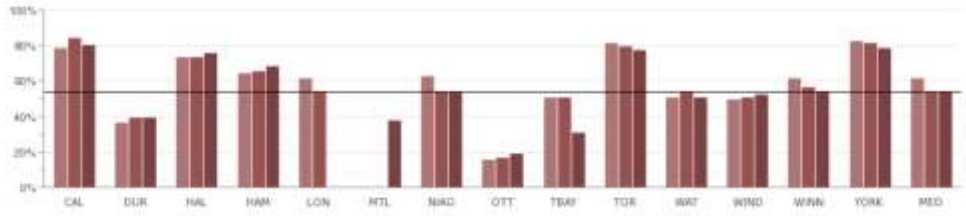
2013	$5,327	$12,147	$12,758	N/A	$7,918	$12,575	$9,955	$11,922	$9,429	$10,739	$17,879	$16,485	$9,249	$18,333	$16,217	$17,879
2014	$6,126	$12,521	N/A	$27,988	$7,355	$11,349	$8,860	$11,263	$8,838	$10,562	$16,880	$19,851	$9,097	$18,920	$18,350	$18,350

Source: ROAD307T (Efficiency)

OMBI also reports on pavement quality ratings. Participants use widely varying approaches to measuring pavement quality – all that is standardized are the "Good to Very Good" rating categories. Niagara pavement quality data matches the sample median. No maintenance program performance inferences are possible using this non-comparable data.

What percent of paved roads are rated good to very good?

Fig 28.5 Percent of Paved Lane Km where the Condition is Rated as Good to Very Good



2012	79%	37%	74%	65%	62%	N/A	63%	16%	51%	82%	51%	50%	62%	83%	62%
2013	88%	40%	74%	68%	54%	N/A	54%	17%	51%	80%	54%	51%	57%	82%	54%
2014	81%	40%	76%	69%	N/A	38%	54%	19%	31%	78%	51%	53%	54%	79%	54%

Source: ROAD405M (Customer Service)

It is noted that the Transportation Services Operations Delivery Review conducted by AMEC in 2014 used OMBI results to compare Niagara to peer municipalities. While it drew some conclusions, these were qualified by statements such as "for a better comparison, the annual snowfall… should be taken into account". This underscores the gap that currently exists in the industry: **there is no truly comparable benchmarking (i.e., reporting on a standardized set of key performance indicators) available to fairly assess the transportation operations services of municipalities**.

3.1.2 Ontario Auditor General Report on Winter Highway Maintenance

A recent winter control audit of the Ontario highway system executed by the Provincial Auditor found that the MTO was not accurately reporting bare pavement achievement times.

Figure 12: Fines Assessed, Winter 2013/14

Source of data: Ministry of Transportation

Reason	Amount ($)	# of Instances[1]
Inaccurate reporting of winter operations and activities	360,500	283
Untimely deployment	1,558,050	115
Circuit times not met	7,173,000	300
Continuous plowing service not maintained	250,500	67
Multi-lane highways not plowed using a staggered approach	343,500	41
Incorrect salt and sand application rates	358,000	68
Equipment breakdowns & equipment not fully utilized	1,739,875	156
Bare Pavement not achieved within the maximum time allowed	525,000	13
Frost and slippery conditions not addressed	196,000	11
Other winter maintenance outcome target categories[2]	843,875	65
Total	**13,348,300**	**1,119**

1. Total number of instances where contractors were notified that either one or multiple outcome targets were not met.
2. Includes untimely clearing of shoulders, passing lanes, commuter parking lots and truck inspection stations.

The above table from the Auditor's 2015 report documents the incidence of inaccurate reporting in one winter season – 283 incidents of detected reporting inaccuracies and a total of 1,119 compliance failures with contractors.

The following quote from the Provincial Auditor's report is instructive on the need for accurate/dependable reporting of bare pavement achievement times by service providers.

> *"We were also concerned about the accuracy of the information the Ministry receives from contractors on their performance against the bare-pavement target. In the winter 2013/14, Coordinator audits identified over 200 instances of contractors submitting inaccurate information to the Ministry. In our audit, we noted instances where some contractors either failed to input bare-pavement data for an entire winter season or reported inaccurate information to the Ministry. We also noted instances where the Ministry, after identifying bare pavement data errors, did not correct the information in the system used for public reporting."*

The findings of the Provincial Auditor's report demonstrate that problems with level of service reporting and problems with verifying/monitoring contractor performance are widespread and impact various jurisdictions. It also inherently suggests that a risk of outsourcing transportation operations services is verifying/monitoring contractor performance.

3.1.3 Trends Reported by the Ontario Good Roads Association

The Ontario Good Roads Association (OGRA) was asked to comment on emerging industry best practices, challenges and trends in service delivery. The following summarizes the information gathered through a semi-structured interview with the Manager of Policy and Research at OGRA.

- **Winter and Non-Winter Maintenance Activities:**
  - Good recordkeeping is the foundation of the MMS:
    - OGRA has been encouraging members to standardize reporting, including by using weather station data and combining it with maintenance schedules;
    - OGRA has launched a winter maintenance "app" which allows municipalities to prepare an annual winter maintenance plan using a standardized template;
  - Technologies for winter control vehicles (such as AVL) have been getting more sophisticated and OGRA has been looking for ways to bring down the costs of some technologies so they are accessible for all municipalities;

- Case law is as much a driver of winter maintenance as are changing regulations: there is a recent case in Ontario where farmers were awarded a claim based on decreased land values caused by over-salting the road;
- Active transportation (e.g., public transit, cycling) is becoming more important and new maintenance obligations are emerging;
- OGRA is lobbying the province to change MMS to "Maintenance Standard" since the word "Minimum" leaves the impression that more should be done;
- Service delivery models:
  - OGRA does not take a position on what is the most appropriate service delivery model or blend of models between direct and contracted models;
  - OGRA believes that every municipality is a unique context and all models have benefits and drawbacks;
  - OGRA notes that many municipalities have contracted out services hoping it would be more efficient or cost effective but the results have not been clear;
- Climate change:
  - Assumption that warmer weather will lead to cheaper winter maintenance/road maintenance may not be correct:
    - For example, salt may need to be applied each time a temperature threshold is crossed; and,
    - Concern that some capital investments (equipment and infrastructure) may become obsolete as conditions change.

- **Asset Management:**
  - OGRA lobbied the province to make Asset Management a requirement for getting provincial funding. This has led to more strategic planning for new assets and a greater confidence in the condition of existing assets;
  - Most municipalities are moving towards using asset management software to track maintenance activities against specific assets;
  - Municipalities fall on a wide spectrum in terms of how much progress they have made toward asset management;
  - It is common for regular maintenance budgets to be deferred in favour of reactive maintenance or new capital investments:
    - More holistic asset management helps with keeping maintenance as a priority; and,
    - Municipalities are sometimes finding that assets do not age exactly as expected; sometimes infrastructure will look older or newer than expected. When an asset is lasting well, it can be reasonable to defer maintenance.

3.1.4 Trends Reported by Steed & Evans

The Region's snow removal contractor Steed & Evans provided the following information about the industry based on the contractor's experience:

- **Winter Maintenance Activities:**
  - Overall, contracts work better when they are not adversarial;
  - MTO previously issued contracts with specific requirements around equipment and man power (i.e., number of vehicles) whereas the current contracts are based on performance standards and penalizing underperformance – these contracts have not been working well since contractors may not be appropriately resourced to complete the work and the penalties are so punitive that the contractor sometimes walks away rather than paying;
  - Despite the efforts to download liability to a contractor, a municipality needs to have some capacity to maintain (or supervise the maintenance of) its assets;
- **Non-Winter Maintenance Activities:**
  - Many MTO contracts are for year-round road maintenance – this is a way to balance resources between winter and non-winter operations; and,
  - Re-iterated that it is important for a municipality to have some capacity to take care of its assets rather than contracting 100% of service delivery.

3.1.5 Observations from the Industry Research

The following paragraphs describe the findings of the industry research. As noted earlier, this subsection of the report provides findings that help inform the discussion in Sections 4 through 7 of the report where the ultimate recommendations are made.

- **OMBI Winter and Non-Winter:** Industry-wide quantitative peer benchmarking of winter control achievements and costs is not technically viable at this point in time due to the shortcomings in OMBI public reporting (i.e., no winter event frequency/severity) and the absence of bare pavement achievement timeframes across peer regions. Meaningful non-winter industry-wide peer benchmarking is also not technically viable at this point in time due to the shortcomings in OMBI public reporting (e.g., lack of standardized life cycle asset costing across participants) and the absence of consistent pavement quality measurement tools across peer regions. There are no performance inferences emerging from the OMBI data which is indicative of the industry-wide need to strengthen performance measurement and reporting.
- **Province of Ontario Auditor General:** There are on-going problems with verifying/monitoring contractor performance which is inherently a risk of outsourcing transportation operations services.
- **ORGA:** Good standardized documentation is a challenge industry-wide although the collective move towards asset management IT platforms is expected to help in the near future. Many municipalities have contracted out transportation operations

services but the degree of contracting out varies so there is no apparent ideal mix of contracted-out and in-sourced services.

- **Steed & Evans:** Contractors will accept performance-based contracts but are wary of penalty charges. Although the trend is for municipalities to make the contractor fully liable when outsourcing transportation operations, the municipality should retain supervisory capacity and some in-house capacity to maintain its own assets.

3.2 Peer Municipalities

The following matrix (**Table PM-1**) summarizes existing knowledge, research, data gathering, and interviews with peer municipalities. It should be noted that the matrix was developed using available data and in some cases complete information was not available or information was out of date. Municipalities with incomplete data were still retained as comparators because the available information provided insight on other topics. For example, the City of Ottawa was included because it completed an audit of winter maintenance in 2015, however other information on Ottawa is not known.

Peer municipalities were selected because they face similar operational challenges to the Region of Niagara and/or they have recently completed audits of winter or non-winter transportation operations.

The following peer municipalities were investigated:

- Durham (Region);
- Halton (Region);
- Ottawa (single tier City);
- Peel (Region); and,
- Waterloo (Region).

Table PM-1: Peer Municipality Comparisons

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Organizational Structure	**DEPARTMENTS –** Works – Roads and Transportation – Transportation Operations and Maintenance **STAFFING MODEL** • Commissioner, Works • Director, Transportation & Field Services • Manager, Transportation Infrastructure • Supervisors of Maintenance Operations • Maintenance Operators **DEPLOYMENT** • Five regional depots and a traffic operations centre	**DEPARTMENTS –** Public Works – Transportation – Transportation Operations and Maintenance • Contract management for winter and non-winter control, pavement markings, signals, signs **STAFFING MODEL** • Commissioner, Public Works • Manager, Transportation • Supervisor (1 only), Transportation Operations and Maintenance (non-union) **DEPLOYMENT** • No works yards • Non-winter control patrollers deploy from main Regional building – looking to contract this out • Winter control is patrolled by Local municipalities (since winter control is contracted out to the Local municipalities)	**DEPARTMENTS –** Operations Portfolio - Public Works Department – Roads Services Branch. **STAFFING MODEL** • Deputy City Manager (Operations) • General Manager Public Works • Manager, Roads Service Branch • Approximately 590 employees are engaged in winter operations. **DEPLOYMENT** • 17 yards across five zones	**DEPARTMENTS –** Public Works – Transportation – Transportation Operations and Maintenance **STAFFING MODEL** • Commissioner, Public Works • Director, Transportation Planning • Manager, Transportation Operations and Maintenance • Supervisors, patrollers and frontline staff **DEPLOYMENT** • Two work yards, one in the north and one in the south. • Bulk of deployment from two yards in the south (urban areas), the northern area roads are generally rural.	**DEPARTMENTS –** Transportation and Environmental Services Department – Transportation Division – Transportation Operations **STAFFING MODEL** • Commissioner, Transportation and Environmental Services • Director, Transportation • Manager, Transportation Operations • 7 non-union supervisors, 6 technologists and administrative support, 60 full time unionized frontline staff, • Additional seasonal (winter) staff, 2 supervisors and 13 frontline staff **DEPLOYMENT** • Several work yards.	Niagara, with its structure including a Commissioner, Directors, Managers, Supervisors and frontline staff is on par with the peer municipalities of Durham, Halton, Peel, and Waterloo in terms of Organizational Structure.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Winter Maintenance Activities						
Service Delivery Model	• Direct delivery augmented by contracted resources – no pre-determined routes assigned to contractors. Contractors deployed flexibly as required.	• All services are contracted out to the Local Municipalities on a three year agreement cycle.	• Municipality owns 73% of the fleet of plows/salters/combination units (236 municipally owned, 88 contracted). • Most of winter operations are delivered directly, one area is contracted dating from before the City was amalgamated. • City is currently assessing whether the composition of direct delivery/outsourcing should be changed.	• Hybrid model of direct delivery and contracted services. • Approximate split is 20% direct delivery, 80% contracted services for core winter services. • Direct delivery focused on proactive/first response. • Non-core (road patrol, supervision) activities are direct delivery by the Region. • Region patrollers and supervisors call in contractors and manage storm response.	• Region directly maintains most roads outside of the limits of the tri-cities (Cambridge, Kitchener, Waterloo). • Several roads outside the tri-cities (former MTO) are maintained by contractors through AMC style contract. • Cities are contracted to maintain the roads within the limits of the three cities with the Region continuing to provide some activities. • No second shift for Region direct delivery – crews deploy and are overtime funded for any evening/night winter events.	There are a range of service delivery models that combine direct delivery and contracted services in different ways and different proportions. Halton and Peel contract a higher proportion of work (to lower tier municipalities in Halton and to private contractors in Peel). Like Durham, Ottawa, and Waterloo, Niagara directly delivers a higher portion of the services. Some municipalities, like Durham and Peel integrate the contracts into the Regional Operations and supervise and deploy them directly. Other municipalities like Ottawa and Niagara use an AMC style contract where contractors are responsible for specific geographies and are directly responsible for supervision and deployment. Each of the service delivery models is unique in some respect. The variation of service delivery models across all of the municipalities suggests that there are no models that are inherently superior.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Level of Service	• Level of service per the MMS. No current ability to demonstrate/measure direct delivery/contractor achievement of winter MMS service levels for bare pavement achievement.	• Level of service per the MMS. No current ability to demonstrate/measure local municipal achievement of winter MMS service levels for bare pavement achievement.	• Level of service was higher than MMS by between 1 and 6 hours depending on the road classification. • LOS was adopted by Council in 2003 and had not been reviewed since. • 2015 audit found that the levels of service were often being exceeded and this year they have been monitoring crews more closely to ensure they do not exceed the standards. • 2015 audit found that there is no documented assurance that the level of service is being met. • The audit further recommended reducing level of service to provincial standards to reduce costs.	• Level of service exceeds MMS. • Level of service report is approved by council every 4 years (each term of council). • Council gives Public Works the direct mandate to deliver the higher than required LOS. • Reporting on success of delivering on Level of Service not known.	• Level of service per the MMS. No current ability to demonstrate/measure tri-city or contractor or direct staff achievement of winter MMS service levels for bare pavement achievement. • Risk based deployment plans differ across each city, so service level achievement is uneven as is value-for-money. • Different cost profiles among tri-city providers for the same season and different overtime frequency. Financial exposure significant in a severe winter. • Legal liability clearly transferred to each tri-city provider.	Niagara's level of service is the MMS but it cannot demonstrate that it is meeting the MMS. That places Niagara on par with the peers for ability to report on achievement of MMS (there is room for improvement among all the peers). Niagara should work towards more direct communication with Council in setting Levels of Service (such as in Ottawa or Peel).

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Budgeting	• No sophisticated system of budgeting/tracking winter events, unit costs or bare pavement achievement using AVL data. • No existing activity based budgeting linking service levels to deployed resources.	• No system coverage price set within local municipality contracts. • Region is invoiced by amount of work / activity (open-ended). • Contracts allow Halton to utilize different levels of staffing from municipalities at different times (more flexibility). • 2009 audit called for better monitoring of budget to actual costs.	• 2013 Winter Operations budget was $55.3 million and actual expenditures were $79.2 million. • Monthly reporting on budget variances includes comparisons of budget to actual by detailed cost category. 2015 audit recommended linking this reporting to weather information and staff allocations of time. • Reconciliation of winter materials is only performed once per year.	• Core Budget based on "Winter Storm Equivalent" units: the cost for 8 hours of full deployment of resources - includes, overhead, labour, equipment, contractors, and materials for anti-icing, de-icing, plowing and snow removal. • Budget based on a ten-year trend line of actual spending/winter events; current budget is for 29 "Winter Storm Equivalents". • Costs that are more static such as patrols and installing snow fences are budgeted separately. • This system allows Region to isolate budget shortfalls/surpluses that are caused by seasonal weather variation. • Maintains a snow reserve at a level that would cover overspending caused by extreme weather for two back to back extreme years. In lighter years surpluses are reallocated to the reserve fund so it is kept at the ideal level.	• Tri-city budgets do not separate region road funding from local road funding. It is unclear what data supports tri-city cost recovery claims so there is a current wide variation in unit costs.	Niagara should work toward linking Winter Budgeting to climatic conditions. Only Peel takes this best practice approach, whereas Niagara is on par with the other peer municipalities that also budget year-to-year.
Cost comparison	• Not available.	• Not available. With better reporting would be possible to compare costs directly across the different municipalities.	• Not available. • The City is currently completing a review to compare the cost of direct delivery with outsourcing.	• Information not available. • Acknowledge that it might be possible to reduce costs by reducing LOS but that it is difficult to quantify.	• Information not available.	No municipality is able to accurately compare the cost of direct delivery and contracted winter services. Information insufficient to assess how Niagara compares to peer municipalities in this respect.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Risk Management	• Sufficient direct resources are available to cover all routes. Contractors are used to augment resources when storms are long or heavy precipitation. • Contractors are deployed directly by Region's supervisors. • Region patrols all routes. • Winter reserve is in place for heavy winter seasons.	• No ceiling limit as to amount billed. • Unclear how Local Municipalities determine Region's portion of an activity.	• 2015 audit found that current resourcing levels create "idle capacity" and recommending reducing resources. • 2015 audit also recommended developing procedures and policies to specify/prioritize work activities when there is no snow clearing occurring.	• Contracts for core winter services allow flexibility based on weather variations while retaining control of level of service and storm management. • Draws connection between risk and levels of service – 2010 audit was prompted by an Ontario Supreme Court Case where a municipality was held liable because it could not demonstrate that it had met the MMS. • Possible that providing a higher level of service improves safety and convenient movement of goods and services and therefore reduces liability.	• Region staffs to a minimum level meaning that in cases of illness or vacation, some equipment and crews cannot be deployed. • Reactive and planned maintenance are often in conflict.	Niagara maintains flexible staffing during the shoulder seasons to minimize idle time. Niagara is ahead of peer municipalities in terms of flexibility of deploying its in-house resources while attempting to minimize "idle time" (though there is still room for improvement by better managing how staffed are scheduled during winter).
Non-Winter Maintenance Activities						
Service Delivery Model	• Blend of direct and contracted work. • Most surface maintenance is completed by contractors.	• All services are contracted out to the Local Municipalities on a three year agreement cycle. • Some private contracts tendered together with Local Municipalities, such as pavement markings and crack sealing.	• Information not available.	• Direct delivery of most maintenance services. • Maintains roads for some other jurisdictions including MTO. • Transportations Operations is not involved in construction or major rehabilitations or resurfacing. • Pavement markings and signals maintenance are contracted out. • Signals maintenance is delivered by local municipalities in two of three local municipalities.	• Direct delivery of most maintenance services outside of the three city limits.	Niagara delivers service through a blend of direct and contracted work, so it has a similar service delivery model to the peer municipalities of Durham, Peel, and Waterloo. Halton contracts all maintenance work, and information about Ottawa is not available. The variation of service delivery models across all the municipalities suggests that there are no models that are inherently superior.
Level of Service	• See winter.	• See winter.	• Information not available.	• See winter.	• Level of service per the MMS.	See winter.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Budgeting	• No existing activity based budgeting linking service levels to deployed resources.	• See winter.	• Information not available.	• Information not available.	• 2014 audit recommended transitioning to an activity based budget. Activity based budgeting would require enhanced time tracking and asset management regimes.	Like Niagara, some peers are moving toward activity based budgeting and stronger asset management regimes. Information insufficient to assess how Niagara compares to peer municipalities in this respect.
Cost Comparisons	• Information not available.	• See winter.	• Information not available.	• Information not available.	• Information not available.	No municipality is able to accurately compare the cost of direct delivery and contracted services. Information insufficient to assess how Niagara compares to peer municipalities in this respect.
Risk Management	• Information not available.	• See winter.	• Information not available.	• 2010 audit recommended changes to reduce risk around signals liability. Recommended that records of maintenance to signals were retained by the municipality independently of the contractor and that the Region hire an electrician to review the work of the contractor.	• See winter.	Information insufficient to assess how Niagara compares to peer municipalities in this respect.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Workforce Demographics						
Workforce Demographics (This is included since it can provide an early warning regarding potential productivity improvement or erosion associated with workforce trends and resultant changes in available work hours.)	• Information not available.	• Not applicable since Region does not deliver services directly.	• Information not available. • Succession planning is part of the annual planning activities completed by the City of Ottawa. Potential successors are identified for all positions that are considered "critical" and succession planning including career development and training is provided to help employees prepare for more senior positions.	• Information not available.	• Aging workforce presents a need for succession planning and is a significant risk/opportunity for the Region.	Ottawa's approach to succession planning is more pro-active than Niagara's; however, information is insufficient to assess how Niagara compares to peer municipalities in this respect.
Key Performance Measures and Asset Management						
Time Tracking	• Not clear that labour hours are linked to activities.	• 1 staff for contract monitoring. • Time tracking by activity not applicable as all activities are contracted.	• Time is tracked by activity and can be linked to service requests. • Audit found that 25% of winter time is allocated to "Yard", "Litter", "On-call" and "other" even in a relatively heavy winter. • Activity sheets and service requests seem to be completed on paper and provided to yard clerks.	• Information not available.	• Time for productive, travel time, non-productive time, is mixed together for maintenance activities. • Different individuals track productive/non-productive time differently. • Manual paperwork and data entry are a burden on frontline and supervisory staff.	Although Niagara tracks time by activity, the time for productive, travel, and non-productive time is recorded as one, putting it on par with peer municipalities that all need to refine their activity based time tracking. This would improve Niagara's ability for budget analysis.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Asset Management	• Maintenance activities are not directly linked to specific assets.	• Proprietary asset management system tracks Region's signals (maintained by others), signs, pavement management • System triggers work orders which are fed to Local Municipalities, can be directly from 311 • Work orders issued and entered at dispatch • Looking to transition to Hansen • Work order generation and entry will be done in-field	• Information not available.	• Hansen platform links service requests to asset management. • Information entered in the field using tablet computers. • Updates to record keeping for winter patrol (to minimize duplication in forms) were recommended in 2010 Audit.	• Asset management software has been acquired and is being implemented over time. • Existing asset/information management is not sufficient to support staff in performing maintenance activities. • Currently, reactive and proactive maintenance is not tracked against individual assets. • Asset inventories are inconsistent and not kept current.	Niagara's use of the CityWorks platform is on par with Halton and Peel that also use an IT system for asset management and properly tracking maintenance to assets.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Level of Service/Performance Targets, Tracking, and Reporting	• No established KPIs reported. • No established measurement regime for bare pavement achievement timeframes following the end of a winter storm event.	• Level of service is set, but does not prescribe methodology or performance targets • GPS and "Road Patrol Manager" software implemented in 2012 to improve documentation.	• Levels of service were established and approved by Council in 2003; • Reporting through OMBI but not directly to Council • "Service Excellence Scorecard" is used to report performance indicators. This scorecard is not ideal, it tracks time as "productive" or "sick/vacation" rather than based on activity, and it does not report on clean-up time after a storm, and it does not report time to complete a service request. • Vehicles are equipped with GPS "where's my plow app" available to citizens and supervisors, but there has been no follow up analysis to determine if the intended benefits of investing in the technology has been realized. • Concern that the "real costs" of depreciation and overhead are not known. • Reports on time allocations for employees are available and can be customized by time period, person, or activity code.	• 2010 audit recommended "random monitoring" and "spot checks" of work performed by contractors to ensure contracted work is being adequately performed.	• Plows and vehicles are equipped with GPS/AVL. • In field supervision is limited and widely viewed as insufficient by staff. • Performance standards for services are not known or worked towards and certainly not measured consistently. • Performance measurement is not possible with existing data tools; they do not allow for review, analysis or reporting on KPIs. • Performance measurements are not shared or compared across the Yards or Supervisors.	Ottawa has the clearest performance measures (although not KPIs) and regularly reports on them. Niagara needs KPIs and should move towards this with regular reporting.

	Durham (Region)	Halton (Region)	Ottawa (Single Tier City)*	Peel (Region)	Waterloo (Region)	How does Niagara Compare?
Monitoring Service Providers	• Information not available.	• Contract agreements with Local Municipalities include provisions for performance targets and reporting but it is not clear if the reporting has been implemented. Municipalities want Region to provide reporting staff. • Salt management reporting. • Only other form of reporting is invoicing of time and system km. • 2009 audit suggested updating agreements with municipalities to include consequences for non-adherence.	• Supervisors review snow clearing activity on an ad-hoc basis, if a standard or contractual requirement is not met deficiency reports are provided to the procurement group. • Concern that salt deliveries were being accepted containing up to 15% less salt than documented. Recommended random weight checks of salt trucks.	• In winter, contractors are directly supervised by Peel.	• Performance reporting and/or measurement is not provided through the contracts with the local municipalities in the three cities. • Performance reporting is not required from the private contractors. • There are no enforceable financial incentives or penalties associated with non-performance for neither the local municipalities nor the contractors.	Monitoring service providers is a common challenge among peer municipalities, including Niagara since its patrollers can verify that work has been completed but cannot always verify that the contractor has met MMS response times.

3.2.1 Observations from the Peer Benchmarking and "Better Practices" Analysis

The following is a summary of the key observations from the preceding peer benchmarking matrix. This summary helps inform the discussion in Sections 4 through 7 of the report where the ultimate recommendations are made.

3.2.1.1 Organization Design

Niagara, with its structure including a Commissioner, Directors, Managers, Supervisors and frontline staff, is on par with the peer municipalities of Durham, Halton, Peel, and Waterloo that have similar organizational structures. Niagara also delivers a similar range of transportation operations services as its peers that deliver winter control, surface maintenance, roadside maintenance, and signs and signals maintenance. There is no apparent need for restructuring based on this evidence.

3.2.1.2 Winter Maintenance Activities

- There are a range of models blending direct and contracted service delivery. For instance Halton Region relies on local municipal direct delivery (costs reimbursed), while the City of Ottawa provides most services directly. Waterloo Region features urban service delivery by the cities of Cambridge/Kitchener/Waterloo within their respective boundaries, while Waterloo Region's staff deliver services across the remaining local municipalities. Niagara uses more contracted services than some municipalities and less than others. Niagara uses an area maintenance contract where the contractor is responsible for specific geographies as compared to some municipalities that incorporate contracted resources into their general deployment. The variation of service delivery models across all of the municipalities suggests that there are no models that are inherently superior, including Niagara's.
- None of the peer municipalities could definitively compare the cost of direct delivery of activities by their own staff versus contracted providers versus local municipal staff – because the data to report on specific performance measures is lacking, and basic analysis (e.g., cost per lane kilometre) is too coarse to provide actual insights given the complexity of the services delivered and the variable environment in which they are delivered. Ottawa is currently attempting to complete this type of exacting activity based costing analysis for winter control. The information available is insufficient to assess how Niagara compares to peer municipalities in this respect.
- The Region of Peel is driving service planning innovation by linking winter control staffing, budgets and service levels to winter weather "risk scenarios". Peel's core winter budget is based on units of "Winter Storm Equivalent" where service levels can be custom designed based on the system-wide deployment of a fully-costed fleet of heavy machinery for an eight hour period. Peel obtains Council approval for its winter service level (i.e., the number of Winter Storm Equivalents) from Council at the

beginning of a term. Niagara is on par with the peers – no municipality can verify that it is meeting the MMS. Niagara should move towards linking budget to weather scenarios and should work towards more direct communication /approval with Council regarding desired levels of service.

- Niagara maintains flexible staffing during the shoulder seasons to minimize stand by or winter prep time. Niagara is ahead of peer municipalities in terms of ensuring its in-house resources can be easily deployed while attempting to minimize stand by or winter prep time (though there is still room for improvement by better managing how staff are scheduled during winter).

3.2.1.3 Non-Winter Maintenance Activities

- Peer municipalities employ a range of service delivery models (i.e. direct and contracted blends). Niagara delivers service through a blend of direct and contracted work, so it has a similar service delivery model to the peer municipalities of Durham, Peel, and Waterloo. Halton contracts all maintenance work, and information about Ottawa is not available. The variation of service delivery models across all of the municipalities suggests that there are no models that are inherently superior.
- As discussed above for winter, unit cost comparisons for different service delivery models are not available/reliable. The information available is insufficient to assess how Niagara compares to peer municipalities in this respect.
- Niagara should work towards more clear communication with Council in terms of budgeting and Level of Service targets, using the systems such as CityWorks that it has in place.
- Municipalities are starting to move towards activity based budgeting that is directly linked to asset management. In general, time tracking and asset management regimes are not yet in place to allow for activity based budgeting. Niagara is on par with peer municipalities in moving toward activity based budgeting.

3.2.1.4 Workforce Demographics

- Municipalities such as Ottawa have integrated succession planning into their annual planning activities. Municipalities that are not proactivity planning for succession should consider this a risk. Waterloo's recent operational review also considered workforce demographics as a future risk/opportunity requiring careful monitoring. Niagara appears to be adequately managing changes to workforce demographics.

3.2.1.5 Key Performance Measures and Asset Management

- Most of the peer municipalities track labour time by mixing together productive and non-productive labour hours (including travel time). Where activities are tracked separately (as in Ottawa which represents the best practice) then it becomes easier to identify and measure productivity, gauge any surplus capacity, and build accurate

activity based budgets. Niagara is on par with most peer municipalities in terms of tracking productive and non-productive time.

- Peer municipalities have adopted GPS/AVL technology for winter machinery and smaller vehicles, but have not properly integrated the technology/data to results based planning and reporting processes (i.e., the location of the vehicle and distance travelled can be determined, but it is not always clear if the vehicle was plowing the road, or simply travelling). Niagara is on par with peer municipalities in adopting GPS/AVL technology.
- Peer municipalities are attempting to transition to more robust asset management systems that link planned maintenance activities/hours to specific asset classes. Ideally applying proper levels of planned maintenance hours in a rational/targeted fashion optimizes asset life cycles. By using CityWorks for asset management and properly tracking maintenance to assets, Niagara is on par with Halton and Peel that use similar systems for asset management.
- Lack of evidence based reporting on service level achievement is a common problem. Gathering performance data reports from alternate service providers, including local municipalities and private contractors is a persistent problem among peers. Niagara, which cannot always verify that its contractor is meeting the MMS, is on par with peer municipalities in this regard.
- The Region of Peel has suggested a connection between providing a higher LOS and reduced liability. The reduced liability only exists where the achievement of the maintenance standards is appropriately tracked and documented. If the municipality cannot demonstrate the achievement of LOS, then actual performance (unproven) does not matter from a liability perspective. With respect to having levels of service but not comprehensively tracking/documenting them, Niagara is on par with peer municipalities this regard.
- Few peer municipalities have key performance indicators in place with regular results reporting back to Council, management or frontline staff. Even where indicators have been selected and reporting is in place as in Ottawa, it can still be a challenge to ensure the KPIs are relevant from a value-for-money perspective. Niagara should move towards selecting and reporting on clear, relevant KPIs (e.g., dollars per pass kilometres as discussed in Section 4.6 and those KPIs suggested in Table KPI-1 in Section 7).
- Monitoring service providers is a common challenge among peer municipalities. Niagara is on par with peer municipalities in this respect.

3.3 Risks and Benefits of Contracting Out

Recognizing that there is interest in alternative service delivery to potentially achieve cost-savings, the following provides an overview of the risks and benefits based on the industry research and feedback from the peer municipalities:

Table ES-1: Risk and Benefits of Contracting Out

	Risks	Benefits
Cost	Cost-saving measures implemented by the contractor assist with its profitability and do not get passed on to the municipality, as compared to cost-saving measures implemented by the municipality that allow it to reduce its operational budget (or deliver more services for the same amount) in following years.	Under a contract, the municipality can control year-over-year cost by indexing the services provided, which is currently the case in the Region's contract with Steed & Evans. Competition among contractors is an incentive to demonstrate cost-effectiveness when bidding.
Resources	As experienced by MTO, a contract may be awarded to contractor that does not have sufficient personnel and equipment to do the work.	A contractor has greater flexibility than a municipality to make adjustments to its workforce level.
Levels of Service / MMS Response Times	If Council decides it wants to change the level of service, this would be difficult to implement until the contract comes up for renewal. As experienced by MTO, when the contractor does not meet MMS response times then the penalties may be so great that the contractor walks away from the contract.	As experienced in Ottawa, a municipality may be more likely to over-deliver on level of service, as compared to a contractor that aims to meet the level of service while matching effort to budget.
Supervision	As experienced by MTO, contractors cannot be expected to reliability report on their own performance.	There are no apparent benefits when supervision is contracted out.
Reporting	From a liability perspective, the municipality should maintain its own records, resulting in some duplication if the contractor is also providing reports. It is unusual for a contractor to integrate with a municipality's asset management and work order platform, whereas this is better integrated when the services are delivered by staff.	If the vehicles are properly equipped, the contractor can generate detailed reports from the AVL systems, although the same applies if municipal vehicles are similarly equipped.
Liability	The municipality remains liable regardless of how much work is contracted out.	The contractor shares some liability.

4.0 Winter Analysis and Findings

Niagara Region funds/delivers/oversees winter control services across an arterial road network consisting of 1,808 lane kilometres. The Region's winter control model includes the following service delivery components:

- Direct delivery of winter event core services by Region staff across 19 routes totalling 1,005 lane kilometres;
- Direct delivery of a portfolio of supporting winter control activities by Region staff across the entire Regional network of 1,808 lane kilometres;
- Contracted delivery of winter event response services by a contractor across 10 routes totalling 672 lane kilometres; and,
- Direct delivery of winter event response services by the City of St. Catharines across 127 lane kilometres of Regional roads integrated into routes primarily consisting of City roads.

The following analysis of winter control system performance/value-for-money is based on financial and operational data for three calendar years (2012-2014). The winter seasons of 2012-2014 provided the audit team with three diverse scenarios in terms of winter weather (i.e., storm event frequency and severity) – this was an ideal circumstance for the value-for-money analysis.

4.1 Direct Delivery of Core Winter Services by Region Staff

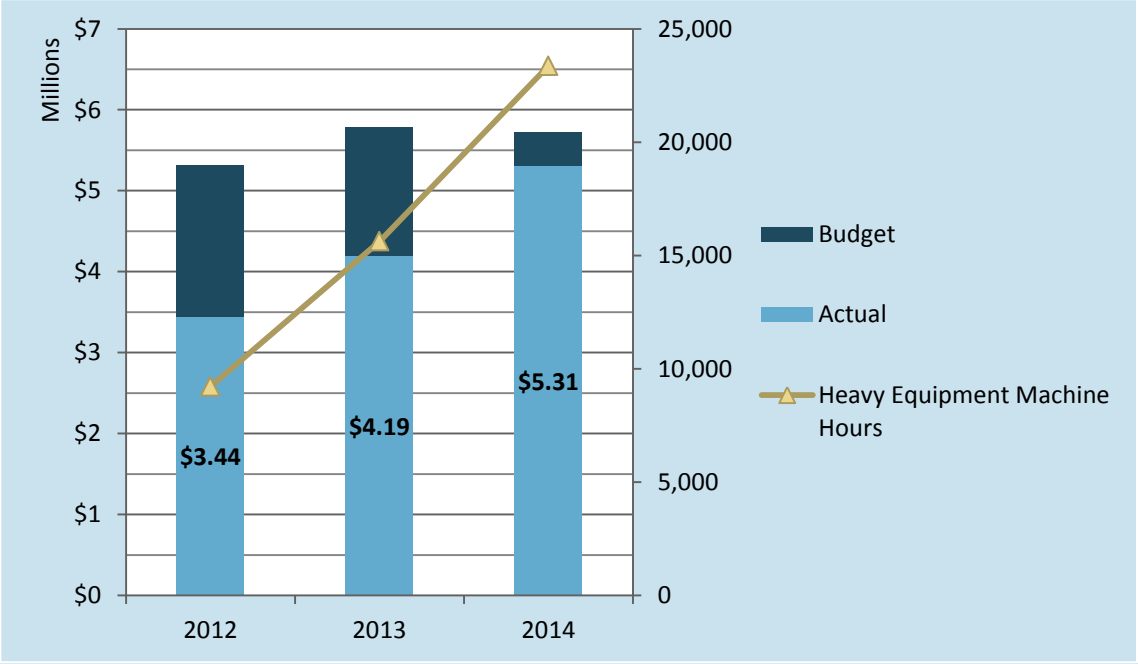
Table W-1 below provides a summary of the winter core services response model delivered by Region staff across 2012-2014. The Region's operating budget for directly delivered core services (i.e., snowplowing/de-icing) falls within a fairly narrow range of $5.31M to $5.78M. However actual spending varied significantly from $3.4M to $5.26M. Major system-wide winter storm events requiring a response across all 19 routes ranged from 7 storms in 2012 to 28 storms in 2014. Local events (i.e., not system-wide) requiring a significant event response ranged from 37 in 2012 to 54 in 2014. Heavy equipment machine hours for snowplowing/de-icing vary across 2012-2014 in proportion with winter storm events. Machine hours in 2014 are 23,369 – an increase of 14,148 over 2012 levels. Budgeted unit costs of service delivery are reasonably stable - whether tracked on a "lane kilometre" basis or a "machine hour" basis. However, actual unit costs vary significantly based on storm frequency and machine hour trends. The actual cost per lane km in 2014 was $5,266 – approximately 54% higher than the 2012 actual cost per lane km of $3,410.

Table W-1: Direct Staff Delivery of *Core* Winter Services (2012-2014)

	2012 Season	2013 Season	2014 Season
# Lane Kilometres Receiving Coverage	1,009	1,009	1,009
Heavy Equipment Machine Hours	9,221	15,622	23,369
Utility Vehicle Machine Hours	14,698	15,778	15,254
Total Machine Hours	23,919	31,400	38,623
* Winter Budget $	$5,318,953	$5,784,659	$5,721,998
* Winter Actual $	$3,440,801	$4,192,392	$5,313,241
Budgeted Cost per Lane Km	$5,272	$5,733	$5,760
Actual Cost per Lane Km	$3,410	$4,155	$5,266
Budgeted Cost per Total Machine Hour Delivered	$222	$184	$148
Actual Cost per Total Machine Hour Delivered	$144	$135	$138
* Major Storm Events -System Wide > 24 Hours	3	5	7
* Major Storm Events -System Wide < 24 Hours	4	17	21
* Significant Local Events < 24 hours with OT	15	12	22
* Significant Local Events < 24 Hours No OT	22	34	32

The Region's current direct delivery winter control budget which was not overspent even during the severe winter of 2014 that consumed over 23,000 heavy equipment machine hours indicates an exceptional amount of event response capacity. As illustrated below in **Figure W-1**, the actual cost for direct delivery winter control was approximately $400,000 less than the budgeted amount.

Figure W-1: Budget and Actual Dollars of Core Winter Services (2012-2014)



4.2 Direct Staff Delivery of Supporting Winter Control and Other Activities

Table W-2 below provides a summary of the supporting winter control activities delivered by Region staff across 2012-2014. Supporting winter control activities include snow fencing, snow removal, winter drainage, winter sand clean-up, brine station maintenance and an "other" category. These supporting winter control activities are delivered across the entire Regional road network consisting of 1,808 lane kilometres. Spending patterns were fairly stable across the 2012-2014 winter seasons, ranging from $879k in 2012 to $773k in 2013. Utility vehicle machine hours varied from 5,800 to 6,933. Unit costs were also reasonably stable on both a "per lane kilometre" basis and a "machine hour" basis. However, costs did not track particularly closely to variations in storm event frequency – it appears that winter support activities represent a fixed level of effort/cost that is independent of weather trends. One notable exception to the fixed effort pattern was the spike of machine hours during the mild 2012 winter. In 2012, the number of heavy equipment machine hours (linked to the delivery of core services as shown in **Table W-1**) is much lower than in other seasons. These man hours seem to have migrated (approximately 1,000 hours) into the supporting activities (see **Table W-2**). The resulting spike of 6,933 utility vehicle hours is much higher than the levels documented in 2013 and 2014.

Table W-2: Direct Staff Delivery of *Supporting* Winter Control and Other Activities (2012-2014)

	2012 Season	2013 Season	2014 Season
# Lane Kilometres Receiving Coverage	1,808	1,808	1,808
Heavy Equipment Machine Hours	198	163	130
Utility Vehicle Machine Hours	6,933	5,800	5,982
Total Machine Hours	7,131	5,963	6,112
Winter Budget $	$879,924	$773,790	$872,315
Winter Actual $	$879,924	$773,790	$872,315
Budgeted Cost per Lane Km	$487	$428	$482
Actual Cost per Lane Km	$487	$428	$482
Budgeted Cost per Total Machine Hour Delivered	$123	$130	$143
Actual Cost per Total Machine Hour Delivered	$123	$130	$143
Major Storm Events -System Wide > 24 Hours	3	5	7
Major Storm Events -System Wide < 24 Hours	4	17	21
Significant Local Events < 24 hours with OT	15	12	22
* Significant Local Events < 24 Hours No OT	22	34	32

4.3 Man-Hour and Machine Hour Trends

Machine-hour trends across 2012-2014 display two operational realities (see **Table W-3**). Heavy equipment usage is highly variable depending on winter event frequency/severity. However, utility vehicle usage is stable across seasons; reflecting the fixed effort/costs

associated with the core activities of winter patrol and supervision, plus the bundle of supporting winter activities.

Table W-3: Winter Control Machine Hours

	2012	2013	2014
Region Maintained Roads: Heavy Equipment	9,221	15,662	23,369
Region Maintained Roads: Utility Vehicles	14,698	15,778	15,254
All Roads Maintenance: Heavy Equipment	198	163	130
All Roads Maintenance: Utility Vehicles	6,933	5,800	5,982
TOTAL	*31,050*	*37,402*	*44,735*

Despite the wide variation in winter severity/storm events across the 2012-2014 seasons, man-hours deployed/expended are very stable (see **Table W-4**). The 2014 winter was one of the most severe winters in decades however the expended man-hours of 56,574 were only 6% higher than expended man-hours during the mild winter of 2012. The man-hour data demonstrates the fact that the Region has designed a fixed-cost direct staffing model; this is an issue since there is very limited variation in deployed manpower over diverse winter seasons.

Table W-4: Winter Control Man Hours

	2012	2013	2014
Region Maintained Routes	38,198	41,842	43,177
Maintenance Across All Roads	14,897	12,855	13,397
TOTAL	*53,095*	*54,697*	*56,574*

4.4 Winter Control and Public Safety – Direct Delivery Model

Despite the spike in system-wide storm events during the 2013 and 2014 winter seasons, the number of reported winter collisions on Region maintained roads remained relatively flat. Assuming driver "adaptive behavior" regarding collision avoidance was largely constant across 2012-2014 winter seasons, it is reasonable to conclude the Region's "peak winter" deployment model was a significant factor in limiting collisions/protecting public safety during the severe winters of 2013 and 2014. The Region's "peak" deployment model features the capacity to

meet the demands of an exceptionally severe winter like 2014 without compromising public safety – note the 23,369 hours of deployed heavy equipment (to deliver core winter event responses) compared to the appreciably lower levels of heavy equipment deployment in 2012 and 2013.

Table W-5: Collision Frequency on Region Maintained Roads

	2012	2013	2014
# Reported Winter Collisions on All Region Roads	**1,011**	**1,112**	**1,058**
Region Maintained Roads: Heavy Equipment Hours	**9,221**	**15,662**	**23,369**
Region Maintained Roads: Utility Vehicle Hours	14,698	15,778	15,254
Major Storm Events -System Wide > 24 Hours	3	5	7
Major Storm Events -System Wide < 24 Hours	4	17	21

4.5 Winter Control Overtime Trends – Direct Delivery Model

The winter control overtime hours/costs for the 2012-2014 seasons track closely with the frequency and severity of winter events. The time of day that a given winter event occurs also impacts overtime trends, since lower levels of scheduled staffing occur after 3pm each weekday and on weekends. Overtime hours of 4,383 were deployed during the severe 2014 winter – a 61% increase over the relatively mild 2012 winter. Overtime costs followed a similar pattern as overtime hours – featuring 2014 totals that were 66% higher than 2012.

Table W-6: Winter Control Overtime Trends

	2012 Season	2013 Season	2014 Season
Overtime Hours	2,721	2,859	4,383
Overtime Spending	$84,351	$91,974	$140,256
Major Storm Events -System Wide > 24 Hours	3	5	7
Major Storm Events -System Wide < 24 Hours	4	17	21
Significant Local Events < 24 hours with OT	15	12	22
Significant Local Events < 24 Hours No OT	22	34	32
Overtime Hours per Event (including Major Storm Events and Significant Local Events with Overtime)	124	84	88

4.6 Private Contractor Delivery of Core Winter Services

Core services (i.e., snowplowing/di-icing) are delivered by a private contractor across 10 routes totalling 672 lane kilometres. Actual spending in 2012 and 2013 closely matches budgeted spending in 2012 and 2013 (see **Table W-7** below). In 2014 the actual spending of $2,873,333 exceeded the budget by $373,333. The cost overrun in 2014 was due to winter event frequency levels, which required the use of more gas and salt, and provisions in the contract allow for variations in these material costs to be passed on to the Region. Machine hours/man hours expended by the contractor were not available to the audit team for review. The profile of local winter events that the contractor responded to was not available to the audit team for review (to the extent it differed from the Region's profile of direct delivery events). System-wide event response frequency mirrors the staff direct delivery workload for 2012-2014.

Table W- 7: Private Contractor Delivery of Core Winter Services

	2012 Season	2013 Season	2014 Season
# Lane Kilometres Receiving Coverage	672	672	672
# Machine Hours of Service Delivered	NA	NA	NA
Winter Budget $	$2,325,000	$2,325,000	$2,500,000
Winter Actual $	$2,287,637	$2,341,359	$2,873,333
Budgeted Cost per Lane Km	$3,460	$3,460	$3,720
Actual Cost per Lane Km	$3,404	$3,484	$4,276
Budgeted Cost per Machine Hour Delivered	NA	NA	NA
Actual Cost per Machine Hour Delivered	NA	NA	NA
# Major Storm Events - System-wide >24 hours	3	5	7
# Major Storm Events – System-wide < 24 hours	4	17	21
# Significant Local Events	NA	NA	NA

A comparison of the Region direct delivery model versus the private contractor model has been prepared by the audit team (see **Table W-8** below). The Region's direct delivery actual costs do not track closely against the budget because of variations in winter event frequency/severity. The Region also attempts to achieve bare pavement (following the end of each winter event) that meets the Province's minimum maintenance standard of 6 hours. In contrast the private contractor employs a level of effort model under a lump sum contract (while also required to meet the bare pavement achievement service level target as the contract's primary objective). This allows the contractor to match deployed effort/cost against the contract budget providing it can also meet the bare pavement achievement target. Region unit costs per lane kilometre are higher than the contractor in 2013 and 2014.

Table W-8: Comparison of Unit Costs between Direct Delivery and Contractor Models

REGION			
	2012 Season	2013 Season	2014 Season
Budgeted Cost per Lane Km	$5,272	$5,733	$5,760
Actual Cost per Lane Km	$3,410	$4,155	$5,266
Major Storm Events -System Wide > 24 Hours	3	5	7
Major Storm Events -System Wide < 24 Hours	4	17	21
CONTRACT			
	2012 Season	2013 Season	2014 Season
Budgeted Cost per Lane Km	$3,460	$3,460	$3,720
Actual Cost per Lane Km	$3,404	$3,484	$4,276
Major Storm Events -System Wide > 24 Hours	3	5	7
Major Storm Events -System Wide < 24 Hours	4	17	21

Note: The Region's objective is to meet MMS, whereas the contractor's objective is to meet MMS and match effort to its bid price.

Caution should be exercised in the interpretation of this per kilometre unit cost data (i.e. the cost of winter control divided by the number of lane kilometres maintained). A preferred unit cost comparison would be based on the actual number of pass kilometres executed across the routes (i.e., the cost of winter control divided by the number of pass kilometres completed).

The "pass kilometre" measurement records the total number of times that the roads receive treatment (i.e., material spreading or snow clearing). For example, the contractor in Niagara maintains 672 lane kilometres in the winter, so if the contractor cleared snow over the 672 lane kilometres a total of ten times in a season then it would have completed 6,720 pass kilometres. Measuring costs per pass kilometres would make it possible to fairly compare the cost of service delivery between the Region and the contractor. In addition to better comparison between the Region and the Contractor, unit cost per pass kilometre would be a better comparison for peer benchmarking. Using this measure would help to equalize differences between municipalities such as climatic conditions or different proportions of road surfaces. A 2007 report from Iowa State University recognized pass kilometres/plow down kilometres as one of the few reliable and stable measures that can be used to track outputs for winter control. At that time, only four of the forty-three jurisdictions studied could measure pass kilometres (one of the four was Edmonton, Alberta), however it was recognized that reporting pass kilometres would become easier as technology evolved.[2]

[2] Maze, T.H., C. Albrecht, D. Kroeger, and, J. Wiegand (2007). NCHRP Web-Only Document 136: Performance Measures for Snow and Ice Control Operations. *Centre for Transportation Research and Education, Iowa State University.*

This pass kilometre data is contained in the Region's AVL database for each piece of heavy equipment, but is neither reported nor regularly accessed. Unit cost comparisons should not be used to support decision-making about competing service delivery models in the absence of pass kilometre unit data. The current contract does not require the contractor to supply system performance data such as pass kilometres or bare pavement achievement times.

4.7 City of St. Catharines Delivery of Core Winter Services

The City of St. Catharines integrates 127 lane kilometres of regional road sections into its various snowplowing routes across the City (see **Table W-9** below). The City budgets approximately $300k annually for region winter control services, and then recovers its costs according to actual activity levels – which in turn are tied to winter event frequency/severity. The City overspent the budget during the severe 2014 winter season, and was very close to budget during the 2013 season. The mild winter of 2012 featured significant under-spending versus budget. Winter event frequency data is not reported, nor are bare pavement achievement times for the various routes including regional road sections. In any event, regional road standards for achieving bare pavement (i.e., 6 hours for Class 1-2 arterial road sections) would not apply to routes composed of local City roads. The Region enjoys a significant operational benefit from the current arrangement with the City, since no direct delivery equipment needs to be diverted from its own routes to service road sections within the City that do not form continuous/serviceable routes.

Table W-9: St. Catharines Delivery of Core Winter Services

	2012 Season	2013 Season	2014 Season
Lane Km Receiving Coverage	127km	127km	127km
# Machine Hours of Service Delivered	NA	NA	NA
Winter Budget $	$297,513	$299,187	$299,187
Winter Actual $	$151,053	$317,299	$446,633
Budgeted Cost per Lane Km	$2,343	$2,356	$2,356
Actual Cost per Lane Km	$1,189	$2,498	$3,517
Budgeted Cost per Machine Hour Delivered	NA	NA	NA
Actual Cost per Machine Hour Delivered	NA	NA	NA

Because St. Catharines has incorporated the Region's Roads into the local snow removal routes, a direct comparison of the unit costs for the Region versus St. Catharines would not be possible.

4.8 Actual Winter Control Performance Against the Region's Bare Pavement Service Level Standard

The Province sets out municipal winter control service levels (by regulation) for five categories of roads (see **Table W-10** below). The Region's network of arterial roads is primarily Class 2,

with a few roads (running up and down the escarpment) maintained as Class 1. The Provincial Minimum Maintenance Standards (MMS) include snow accumulation depth that should trigger a snowplowing response by the Region. The MMS also include target timeframes to return the road to a desired navigable condition following the end of a winter event. The Region's winter control service level derived from the MMS is bare pavement achieved within 6 hours of the end of a winter event[3].

Table W-10: MMS Standards for Bare Pavement Achievement (Hours)

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

The audit team has not been provided with any quantifiable data concerning bare pavement achievement times for the Region's direct service delivery or contractor routes. Like many other Ontario municipalities, as discussed in the "Better Practices" analysis, Niagara does not track end-times for winter events. Therefore there is no defined point in time where the "stopwatch is turned on" to calculate timeframes for a post-event clean-up effort that achieves bare pavement. In the absence of any measurement based service level achievement data, the audit team has only anecdotal observations/assurances from staff that they meet Class 1-2 MMS standards for the direct delivery routes. There is also no evidence that the contractor meets MMS standards on the 10 contracted routes.

It is difficult to truly ascertain the value-for-money of the Region's winter control service in the absence of data regarding bare pavement achievement by region staff and the contractor. Given the timing of the program review and importance of having this data for managing risk, the audit team provided an interim recommendation to Management in late 2015 prior to the completion of the audit. This interim recommendation appears as Recommendation #1 in this report. The interim recommendation provided the Region with clear direction to take immediate technical preparations to measure bare pavement achievement for system-wide winter event responses beginning January 1, 2016.

[3] While the reasonableness of this service level for Niagara could be debated, it is a regulated standard so the municipality has no choice but to meet it.

4.9 Winter Control Findings

The following paragraphs describe the findings of the winter control analysis and the ultimate recommendations are provided in the following subsection of this report.

- The Region's current direct delivery winter control budget which was not overspent even during the severe winter of 2014 that consumed over 23,000 heavy equipment machine hours indicates an exceptional amount of event response *capacity*.
- The relatively "flat" trend displayed by Regional road winter collision data (2012-2014) suggests the Region's current winter control model was a significant public safety contributor during the severe 2013 and 2014 "outlier" winters.
- The direct delivery winter control budget creates surplus event response capacity during mild/normal winter seasons (e.g. 2012). For instance, the 2012 winter consumed 14,148 fewer heavy machinery hours than the 2014 winter. The Region is able to redeploy surplus event response capacity towards a range of other winter maintenance and non-maintenance activities during mild/typical winters. It is not possible to assess whether the value-for-money associated with these discretionary activities (during a mild/normal winter) is equivalent to the value-for-money associated with the core activities of winter event response (in a heavy winter).
- Across the 2012-2014 seasons, spending on secondary winter control activities (i.e., not event response or patrol) was maintained in the $872k - $879k range despite the variations in winter severity. Man-hours spent on these activities increased during the mild 2012 winter season (by approximately 1,000 added man hours) – again demonstrating that there is some surplus capacity that is re-deployed to non-core activities during mild winters.
- The Region's current winter control model is best understood as a "fixed cost" deployment model – relying heavily on direct delivery by Regional staff, and a supporting contractor. The annual operating budget for this fixed cost model (approximately $6.5M) currently generates capacity levels that are matched to severe "outlier" winters, while creating surplus capacity during mild/normal winters. In this sense the current model/budget eliminates severe winter financial risk but maximizes mild winter financial risk. This risk management profile is not typical of most municipal winter control budgets, where a winter reserve fund is used to manage the risk of "outlier" winters (outside the annual operating budget).
- Measurement gaps currently prevent the Region from documenting the direct delivery model's "bare pavement achievement times" following the end of a winter event. The Region's contractor does not currently report "bare pavement achievement times" following the end of a winter event. Therefore the Region cannot verify compliance with its Minimum Maintenance Standard (MMS) derived service standard for post-event snow plowing or icy road treatment. Given these measurement gaps it is therefore difficult to definitively determine the value-for-money of the current winter control model.

- Pass kilometre data – one of the few reliable performance measures for winter control – is central to proper winter system planning, budgeting and results reporting. The Region currently collects/owns AVL data on the movement of its heavy winter machinery across the road system. With refinements AVL data can generate valuable pass kilometre data. In order to properly track pass kilometres of core winter control work outputs (not just heavy machine movement) the Region would need to install AVL sensors for spreaders and plow blades on all units (including the contractor). The Region could then define/track pass kilometres of winter control output using AVL data with the spreader active and/or the plow blade "down".

4.10 Recommendations: Winter Control

The following recommendations are provided concerning value-for-money, effective risk management, and operational improvement for winter control.

Note that recommendations "R1", "R4"and, "R5" were provided in formal correspondence to Management on November 25, 2015, concerning the need to measure bare pavement achievement times during the current winter season. Region Staff has indicated that a plan had been developed and implementedto address the initial recommendations. To this end, staff developed a new winter event log and conducted a trial of the event logging so that it could be rolled out to the contractor and the City of St. Catharines for the 2016-2017 winter. The preliminary results of the trial on the Region's direct delivered winter control routes during the 2015-2016 winter suggest that it can meet the MMS.

R1. Document the end time of winter events so it is possible to measure the time it takes to reclaim bare-pavement.

Commencing in January 2016, Niagara and its contracted service providers should establish a common methodology for documenting the end of a winter event in order to subsequently measure timeframes for re-claiming bare pavement as per winter minimum maintenance standards contained in Ontario Regulation 293/02. This methodology will require the Region to create geographic "event zones" in order to reflect the reality that a system-wide winter event does not end at the same time across the entire region. The methodology should include a combination of real time weather station data and Supervisor/Patrol staff qualitative assessments in order to determine event "end times".

R2. Restructure budgeting accounting to separate core winter services from supporting services and allow accurate comparison of the costs of direct delivery versus contracted delivery for winter control.

Niagara should restructure its 2016-2017 winter accounting structure to ensure distinct cost centres exist for the following service delivery components:[4]

- Direct staff delivery of *core* winter service activities (i.e. snowplowing/de-icing/patrol) currently delivered across the current 19 standardized routes;
- Direct staff delivery of *supporting* winter service activities currently delivered across the entire regional road system of 1,808 lane kilometres (i.e. snowfencing/snow removal);
- Contractor delivery of *core* winter service activities (i.e. snowplowing/de-icing) currently delivered across the current 10 standardized routes; and,
- Direct delivery of *core* winter service activities by the City of St. Catharines (i.e. snowplowing/de-icing) for 127 lane kilometres of regional road sections currently integrated within City-defined routes.

R3. Collect and use pass kilometre data to better monitor and report on winter control activities.

Pass kilometre data is central to proper winter system planning, budgeting and results reporting. Niagara should ensure that *pass kilometre* data (i.e. the true "countable unit" of core winter service delivery) is properly integrated into its budgeting, business planning and results reporting processes for 2017 (see section 4.6 for more information on "pass kilometres"). The Region currently collects/owns AVL data on the movement of its heavy winter machinery across the road system. In order to properly track pass kilometres of *work* (not just machine movement) the Region should install AVL sensors for both spreaders and plow blades on all units (including the contractor). The Region should track pass kilometres of work defined by AVL data featuring the spreader functioning and/or the plow blade "down". Pass kilometre data should also inform future decisions around contractor selection and the recommended competitive service delivery initiative. Finally, pass kilometre data should support future targeted peer benchmarking efforts that provide meaningful insights beyond the overly simplistic OMBI model now in place.

[4] Note that certain activities are tracked year-round, so for example, drainage or road surface maintenance completed in the winter would be coded separately from the winter control budget.

R4. Implement winter control achievement reports for winter storm events.

Reports should be prepared for the following categories of event responses by the Region and its contracted service providers:

- system-wide winter event responses > 24 hours in duration;
- system-wide winter event responses < 24 hours in duration; and,
- significant localized winter event responses > 24 hours in duration.

R5. Provide annual reports to Council on the level of service achievement for the winter season.

For this (2015-2016) and all subsequent winter seasons, Council should receive a report demonstrating actual levels of winter control "bare pavement achievement" (versus the 4-6 hour service level timeframes in Regulation 239/02). The report should provide a breakdown of level of service achievement in the event categories identified in R4. Each subsequent winter season will require this report.

R6. Reduce the winter control budget to the level required for a typical winter instead of a severe winter.

Niagara should transition to a risk-based budgeting model (weather defined risk) by adopting a reduced-but-sustainable winter control budget. This reduced budget should be calibrated to provide event response core capacity for a normal-to-moderately severe winter season. In order to ensure the reduced risk-based budget does not negatively impact levels of service, bare pavement achievement performance data (R1-R5) should be used to determine the appropriate sustainable level of budget reduction for the next year. Based on the difference between the 2014 direct-delivered core winter control budget and actual of approximately $400,000, the audit team recommends that the Region reallocate this amount from the direct delivery budget to the reserve for the 2016/2017 winter. This is a prudent approach that manages the risk of being under-resourced until the Region has performance data demonstrating the ability to consistently meet bare pavement achievement levels below 6 hours as per Regulation 293/02. When the Region is certain it is meeting the MMS, then it can consider further budget adjustments.

R7. Prepare in advance for forecasted winter storm events by rescheduling staff shifts within the two week pay-period.

Niagara should transition to a more flexible "fixed cost" staffing/deployment model. This would build on the existing approach used during the "shoulder seasons" when staff levels are ramped up or down depending on the weather conditions and forecasts. The current version of the Region's fixed cost model features a pool of staff resources scheduled uniformly across each two-week pay period – essentially deploying its available event response capacity independently of winter event timing. This static/uniform approach to staff deployment can evolve, since the Region has advanced weather forecasting capabilities. Restructuring the static/uniform scheduling process into a more dynamic process will achieve improved "matching" of a reduced winter staff pool with forecast winter events during each two-week staffing cycle.

- Shifts can be changed at 24-hours' notice (as appropriate) to meet forecast winter events, thereby concentrating staff's straight-time man hours around predictable/forecast periods of event response.[5]
- Shifts without a forecast winter event response (during the same two-week period) may end up featuring below-normal scheduled staffing.
- A dynamic staffing model of cancelled/rescheduled shifts is permitted within the collective agreement, provided that the total number of hours are correct over a 2-week period and provided that 24-hours' notice is given for shift changes.

The restructured model will function more like a standard mandatory callout for forecast winter events. Traditional callouts with overtime are still available when needed to deal with unanticipated winter events.

R8. Conduct a competitive service delivery exercise at the end of the current winter contract encompassing all established routes.

To determine whether in-sourcing or out-sourcing is most cost-effective, Niagara needs to conduct a competitive service delivery exercise that includes all the routes delivered by Region staff and delivered by the outside contractor. The competitive

[5] Article 20.04 of the collective agreement states: "Twenty-four (24) hours notice shall be given before change of shifts. Failure to provide at least sixteen (16) hours rest between shifts which are being changed shall result in payment of overtime at established rates for any hours worked during such normal rest period."

service delivery bids submitted by Region management/staff and/or potential contractors should provide total service delivery costs; pass-kilometre based unit costs, and guaranteed bare pavement achievement response times. Scheduling/deployment should not be prescribed, allowing Region and/or contractor bids to adopt a wide range of potential scheduling/deployment models featuring best practices. Bid requirements could set out expected winter season severity (i.e., an events profile) to inform costing and bare pavement achievement responses.

5.0 Non-Winter Analysis and Findings

The Region delivers non-winter maintenance activities using a blend of staff direct delivery and contractors. These maintenance activities can be grouped into paved surface, roadside, signs and markings, and traffic signals. The same core group of Transportation Operations staff that deliver winter control services also deliver non-winter maintenance activities.

The table below sets out direct service delivery "budget versus actuals" spending trends for non-winter maintenance. The surface maintenance budget is divided into direct delivery and contract components. Across 2012-2014 the "Surface Direct" actual spending level is significantly less than budget. The under-spending in "Surface Direct" is driven by lower-than-budgeted man-hours of work. The budget offset for lower-than-budgeted man-hours of "Direct Surface" activity can be found in the over-expenditure Signals and Signs/Markings activities. Across 2012-2014 man-hours of Region staff labour are being consistently re-deployed to priority Signals maintenance activities – activities that produce extra revenue via maintenance services sold to Niagara's local municipalities.

Roadside activities also fluctuate over/under budget across the 2012-2014 periods. The scheduling of specialized equipment (impacted by weather) plays a significant role in the labour hours deployed in any given season for roadside maintenance.

Improved internal purchasing processes implemented in 2014 have reduced the Surface Contractor program's inability to get planned work done in 2013. The $497k deficit in 2013 has been reduced to $50k in 2014.

NW-1: Non-Winter Maintenance Budget versus Actual Expenditures (2012-2014)

	2012 Budget $	2012 Actuals $	Variance $	2013 Budget $	2013 Actuals $	Variance $	2014 Budget $	2014 Actuals $	Variance $
Surface Direct	1,390,274	821,750	***568,524***	1,117,133	633,330	***483,803***	1,121,739	913,530	***208,209***
Surface Contracts	170,000	212,383	***(42,383)***	650,000	152,692	***497,308***	652,990	602,634	***50,356***
Surface Total	1,560,274	1,034,133	--	1,767,133	786,022	--	1,774,729	1,516,164	--
Roadside	1,687,078	1,667,957	***19,121***	1,664,654	1,895,035	***(230,381)***	1,869,144	*1,482,653*	***386,491***
Signs & Markings	1,217,205	1,349,673	***(132,468)***	1,230,167	1,413,022	***(182,855)***	1,230,216	*1,148,464*	***81,752***
Signals	1,158,564	1,154,967	***3,597***	1,174,650	1,291,246	***(116,596)***	1,174,650	*1,154,057*	***20,593***
Total Variance	--	--	***416,391***	--	--	***451,279***	--	--	***747,401***

NW-2: Direct Surface Maintenance Imbalance of Budget versus Actual Spending: In Detail

	2012	2013	2014
$ Value Uncompleted Surface Work	*568,524*	*483,803*	*208,209*
Surface Man Hours Expended	6,169	7,814	9,265

There is a sizeable gap between budgeted and actual spending on surface maintenance. The Region has been reducing this gap over the past several years.

5.1 Productivity and Cost Trends in Non-Winter Maintenance

From a productivity perspective it is instructive to examine trends in the service delivery output (measured in expended dollars) per 100 man-hours of inputs. If you consider 100 man hours to be a fixed input, the amount of dollars spent per 100 man-hours of output can be considered a proxy of productivity. In 2014 the dollars of output per 100 man-hours of input were lower than 2012 levels across Surface, Roadside and Signs/Markings activity groupings. In contrast, the 2014 dollars of output per 100 man-hours of input for Signals was appreciably higher than 2012 levels.

NW-3: Non-winter Spending Outputs ($) per 100 Man-hours of Inputs

	2012 Actuals	2013 Actuals	2014 Actuals
Surface Maintenance (Direct)	*$13,320 per 100 Man Hours*	*$8,105 per 100 Man Hours*	*$9,860 per 100 Man Hours*
Roadside Maintenance	*$7,446 per 100 Man Hours*	*$8,621 per 100 Man Hours*	*$6,183 per 100 Man Hours*
Signs & Markings	*$5,926 per 100 Man Hours*	*$7,118 per 100 Man Hours*	*$5,379 per 100 Man Hours*
Signals Maintenance	*$6,242 per 100 Man Hours*	*$6,644 per 100 Man Hours*	*$7,378 per 100 Man Hours*

The unit cost trend (**Table NW-4**) tracks actual costs (across activity groupings) against system lane kilometres. In 2014 unit costs are higher than 2012 levels for Surface Direct, and Surface Contract. Unit costs are stable for Signals, and declined for Roadside and Signs/Markings. The total costs per lane km remain relatively stable across the three years, fluctuating less than 5%.

NW-4: Non-winter Unit Cost per Lane KM (2012-2014)

	2012 Actuals	2013 Actuals	2014 Actuals
Surface Maintenance – Direct Staff	*$454 of output per lane km*	*$350 of output per lane km*	*$505 of output per lane km*
Surface Maintenance - Contract	*$117 of output per lane km*	*$84 of output per lane km*	*$333 of output per lane km*
Roadside Maintenance	*$923 of output per lane km*	*$1,048 of output per lane km*	*$820 of output per lane km*
Signs & Markings	*$717 of output per lane km*	*$761 of output per lane km*	*$616 of output per lane km*
Signals Maintenance	*$639 of output per lane km*	*$714 of output per lane km*	*$638 of output per lane km*
Total	*$2850 of output per lane km*	*$2957 of output per lane km*	*$2912 of output per lane km*

The non-winter overtime profile (**Table NW-5**) demonstrates a significant increase in OT hours across Surface, Roadside, Markings/Signs, and Signals activity categories. As the number of Markings, Signs and Signals being maintained have increased, the need for unanticipated "after hours" reactive maintenance also increases. A significant portion of the 2012-2014 OT hours for Signals is being recovered from local municipalities.

NW-5: Non-winter overtime profile

OVERTIME PROFILE

Service Category	2012 OT Hours	2012 OT Avg Rate	2013 OT Hours	2013 OT Avg Rate	2014 OT Hours	2014 OT Avg Rate	Rationale
Winter Control	2,721	$ 31.00	2,859	$ 32.17	4,383	$ 32.00	additional staff to get to meet MMS
Pavement Surface Maintenance	930	$ 32.92	1,138	$ 32.54	1,393	$ 33.40	pothole maintenance to meet MMS
Roadside Maintenance	858	$ 32.52	891	$ 30.07	1,360	$ 29.48	Emergency tree call ins
Markings & Signs Maintenance	1,391	$ 26.89	1,400	$ 26.41	2,594	$ 28.54	Emergency sign/detour call ins
Signals Maintenance	5,021	$ 31.00	5,327	$ 31.08	6,350	$ 32.17	After hour call ins to meet stanadrds

5.2 Non-Winter Maintenance Findings

The following paragraphs describe the findings of the non-winter maintenance analysis and the ultimate recommendations are provided in the following subsection of this report:

- The Region's activity based budgeting approach to Surface, Roadside, Signs/Markings, and Signals features wide variations in "budget versus actuals" financial performance. Of particular note is the Region's accomplishment in re-engineering its purchasing process for Surface Contracting – thereby eliminating a 2013 under-spending deficit of $500k for small capital projects. An on-going trend of under-spending for Direct Surface work has been reduced by 63% between 2012 and 2014. Overall trends indicate on-going significant variation in "budget versus actual" financial performance driven by shifting operational priorities, weather impacts and difficult-to-predict vacation patterns where staff pay is not allocated to any activity.
- Productivity trends are uneven, as measured by spending outputs per 100 hours of staff labour inputs. Surface, Roadside and Signs/Markings spending per 100 hours of labour inputs are significantly lower in 2014 than they were in 2012. The productivity trend for Signals is positive: output spending per 100 hours of labour inputs is significantly higher in 2014 compared to 2012.
- Unit costs per lane kilometre are being managed well by the Region. Unit costs are down significantly for Roadside and Signs/Markings. Unit costs are constant for Signals. Only the Surface category demonstrates higher unit costs – this is a good sign since it signifies pavement improvement projects are being initiated and are spending a greater proportion of the annual budget compared to 2013 before improvements were made to purchasing processes.
- Increases in staff overtime hours can be explained in terms of growing numbers of signals, signs and other assets requiring immediate "after hours" reactive maintenance; however, as a percentage of overall expenditures, overtime continues to track as a relatively minor cost factor because some of these costs are recovered from the local municipalities.

5.3 Recommendations: Non-Winter Maintenance

The following recommendations address a number of the non-winter findings:

R9. Conduct an "activity-based" review of budget allocations based on the labour hours required to properly maintain infrastructure and complete reactive maintenance.

Niagara should conduct an activity-based review of its 2016 annual budget allocations for surface, roadside, signs/markings, and signals maintenance activity categories. The activity-based budget review should be based on a process that first considers the required number of planned maintenance man-hours for each activity category. These planned maintenance man-hour calculations will permit the Region to prepare a planned maintenance "coverage rate" – where a consistent / targeted percentage of assets are inspected / maintained each year in each activity category. Once calculated man-hour requirements are in place, staff pay rates can then be applied to arrive at the new budget allocations for each activity category. Finally, a reactive maintenance hours allowance should be added to the planned man-hours requirement for each activity category.

R10. Shortfalls in actual labour hours of maintenance completed should be offset with an increase in the following year so the Region does not fall behind in maintenance.

Once an activity-based budget is in place for non-winter maintenance activity categories (see R9), any major shortfall between actual service hours versus budgeted hours should be corrected in the following budget year. The correction should ensure actual maintenance hours catch up with the budgeted maintenance hours for the two years in question. This budget catch-up provision will ensure planned maintenance workload remains a priority – resulting in the preservation of asset values over time.

6.0 Workforce Demographics Analysis and Findings

An analysis of workforce demographics was conducted for this program review since it can provide an early warning regarding potential productivity improvement or erosion associated with workforce trends and resultant changes in available work hours. The analysis considers potential increases / reductions in staff salary costs associated with their progression through position wage ranges; the result can be an upcoming productivity dividend or deficit, paired with salary cost budget implications.

Numerous staff were hired when the Region was formed in the mid-1970s and most of these staff have retired. Another cluster of hires occurred in the mid-1980s so it is likely that another large group of staff will be retiring soon. There have been new staff hired for the frontlines in recent years that are both young and capable – highly skilled, well-trained, engaged – so there is not a concern among this group of staff.

WD – 1: Workforce Demographics Current and Projected to 2020

Frontline Employees	Current (2015)	Five Years Out Status (2020)
Average age	46 years	51 years
% at top of pay grid (CUPE)	89%	84%
% at top of pay grid (Non U)	25%	--
% entitled to 5 weeks holiday (maximum allotment)	16%	25%
% eligible for retirement within 5 years	4%	8.5%*

*Assuming half of eligible employees do retire.

The 5-year workforce trend in the chart indicates limited downward pressure on the operating budget as some unionized frontline staff at the top of the wage scale retire. The 5-year workforce trend indicates relatively constant available work hours per frontline employee resulting from vacation time. Note that the percentage of non-unionized staff at the top of the pay grid cannot be projected since wage increases are performance based.

The 5-year workforce trend also demonstrates a doubling of the retirement eligibility – from 4% to 8.5% of frontline staff eligible to retire; however, it is expected that new staff can deliver more work hours per FTE at the low end of the wage grid, resulting in some efficiency gains.

The analysis of workforce demographics also includes a review of annual unscheduled time away. The nearly 27,000 hours of unscheduled time away is equivalent to 15 FTE. It was explained that the unscheduled time away includes employees who are on long-term disability. Long-term disability benefits are not financed by the Region and employees who are on long-term disability are replaced, meaning this is not a cost or a productivity risk for the Region. Discounting long-term disability the unscheduled time away amounts to approximately 15,000 hours of unscheduled time away, equivalent to 7.5 FTE. It is understood that some other types of leave are also financed other than through the Region and that some positions are replaced for the duration of an employee's absence. To the extent possible, it would be helpful for Niagara to reduce the amount of unscheduled time away as a means of gaining productivity from its staff resource. It is understood that the Transportation Operations Department and the Human Resources Department have been working to decrease unscheduled time away.

WD – 2: Unscheduled Time Away

Type of Leave	Total Hours Away (in 2014)
LTD Leave	11,526.0
STD Leave	8,850.5
WSIB	1,751.0
Compassion Leave	618.0
Medical Leave unpaid	144.0
Appointment	579.0
Authorized Leave unpaid	3077.33
Authorized Leave paid	6.5
Unauthorized Leave unpaid	120.0
Unsupported Medical-Unauth Leave	24.0
Total unscheduled time away	26,696.83 hours

6.1 Workplace Demographics Findings

The following paragraphs describe the findings of the workplace demographics analysis:

- The 5-year workforce trend in the chart indicates relatively constant operating budget and available work hours per front line employee.
- The 5-year workforce trend demonstrates a doubling of the retirement eligibility – from 4% to 8.5% of frontline staff eligible to retire. It is expected that new staff can deliver more work hours per FTE at the low end of the wage grid, resulting in some productivity gains to balance out the impact of senior staff's reduction in available work hours.

6.2 Recommendations: Workforce Demographics

The following are the recommendations for the workforce demographics component of the program review:

R11. The Region of Niagara should closely monitor its changing workforce demographics.

The Region needs to:

- Manage predictable future budget impacts;
- Implement appropriate cost controls provisions when/if needed; and,
- Improve service delivery capacity by maximizing the number of annual productive hours available per employee.

7.0 Key Performance Indicators and CityWorks

Regional governments, and their various organization business units, are best understood as service delivery systems. In the case of the Transportation Operations division, the staff, the equipment, the contractor, and materials are the inputs leading to outputs of winter control, surface, roadside, signs/markings, and signals maintenance (consisting of detailed activities/processes). This horizontal systems view of Transportation Operations as shown in **Figure KPI-1** demonstrates the "program logic model" which is the basis for building a portfolio of Key Performance Indicators (KPIs).

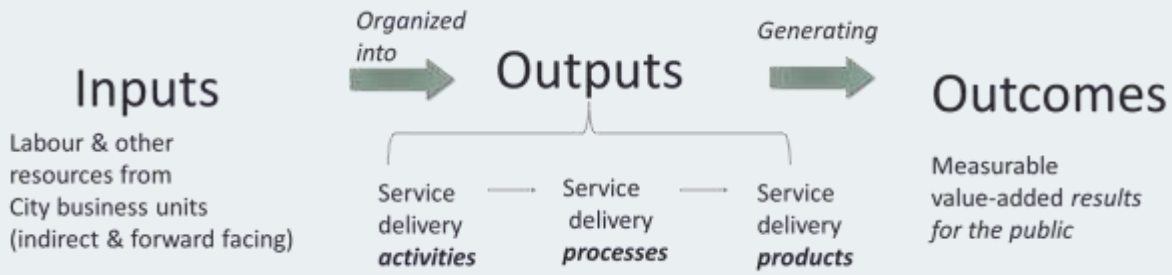


Figure KPI-1 – Program Logic Model

The program review team found that existing accomplishment units must be modernized to reflect new operational technologies (e.g., grass cutting is measured by "blade cuts" instead of hectares mowed, despite changes in the breadth of a blade cut). This means moving away from accomplishment units and towards KPIs for core service activities. By using KPIs, transportation operations is able to link its budget and outcomes – meaning that it commits to deliver "x" units of service, at unit cost "y", while achieving quality/effectiveness result "z".

Table KPI-1 outlines a portfolio of KPIs that is consistent with the systems based view of Transportation Operations. It has been developed by the audit team since there are no industry-wide standard KPIs. This is not an exhaustive portfolio and may be modified or expanded.

KPI-1: Recommended Key Performance Indicators

	Winter Control	Pavement	Roadside	Signs & Markings	Signals
Units of Service Delivered	Machine Hours or Pass Kilometres versus Target	Planned Maintenance Hours versus Target	Planned Maintenance Hours versus Target	Planned Maintenance Hours versus Target	Planned Maintenance Hours versus Target
Unit Cost Delivered	Gross Operating Cost per Machine Hour or Pass Kilometre versus target	Gross Operating Cost per Maintenance Hour versus Target	Gross Operating Cost per Maintenance Hour versus Target	Gross Operating Cost per Maintenance Hour versus Target	Gross Operating Cost per Maintenance Hour versus Target
Quality/ Effectiveness Level Achieved	Prompt/adequate event response initiated; post-event clean up times meeting MMS.	Planned maintenance annual "coverage rate" of assets	Planned maintenance annual "coverage rate" of assets	Planned maintenance annual "coverage rate" of assets	Planned maintenance annual "coverage rate" of assets

7.1 Towards a Performance Reporting Dashboard

Niagara has and uses corporate KPIs and can build upon this results-based culture for Transportation Operations. It is necessary that Transportation Operations move towards a performance-based reporting "dashboard" that automatically populates KPIs from CityWorks and other established data sources. Upon initial implementation, a simple yet powerful graphic dashboard can provide periodic feedback to Management on how the Region is doing in terms of actual service delivery results versus targets; eventually, once fully operationalized, the dashboard can provide continuous feedback on system performance.

The information in the dashboard can be a powerful tool for educating the public on service delivery and demonstrating accountability to Council. It is also beneficial since it can inform static reports, such as the division's input to OMBI and other benchmarking efforts. Furthermore, it reinforces frontline staff commitment to data collection – staff see their inputs to the system are being analyzed, and the information is cycling back and leading to something useful.

7.2 Assessment of CityWorks Roll-Out

The Region's CityWorks data management application is critical to the successful implementation of KPIs and a dashboard. The following observations are instructive concerning the ongoing refinement of the Region's CityWorks rollout.

Transportation Operations continues to roll out the CityWorks asset management and maintenance management system. The asset management focus creates linkages between the traditional maintenance management tracking of activity based labour hours to specific assets or road sections (i.e., by geography). Therefore the consumption of maintenance inputs (i.e.,

labour, materials, and other costs) by assets can inform capital budget investment decisions/priorities.

There is a current window of opportunity to decide what performance data is gathered for input to CityWorks and how it is best organized in terms of periodic reporting because the CityWorks platform has the ability to automate and continuously report on performance – with the proviso that the data is correctly coded and inputted.

The implementation of CityWorks is well underway. It is headed in a positive direction that will help management better understand the results being delivered by staff; however, it is not sufficiently refined to achieve best practices in KPI design/reporting. It should be noted that IT staff have an excellent understanding of what the technology is capable of to create a "best practice" Transportation Operations business model. The overall data framework and the data collection processes are still under development and flexible.

7.3 KPIs and CityWorks Findings

The following paragraphs describe the findings of the KPI and CityWorks analysis and the ultimate recommendations are provided in the following subsection of this report.

- Some existing "accomplishment units" are out of date with respect to modern operational technologies and core service activities.
- CityWorks asset management software is being implemented. The asset management focus creates linkages between the traditional maintenance management tracking of activities to specific assets or road sections (i.e., by geography).
- CityWorks is currently being implemented, since the deployment of the program is still evolving, it is an opportune time to ensure that CityWorks is implemented and organized to properly support budget setting and the monitoring of performance indicators.

7.4 Recommendations: KPIs and CityWorks

The following are the recommendations for the KPIs and CityWorks component of the program review:

R12. Niagara should use the portfolio of KPIs set out in this program review to create annual service delivery targets and report on actual results achieved.

To ensure the appropriate data is available to populate these KPIs, it will be necessary to track time spent on productive activities (i.e. directly generating work outputs) separately from non-productive time/activities (example: travel time).

R13. Niagara should implement a performance dashboard that reports on KPIs to support operational improvement and a results-based culture.

The dashboard tool should integrate enterprise financial data; CityWorks activity based operational data, and CityWorks asset management information.

8.0 Closure

The Region is a growth municipality that seeks to provide exceptional customer service to its residents. As Niagara continues to grow, there will be greater pressure to do more with fewer resources to accommodate this growth. The Region has a number of internal review methods and initiatives to continue to advance its culture of improvement, and the program reviews play an important role. Niagara must continue to implement improvement activities, measure performance and build the systems needed to ensure efficient and effective service delivery.

Upon reflection of the thirteen recommendations presented in this report, it is apparent that there are three overarching themes that should guide Council in directing the continuous improvement of Transportation Operations. To aid Council, the following is a compilation of all the thirteen recommendations arising from this program review, organized into these three themes:

A. Better Manage the Winter Control Budget and Consider Alternative Service Delivery after Due Diligence

- Reduce the winter control budget to the level required for a typical winter instead of a severe winter. [R6]

- Conduct a competitive service delivery exercise at the end of the current winter contract encompassing all established routes. [R8]

  In support of the above principal recommendation, the following supporting recommendations are made to facilitate due diligence:

  i) Document the end time of winter events so it is possible to measure the time it takes to reclaim bare pavement. [R1]
  ii) Restructure budgeting/accounting to separate core winter services from supporting services and allow accurate comparison of the costs of direct delivery versus contracted delivery for winter control. [R2]
  iii) Collect and use pass kilometre data to better monitor and report on winter control activities. [R3]

B. Strengthen Key Performance Indicators and Reporting

- Implement winter control achievement reports for winter storm events. [R4]
- Provide annual reports to Council on the level of service achievement for the winter season. [R5]
- Niagara should use the portfolio of KPIs set out in this program review to create annual service delivery targets and report on actual results achieved. [R12]
- Niagara should implement a performance dashboard that reports on KPIs to support operational improvement and a results-based culture. [R13]

C. Ensure Labour is Aligned to Niagara's Needs

- Prepare in advance for forecasted winter storm events by rescheduling staff shifts within the two week pay-period. [R7]
- Conduct an "activity-based" review of budget allocations based on the labour hours required to properly maintain infrastructure and complete reactive maintenance. [R9]
- Shortfalls in actual labour hours of maintenance completed should be offset with an increase in the following year so the Region does not fall behind in maintenance. [R10]
- The Region of Niagara should closely monitor its changing workforce demographics. [R11]

After this report is submitted to Council and direction is received by Management, it is imperative that an implementation plan be prepared to help Transportation Operations implement this program review's recommendations. This will provide Transportation Operations with the logical roadmap that it needs to achieve change management, continuous improvement, and demonstrate value-for-money.

References

AMEC Environment & Infrastructure (2014). Transportation Services Operations Delivery Review: Niagara Region.

AMEC Environment & Infrastructure (2013). Niagara Patrol Yards Study Retrofit, Smithville & Pelham Patrol Yards: Design Brief.

City of Ottawa, Office of the Auditor General (2015). Audit of Winter Operations: Capacity Planning and Performance Measurement.

Dillon Consulting and Performance Concepts for the Region of Waterloo (2014). Program Review for Transportation Operations.

Region of Halton, Corporate Services Department, Internal Audit (2012). Roads Maintenance Agreements Administration – Phase I Winter Maintenance and Patrol Follow Up Audit Report.

Region of Halton, Corporate Administration Office, Internal Audit (2015). Roads Maintenance Agreements Administration – Phase II Audit Report.

Region of Peel, Commissioner of Public Works (2015). Roads Operations and Maintenance Level of Service. Report to Council.

Region of Peel, Internal Audit (2010). Roads Maintenance Audit. Report to Audit Committee.

Region of Peel, Internal Audit (2010). Transportation – Contract Management Audit. Report to Audit Committee.

Appendix A

Results from Focus Group Sessions

The results of the interviews have been summarized to provide a perspective on the organization, rather than any individual person's perspective.

The findings from the interviews and focus group sessions are organized into six areas: staff/resources; equipment (winter/summer); deployment of resources; business process and performance data; winter control levels of service; and, budget and business planning.

Staff/Resources

Staff report that they are able to achieve desired service levels for both winter and non-winter maintenance activities. They further noted that there is an emphasis on promoting a culture of "continuous improvement." Feedback indicated that there is on-going service delivery improvement dialogue between frontline staff and managers – and a resulting consensus from the interviews that it has resulted in positive changes to procedures and influenced good decisions (e.g., LEAN process, input into equipment purchases).

With respect to the winter control shift design, feedback indicated that the shifts seem reasonable to both management and frontline staff. As a result, the Region is generally able to keep the roads clean without calling in additional staff (except in severe storm events) and without too much down time. It is recognized by staff in Transportation Operations that 12 hour shifts are not desirable from an employee quality of life perspective; however, there is recognition that it "makes sense" and is necessary for the winter season.

Feedback indicated that overtime may warrant adjustments to shifts in some departments (i.e., signals); however, it was also noted that overtime might be largely on a project-specific basis and the overtime incurred for activities conducted through evenings may be the most effective way to minimize daytime traffic interruptions.

Feedback also indicated that there is a suitable match between the planned level of staffing and the actual number of staff. There are enough staff to keep the equipment on the roads, and no major concerns were raised with attendance issues or vacation scheduling (partly because a new policy requires staff to choose vacation times early in the year).

The Region's flexible model ensures adequate staffing and equipment deployment. Staff indicated that Transportation Operations shares resources between yards / units when needed, and this is both a common practice and effective.

Feedback also indicated that the seasonal transition of work force is well-matched to the needs of the Region. A reasonable level of staff utilization is maintained in both winter and summer seasons. This is achieved by various tactics:

- Some of the core winter staff are assigned to forestry and pavement markings and signs in the summer as well as road maintenance;
- There are "provisional weeks" for 12 hour snowplow shifts in shoulder seasons to allow flexibility, reduce unnecessary expense, and get more core work done; and,
- There are only two drivers per shift after hours until mid-December, and then there are three.

Equipment (Winter/Summer)

Staff expressed satisfaction with the Region's Transportations Operations equipment, which is fairly new and viewed as high quality.

They noted that the combination units used during winter (versus the split sand / snow units) has added efficiency to winter control activities. Although the equipment is new, staff acknowledged a long-term challenge as equipment ages simultaneously across its lifecycle – so staff expect increased maintenance costs and reduced reliability over time, and this may reduce the ability of the Region to adopt new technologies across the fleet's life-cycle.

Other new specialized equipment used for stone shouldering and grass cutting is also helping to improve productivity. Staff noted that there are still some additional pieces of equipment that are desired; for example, a "hot box" would allow asphalting with less dead time by eliminating travel back to yards for more material.

Furthermore, staff note that sharing more specialized equipment across the east and west yards is working well, and that utilization is high without undue wait times for equipment. Some large equipment is rented by Transportation Operations and staff acknowledge that this requires advance planning and equipment is not always available at optimal times.

Deployment of Resources

Staff indicated that two of the patrol yards are old and are very close to being obsolete. In 2004, the Region completed a study that determined that the existing patrol yards were deficient for the needs of the department. A follow up study completed in 2013, concluded that the Smithville and Pelham Yards, should be closed and replaced with one new yard. It is not clear that the current/proposed yard locations are optimal in terms of minimizing travel time to job sites prior to the commencement of core maintenance activities. Consideration should be given to the location of infrastructure and other assets (where work is executed) relative to the yard locations, since there is the potential to reduce travel time to job sites and convert this into core activity hours. It is outside the scope of this audit to determine yard locations or the viability of shared-use facilities with local municipality yards.

Staff expressed satisfaction with the effective sharing of staff and equipment across yards and business units. The east-west sharing of equipment is widely supported and supervisors do not hesitate to ask for an extra person when needed – which results in good collaboration, keeps everyone busy, and keeps projects moving forward. It was noted that the work order system, CityWorks helps to facilitate this by making it easier to move resources around (i.e., charge another yard staff person's time to your maintenance program).

Business Process and Performance Data

Staff indicated that there is room for improvement in some of Transportation Operations business processes and performance measurement. Existing Key Performance Indicators (KPIs) that measure the accomplishment of maintenance activities need refinement (e.g., the measurement units for ditching work is out of date). Staff also noted the need for some new KPIs to be developed.

There is a key measurement challenge for winter control. The Ontario Minimum Maintenance Standard (MMS) requires that the municipality achieve clean-up of roads within specified time frames and this is a key performance requirement for the Region's winter control activities. While staff believe they are meeting the MMS, a procedure is required so that the start and end times of winter storms can be tracked, which would then allow Transportation Operations to accurately measure its bare pavement times. The current method for tracking weather seems effective: the Region has seven weather stations and divides itself into four weather quadrants and this seems to work well. This system recognizes that the weather is not uniform across the Region at a given time; for example, a storm event may have ceased in Wainfleet whereas it may still be on-going in Niagara on the Lake.

The Region's maintenance platform, CityWorks, is still fairly new and only some staff are fully trained on the software. Transportation Operations staff indicated that they are continually adapting the software so that it works best for the Region's needs. There is the potential to adopt mobile applications for CityWorks that would allow for management of work orders, logging of work, etc., in the field which has potential efficiency benefits. It was noted, however, that efficiency gains may be lost if data connections are not reliable through the Region so the cost/benefit of investing in mobile applications needs to be carefully considered.

Winter Control[6] Levels of Service

Regional staff expressed pride in the level of service they maintain for winter control. Staff believe that the service they provide is better than the service that is delivered by the contractor. However, there is no data to substantiate this and better reporting using standardized data and KPIs would provide an opportunity for a fair comparison between direct delivery and contracted-out delivery.

With respect to routing, there were various perspectives among staff. It is not clear among staff how the routes are established and whether they are the most efficient routes possible. Additionally, it is not clear if there is a better way to manage winter control on some of the Region's major urban roads, especially when maintenance activities coincide with peak traffic hours. If the Region proceeds with replacing the Smithville and Pelham patrol yards as proposed in 2013, it will have an impact on winter routing. The 2013 study indicated that the Region's routing times and travel distances to the routes from the patrol yard would increase, but that the Region would still be able to meet MMS requirements.

Budget and Business Planning

Staff indicated that there are different approaches/commitment to seasonal planning across the yards and that this could be coordinated better. One obstacle to long-term planning is that any digging must be preceded by a "locate" for buried utilities; however, the long and inconsistent time that it takes to obtain a locate creates a challenge for seasonal planning and specialized equipment scheduling.

Staff indicate that a stronger linkage could be made between budgeting and the CityWorks maintenance management system, resulting in an activity-based approached to budgeting based on labour hours to deliver maintenance at specific service levels. Geographically, the Region continues to grow and add new assets every year, and there is a need to recognize that this leads to increased maintenance requirements. Without regular maintenance, existing infrastructure can depreciate faster and may need to be replaced on a shorter lifecycle. Maintaining existing assets protects the infrastructure investments that the Region has already made.

[6] There is no standalone theme for non-winter maintenance since no significant issues were raised during the interviews. Feedback on non-winter maintenance is incorporated into the other themes.

Observations from the Focus Groups

As noted earlier, observations emanating from the interviews and focus groups do not lead to any specific recommendations since these sessions were intended to assist the program review team in focusing their analysis efforts. However, the following observations are offered by the consulting team to give context to the feedback received in each theme **and are based on the consultant's knowledge and experience with similar audits in other municipalities**,.

Staff/Resources

Niagara is doing well in terms of its staffing and resources: whereas other municipalities are trying to promote a culture of continuous improvement, this is already established at the Region. The scheduling flexibility of staff and high level of equipment deployment for maintenance is also places Niagara in a pool of municipalities that excel at managing their resources.

Equipment (Winter/Summer)

Niagara is ahead of many municipalities due to its inventory of new equipment; however, will face lifecycle challenges as the equipment ages simultaneously. The use of specialized equipment and the need for some other pieces of specialized equipment is not uncommon, and places Niagara on par with other municipalities.

Deployment of Resources

The concern about the location of yards emerges from time-to-time as all municipalities grow so this is to be expected for Niagara. If the Region proceeds with replacing the two existing patrol yards with one yard, the Region should consider and prepare for the impact this will have on travel time and routing. The sharing of equipment between yards is common and on par with other municipalities as a best practice.

Business Process and Performance Data

Stronger performance measurement is a common challenge for many municipal transportation operations divisions, primarily because many of them are still in a transition implementing asset management plans and making their maintenance management system fully operational across the business unit. With respect to KPIs, measuring clean-up times for winter control under Ontario's Minimum Maintenance Standard, and the integration of the CityWorks maintenance management system, Niagara is on par with other municipalities.

Winter Control Levels of Service

Many municipalities in Ontario do not have sufficient data to measure the winter control levels of service, although they have the mechanisms in place to do so (e.g., GPS on

maintenance vehicles, road patrollers, weather stations). Additionally, municipalities do not receive full reporting on their contracted-out services that would allow for a fair comparison against directly delivered services. In this regard, Niagara is also on par with other transportation operations.

Budget and Business Planning

There are a handful of municipalities in Ontario that are moving towards an activity-based budgeting approach (e.g., City of Kitchener, Regional Municipality of Waterloo); other municipalities are still using typical budgeting approaches (e.g., fixed percentage increase) that do not accurately reflect the costs involved to properly maintain assets year-over-year. With respect to services impacted by seasonal fluctuations – such as winter control – Niagara is considering a three-year blended average to help inform the budgeting process. Niagara is slightly ahead of other municipalities in regards to its budgeting and business planning by using a three-year blended average instead of a year-over-year approach.

Appendix B

Summary of Strengths, Weaknesses, Opportunities and Threats

The following table summarizes the analyses of this report in terms of "Strengths, Weaknesses, Opportunities, and Threats" (SWOT). The table also indicates the recommended strategic direction to respond to the SWOT item and identifies which recommendations are linked to each strategic direction.

Table SWOT-1: Summary of Strengths, Weaknesses, Opportunities and Threats, and Strategic Directions

Strengths	Strategic Direction	Recommendations
Collaboration, teamwork, and culture of "continuous improvement"	1. Maintain culture of collaboration, teamwork, and "continuous improvement"	R12, R13
Good communication between management and frontline staff	2. Maintain open communication between management and frontline staff	R13
Flexible resourcing (e.g. staff and equipment are shared across patrol yards, staffing during shoulder season linked to seasonal forecasts)	3. Maintain/increase flexibility in resourcing	R7
Workforce demographics are stable and management is conducting succession planning	4. Continue to monitor demographics and conduct succession planning	R11
Winter control model contributes to public safety in severe winters	5. Maintain high levels of winter control	R6
Weaknesses	**Strategic Direction**	**Recommendations**
Business processes and performance measurements are out of date	6. Update business processes and performance measurement data	R3, R12, R13
Need additional tracking/reporting on MMS (winter) by the contractor and the Region	7. Improve tracking and reporting of MMS achievement for winter control	R3, R4, R5

Direct comparison of costs and outcomes between the contractor and the Region not possible	8. Improve accounting and reporting to enable better comparisons	R1, R3, R4, R5
Need more direct communication with Niagara Council regarding LOS/achievement and budget variance within the overall department budget	9. Improve communication with Regional Council on LOS/achievements and budgeting	R1, R2, R5
AVL data (tracking) for vehicles captures the movements of the vehicles but does not differentiate between time spent working (i.e. plowing or spreading materials) and travel time	10. Use AVL data to track different vehicle activities for better winter system planning and results reporting	R3
Region falls behind on surface/roadside maintenance (direct delivery) because resources are redeployed to other activities	11. Ensure surface and roadside maintenance is not neglected	R9, R10
Opportunities	**Strategic Direction**	**Recommendations**
New asset management software – CityWorks is being implemented	12. Fully leverage CityWorks to track activities to assets and to monitor and report on performance	R9, R12, R13
Region is growing & adding new infrastructure/assets each year; unit costs have remained stable	13. Align business planning with asset growth	R9, R12, R13
Region's winter control budget capacity is sufficient for even the most severe winters (e.g. 2013-2014)	14. Reduce winter control budget to reflect a typical winter rather than a severe winter	R6, R7, R8

Threats	Strategic Direction	Recommendations
Smithville and Pelham Patrol Yards are close to being obsolete	15. Have travel time data available to inform future decisions about patrol yard locations	R1, R3, R4, R9, R12, R13
Reliance on provincial "locates" can impact scheduling of personnel and equipment	16. Continue to request locates in sync with scheduling to the extent possible	N/A
Climate change is impacting weather patterns and increasing instances of severe weather	17. Increase flexibility in winter control model; improve monitoring and reporting	R1, R2, R3, R4, R7, R9, R12

Public Works
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

PWC-C 17-2020

Subject: Councillor Information Request - Snowplow Costs

Date: June 16, 2020

To: Public Works Committee

From: Shawn McCauley, Associate Director Transportation Operations

The purpose of this memorandum is to provide a response to the following information request made at the Public Works Committee meeting held on January 14, 2020:

> *Councillor Gale requested information respecting any potential cost savings from snow clearing operations due to the mild winter we have had so far. He also inquired about the duties of plow operators when there is no snow clearing being done.*

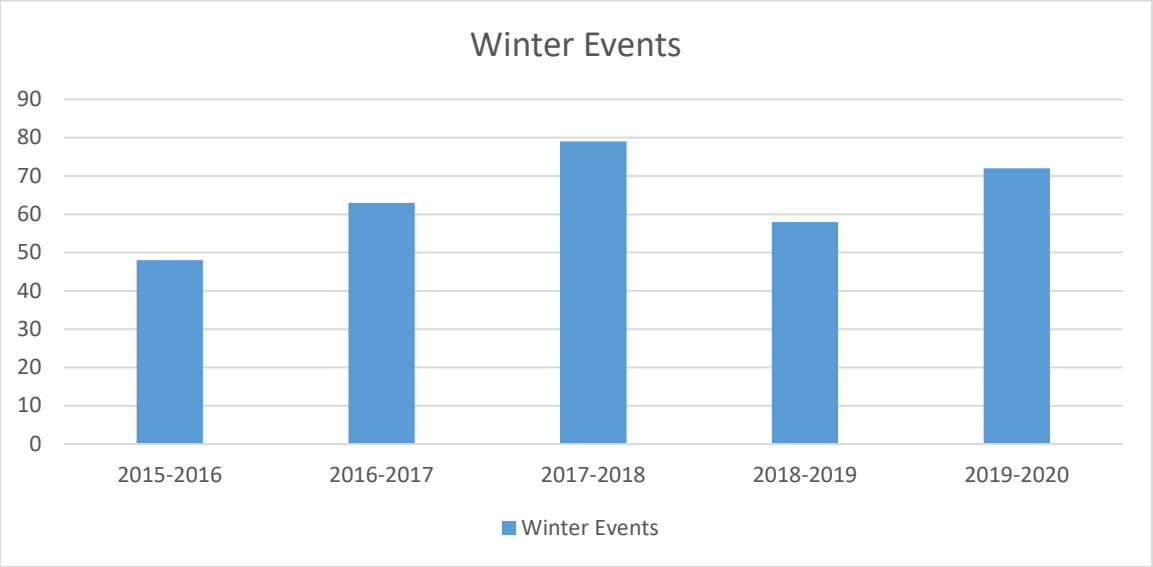
Winter Operations

The Transportation Operations division operates a “hybrid” business model during the winter season utilizing Niagara Region staff, City of St. Catharines staff and an Area Maintenance Contractor (currently Steed and Evans Limited).

- Niagara Region staff maintain 19 plow routes covering 996 lane kilometres.
- City of St. Catharines manages 126 lane kilometres of Regional Roads through amalgamation of Region Roads within in the City’s own routing system.
- Steed and Evans Limited maintains 10 plow routes covering 673 lane kilometres.

Although the 2019 – 2020 winter season was relatively mild, a significant number of smaller winter events were experienced that required a response from our winter operations staff, including several early storms in October and November 2019. The table below shows a summary of winter events over the last five (5) winter seasons. Even though the number of winter events falls within the historical range experienced over the last four (4) winter seasons, the total of 72 winter events is higher than the four (4) year average of 62 winter events.

Table 1: Summary of winter events over the last five (5) winter seasons

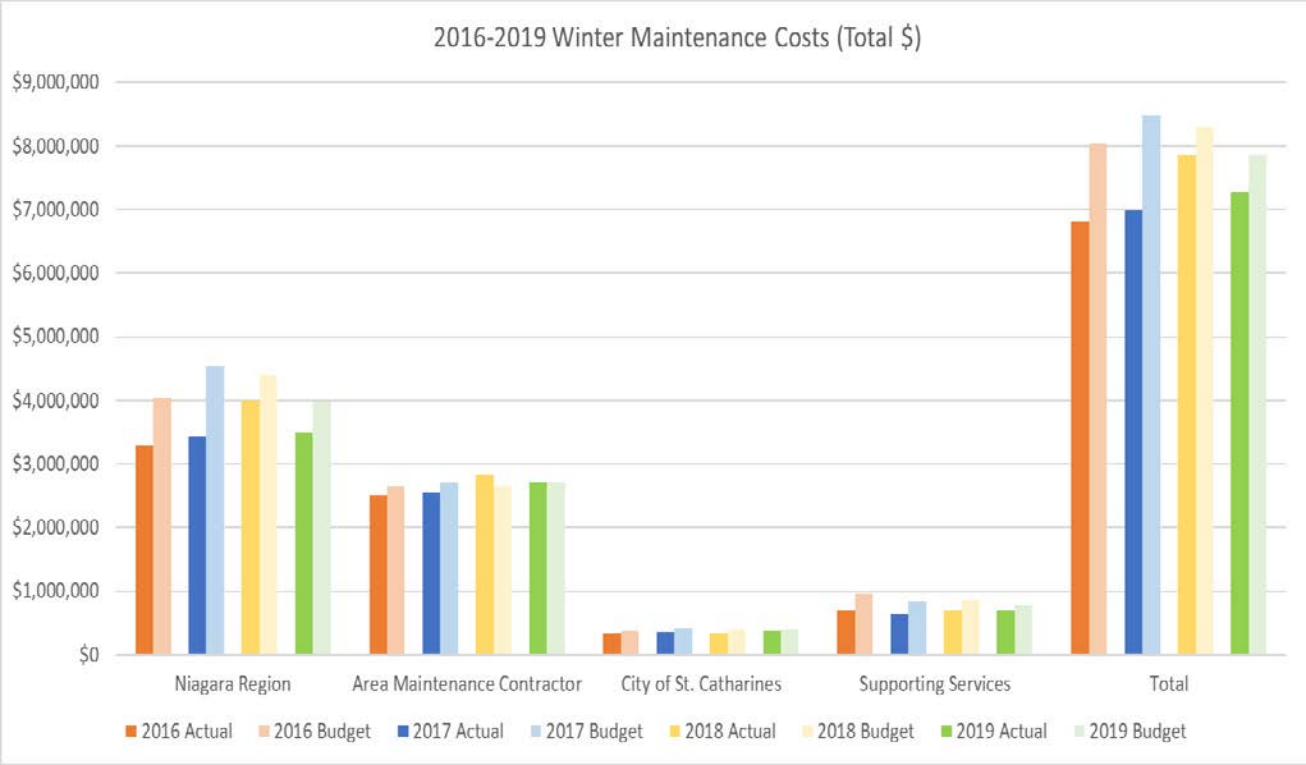


The 2020 operating budget for winter maintenance is $7,999,226, to date (April 2020) the Niagara Region has incurred costs of $3,990,863, including savings of $269,706 on winter materials, $31,022 on equipment including fuel savings, and $99,651 on overtime.

The annual winter maintenance budget is broken into four sections, Niagara Region, Area Maintenance Contract, City of St. Catharines and Supporting Winter Services. Costs for supporting winter services include services such as snow fence erection and removal, winter sand cleanup and winter drainage. These services are delivered through a combination of Niagara Region staff and outside contractors. Table 2 summarizes these costs over the last four years.

Appendix 1 - Winter Maintenance Costs - gives a detailed breakdown of actuals versus budget for 2016 to 2019.

Table 2: Winter Cost Summary



Budget savings are reflected in the overall Transportation Services department operating results for the year. In addition, the new area winter maintenance contract has incorporated provisions in it to assist with providing more cost-effective delivery of winter maintenance activities. Report PW 24-2020, recommending the award of the new contract, is to be considered at the June 16, 2020 Public Works Committee.

Winter Maintenance staff have a variety of activities they perform when there is no winter activity forecasted.

Day Shifts/Weekends

During extended periods of warmer weather during the winter months there is a corresponding increase in the need for other road maintenance repair activities to ensure compliance with Ontario Regulation 239/02 (Minimum Maintenance Standards).

1. An increase in freeze thaw cycles which leads to an increase in the need for pothole repair.

2. Shoulder maintenance - milder weather conditions lead to rutting and shoulder drop offs.
3. Drainage maintenance - ensuring culverts and catch basins are functioning.

Night Shifts

1. Washing/cleaning and minor maintenance of all vehicles in the yards. This ensures our fleet is ready to respond, avoids calling in fleet staff on overtime to perform routine maintenance.
2. Yard Maintenance, done in house, reduces costs by not having to utilize a contract cleaning contractor.
3. Receive deliveries of some winter materials after hours. Avoids overtime charges to receive order.
4. Perform brine station preventative maintenance to avoid breakdowns during winter storm events.
5. Snow fence material loaded for the next day. Increases the number of daylight hours spent in the field actually installing fence.
6. Reduce overtime calls to respond to request for service, instead of calling staff in. Night shift staff responds to potholes, debris, drainage problems, signs and trees.
7. The required annual illumination inspection can be completed utilizing night staff without incurring overtime costs.
8. Job training, mandatory health and safety and human resource training is completed during shifts on line.

The shift schedule allows flexibility to add or subtract staff based on weather forecasts, during the start of the schedule if milder conditions are forecasted. The schedule also provides the capability to save on unnecessary overtime costs if weather conditions permit, by not replacing staff who are absent (vacation, sick, etc.) from a scheduled shift.

Other Maintenance items were started due to an early spring:

1. Debris Pickup.
2. Tree Maintenance.
3. Roadside Maintenance.

4. Bridge/ Culvert inspections.
5. Winter Sand Cleanup.
6. Annual Inspections of assets (Bridges, culverts, guide rail).

Respectfully submitted and signed by

_____

Shawn T McCauley, B.B.E., C Tech
Associate Director Transportation Operations

Appendices

Appendix 1 Winter Maintenance Costs

Subject: Award of Contract 2020-T-59 Reconstruction of Regional Road 71 (St. David's Road)

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Contract 2020-T-59 – Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road), in the City of St. Catharines and the City of Thorold, **BE AWARDED** to Beam-Rankin Joint Venture Limited, at their bid price of $9,451,597 (including 13% HST);

2. That a gross capital budget adjustment in the amount of $3,290,153 gross and $0 net **BE APPROVED** (and **INITIATED**) for the Reconstruction of Regional Road 71 (St. David's Road), and that the gross capital budget adjustment **BE FUNDED** from cost sharing agreements with both the City of St. Catharines ($2,115,852) and City of Thorold ($1,174,301).

Key Facts

- The purpose of this report is to seek Council's approval to award Contract 2020-T-59 for the Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road) to Beam-Rankin Joint Venture Limited.
- The Purchasing By-law 2016-02 requires that Council approve tender awards greater than $5,000,000.
- Per the Budget Control By-Law, Council approval is required if a gross budget adjustment being requested is greater than $1,000,000.
- The project is being undertaken as a result of a Municipal Class Environmental Assessment completed in 2018, and has been identified as a supporting project for the 2021 Canada Summer Games.
- A public tender process was initiated and three bids were received with the lowest bid being $8,364,245 (excluding taxes) from Beam-Rankin Joint Venture Limited.

- The City of St. Catharines and the City of Thorold are cost sharing partners in this project and have a total contribution of $3,565,153 with respective contributions of $2,390,852 for the City of St. Catharines and $1,174,301 for the City of Thorold related to the construction of storm sewers, sanitary sewers, watermains, and sidewalks.
- Together with a prior approved cost share budget of $275,000 for the City of St. Catharines, a gross budget adjustment of $3,290,153 is required to cover the total cost sharing contribution for the City of St. Catharines and the City of Thorold.

Financial Considerations

In 2015, Council approved a budget for 20000319 (St. David's Road East Reconstruction) of $1,766,000 to complete the environmental assessment, detailed design, property acquisition, and utility relocations. In 2019 Council further approved an additional $5,168,000 for construction, contract administration and inspection, construction testing, and the City of St. Catharines cost share of $275,000 increasing the overall project budget for 20000319 to $6,934,000. Council also previously approved a budget for 20000982 (St. David's Road Watermain Replacement) of $2,140,000 for the design and construction of a trunk watermain replacement. Therefore, the combined overall budget for the two projects is $9,074,000.

The City of St. Catharines and the City of Thorold are cost sharing partners in this project and have a total cost sharing contribution of $3,565,153 (including 1.76% non-recoverable HST) with respective contributions of $2,390,852 for the City of St. Catharines and $1,174,301 for the City of Thorold. Together with a prior approved cost share budget of $275,000 for the City of St. Catharines a gross budget adjustment of $3,290,153 is required to add up to the total cost sharing contribution for the City of St Catharines and City of Thorold. Through the life of the project, the scope of work undertaken on behalf of the City of St. Catharines and the City of Thorold was further refined to include system improvements, underground servicing, and future development servicing.

A return of funds to the Capital Variance – Levy Project of $816,416 will result in a net overall combined project budget increase from $9,074,000 to $11,547,737.

A full budget breakdown can be found in Appendix 3 Total Estimated Project Cost.

Analysis

- In 2017, Niagara Region initiated a Schedule B Municipal Class Environmental Assessment for the Regional Road 71 (St. David's Road) reconstruction.
- The Municipal Class Environmental Assessment Study for St. David's Road was completed, and the Project Report filed, in June 2018, recommending improvements to address existing road conditions and intersection safety, and to implement active transportation facilities.
- This project is a supporting project for the 2021 Canada Summer Games, and is targeted to be completed prior to the start of the Games.
- Water and Wastewater Services identified the need to replace the existing Zone 2 Standpipe feedermain as part of this project.
- The original scope of work identified by Water and Wastewater Services was for the replacement of the existing aged Zone 2 transmission watermain from Marmac Drive to the Zone 2 Standpipe. During the course of the project additional system improvements were identified and incorporated in the project. These system improvements included; a new feedermain for the Zone 2 standpipe; new drain line for the Zone 2 Standpipe; additional valve chambers; and upgrades to existing valve chambers on St. David's Road and at the Zone 2 Standpipe. These improvements will increase operational efficiency, remove bottle necks for improved efficient service, and will significantly reduce the likelihood of water main breaks.
- The original cost sharing with the City of St. Catharines was for the replacement of sidewalks in the project area. However, the City of St. Catharines and the City of Thorold identified additional improvements to their local infrastructure namely watermain replacement and sanitary sewer replacements, and in addition, servicing of future developments was identified by the City of Thorold.
- Formal cost sharing agreements with the City of St. Catharines and the City of Thorold have been agreed to and include the estimated cost share amounts and payment schedules.
- The proposed improvements for St. David's Road include a two lane urban cross section with a multi-use path on the south side, and sidewalks on the north side.
- Niagara Region retained CIMA+, through a competitive procurement process, to undertake the detailed design for the project through a competitive process under 2018-RFP-37.

- A public tender process was initiated on April 9, 2020, to obtain tenders for the Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road). Niagara Region received three electronic bids on May 12, 2020.
- Niagara Region's Procurement & Strategic Acquisitions reviewed the bids received for compliance, and determined that all bids were compliant.
- CIMA+ reviewed the bids received, and has provided a recommendation to award Tender 2020-T-59 to Beam-Rankin Joint Venture Limited at their bid price $8,364,245 (excluding HST) as noted in Appendix 2.
- Contract award requires resources from Corporate Services in order to execute the required contract documents. Transportation Engineering staff will be providing resources throughout the project in order to manage the contract with assistance from Corporate Services on contract/project payments.

Alternatives Reviewed

A Municipal Class Environmental Assessment Study (EA) for St. David's Road was completed, and the Environmental Study Report filed, on July 6, 2018, recommending improvements to address existing road conditions and intersection safety, and to implement active transportation facilities.

Four alternative solutions were reviewed as part of the EA:

1. Do nothing;
2. Roadway Surface Improvements;
3. Roadway Reconstruction with Operational Improvements; and
4. Roadway Reconstruction with Operational Improvements and Active Transportation Facilities.

The preferred alternative for St. David's Road was "Roadway Reconstruction with Operational Improvements and Active Transportation Facilities."

In addition to the alternative solutions, three alternatives were reviewed as a subset to address active transportation facilities:

1. Multi-use path on the south side of St. David's Road through the entire study area;

2. Bicycle lanes and sidewalks on both sides of the road from Tupper Drive/Barbican Gate to Collier Road/Burleigh Hill Drive; and

3. Cycle track and sidewalks on both sides of St. David's Road through the entire study area.

The preferred alternative for active transportation facilities was a Multi-use path on the south side of St. David's Road through the entire study area.

As part of the EA process, two Public information Centres were held. The first session occurred on March 22, 2017, and the second was held on April 5, 2018. In addition to the Public Information Centres a presentation to the Region's Active Transportation Sub-Committee (ATSC) was made on March 29, 2017.

Relationship to Council Strategic Priorities

This recommendation relates to the Responsible Growth and Infrastructure Planning strategic priority since the planned upgrades will ensure reliable and effective transportation modes including an inter-connection of various types of transportation.

Other Pertinent Reports

PW 54-2015 - Transfer of Road Jurisdiction in the City of St. Catharines and City of Thorold

Prepared by:
Graeme Guthrie, C.E.T.
Senior Project Manager, Transportation Engineering
Public Works Department

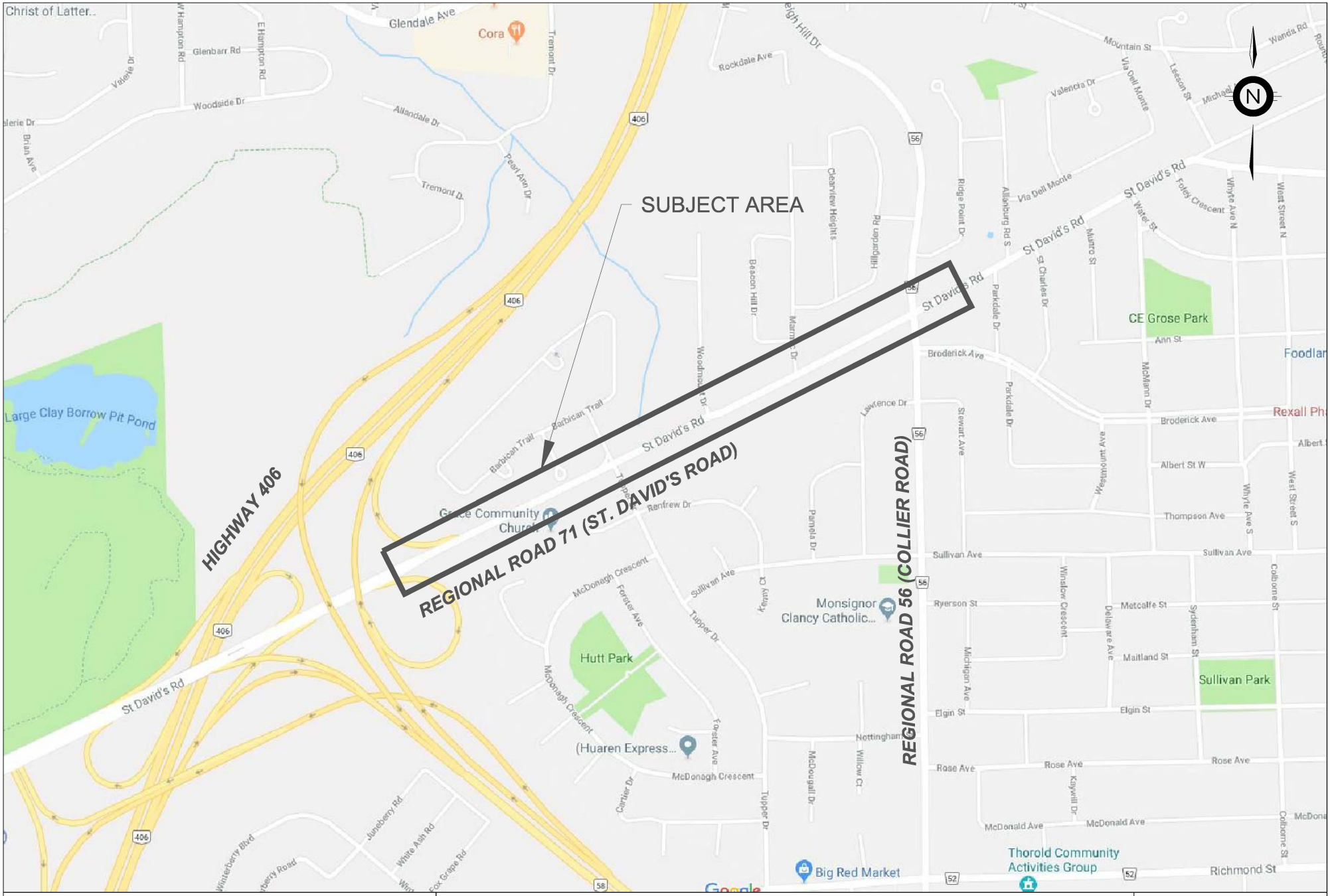
Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Frank Tassone, Associate Director Transportation Engineering, Tracie Byrne, Manager Purchasing Services, Dan Ane Manager, Program Financial Support, and reviewed by Carolyn Ryall, Director Transportation Services.

Appendices

Appendix 1	Key Plan
Appendix 2	Summary of Bids Received
Appendix 3	Total Estimated Project Cost



Niagara Region

APPENDIX 1 - REPORT PW 25-2020

REGIONAL ROAD 71 (ST. DAVID'S ROAD)

FROM HIGHWAY 406 TO REGIONAL ROAD 56 (COLLIER RD / BURLEIGH HILL DR)

IN THE CITY OF THOROLD AND CITY OF ST. CATHARINES

DATE	2020-05-12
SCALE	NOT TO SCALE
REF. No.	APPENDIX 1
DWG No.	KEYPLAN

DRAWING FILE: L:\Engineering\Regional Road 71 (St. Catharines)\E1526 St. David's Rd – Highway 406 to Burleigh Hill Drive\Drawings\KEYPLANS\RR71 PW 25-2020 Appendix 1\RR71 PW 25-2020 Appendix 1.DWG PLOTTED: May 12, 2020 – 11:18am PLOTTED BY: KELLER

PW 25-2020 APPENDIX 2
Summary of Bids Received
Contract Award
Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road) In the City of St. Catharines and the City of

Bidder	Tender Price (Excluding HST)
Beam-Rankin Joint Venture Limited	$ 8,364,245
Peters Excavating Inc.	$ 8,470,000
New-Alliance Ltd	$ 10,333,414

PW 25-2020 APPENDIX 3
Total Estimated Project Cost
Contract Award

Reconstruction of Regional Road 71 (St. David's Road) From Highway 406 ramps to Regional Road 56 (Burleigh Hill Drive/Collier Road) In the City of St. Catharines and the City of Thorold

	Council Approved Budget	Budget Increase/ Reallocation	Revised Council Approved Budget	Expended & Committed as of 05/01/20	Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C)-(D)-(E)
Total Estimated Project Cost (20000319)*						
(a) Planning	1,500,000	(1,500,000)	-	-	-	-
(b) Construction (including Construction Contigency and 1.76% non-refundable HST)**						
i. Niagara Region	5,159,000	(1,130,582)	4,028,418	-	3,459,490	568,928
ii. Cost Sharing - City of St. Catharines	275,000	1,898,502	2,173,502	-	2,173,502	-
iii. Cost Sharing - City of Thorold		1,078,288	1,078,288	-	1,078,288	-
(c) Project Contingency		500,000	500,000	-	500,000	-
(d) Consulting Engineering Services						
i. Environmental Assessment		148,362	148,362	148,362	-	-
ii. Detailed Design						
1. Niagara Region		452,195	452,195	204,707		247,488
2. Cost Sharing - City of St. Catharines		114,190	114,190	-	114,190	-
3. Cost Sharing - City of Thorold		50,442	50,442	-	50,442	-
iii. Contract Administration & Inspection						
1. Niagara Region		224,463	224,463	-	224,463	-
2. Cost Sharing - City of St. Catharines		85,022	85,022	-	85,022	-
3. Cost Sharing - City of Thorold		37,558	37,558	-	37,558	-
iv. Geotechnical Service-Quality Control						
1. Niagara Region		47,888	47,888	-	47,888	-
2. Cost Sharing - City of St. Catharines		18,138	18,138	-	18,138	-
3. Cost Sharing - City of Thorold		8,013	8,013	-	8,013	-
(e) Project Management (In-House) and Operations		186,000	186,000	-	186,000	-
(f) Traffic Signals and Signs		203,520	203,520	-	203,520	-
(g) Utility Relocation		868,154	868,154	318,154	550,000	-
Total Estimated Project Costs (20000319)	**6,934,000**	**3,290,153**	**10,224,153**	**671,223**	**8,736,514**	**816,416**
Total Estimated Project Cost (20000982)*						
(a) Construction (including Construction Contigency and 1.76% non-refundable HST)**	1,755,000	45,176	1,800,176	-	1,800,176	-
(b) Project Contingency	217,375	(117,375)	100,000	-	100,000	-
(c) Consulting Engineering Services					-	
i. Detailed Design	110,000	(14,277)	95,723	-	95,723	-
ii. Contract Administration & Inspection		71,272	71,272	-	71,272	-
iii. Geotechnical Service-Quality Control		15,205	15,205	-	15,205	-
(d) Project Management (In-House) and Operations	57,625		57,625	10,025	47,600	-
Total Estimated Project Costs (20000982)	**2,140,000**	**0**	**2,140,000**	**10,025**	**2,129,975**	**-**
Total Estimated Project Costs Combined	**9,074,000**	**3,290,153**	**12,364,153**	**681,248**	**10,866,489**	**816,416**
Project Funding Sources (20000319)						
Capital Levy	(6,659,000)		(6,659,000)		(6,659,000)	-
Municipal Cost Sharing - St. Catharines	(275,000)	(2,115,852)	(2,390,852)		(2,390,852)	-
Municipal Cost Sharing - Thorold		(1,174,301)	(1,174,301)		(1,174,301)	-
Total Estimated Project Funding Sources (20000319)	**(6,934,000)**	**(3,290,153)**	**(10,224,153)**	**-**	**(10,224,153)**	**-**
Project Funding Sources (20000982)						
Water Reserve	(1,240,000)		(1,240,000)		(1,240,000)	-
Debt Funding	(900,000)		(900,000)		(900,000)	-
Total Estimated Project Funding Sources (20000982)	**(2,140,000)**	**-**	**(2,140,000)**	**-**	**(2,140,000)**	**-**
Total Estimated Project Funding Sources Combined	**(9,074,000)**	**(3,290,153)**	**(12,364,153)**	**-**	**(12,364,153)**	**-**

*All costs include 1.76% non-refundable HST.
** Total Contract Cost includes both Regional and Municipal cost sharing amounts.
** Total Contract Award is equal to i) $8,364,245 before tax; ii) $8,511,456 including 1.76% non-refundable HST; $9,451,597 including 13% HST.

Subject: Uploading a Section of Livingston Avenue, Town of Grimsby to Niagara Region

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That pursuant to its authority under Subsection 52(1) of the Municipal Act, 2001, Regional Council **APPROVE** adding the following lower-tier highway in the Town of Grimsby to its highway system, namely Livingston Avenue from Casablanca Boulevard to west of Emily Street, within the limits of Ofield Orchard Plan 441;
2. That a copy of this report and a copy of Regional Council's decision **BE SENT** to The Corporation of the Town of Grimsby;
3. That the necessary by-law **BE PREPARED** and **PRESENTED** to Regional Council to add the highway to the Regional Road system; and
4. Upon passage, a copy of the by-law **BE SENT** to The Corporation of the Town of Grimsby, as the highway will be removed from the jurisdiction of the Town.

Key Facts

- The purpose of this report is to seek approval to upload and vest the jurisdiction to Niagara Region of the approximately 210m section of Livingston Avenue from Casablanca Boulevard to west of Emily Street, within the Town of Grimsby.
- The Municipal Act, 2001 provides in section 52 that an upper-tier municipality may add a lower-tier highway, including a boundary line highway, to its highway system from any of its lower-tier municipalities and in section 53 that the upper-tier municipality assumes any agreements that are related to the uploaded section of highway and shall pay to the lower-tier municipality, before the due date, all amounts becoming due upon any debt of the lower-tier municipality in respect of the highway.
- In 1957, the Ofield Orchard Plan 441 was registered dedicating streets as public highways including Livingston Avenue from Casablanca Boulevard to the westerly edge of subdivision (west of Emily Street).
- During the 1970's the Grimsby Traffic Study confirmed the need for future east-west capacity along the Livingston Avenue Corridor and the Town of Grimsby constructed a sanitary sewer line along the Livingston Avenue corridor from Casablanca Boulevard to Hunter Road.

- On May 6, 1982, Regional Council passed By-law 3079-82 to dedicate the Livingston Avenue Corridor lands from Oakes Road to west of Emily Street as Regional Road 512. The By-law did not include the section of Livingston Avenue within Ofield Orchard Plan 441 between Casablanca Boulevard to west of Emily Street.
- The 1995 Town of Grimsby Transportation Study recommended the extension of Livingston Avenue (RR 512) between Casablanca Boulevard and Oakes Road which was reaffirmed by the 2017 Regional Transportation Master Plan and the 2020 Livingston Avenue Extension Environmental Assessment Study.
- In March 2019, the Casablanca Boulevard and GO Station Access Environmental Assessment study was approved that included upgrading Livingston Avenue between Casablanca Boulevard to west of Emily Street as a 2 lane urban road plus centre turn lane with dedicated cycling lanes and sidewalks on both sides of the street.

Financial Considerations

The Casablanca Boulevard and GO Station Access Environmental Assessment, approved March 2019, includes the redesign and construction of the Casablanca Boulevard / Livingston Avenue intersection and Livingston Avenue from Casablanca Boulevard westerly to the future intersection access with the Region owned lands south of the CN rail corridor.

The Livingston Avenue design (currently ongoing) and construction scheduled for late 2020 through mid 2022 is approved as part of the overall Casablanca / South Service Road Project (10RC1329).

Uploading Livingston Avenue (from Casablanca Boulevard to west of Emily Street) to Niagara Region will result in additional operating costs of approximately $8,000 annually for the 210m, 2 lane section of road. A similar decrease in the Town of Grimsby annual operations budget would occur from the jurisdiction transfer.

The operating cost estimate is based on the Municipal Benchmarking Network (MBN) Canada 2019 operating cost per lane KM of $18,000.

Niagara Region contacted the Town of Grimsby to relay the upload of the remaining section of Livingston to the Region. As part of that outreach Niagara Region has confirmed with the Town of Grimsby that there are no debts associated with the segment of lands for which the Region would become obligated. The operating costs

associated with this segment of road will be accommodated within the Niagara Region Transportation division operating budget.

Analysis

In October 1957, the Ofield Orchard Plan 441 was registered with the Township of North Grimsby. Plan 441 dedicated the streets as public highways including Livingston Avenue from Casablanca Boulevard (Ofield Road) to the westerly limit of the subdivision (approximately 210m). This section of Livingston Avenue is currently under the jurisdiction of the Town of Grimsby. Attached hereto as Appendix 1 is a sketch showing the location of Plan 441 and other relevant streets referenced in this Analysis (Appendix 1 – Map – RR 512 Corridor and Area Subject to Upload).

Prior to the registration of Plan 441, the Hamilton-Queenston Highway travelling through Grimsby, Beamsville and St. Catharines was designated as Provincial Highway 8 in 1925. During the 1950's and 1960's, the Department of Highways undertook studies reviewing possible diversions of Highway 8 around local communities. In the 1970's, a new alignment for Highway 8 between Oakes Road and Kerman Road was established by the Department of Highways which resulted in lands being obtained or expropriated within these limits. The Highway 8 Diversion corridor as defined by the Department of Highways is now Regional Road 512 (Livingston Avenue) east of Casablanca Boulevard.

The 1971 Grimsby Traffic Study identified the long-term requirement for additional east-west road capacity in the west portion of the Town of Grimsby to preserve the heritage/culture of the original Highway 8 corridor. The long-term Recommended Street Plan identified Livingston Avenue from Main Street West (RR 81) to Casablanca Boulevard within the Highway 8 Diversion corridor as an arterial road.

In November 1981, the Consolidated Roads Bylaw was passed (confirmed by Order in Council June 1982) that established Livingston Avenue as Regional Road 512 from Casablanca Boulevard easterly to the intersection of Regional Road 81 at Patton Street and the jurisdiction of this section vested with Niagara Region.

In 1982, By-law 3079-82 dedicated the lands within the Highway 8 Diversion corridor, between Oakes Rd. to the westerly limit of Plan 441 (West of Emily Street) as Regional Road 512 (Livingston Avenue). It is noted that By-law 3079-82 did not include the section of Livingston Avenue between Casablanca Boulevard and the westerly limit of Plan 441.

In 1995, the Town of Grimsby Transportation Study recommended the extension of Regional Road 512 (Livingston Avenue) between Regional Road 10 (Casablanca Blvd.) and Oakes Road / Regional Road 81 (Main St. West). This recommendation was included in the Town of Grimsby Official Plan (2012) to encourage the use of Regional Road 512 (Livingston Avenue) and discourage the use of Regional Road 81 (Main St. West).

The Niagara Region Transportation Master Plan, approved by Regional Council in 2017, reaffirmed that additional east-west road capacity is required in west Grimsby and recommended the Regional Road 512 (Livingston Avenue) extension from Regional Road 10 (Casablanca Blvd.) to Oakes Rd. / Regional Road 81 (Main St. West).

In 2018, Regional Council approved the undertaking of the Casablanca Boulevard and GO Station Access Environmental Assessment, which included the section of Livingston Avenue from Casablanca Boulevard to west of Emily Street to provide access for the Region owned lands on the south side of the CNR tracks.

In March 2019, the Casablanca Boulevard and GO Station Access Environmental Assessment study was approved that included upgrading existing Livingston Avenue between Casablanca Boulevard to west of Emily Street as a 2 lane urban road plus centre turn lane with dedicated cycling lanes and sidewalks on both sides of the street.

In 2018, Regional Council approved the undertaking of the (Regional Road 512) Livingston Avenue Extension Environmental Assessment study to address the need for additional east-west capacity in west Grimsby. The Environmental Assessment Study identified that the preferred solution was the extension of Livingston Avenue between Main Street West/Oakes Road North and Casablanca Boulevard.

The Livingston Avenue Extension ESR, as submitted May 2020, assumes that Livingston Avenue (RR 512) is a continuous transportation corridor from Main Street West/Oakes Road North easterly to Main Street West/Patton Street for efficiency of maintenance, operation, wayfinding, and governance.

To address the issue that By-law 3079-82 did not include the section of Livingston Avenue between Casablanca Boulevard and the westerly limit of Plan 441 and the need for a continuous Regional Road, the Region is recommending that this section of road be uploaded to Niagara Region pursuant to Section 52 of the *Municipal Act.*

- Section 52 (1) – Jurisdiction, upper-tier municipality
    - **52** (1) An upper-tier municipality may add a lower-tier highway, including a boundary line highway, to its highway system from any of its lower-tier municipalities. 2001, c. 25, s. 52 (1).

The transfer of jurisdiction also invokes Section 53 of the Municipal Act

- If jurisdiction over a highway is transferred from one municipality to another municipality under section 52,
    - (a) the municipality to which jurisdiction over the highway has been transferred stands in the place of the transferor under any agreement in respect of the highway; and
    - (b) if jurisdiction over the highway has been transferred from a lower-tier municipality to its upper-tier municipality, the upper-tier municipality shall pay to the lower-tier municipality, before the due date, all amounts becoming due upon any debt of the lower-tier municipality in respect of the highway. 2001, c. 25, s. 53.

Region staff has confirmed with Town of Grimsby staff that there are no agreements in place to which section 53(a) would apply and there are no debts that would need to be paid pursuant to section 53(b).

Alternatives Reviewed

Do-Nothing

- This alternative does not address the objective that Niagara Region has continuous Regional jurisdiction for the section of Livingston Avenue (RR 512) between Main Street West/Oakes Road and Main Street West/Patton Street.

Relationship to Council Strategic Priorities

Uploading and vesting to Niagara Region the jurisdiction of Livingston Avenue between Casablanca Boulevard to west of Emily Street is consistent with the implementation of transportation policies and infrastructure in accordance with Council Strategic Plan (2019-2022) – Responsible Growth and Infrastructure Planning:

- Environmental Sustainability and Stewardship
- Facilitating the Movement of People and Goods

2020 Council Strategic Priorities (https://www.niagararegion.ca/priorities/default.aspx)

Other Pertinent Reports

Niagara Region Transportation Master Plan
(https://www.niagararegion.ca/2041/transportation-master-plan/default.aspx)

Casablanca Boulevard and GO Station Access Environmental Assessment
(https://niagararegion.ca/projects/casablanca-livingston-ea/default.aspx)

Livingston Avenue Extension Environmental Assessment
(https://niagararegion.ca/projects/livingston-ea/default.aspx)

Prepared by:
Carolyn Ryall
Director Transportation Services
Public Works Department

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with: Jack Thompson, Transportation Strategic Projects Lead; Brian McMahon, Program Financial Specialist; Dan Ane, Manager, Program Financial Support; Bruce Zvaniga, Commissioner of Public Works (Interim); Sterling Wood, Legal and Court Services; Norma Price, Law Clerk.

Appendices

Appendix 1 – Map – RR 512 Corridor and Area Subject to Upload

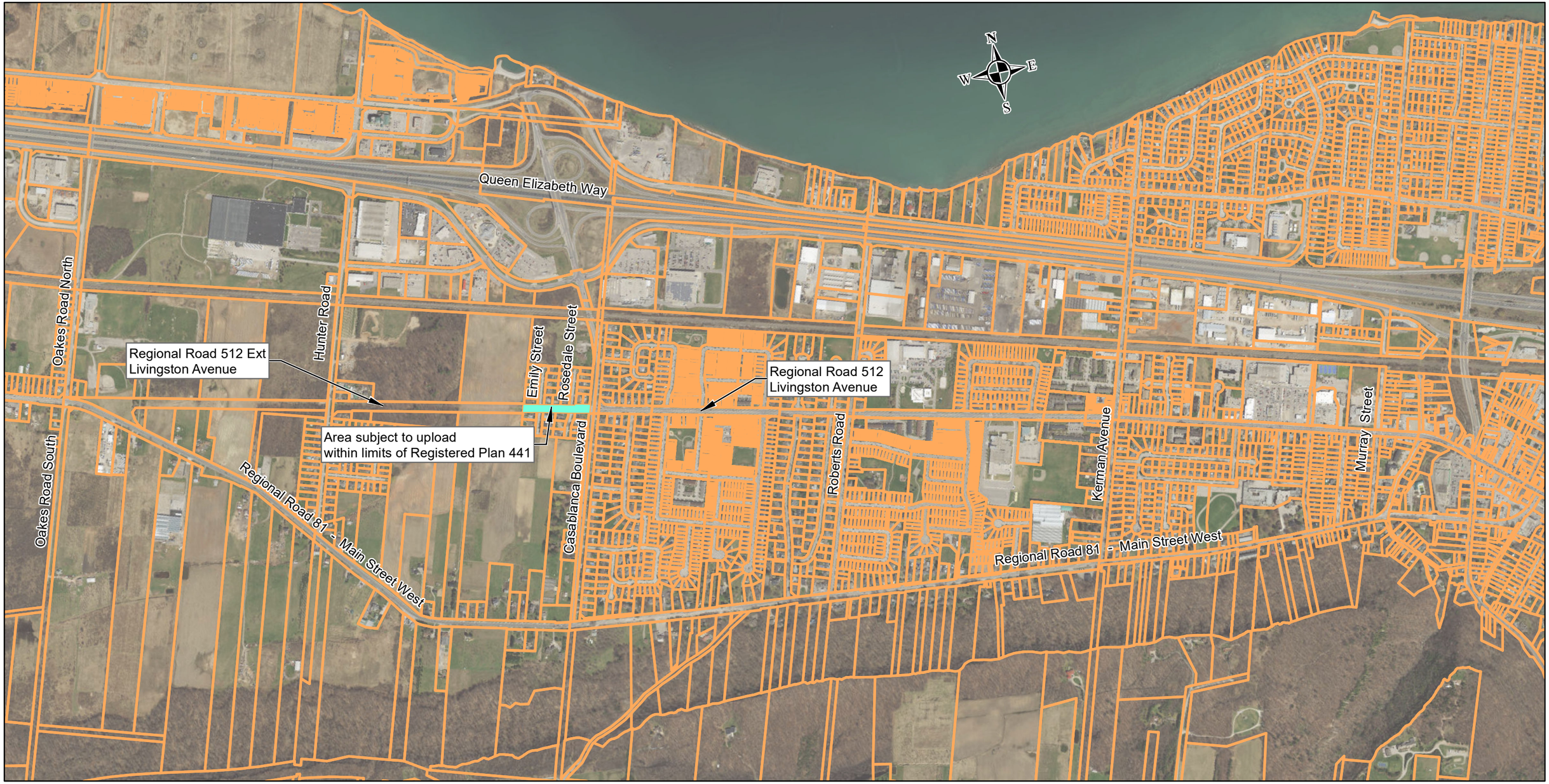


ILLUSTRATION SHOWING REGIONAL ROAD No.512 (LIVINGSTON AVE.)
TOWN OF GRIMSBY

LEGEND:

- DENOTES TERANET MAPPING
- DENOTES PROPOSED UPLOAD SECTION OF LIVINGSTON AVENUE

Niagara Region

DISCLAIMER
This map was compiled from various sources and is current as of June 2020.
The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map.
© 2015 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Airphoto (Spring 2018)

CAUTION:
- This is not a Plan of Survey

SCALE = 1:12,000

0 155 310 620 Metres

Transportation Services
Surveys & Property Information
IR-20-128 Date: 2020-06-18

Subject: Report to Amend By-Law No. 48-2012 – A By-Law to Remove Highways from the Regional Road System in the Town of Grimsby

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That By-law No. 48-2012 passed on May 24, 2012 **BE AMENDED** to clarify the description of the lands intended to be removed from the Regional Road system and transferred to the Town of Grimsby; and
2. That the form of Amending By-Law attached hereto as Appendix 5 **BE APPROVED** by Regional Council.

Key Facts

- The purpose of this report is to seek Council's approval for an amendment to By-Law No. 48-2012 to properly re-describe the lands.
- The jurisdiction of Regional Road 39, known as the North Service Road from the boundary with the City of Hamilton easterly to Olive Street was transferred to the Town of Grimsby by By-law 48-2012, however this By-law was not registered on title for the subject lands due to the legal descriptions not being acceptable to the Land Registry Office.
- Reference plans along the QEW corridor have now been prepared by the Ministry of Transportation and accurate descriptions of the lands are now available.
- Survey's staff have been fully engaged in matching the lands in the new reference plans to the lands originally downloaded to the Town of Grimsby and the preparation of the descriptions in the attached draft by-law.
- The passing and registration of the amended by-law will permit the Town of Grimsby to apply to change the records at the Land Registry Office to show the Town of Grimsby as the registered owner of the subject lands.

Financial Considerations

The financial implications were detailed in Public Works Report PWA 04-2012 and set out the estimated cost savings which would result from the transfer of the North Service Road to the Town of Grimsby and the assumption of a portion of the South Service

Road and Clarke Street from the Town of Grimsby to Niagara Region. The Town of Grimsby has been maintaining the portions of the roads that were transferred to the Town pursuant to By-law No. 48-2012.

Analysis

The Ministry of Transportation (MTO) downloaded certain lands in the QEW corridor to Niagara Region by Order in Council 2517/98, registered in the Land Registry Office on December 11, 1998 as RO749145 (the “OIC 1998”). The OIC 1998 did not contain a legal description of the lands, but contained a basic line drawing to illustrate the lands that vested in the jurisdiction and control of Niagara Region.

On May 24, 2012, Council passed By-law 48-2012 authorized by Report PWA 04-2012, which transferred a portion of the lands set out in OIC 1998 to the Town of Grimsby.

It was determined that the survey costs to properly describe the lands downloaded to Grimsby would be excessive and it was understood that MTO would be completing reference plans for both the north and south service roads in the future. The reference plans to properly describe the lands in OIC 1998, were completed by MTO in 2017. These reference plans were the basis for the description contained in an amended Order in Council 1904/2017, registered in the Land Registry Office on November 17, 2017 as NR466062 (the “OIC 2017”).

In order to finalize the intended transfer of title in the Land Registry Office, as requested by the Town of Grimsby, the By-law attached has been prepared to reflect the acceptable descriptions.

Appendix 1 attached provides an aerial view of the lands intended to be downloaded to the Town of Grimsby from the Regional boundary with Hamilton to Olive Street, which are identified in red. The lands shown in green were already under the jurisdiction of the Town of Grimsby and did not form part of By-law 48-2012.

Appendices 2, 3 and 4 are enlarged views of the area, and set out the lands described in the attached by-law as follows:

Appendix 2 – being the Firstly described lands

Appendix 3 – being the Secondly described lands

Appendix 4 – being the Thirdly described lands

Alternatives Reviewed

This Report is to clarify the extent of an existing decision of Council from 2012 and as such no alternatives were considered.

Relationship to Council Strategic Priorities

This Recommendation would be consistent with Council objectives related to supporting responsible growth and infrastructure planning as well as supporting the co-ordinated services that form part of a Sustainable and Engaging Government.

Other Pertinent Reports

- PWA 04-2012 – Transfer of Road Jurisdiction in the Town of Grimsby

Prepared by:
Sterling Wood
Legal Counsel
Corporate Services

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting, Chief Administrative Officer

This report was prepared in consultation with Norma Price, Law Clerk and Normans Taurins, Manager, Surveys & Property Information, and reviewed by Carolyn Ryall, Director of Transportation.

Appendices

Appendix 1 Aerial View – Regional Boundary to Olive Street

Appendix 2 Aerial View – Firstly described lands in the attached By-law

Appendix 3	Aerial View – Secondly described lands in the attached By-law
Appendix 4	Aerial View – Thirdly described lands in the attached By-law
Appendix 5	Amending By-law

PW 30-2020 APPENDIX 1

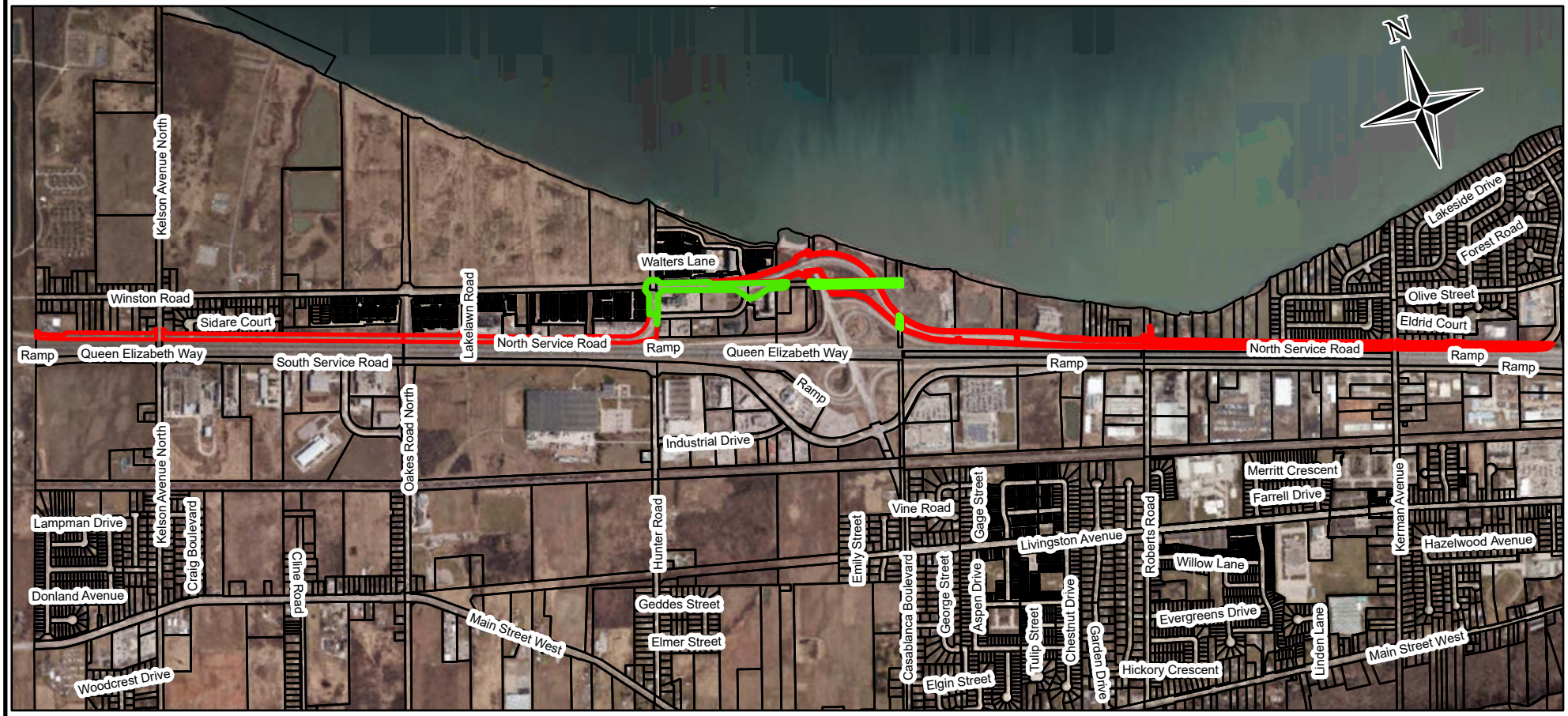


ILLUSTRATION SHOWING APPROXIMATE LOCATION OF NORTH SERVICE ROAD
TOWN OF GRIMSBY

LEGEND:

- DENOTES TERANET MAPPING
- DENOTES PROPOSED DOWNLOAD
- DENOTES PORTION OF EXISTING TOWN OF GRIMSBY ROAD JURISDICTION

Niagara Region

DISCLAIMER
This map was compiled from various sources and is current as of November 19, 2019.
The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map.
© 2019 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Airphoto (Spring 2018)

SCALE = 1:20,000

0 200 400 800 Metres

Transportation Services
Surveys & Property Information
IR-19-271-2 Date: 2019-11-19

PW 30-2020 APPENDIX 2

ILLUSTRATION SHOWING APPROXIMATE LOCATION OF NORTH SERVICE ROAD - DOWNLOAD - FIRSTLY
TOWN OF GRIMSBY

LEGEND:

- DENOTES TERANET MAPPING
- DENOTES PROPOSED DOWNLOAD

Niagara Region

DISCLAIMER
This map was compiled from various sources and is current as of November 19, 2019.
The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied,
as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map.
© 2019 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Airphoto (Spring 2018)

SCALE = 1:10,000

0 100 200 400 Metres

Transportation Services
Surveys & Property Information
IR-19-271-1 Date: 2019-11-19

Subject: Update on Extended Producer Responsibility - Batteries

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That the Commissioner of Public Works **BE AUTHORIZED** to enter into an agreement on behalf of The Regional Municipality of Niagara with Call2Recycle Canada Inc. for the funding of the Region's Drop-off Depot Battery Collection and Recycling Program in a form satisfactory to the Director of Legal & Court Services;
2. That the Director of Waste Management Service or his/her delegate **BE AUTHORIZED** to enter into negotiations with Raw Materials Company Inc. for an agreement for the funding of Niagara Region's Multi-Residential Battery Collection and Recycling Program; and
3. That Niagara Region Public Works staff **BE AUTHORIZED** to cease operation of the Curbside Battery Collection and Recycling Program as of July 1, 2020.

Key Facts

- The purpose of this report is to seek Council's approval to enter into an agreement with Call2Recycle Canada Inc. ("Call2Recycle") for the funding of Niagara Region's Drop-off Depot Battery Collection and Recycling Program for an initial term of one year with a provision for automatic renewal for subsequent terms of one year each. The agreement may be terminated by either party at any time for any reason with at least 180 days' prior written notice.
- The report is being submitted to Committee post July 1, 2020 due to staff working out the details of Extended Producer Responsibility as it relates to battery collection and recycling. This will not impede the Region's ability to obtain funding from July 1st onward.
- Niagara Region has operated a Household Hazardous Waste (HHW) program for the past thirty-four years, which includes the collection and recycling of batteries in order to provide residents with options to properly dispose of batteries and to ensure they are recycled and disposed of safely.
- Niagara Region's Battery Collection and Recycling Program consists of curbside battery collection, HHW drop-off depot and multi-residential building collection programs.

- The Ministry of Environment, Conservation and Parks has directed that the current used Battery Program, operated by Stewardship Ontario through the Municipal Hazardous or Special Waste (MHSW) Program under the *Waste Diversion Transition Act, 2016,* is to cease operation for batteries only on July 1, 2020.
- Since 2011, Niagara Region has received funding under the Stewardship Ontario Battery Incentive Program to offset the costs of collecting, transporting and recycling of single-use batteries, which will expire as of July 1, 2020.
- With the Province moving to an Extended Producer Responsibility funding model, in order to retain a level of funding beyond July 1, 2020, staff are recommending that Niagara Region enter into a funding agreement with Call2Recycle based on Call2Recycle's experience, existing battery producer agreements, established battery recycling infrastructure, and funding rate.
- As a result of increasing costs and decreasing funding, as well as the availability of other drop-off locations, staff are recommending that the Curbside Battery Collection and Recycling Program end as of July 1, 2020.
- Staff are seeking approval to negotiate an agreement with Raw Materials Company Inc. as service provider for funding of the multi-residential battery collection and recycling program after July 1, 2020.

Financial Considerations

Since 2011, Niagara Region has received funding for the collection and recycling of household batteries. Under the current funding agreements with Stewardship Ontario and Raw Materials Corporation, Niagara Region's battery collection and recycling program has been a net revenue generator. Funding under the existing program has been a combination of an hourly rate for the operation of the battery program through the HHW Drop-off Depots by Stewardship Ontario and a per kilogram rate for batteries collected through Raw Materials Corporation (Niagara Region service provider) for the curbside, HHW drop-off depot and multi-residential battery collection program.

As of July 1, 2020, under the Extended Producer Responsibility (EPR) model that would be facilitated through Call2Recycle, funding will be received based on the collected weight of batteries at a rate of $0.55 per kilogram. Table 1 provides a comparison of net costs (revenues) for 2019 for each battery collection program under the existing funding mechanism and under the proposed EPR agreements. The costs for each battery collection program are directly attributable to the program, such as contractor costs and promotion and education materials, but exclude any allocation of staff-related costs required to operate the programs. Under EPR funding, the HHW drop-off depot program

would be funded directly by a Producer Responsibility Organization while the curbside and multi-residential programs would be funded by the service provider (battery hauler).

In 2019, Niagara Region received a total of $25,408 in funding which was used to offset $13,878 in direct costs of the battery collection and recycling program resulting in a net funding surplus of $11,530. Under the revised EPR funding agreements, Niagara Region would receive a total of $12,955 of funding, resulting in a net cost of $923.

Table 1 – Comparison of Net Cost (Revenue) under Current vs. EPR Funding Agreements

Battery Program	**Current Program Funding Model Net Cost (Revenue)**	**EPR Program Funding Model Net Cost (Revenue)**
Curbside Collection	$2,382	$9,645
HHW Drop-off Depot	(13,600)	(8,410)
Multi-Residential	(312)	(312)
Total Net Cost (Revenue)	**($11,530)**	**$923**

Analysis

Background

Niagara Region established the Household Hazardous Waste program thirty-four years ago, which includes the collection and recycling of batteries. The purpose of the Battery Collection and Recycling Program is to provide residents with options to properly dispose of batteries to ensure that they are recycled and disposed of safely in order prevent them from being landfilled or entering the environment.

In addition to disposing of batteries at retail and other community collection locations, Niagara residents have the option of disposing of their household batteries in one of four ways:

Curbside Battery Collection Program – Niagara Region has operated a curbside battery collection program for the last seven (7) years. The curbside battery program is a one-week event, typically coinciding with Earth Week every April. Residents place their used batteries at the curb on their regular collection day, next to their Grey/Blue

Box in a clear, sealed bag. A total of 45,802 kilograms (45.8 tonnes) of batteries have been recycled through the curbside battery program since the pilot in 2012. From April 22 to 26, 2019, a total of 7,696 kilograms (7.7 tonnes) of batteries were collected.

Household Hazardous Waste Depots – Residents can drop off their batteries year round at one of Niagara Region's four HHW depots located at the Bridge Street Landfill (Fort Erie), Humberstone Landfill (Welland), Niagara Road 12 Landfill (West Lincoln) and Thorold HHW Drop-off depot (Thorold). In 2019, a total of 15,291 kg (15.3 tonnes) of batteries was collected at the drop-off depots.

Keen on Green Initiative for Niagara Region Facilities – Batteries are collected at Niagara Region facilities through the Corporate Keen on Green initiative, which is committed to keeping batteries out of the landfill. Battery pails and drums have been provided by Raw Materials Corporation at all Niagara Region building locations. Since 2013, over 2,820 kg (2.82 tonnes) of household batteries have been collected for recycling and Keen on Green has donated over $2,100 to the United Way from the proceeds of this program.

Multi-Residential Buildings – A multi-residential battery collection program was launched in late 2016 to provide a convenient and accessible service for residents living in multi-residential buildings to safely dispose of their household batteries. There are currently sixty-nine (69) multi-residential properties across Niagara participating in the program. In 2019, a total of 567 kg (0.57 tonnes) of batteries were collected for recycling. Since 2017, a total of 1,166 kg (1.16 tonnes) of batteries have been collected through the Multi-Residential program.

Extended Producer Responsibility

Since 2011, Ontario municipalities have been eligible to receive funding to offset the costs of collection, transportation and processing of single-use batteries. During this time Stewardship Ontario, a not-for profit organization funded and governed by industry stewards, has been responsible for the management of the battery collection program, including funding.

With the enactment of the *Resource Recovery and Circular Economy Act*, 2016 (RRCEA), the Province is shifting to a producer responsibility framework for products and packaging, making producers and brand holders accountable for recovering resources and reducing waste associated with products.

The Ministry of Environment, Conservation and Parks has directed that the current used Battery Program, operated by Stewardship Ontario through the Municipal Hazardous or Special Waste (MHSW) Program under the Waste Diversion Transition Act, 2016, is to cease operation for batteries only on July 1, 2020.

The Province's Made-in-Ontario Plan, released on November 29, 2018, refers to and reinforces the Province's position on EPR: "Make producers responsible for the waste generated from their products and packaging" (https://prod-environmental-registry.s3.amazonaws.com/2018-11/EnvironmentPlan.pdf). Public Works Committee was informed of this plan in WMPSC-C 9-2019. The RRCEA will put in place a new framework that makes individual battery producers responsible for the collection and end-of-life management of batteries. The two categories of batteries that fall within the new framework are:

- primary batteries (single use); and
- rechargeable batteries

The RRCEA identifies targets that producers are to meet for collection and recycling of batteries. Producers may use a third party organization called a Producer Responsibility Organization (PRO) to oversee this process. As the battery recycling program transitions to producers on July 1, 2020, municipalities will be able to enter into an agreement with a PRO.

Extended Producer Responsibility Funding

As of July 1, 2020, battery funding will change as the management of batteries transitions to battery producers. Niagara Region's current funding is based on two methodologies. The curbside collection, Keen on Green and multi-residential programs are funded on a per kilogram basis, while HHW Drop-off Depots receive funding based on an hourly rate for the operation of the collection depots.

In 2019, the Battery Collection and Recycling Program generated $25,408 in funding which was used to offset overall program costs and resulted in a net funding surplus of $11,530. By comparison, it is estimated that applying the new EPR funding would have resulted in $12,955 in total funding and a net program cost of $923 in 2019.

Producer Responsibility Organizations

At the current time there are three registered battery PROs in Ontario - Call2Recycle, Canadian Battery Association and Ryse Solutions Inc. Staff understand that Call2Recycle and the Canadian Battery Association have signed a Memorandum of Understanding to form a partnership.

Call2Recycle was established in 1997 to recycle batteries and cellular telephones. Over the years, they have built on their experience and have established a robust battery recycling infrastructure across Canada. Call2Recycle have secured agreements with over three hundred battery producers from national brands and retailers with private labels to manage batteries on their behalf. For these reasons, staff recommend contracting with Call2Recycle.

Niagara Region has received a draft agreement from Call2Recycle for the funding of the collection and recycling of batteries at Niagara Region Drop-off Depots. The fundamental terms of Call2Recycle's agreement include:

- Funding - Niagara Region will receive $0.55 per kilogram of collected batteries
- Contract Term - one year contract with automatic one year annual renewals, with option to end the contract with a minimum 90 days' notice prior to the end of the term
- Termination- by either party for any reason upon 180 days' prior written notice at any time
- Eligible batteries - both single use and rechargeable batteries will be accepted and eligible for funding

Staff are recommending that Niagara Region enter into an agreement with Call2Recycle based on Call2Recycle's experience in battery recycling, existing agreements with battery producers across Canada, established battery recycling infrastructure, and funding rate.

Call2Recycle only provides funding for the collection and recycling of batteries at drop-off depots. As a result, at the time of writing this report, staff are in discussion with Raw Materials Company for the funding of the Multi-Residential Battery Collection and Recycling Program. The current agreement with Raw Materials Company expires on June 30, 2020. Although the EPR system is in effect as of July 1, 2020, it is not anticipated that residents will experience any disruptions in service while new

agreements are being implemented with PROs and / or service providers during the transition of batteries to EPR.

Curbside Battery Collection and Recycling Program

Due to increasing Contractor costs and decreasing funding as of July 1, 2020, staff is estimating a net cost increase of approximately $10,000 in 2021 for the operation of the Curbside Battery Collection and Recycling Program. As a result, it is recommended that the Curbside Battery Collection not continue at this time.

Alternatives Reviewed

Two possible alternatives were considered for the collection and recycling of batteries. The first option is for Niagara Region to end the entire Battery Collection and Recycling Program since producers will now be responsible for the collection and overall management of batteries in Ontario. This option was not pursued since producers may experience challenges in the first year of transitioning to the management of the battery recycling program. However, it is recommended that Niagara Region staff review the Battery Recycling and Collection Program annually in order to determine if, and when, it is suitable to end the Battery Collection and Recycling Program.

The second option is for Niagara Region to not enter into an agreement with Call2Recycle or any other PRO and to fund the entire battery recycling program. This option would preserve current service levels, maintain convenience for residents and assist in eliminating batteries from entering the landfill or natural environment. This option is not recommended since, without an agreement, Niagara Region would not receive any funding and would assume full costs of the Battery Collection and Recycling Program.

Relationship to Council Strategic Priorities

This recommendation aligns with Council’s strategic priority of Responsible Growth and Infrastructure Planning, specifically as it relates to Environmental Sustainability and Stewardship. By entering into an agreement with Call2Recycle, Niagara Region will continue to optimize waste diversion opportunities, minimize costs and maintain convenience for Niagara residents.

Other Pertinent Reports

- WMPSC-C 2-2020
- WMPSC-C 9-2019

Prepared by:
Emil Prpic
Associate Director, Waste Disposal Operations & Engineering
Waste Management Services

Recommended by:
Bruce Zvaniga, P.Eng
Commissioner of Public Works (Interim)
Public Works

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Patricia D'Souza, Legal Counsel, Corporate Services and reviewed by Sara Mota, Program Financial Specialist, Corporate Services and Catherine Habermebl, Director Waste Management Services.

Waste Management Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **PWC-C 23-2020**

Subject: Terms of Reference for Long Term Waste Management Strategic Plan

Date: Tuesday, July 14, 2020

To: Public Works Committee

From: Jennifer Mazurek, Program Manager, Policy, Planning and Engagement

This purpose of this memorandum is to provide members of the Public Works Committee (PWC) with an overview of the Terms of Reference (TOR) and timelines proposed for Niagara Region's Waste Management Long Term Strategic Plan (WMSP).

Background

The need for a WMSP was originally identified in PWA 32-2010 Contract Award for Garbage, Recycling and Organics Collection Services. In 2011, Waste Management prepared a Request for Proposal (RFP) that was finalized but not released due to Public Works Committee's concern with the estimated project costs. In lieu of the WMSP, three of the core project deliverables were undertaken in 2011 and subsequently other major planning initiatives have been completed:

(i) A review focused on alternative waste management technologies viable for implementation in Niagara Region was initiated and then evolved into annual monitoring and reporting by Waste Management staff of projects in Canada (most recent report WMPSC-C 34-2019).
(ii) A study and resulting approval of the current financing methodology for Waste Management Services (PWA 55-2011).
(iii) A Blue Box program diversion plan, required to fulfill Best Practices requirements for the Resource Productivity and Recovery Authority (RPRA) annual datacall, was developed in 2011 and subsequently updated in 2016 (WMPSC-C 01-2017).
(iv) The Environmental Assessment for the vertical expansion of the Humberstone Landfill was initiated in 2012 and received the final approval in 2019 (WMPSC-C 26-2019).
(v) Review and implementation of new service levels for the next collection contracts (PW 61-2019).

While the above initiatives are important, an integrated long-term WMSP was recommended and approved through the 2017 waste management operating budget as a multi-year project, to be initiated after the implications of provincial waste reduction legislation and regulations are identified. Provincial direction will impact the amount of tonnage to be managed in Niagara Region's waste management system (e.g. the quantity of material that may be directed to potential alternative technology facilities). A WMSP will establish a planning framework and strategic direction for waste management in Niagara Region over the next 25 years to ensure resource recovery, sustainable long-term disposal infrastructure, and to enhance revenue opportunities. A detailed implementation plan, with timelines, will be developed for the first five years from 2022 – 2026, and then in five year intervals between 2027 - 2046. The WMSP should recommend sustainable, diverse, long-term waste management practices and systems that are consistent with Niagara Region's corporate vision and strategies.

Requirements

The WMSP must consider existing policies, practices, directions and best practices, as well as the potential upheaval in the waste management industry resulting from provincial policies and world market conditions, to define the vision, goals, targets, strategies, actions and measures that will guide Niagara Region's decisions with respect to the management of waste.

As a result of this project, Niagara Region will have a guiding document to support decisions related to Waste Management infrastructure, programs and policies. The document will provide innovative strategies and solutions for management of Niagara Region's waste stream that minimize disposal. Cost benefit analysis based on financial, social and economic factors will be provided for the recommended infrastructure and programs/services. The WMSP will be flexible enough to adapt to changing legislation, increasing provincial targets, changes in waste composition, population growth, and advances in technology. The TOR incorporates the following components:

(i) Assessment of System – 'Where We Are'

- What is Niagara Region's baseline?
- How does Niagara Region compare to other municipalities?
- What are best practices provincially, nationally and internationally?

(ii) Development of Direction and System Options – 'Where We Want To Go'

- What are the vision, goals and guiding principles supporting Niagara Region's long-term needs?
- What is Niagara Region's updated diversion goal and timeline?
- What are the gaps and challenges we will resolve?
- What innovative opportunities for program delivery and waste processing technologies can be implemented and how will we determine which alternatives are preferred?

(iii) Preferred System – 'How We Are Going To Get There'

- What options are preferred?
- What will the implementation plan look like for the first five (5) years between 2022-2027and then over the remaining twenty (20) years? How and when will the recommendations be implemented?
- How will the components of the system be financed, including a review of current financing methodology?
- What investments are required from Niagara Region?
- How will Niagara Region adapt to legislative and regulatory changes?
- What performance measures, targets and methods for monitoring progress in the plan should be used?

The plan will not be developed in isolation. Stakeholders that will be consulted and informed throughout the process include:

- Waste Management Planning Steering Committee (WMPSC), Public Works Committee (PWC), Niagara Region and Local Area Municipal Councils
- Regional departments including Planning and Development Services and Corporate Services
- Residents
- Business groups
- Waste Management service providers (collectors, processors)
- External municipal customers (e.g. Region of Waterloo)

Timelines

Table 1 below outlines estimated timelines for high-level milestones associated with the project.

Table 1: Estimated Timelines for High-Level Milestones

Milestone	**Estimated Dates**
RFP Issued	August 2020
RFP Award	October 2020
Public and Stakeholder Engagement	Q1 2021
Strategic Plan Draft	Q4 2021
Report to Council	Q1 2022

Related Projects and Potential Risks

It is important to note that in addition to the WMSP and in response to a motion from the City of Niagara Falls, Niagara Region has had preliminary discussion with the Continuous Improvement Fund (CIF) to complete an independent review of "the current practices related to garbage collection and recycling/recycling materials recovery facility" with the intent that "recommendations on how the system can be made more cost effective and efficient for the taxpayer" will be implemented over the term of the next collection contract, subject to Niagara Region Council approval. Staff are currently working with an equipment manufacturer to acquire a design and the associated costing to convert our existing two-stream recycling processing facility into a single-stream facility. Results from this report will be considered in development of the WMSP.

Provincial legislation/policy announcements and development of provincial plans to support the shift to a producer responsibility model for recyclable material, occurring during preparation of the WMSP, may influence the recommendations or ability of Niagara Region to implement short-term recommendations. The successful consultant will be expected to incorporate strategies in the WMSP to manage the risks that changes will impact Niagara Region programming.

Lastly, stakeholder group fatigue may result in low participation rates, as the same groups were consulted in late 2018 regarding Waste Management services for the collection contract starting on October 19, 2020. Also, it is expected that the ongoing and evolving situation related to COVID-19 will impact Niagara Region's ability to interact with stakeholders at in-person events. To mitigate these risks, it is expected that

the successful consultant will propose innovative and alternative methods to encourage participation (e.g. options for on-line engagement). Waste Management staff will ensure Corporate Communications is engaged throughout the project.

Next Steps

Per the timelines outlined above, Waste Management staff are working with procurement staff to draft an RFP, targeting release in Q3 2020 with award process completed before the end of 2020. Staff in other departments have been consulted during development of the TOR, including staff in the Asset Management Office and in Planning and Development Services, to ensure that the resulting strategy will encompass corporate requirements and policies. Staff will continue to inform WMPSC and PWC of project progress.

Respectfully submitted and signed by

_____

Jennifer Mazurek
Program Manager, Policy, Planning and Engagement

Public Works
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

PWC-C 24-2020

Subject: COVID-19 Response and Business Continuity in Public Works

Date: July 14, 2020

To: Public Works Committee

From: Bruce Zvaniga, P.Eng., Commissioner of Public Works (Interim)

As reported previously, Public Works has remained focused on keeping the critical public infrastructure operational while responding to the COVID19 pandemic. Departmental staff continue to ensure that the community has: safe drinking water, reliable wastewater systems, recycling and waste collection/disposal, regional specialized and regular transit and a well-maintained regional road system. Public Works staff recognize and are dedicated to the essential role they play ensuring that healthcare, social services, emergency responders and the community-at-large can depend upon the reliable availability of these core municipal services.

Public Works leadership is actively participating in the Operations Section of the Municipal Emergency Control Group. Working with all other departments, the Business Continuity Plan and staff redeployment strategy is monitored and adjusted to respond to changing conditions. As of June 26, 44.5 Public Works staff are actively re-deployed outside of the department delivering essential services. Over the next few weeks some of these staff will need to be recalled to address the increased needs in Public Works from the Provincial Stage 2 re-opening and major contracts underway.

The Department Leadership team are actively participating in virtual meetings with their counterparts in the Local Area Municipalities, and provincial committees to share our successes and learn how others have overcome challenges.

The following provides a brief highlight from each of the four (4) divisions on their respective status, service changes, actions taken and future outlook.

Water & Wastewater Services

Current Status of Operations

High quality, safe and reliable water and wastewater services in accordance with health regulations and standards continue to be provided.

Both the Drinking Water and Wastewater Quality Management Systems (QMS) remain active. A Water QMS Management Review was completed on May 28, 2020.

Capital infrastructure projects are deemed essential and continue to be delivered.

Service/Operational Changes

- Cancellation of the Niagara Children's Water Festival; supplementary virtual water festival developed and launched on June 9
- Cancellation of the Water Wagon service
- Recreational Vehicle wastewater holding tank disposal service (re-opened April 19 for Sundays only, and only at the Niagara Falls Wastewater Treatment Plant.)

Significant Initiatives or Actions undertaken

- Developed a full divisional staffing mitigation strategy to deal with any staff shortages that may occur due to COVID-19.
- Developing a W-WW Division Pandemic Recovery Framework in anticipation for Region entering into the Recovery Phase of the Pandemic Response Plan.
- Received license from Health Canada to produce disinfectant spray and hand sanitizer for Regional workplace use during the COVID-19 emergency response to alleviate supply chain shortages when required. Currently able to produce 40 litres per week.
- Cancellation of all non-essential meetings, plant tours, training activities, visitor access.
- Implemented COVID-19 protocols for consultants, contractors and project managers at plant facilities.
- Enhanced focus on the health and well-being of staff operating the essential systems including limiting access to the plant and deferring all non-essential contracted services.
- Assigned maintenance staff to dedicated areas and implemented flexible start and end work locations to avoid both unnecessary travel and exposure.

- One employee per vehicle where possible; installation of plexi-glass barriers in some vehicles, where no barriers installed staff will use masks and face shields
- Setup static sanitation stations in all staffed W-WW facilities and deployed mobile sanitation kits for all fleet vehicles.
- Implemented W-WW tailored daily COVID-19 spot check reports including regular reporting of facility sanitation supply inventories.
- Adopted changes to ensure no physical interaction on deliveries, courier and lab samples.
- Changes to pickup and handling of uniform laundry.
- Portable washrooms have been setup at Wastewater and Water facilities to accommodate contractors, couriers and sewage haulers.
- Face shields, half mask respirators and surgical masks are being used as a form of source protection for staff where certain activities do not allow for proper physical distancing
- Screening signage, screening protocol and limited door access have been implemented at all Water-Wastewater buildings. Daily reports of staff well-being and screening are being provided to management for recording and documentation purposes.
- Screening protocol for all vendors and contractors also implemented at all worksites.
- Constructors at various worksites have put into place proper distancing, working measures and PPE for the well-being of all staff.
- Accepting digital signatures for MECP form approvals.
- Capital project delivery through all phases continuing with proper protocols for consultants, contractors as well as for internal staff in place

Operational Outlook

1 month

- Implementing phased W-WW Pandemic Re-Opening Plan in accordance with Public Health advisement and direction from the Region's Emergency Operations Centre.

3 months

- Implementing phased W-WW Pandemic Re-Opening Plan in accordance with Public Health advisement and direction from the Region's Emergency Operations Centre.

6 months

- The focus continues to be on the maintenance of all key components, the sustainable supply of key chemicals and materials and most importantly on the well-being of the staff managing these essential systems.

Transportation Services

Current Status of Operations

Essential bridge, culvert and roadway works, forestry, traffic control, pavement markings and signage are critical services which continue to be provided.

Design, construction management and environmental assessments continue from engineering staff and consultants.

Staff continue to monitor all material shipments, supplies and construction contracts experiencing delays to understand larger impacts to ongoing construction project schedules.

Essential and critical project interpretation based on Provincial announcements continues to change and affects the delivery of projects and levels of service to the residents of Niagara Region. This is continuously monitored and adjusted to meet Provincial directions.

Service/Operational Changes

Dispatch is providing 24 hour support with all calls received by the Region; in particular directing residents for COVID-19 to Public Health and by-law enforcement (Local and Regional) seven days a week.

Earlier in assessing the separation of staff in field operations, the normal weekday shift and management oversight had been split into two groups scheduled to not physically interact with each other. As a result, the hours of operation were stretched from 5 a.m. - 9:30 p.m. with the support of the union and management.

Since the implementation of two (2) shifts, management have continued to review staffing levels and needs. Due to the number of redeployments to Long Term Care (LTC) and EMS in support of the pandemic, vacancies, plus sick time, management reassessed the two shifts and converted back to one shift per day from 7 a.m. - 3 p.m.

Management is continuing to assess service levels against staffing needs and safety protocols and will adjust accordingly.

Significant Initiatives or Actions undertaken

Separation of field staff in vehicles where possible is being administered. Vehicle assignment to specific staff with the responsibility to clean / maintain on a daily basis.

Face masks and shields have been ordered for additional staff protection in certain circumstances.

Staff continue to monitor supplies out of Fleet stores such as wipes, hand sanitizer, N95 masks and are supporting other Divisions with resources as required.

Screening signage, screening protocol and limited door access have been implemented at all yards and the service center. Daily reports of staff well-being and screening are being provided to management for recording and documentation purposes.

Screening protocol for all vendors and contractors also implemented at yards and service centers.

Constructors at various worksites have put into place proper distancing, working measures and PPE for the well-being of all staff.

Updated protocols based on provincial regulations/guidelines for working on construction sites has been sent to Heavy Construction Association of the Region of Niagara to notify their members that they must adhere to these measures.

IT equipment to assist with working from home has been provided where applicable.

A number of Transportation Staff have already been trained and redeployed to assist other Departments where needed. In assisting with the redeployments to LTC, Staff manufactured personal screening barriers for screener positions at entry points of the homes as an additional safety measure.

Operational Outlook

1 month

- Essential and critical project interpretation based on Provincial announcements will affect the delivery of projects and levels of service to residents of Niagara region. This continues to be under review. The Business Continuity Plan with Redeployment Strategy of staff for the Division will be administered accordingly.

3 months

- Essential and critical project interpretation based on Provincial announcements will affect the delivery of projects and levels of service to residents of Niagara region. This continues to be under review. The Business Continuity Plan with Redeployment Strategy of staff for the Division will be administered accordingly.

6 months

- Contractors have shared their concern that once non-essential work can re-commence, there will be shortage within the trades due to demand. Contracts are continuing to be monitored by staff with regards to any shortages (supplies and trades) and updates will be highlighted.

Waste Management Services

Current Status of Operations

Restrictions to the curbside collection program and at the landfill sites/drop off depots have been lifted with minor restrictions still in place as noted below.

The processing of recyclable materials is being maintained, despite a shortage in staffing.

An online tool was successfully implemented in June to provide residents the ability to purchase garbage tags, CFC stickers and recycling and organic bins on line. Garbage tags and CFC stickers are mailed to the residents. For recycling and organic bins, payment is made on line and residents can pick up the bins at one of the Regional distributions centres.

Strategic initiatives are continuing such as the MRF Opportunity Review, implementation of new collection contracts and services levels, construction projects, and operational tenders. Staff continue to participate in stakeholder consultation

sessions regarding the Blue Box program and other programs transitioning over to a Producer Responsibility model.

Service/Operational Changes

Landfill Service Changes

There have been delays at the sites due to the recent changes implemented, including limiting the number of people on the drop-off pad to support COVID-19 physical distancing guidelines.

Preferred methods of payment are debit and credit, using the tap option.

Collection of large household item resumes

Restrictions on the number of daily bookings was in place for the month of June to manage volumes. As of July, the collection of large household items has fully resumed.

Curbside Battery Collection

Battery collection originally scheduled for April 20-24 was initially postponed so that staff could focus on the collection of regular garbage, recycling and organics. A decision was made to cancel the services due to staff redeployment as well as a change in the industry funding model.

Compost Giveaway

Compost giveaway originally scheduled for May 4-9 has been postponed until the week of September 14, 2020.

Recycling/Green Bin Distribution Locations Closed

Residents can use alternative rigid plastic containers.

For more information on waste management services, visit https://www.niagararegion.ca/waste.

Community Events

Presentations, community booths, sites tours and special events recycling have been postponed until further notice.

Significant Initiatives or Actions undertaken

Screening signage, screening protocol and limited door access have been implemented at all facilities. Daily reports of staff well-being and screening are being provided to management for recording and documentation purposes.

Screening protocol for all vendors and contractors has also been implemented at all facilities and sites.

Installation of a portable washroom and hand washing station for commodity drivers to avoid visitors entering the Recycling Centre.

Staggering breaks and lunch to reduce amount of people taking breaks at one time at the Recycling Centre.

Increased cleaning being completed at night and during the day (i.e. between lunch breaks and in high traffic areas).

Installed plexi-glass between sorters on the processing line, and at the scale houses located at the landfill sites/drop off depots.

Staff are travelling in separate vehicles to maintain physical distancing per health guidelines.

On-road staff working from home to start and end their day due to lack of public washroom availability, and to reduce the need to enter their work location.

Operational Outlook

1 month

-
- Implementing the divisional Pandemic Re-Opening Plan in accordance with Public Health advisement and direction from the Region’s Emergency Operations Centre.

- Staff working with IT and Finance to offer residents the ability to purchase garbage tags on-line.
- Staff will continue to develop and implement a communication strategy to inform residents about upcoming service changes that will occur with the new waste collection contracts. Initial communication plan adjusted due to COVID. The first direct mail piece (post card) is scheduled to hit mailboxes late June/early July.
- RFP will be issued for the division's Long-term Strategic Plan.
- The Business Continuity Plan with Redeployment Strategy of staff for the Division will be administered accordingly, and work that cannot be deferred is being managed by existing staff.

3 months

- The Business Continuity Plan with Redeployment Strategy of staff for the Division will be administered accordingly.
- Staff will continue to implement communications about the service changes that will occur with the new waste collection contracts.
- Staff will continue to meet with new collection contractors to ensure a successful start up

6 months

- New waste collection contracts are set to commence October 19, 2020. Staff will be working to address any major concerns and provide residents with information to fully participate in the curbside programs.
- The Business Continuity Plan with Redeployment Strategy of staff for the Division will be administered accordingly.

Niagara Region Transit/Specialized Transit & GO Implementation

Current Status of Operations

Niagara Region Transit (NRT) is operating at a modified version of the "Saturday" level of service:

- All Express routes were eliminated (40a, 40b, 45a, 45b, 60a, 65a, 70a, 75a) effective March 23
- 7:00 a.m. - 9:00 p.m. operating hours effective May 4 (typically 7:00 a.m. – 11:00 p.m.)
- Hourly service (60 minutes) on Routes 22, 25, 40, 45, 50, 55, 60, 65, 70 & 75

Niagara Specialized Transit (NST) is operating at the normal level of service, except for trips whose origins or destinations are to/from a location with reported cases of COVID-19 are not being provided. Reducing hours of operation is not a necessity in this case as Niagara Region only pays for trips delivered, rather than an hourly rate. Overall, NST trip requests are significantly reduced, however NST continues to deliver all requested trips within the capacity available. Ridership has begun to show small signs of recovery since the start of June.

Service/Operational Changes

The "Rear door boarding" policy enacted on March 23 to temporarily limit driver contact and respect physical distancing has been lifted. Through Inter-Municipal Transit Working Group (IMTWG) coordination, Niagara's transit providers have installed plexi-glass bio-barriers across the entire fleet of vehicles to protect bus operators. With these bio-barriers in place, reinstatement of front door boarding was able to begin on June 29, and collection of fares on July 2.

Hourly service on Routes 40 and 45 was reinstated to relieve capacity pressures on Routes 50 and 55 and to support the re-opening of the Outlet Collection at Niagara.

Significant Initiatives or Actions undertaken

All NRT and NST fleet vehicles have been professionally cleaned/disinfected/sanitized well beyond regular protocols, and Aegis antimicrobial spray was applied to all interior surfaces. This work was completed by the local transit service providers as they manage and operate the NRT fleet as part of their own.

Due to the low volume of trips, BTS has made every effort to deliver trips with only a single occupant in each vehicle, although this has not been formalized as a public policy.

Operational Outlook

1 month

- NRT staff continue to review ridership data closely in order to determine appropriate levels of service. As provincial guidelines continue to allow for businesses to re-open, it is premature to attempt to draw accurate ridership projections.

- The IMTWG has received provincial guidelines, however those guidelines did not address vehicle capacity. Through discussion with other transit properties in Ontario, Niagara's transit providers are on target to allow for an increased capacity to 50% whereas the services have been operating with capacity limits of under 20% since March. A limited number of extra buses are awaiting deployment to meet rising transit demand.
- A launch date for NRT OnDemand deployment in West Niagara has been set for August 17. Staff continues to work with its service provider Via Mobility to develop the service and communications plan. This will involve staff from both Niagara Region and our local area municipal partners in West Niagara being present in the communities of the service area to promote the new service.
- Work continues with our post-secondary partners to review projected enrollment and transit ridership for the Fall 2020 semester at both Brock University and Niagara College. With the percentage of enrolled students on campus undetermined at this time, transit staff are developing scenarios for meeting needs that arise from the campus sites where typically, very significant volumes of students use transit.
- Staff continues to work with Brock University and the Brock University Student Union to maintain the U-Pass Program for the 2020-2021 academic year. Niagara College terminated the U-Pass agreement in response to COVID-19 and thus students will be purchasing monthly passes in September.

3 months

- Possible further service adjustments based on ridership and in reaction to any provincial changes. Staff will continue to work with the IMTWG in reviewing the available data to ensure that adequate service is being provided while being mindful of the financial challenges faced by each municipality.
- Service adjustments will have to consider whether schools and universities remain closed for Fall semester, have modified on campus student populations, or have moved entirely online in course curriculum. The IMTWG is working with the post-secondary institutions to ensure that sufficient transit is available to support the needs of the students and that adequate compensation is received for the provision of such services.

6 months

- The IMTWG will begin working towards the implementation of a new fare payment technology through the funding provided by the Investing in Canada Infrastructure Program (ICIP). Due to the complexity of the program, an

implementation date in 2021 is most likely. Staff will continue to provide updates once a timeline has been established and at the major milestones.

- The Niagara Transit Governance Study report will be complete by summer 2020. Introduction of the final report to LNTC with recommendation on a new governance model by the Project Team and study consultants will be done in consultation with the CAO Working Group and the LNTC Chair.

As both the Province and Region move through the recovery process, staff at each of Niagara's transit providers will continue to collaborate in monitoring service levels, processes, and policies to ensure the safety of the residents and employees remain a priority and that decisions are made and communicated jointly wherever possible.

Respectfully submitted and signed by,

Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)

Waste Management Servies
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **PWC-C 16-2020**

Subject: 2018 Waste Management Benchmarking Report

Date: Tuesday, July 14, 2020

To: Public Works Committee

From: Brad Whitelaw, Program Manager, Waste Policy & Planning

The purpose of this memorandum is to submit the annual 2018 waste management benchmarking review and evaluate performance against the Blue Box program goals, objectives and targets established in WMPSC-C 1-2017, Niagara Region's 2016-2021 Blue Box Program Plan. This memorandum was delayed due to the length of time required by Resource Productivity & Recovery Authority (RPRA) (https://rpra.ca/) to verify the 2018 Blue Box Datacall results and post them to their website.

Overview

The 2018 benchmarking report is comprised of three (3) key areas for performance measurement. For each measurement parameter, Niagara's target, the current value, and how it compares to the target and/or other municipal comparators, are described in Appendix A. The parameters reflect industry standard measurements for program or system performance, cost effectiveness and efficiencies. The performance and benchmarking results are summarized below.

1. Resource Productivity & Recovery Authority Residential Waste Diversion Rate

Niagara achieved the interim waste diversion goal of 56% by 2016, and is now working towards achieving the 65% target. Niagara's 2018 diversion rate of 56% was above the provincial average of approximately 50%. It was also higher than the average of the municipal comparator group (i.e. municipalities with a population greater than 250,000), which was approximately 52%. This measurement parameter and associated target will be revised once the new provincial diversion rate methodology is established.

2. Blue Box Recycling Plan Performance Measures and Targets

The Blue Box Recycling Plan goals, which align with Council's current target of 56% diversion by 2016 and 65% diversion by 2020, are to increase the diversion of residential Blue/Grey Box materials from disposal and extend the life of existing landfills. The performance results in support of program goals and associated objectives include some of the following observations. Appendix A contains the full results.

- Niagara has achieved the 2018 RPRA related targets and is performing better than the comparator group and provincial average. The RPRA measures consist of:

RPRA Measure	Niagara Region	Comparator Group Average	Provincial Average
2018 Blue Box Residue Rate	6.8%	n/a	9.8%
2018 Net Cost per Tonne Marketed	$222/tonne	$313/tonne	$374/tonne

- Niagara did not achieve the 2018 Blue Box participation rate target, based on the results of the 2018 curbside visual survey, but that may be due to the season and the number of households being away and not setting out material for collection.

- The 2018 Blue Box set-out rate was not measured, as part of the 2018 curbside visual survey. However, it is anticipated that the 2018 set-out rate remained the same as the 2016 set-out rate as no program change has occurred.

Curbside Waste Audit/Visual Survey Measure	Niagara Target	Niagara Actual
2018 Blue Box Participation Rate	82%	72%
2016 Blue Box Set-Out Rate	2.0/hhld/week	2.0/hhld/week

3. Municipal Benchmarking Network Canada (MBNC) Performance Measures

The subset of MBNC parameters that are related to cost effectiveness are used in this benchmarking review. Niagara was lower in cost than the 2018 MBNC average, in all areas:

MBNC Performance Measure	Niagara Region	MBNC Average
2018 Operating Cost for Garbage Collection per Tonne - All Property Classes	$87/tonne	$125/tonne
2018 Operating Cost for Solid Waste Disposal per Tonne - All Property Classes	$84/tonne	$133/tonne
2018 Operating Cost for Solid Waste Diversion per Tonne - All Property Classes	$133/tonne	$214/tonne
2018 Solid Waste Average Operating Cost per Tonne - All Property Classes	$136/tonne	$228/tonne

Conclusions

Improvements to waste management programs and program performance have occurred over the last several years. Niagara has met the established targets or is performing better than its comparator group and/or provincial averages. Niagara has met the majority of the short-term targets established for 2018, and is trending toward meeting its longer term targets.

These annual reviews are intended to ensure continuous improvement and that every effort is being made to ensure the waste management system is operated efficiently and cost-effectively.

Respectfully submitted and signed by

_____

Brad Whitelaw, BA, CIM, CPM, P.Mgr., CAPM
Program Manager, Waste Policy & Planning

Appendices

Appendix A 2018 Waste Management Benchmarking and Performance Monitoring Report

2018 Waste Management Benchmarking and Performance Monitoring Report

Overview

The 2018 Waste Management Benchmarking Report is comprised of three (3) key areas for performance measurement:

1. Resource Productivity & Recovery Authority (RPRA) Residential Waste Diversion Rate
2. Blue Box Recycling Plan Performance Measures and Targets
3. Municipal Benchmarking Network Canada (MBNC) Performance Measures

For each area/parameter, Niagara's target, the current value and how it compares to the target and other municipal comparators (where available) are described. The parameters reflect industry standard measurements for program or system performance, cost effectiveness and efficiencies.

Benchmarking and Performance Results

1. RPRA Residential Waste Diversion Rate

Niagara's Target:	56% by 2016 and 65% by 2020
2018 Value:	56% in 2018
Variance to Target:	Target achieved
Benchmarking Result:	Niagara is above the provincial and comparator group averages of 50% and 52%, respectively.

The RPRA residential waste diversion rate is calculated based on tonnes diverted in the following main categories:

- Recyclables material stream, which consists of marketed Blue Box material, electronics, scrap metal, construction/demolition material, asphalt shingles and other miscellaneous categories;
- Green Bin organics and leaf, yard and branch material; and
- Other material, which is primarily comprised of a RPRA calculated tonnage credit for grasscycling/grass ban, deposit-return, tires and backyard composting.

In 2018, Niagara generated 198,485 tonnes of residential solid waste, which was a decrease of approximately 1.1% compared to 2017. However, as illustrated in Table 1, using the RPRA methodology, which allocates additional multi-residential disposal tonnages to Niagara, the 2017 and 2018 adjusted tonnages are higher at 201,273 and 198,921 tonnes, respectively.

Table 1 – Residential Material Diverted as a Percentage of Total Solid Waste Generated in 2017 and 2018 (*using revised 2012 methodology, which adjusted disposal tonnage)

Residential Waste Stream	2017 Tonnes	2017 Percent of Total Waste	2018 Tonnes	2018 Percent of Total Waste
Total Generated	201,273	100%	198,921	100%
Waste Disposed	87,553*	43%	87,786*	44%
Material Diverted	113,720	57%	111,135	56%

For comparison, Table 2 provides the residential generation rate per capita for Niagara's comparator group. The majority of municipalities have seen increases at least once from 2012 to 2014, and 2017. However, most municipalities saw a decrease in 2015 and 2016. In 2018, over half of the municipalities decreased slightly from their 2017 level.

Table 2 – RPRA Residential Generation Rate Per Capita

Municipality	2018 Kg/Cap.	2017 Kg/Cap.	2016 Kg/Cap.	2015 Kg/Cap.	2014 Kg/Cap.	2013 Kg/Cap.	2012 Kg/Cap.
Large Urban							
Halton Region	364	372	375	389	413	406	412
Hamilton	394	415	397	405	419	411	407
London	383	409	399	407	405	401	398
Peel Region	362	360	361	362	368	366	366

Municipality	**2018 Kg/Cap.**	**2017 Kg/Cap.**	**2016 Kg/Cap.**	**2015 Kg/Cap.**	**2014 Kg/Cap.**	**2013 Kg/Cap.**	**2012 Kg/Cap.**
Toronto	285	283	280	296	310	317	319
York Region	318	314	316	326	336	328	342
Large Urban Average	**328**	**330**	**327**	**337**	**349**	**348**	**352**
Urban Regional							
Durham Region	383	376	377	380	385	378	380
Essex-Windsor	406	404	391	399	395	399	399
Niagara Region	421	439	427	435	442	437	438
Ottawa	355	362	352	362	367	372	366
Simcoe	457	476	473	475	465	461	469
Waterloo Region	327	329	330	347	346	354	348
Urban Regional Average	**380**	**385**	**379**	**387**	**389**	**390**	**389**

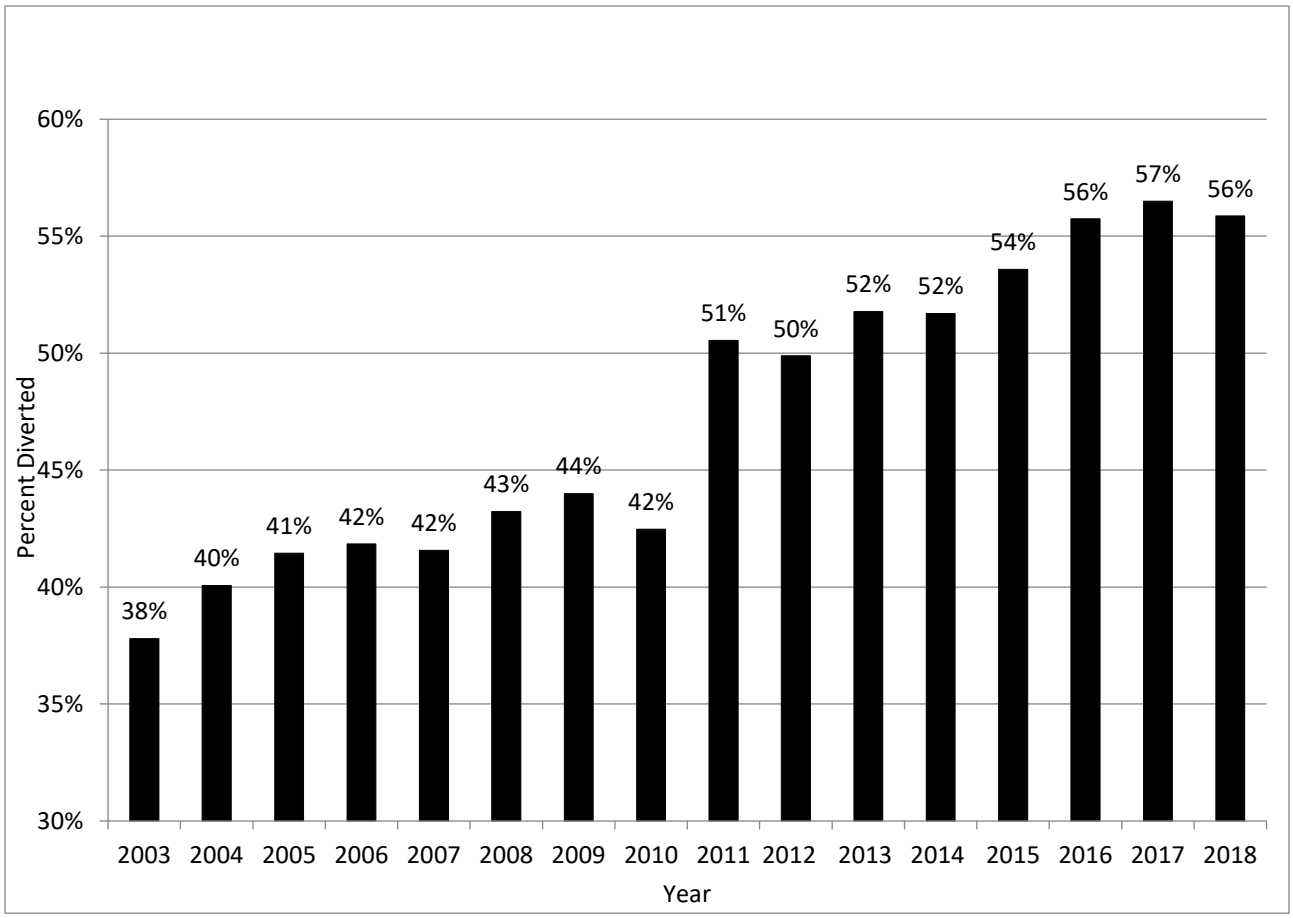
The overall trend in Chart 1 shows an improvement in Niagara's RPRA residential waste diversion performance between 2003 and 2018. Niagara's diversion rate of 56% increased by 14% compared to 2010, primarily due to the new collection service levels that were launched on February 28, 2011, as part of the new collection contract.

The services and associated policies that increased diversion, through enhanced programs and behavioural change incentives, included:

- Collection of both Blue and Grey Box material every week;
- Multi-residential recycling program;
- Green Bin organics program expansion to Wainfleet and West Lincoln and to multi-residential buildings up to six units across the Region;
- Reduction in garbage limits for households - one (1) garbage container (bag/can) limit per residential unit (to a maximum of twelve containers);
- Increase in the cost of the garbage tags from $1/tag to $2/tag to reflect full cost recovery;

- Initiation of a partial construction and demolition (C&D) depot diversion program; and
- Addition of plastic containers and rigid plastic packaging with the numbers 3 and 7 and non-numbered to the Blue Box Program (all plastic containers and rigid packaging are now accepted).

Chart 1 - Niagara Region's RPRA Residential Diversion Rate in 2003-2018

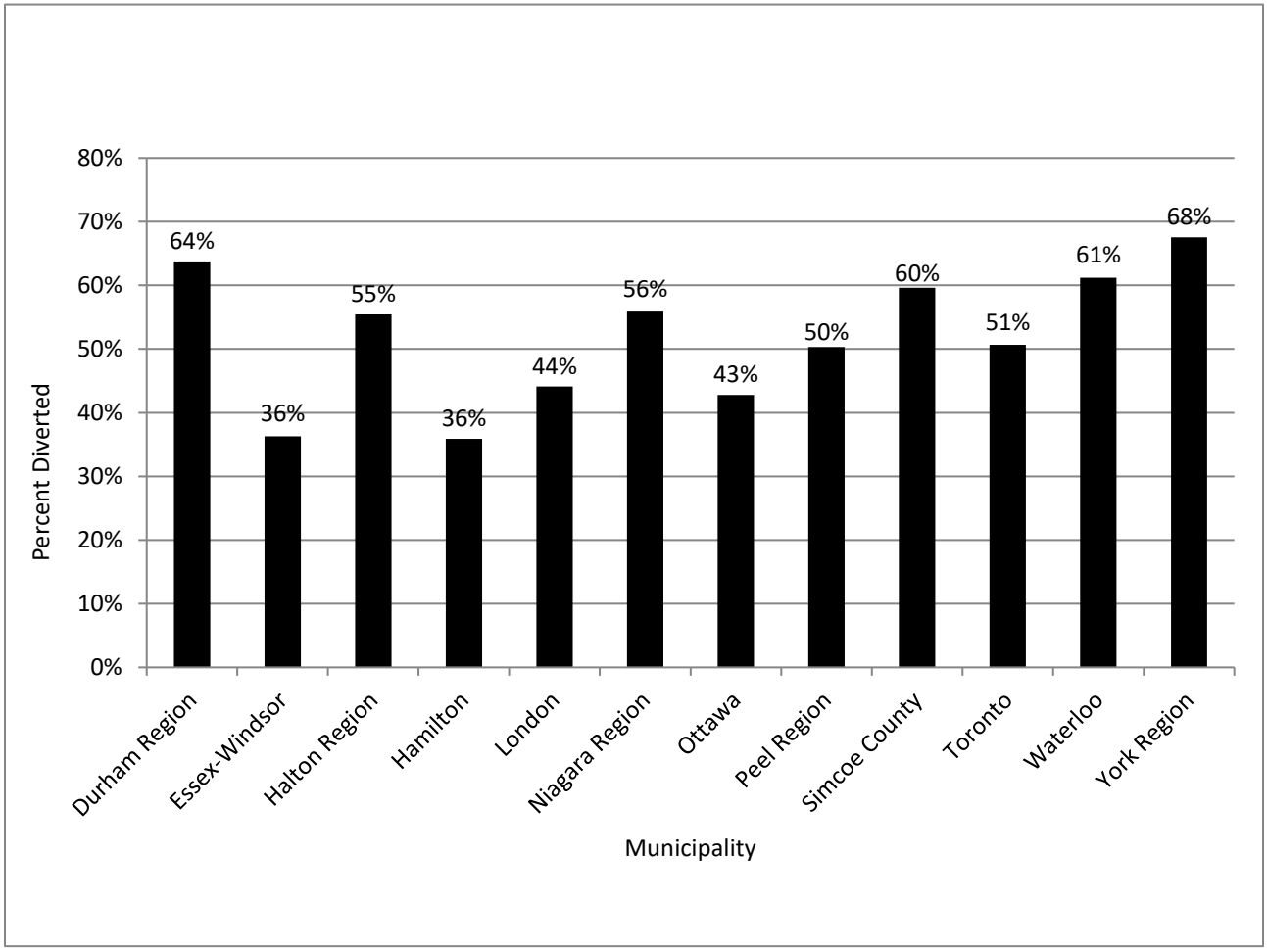


The 2018 diversion initiatives that were implemented include the following:

- Unlimited recycling and organics collection at schools, local area municipal and Niagara Regional facilities;
- Multi-residential textile recycling pilot program;
- Bottles for Charity recycling pilot program at Niagara Road 12;
- Porcelain recycling pilot program at all landfill and recycling drop-off depots.

Chart 2 below illustrates the 2018 RPRA residential waste diversion rates for Niagara and its eleven municipal comparators, which have a population greater than 250,000.

Chart 2 - Comparison of 2018 RPRA Residential Diversion Rates for Comparator Group



York, Durham, Halton and Waterloo have some of the highest diversion rates, which are generally attributable to every-other-week garbage collection. Simcoe County's diversion rate was also reported to be one of the highest at 60%, with a weekly one container garbage limit parallel to Niagara's program, and a very strong C&D depot recycling program.

Niagara is above the 2018 provincial average of approximately 50% diversion and higher than the average of the municipal comparator group, which is approximately 52%. In terms of ranking, Niagara is the 5th highest rate in the comparator group.

For comparison, Table 3 provides the residential diversion percentage by diverted material stream for the six (6) top performing municipal comparators, including Niagara, based on 2018 RPRA data.

Table 3 – RPRA Residential Diversion Percentage by Material Stream for 2018 for Top Performers in Comparator Group

Municipality	Deposit Return	Reuse	On-Property[1]	Blue Box	Other[2]	Organics	MHSW	2018 Diversion Rate
York Region	1.73%	0.00%	4.31%	17.30%	10.75%	33.10%	0.33%	67.52%
Durham Region	1.44%	2.77%	5.27%	16.75%	15.83%	21.24%	0.47%	63.76%
Waterloo Region	1.68%	0.00%	6.32%	18.52%	2.76%	31.63%	0.29%	61.21%
Simcoe County	1.19%	0.12%	3.28%	16.46%	18.43%	19.70%	0.42%	59.60%
Niagara Region	1.31%	0.57%	5.39%	18.02%	6.65%	23.49%	0.43%	55.87%
Halton Region	1.51%	0.01%	5.07%	18.54%	2.11%	27.87%	0.32%	55.43%
Toronto	1.94%	0.00%	4.38%	12.03%	3.46%	28.63%	0.23%	50.66%
Comparator Group Average								**51.96%**
RPRA Ontario Average								**49.66%**

Notes:

1. On Property includes backyard composting and grass cycling.
2. Other includes recyclables such as Waste Electrical and Electronic Equipment (WEEE), tires, and construction and demolition (C&D) materials.

In Table 3, the organic material stream shows a wide range of diversion percentages (lowest being 19.70% in Simcoe to the highest at 33.10% in York), with the majority of the municipalities being above Niagara's rate of 23.49%. York, Halton, Toronto and Waterloo's higher organics diversion rate may be attributable to providing every-other-week garbage collection.

Another significant observation from Table 3 is that Simcoe County has an exceptionally strong C&D depot diversion program (included in Other Recyclables) of 18.43%, which is an anomaly compared to the other top performers.

The experience in the top performing municipalities, supplemented by the results of historical waste audit data for Niagara's low density residential sector, demonstrate good potential for future diversion growth in Niagara's organics program and/or potential for food waste reduction through the Ontario Food Collaborative.

Future increases in Niagara's residential diversion rate are expected to trend towards meeting the target of 65%, with the implementation of smaller diversion initiatives and continuation of the extensive Social Marketing and Education Plan, as outlined in WMPSC-C 2-2019 in addition to the service level changes to begin October 2020. However the 65% diversion target will likely not be realized until a full year of every-other-week garbage collection has been in place.

Planned 2019-20 diversion initiatives include:

- Implementation of every-other-week garbage collection, and a four (4) bulky item limit per collection, as part of the new waste collection contract (October 2020);
- Implementation of a communication strategy and public education campaign for the new waste collection contract (summer 2020);
- Implementation of waste management web/mobile application for collection day look up, collection day reminders, notifications, and item search tool (October 2020);
- Continuation of the multi-residential textile diversion pilot program (2019-20);
- Continued participation in the Ontario Food Collaborative and implementation of a Niagara Region specific food waste reduction strategy (2019-20);
- Mattress recycling program at the Region's landfill drop-off depots (2019); and,
- Bridge Street, Humberstone and Niagara Road 12 Drop-off Depot improvements and continued encouragement of separation of loads at the Region's drop-off depots to facilitate increased diversion (2020)

Provincial policy changes (i.e. extended producer responsibility, organics diversion strategy), will also instigate more substantial diversion rate increases, particularly in the organics program area.

The Region is reviewing other methods to measure its waste diversion, which may be applied in future years. Metrics, such as the reduction of waste on a per capita basis, are being reviewed. Reduction (e.g. reducing avoidable food waste and reuse efforts) is difficult to measure using the traditional RPRA diversion rate calculation.

2. Blue Box Recycling Plan Performance Measures and Targets

The Blue Box Program's specific goals, which align with Council's objective of 65% diversion from disposal, are to increase the diversion of residential Blue/Grey Box materials from disposal and extend the life of existing landfills.

Key Blue Box Program objectives, which are related to the targets and benchmarking exercise, include the following:

- Optimizing collection and processing, in order to improve Niagara's performance factor (ratio of the program's net cost per tonne and its recycling rate) relative to other municipalities, which increases the program funding amount;
- Continuous improvement, including monitoring and reporting of Blue Box diversion successes against recycling targets;
- Facilitating the achievement of the various Blue Box Program performance measurement targets;
- Increasing program participation and recovery of Blue Box materials, while lowering residue rates; and
- Increasing level of customer (Regional service user) satisfaction.

The following section discusses Niagara's progress in achieving these goals and objectives. Niagara's 2018 program results are compared to:

- Targets set in the 2016-2021 Niagara Region Blue Box Recycling Plan; and
- Eleven comparator municipalities that have a population greater than 250,000 for the RPRA parameters and the RPRA provincial average.

The performance measures were defined in previous RPRA best practice requirements. The measures are based on outputs from the annual RPRA datacall process and data collected from curbside waste composition studies/audits, which are completed intermittently when introducing program changes.

Baseline Blue Box Program data from 2015 and 2016 curbside waste audits, and in some cases historical trends, were used as a general basis for developing targets for the performance measures. Targets have also been established considering approved program changes, targeted communications and processing facility improvements. Other municipal data were also used as a reference for developing targets for some measures.

RPRA Performance Measures

The RPRA utilizes a standard methodology (Generally Accepted Principles or GAP analysis) for municipal waste management reporting and residential waste diversion calculations. The performance measures, which are an output of the RPRA datacall process, are described below with associated Niagara targets. Data from eleven comparator municipalities that have a population greater than 250,000 are referenced for comparison and benchmarking purposes.

1.1 Blue Box Residue Rate

Niagara's Target:	4.2% in 2015, decreasing to 4.0% by 2018
2018 Value:	6.8% (based on residential tonnes disposed)
Variance to Target:	Target not achieved
Benchmarking Result:	Niagara is well below the Province-wide multi-stream (two or more streams) residue rate of 9.8% for 2018. The average single stream residue rate is higher at 20.3% for 2018.

Blue Box residue rate is defined as the percentage of collected Blue Box material that is rejected during processing. Residue typically includes non-recyclable material such as take-out coffee cups and other contaminants. The residue is then disposed resulting in less revenue, as the material cannot be sold to recycling end markets.

Niagara Region achieved a residential Blue Box residue rate of 1.8% in 2011 and 2012, and 1.7% in 2013 and 2014. The 2015-18 residue rates increased from 4.5% to 6.8%, due in large part to a lack of an end market for low-value mixed plastic.

2.2 Net Cost per Tonne Marketed

Niagara's Target:	$203/tonne in 2015, further decreasing and remaining below the average of the comparator group for each year.
2018 Value:	$222/tonne
Variance to Target:	Target not achieved
Benchmarking Result:	Niagara had the fourth lowest net program cost in 2018 ($222/tonne) in the comparator group, and was well below the

averages for the comparator group ($313/tonne) and Province-wide ($374/tonne).

A key performance indicator for the Blue Box Program is the net program cost per tonne marketed, as calculated by RPRA. This parameter includes the net cost for Niagara's Recycling Centre (i.e. processing, collection contract and program support costs (e.g. staff, promotion and education, etc.). The net cost reflects the revenue from the sale of recyclables.

As Table 4 indicates, Niagara's net residential Blue Box cost per tonne marketed was approximately $222 in 2018, which was a 50% increase compared to 2017. The main reason for the increase in 2018 was a decrease in revenue from the sale of recyclables. However, Niagara had the fourth lowest net program cost in 2018 and the second lowest net program cost in 2017 ($148/tonne). Niagara was well below the 2018 comparator group average of $313/tonne and the 2018 Province-wide average of $374/tonne.

Table 4 – RPRA Net Program Cost Per Tonne Marketed in 2017 and 2018

Municipality	**2018 Blue Box Tonnes Marketed**	**2018 Total Net Cost**	**2018 Net Cost Per Tonne Marketed [3]**	**2017 Net Cost Per Tonne Marketed [3]**
Large Urban				
Halton Region	38,780	$9,197,472	$237.17	$180.34
Hamilton	34,341	$12,051,944	$350.95	$260.55
London	21,832	$7,014,243	$321.28	$258.23
Peel Region	81,775	$30,052,636	$367.50	$313.67
Toronto	95,138	$61,075,282	$641.96	$446.33
York Region	65,812	$24,481,602	$371.99	$251.30
Large Urban Average	337,678	$143,873,178		
		Simple Average[1]	$381.81	$285.07
		Weighted Average[2]	$426.07	$321.60

Municipality	2018 Blue Box Tonnes Marketed	2018 Total Net Cost	2018 Net Cost Per Tonne Marketed [3]	2017 Net Cost Per Tonne Marketed [3]
Urban Regional				
Durham Region	43,278	$14,790,439	$341.75	$291.99
Essex-Windsor	23,158	$4,950,951	$213.79	$150.66
Niagara Region	35,855	$7,941,830	$221.50	$147.67
Ottawa	56,330	$11,522,545	$204.55	$120.01
Simcoe	24,831	$7,137,916	$287.46	$215.72
Waterloo Region	36,450	$7,286,372	$199.90	$185.01
Urban Regional Average	219,901	$53,630,053		
	Simple Average[1]		$244.83	$185.18
	Weighted Average[2]		$243.88	$182.10
Comparator Group Average	Simple Average[1]		$313.32	$235.12
	Weighted Average[2]		$354.22	$269.04
Ontario Grand Total (Weighted Average[2])			$373.52	$295.62

Notes:

1. Simple average of per tonne values.
2. Weighted averages are group total costs or revenues divided by total group tonnage.
3. Niagara's program includes a wide range of materials which, in some cases, is greater than those collected by other municipalities and will increase the net cost per tonne marketed.

Niagara has a cost effective program in comparison to other jurisdictions. The Urban Regional group is defined as municipalities with a population greater than 250,000 and less than four (4) people per square km.

As part of the Region's 2016-2021 Blue Box Recycling Plan, this target was re-evaluated and updated, considering more recent market conditions and other relevant factors, including various capital project efficiency improvements implemented at the Recycling Centre, such as optical sorters, aluminum separator, and a Polystyrene Densifier System to manage the polystyrene independently from mixed plastics. This produces higher revenues from the Region's mixed plastics stream.

Waste Composition Studies and Visual Audit – Program Monitoring Parameters

Waste composition studies and curbside visual audits are typically completed to measure performance changes as a result of introducing a program change or when industry stewardship funding becomes available for these activities.

A waste composition study is defined as a formal, structured process used to quantify the amount and type of waste, recyclables and organics being generated and diverted. A waste composition study, which included 170 household set-outs, was conducted across all twelve local area municipalities in the fall and winter of 2010, and in the spring and summer of 2011, after the start of the new collection contract and service levels. A follow-up, four (4) season waste composition study was completed in 2015/2016. Both studies received CIF funding.

Visual curbside audits, which have been completed since 2007, provide data regarding participation rates. As part of an earlier "It Takes Three Campaign" properties were randomly audited by Waste Management interns to determine if recyclables that had been set out at the curb were being properly sorted and prepared for pick up. Door-to-door visits to each audited home have occurred in 2012 and 2013 to promote the 'Blue Box Ins and Outs' campaign. The "Gold Star Recycler" program was carried out in conjunction with the audits in order to provide a visible and tangible reward, a form of thanks and public recognition for residents' waste diversion efforts. Visual audits were not completed in 2015 and 2016, due to a reallocation of intern resources. In 2017 and 2018, visual curbside audits of Blue and Grey Recycling Boxes were completed at approximately 1,000 low-density residential households. Those audit results meeting 'perfect' or 'near-perfect' criteria were given an "I'm a Gold Star Recycler" recycling box and an informative door hanger to encourage and reward their proper set-out practices.

Key performance measures, which are based on visual curbside audits and waste composition studies, are identified below.

2.3 Blue Box Participation Rates

Target: 82% from 2016 to 2021

2018 Value: 72%

Variance to Target: Target not achieved

The Blue Box participation rate is defined as the percentage of low density residential households on a curbside collection route who set out recyclables at least once in a consecutive two (2) week period.

As illustrated in Table 5, the trend has been towards an improved participation rate, which is attributable to the introduction of new services in 2011, the targeted social marketing and education campaigns and program maturity. Based on the 2015/16 Region curbside waste audit and the 2017 visual audit results, the Blue Box participation rate decreased, compared to the participation rates measured as part of previous visual audits completed, as part of the 'Blue Box Ins and Outs' campaign. However, the 2018 Blue Box participation rate improved from 2017. Minor audit variations may be attributable to the season and the number of households not setting out any material due to being away.

Table 5 – Blue Box Participation Rates

Curbside Waste Audits and Visual Audits	**Average Participation Rate**
2006 - Stewardship Ontario Waste Audits	57%
2004/07 – Niagara Region Curbside Waste Audits	60%
2010 – Niagara Region Curbside Waste Audits	71%
2010 - 'It Takes Three' Visual Audits	70%
2011 – Niagara Region Curbside Waste Audits	74%
2011 - 'It Takes Three' Visual Audits	73%
2012 - 'Blue Box Ins & Outs' Visual Audits	83%

Curbside Waste Audits and Visual Audits	**Average Participation Rate**
2013 - 'Blue Box Ins & Outs' Visual Audits	88%
2014 – 'Blue Box Ins & Outs' Visual Audits	85%
2015/16 – Niagara Region Curbside Waste Audits	82%
2017 – 'Blue Box Ins & Outs' Visual Audits	62%
2018 – 'Blue Box Ins & Outs' Visual Audits	72%

2.4 Blue Box Set-Out Rates

Target: 2.0 boxes (or containers) set out per hhld per week in 2016 to 2021

2016 Value: 1.5 boxes (or containers) were set out per hhld per week

Variance to Target: Target not achieved

It is anticipated that the 2018 Blue Box set-out rate remained the same as the 2016 rate as no significant program changes have occurred over the last few years.

The Blue Box set-out rate is defined as the average number of Blue/Grey Boxes or other recycling containers placed at the curb for pick-up, on a per household basis, per week. The average number of full container equivalents, in addition to the actual number of containers set-out, are included in Table 6 for the waste audits conducted between 2004 and 2016.

The average Blue Box set-out rate was at its lowest in the 2010 audits, at one (1) container per household, per week, and appears to be an anomaly compared to the other audit periods. The 2011 to 2016 set-out out rates did improve compared to 2010, but are still generally in line with the 2006/2007 data. The larger Blue/Grey Box capacity may explain why there is little improvement in this parameter overall.

Table 6 – Blue Box Set Out Rates

Audit Period	No. of Boxes (or other Containers) Per Household Per Week	No. of Equivalent Full Boxes (or other Containers) Per Household Per Week
Fall 2004	1.3	Not measured
Summer 2005	1.2	Not measured
Spring 2006	1.4	1.3
Summer 2006	1.5	1.5
Fall 2006	1.5	1.5
Winter 2007	1.5	1.4
Fall 2007	1.6	1.3
Fall and Winter 2010	1.0	1.0
Spring and Summer 2011	1.6	1.4
Summer 2012	1.6	Not measured
Summer 2013	1.6	Not measured
Summer 2014	1.5	Not measured
Summer 2015	1.5	1.4
Fall 2015	1.3	1.1
Winter 2016	1.4	1.2
Spring 2016	1.5	1.3

Monitoring Plan

Niagara Region's 2016-2021 Blue Box Recycling Plan was completed in 2016, as part of WMPSC-C 1-2017.

Blue Box Recycling Plan Summary

Based on the recommendations outlined in the KPMG Blue Box Program Enhancement and Best Practices Assessment Project Report, positive diversion results in other jurisdictions and stakeholder input, improvements to the Regional Blue Box Program have been implemented and other drivers to increase participation/capture rates, as part of the 2016-2021 Blue Box Recycling Plan. Every effort is being made to ensure the program is performing well (i.e. operated efficiently and in a cost-effective manner).

3.0 MBNC Performance Measures

A subset of MBNC parameters, which are related to cost effectiveness, are used in this benchmarking review. In 2018, Niagara had the lowest cost per tonne of the majority of its eight (8) comparator municipalities for the following parameters:

- Garbage Collection Cost per Tonne;
- Garbage Disposal Cost per Tonne;
- Diversion Cost (Collection and Processing) Cost per Tonne; and
- Solid Waste Average Operating Cost per Tonne

On an annual basis, Niagara's Garbage Collection, Disposal and Diversion Cost per Tonne parameters are typically lower than the MBNC average, which demonstrates the programs are cost effective.

Table 7 contains the results for the eight (8) comparator municipalities that participated in MBNC and are included in the RPRA comparator group (not all the RPRA municipal comparators participate in MBNC). There is a considerable amount of variation between the results of these municipalities, which may be related to differences in their waste management programs (i.e. bi-weekly vs. weekly garbage, no Green Bin program, single vs. dual stream recycling). The MBNC average applies to these eight (8) comparator municipalities only.

Table 7 – MBNC 2018 Performance measures (for All Property Classes)

Municipality	Garbage Collection Cost per Tonne	Disposal Cost per Tonne	Diversion Cost (Collection & Processing) Cost per Tonne	Average Operating Cost per Tonne
Durham Region (1)	$153.57	$117.72	$250.12	N/A
Halton Region (3)	$157.50	$49.58	$216.16	$207.17
Hamilton	$139.84	$377.14	$288.75	$411.57
London (3)	$102.15	$24.78	$128.78	$68.19
Niagara Region (3)	$87.26	$83.78	$132.81	$135.63
Toronto	$90.23	$163.87	$432.97	$307.87
Waterloo Region	$181.52	$144.92	$152.88	$191.20
Windsor	$89.75	$95.09	$180.27	$273.53
York Region (2)	N/A	$139.92	$141.82	N/A
MBNC Average	**$125.23**	**$132.98**	**$213.84**	**$227.88**

Notes:

1. Durham Region does not report Average Operating Cost per Tonne, as they do not have complete responsibility for all collection throughout the entire Region.
2. York Region does not report local municipal garbage collection information.
3. London and Niagara's Disposal Cost and Average Operating Cost per Tonne exclude the Landfill Liability amount. Halton's lower Disposal Cost per Tonne was due to a reduction in landfill operating-related expenditures

Conclusion

Continued improvements to Niagara's waste management programs and program performance have occurred over the last several years. Niagara has met the majority of the established targets and is generally performing better than its comparator group and/or Provincial averages. Niagara's 2016-2021 Blue Box Recycling Plan outlines potential changes to further improve performance in waste management program areas.

Benchmarking and performance reports will be completed annually, in order to compare changes in performance over time, results against targets and results against other municipal comparators. Every effort is being made to ensure Niagara's waste management system is operated efficiently and cost-effectively.

Waste Management Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **PWC-C 22-2020**

Subject: Update on the New Waste Collection Contract (2019-RFP-156)

Date: Tuesday, July 14, 2020

To: Public Works Committee

From: Sherri Tait, Acting Manager, Waste Collection & Diversion

The purpose of this memorandum is to provide Public Works Committee with an update on the implementation of the new waste collection contract (2019-RFP-156), which is to commence on October 19, 2020.

Background

On October 17, 2019, Regional Council approved the Every-Other-Week (EOW) collection scenario for garbage collection for all residential properties and for those Industrial, Commercial & institutional (IC&I) and Mixed-Use (MU) properties located outside Designated Business Areas (DBAs), as a Base Service (PW 61-2019), and on November 14, 2019, Regional Council approved the Optional services, i.e. Delivery of Roll-Offs for Special Events Recycling, (PW 65-2019). The successful proponent for Collection Area One (Grimsby, Lincoln, Pelham, Thorold, Wainfleet and West Lincoln) is GFL Environmental Inc. (GFL), and the successful proponent for Collection Area Two (Fort Erie, Niagara Falls, Niagara-on-the-Lake, Port Colborne, St. Catharines and Welland) is Miller Waste Systems Inc. (Miller).

Implementation Update

Since January, Niagara Region has been meeting with Miller and GFL on a monthly basis to discuss various aspects of the implementation for the next waste collection contract. The sections below provide a high level update on major items/tasks.

<u>GFL and Miller Yards</u>

GFL's yard will be located at 411 Glendale Avenue in St. Catharines, which is the current yard of Emterra Environmental (Emterra) and Miller's yard will be located at 335 Townline Road in Niagara-on-the-Lake.

Collection Vehicles

GFL and Miller have placed orders for their collection vehicles and at the time this memorandum was written, the delivery of the collection vehicles for Miller was on schedule. GFL has indicated that potentially four (4) collection vehicles will not arrive until just before or after the contract starts due to COVID-19. GFL has arranged for six (6) vehicles from another municipal contract to use at the start of the contract.

Although not identified in their submission to the Negotiated Request for Proposal (NRFP), GFL has made a business decision to use compressed natural gas (CNG) vehicles for this contract.

With the finalization of the municipal enhanced collection services, Miller advised that they may acquire four (4) additional vehicles and as per their contingency plan, in their submission to the NRFP, they will use existing internal resources until any potential additional vehicles are delivered.

Collection vehicles utilized by both collection contractors will be equipped with Global Positioning System/Automatic Vehicle Location (GPS/AVL) systems and cameras.

Staffing

GFL and Miller have both hired their Operations Managers, both of whom have experience in curbside collection contracts in Niagara. Both contractors are looking at ways to interview staff due to COVID-19, including virtual interviews. Niagara Region has requested that both GFL and Miller encourage Emterra and Canadian Waste Management staff to finish their work with their respective employers prior to being hired full-time by GFL and Miller.

Next Steps

Niagara Region staff will continue to meet regularly with GFL and Miller in preparation for the commencement of the next contract. Niagara Region is working with both contractors to finalize contingency plans in the event that a second wave of COVID-19 occurs. Staff are also working with both contractors to finalize collection routes. Any changes to collection days/schedules will be communicated to residents and/or businesses in advance of October 19th.

Staff will continue to provide updates to Council on a regular basis.

Respectfully submitted and signed by

_____

Sherri Tait
Acting Manager, Waste Collection & Diversion

Subject: Dain City Sewage Pumping Station Forcemain Emergency Replacement

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Report PW 10-2020 **BE RECEIVED** for information on the project status and consultant procurement for emergency replacement of the Dain City Sewage Pump Station Forcemain.

Key Facts

- The purpose of this report is to provide an update on the project status and consultant procurement for contract administration and inspection of the Dain City Sewage Pump Station Forcemain.
- The Dain City Sewage Pump Station Forcemain, which carries flow from the Dain City Sewage Pumping Station to the Ontario Road Sewage Pumping Station was nearing its life expectancy and scheduled to be assessed for replacement by 2030. However, it is now in need of critical replacement (refer to Council Report PW 42-2019 for additional background information).
- Kerry T. Howe Engineering Limited (KTH) is performing design services for all phases of the emergency forcemain replacement (see Appendix 1 for project phasing). The forcemain replacement is being designed and constructed in Phases in order to expedite total replacement.
- Legal implications associated with this report have been included in Confidential PWC-C 21-2020.

Timeline

- **April 16, 2018**: During a rain event, several basements in Dain City experienced flooding.
- **April/May 2018**: City staff investigated the situation and found large quantities of a buildup throughout the local sewage collection system. Niagara Region staff investigated the forcemain in an effort to assess the cause of the issue and maintain and improve flows.
- **May 6, 2018**: Dain city forcemain was found to have a break near Humberstone Road.

- **May 2018**: Niagara Region Staff engaged KTH Engineering to provide services related to assessing a new route for replacement of the forcemain and the associated design work.
- **June 2018**: Staff continued to look for issues and found the internal pump station piping to be full of residue to the point of severe restriction. It was found that the pumps were not the issue and that the forcemain was restricted.
- **Summer 2018:** Local gravity sewers in Dain City were cleaned by the City of Welland.
- **August 2018:** Niagara Region staff received draft report from the City of Welland (Authored by GM Blueplan) identifying Niagara Region as responsible for the Dain City flooding event in April 2018.
- **October 2018:** New alignment for the replacement forcemain was chosen along Canal Bank Street.
- **November 2018:** Niagara Region staff provided Welland staff with evidence that the flooding in Dain City was not Niagara Region's responsibility.
- **January 1, 2019**: The Dain City forcemain was found to be completely plugged. This necessitated contracting tanker trucks to haul sewage directly to the Welland Wastewater Treatment Plant (WWTP). Sewage was hauled by truck during the repair work from January 1 to February 26, 2019.
- **January to February 2019**: Staff hired V. Gibbons Contracting to assist in locating the blockage, perform cleaning of the forcemain (unsuccessful) and make temporary repairs as necessary. Several unsuccessful attempts were made to get the pump station and existing forcemain back in service. Staff decided the most efficient way to reinstate service was to construct a temporary forcemain section to bypass the area where breaks and plugging of forcemain were discovered. A temporary forcemain (Phase 1 in Appendix 1), from the pump station to approximately 150 meters north of Forks Road was installed in an effort to bypass the known blockage. This temporary forcemain included both an inground section and a large section of aboveground forcemain through the local park and treed area. The majority of this work was funded from the 2019 Operating Budget at a cost in excess of $1.2M.
- **April 25, 2019:** The Dain City forcemain was found to have another break. Staff, with the assistance of V. Gibbons Contracting Ltd. replaced approximately 100 meters of forcemain in order to complete the repair.
- **August 2019 to January 2020**: **Phase 2** of the permanent Forcemain replacement was completed from the Dain City Sewage Pump Station to the existing main north of Forks Road, eliminating the temporary main constructed during Phase 1.
- **February 2020:** Substantial deposits were found again in the local Dain City gravity sanitary sewer system**; approximately 2 years after the cleaning was completed by the City in 2018** (see attached Appendix 2).

- **March 2020**: Local gravity sewers in Dain City were cleaned again by the City of Welland. Niagara Region staff and City of Welland staff continue to investigate the source of the deposits that are causing the blockage in the forcemain. Both Niagara Region and City staff are continuing to monitor the situation. (Please see Confidential report PWC-C 21-2020)
- **April 2020**: Phase 3 of the forcemain replacement was tendered and is currently being awarded. (See attached Appendix 1 for Phase 3 location). **Phase 3** will install a new forcemain section from Forks Road/Logan Ave north along Canal Bank to the Canal Bank Bridge.

Next Steps:

- **June 2020:** City of Welland is scheduled to re-CCTV the local Dain City sewers.
- **July 2020**: Phase 4 of the forcemain construction crossing Canal Bank Bridge and east along Townline Road is scheduled to be tendered in July 2020 with construction completion by April 2021.
- **September 2020:** Forecast date for tender of **Phase 5**. Construction completion forecast for entire project and commissioning of new forcemain is June, 2021.

Financial Considerations

The total project capital budget for the forcemain replacement is $11,524,999 with $5,086,779 expended and committed as at May 28, 2020. Appendix 3 provides the financial forecast of the project.

Currently, KTH is performing the design work for all phases of the project for a total amount of $357,073 (including 1.76% non-recoverable HST). KTH was engaged to perform the design work in accordance with the provisions in Sections 17 and 18 of the Procurement By-law 02-2016 in July of 2018. KTH was also engaged to perform contract administration and inspection (CA&I) and soil remediation for Phases 1 and 2 of the project in the amount of $162,898 (including 1.76% non-recoverable HST) in accordance with Section 18 of the Procurement By-law 02-2016, as amended February 28, 2019. Having the design engineer also perform the CA&I results in less risk and duplication of efforts due to the familiarity with the design (discussed further in the Analysis section).

As requested by staff, KTH provided a proposal for providing CA&I services for the remaining three construction phases at an estimated cost of $316,957 (including 1.76% non-recoverable HST). In accordance with Section 18, “Single Source” of the Procurement By-law 02-2016, as amended February 28, 2019, staff has authority to

engage a vendor with an estimated cost under $1,000,000 if reasoning is justified. Accordingly, KTH has been engaged to provide CA&I services for the remaining three construction phases. This cost can be accommodated within the project budget and would bring the total amount of work on this project for KTH to $836,928 (including 1.76% non-recoverable HST).

Analysis

Staff are proceeding with tendering of the remaining construction phases and have engaged the design engineer to provide CA&I services through these phases.

The remaining forcemain replacement, being designed by KTH, was identified to have complex and differing approval processes, requiring different sets of approvals:

i. a rail crossing;
ii. crossing of local area municipality water, sewer and storm infrastructure;
iii. a bridge crossing;
iv. a trenchless crossing of MTO property; and
v. a trenchless component in the Humberstone Road right-of-way .

Given the varying approval requirements expected for the forcemain replacement and the size of the overall project, staff chose to split the replacement into four separate Phases (Phases 2 to 5). This allows for construction of the replacement to start when the design of each phase is completed, while working toward completion of subsequent design phases and approval processes. This will result in the overall forcemain being in operation months earlier than if it was tendered as one construction project.

The forcemain replacement is being designed and constructed in the following Phases (see attached Appendix 1):

i. Phase 1: Temporary overland Forcemain (FM) - **Completed**
ii. Phase 2: Logan Avenue (eliminating the temporary FM section) – **Completed**
iii. Phase 3: Canal Bank Road– **Awarded**
iv. Phase 4: Canal Bank Road Bridge and intersection. - **Design Completion Scheduled for June/2020 with Tender in July/2020.**
v. Phase 5: Humberstone Road and Southworth Street - **Design Completion Scheduled for Sept/2020 with Tender in late September/2020.**

The City of Welland has recently made a request for Cost Sharing with Phase 5 of the replacement with the intention of replacing their infrastructure on Southworth Street. Staff will work with the City to progress the necessary agreements.

It is advantageous to Niagara Region to have the design engineer, KTH, also perform CA&I services during construction. The following points relate to the specific project considerations when choosing a consultant for the remaining CA&I :

- The project complexities, require the CA&I consultant to have detailed technical knowledge of the design in order to make appropriate decisions during construction:
    - Phase 3 has a rail crossing and crosses local area municipality water, sewer and storm infrastructure.
    - Phase 4 has a bridge crossing and a trenchless crossing of MTO property.
    - Phase 5 has a trenchless component and a large gravity main section through the local street, which contains many other utilities.
- A CA&I consultant needs to be completely familiar with the project requirements, the design documents, the local infrastructure and the stakeholders involved.
- Given the complexity of the projects, the design consultant and their structural subconsultant, in addition to the CA&I consultant, would need to answer Requests for Information (RFIs), review shop drawings and to deal with any unforeseen issues requiring changes to the design.
- Niagara Region staff would require significantly more time to coordinate two (2) consultants working on the same project.
- There would be an increase in cost to create as-built drawings for the work with 2 consultants.
- Overall commissioning and start-up of the completed forcemain will occur after Phase 5 is completed. This commissioning process needs to have a common Contact Administrator involved in each of the Phases.

KTH has extensive knowledge of not only the Dain City Sewage Pumping Station and Forcemain, and also other related Niagara Region facilities in the area such as the Ontario Road Sewage Pumping and the local gravity sewer system feeding it. The Dain City forcemain outlets to that gravity sewer system. KTH provided CA&I services for Phase 1 and 2 of construction.

The project stakeholders include the Ministry of Environment, Conservation and Parks (MECP), the Ministry of Transportation (MTO), the Niagara Peninsula Conservation Authority (NPCA), the City of Welland and the local Dain City residents. Continued

communication and collaboration amongst these stakeholders will be essential throughout the remainder of the project including construction and commissioning of the entire forcemain resulting from the individual project phases. KTH is already working with the MECP, the MTO, the NPCA, the City of Welland and the local Dain City residents regarding portions of the work and these communications and contacts will prove paramount during construction.

KTH's familiarity with the entire service area, the stakeholders involved and the emergency work completed to date will allow them to expedite this assignment without having to expend additional time acquiring the knowledge of Niagara Region and City of Welland's systems. KTH is familiar with the criticality and associated risks of this overall project.

The nature and complexity of the CA&I services required meet two of the requirements for single source purchases as defined in Niagara Region's Procurement By-law, namely:

(i) Compatibility of a Purchase with existing equipment, product standards, facilities or <u>service is a paramount consideration</u>;

(iii) An <u>absence of competition for technical reasons</u> and the Goods and/or Services can only be supplied by a particular Supplier;

In order to increase efficiency and reduce risks and costs, staff is proceeding with KTH providing CA&I services for all phases of the construction.

Alternatives Reviewed

Given the imminent need to effectively address the significant risks associated with the potential for reoccurrence of basement flooding for residential areas tributary to the pump station and the potential for future spills, this procurement method was selected. Staff weighed the schedule impacts associated with alternative procurement methods versus the potential liability to Niagara Region of the likelihood and consequence of failure of this critical piece of infrastructure and chose to expedite the project through sole source assignment. The costs presented are considered to be reasonable in view of current market prices and in view of the considerable liabilities associated with future potential failures. This procurement demonstrated to area stakeholders that Niagara Region acted quickly and efficiently to mitigate the issues with respect to this forcemain.

Relationship to Council Strategic Priorities

This information is related to the Responsible Growth and Infrastructure Planning strategic priority since the forcemain replacement will ensure reliable operations of the infrastructure within the Niagara region.

Other Pertinent Reports

PW 42-2019 Construction Contract: Dain City Sewage Pumping Forcemain Replacement (July 9, 2019)

PWC-C 21-2020 Update Regarding Investigation of Source Material causing Flooding in Dain City Sewer System (July 14, 2020)

Prepared by:
Richard Gabel, P.Eng.
Senior Project Manager
Public Works

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

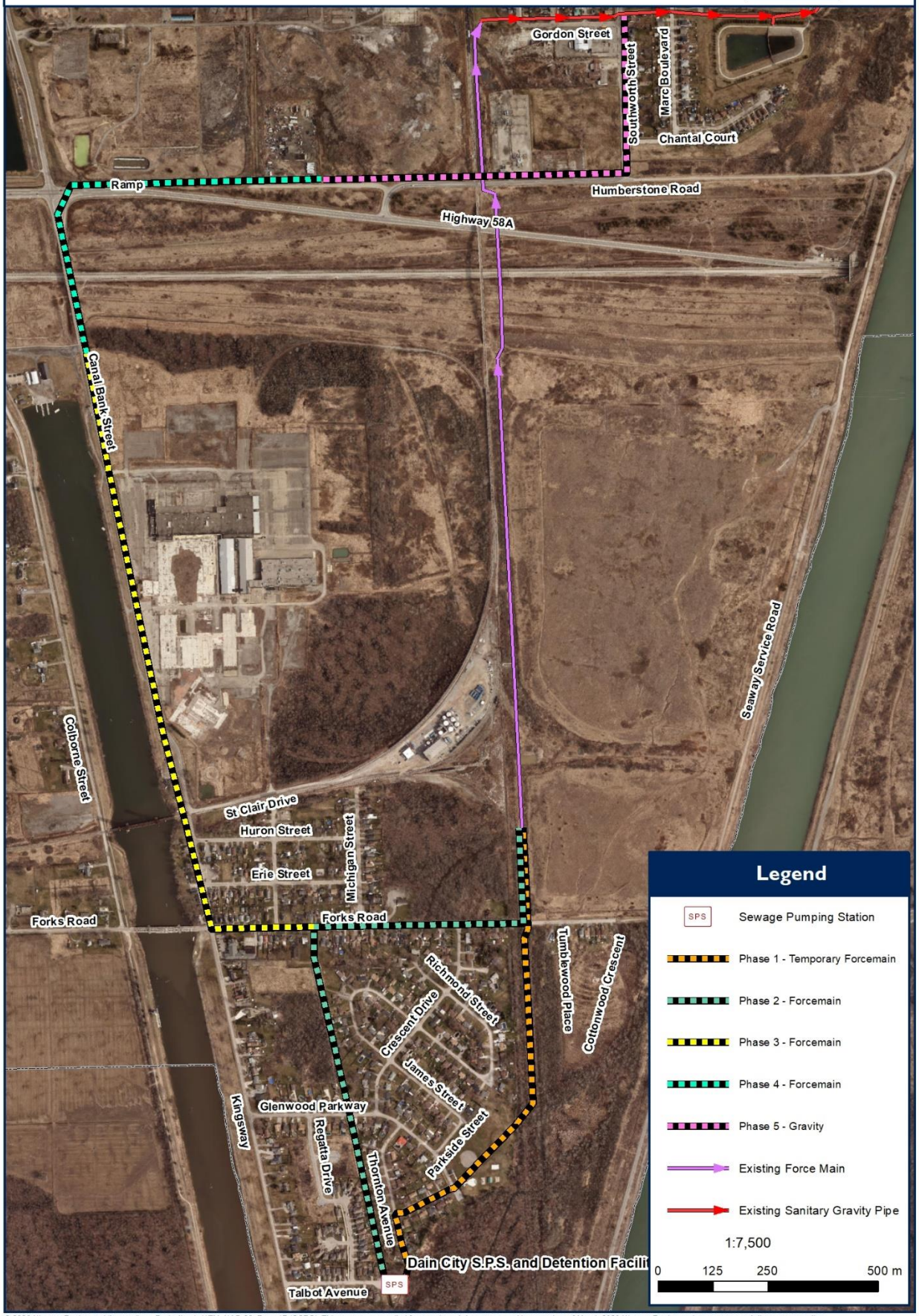
This report was prepared in consultation with Tony Cimino, C.E.T., AD W-WW Engineering; Jason Oatley, Manager, WW Quality & Compliance; Pamela Hamilton, Program Financial Specialist W-WW, and reviewed by Joseph Tonellato, P.Eng., Director W-WW Services.

Appendices

Appendix 1	Phases for Dain City Forcemain Replacement
Appendix 2	Dain City Gravity Sewers
Appendix 3	Total Estimated Project Cost

Niagara Region

PW 10-2020 – Appendix 1
Phases for Dain City Forcemain Replacement



© 2020 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17 (CSRS). This map was compiled from various data sources and is current as of March 2020.Niagara Region makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, currency or otherwise of the information shown on this map.

PW 10-2020
Appendix 2 - Dain City Gravity Sewers

Picture 1: Huron Street Sewer after Cleaning – mid 2018

Picture 2: Huron Street Sewer - February 2020

Picture 3: Michigan Street sewer in February 2020

Picture 4: Dain City Sewage Pump Station – Piping replaced during Phase 2 of Forcemain replacement

PW10-2020 APPENDIX 3
Total Estimated Project Cost
Contract Award

Dain City Forcemain Replacement

	Council Approved Budget	Budget Increase/ Reallocation	Revised Council Approved Budget	Expended & Committed as of 5/28/20	Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F) = (C)-(D)-(E)
Total Estimated Project Cost (20000881)*						
(a) Construction	9,854,999	(716,768)	9,138,231	4,418,107	4,720,124	-
(b) Project Contingency	1,100,000		1,100,000	-	1,100,000	-
(c) Consulting Engineering Services (Design, Contract Administration, & Inspection)**	220,000	716,768	936,768	619,811	316,957	-
(d) Project Management & Internal Costs	350,000		350,000	48,861	301,139	-
Total Estimated Project Cost	**11,524,999**	**(0)**	**11,524,999**	**5,086,779**	**6,438,219**	**-**

*All costs include 1.76% non-refundable HST

** Total services for the Dain City Forcemain Replacement project provided by Kerry T Howe will total $836,928 including non-recoverable HST

Subject: Contract 2014-T-114 (RN14-14) NOTL Wastewater Treatment Plant and Contract 2014-T-113 (RN14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Update

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Report PW 31-2020 **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide a status update on the new Wastewater Treatment Plant (WWTP), Contract 2014-T-114 (RN14-14), as well as the Pumping Station Upgrades and Linear Works project, Contract 2014-T-113 (RN-1413) in the Town of Niagara-on-the-Lake (NOTL).
- The sewage flows from the existing plant were redirected to the new NOTL Wastewater Treatment plant on June 25th, 2019. The new plant has been in operation and treating sewage since that time.
- All three pumping stations, Lakeshore Road, Garrison Village and William Street, are fully operational and have been sending flows to the new plant since June 25, 2019.
- Varcon Construction Corporation was awarded Contract 2014-T-113 (RN14-13) as per PW 67-2014. The project commencement date was June 20, 2014. The completion date specified in the contract was December 12, 2015. This project was deemed to be substantially completed on January 31, 2017.
- Varcon Construction Corporation was awarded Contract 2014-T-114 (RN 14-14) as per PW 100-2014. The project commencement date was December 9, 2014. The completion date specified in the contract was December 31, 2016. Construction is complete. Substantial completion was obtained on January 17, 2020.
- CSD 29-2020 Confidential Report Update Regarding NOTL WWTP, NOTL SPS and Welland WWTP Upgrades contains confidential legal advice regarding litigation regarding NOTL Wastewater Treatment Plant upgrades.

Financial Considerations

The total project expenditures and funding sources to date are shown in the Total Project Budget Summary in Appendix 1. As outlined in the chart, there is an overall approved budget of $51,179,573 across the two projects (10SW0807 / 10SW1407). There is no anticipated surplus of funding associated with this project.

For Contracts 2014-T-114 (RN14-14) and 2014-T-113 (RN14-13), there has been $40,955,079 expended & committed to Varcon Construction Corporation as of June 24, 2020. This amount includes holdbacks pursuant to the *Construction Act*.

At the time of writing this report, liquidated damages associated with the Varcon contract for this project total $2,097,000. The liquidated damages have yet to be formally assessed as ongoing discussions continue between Regional staff and Varcon surrounding satisfying terms for this project.

Niagara Region partnered with the Federal and Provincial governments for funding to complete this project. Each level of government has contributed, or agreed to contribute, up to $14,333,333 in project costs, for a total of $28,666,666 in upper tier funding. This represents two thirds (2/3) of the original construction budget of $43,000,000 for the NOTL WWTP.

Analysis

Background

The Northeast Area Wastewater Study identified the need for an upgraded or expanded wastewater treatment plant (WWTP) for the Town of Niagara-on-the-Lake as the existing plant was anticipated to reach capacity in 2017. The Town of Niagara-on-the-Lake Wastewater Servicing Municipal Schedule ‘C’ Class EA evaluated alternatives that would increase capacity and enhance wastewater services for the residents of Town of Niagara-on-the-Lake. It also looked at addressing wastewater flows occurring during wet weather events and operating issues (e.g. odour) at the existing WWTP.

Report PWC-C 19-2015, previously received by Committee, provided an overall project description and delineated the four distinct phases / contracts required for the execution of the project. Cole Engineering Group was retained in 2013 as the design Consultant for the design and contract administration of the project under 2012-RFP-57. Cole’s

assignment was increased three times to cover additional efforts due to the project delay.

A public tender process was initiated in 2014 for Contract 2014-T-113 (RN14-13) and a total of seven bids were received. The lowest bid of $7,460,092 (including 13% HST) was submitted by Varcon Construction Corporation. The next lowest was submitted by V. Gibbons Contracting and was valued at $7,473,312.40 (including HST).

A contingency amount of $1,110,824 was added to Varcon's contract to cover unforeseen construction costs due to the complexity of the project. With this contingency in place the revised contract amount totaled $8,715,322 (including 13% HST). Varcon Construction Corporation was awarded Contract 2014-T-113 (RN14-13) as per PW 67-2014, dated June 3, 2014. The project commencement date was June 20, 2014. This project was deemed to be substantially completed on January 31, 2017.

A public tender process was also initiated in 2014 for Contract 2014-T-114 (RN14-14) and a total of six bids were received, with the lowest bid being $36,062,679 (including 13% HST). The next lowest was submitted by Graham Construction and Engineering LP and was valued at $37,775,900 (including 13% HST).

Varcon Construction Corporation (Varcon) was awarded Contract 2014-T-114 (RN14-14) as per PW 100-2014, dated November 6, 2014. The project commencement date was December 9, 2014. The completion date specified in the contract was December 31, 2016. Substantial completion was obtained on January 17, 2020

Water and Wastewater Engineering staff have been providing a higher than normal amount of resources throughout the project in order to manage the contract. Legal Services are also engaged and are investing time, effort and resources on this project.

The Ministry of Environment Conservation and Parks (MECP) local office as well as approvals branch in Toronto were engaged during the design process to obtain the Environmental Compliance Approval (ECA). The MECP Local Office has been kept aware of the progress to date.

Project Status (RN14-13) Pumping Station Upgrades and Linear Works

All three pumping stations, Lakeshore Road, Garrison Village and William Street, are fully operational and have been sending flows to the new plant since June 25, 2019.

The pumping station project was deemed to be substantially completed on January 31, 2017. At that time, there were a few minor deficiencies, some outstanding work, and an extra installation to be completed.

By early 2018, these works were completed, deficiencies rectified and contract completion was achieved on March 19, 2018.

Project Status (RN14-14) NOTL Wastewater Treatment Plant

The sewage flows from the existing plant were redirected to the new plant on June 25, 2019 commencing the 30 day commissioning timeline. The plant has been in operation and treating sewage since that time. As of February 2020 the plant was meeting compliance and was deemed to be running very efficiently by Operations staff and as a result, the effluent was redirected to Lake Ontario. Coordination for the decommissioning of the existing plant is ongoing.

Due to some critical deficiencies substantial completion was delayed. A few of the concerns that delayed the project from substantial completion were:

- Digester Roof Sewage Leak
- Digester Pumps Overheating
- Chemical Pump Failures
- Cementitious Coating
- Waste Gas Burner changes due to TSSA requirements

These items have since been rectified and the project was deemed substantially complete on January 17, 2020. Deficiencies to resolve outstanding work still remain to be completed, along with some maintenance/warranty issues which are being coordinated through the consultant. Currently the total value of deficiencies amounts to just under $80,000 as of June 24, 2020. The outstanding contract work is worth approximatley $135,000 and includes items such as sodding, demobilization, air vapor barrier membrane, fibreglass reinforced plastic siding, soffits and flashing, and the following four outstanding change orders.

- CO #12 LEED Consulting Services
- CO #27 LEED Subcontractor Services
- CO #107 Gate Motors
- CO #187 Waste Gas Burner Changes

During the course of this project, from design to commissioning, other additional works were identified that were not necessary to complete as part of this contract. These were noted and categorized for possible implementation in the future.

Alternatives Reviewed

No specific alternatives have been presented at this time. This report has been prepared as an update for the construction contract. Several challenges have been faced through the course the project. Staff will continue to work with the design Consultant and the General Contractor to complete all outstanding deficiencies in accordance with the terms of the contracts.

Relationship to Council Strategic Priorities

This recommendation is related to the Fostering Growth strategic priority since the planned rehabilitation will ensure reliable infrastructure to support growth and economic development within the Niagara Region.

Other Pertinent Reports

PW 67-2014 Award of Tender 2014-T-113 (Contract RN 14-13) Lakeshore Road, Garrison Village and William Street Sewage Pumping Stations Upgrade & Linear Works in the Town of Niagara-on-the-Lake

PW 69-2014 General, Mechanical and Electrical Contractor Pre-Qualification for Construction of the New Niagara-on-the-Lake Wastewater Treatment Plant in the Town of Niagara-on-the-Lake

PW 93-2014 Status of the Construction of Niagara-on-the-Lake Wastewater Treatment Plant project in the Town of Niagara-on-the-Lake

PW 100-2014 Award of Tender 2014-T-114 (Contract RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant in the Town of Niagara-on-the-Lake

PWC-C 19-2015 Status update on the Construction of the new Niagara-on-the-Lake Wastewater Treatment Plant and related linear infrastructure in the Town of Niagara-on-the-Lake

PW 47-2016 2017 Wastewater Operating Budget Program Change Niagara-on-the-Lake Wastewater Treatment Plant

PW 16-2017 Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant and Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works – Project Status Report

PW 17-2017 ***Confidential Report*** A Matter of Litigation or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting the Municipality – Contract 2015-T-109 (RN 15-09) – Welland WWTP Phase I Upgrades – Project Status Report

PWC-C 19-2017 ***Confidential Memo*** A Matter involving Litigation or Potential Litigation against the Niagara Region – Contract 2014-T-114 (RN 14-14) – Niagara-on-the-Lake Wastewater Treatment Plant

PW 33-2017 Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant and Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works

PW 7-2018 Budget Adjustment and Status Update for Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant and Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works

PW 5-2019 Gross Budget Adjustment and Status Update for Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant

CSD 29-2020 ***Confidential Report*** Update Regarding NOTL WWTP, NOTL SPS and Welland WWTP Upgrades

Prepared by:
Jamie Anderson, C.E.T.
Project Manager – W-WW Engineering
Public Works Department

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Pamela Hamilton, Program Financial Specialist W-WW, and reviewed by Tony Cimino, Associate Director W-WW and Joseph Tonellato, P.Eng., Director W-WW.

Appendices

Appendix 1 Total Estimated Project Cost

PW 31 - 2020 APPENDIX 1

TOTAL ESTIMATED PROJECT COST

Contract 2014-T-113 (RN 14-13) Lakeshore Road, Garrison Village and William Street Pumping Station Upgrades and Linear Works &
Contract 2014-T-114 (RN 14-14) Niagara-on-the-Lake Wastewater Treatment Plant

	Total Council Approved Budget	Budget Reallocation	Revised Project Budget	Expended & Committed as of June 24, 2020 **	Forecast	Budget Remaining
	(A)	(B)	(C) = (A) + (B)	(D)	(E)	(F)= (C)-(D)-(E)
Total Estimated Project Cost (10SW0807 & 10SW1407) *						
(a) Construction (includes contract contingency)	40,934,538	20,541	40,955,079	40,955,079		-
(b) Project Contingency	173,183	(20,541)	152,643		152,643	-
(c) Consulting Engineering Services (Design, Contract Administration, & Inspection)	2,491,284	207,949	2,699,233	2,699,233	-	-
(d) Project Management & Internal Costs	465,264		465,264	446,923	18,342	-
(e) Other Project Costs	7,115,304	(207,949)	6,907,355	6,537,475	369,879	-
Total Estimated Project Cost	**51,179,573**	**-**	**51,179,573**	**50,638,709**	**540,863**	**-**
Project Funding Sources						
Regional Reserves & Debt (includes Federal Gas Tax funding)	(16,364,708)		(16,364,708)	(16,364,708)		-
Development Charges	(6,049,278)		(6,049,278)	(5,968,605)	17,434	(98,107)
Provincial Grants	(14,333,333)		(14,333,333)	(14,430,000)		96,667
Federal Grants	(14,333,334)		(14,333,334)	(12,984,002)	(1,349,332)	-
Other Costing Sharing / External	(98,920)		(98,920)	(100,359)		1,440
	(51,179,573)	**-**	**(51,179,573)**	(49,847,675)	(1,331,898)	-

* All costs above include the non-refundable 1.76% portion of HST.
** Includes holdbacks

Subject: Status Update for Contract 2015-T-109 (RN 15-09) Welland Wastewater Treatment Plant, Phase I

Report to: Public Works Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That this Report, PW-32-2020, **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to provide an update to the Committee on the project progress. As indicated in a previous report (February 20, 2018, PW 6-2018), the Region has agreed to a contract extension to August 17, 2018.
- A revised construction schedule was submitted by Varcon on February 19th, 2020. This schedule was incomplete and has not been approved by the Region.
- To date, Varcon has failed to submit an acceptable revised construction schedule and cites difficulties with scheduling subcontractors as the reason.
- The Region has not accepted Varcon's reasons for not submitting an acceptable schedule and this has been reported to Varcon through Cole Engineering.
- Staff continue to have concerns regarding the timely completion of this project. Varcon continues to fall behind on some of the major components of the construction project and this is reflected in their inability to provide a clear contract completion date.
- Due to this further delay, Region W&WW Staff, Cole (the Region's consultant) and Region's Corporate Services and Legal staff have had to spend significant additional time and effort on this project.
- CSD 29-2020 Confidential Report Update Regarding NOTL WWTP, NOTL SPS and Welland WWTP Upgrades contains confidential legal advice regarding litigation regarding Welland Wastewater Treatment Plant upgrades.

Financial Considerations

The total project expenditures and revenues to date are shown in the Total Estimated Project Cost Summary in Appendix 1. As outlined in the chart, there is an overall approved budget of $21,821,204. Depending on the outcome of current discussions

with Cole Engineering, an additional budget request may follow in a later report cycle to facilitate Cole's further fee extension request and completion of the project.

The Region continues to assess Liquidated Damages at approximately $44,000 per month ($2,000/working day). As of Payment Certificate to June 15, 2020, Varcon has been assessed $920,000 in liquidated damages.

Analysis

A construction progress update was provided in the previous report (PW 11-2019, February 11, 2019). Due to the many ongoing challenges with Varcon, including scheduling, construction sequencing, subcontractor liens and working with the contractor in an attempt to improve cooperation with their subcontractors, construction has been moving at much slower rate since fall of 2019.

Niagara Region's staff continue to be involved in the inspection and coordination of work.

Construction Progress to date:

1. Lift Station Wet Well Side - 70% complete; Dry Well Side - 25% complete
2. Administration Building - 98% complete
3. Screen Building and Grit System - 90% complete
4. Primary tanks and Gallery - 80% complete (Scum system not tested)
5. Secondary Building and Final Clarifier - 90% complete
6. Aeration Tanks - 90% complete
7. Chemical Storage Facility - 95% complete
8. Chlorine Building - 95% complete
9. Maintenance Building - 90% complete
10. Digester Building – 90% complete
11. Electrical Substation - 98% complete

12. Civil Works - 90% complete

Although construction is progressing, Varcon has not met their schedule obligations of the August 17, 2018 completion date nor their own scheduled completion date of September 24, 2018. Varcon's continued reluctance to provide the adequate work forces along with poor relations with their subcontractors has impacted their progress. Varcon has continuously failed to submit a workable schedule and staff feel that the most realistic completion date is now later than December 31, 2020. Niagara Region staff, as well as Cole, continue to press Varcon toward commissioning and substantial completion. Varcon has been advised of default for not delivering a workable schedule on February 10th, 2020 and June 12th, 2020.

As previously indicated, Varcon has, and is being, assessed Liquidated Damages, as stipulated in the contract, for every working day since August 17, 2018.

Water and Wastewater Engineering staff have been providing a significantly higher than normal amount of resources throughout the project in order to manage the contract. Corporate Services is also providing a significant amount time on additional contract and project payments as well as lien claims. Legal Services are engaged as a result of the construction liens filed and are investing significant time, effort and resources on this project.

At this time, there have been 141 change orders issued for the construction contract. These change orders total just under $383,000 of the $1.07 million (excluding non-refundable HST) in contingency available under the construction contract**.**

Alternatives Reviewed

No specific alternatives have been presented at this time. This report has been prepared as an update for the construction contract. Several challenges have been faced through the course the project.

Relationship to Council Strategic Priorities

This project is related to the Fostering Growth strategic priority since the planned upgrades will ensure reliable infrastructure to support growth and economic development within the Niagara Region

Other Pertinent Reports

PW 06-2018, February 20, 2018, Budget Increase Request

PW 56-2015, October 13, 2015, Award of Contract 2015-T-109 (RN 15-09) Welland Wastewater Treatment Plant Upgrades, in the City of Welland

Confidential PW 17-2017, March 21, 2017, A Matter of Litigation or Potential Litigation, Including Matters Before Administrative Tribunals, Affecting the Municipality – Contract No. 2015-T-109 (RN 15-09) Welland WWTP Phase I Upgrades – Project Status Report

PW 35-2017, September 5, 2017, Welland Wastewater Treatment Plant, Phase I Upgrades

PW 11-2019, Budget Adjustment and Status Update for Contract 2015-T-109 (RN 15-09) Welland Wastewater Treatment Plant, Phase I

CSD 29-2020 ***Confidential Report*** Update Regarding NOTL WWTP, NOTL SPS and Welland WWTP Upgrades

Prepared by:
Richard Gabel, P.Eng.
Senior Project Manager
Water and Wastewater Services

Recommended by:
Bruce Zvaniga, P.Eng.
Commissioner of Public Works (Interim)
Public Works Department

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Pamela Hamilton Program Financial Specialist W-WW, and reviewed by Tony Cimino, Associate Director W-WW and Joseph Tonellato, P.Eng., Director W-WW.

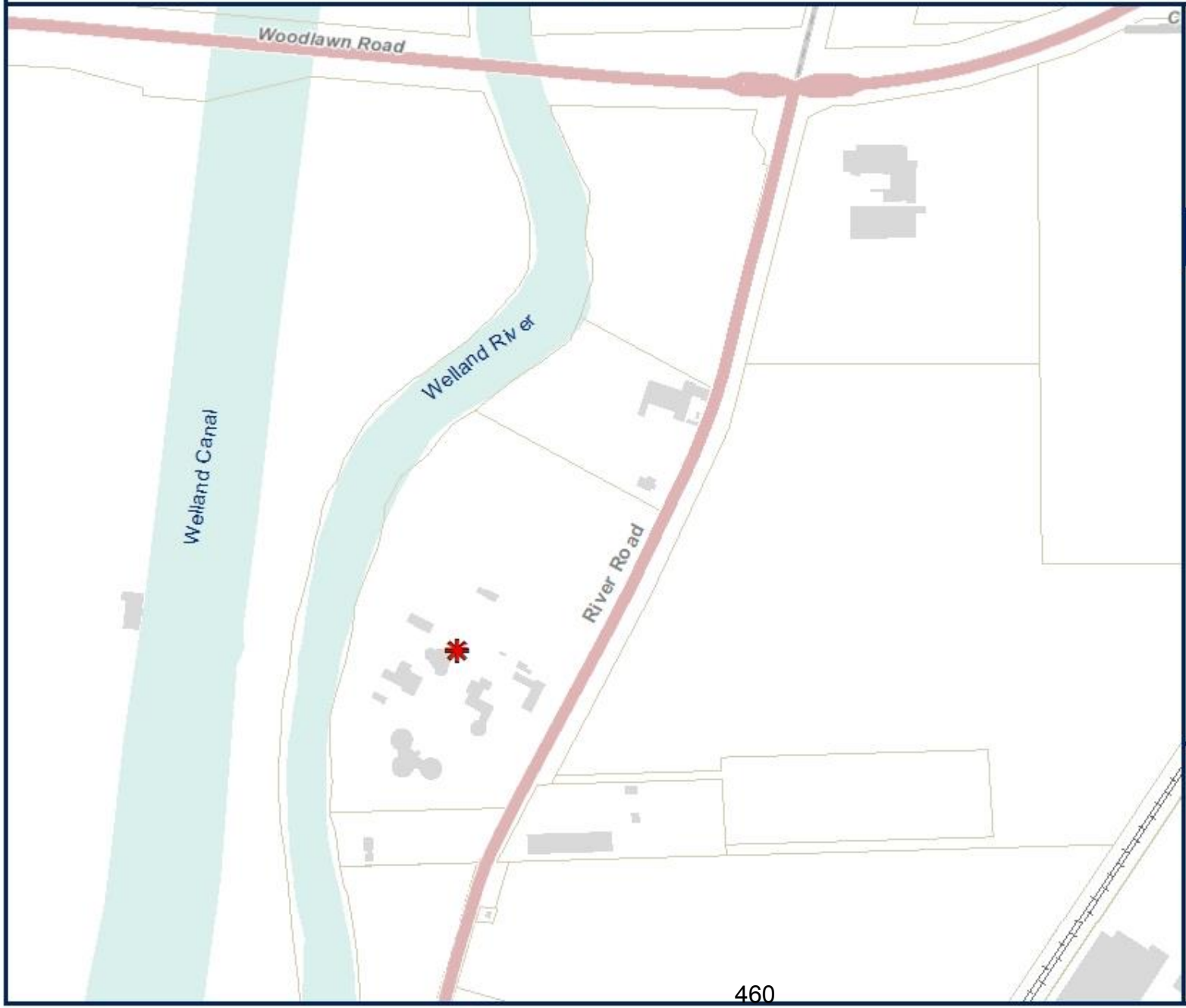
Appendices

Appendix 1	Key Map	6
Appendix 2	Total Estimated Project Cost	7

Niagara Region

Welland WWTP Phase 1 Upgrade

PW 32-2020 Appendix 1



Legend

Project Extent

0 50 100 200 m

© 2018 Niagara Region and its suppliers.
Projection is UTM, NAD 83, Zone 17 (CSRS).

This map was compiled from various data sources and is current as of June, 2020.

Niagara Region makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, currency or otherwise of the information shown on this map.

PW 32-2020 - Appendix 2

TOTAL ESTIMATED PROJECT COST

Contract 2015-T-109 (RN 15-09) Welland Wastewater Treatment Plant Upgrade, Phase 1

	Total Council Approved Budget (A)	Budget Reallocation (B)	Revised Project Budget (C) =(A)+(B)	Expended & Committed as of June 24, 2020 ** (D)	Forecast (E)	Budget Remaining (F) = (C)-(D)-(E)
Total Estimated Project Cost (10SW0902) *						
(a) Construction (includes contract contingency)	17,839,546	35	17,839,581	17,839,581	-	-
(b) Project Contingency	230,159	(35)	230,124	192,799	37,325	-
(c) Consulting Engineering Services (Design, Contract Administration, & Inspection)	2,508,492	43,410	2,551,902	2,551,902	-	-
(d) Project Management & Internal Costs	225,000	113,713	338,713	338,713	-	-
(e) Other Project Costs	1,018,007	(157,123)	860,884	743,806	117,078	-
Total Estimated Project Cost	**21,821,204**	**-**	**21,821,204**	**21,666,801**	**154,403**	**-**
Project Funding Sources						
Regional Reserves & Debt	(20,321,204)		(20,321,204)	(20,321,204)		-
Gas Tax Funding	(1,500,000)		(1,500,000)	(1,500,000)		-
	(21,821,204)	**-**	**(21,821,204)**	**(21,821,204)**	**-**	**-**

* All costs above include the non-refundable 1.76% portion of HST.

** Includes holdbacks

Minute Item No. 5.1
PHD 4-2020
Approval of 2020 Public Health Program Audits

That Report PHD 4-2020, dated July 14, 2020, respecting Approval of 2020 Public Health Program Audits, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited schedule of revenue and expenses and the annual reconciliation return for the Public Health General Programs for the year ended December 31, 2019 (Appendix 1 and 2 of Report PHD 4-2020), **BE APPROVED**;
2. That the draft audited schedule of revenue and expenses for the Infant & Child Development Services ("ICDS") program for the year ended March 31, 2020, (Appendix 3 of Report PHD 4-2020) **BE APPROVED**;
3. That the draft audited schedule of revenue and expenses and questionnaire for the Healthy Babies, Healthy Children ("HBHC") program for the year ended March 31, 2020, (Appendix 4 and 5 of Report PHD 4-2020) **BE APPROVED**;
4. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
5. That Report PHD 04-2020 **BE FORWARDED** to the Region's Audit Committee for information.

Minute Item No. 5.2
PHD 6-2020
Basic Income for Income Security

That Report PHD 6-2020, dated July 14, 2020, respecting Basic Income for Income Security, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ACKNOWLEDGE** the inequitable impacts of the COVID-19 pandemic on Niagara residents, including the disproportionate burden of both illness and economic harm borne by those of lower income or in poverty;
2. That Regional Council **CALL UPON** the federal and provincial government to prioritize measures to reduce poverty and income inequality in our society as one of the changes that should be initiated by this pandemic;
3. That Regional Council **RECOMMEND** that the federal and provincial governments engage in pilot projects to study policy innovations that can address poverty and income inequality, including the study of a basic income guarantee project in Niagara region;
4. That Regional Council particularly **RECOMMEND** that the federal government carefully study the Canadian Emergency Response Benefit (CERB) for its impact on health and poverty of recipients as lessons that could be applied to a basic income guarantee pilot, or as a platform for instituting a basic income guarantee; and

5. That Regional Council **DIRECT** the Regional Chair to communicate these calls and recommendations to the federal and provincial governments.

Minute Item No. 6.1
COM-C 20-2020
COVID-19 Response and Business Continuity in Community Services

That Correspondence Item COM-C 20-2020, being a memorandum from A. Jugley, Commissioner, Community Services, dated July 14, 2020, respecting COVID-19 Response and Business Continuity in Community Services, **BE RECEIVED** for information.

Minute Item No. 6.2
PHD-C 5-2020
COVID-19 Response and Business Continuity in Public Health & Emergency Services

That Correspondence Item PHD-C 5-2020, being a memorandum from Dr. M. M. Hirji, Acting Medical Officer of Health/Commissioner, Public Health, dated July 14, 2020, respecting COVID-19 Response and Business Continuity in Public Health & Emergency Services, **BE RECEIVED** for information.

Minute Item No. 6.3
PHD 5-2020
COVID-19 Impact on Niagara Emergency Medical Services

That Report PHD 5-2020, dated July 14, 2020, respecting COVID-19 Impact on Niagara Emergency Medical Services, **BE RECEIVED** for information.

Minute Item No. 6
Consent Items for Information

That the following items **BE DEALT WITH** as follows:

PHD-C 4-2020, respecting Further Details on Order to Wear Masks in Wellington-Dufferin-Guelph, **BE RECEIVED** for information;

COM 15-2020, respecting Affordable Housing Strategy Update, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities; and

COM-C 21-2020, respecting letter of support for Basic Income for Income Security, **BE RECEIVED** for information.

THE REGIONAL MUNICIPALITY OF NIAGARA
PUBLIC HEALTH & SOCIAL SERVICES COMMITTEE
OPEN SESSION

PHSSC 6-2020
Tuesday, July 14, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Committee Members Present in the Council Chamber:	Chiocchio (Committee Co-Chair), Greenwood (Committee Co-Chair)
Committee Members Present via Teleconference:	Bellows, Bradley (Regional Chair), Butters, Darte, Foster, Gibson, Heit, Insinna, Ip, Jordan, Nicholson, Rigby, Sendzik, Whalen, Witteveen
Absent/Regrets:	Villella
Staff Present in the Council Chamber:	S. Guglielmi, Technology Support Analyst, Dr. M. M. Hirji, Acting Medical Officer of Health/Commissioner, Public Health, A. Jugley, Commissioner, Community Services, A.-M. Norio, Regional Clerk
Staff Present via Teleconference:	B. Brens, Manager, Program Financial Support, C. Cousins, Director, Homelessness and Community Engagement, D. Edgar, Director, Children's Services, Dr. A. Feller, Associate Medical Officer of Health, R. Ferron, Deputy Chief/Associate Director, Emergency Medical Services, H. Koning, Director, Senior Services, K. Lotimer, Legislative Coordinator, R. Mayo, Deputy Chief/Associate Director, Emergency Medical Services, K. Smith, Chief/Director, Emergency Medical Services, R. Tripp, Acting Chief Administrative Officer, L. Watson, Director, Social Assistance and Employment Opportunities

---

1. CALL TO ORDER

Committee Co-Chair Greenwood called the meeting to order at 1:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 PHD 4-2020
Approval of 2020 Public Health Program Audits

Moved by Councillor Witteveen
Seconded by Councillor Rigby

That Report PHD 4-2020, dated July 14, 2020, respecting Approval of 2020 Public Health Program Audits, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the draft audited schedule of revenue and expenses and the annual reconciliation return for the Public Health General Programs for the year ended December 31, 2019 (Appendix 1 and 2 of Report PHD 4-2020), **BE APPROVED**;
2. That the draft audited schedule of revenue and expenses for the Infant & Child Development Services ("ICDS") program for the year ended March 31, 2020, (Appendix 3 of Report PHD 4-2020) **BE APPROVED**;
3. That the draft audited schedule of revenue and expenses and questionnaire for the Healthy Babies, Healthy Children ("HBHC") program for the year ended March 31, 2020, (Appendix 4 and 5 of Report PHD 4-2020) **BE APPROVED**;
4. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
5. That Report PHD 04-2020 **BE FORWARDED** to the Region's Audit Committee for information.

Carried

5.2 PHD 6-2020
Basic Income for Income Security

Moved by Councillor Ip
Seconded by Councillor Butters

That Report PHD 6-2020, dated July 14, 2020, respecting Basic Income for Income Security, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ACKNOWLEDGE** the inequitable impacts of the COVID-19 pandemic on Niagara residents, including the disproportionate burden of both illness and economic harm borne by those of lower income or in poverty;
2. That Regional Council **CALL UPON** the federal and provincial government to prioritize measures to reduce poverty and income inequality in our society as one of the changes that should be initiated by this pandemic;
3. That Regional Council **RECOMMEND** that the federal and provincial governments engage in pilot projects to study policy innovations that can address poverty and income inequality, including study of basic income guarantee projects;
4. That Regional Council particularly **RECOMMEND** that the federal government carefully study the Canadian Emergency Response Benefit (CERB) for its impact on health and poverty of recipients as lessons that could be applied to a basic income guarantee pilot, or as a platform for instituting a basic income guarantee; and
5. That Regional Council **DIRECT** the Regional Chair to communicate these calls and recommendations to the federal and provincial governments.

The following friendly ***amendment*** was accepted by the Committee Chair, and the mover and seconder of the motion, so that clause 3 reads as follows:

3. That Regional Council **RECOMMEND** that the federal and provincial governments engage in pilot projects to study policy innovations that can address poverty and income inequality, including ***the*** study of a basic income guarantee project ***in Niagara region***.

Committee Co-Chair Greenwood called the vote on the motion, as amended, as follows:

That Report PHD 6-2020, dated July 14, 2020, respecting Basic Income for Income Security, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **ACKNOWLEDGE** the inequitable impacts of the COVID-19 pandemic on Niagara residents, including the disproportionate burden of both illness and economic harm borne by those of lower income or in poverty;
2. That Regional Council **CALL UPON** the federal and provincial government to prioritize measures to reduce poverty and income inequality in our society as one of the changes that should be initiated by this pandemic;
3. That Regional Council **RECOMMEND** that the federal and provincial governments engage in pilot projects to study policy innovations that can address poverty and income inequality, including the study of a basic income guarantee project in Niagara region;
4. That Regional Council particularly **RECOMMEND** that the federal government carefully study the Canadian Emergency Response Benefit (CERB) for its impact on health and poverty of recipients as lessons that could be applied to a basic income guarantee pilot, or as a platform for instituting a basic income guarantee; and
5. That Regional Council **DIRECT** the Regional Chair to communicate these calls and recommendations to the federal and provincial governments.

Recorded Vote:

Yes (16): Bellows, Bradley, Butters, Chiocchio, Darte, Foster, Gibson, Greenwood, Insinna, Ip, Jordan, Nicholson, Rigby, Sendzik, Whalen, Witteveen.

No (0).

Carried

6. CONSENT ITEMS FOR INFORMATION

6.1 COM-C 20-2020
COVID-19 Response and Business Continuity in Community Services

Moved by Councillor Foster
Seconded by Councillor Witteveen

That Correspondence Item COM-C 20-2020, being a memorandum from A. Jugley, Commissioner, Community Services, dated July 14, 2020, respecting COVID-19 Response and Business Continuity in Community Services, **BE RECEIVED** for information.

Carried

6.2 PHD-C 5-2020
COVID-19 Response and Business Continuity in Public Health & Emergency Services

Moved by Councillor Whalen
Seconded by Councillor Insinna

That Correspondence Item PHD-C 5-2020, being a memorandum from Dr. M. M. Hirji, Acting Medical Officer of Health/Commissioner, Public Health, dated July 14, 2020, respecting COVID-19 Response and Business Continuity in Public Health & Emergency Services, **BE RECEIVED** for information.

Carried

6.3 PHD 5-2020
COVID-19 Impact on Niagara Emergency Medical Services

Kevin Smith, Chief/Director, Emergency Medical Services and Richard Ferron, Deputy Chief/Associate Director, Emergency Medical Services, provided information respecting COVID-19 Impact on Niagara Emergency Medical Services. Topics of the presentation included:

- Business Continuity
- Enhanced Roll in COVID Response
- System Demand
- System Performance

Moved by Councillor Insinna
Seconded by Councillor Nicholson

That Report PHD 5-2020, dated July 14, 2020, respecting COVID-19 Impact on Niagara Emergency Medical Services, **BE RECEIVED** for information.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Jordan
Seconded by Councillor Witteveen

That the following items **BE DEALT WITH** as follows:

PHD-C 4-2020, respecting Further Details on Order to Wear Masks in Wellington-Dufferin-Guelph, **BE RECEIVED** for information;

COM 15-2020, respecting Affordable Housing Strategy Update, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities; and

COM-C 21-2020, respecting letter of support for Basic Income for Income Security, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be held on Tuesday, August 4, 2020 at 1:00 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 2:28 p.m.

Councillor Greenwood Committee Co-Chair	Councillor Chiocchio Committee Co-Chair
Kelly Lotimer Legislative Coordinator	Ann-Marie Norio Regional Clerk

Subject: Approval of 2020 Public Health Program Audits

Report to: Public Health and Social Services Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That the draft audited schedule of revenue and expenses and the annual reconciliation return for the Public Health General Programs for the year ended December 31, 2019 (Appendix 1 and 2), **BE APPROVED**;
2. That the draft audited schedule of revenue and expenses for the Infant & Child Development Services ("ICDS") program for the year ended March 31, 2020 (Appendix 3) **BE APPROVED**;
3. That the draft audited schedule of revenue and expenses and questionnaire for the Healthy Babies, Healthy Children ("HBHC") program for the year ended March 31, 2020 (Appendix 4 and 5) **BE APPROVED**;
4. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
5. That report PHD 04-2020 **BE FORWARDED** to the Region's Audit Committee for information.

Key Facts

- The purpose of this report is to obtain approval of the audited schedules of revenues and expenses and annual reconciliation return in accordance with the provincial requirements.
- In previous years, the ICDS and HBHC programs financial results had been reported to the Ministry using a December 31 year end (for each year). The current year schedule of revenue and expenses ("financial schedule") and the annual reconciliation return have been reported as of March 31 in order to align with the reporting date of the respective Ministry, as per Ministry direction in 2019.
- As a result of the reporting date change, the HBHC and ICDS financial schedules as of March 31, 2020 contain 15 months of financial data (January 1, 2019 to March 31, 2020). For both programs, subsequent financial schedules will contain 12 months of data with the fiscal year running April 1 to March 31 (in alignment with the Ministry).
- As per Financial Reporting and Forecasting Policy (C-F-020), other financial statements or schedules performed for Ministry funding purposes, will be recommended for approval to Council by the standing Committee with oversight of

the program. Upon approval by Council, the department Commissioner, or delegated authority, and the Treasurer will be authorized to sign the auditor's representation letter to obtain the auditor's signed report. The approved statements will then be forwarded to Audit Committee for information.

Financial Considerations

The schedules of revenue and expense ("financial schedules") and annual reconciliation returns have been prepared in compliance with legislation and in accordance with the requirements and policies stipulated by the corresponding Ministry.

Draft copies of the financial schedules, annual reconciliation return and questionnaire for the periods ended December 31, 2019 and March 31, 2020 are attached as Appendix 1-5.

The financial schedules are prepared specifically for the purposes of meeting the requirements as outlined in the service agreements with the respective funding Ministries. The financial schedules have been prepared in compliance with legislation and in accordance with the requirements and policies stipulated by the corresponding Ministry.

The financial schedules for Public Health Department are a Ministry requirement as noted in the audit reports for each of the respective programs as follows:

<u>Public Health General Programs:</u>

"The schedule is prepared to assist the Regional Municipality of Niagara in complying with the financial reporting provisions of the Guidelines (Public Health Accountability Agreement effective January 1, 2019 between the Ontario Ministry of Health and Long Term Care and The Regional Municipality of Niagara). As a result, the schedule may not be suitable for another purpose."

<u>Infant & Child Development Services:</u>

"The schedule is prepared to assist the Program to comply with the financial reporting provisions of the agreement between the Ontario Ministry of Children, Community and Social Services and the Regional Municipality of Niagara. As a result, the schedule may not be suitable for another purpose."

Healthy Babies, Healthy Children:

"The schedule is prepared to assist the Program in complying with the financial reporting provisions of the agreement dated January 1, 2018 between the Ontario Ministry of Children, Community and Social Services and the Regional Municipality of Niagara. As a result, the schedule may not be suitable for another purpose."

Analysis

The program audits were completed by the Region's external auditors, Deloitte. The auditors have indicated that, based on their review, nothing has come to their attention that causes them to believe that this information is not, in all material respects, in accordance with the respective Ministry requirements identified.

The recommendation for approval of audited schedules performed for Ministry funding purposes rests with the Committee to which the department responsible for the funding reports. Upon approval by the Committee, these schedules are referred to Audit Committee for information. Then the department's Commissioner and Treasurer will be authorized to sign the auditor's representation letter to obtain the auditors signed report.

Below is a summary of the results of the audited financial schedules:

- Public Health General Programs – the program has no funds returnable for the reporting period ended December 31, 2019 as the Region has expended all allocated funding. The grant receivable of $344,798 is a result of timing of cash flow from the Ministry and should be received from the Ministry once the program results are reviewed.
- Infant & Child Development Services – the program has no funds returnable for the reporting period ended March 31, 2020 as the Region has expended all allocated funding.
- Healthy Babies, Healthy Children – the program has no funds returnable for the reporting period ended March 31, 2020 as the Region has expended all allocated funding.

These financial schedules are subject to minor wording changes once schedules are finalized.

Alternatives Reviewed

The audited financial schedules and annual reconciliation return are a Ministry requirement and therefore no alternatives are available.

Relationship to Council Strategic Priorities

Providing formal financial reporting to Council and the public supports the Council Strategic Priority of Sustainable and Engaging Government.

Other Pertinent Reports

None.

Prepared by:
Melanie Steele, CPA, CA, MBA
Associate Director, Reporting & Analysis
Corporate Services

Recommended by:
M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health &
Commissioner (Acting)
Public Health & Emergency Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Beth Brens, CPA, CA, Manager, Program Financial Support.

Appendices

Appendix 1 - Public Health General Programs – Schedule of Revenue and Expenses

Appendix 2 - Public Health General Programs – Annual Reconciliation Return

Appendix 3 - Infant & Child Development Services – Schedule of Revenue and Expenses

Appendix 4 - Healthy Babies, Healthy Children – Schedule of Revenues and Expenses

Appendix 5 – Healthy Babies, Healthy Children - Questionnaire

Schedule of revenue, expenses and grant receivable/repayable

The Regional Municipality of Niagara Public Health Department

General Programs

December 31, 2019

Draft

The Regional Municipality of Niagara
Public Health Department

General Programs
December 31, 2019

Table of contents

Independent Auditor's Report 1-2

Schedule of revenue, expenses and grant receivable/repayable 3-4

Notes to the schedule 5-6

Draft

Deloitte LLP
25 Corporate Park Drive
3rd Floor
St. Catharines ON L2S 3W2
Canada

Tel: 905-323-6000
Fax: 905-323-6001
www.deloitte.ca

Independent Auditor's Report

To the Members of Council of the Regional Municipality of Niagara
and the Ontario Ministry of Health and Long Term Care

Opinion

We have audited the accompanying schedule of revenue, expenses and grant receivable/payable of The Regional Municipality of Niagara Public Health Department – General Programs (the "Program" or "Region") for the year ended December 31, 2019 and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule of the Program for the year ended December 31, 2019, is prepared, in all material respects, in accordance with the Public Health Accountability Agreement effective January 1, 2019 between the Ontario Ministry of Health and Long Term Care and The Regional Municipality of Niagara (the "Guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to the fact that the schedule has been prepared in accordance with the Guidelines. The schedule is prepared to assist Regional Municipality of Niagara in complying with the financial reporting provisions of the Guidelines. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation and fair presentation of the schedule in accordance with the basis of accounting as described in Note 1, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
July 23, 2020

The Regional Municipality of Niagara
Public Health Department

General Programs
Schedule of revenue, expenses and grant receivable/repayable
year ended December 31, 2019

	Revenue Budget	Revenue Actual	Expense Budget	Expense Actual	Surplus (deficit) Actual	Add back: ineligible expenses	Add back: eligible expenses (revenues) in excess of Ministry funding (deficit)	Grant repayable (receivable)
	$	$	$	$	$	$	$	$
Province of Ontario								
Mandatory Programs MOHLTC (75%)	20,473,200	20,473,200	31,796,788	31,472,549	(10,999,349)	1,320,278	9,679,071	-
Chief Nursing Officer Support	121,500	121,500	121,500	121,500	-	-	-	-
Infection Control Program	90,100	90,100	90,100	90,100	-	-	-	-
Social Determinants of Health Nurses	180,500	180,500	180,500	180,500	-	-	-	-
Food Safety - Farm to Fork	78,400	78,400	78,400	78,400	-	-	-	-
Harm Reduction Program	250,000	250,000	250,000	250,000	-	-	-	-
Healthy Smiles Ontario (HSO)	1,250,900	1,250,900	1,250,900	1,250,900	-	-	-	-
Infectious Disease Control	611,200	611,200	611,200	611,200	-	-	-	-
Needle Exchange Program Initiative	192,000	192,000	192,000	192,000	-	-	-	-
Physician Services Agreement (Medical Officer of Health)	340,000	173,323	340,000	201,255	(27,932)	-	-	(27,932)
Safe Water Program	35,300	35,300	35,300	35,300	-	-	-	-
Smoke Free Ontario Strategy Program	668,600	668,600	673,599	669,190	(590)	-	590	-
Youth Tobacco Use Prevention	80,000	80,000	80,000	80,000	-	-	-	-
Ontario Seniors Dental Care Program (OSDCP)	1,602,750	805,010	1,602,750	993,050	(188,040)	-	-	(188,040)
One-time								
Business Intelligence Framework (2018-19)	-	159,153	-	159,153	-	-	-	-
New Purpose Built Vaccine Refrigerators (2019-20)	85,000	63,750	-	81,972	(18,222)	-	-	(18,222)
Needle Exchange Program Initiative One time (2019-20)	90,000	67,500	-	54,127	13,373	-	(13,373)	-
OSDCP Dental Clinic Upgrades (2019-20 Capital Funding)	331,800	-	-	-	-	-	-	-
Universal Influenza (UIPP)	-	-	-	56,416	(56,416)	-	44,166	(12,250)
Meningococcal C	-	-	-	102,158	(102,158)	-	62,743	(39,415)
Human Papillomavirus	-	-	-	153,041	(153,041)	-	94,102	(58,939)
	26,481,250	25,300,436	37,303,037	36,832,811	(11,532,375)	1,320,278	9,867,299	(344,798)
Region grant and other income								
The Regional Municipality of Niagara levy	10,411,773	10,776,311	-	-	10,776,311			
Other income	410,014	411,266	-	-	411,266			
	10,821,787	11,187,577	-	-	11,187,577			
Total	37,303,037	36,488,013	37,303,037	36,832,811	(344,798)			

The accompanying notes to the financial statements are an integral part of this financial statement.

Draft

The Regional Municipality of Niagara
Public Health Department

General Programs
Schedule of revenue, expenses and grant receivable/repayable
year ended December 31, 2018

	Revenue Budget	Revenue Actual	Expense Budget	Expense Actual	Surplus (deficit) Actual	Add back: ineligible expenses	Add back: eligible expenses (revenues) in excess of Ministry funding (deficit)	Grant repayable (receivable)
	$	$	$	$	$	$	$	$
Province of Ontario								
Mandatory Programs MOHLTC (75%)	19,932,700	19,932,858	29,320,016	28,749,412	(8,816,554)	1,173,680	7,643,032	158
Chief Nursing Officer Support	121,500	121,500	121,578	125,710	(4,210)	4,210	-	-
Food Safety - Farm to Fork	78,400	78,400	78,478	78,400	-	(1,645)	1,645	-
Harm Reduction Program	250,000	250,000	250,000	257,683	(7,683)	7,683	-	-
Healthy Smiles Ontario (HSO)	1,250,900	1,250,900	1,253,008	1,325,288	(74,388)	74,388	-	-
Infection Control Program	90,100	90,100	89,557	94,866	(4,766)	4,766	-	-
Infectious Disease Control	611,200	611,200	620,268	643,772	(32,572)	25,637	6,935	-
Needle Exchange Program Initiative	192,000	192,000	191,974	195,003	(3,003)	3,003	-	-
Physician Services Agreement (Medical Officer of Health)	340,000	286,522	340,000	219,636	66,886	900	-	67,786
Safe Water Program	35,300	35,300	35,296	36,200	(900)	900	-	-
Small Drinking Water Systems (75%)	40,400	40,400	53,945	56,551	(16,151)	-	16,151	-
Smoke Free Ontario Strategy Program	668,600	668,600	670,382	758,805	(90,205)	87,810	2,395	-
Social Determinants of Health Nurses	180,500	180,500	179,505	191,545	(11,045)	4,766	6,279	-
Vector-Borne Diseases Program (75%)	500,100	500,100	669,060	667,209	(167,109)	-	167,109	-
Youth Tobacco Use Prevention	80,000	80,000	80,170	85,243	(5,243)	5,243	-	-
One-time								
Business Intelligence Framework (2018-19)	167,100	125,325	-	7,947	117,378	-	(117,378)	-
Vision Screening Tools (2018-19)	42,600	-	-	42,600	(42,600)	-	-	(42,600)
Cannabis Enforcement (2018-19)	52,600	-	-	52,600	(52,600)	-	-	(52,600)
HSO: Dental Operatory (2017-18)	-	28,000	-	28,000	-	-	-	-
Needle Exchange Program Initiative: Supplies (2017-18)	-	84,403	-	81,968	2,435	-	-	2,435
Outbreak of Diseases: Infection Prevention (2017-18)	-	3,953	-	3,953	-	-	-	-
Panorama Project (2017-18)	-	94,825	-	96,061	(1,236)	1,236	-	-
Smoking Cessation Programming (2017-18)	-	26,185	-	26,609	(423)	423	-	-
Universal Influenza (UIPP)	-	-	-	45,247	(45,247)	-	35,577	(9,670)
Meningococcal C	-	5,551	-	100,579	(95,028)	-	64,037	(30,991)
Human Papillomavirus	-	26,316	-	154,716	(128,400)	-	98,506	(29,895)
	24,634,000	24,712,937	33,953,236	34,125,603	(9,412,664)	1,393,001	7,924,288	(95,377)
Region grant and other income								
The Regional Municipality of Niagara levy	9,079,296	8,973,504	-	-	8,973,504			
Other income	322,000	343,783	-	-	343,783			
	9,401,296	9,317,287	-	-	9,317,287			
Total	34,035,296	34,030,224	33,953,236	34,125,603	(95,377)			

The accompanying notes to the financial statements are an integral part of this financial statement.

Draft

The Regional Municipality of Niagara
Public Health Department

General Programs
Notes to the schedule
December 31, 2019

Draft

1. Significant accounting policies

The schedule has been prepared for the Ontario Ministry of Health and Long Term Care in accordance with the Public Health Accountability Agreement effective January 1, 2019 between the Ontario Ministry of Health and Long Term Care and the Regional Municipality of Niagara and the 2017 Program-Based Grants User Guide (the "guidelines"). The agreement requires the schedule to be prepared in a manner consistent with the generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles and note disclosure required by GAAP for a complete set of financial statements. The financial results for the Community Mental Health Program is not included in the schedule of revenue, expenses and grant receivable/repayable for the year ended December 31, 2019.

Significant accounting policies are as follows:

(i) Revenues are reported on the cash basis of accounting.

(ii) Expenses are recorded if they are eligible for the program and incurred in the period, except for employee future benefits (iv).

(iii) Tangible capital assets acquired are reported as an expenses and amortization is not recorded.

(iv) Employee future benefits are provided which will require funding in future periods. These benefits included vacation pay, sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

(v) Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic schedule involves the use of estimates and approximations. These have been made using careful judgments.

(vi) Total expenses are reported on the schedule of revenue, expenses and grant receivable/repayable in order to understand the full cost of the program. Ineligible expenses as per the funding agreement have been removed for the purpose of determining the grant repayable/receivable.

2. Grant receivable

The grant receivable from the Province of Ontario is subject to audit verification by the Ontario Ministry of Health and Long Term Care. The grants receivable are non-interest bearing and are normally received in the subsequent year.

	2019	2018
	$	$
Grant receivable, beginning of year	**95,377**	346,814
Amounts recovered during the year	**(164,216)**	(347,053)
Amounts repaid during the year	**136,223**	158
Adjustment to prior year balances*	**(67,382)**	1,881
Grant receivable current year	**344,796**	93,577
Grant receivable, end of year	**344,798**	95,377

*Represents adjustments made to correct differences between amounts originally recorded and amounts settled related to repayable and receivable balances for prior years.

The Regional Municipality of Niagara
Public Health Department

General Programs
Notes to the schedule
December 31, 2019

3. Budget data

The budget data presented in the schedule is based on the budget data submitted to the Ontario Ministry of Health and Long Term Care.

Draft

Annual Reconciliation Report

The Regional Municipality of Niagara Public Health Department

General Programs

December 31, 2019

Draft

The Regional Municipality of Niagara
Public Health Department

December 31, 2019

Table of contents

Independent Auditor's Report 1-2

Annual Reconciliation Report 3-4

Note to the schedules 5

Draft

Deloitte LLP
25 Corporate Park Drive
3rd Floor
St. Catharines ON L2S 3W2
Canada

Tel: 905-323-6000
Fax: 905-323-6001
www.deloitte.ca

Independent Auditor's Report

To the Members of Council of The Regional Municipality of Niagara and the Ontario Ministry of Health and Long Term Care

Opinion

We have audited the accompanying schedules of the annual reconciliation report of The Regional Municipality of Niagara Public Health Department – General Programs (the "Program" or "Region") for the year ended December 31, 2019 and notes to the report, including a summary of significant accounting policies (collectively referred to as the "schedules").

In our opinion, the accompanying schedules of the Program as at December 31, 2019 is prepared, in all material respects, in accordance with the Public Health Accountability Agreement effective January 1, 2019 between the Ontario Ministry of Health and Long Term Care and The Regional Municipality of Niagara and the Instructions for completing the 2019 Annual Report and Attestation (the "Guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedules* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedules in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to the Note to the schedules, which describes the basis of accounting. The schedules are prepared to assist the Region in complying with the Guidelines. As a result, the schedules may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedules

Management is responsible for the preparation of the schedules in accordance with the basis of accounting described in the Note to the schedules, and for such internal control as management determines is necessary to enable the preparation of the schedules that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

DRAFT

Auditor's Responsibilities for the Audit of the Schedules

Our objectives are to obtain reasonable assurance about whether the schedules as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these schedules.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedules, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
July 23, 2020

DRAFT

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2019 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: **Niagara Region Public Health (The Regional Municipality of Niagara)**

Section 1: Base Funding (January 1, 2019 to December 31, 2019)
- Programs Funded at 75%
- Programs Funded at 100%

Section 2: 2018 One-Time Funding Approved to March 31, 2019
- One-Time Projects/Initiatives Funded at 100%
- One-Time Capital Projects Funded at 100%

Section 3: 2019 One-Time Funding Approved to March 31, 2020 (To be settled in 2020)
- One-Time Projects/Initiatives Funded at 100%

		Program Name per Transfer Payment Agreement	Approved Allocation	Funding Received	Expenditure at 100%	(Deduct) Offset Revenue	Net Expenditure	Eligible Expenditure	Due to / (from) Province
Section 1 Base Funding (January 1, 2019 to December 31, 2019)	Programs Funded at 75%	Mandatory Programs	20,473,200	20,473,200	30,345,224	(411,523)	22,450,276	20,473,200	-
		Sub-Total Programs Funded at 75%	**20,473,200**	**20,473,200**	**30,345,224**	**(411,523)**	**22,450,276**	**20,473,200**	**-**
	Programs Funded at 100%	Healthy Smiles Ontario	1,250,900	1,250,900	1,251,826	(926)	1,250,900	1,250,900	-
		Ontario Seniors Dental Care Program	1,602,750	805,010	993,050	-	993,050	993,050	(188,040)
		Enhanced Food Safety - Haines Initiative	78,400	78,400	78,400	-	78,400	78,400	-
		Enhanced Safe Water Initiative	35,300	35,300	35,300	-	35,300	35,300	-
		Harm Reduction Program Enhancement	250,000	250,000	250,000	-	250,000	250,000	-
		Infectious Diseases Control Initiative	611,200	611,200	611,200	-	611,200	611,200	-
		Needle Exchange Program Initiative	192,000	192,000	192,000	-	192,000	192,000	-
		Nursing Initiatives	392,100	392,100	392,100	-	392,100	392,100	-
		Smoke-Free Ontario Strategy	748,600	748,600	748,600	-	748,600	748,600	-
		Physician Services Agreement Initiative	340,000	173,323	201,255	-	201,255	201,255	(27,932)
		Sub-Total Programs Funded at 100%	**5,501,250**	**4,536,833**	**4,753,731**	**(926)**	**4,752,805**	**4,752,805**	**(215,972)**
Total Section 1 Base Funding (January 1, 2019 to December 31, 2019)			**25,974,450**	**25,010,033**	**35,098,955**	**(412,449)**	**27,203,081**	**25,226,005**	**(215,972)**
Section 2 2018 One-Time Funding Approved to March 31, 2019	One-Time Projects / Initiatives Funded at 100%	Mandatory Programs: Business Intelligence Framework (100%)	159,154	159,154	159,154	-	159,154	159,154	-
		Sub-Total One-Time Projects / Initiatives Funded at 100%	**159,154**	**159,154**	**159,154**	**-**	**159,154**	**159,154**	**-**
Total Section 2: 2018 One-Time Funding Approved to March 31, 2019			**159,154**	**159,154**	**159,154**	**-**	**159,154**	**159,154**	**-**
Grand Total 2019 Settlement (Section 1) + (Section 2)			**26,133,604**	**25,169,187**	**35,258,109**	**(412,449)**	**27,362,235**	**25,385,159**	**(215,972)**

Draft

Section 3 2019 One-Time Funding Approved to March 31, 2020 (To be settled in 2020)	One-Time Projects / Initiatives Funded at 100%	Needle Exchange Program Initiative (100%)	90,000	67,500	54,127		54,127	54,127	13,373
		New Purpose-Built Vaccine Refridgerators (100%)	85,000	63,750	81,972		81,972	81,972	(18,222)
		OSDCP: Fort Erie Upgrades (100%)	75,300	-	-		-	-	-
		OSDCP: Centre de Sante Communiautaire Upgrades (100%)	122,000	-	-		-	-	-
		OSDCP: Niagara Falls Community Health Centre Upgrades (100%)	134,500	-	-		-	-	-
		Sub-Total One-Time Projects / Initiatives Funded at 100%	**506,800**	**131,250**	**136,099**	**-**	**136,099**	**136,099**	**(4,849)**
Total Section 3 - 2019 One-Time Funding Approved to March 31, 2020 (To be settled in 2020)			**506,800**	**131,250**	**136,099**	**-**	**136,099**	**136,099**	**(4,849)**

Grand Total 2019 Settlement (Section 1) + (Section 2)	**26,133,604**	**25,169,187**	**35,258,109**	**(412,449)**	**27,362,235**	**25,385,159**	**(215,972)**

Having the authority to bind the Board of Health for the Public Health Unit:

We certify that the Financials shown in the Annual Reconciliation Report and the supporting schedule are complete and accurate and are in accordance with Transfer Payment Agreements and Reports filed with the appropriate Municipal Council.

Date _____ **Signature** _____
Medical Officer of Health / Chief Executive Officer

Date _____ **Signature** _____
Chair of the Board of Health / Authorized Officer

Draft

MINISTRY OF HEALTH
OFFICE OF CHIEF MEDICAL OFFICER OF HEALTH, PUBLIC HEALTH
2019 ANNUAL RECONCILIATION REPORT (CERTIFICATE OF SETTLEMENT)

NAME OF PUBLIC HEALTH UNIT: **Niagara Region Public Health (The Regional Municipality of Niagara)**

SCHEDULE 1: Schedule of Offset Revenues

Mandatory Programs	Line #	Reference	Actual $	Ministry Use Only
Interest Income	L 1		-	
Universal Influenza Immunization Program clinic reimbursement	L 2		(12,685)	
Meningococcal C Program clinic reimbursement	L 3		(39,814)	
Human Papilloma Virus Program reimbursement	L 4		(59,645)	
Other (Specify):	L 5		(294,748)	
By-law related product and service, expense reimbursement and miscellaneous revenue	L 6		(4,631)	
2019 Total Offset Revenues	**L 11**	**To Summary Page Cell G15 - Offset (Revenue)**	**(411,523)**	

Healthy Smiles Ontario	Line #	Reference	Actual $	Ministry Use Only
Interest Income	L 12		-	
Revenues Generated from Other Government Dental Program:	L 13			
Ontario Works (OW)	L 14			
Ontario Disability Support Program (ODSP)	L 15			
Other government dental programs (please specify):	L 16			
By-law related product and service, expense reimbursement and miscellaneous revenue	L 17		(926)	
2019 Total Offset Revenues	**L 20**	**To Summary Page Cell G19 - Offset (Revenue)**	**(926)**	
Ontario Seniors Dental Care Program	**Line #**	**Reference**	**Actual $**	**Ministry Use Only**
Interest Income	L 21			
Client Co-Payments	L 22			
Revenues Generated from Other Government Dental Program:	L 23			
Ontario Works (OW)	L 24			
Ontario Disability Support Program (ODSP)	L 25			
Other government dental programs (please specify):	L 26			
2019 Total Offset Revenues	**L 30**	**To Summary Page Cell G20 - Offset (Revenue)**	**-**	

Draft

The Regional Municipality of Niagara
Public Health Department

General Programs
Note to the schedules
December 31, 2019

1. Significant accounting policies

The report has been prepared for the Ontario Ministry of Health and Long Term Care in accordance with the Public Health Accountability Agreement effective January 1, 2019 between the Ontario Ministry of Health and Long Term Care and the Regional Municipality of Niagara and the Instructions for completing the 2019 Annual Report and Attestation (the "Guidelines"). The agreement requires the report to be prepared in a manner consistent with the generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles and note disclosure required by GAAP for a complete set of financial statements.

Significant accounting policies are as follows:

Revenue and expenses

Revenues are recognized in the year in which they are earned. Expenses are recorded if they are eligible for the program and incurred in the period, except for employee future benefits.

Capital assets

Tangible capital assets acquired are reported as an expenses and amortization is not recorded.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits included vacation pay, sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

Use of estimates

Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic report involves the use of estimates and approximations. These have been made using careful judgments.

Draft

Schedule of revenue and expenses

The Regional Municipality of Niagara Public Health Department

Infant and Child Development Services

March 31, 2020

Draft

The Regional Municipality of Niagara
Public Health Department

Infant and Child Development Services
March 31, 2020

Table of contents

Independent Auditor's Report 1-2

Schedule of revenue and expenses 3

Notes to the schedule of revenue and expenses 4-5

Draft

Deloitte LLP
25 Corporate Park Drive
3rd Floor
St. Catharines ON L2S 3W2
Canada

Tel: 905-323-6000
Fax: 905-323-6001
www.deloitte.ca

Independent Auditor's Report

To the Members of Council of
The Regional Municipality of Niagara and the Ministries of Children and Youth Services and Community and Social Services

Opinion

We have audited the accompanying schedule of revenue and expenses of the Regional Municipality of Niagara Public Health Department – Infant and Child Development Services (the "Program") for the 15 month period ended March 31, 2020 and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule of the Program for the 15 month period ended March 31, 2020 is prepared, in all material respects, in accordance with the financial reporting provisions of the agreement between the Ontario Ministries of Children and Youth Services and Community and Social Services and the Regional Municipality of Niagara.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Program in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Program to comply with the financial reporting provisions of the agreement between the Ontario Ministries of Children and Youth Services and Community and Social Services and the Regional Municipality of Niagara. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the Guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

DRAFT

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
July 23, 2020

DRAFT

The Regional Municipality of Niagara
Public Health Department

Infant and Child Development Services
Schedule of revenue and expenses
15 month period ended March 31, 2020

	2019-20 Budget (15 months)	**2019-20 Actual (15 months)**	2018 Actual (12 months)
	$	**$**	$
Revenue			
Province of Ontario - Service Contract	710,530	**710,530**	568,428
One-time grant	-	**-**	3,749
	710,530	**710,530**	572,177
Expenses			
Salaries	529,809	**546,345**	416,223
Benefits	130,134	**133,264**	102,186
	659,943	**679,609**	518,409
Other service costs			
Administration costs (Note 3)	43,240	**36,180**	49,331
Staff travel	27,000	**20,910**	16,237
Audit services	3,307	**3,333**	2,690
Utilities and taxes	2,500	**1,998**	1,792
Supplies	7,250	**1,845**	22,059
IT licenses and support	2,875	**1,668**	2,035
Staff training	3,625	**726**	8,168
Purchased services	1,970	**225**	472
Fees and dues	375	**221**	315
	92,142	**67,106**	103,099
Total expenses	752,085	**746,715**	621,508
Deficiency of revenue over expenses	(41,555)	**(36,185)**	(49,331)

Draft

The accompanying notes to the financial statements are an integral part of this financial statement.

The Regional Municipality of Niagara
Public Health Department

Infant and Child Development Services
Notes to the schedule of revenues and expenses
March 31, 2020

1. Significant accounting policies

This schedule has been prepared for the Ontario Ministries of Children and Youth Services and Community and Social Services ("the Ministry"). It is prepared in accordance with Canadian public sector accounting standards, except that it does not provide for employee future benefits and tangible capital assets are expensed as incurred. Since precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximations.

Significant accounting policies are as follows

Revenue and expenses

Revenue and expenses are reported on the accrual basis of accounting, with the exception of employee future benefits below.

The accrual basis of accounting recognizes revenues are they become available and measureable, expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Capital assets

The historical cost and accumulated depreciation of capital assets are not recorded. Capital assets acquired are reported as an expenditure and amortization is not recorded on the statement of revenue and expenditure and surplus.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

2. Grant repayable

	2019-20	2018
	$	$
Grant repayable beginning of period	**-**	-
Excess of expenditures over revenue	**36,185**	49,331
Expenditures in excess of the budget	**(36,185)**	(49,331)
Grant repayable, end of period	**-**	-

Draft

The Regional Municipality of Niagara
Public Health Department

Infant and Child Development Services
Notes to the schedule of revenues and expenses
March 31, 2020

3. Administration costs

Administration costs are allocated under the indirect allocation methodology included in the cost allocation policy.

Under this methodology, all departments providing program/service support functions, as identified during the budget process, will allocate their costs using a basis that best match actual costs with the most appropriate beneficial recipient of the cost.

Administration costs are comprised of the following charges:

	2019-20 Budget (15 months)	**2019-20 Actual (15 months)**	2018 Actual (12 months)
	$	**$**	$
Accounting services	1,693	**1,213**	1,443
Payroll services	13,702	**9,404**	12,280
Human resources services	7,842	**7,271**	13,704
IT program support services	14,630	**13,277**	14,830
Insurance costs	259	**270**	298
Printing costs	1,357	**1,081**	535
Capital financing	3,757	**3,664**	6,241
	43,240	**36,180**	49,331

4. Budget data

The budget data presented in the schedule is based on the budget data submitted to the Ontario Ministries of Children and Youth Services and Community and Social Services.

Draft

Schedule of revenue and expenses

The Regional Municipality of Niagara
Public Health Department

Healthy Babies, Healthy Children Program

March 31, 2020

Draft

The Regional Municipality of Niagara
Public Health Department

Healthy Babies, Healthy Children Program

March 31, 2020

Table of contents

Independent Auditor's Report 1-2

Schedule of revenue and expenses 3

Notes to the schedule of revenue and expenses 4-5

Draft

Deloitte.

Deloitte LLP
25 Corporate Park Drive
3rd Floor
St. Catharines ON L2S 3W2
Canada

Tel: 905-323-6000
Fax: 905-323-6001
www.deloitte.ca

Independent Auditor's Report

To the Members of Council of the Regional Municipality of Niagara and Ontario Ministry of Children, Community and Social Services

Opinion

We have audited the accompanying schedule of revenue and expenses of the Regional Municipality of Niagara Public Health Department – Healthy Babies, Healthy Children Program (the "Program") for the 15-months ended March 31, 2020, and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule of the Program for the 15-months ended March 31, 2020 is prepared, in all material respects, in accordance with the financial reporting provisions of the agreement dated January 1, 2018, and the amending agreement dated August 1, 2019, between the Ontario Ministry of Children, Community and Social Services and the Regional Municipality of Niagara (the "Guidelines").

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Region in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Program in complying with the financial reporting provisions of the agreement dated January 1, 2018, and the amending agreement dated August 1, 2019, between the Ontario Ministry of Children, Community and Social Services and the Regional Municipality of Niagara. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of Management and Those Charged with Governance for the Schedule

Management is responsible for the preparation of the schedule in accordance with the Guidelines, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error.

Those charged with governance are responsible for overseeing the Region's financial reporting process.

Auditor's Responsibilities for the Audit of the Schedule

Our objectives are to obtain reasonable assurance about whether the schedule as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

DRAFT

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal contdrol.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Region's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants
Licensed Public Accountants
July 23, 2020

DRAFT

The Regional Municipality of Niagara
Public Health Department

Healthy Babies, Healthy Children Program
Schedule of revenue and expenses
15-months ended March 31, 2020

	2019-20 Budget (15 months)	**2019-20 Actual (15 months)**	2018 Actual (12 months)
	$	**$**	$
Revenue			
Ministry of Children, Community and Social Services Funding	3,084,194	**3,084,194**	2,365,130
Other revenue	-	**2,296**	388
	3,084,194	**3,086,490**	2,365,518
Expenses			
Salaries and wages: unionized			
Public health nurses	1,461,513	**1,454,834**	1,118,187
Employee benefits	502,251	**463,795**	357,011
Lay home visitors	371,976	**402,972**	319,076
Clerical	129,534	**129,588**	99,946
WSIB	-	**56**	417
Salaries and wages: non-unionized			
Management	272,887	**284,428**	210,352
Administration ISCIS	78,764	**85,348**	60,764
Employee benefits	76,874	**83,059**	58,737
	2,893,799	**2,904,080**	2,224,490
Operating costs			
Administration costs (Note 3)	150,787	**141,693**	151,290
Professional development	93,231	**100,213**	39,835
Travel - mileage	75,500	**66,222**	57,863
Telephone and communications	10,000	**10,132**	11,431
Program supplies/resources	1,250	**8,738**	18,325
Audit fees	7,126	**7,149**	5,795
Office supplies	2,663	**5,982**	7,289
Cleaning allowance	625	**760**	490
	341,182	**340,889**	292,318
Total expenses	3,234,981	**3,244,969**	2,516,808
Deficiency of revenue over eligible expenses	(150,787)	**(158,479)**	(151,290)

Draft

The accompanying notes to the financial statements are an integral part of this financial statement.

The Regional Municipality of Niagara
Public Health Department

Healthy Babies, Healthy Children Program
Notes to the schedule of revenue and expenses
March 31, 2020

1. Summary of significant accounting policies

Basis of accounting

This schedule has been prepared for the Ontario Ministry of Children, Community and Social Services. The agreement requires the schedule to be prepared in a manner consistent with generally accepted accounting principles ("GAAP"). Management of the Regional Municipality of Niagara has interpreted GAAP to be recognition and measurement principles in accordance with Canadian Public Sector Accounting Standards, except that it does not provide for employee future benefits and does not capitalize and amortize tangible capital assets. Management has further interpreted that GAAP does not include the presentation principles or the presentation of all financial statements and note disclosures required by GAAP for a complete set of financial statements.

Revenue and expenses

Revenue is reported on the accrual basis of accounting.

Expenses are recorded if they are eligible for the program and incurred in the period except for employee future benefits.

Capital assets

Tangible capital assets acquired are reported as expenses and amortization is not recorded.

Employee future benefits

Employee future benefits are provided which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees. These benefits are recorded on a cash basis.

Use of estimates

Since precise determination of many assets and liabilities is dependent upon future events, the preparation of a periodic schedule involves the use of estimates and approximations. These have been made using careful judgments.

Certain administrative expenses are allocated to the program based on usage drivers specific to each type of expenditure.

Draft

2. Grant receivable/repayable

The grant receivable/repayable to the Province of Ontario is subject to audit verification by the Ontario Ministry of Children, Community and Social Services. The grant receivable/repayable is non-interest bearing and is normally recovered in the subsequent year. The surplus repayable to the Province of Ontario for the 15-months ended March 31, 2020 is $nil (2018 - $nil).

	2019-20	2018
	$	$
Grant receivable, beginning of period	**-**	-
Excess of expenditures over revenue	**(158,479)**	(151,290)
Expenditures in excess of the budget	**158,479**	151,290
Grant receivable, end of period	**-**	-

The Regional Municipality of Niagara
Public Health Department

Healthy Babies, Healthy Children Program
Notes to the schedule of revenue and expenses
March 31, 2020

3. Administration costs

	2019-20 Budget (15 months)	**2019-20 Actual (15 months)**	2018 Actual (12 months)
	$	**$**	$
Accounting services	4,479	**2,506**	2,644
Payroll services	47,345	**36,908**	42,599
Human resources services	28,549	**30,290**	16,592
IT program support services	52,361	**55,696**	61,034
Insurance costs	894	**933**	1,126
Printing costs	3,848	**1,808**	3,569
Capital financing allocation	13,311	**13,552**	23,726
	150,787	**141,693**	151,290

4. Budget data

The budget data presented in the schedule is based on the budget data submitted to the Ontario Ministry of Children, Community and Social Services.

Draft

Deloitte.

Deloitte LLP
25 Corporate Park Drive
3rd Floor
St. Catharines ON L2S 3W2
Canada

Tel: 905-323-6000
Fax: 905-323-6001
www.deloitte.ca

Accountant's Report

In connection with the 15 month period-end settlement forms
March 31, 2020

To the Members of Council of the Regional Municipality of Niagara and Ontario Ministry of Children, Community and Social Services:

As requested by the Regional Municipality of Niagara Public Health Services (the "Region") on July 14, 2020, we have performed the following procedures related to the Ministry of Children, Community and Social Services (the "Ministry") Auditor's Questionnaire in connection with the Healthy Babies Healthy Children Program (the "Program") 15 Months Period-End Settlement Forms as at March 31, 2020 (the "Settlement Forms"):

1. We verified that the attached Settlement Forms, which reports total revenue of $3,103,275 and total expenditures of $3,103,275, agrees with the books of the Region for the 15 months ended March 31, 2020.
2. We have agreed the expenses and revenues as reported on the Settlement Forms with those as shown in the Audited Financial Statements for the 15 Month Settlement Period ended March 31, 2020.
3. We familiarized ourselves with the applicable Provincial legislation as represented by the Ontario Transfer Payment Agreement dated January 1, 2018, and the amending agreement dated August 1, 2019, between the Ministry and the Region, insofar as they pertain to financial and accounting matters, and insofar as they relate to the Program on whose financial statements we have reported.
4. We read the "Explanatory Notes and Instructions" for the preparation of the Settlement Forms as required by the Ministry.
5. We read all minutes of the following bodies of the Region up to July 14, 2020 as provided by the Region, and have satisfied ourselves that proper recognition was given to all items recorded therein which affected the financial position of the Program.
   a. Public Health and Social Services Committee
   b. Audit Committee
   c. Regional Municipality of Niagara Council
6. We read the correspondence during the period between the Ministry and the Region which has been provided to us by the Region and is likely to have a direct bearing on its financial position.
7. We verified that there were no funds flowed by the Ministry in excess of current requirements that were invested to earn additional revenue.
8. We confirmed that the Program has fidelity insurance coverage. We have also reviewed other insurance coverage.
9. We have inquired of management as to whether the Region has complied with previous audit recommendations resulting from the completion of these period-end procedures, to which management responded that there have been no previous audit recommendations regarding the Program.

DRAFT

As a result of applying the above procedures, we found no exceptions. However, these procedures do not constitute an audit with the objective of expressing a separate opinion regarding the subject financial information and accordingly, we do not express an opinion on such information.

This report is intended solely for your use in connection with the Program 15 Month Period-End Settlement Forms referred to in our engagement letter dated July 29, 2019, and is not to be referred to or distributed to parties other than the Ministry or the Region.

Chartered Professional Accountants
Licensed Public Accountants
July 23, 2020

DRAFT

Subject: Basic Income for Income Security

Report to: Public Health and Social Services Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Regional Council **ACKNOWLEDGE** the inequitable impacts of the COVID-19 pandemic on Niagara residents, including the disproportionate burden of both illness and economic harm borne by those of lower income or in poverty;
2. That Regional Council **CALL UPON** the federal and provincial government to prioritize measures to reduce poverty and income inequality in our society as one of the changes that should be initiated by this pandemic;
3. That Regional Council **RECOMMEND** that the federal and provincial governments engaged in pilot projects to study policy innovations that can address poverty and income inequality, including study of basic income guarantee projects;
4. That Regional Council particularly **RECOMMEND** that the federal government carefully study the Canadian Emergency Response Benefit (CERB) for its impact on health and poverty of recipients as lessons that could be applied to a basic income guarantee pilot, or as a platform for instituting a basic income guarantee; and
5. That Regional Council **DIRECT** the Regional Chair to communicate these calls and recommendations to the federal and provincial governments.

Key Facts

- Up to 50% of health outcomes can be attributed to socio-economic conditions. Individuals living in poverty are more likely to have poor health.
- Reducing poverty, for example through improved and guaranteed income levels, has the potential to improve the physical and mental health of recipients and reduce their demands on other programs.
- Basic Income Guarantee (BIG) is an umbrella term for a group of heterogeneous policies trying to address a complex issue.
- The current research on basic income programs has limitations, so it is challenging to understand the impacts of a basic income program in the Canadian context.
- Policy makers must decide how to best apply BIG so that recipients are not worse off due to lost services or claw backs of other sources of income or support.

Financial Considerations

There are no financial considerations for Council to consider as a consequence of this report.

Analysis

Social Determinants of Health

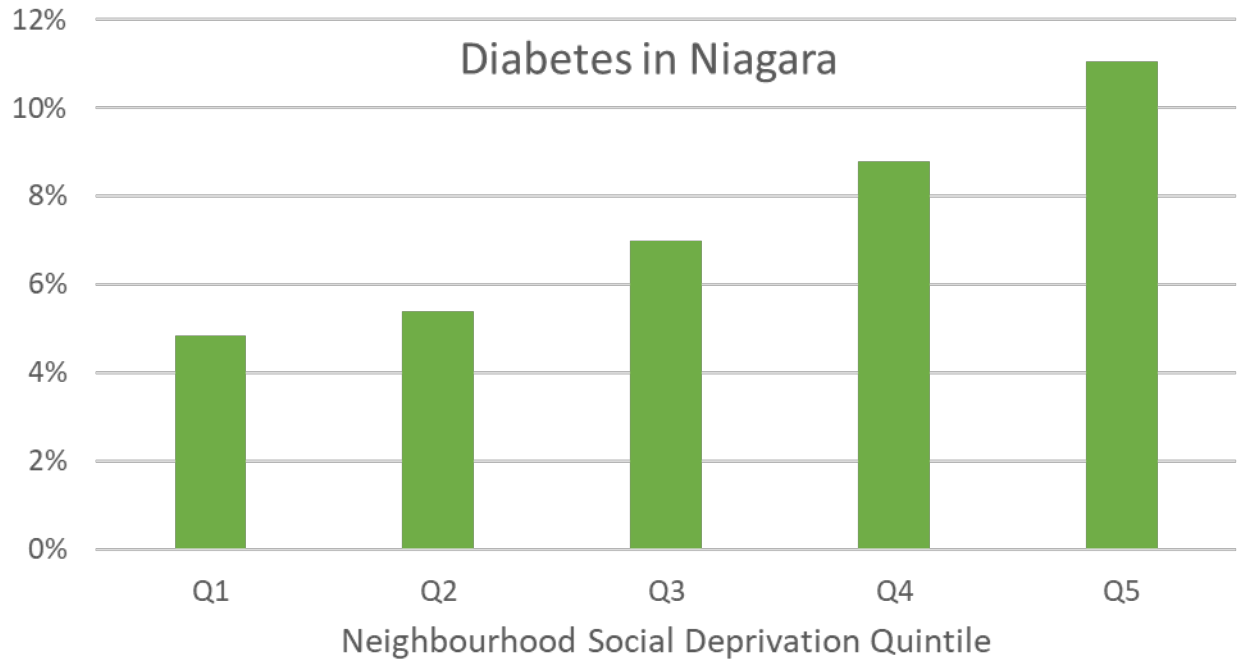
Health starts in our homes, schools and communities; evidence indicates up to 50% of health outcomes can be attributed to socio-economic conditions—often referred to as the social determinants of health.[1] Income, a socio-economic condition, contributes to health disparities seen across the world and in Niagara. Lower life expectancy, higher incidence of chronic disease and infant mortality are health conditions experienced by Canadians that are living in poverty.[2]

In Niagara, this can be illustrated by looking at how many of our residents have diabetes: in the top socioeconomic quintile, fewer than 5% of people have diabetes; but in the most socially-deprived quintile amongst us, over 11% of people have diabetes—more than double.[3]

---

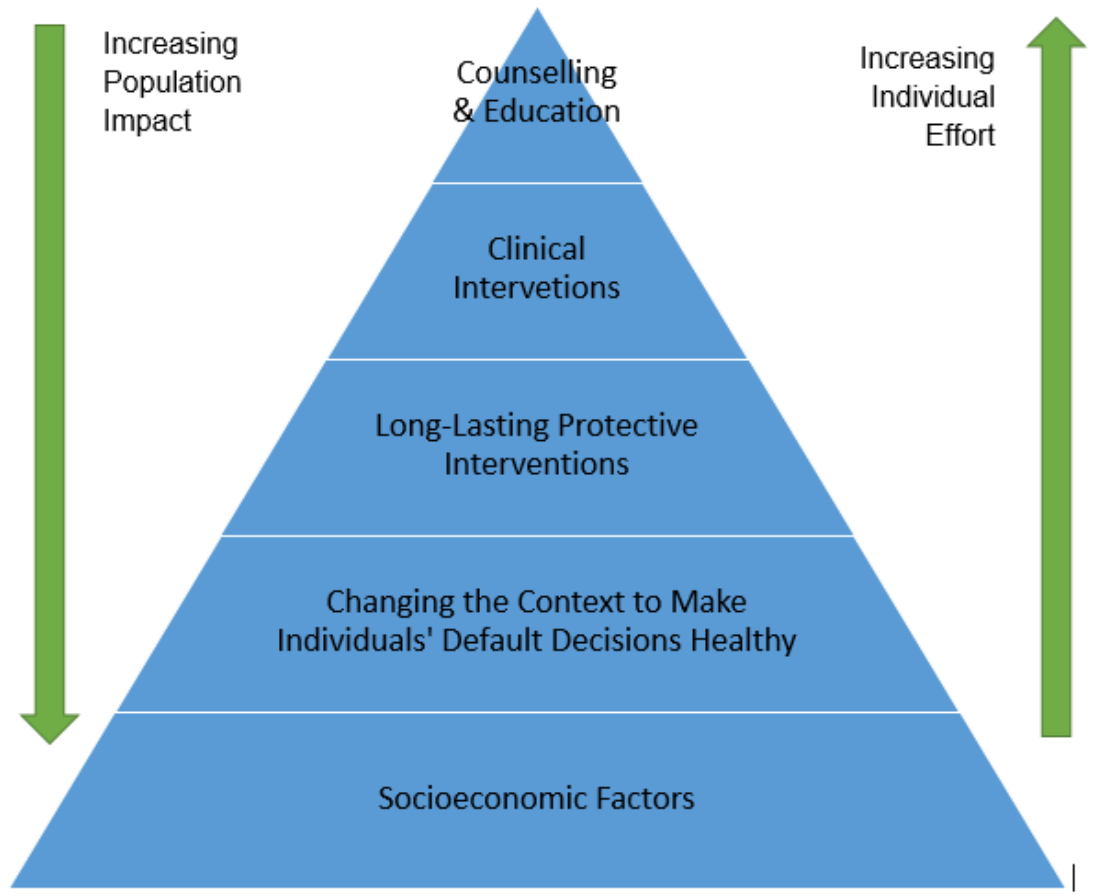
[1] Canadian Medical Association. Infographic: What makes Canadians sick? Health Care Transformation, June 25, 2013.
[2] Graham H, Kelly M. Developing the evidence base for tackling health Inequalities and differential effects. Swindon: Economic and Social Research Council. [date unknown]. [cited 2013-01-12] Available from: World Health Organization Social Determinants of Health ((http:/www.who.int/social_determinants/resources/esrc_document.pdf)

[3] M. Tenenbaum. *Advancing Health Equity in Niagara: A Health Status Report*. Niagara Region. 2016



Reducing the difference in health outcomes between the most and least healthy—reducing health inequity—holds promise to make the greatest improvement in the health of our population. To close the health gap and make an impact on health and health equity, a comprehensive evidence-informed approach is needed. The health impact pyramid outlines and provides guidance to public health professionals and policy makers as to impact potential of proposed and/or actualized interventions.[4]

[4] Frieden, T. R. A Framework for Public Health Action: The Health Impact Pyramid. American Journal of Public Health. 2010. April; 100(4): 590–595.



At the foundation of the pyramid are socioeconomic conditions, noting that changes to the populations' socioeconomic conditions will have the greatest impact on health. An intervention, such as BIG that has the potential to impact socioeconomic conditions, is a policy option that has significant potential health benefits.

COM 5-2020 entitled, "Local Considerations to Inform the Development of the next Ontario Poverty Reduction Strategy" provides a recent overview of poverty data in Niagara.

Current Income Security Programs

In Ontario, a range of income security programs are available to eligible individuals and families. Income security programs are part of a complex system with multiple programs that are funded, overseen and delivered by different levels of government. The programs vary considerably in their specific form and purpose, target groups, eligibility

rules, delivery methods and amounts of support.[5] Some programs available include the following:

- Employment Insurance (EI) and Canada Pension Plan (CPP)
- Old Age Security (OAS), Guaranteed Income Supplement (GIS), Canadian Child Benefit (CCB), and Canada Workers Benefit (CWB)
- Ontario Works (OW), Ontario Disability Support Program (ODSP), Guaranteed Annual Income System (GAINS), Ontario Child Benefit (OCB)
- Child care fee subsidies, Rent-Geared-to-Income Housing, Ontario Drug Benefit program and Healthy Smiles Ontario
- Other low income tax credits and transfers (e.g., Ontario Trillium Benefit)

Through provincial income security programs like OW and ODSP, eligible individuals and families also receive income and employment supports, and a range of benefits that assist with the costs of basic and health related needs.

For more details on the various benefits please refer to the following:

- Ontario Government Tax credits and benefits for People (https://www.ontario.ca/page/tax-credits-and-benefits-people#section-0)
- Government of Canada Benefits
- (https://www.canada.ca/en/services/benefits.html)
- Ontario Government Ministry of Children, Community and Social Services – About Social Assistance in Ontario (https://www.mcss.gov.on.ca/en/mcss/programs/social/)

Although investments have been made to enhance the broad income security system, it has not allowed the system to adequately meet the needs of many people.[6] Often, benefits are based on the assumption that people have access to long-term, well paid employment.[7] However, many people still face long-standing barriers to employment and are also impacted by the changing landscape of employment (e.g. more low-paying

[5] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)
[6] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)
[7] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)

work and part-time work that is limited in duration).[8] The complexity of the income security system and the rules associated with income security programs also make it difficult for many people to navigate and access some programs.[9] Income security programs can also seem inequitable because they provide varying levels of financial support to people.[10] For example, the monthly benefit for an individual that is receiving EI could be much higher than the monthly benefit that an individual on OW might receive.[11] In many cases, the amount of the benefit (for example through OW or ODSP) that is provided to an individual may also be insufficient to purchase necessities (e.g. housing, food, transit) if it is expected to be long-term sustainable income.

It is important to note that benefits like OAS, GIS, and CCB, incorporate elements of a basic income guarantee.[12] These benefits are targeted towards certain demographics, but are not conditional transfers.

Continued investments in the income security system, through the coordination of different levels of government, are required to ensure that the needs of people accessing income security programs are adequately addressed.

Basic Income Guarantee

Basic Income Guarantee is a payment to eligible families or individuals that ensures a minimum income level regardless of employment status. The stability that basic income provides can help recipients move to better paying employment, pursue more schooling or educational training programs to improve their future employability, and allow them to play a fuller role as citizens in society.[13]

---

[8] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)
[9] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)
[10] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)
[11] Government of Ontario. Income Security: A Roadmap for Change (2017). Available from: (https://www.ontario.ca/page/income-security-roadmap-change)
[12] Zon, N. Would a universal basic income reduce poverty? Maytree. (2016). Available from: (https://maytree.com/publications/universal-basic-income-reduce-poverty)
[13] Ferdosi, M., McDowell, T., Lewchuk, W., Ross, S., Southern Ontario's Basic Income Experience. Available from: (https://labourstudies.mcmaster.ca/documents/southern-ontarios-basic-income-experience.pdf)

Hugh Segal, former Conservative Canadian Senator and long-standing advocate for the implementation of BIG in Canada, was commissioned by the previous Government of Ontario for a discussion paper that provided advice on how to design, deliver, and evaluate a basic income pilot. The discussion paper "Finding a Better Way: A Basic Income Pilot Project for Ontario," was used as the basis for the Ontario basic income pilot in 2017. In the discussion paper, Segal outlines that Ontario's pilot could be used to further explore how BIG could interact with, and potentially replace, income support measures administered by the federal government (like non-refundable tax credits to individuals and families) as well as provincial social assistance programs like OW and ODSP.[14] This understanding of BIG and its interaction with other income support measures is generally accepted by those on the right of the political spectrum. Those on the political right hope to consolidate income support programs, like OW and ODSP, into a BIG in order to streamline existing programs, reduce administrative overhead, and maximize funds that go to individuals needing support.

Those on left of the political spectrum are also calling for BIG for all Canadians. The calls are for a universal BIG that supplements and strengthens existing social programs (e.g. programs that provide supports for health care, child care, education, etc.) rather than replacing existing services with a blanket measure for BIG.[15]

The various levels of support and understanding around the implementation of BIG, across the political spectrum, necessitates further research on how BIG would be best implemented, the likely outcomes of BIG, and how BIG would interact with other social programs. If BIG is not connected to the cost of living, and critical health and system navigation services are not maintained, it is doubtful that BIG will result in increased positive outcomes.[16]

Some of the challenges of measuring the impact of BIG are due to the varying policies under the umbrella term of Basic Income Guarantee. BIG can be applied in many different ways. Some factors to consider include

---

[14] Segal, H. Finding a Better Way: A Basic Income Pilot Project for Ontario. (2016). Available from: (https://www.ontario.ca/page/finding-better-way-basic-income-pilot-project-ontario#foot-37)

[15] Hyndman, B., and Simon, L. Basic Income Guarantee Backgrounder. (2017). Ontario Public Health Association. Available from: (https://opha.on.ca/getmedia/bf22640d-120c-46db-ac69-315fb9aa3c7c/alPHa-OPHA-HEWG-Basic-Income-Backgrounder-Final-Oct-2015.pdf.aspx?ext=.pdf)

[16] City of Toronto. The City's Position on Provincial Income Security Reform and Basic Income. (2017). Available from: (https://www.toronto.ca/legdocs/mmis/2017/cd/bgrd/backgroundfile-102437.pdf)

- How individuals or households are enrolled in BIG
- What are the eligibility criteria
- What type of basic income intervention is provided (e.g. universal basic income (UBI), Negative Income Tax (NIT), partial basic income)
- Would it supplement or replace existing programs
- If a recipient has some level of income, how the BIG payment would be clawed back
- Will the income be taxed
- How large would be the basic income provided
- Is it supported by the province like social assistance or federally like the Canadian Emergency Response Benefit (CERB)

Basic Income programs cannot replace all the supports required by those living in poverty (e.g. supports for child care, health care, employment, education). In addition to providing a secure income, sometimes those living in poverty also have differential needs for other services such as housing, childcare, and mental health supports. Case management to support individuals through service systems, with employment and education training are essential to complement income. Policy makers would also need to decide if other tax-delivered benefits to low-income individuals and families would be eliminated (e.g., the Ontario Trillium Benefit, the OCB, housing subsidies, and child care subsidies). No one should be worse off as a result of participating in BIG.

As noted above addressing income insecurity has significant potential health implications, as such, advocating for policy to address income insecurity has been an action taken by multiple boards of health in Ontario.

- March 25, 2020 the Kingston, Frontenac Lennox and Addington Board of Health passed a motion requesting that the federal government provide a basic income support to all Canadians and that the federal government legislate banks to provide mortgage deferral with no penalties and compound interest.[17]
- May 20, 2020 the Simcoe Muskoka District Health unit issued correspondence to the federal government entitled, “Basic Income for Income Security during COVID-19 Pandemic and Beyond”. The letter states, “…we strongly recommend your government take swift and immediate action on the evolution of the CERB Benefit into legislation for basic income as an effective long-term response to the problems

[17] The Kingston Whig Standard, (https://www.thewhig.com/news/local-news/kfla-board-of-health-calls-for-guaranteed-basic-income-during-pandemic)

of income insecurity, persistent poverty and household food insecurity, as well as a response to the economic impact of the COVID-19 pandemic".

- June 3, 2020, Timiskaming Board of Health supported the correspondence of Simcoe Muskoka District Health Unit, dated, May 20, 2020.

In recent past, there is also a history of boards of health and municipal governments advocating for income security be discussed at the federal and provincial levels. February 4, 2016 Niagara Region Council following a delegation from Niagara Poverty Reduction Network, supported and endorsed the resolution from the City of Kingston respecting a national discussion of a BIG for all Canadians.

Canadian Emergency Response Benefit

Early evidence internationally, in Canada, and in Ontario indicates that COVID-19 is disproportionately impacting those with low-income in several ways:[18]

- increased risk of exposure to COVID-19;
- increased risk of infections of COVID-19 and
- Increased risk of severe outcomes from COVID-19 due to higher prevalence of underlying medical conditions and/or less access to health care.

Physical distancing, a public health measure instituted to slow the spread of COVID-19, may be more challenging for low-income earning populations who cannot work remotely given the manual labour or service nature of their work. Work conditions such as front-line essential service occupations, jobs that are unable to be done from home, and crowded living arrangements are all more likely among low-income earning populations thus increasing potential risk of exposure.

The CERB provides temporary income support to workers who have stopped working due to COVID-19. CERB was put in place federally to ensure Canadians had timely financial support. CERB provides $500 per week for a maximum of 24 weeks for those that qualify.[19] The popularity of CERB has resulted in many advocating for it to become the basis for a broader income support program and making it permanent and available

[18] Public Health Ontario, 2020. (https://www.publichealthontario.ca/-/media/documents/ncov/covid-wwksf/2020/05/what-we-know-social-determinants-health.pdf?la=en)
[19] Government of Canada, 2020. (https://www.canada.ca/en/services/benefits/ei/cerb-application/questions.html)

more universally. [20] There are renewed calls to the Government of Canada to transition CERB into a BIG.

In April of 2020, there were 1.4 million jobless Canadians without any income support from EI or CERB, up from 895,000 in March of 2020.[21] Although the federal government was able to get financial support into the hands of many Canadians, CERB has not been without challenges. Only those unemployed after March 15 can receive CERB, and CERB does not support those who had an annual income of less than $5,000 before they lost their job.[22] Concerns remain that some individuals have received CERB who were not eligible and will be required to pay it back.

CERB is different from BIG in that CERB is not universal. It has pre-requisites such as a minimum income level (i.e. is not a guarantee), and it is clawed back as an all-or-none deal, meaning if you earn more than the allowed $1000 maximum income by a few cents, you lose all your CERB benefit.[23] Most BIG policies would claw back monthly entitlements very gradually to ensure stronger incentive to transition to employment and to have it be truly "guaranteed". Finally, CERB also provides a much higher level of income than most BIG proposals. For example, as noted above, CERB provides $500/week, whereas the Ontario Basic Income pilot provided $327/week.[24]

Basic Income Pilot Research

In 2017, the Province of Ontario launched a BIG pilot to test whether a basic income can better support vulnerable workers, improve health and education outcomes for people on low incomes, and help ensure that everyone shares in Ontario's economic growth. The BIG model implemented for the pilot was a Negative Income Tax (NIT)

---

[20] Green, D., Rhys-Kesselman, and J., Tedds, L. A basic income is not as simple as you might think. Institute for Research on Public Policy. (2020). Available from: (https://policyoptions.irpp.org/magazines/may-2020/a-basic-income-is-not-as-simple-as-you-might-think/)
[21] Macdonald, D. 1.4 million jobless Canadians getting no income support in April. Behind the Numbers. (2020) Available from: (http://behindthenumbers.ca/2020/04/23/1-4-million-jobless-canadians-getting-no-income-support-in-april/)
[22] Macdonald, D. 1.4 million jobless Canadians getting no income support in April. Behind the Numbers. (2020) Available from: (http://behindthenumbers.ca/2020/04/23/1-4-million-jobless-canadians-getting-no-income-support-in-april/)
[23] Government of Canada, 2020. (https://www.canada.ca/en/services/benefits/ei/cerb-application/questions.html)
[24] Government of Ontario. Ontario Basic Income Pilot. (2017). Available from: (https://www.ontario.ca/page/ontario-basic-income-pilot)

model. Using a NIT model, unconditional periodic cash payments were provided by the government to the household, not each individual in a household; the amount provided was determined by the household's income.[25] Payments in the pilot were based on 75% of the Low Income Measure (LIM) which meant that $16,989 was provided for a single person per year, less 50% of any earned income, and $24,027 was provided per year for a couple, less 50% of any earned income. People with a disability also received up to $500 per month in addition. Participants continued to receive benefits such as the CCB and the OCB. Participants that were receiving EI or CPP payments had their monthly basic income payment reduced dollar for dollar. Participants that were receiving social assistance supports had to withdraw from OW or ODSP in order to receive basic income, however, they continued to receive drug and dental benefits.[26] The planned three year pilot was just more than a year old when it was cut short, with the change of Government.

Outcomes of the shortened basic income pilot for recipients in Hamilton, Brantford and Brant County, were gathered through an online survey and multiple qualitative interviews. The results were based on self-reported outcomes. A total of 215 former recipients participated in the online survey, and 40 individuals participated in qualitative interviews. Half of qualitative interview participants were between the ages of 25 and 44 and nearly 55% were accessing OW and ODSP before and/or after the pilot[27].

In terms of physical health, a significant number of survey participants reported better overall well-being, increased physical activity, less frequent tiredness and pain, less use of tobacco and alcohol, and enhanced child well-being. Many survey respondents indicated less frequent visits to health practitioners and hospital emergency rooms, as well as easier access to dental care, drug store medicines, and professional counselling services. In terms of food security, most survey respondents reported a better diet. Housing security improved in terms of greater affordability of household items and essential clothing and better overall living accommodations.

---

[25] Mendelson, M. Lesson's from Ontario's Basic Income Pilot. (2019). Available from: (https://maytree.com/publications/lessons-from-ontarios-basic-income-pilot/)
[26] Government of Ontario. Ontario Basic Income Pilot. (2017). Available from: (https://www.ontario.ca/page/ontario-basic-income-pilot)
[27] Ferdosi, M., McDowell, T., Lewchuk, W., Ross, S., Southern Ontario's Basic Income Experience. Available from: (https://labourstudies.mcmaster.ca/documents/southern-ontarios-basic-income-experience.pdf)

In terms of mental health indicators, most of the survey respondents reported better mental well-being, less frequent stress/anxiety, less depression and anger, greater self-confidence, and a more positive outlook on life. Respondents reported more time being spent with loved ones, better relations with family members, and more frequent participation in extracurricular activities.

Financial well-being of survey respondents improved by greater ease in repaying debt, getting around the city or region, less frequent use of payday loans, better financial emergency preparedness, and less reliance on family or friends for financial support. Participants who were working both before and during the pilot reported improvements to their rate of pay, working conditions, and job security.

- Over half of survey respondents indicated working before and during the pilot
- Less than a quarter were unemployed before and during the pilot
- Slightly less than one-fifth were employed before but unemployed during the pilot
- An even smaller number reported not working before but finding work during the pilot
- Under half of those who stopped working during the pilot returned to school to improve their future employability

Unfortunately, the opportunity to understand the full and longer term impacts of the pilot were lost when it was cancelled. There have been no other longitudinal studies in Ontario to show the long term impacts of BIG.

Many countries around the world are considering implementing some form of basic income. These basic income pilots, as in Italy and Brazil, are at very early stages of implementation so no outcomes have been analyzed. Other countries, such as Spain, are considering BIG as a result of the COVID-19 pandemic.[28]

Finland conducted a basic income pilot between 2017 and 2018 with 2,000 randomly selected unemployed persons. Each received a monthly payment of €560, and were compared to a control group that was not selected for the experiment. The model chosen for the pilot was a partial basic income model that incorporated the monthly amount of basic unemployment allowance and labour market subsidy provided by Finland.[29] Results from the Finland pilot showed that days in employment increased by

[28] Sigal, S. Everywhere basic income has been tried, in one map (2020). Available from: (https://www.vox.com/future-perfect/2020/2/19/21112570/universal-basic-income-ubi-map)
[29] The Social Insurance Institution of Finland: Basic income experiment (2020) Available from: (https://www.kela.fi/web/en/basic-income-experiment)

a greater number of days in the group that received basic income than in the control group, with the most change in the second year of the study. Basic income recipients reported better well-being: less stress and symptoms of depression, and better cognitive functioning than the control group. They also experienced higher confidence in their future possibilities[30].

In Kenya, a basic income experiment is ongoing. Through the initiative GiveDirectly, $30 million US dollars were given to fund universal basic income (UBI) to about 20,000 Kenyans. 295 villages (14,474 residences) were randomly selected, and divided into four groups: a control group that do not receive payments; a long-term group that will receive $22 a month for 12 years; a short-term group receiving the same amount for 2 years; and lump sum group receiving two payments of $500 each[31,32]

Those involved in the experiment have been receiving funds since 2018 and were interviewed in 2019. They will continue to be interviewed every 3 to 5 years. So far, the recipients have been able to work more intensely and productively. They were able to acquire better working equipment, such as tools, motorcycles to transport people or make deliveries, fishing equipment, land purchasing for vegetable and fruit trees planting, etc. These activities directly increased their income. This experiment is ongoing and outcomes will need further evaluation.

In India, a pilot was carried out in the state of Madhya Pradesh between 2011 and 2012, where basic income was given to 6,000 Indians. The project was coordinated by the Self-Employed Women's Association and funded by UNICEF. Results showed significant improvements in living conditions, nutrition, health and education. Many people used some of the money they received to improve their housing, adding more space, and improving and repairing. Significant improvement was reported in the self-perceived ability of those who received the basic income to cover food necessities, and on spending for education, especially for girls. While the evaluation found a slight decrease in overall wage labour, this was mainly because women shifted from low paid wage labour away from the home to working in their own fields.[33]

---

[30] The Social Insurance Institution of Finland: Basic income experiment (2020) Available from: (https://www.kela.fi/web/en/basic-income-experiment)

[31] Suplicy, E. M., Dallari, M. A Critical Poverty Eradication Experiment in Kenya. BIEN: Basic Income Earth Network (2019) Available from: (https://basicincome.org/news/2019/04/a-critical-poverty-eradication-experiment-in-kenya/)

[32] Suri,T., Niehaus, P., Krueger, A., Faye, M., Banerjee, A. The Effects of a Universal Basic Income in Kenya. Innovations for Poverty Action. Available from: (https://www.poverty-action.org/printpdf/32296)

[33] Schjoedt, R. India's Basic Income Experiment. Pathways' Perspectives on Social Policy in International Development (2016) Available from: (https://socialprotection-humanrights.org/wp-content/uploads/2016/04/Indias-Basic-Income-Experiment-PP21.pdf)

It is important to recognize that basic income outcomes in different jurisdictions cannot necessarily be applicable to the Canadian context given differences in existing social assistance systems, differences in economies and economic opportunities, differences in education systems and training for the workforce, as well as differences in culture.

Conclusion

Niagara Region's Community Services and Public Health and Emergency Services departments are committed to meeting the needs of all Niagara residents. Reducing poverty, for example through improved and guaranteed income levels, has the potential to improve the physical and mental health of recipients and reduce their demands on other programs. However, there is a dearth of research validating that this potential would be realized in a North American context. There are also many variables regarding the design of a BIG policy that need to be studied to determine the optimal design for such a program. Given the enormous fiscal cost of a basic income program (e.g. The Office of the Parliamentary Budget Officer estimated that a national basic income program could cost more than $76 billion dollars a year)[34], a decision to implement BIG in Canada would be premature at this time. Further research is recommended to design and validate that BIG would be the best policy for Canada to reduce poverty.

Nonetheless, the COVID-19 pandemic has revealed many inequities in our society and shown a light on the urgent need to combat poverty. Research and policy innovation to address poverty needs to be accelerated and governments should prioritize and invest in such policy development work.

Alternatives Reviewed

No other alternatives are being presented as a part of this report.

Relationship to Council Strategic Priorities

This report supports Council Strategic Priority of Health and Vibrant Community.

[34] The Canadian Press. Budget watchdog says a national basic income program would cost $76B a year. (2018). Available from: (https://www.cbc.ca/news/politics/national-income-budget-officer-report-1.4623084)

Other Pertinent Reports

- COM 5-2020 Local Considerations to Inform the Development of the next Ontario Poverty Reduction Strategy

Recommended by:
M. Mustafa Hirji, MD, MPH, RCPC
Acting Medical Officer of Health
Public Health and Emergency Services

Recommended by:
Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:
Ron Tripp, P.Eng
Acting Chief Administrative Officer

This report was prepared by P. Abeysekara, Integrated Planning and Policy Advisor, Community Services, S.Dupuis, Manager of Compliance and Community Engagement, Community Services, Renata Faber, Manager, Chronic Disease and Injury Prevention, Public Health and Emergency Services, and Lindsay Garofalo, Manager, Chronic Disease and Injury Prevention, Public Health and Emergency Services and reviewed by David Lorenzo, Associate Director, Chronic Disease and Injury Prevention, Public Health and Emergency Services

Community Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **COM C 20-2020**

Subject: COVID-19 Response and Business Continuity in Community Services

Date: July 14, 2020

To: Public Health & Social Services Committee

From: Adrienne Jugley, Commissioner, Community Services

This memo provides updates on the measures Community Services has taken to ensure continued delivery of essential services during the COVID-19 pandemic, and the alternate approaches used to support those most vulnerable in Niagara. Detailed information pertaining to business continuity measures is available in COM C 19-2020 (Appendix 1).

Seniors Services – Long-Term Care

Outdoor visits have been introduced at long-term care (LTC) homes, according to requirements outlined in provincial directives. The Regional homes have:

- Developed an outdoor visiting policy
- Provided communication and educational materials to families
- Developed an appropriate outdoor space for family visits
- Established outdoor screening stations
- Implemented a process to schedule visits

Families participating in scheduled outdoor visits must:

- Complete a COVID-19 test with a negative test results within 14 days of the visit
- Undergo active screening, including a temperature check, upon arrival, wear a mask and must maintain physical distancing

For families not participating in outdoor visits, communication plans are maintained to ensure continued interaction with residents through their preferred method of communication (e.g. phone calls, Skype, FaceTime or window visits).

While LTC homes are maintaining virtual services, outside services are gradually being re-introduced. For service providers who must come into the homes, they are part of bi-weekly COVID-19 testing, are actively screened, and adhere to PPE requirements. Residents seen by these providers also wear masks, eye protection, and other forms of PPE as required and appropriate.

Occupancy thresholds have been waived and homes have been asked to maintain some vacant private rooms to support effective isolation of residents moving into shared rooms, for a 14 day period. These rooms are being used as isolation transition rooms.

LTC homes have developed plans to support the eventual reintroduction of indoor visits and non-essential services (e.g. foot care services). Staff continue to review and revise business continuity plans to ensure preparedness for a potential second wave of COVID-19.

Seniors Services – Outreach Services

Deer Park Suites Assisted Living has implemented an outdoor visiting program and policy closely aligned to the measures implemented in LTC homes. Residents continue to be offered supported communication through FaceTime, Skype and phone calls.

Adult Day Programs and the Respite Companion Program are transitioning to blended models of service. Adult Day Programs will incorporate both small group direct interaction (with appropriate PPE and physical distancing measures) and virtual programming support. The Respite Companion Program will implement a gradual return to in-home visits (modified in duration) and include health and safety controls to support safe social interaction. The program will continue with regular telephone visits while working on the introduction of virtual visits.

In the Supporting Independent Living Program, Seniors Community Programs and Mental Health continue to conduct home visits based on the priority needs of a client, and with the use of appropriate PPE and physical distancing measures. Additional wellness checks are also being carried out over the phone.

The Client Intervention and Assistance Program is mobilizing in-home visits. Home visits will be carried out based on the priority needs of a client, and with the use of appropriate PPE and physical distancing measures. Initial assessment work is completed through the phone with a follow up home visit for persons without phone access and/or if service planning requires home visits for better client outcomes.

Staff are looking to mobilize a virtual Healthy, Safe and Strong Exercise Programs pilot in late July.

The Wellness Supportive Living Program, offered in Niagara Regional Housing (NRH) buildings, is waiting for plans around reopening common spaces. Services will be provided once a week in four NRH buildings, on a scheduled basis.

The South Niagara Wellness Program is waiting for provincial guidance regarding the provision of congregate programs within schools settings (e.g. Niagara College campus location - group ambulatory rehab program).

The application for federal funding has been approved in the amount of $23,000 and will be issued by United Way through the COVID-19 Emergency Community Support Fund. The funding will go towards the ‘Calls for Connection’ initiative, which is looking to re-purpose existing Respite Companions who are trained to provide one-to-one interaction with people who are living with dementia. Part of their training includes being able to identify potential risks and to notify the support team when they occur. During the COVID-19 recovery period, Respite Companions will provide both a well-being screener and social connection calls on a weekly basis (or more frequently if deemed necessary) for all consenting clients / care partners who have been identified as being ‘at risk’.

Homelessness Services & Community Engagement

Homelessness Services continues to operate the full emergency shelter system, overflow hotel rooms, and the self-isolation facility. This facility provides homeless individuals a space in which to self-isolate and receive testing. As of June 29, 2020, 119 individuals have been referred with testing results, to date, negative.

Street outreach services remain enhanced to support those living in encampments or ‘living rough’, and address the volume of requests from local area municipalities. Outreach workers are ensuring that individuals who are living rough are provided with access to services based on COVID-19 screening and assessments of health. Additional primary care supports are being developed in partnership with Reach Niagara to provide services to those living rough.

The Government of Ontario announced all licensed child care centres were permitted to open on June 12, 2020. With the opening of child care centres, the province also indicated that emergency child care would wind down effective June 26, 2020.

Children's Services provided emergency child care for essential workers through four of the five regionally operated child care centres, as directed by the provincial government. Niagara's two licensed home child care agencies also operated, and one external child care service provider, Church of St. Thomas Day Care, opened as an emergency child care centre. This emergency child care has now wound down and all child care programs will be returning to "regular" business operations, with new safety requirements, as of June 17, 2020.

The fifth regional child care centre (Port Colborne) opened as of June 29, 2020. Thirty-five external service providers have indicated they will be opening at various times in the month of July. Below is the status of licensed child care in Niagara as of July 2, 2020.

- Number of licenced child care space pre-pandemic – 12,000*
  (including centres and home based). **This also includes before and after school care spaces which run according to the school year*.
- Number of licenced child care spaces at July 2 – 409
  (including centres and home based). This represents 3% of our pre-pandemic operating capacity.
- Number of licensed sites operating pre-pandemic - approx. 250
  (including centres and home based).
- Number of licensed sites operating at July 2 – approx 40
  (including centres and home based). This represents 16% of our pre-pandemic operating capacity.[1]

The above numbers represent Niagara Region licensed sites only. Our understanding is there are a number of unlicensed operations that are also experiencing re-opening

[1] Based on the Ministry of Education's "Operational Guidance During Covid-19 Outbreak Child Care Re-Opening" document issued in June, child care placement is prioritized for the following: returning children served through emergency child care to their original placement and continuity of service for these families; care for families where parent must return to work and that work outside of the home; families with special circumstances that would benefit from children returning to care, such as children with special needs; and other local circumstances.

issues, however these are not governed through Niagara Region nor the provincial government.

Licensed child care operations are gradually starting up, due to the additional safety and operational requirements set out by the Ministry of Education. Service providers required time to return to their centres, bring staff on site, develop new health and safety policies and processes, and conduct training related to new operational practices. They were also required to reorganize their centres and determine how they would meet specific mandated requirements regarding cohorting children and staff in groups of 10 individuals per room, with increased staffing for screening and cleaning.

Due to additional staffing requirements, some service providers have merged some of their centres to accommodate staffing pressures over the summer. Children's Services will review potential system-wide operational pressures for the month of September, based on cohorting changes directed by the Ministry of Education.

Social Assistance & Employment Opportunities (Ontario Works)

SAEO has developed a comprehensive contingency plan to respond to a potential increase in demand for social assistance, once the federal CERB has ended. SAEO is also developing a recovery plan that will ensure essential supports are delivered through the phases of recovery and reopening of the province.

Niagara Regional Housing (NRH)

NRH continues to develop recovery plans to support the re-introduction of all services. In June, staff called more than 1,000 tenants offering to connect them with supports and services. A number of these tenants (160) had been identified as particularly vulnerable and were offered additional supports.

Fewer tenants have moved out of NRH units since the beginning of the pandemic, but this started to increase in June as Phase Two opened up access to more services. Applications for housing have increased, although the number of applications are not back to pre-pandemic levels. The decrease in applications during April and May might be due to fewer support services available to assist with applications.

_____
Adrienne Jugley, MSW, RSW, CHE
Commissioner

Appendix 1 COM C 19-2020 COVID-19 Response and Business Continuity in Community Services

Community Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

COM C 19-2020

Subject: COVID-19 Response and Business Continuity in Community Services

Date: June 16, 2020

To: Public Health & Social Services Committee

From: Adrienne Jugley, Commissioner, Community Services

This memo provides details of the measures Community Services has taken to ensure continued delivery of essential services during the COVID-19 pandemic, and the alternate approaches used to support those most vulnerable in Niagara.

Seniors Services – Long-Term Care

Current Status of Operations/Changes

All eight Regional long-term care (LTC) homes have taken the necessary steps to ensure the timely implementation of all directives issued by the Ministry of Health (MOH), Ministry of Long Term Care and Public Health.

At each LTC home, all risk mitigation strategies put in place at the onset of the pandemic to ensure continued safety for residents and staff are still ongoing. Enhanced staffing levels (largely achieved through staff redeployment) continue to be maintained to ensure optimal infection prevention and control practices, ongoing communication support for residents and families, and continued care and services for residents.

Significant Initiatives or Actions undertaken

- Seniors Services has suspended regular visitation and non-essential services (yet still accommodating for exceptions and end of life visits), into LTC homes as a continued disease transmission prevention measure.
- Active staff screening is ongoing. Staff are screened when entering and leaving a LTC home, including temperature checks.
- At this time, all staff continue to be limited to only working at a single LTC home.
- All staff in an LTC home are required to wear a surgical mask while they are at work. When staff provide care for a resident that is in isolation they wear a mask

(either a surgical mask or an N95 mask depending on the type of care that is required), a gown, gloves, and a face shield. All LTC homes have sufficient supplies of Personal Protective Equipment (PPE) to ensure that staff are well equipped.
- All staff have been provided with training and updates on respiratory outbreak management, hand hygiene, PPE and on all aspects of COVID-19 and related care and risk management implications.
- Regional staff that have been redeployed into LTC homes have been providing a variety of supports including active screening of staff, communication supports, enhanced dietary supports, and housekeeping and laundry supports.
- Residents are given assessments twice daily, including temperature checks. If a resident presents with a symptom of COVID-19 they are isolated and tested.
- If a resident is transferred into a LTC home from either a hospital or from the community, they are isolated for 14 days as a precautionary measure.
- All residents and staff completed the COVID-19 surveillance testing in May and all staff will continue to be tested every two weeks.
- Dining and lounge areas within the LTC homes have been reorganized to support physical distancing.
- Enhanced environmental cleaning continues. More housekeeping shifts have been added to increase the frequency of cleaning and disinfecting of high-touch surfaces.
- Communication plans have been developed to ensure residents have continued interaction with friends and family (through phone calls, Skype or FaceTime).

Operational Outlook

LTC homes are developing recovery plans to support the re-introduction of resident and family visits and to accommodate non-essential services (e.g. foot care services). Homes are also reviewing and revising business continuity plans to ensure preparedness for a potential second wave of COVID-19.

Seniors Services – Outreach Services

Current Status of Operations/Changes

- Seniors Community Programs, largely funded by Ontario Health, continue to provide wellness and outreach supports to vulnerable seniors in the community.
- Services have been reconfigured to support staff to address emerging service needs while ensuring adherence to Public Health guidance and restrictions.
- Assisted living at Deer Park Suites continues to operate following Public Health direction, in addition to adopting many of the LTC home best practices. In

accordance with MOH and Public Health direction, all Regional seniors community programs that require seniors to gather within group settings have been suspended (e.g. Adult Day Programs, wellness programs, community exercise groups). Program staff have been redeployed to the LTC homes and Deer Park Suites Assisted Living. These staff are providing supports to enhance communication between residents and families, as well as mealtime supports.

- Outreach and Respite Services are operating under a modified service delivery model to offer telephone visits as the primary method of service coordination. With Outreach, direct interactive door visits have been made available on an essential need basis, only with appropriate PPE and physical distancing measures in place.

Significant Initiatives or Actions undertaken

- Respite Companion Services have shifted from providing in-home services to telephone supports. Screened and trained respite companions have been leveraged to support wellness checks generated through the 'Niagara, We're In This Together' community campaign to enable rapid mobilization of telephone interactions.
- Outreach and Respite Program staff have been instrumental in two community launches to mitigate the some of the negative impacts of COVID-19 on vulnerable seniors:
  1. 'Niagara, We're in This Together' is a multi-agency community collaboration to address essential needs of vulnerable seniors across Niagara. Community workers are responding to community needs through wellness checks that look for opportunities to connect seniors with new ways of addressing essential needs. This includes on-line grocery orders, grocery delivery services, meal services, essential transportation access and medication access. Additionally, the wellness checks provide reassurance to those seniors who may be feeling isolated due to pandemic restrictions.
  2. The Niagara Gatekeepers program re-launched an awareness campaign highlighting its role and phone number. This phone line has been used more recently to provide supports and connection to at-risk seniors who may face food insecurity, require supports with access to medication and other essential needs, and transportation to essential appointments, as a result of the pandemic.

Operational Outlook

- Seniors Services is looking to mobilize a virtual platform for Healthy, Safe and Strong Exercise programs that will be available for registration in August, with the goal of implementing the program in September.

- Seniors Services is exploring opportunities to introduce a blended model of Adult Day Programs that incorporates both small group direct interaction (with appropriate PPE and physical distancing measures) and virtual support.
- For clients with access to technology, Seniors Services is looking to provide links to wellness topics, exercise, and brain health through distribution of online newsletters.
- For clients without access to technology, Seniors Services is planning to provide phone visits, monthly activity drop off kits, phone check-ins to discuss how activities are going and identify what services and supports clients require.
- Staff are currently planning for a return to in-home visits for the next phase of the pandemic. Currently, Seniors Services are enquiring if clients have interest in opening their homes to direct interactions with staff during the next phase. Seniors Services is also determining the technological capacity to support a blended model that incorporates both direct and indirect (virtual/phone) service provision that allows for observational visits. PPE requirements, availability of PPE supply, and staff guidance documents are being prepared to support safety and well-being of both staff and clients who will be receiving the service.
- Information on safety, infection control, PPE use and training is being documented and made available for staff. This is also to ensure preparedness for a potential second wave of COVID-19.
- Applications for the federal Emergency Community Support Fund (ECSF) are being prepared to support development of virtual service delivery within Seniors Community Programs. The ECSF is intended to support community organizations that are providing services to vulnerable populations during the pandemic. The funding is disbursed through United Way Centraide Canada, theCanadian Red Cross and Community Foundations of Canada.

Homelessness Services & Community Engagement

Current Status of Operations/Changes

- Homelessness Services continues to operate the full emergency shelter system, along with the addition of up to 25 overflow hotel rooms to further support physical distancing and mitigate COVID-19 transmission within the homeless population.
- Additionally, the self-isolation facility, established by Homelessness Services, continues to operate and ensure that all homeless persons who screen with symptoms associated with COVID-19, are provided a space in which to self-isolate and receive testing. As of June 3, 2020, 108 individuals have been referred to the facility and testing results received, to date, have been negative.

- Street outreach services remain enhanced to support those living in encampments or ‘living rough’, and address the volume of associated requests for services from local area municipalities. Outreach workers continue to ensure that individuals who are living rough are provided with access to services and opportunities based on COVID-19 screening and assessments of health.
- Housing First and Home for Good supportive housing and transitional housing offerings all continue to operate.
- Prevention programs continue to be offered to clients including trusteeship and housing help.
- A mapping tool has been developed to support outreach services in locating encampments and areas where services are required.

Significant Initiatives or Actions undertaken

- The housing focused shelter pilot, for clients accepted into supportive housing programs (Housing First and Home for Good programs), is a new offering to ensure clients have an appropriate environment in which to become housing ready, while also supporting individuals who may otherwise be ‘living rough’ (e.g., in encampments and within the shelter system).There are up to 14 units being utilized for the housing focused shelter pilot.
- Arrangements have been made with two hotels for shelter overflow to support physical distancing in the shelter system.
- One shelter provider has converted their hotel based shelter service into a program exclusively for clients who are most vulnerable to COVID-19 (e.g., due to age, health condition). This is to ensure these clients have access to a safe space, separate from the regular emergency (congregate facility) shelter system.
- In partnership with Reach Niagara, virtual medical supports to homeless shelters and the self-isolation facility continue and have been enhanced. Currently there are seven facilities receiving medical supports from physicians enrolled in the Niagara family medicine residency program, with oversight from a local physician. This support includes secondary screening for COVID-19, supports with medical needs such as addictions and mental health, health care activities such as access to medication, prescription management and client health checks.

Operational Outlook

- The regular shelter system remained at a high occupancy rate of 98.2% for the months of April and May, even with the additional hotel units. It is anticipated that the

additional shelter capacity created to support the homeless shelter system will need to be retained during the course of the pandemic to ensure physical distancing can be sustained, and support the safety of staff and clients.

- Experience during the H1N1 pandemic and current observation suggests that some clients will continue to choose to 'live rough' during the pandemic due to their desire to avoid the shelter system, and therefore the enhanced outreach services will need to be sustained through the course of the pandemic to provide health screening and access to supports.
- Staff believe that the self-isolation facility will be a necessary resource to the vulnerable homeless population throughout the pandemic to ensure identified individuals have a place to self-isolate, be tested and supported when experiencing COVID-19 symptoms or illness.

Children's Services

Current Status of Operations/Changes

Four of the five Regional child care centres continue to provide emergency child care for essential workers (free of charge), as directed by the provincial government. Niagara's two licensed home child care agencies also continue to operate, with increasing capacity as some contracted home child care providers have reopened their services. One external child care service provider, Church of St. Thomas Day Care, has recently opened as an emergency child care centre.

With the recent announcement that schools will stay closed for the remainder of the school year, more applications for emergency child care have been received. As of June 3, 2020, the overall operational capacity (for both Regional child care centres and home child care) is at 84% of 219 total spaces.

- Children's services has been advised that many local summer day camps will not be operating and this is anticipated to lead to increased pressure on the child care system, as parents returning to work seeking care arrangements, will have limited options.
- To date, the provincial government has not announced the reopening of licensed child care centres for the general public but staff are preparing for the possible opening of licensed child care this summer.
- The number of child care centres that will reopen and the number of families who will utilize child care spaces when the centres open are unknown at this time.

Significant Initiatives or Actions undertaken

- Children's Services has hosted a number of teleconferences with licensed child care service providers, EarlyON Child and Family Centres, special needs agencies and school boards to share information, answer questions, and direct providers to resources.
- Based on the experiences gained from operating emergency child care centres, Children's Services has shared all documents and resources available outlining new procedures, policies and operational guidelines with service providers. This is intended to help service providers begin to prepare plans for reopening operations under new requirements due to COVID-19.
- A new temporary committee with Regional staff was created to specifically address health and safety concerns for service providers. This committee will provide guidance, resources, and seek to address any questions or concerns as the system prepares to re-open.

Operational Outlook

- At the time of this report, Children's Services is waiting for further direction from the Ministry of Education regarding a reopening timeline, and operating guidelines.
- Through its membership with the Ontario Municipal Social Services Association, Children's Services is advocating for additional funding to support the operations of licensed child care during the pandemic. It is anticipated there will be additional requirements and costs for operations (e.g. staff for screening, increased cleaning and disinfecting during the day, PPE costs, reduced child staff ratios, fewer children permitted in child care classrooms). Without additional provincial funding these changes will add increased costs for parents and likely impact their ability to pay increased daily rates, and potentially create more pressures for the child care system as a whole.

Social Assistance & Employment Opportunities (Ontario Works)

Current Status of Operations/Changes

Social Assistance and Employment Opportunities (SAEO) continues to provide essential support to Ontario Works (OW) clients, and process new applications. New applicants have been completing their initial assessment either through an online application or by telephone. Staff members then contact applicants within four business days to complete the eligibility assessment over the telephone as the five SAEO offices

continue to be closed to the public. Monthly income supports to ongoing OW clients have not been impacted by COVID-19 and the provision of holistic case management has continued. This has included:

- Frequent phone contact with clients to complete wellness checks.
- Active offers of benefits, resources and referrals (e.g. mental health, addiction services).
- Ongoing conversations that are related to employment status and employment related activities.

For the month of May 2020, the caseload was at 10,470. This represents a 2.2% increase when compared to May of 2019. Comparing between the periods of January and May of 2019 to January and May of 2020, Ontario Works in Niagara has experienced a 3.7% caseload increase. It is not believed to be as a result of a marked increase in new cases, but rather a reflection that is it more difficult for current clients to find work and exit social assistance.

(Comparing the periods between January and May of 2019 to January and May of 2020, Ontario Works in Niagara has seen an average decrease of -24% in the number of cases that have been terminated).

- SAEO is piloting the use of a phone interpretation service to enhance customer service for clients with limited English speaking ability. The service will allow real-time interpretation between staff and the caller over the phone, in over 250 languages. Program areas in the pilot are staff from Switchboard and Intake, Homelessness and Hostel workers and Newcomer case managers.
- SAEO has redeployed 23 union and non-union staff to support other essential roles within the corporation.

Significant Initiatives or Actions undertaken

- To date, SAEO has successfully transitioned 82% of the caseload to direct deposit into client bank accounts (as opposed to cheque issuances that require in person pick up or mailing). Of the remaining 18% of the caseload, 6% have been successfully transitioned to reloadable benefit payment cards.
- As of May 29, 2020, SAEO has processed 1,825 COVID-19 related benefits.
- In response to the provincial government increasing access to discretionary benefits for social assistance recipients who are in crisis or who are facing an unexpected emergency because of COVID-19, an Online Discretionary Benefits Portal was

launched to respond to increased service demands and enhance client access. The online portal was built to provide clients with a fast, easy and secure way to request Discretionary and Housing Stability benefits and is more convenient for them to access essential health related benefits. Clients can submit their application and supporting documentation online, track their application status, receive automatic email updates, find details about missing information or eligibility decisions and view the contact information for the case manager assigned to the request.

Operational Outlook

- SAEO believes that the temporary financial relief measures put in place by the federal government (e.g. access to the Canada Emergency Response Benefit), will not prevent an increase in anticipated local demand for social assistance in the near future as many businesses that typically hire low income workers may be slow to recover in the next phase of the pandemic (e.g. restaurants, hotels, entertainment venues). In preparation of a potential demand increase, once these federal measures come to an end, staff are working to ensure all current cases are updated, to streamline the intake application process.
- Effective January 1, 2021, a portion of Niagara's OW Program Delivery funding allocation from the Ministry of Children, Community and Social Services will transfer to the Ministry of Labour, Training, and Skills Development to support the integration of employment services. The anticipated funding reduction will require a significant response and plan to ensure the budget for 2021 is inclusive of staffing, administration and cost shared client benefits will reflect the available funding for the year. Staff are currently completing an analysis to determine the best course of action to meet the anticipated demand in service as result of COVID-19 and how to best support clients in accessing a transformed employment system.

Niagara Regional Housing

Current Status of Operations/Changes

Niagara Regional Housing (NRH) wishes to share with Council that it continues to deliver essential services, in all business streams, while taking all the necessary safety precautions and protocols. Tenants continue to receive supports over the phone, in order to meet individual tenant needs, whenever possible.

- NRH is working with the Region on a Business Recovery Plan to safely resume as many on-site services (e.g., unit inspections, programs, events and activities) as possible, once regulations allow for this.
- Staff are also working on plans that will allow varying levels of supports in order to navigate through predicted changes in guidelines.

Significant Initiatives or Actions undertaken

- Additional security patrols have been added to communities that are struggling with social issues and adhering to Public Health guidelines.
- NRH has added regular disinfecting of all high-touch surfaces throughout its buildings.

Operational Outlook

- Community Housing has experienced a dramatic increase in social issues, disruptive behaviours and mental and physical health crises. This is due to tenants feeling the impacts of isolation in small units without access to their usual supports, programs, and activities.
- Constant and clear communication with tenants, staff and stakeholders has become more critical than ever as information changes rapidly and adjustments to services must be mobilized quickly.
- NRH continues to monitor the impact of COVID-19 on NRH rent and arrears balances.

Respectfully submitted and signed by

_____

Adrienne Jugley, MSW, RSW, CHE
Commissioner

Public Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **PHD-C 5-2020**

Subject: COVID-19 Response and Business Continuity in Public Health & Emergency Services

Date: July 14, 2020

To: Public Health & Social Services Committee

From: M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)

Current Status as of July 3, 2020

- The latest updates including statistics can be found at https://niagararegion.ca/covid19
- There continues to be success in "flattening the curve" and reducing the spread of COVID-19 in Niagara. In the last 30 days, Niagara has had only 55 cases, averaging fewer than 2 cases per day. This compares to 183 cases in the 30 days prior (123 cases if one large agricultural outbreak is excluded).
- The large agricultural outbreak that occurred last month has ended, and infection transmission was swiftly contained after it was discovered.
- In Emergency Services, call volumes are starting to slowly increase as normal business and life resumes. Fortunately, due to reduced hospital offload delays, Emergency Services is meeting all system performance metrics under the new Mobile Integrated Health model.
- Although we are seeing success in slowing the spread of COVID-19, the infection is not gone and will never be gone. Until there is broad immunity throughout the population, the infection will circulate more as we open society more. It remains critical in the coming weeks to re-emphasize the importance of physical distancing, hand hygiene, wearing face coverings when one cannot keep distance from others, and being very mindful of one's own health so one can get tested if any symptoms develop. All of these measures protect a person, and the community more widely.
- As Niagara progresses through Stage 2 of the provincial reopening framework, Public Health & Emergency Services is watching closely for signs of increased infection transmission so that they can be addressed and not limit Niagara's progress into Stage 3.

- Public Health has been fielding many inquiries regarding permission to reopen. It is important to note that the provincial government makes these decisions, and local public health is neither consulted on the decisions, nor has the ability to permit anything beyond what the province has permitted. Similarly, interpretation of restrictions is by the provincial government, and enforcement is by bylaw officers and the police; Public Health is not empowered to interpret provincial restrictions nor rules. Nonetheless, Public Health does provide advice to businesses or institutions who wish to have the input of infection control experts into the measures they are putting into place.
- In parallel to the province permitting business to reopen, Public Health & Emergency Services continue to work with the broader corporation on resuming services where possible. Priorities for resumption include
    - Vaccination clinics in the community and support of primary care vaccination efforts
    - Expanded volume in sexual health clinics
    - Dental fluoride varnish administration in young children
    - Dental clinics for children
    - Breastfeeding clinics
    - Harm reduction efforts to reduce opioid overdoses and blood borne infection transmission
    - Expanded collaborative efforts with community partners on chronic disease prevention
    - Additional workshops for tobacco cessation
    - Implementation of the substance use prevention strategy in concert with community partners
- In addition to the above, Public Health inspection work has resumed as businesses that are normally inspected have resumed operations.
- Finally, Pubic Health & Emergency Services is hoping to leverage changes in society to help advance health goals, such as
    - Working with Niagara Health to entrench improvements in offload delays thereby optimizing EMS performance and reducing the need for potential future budget increases to deal with offload delays.
    - Working with local area municipalities to improve physical activity and healthy living, centred around streets that have been closed to enable food services establishments to resume operations with outdoor dining.

Previous (May 4) Summary on Business Continuity (Updates Underlined)

Public Health & Emergency Services deliver essential services year-round to impact the health and health equity of Niagara residents, and to pursue Council's strategic goal of building a Healthy and Vibrant Community. During the current pandemic, the department is playing a central role in the response to protect and mitigate the impacts of COVID-19, while also continuing the essential work around all other health issues that continue to affect residents.

While COVID-19 has commanded the primary focus of Public Health and society at large, it is important to remember that most of the pre-existing health issues continue to exist and are responsible for more deaths (4,500 per year in Niagara) than the projected number of deaths from COVID-19 in Niagara (250–1,000 deaths).

Activity in Public Health & Emergency Services reflects focusing on COVID-19 response, while also ensuring ongoing service to protect the health in other essential areas.

Public Health Emergency Operations Centre for COVID-19

Current Status of Operations

Public Health began work in response to COVID-19 on January 8, 2020. As volume of activities grew, the Public Health Emergency Operations Centre was partly activated on January 28, 2020 to ensure coordination of work and central leadership. By March 9, staff had begun to be redeployed from regular duties to supporting the activities of the Emergency Operations Centre, which was fully activated at this time.

Significant Initiatives or Actions Taken

There are three principle lines of response to COVID-19:

1. **Case, Contact, and Outbreak Management**. Public Health is following-up with every person diagnosed with COVID-19 to ensure they are isolated and no longer infecting others. Public Health identifies all contacts of that person who may also have been infected, and arranges for those contacts to be isolated as well. That way, if they develop illness, they cannot have exposed anyone. By isolating all persons who may be infected with COVID-19, the chain of transmission can be broken. Case and contact management will be critical to

ensuring ongoing control of COVID-19 transmission if and when physical distancing measures are relaxed.

A critical subset of this work is advising and supporting the management of outbreaks in long term care homes, retirement homes, and other health care facilities. We have seen that most cases and deaths in Niagara, Ontario, and Canada as a whole have occurred in these settings. Better protecting them and supporting these facilities to manage outbreaks are our top priority.

Public Health usually has 12 staff working on case, contact, and outbreak management year-round for 75 diseases of public health significance (e.g. measles, influenza, salmonella, HIV). Within the Emergency Operations Centre, this has been scaled-up to 86 front line FTE as well as 20 FTE of support staff and 9 supervisory/leadership staff trained to support this, as needed. In addition, Public Health is further expanding its capacity by “out sourcing” some of this work to staff offered by the Public Health Agency of Canada and to medical students. The operation now works 7 days a week, 08:00 to 20:00.

2. **Supporting Health Care & Social Services Sector**. The health care and social services sectors play an essential role in supporting those most vulnerable, including diagnosing and caring for those who contact COVID-19. Public Health has been working with the sector to advise and support protocols that will minimize risk of infection to both clients and staff. We are also helping health care providers acquire personal protective equipment and testing materials.

   An additional role around supporting the health care system has been to enable Niagara Health to maximize the capacity of its COVID-19 assessment centres. Public Health has been temporarily assessing and prioritizing persons concerned about COVID-19 for testing at the assessment centres. Public Health is in the process of transitioning this effort to primary care provides so that Public Health staff can shift to focus even more on other elements of COVID-19 response. A dedicated health care provider phone line supports health care providers in providing advice and latest recommendations around COVID-19.

   Approximately 50 FTE currently support the health care and social services sector within the Emergency Operations Centre, all redeployed from normal public health work.

3. **Public Messaging**. Given the rapidly changing landscape of COVID-19. Public Health seeks to provide the public with the information to address their fears and concerns, as well as to understand their risk and how to protect themselves. These efforts include a comprehensive web site library of frequently asked questions, an information phone line to speak to a health professional that operates 09:15 to 20:30 on weekdays and 09:15 on 16:15 on weekends, an online chat service with health professionals that operates during the same hours, social media, and approximately 15 media requests per week. Daily, Public Health has over 20,000 interactions with the public across all channels.

   Approximately 10 staff have been redeployed from usual public health operations to support the Emergency Operations Centre with public messaging.

In addition to these lines of work, there is significant work around data entry, customizing data systems and process management to make the above three lines of work as efficient and effective as possible. As well, there are comprehensive planning teams, logistics teams, a finance and administration team, and liaison activities. Approximately 45 staff have been reallocated to these activities.

Finally, existing mass immunization plans are being updated and preparedness is underway for if and when a COVID-19 vaccination is available.

Operational Outlook

1 month

- Case & Contact Management capacity readied for deployment as cases increase with increased economic and social interactions

3 months to 6 months

- Projections on operations in the future will depend on Provincial government policy decisions around COVID-19 response. The expectation is that current emergency operations would continue with emphasis shifting based on provincial response.

Clinical Services Division (Excluding Mental Health)

Current State of Operations

Most efforts in this area normally focus on infectious disease prevention. Almost all staff (76.5 FTE of 84 total) have been reallocated to the Emergency Operations Centre for COVID-19 response. Current operations are limited to

- case and contact management of sexually transmitted infections
- case and contact management of significant infectious diseases (e.g. tuberculosis, measles)
- distributing provincial vaccination stockpiles to primary care
- inspection primary care for appropriate cold chain with respect to vaccinations
- advising primary care around complex immunization scenarios
- emergency contraception
- outreach to marginalized populations around vaccination and sexual health

Services/Operational Changes

- Cessation of immunization clinics
- Cessation of school vaccinations
- Cessation of enforcing the *Immunization of School Pupils Act*
- Cessation of supplying the public with immunization records
- Cessation of sexual health clinics
- Cessation of health promotion around vaccinations
- Cessation of health promotion around healthy sexuality

Operational Outlook

1 month & 3 months

- <u>Return of staff to vaccination and sexual health programs to scale up operations in these areas.</u>

6 months

- If schools re-open in the fall, school-based vaccinations may resume.

Mental Health

Current State of Operations

Mental Health supports clients in the community who would often otherwise need to be hospitalized. This work is critical to keep people out of the hospital and ensure health system capacity for those with COVID-19. As well, given current challenges around loss of employment, anxiety, and social isolation, delivery of mental health services is more important than ever. 59.8 of 65 staff remain in their role with Mental Health.

Services/Operational Changes

- Shift of some in-person clinics to remote delivery
- Reduction in some volume of work to shift 10 FTE to Emergency Operations and to provide mental health case management in shelters.

Operational Outlook

- Anticipate no changes to current operations over the next 6 months. 2 staff are likely to be returned to Mental Health in the coming weeks.

Environmental Health

Current State of Operations

Several lines of inspection that were discontinued due to closures of certain sectors (e.g. food services, personal services, recreational pools) have resumed as those sectors reopen. In addition, other sectors of inspection remain more important than ever (e.g. infection control inspections of long term care homes and retirement homes). Approximately 8 of 43 FTE have been reallocated to Emergency Operations, some formally redeployed but many not redeployed. The remaining staff focus on

- Investigation of animal bites for rabies prevention
- Investigation of health hazards
- Foodborne illness complaints
- Food premises complaints
- Infection prevention and control lapse investigations
- Inspection of reopened food premises
- Inspection of housing and infection prevention amongst temporary foreign workers

- Support and advice to private drinking water and small drinking water system operators
- Inspection of reopened recreational water establishments
- Inspection of reopened personal services settings
- Surveillance and prevention of West Nile Virus, Lyme Disease, and other vector born diseases
- Investigation of adverse water quality
- Supporting businesses and other partners with infection prevention and control, especially as many businesses move to re-open
- Supporting operators with other unique health risks from resuming after a period of extended closure, such as flushing and managing stale water in pipes

Services/Operational Changes

- Reduction of food services inspections
- Reduction of personal services inspections where services remain prohibited
- ~~Cessation of inspection of recreational water (pools, splash pads, spas)~~
- Increase of infection control investigations of long term care facilities and retirement homes
- Refocusing infection control investigations of day cares to focus on very frequent inspection of those that remain operational

Operational Outlook

1 month

- Continuing with intense inspections of long term care facilities and retirement homes, as well as other congregate living locations (e.g. group homes)
- Additional inspections of local farms and workplaces where transmission is likely.
- Loosening of social restrictions has necessitated resumption of inspections of food services, personal services, beaches, and other areas, and this will only increase.

3 month & 6 month

- Projections on operations in the future will depend on Provincial government policy decisions around COVID-19 response.

Chronic Disease & Injury Prevention

Current State of Operations

Chronic illnesses are responsible for 70% of ill health and lead to more deaths (75,000 deaths per year in Ontario) than are likely to be caused by COVID-10 (Ontario government projects 3,000 to 15,000 deaths from COVID-19). Chronic diseases are likely to be exacerbated during this period of social restrictions. As well, since chronic disease make one more likely to suffer severe illness from COVID-19, mitigating chronic diseases remains a high priority.

Efforts are being consolidated around three areas:

1. Mental health promotion. This reflects the greater risk of persons suffering mental health challenges including suicide during this time.
2. Substance use prevention. This reflects the risk of greater substance use while people are unemployed and lack other means of recreation.
3. Health eating and physical activity. The goal is to ensure physical activity despite current social restrictions, and support healthy eating when mostly fast food is available to purchase for take-out.

The above three priorities align with the underlying causes of most ill health and most deaths in Canada. 39.8 of 45 staff remain in their role supporting work on these health issues.

Services/Operational Changes

- Consolidation of resources around the previously mentioned three priorities
- Elimination of engagement of populations in-person
- Elimination of activities in schools, workplaces, and other public settings
- Cessation of most cancer prevention work
- Cessation of most healthy aging work
- Cessation of most injury prevention work
- Expansion of role of Tobacco Control Officers to also enforce Provincial emergency orders around physical distancing

Operational Outlook

1 month

- Continuing new initiatives
- Working with partners on new opportunities enabled by the pandemic

3 month & 6 month

- Resumption of workshops for smoking cessation
- Roll-out of major suicide-prevention initiatives
- Projections on operations in the future will depend on Provincial government policy decisions around COVID-19 response. Loosening of social restrictions will enable delivery of programming with more direct engagement.

Family Health

Current State of Operations

There has been redeployment of 84 of 121 FTE in Family Health to support Emergency Operations.

Families in Niagara are burdened now more than ever to try to provide safe and healthy care, environments and opportunities for children. The Family Health division continues to provide essential services for families with a small number of staff. Limited services are provided by phone, live chat and virtual access to nurses through **Niagara Parents** where families can seek support with breastfeeding, parenting, pregnancy, postpartum mental health and child health issues.

Staff are focusing their efforts on the following areas:

- Prenatal/postnatal support
- Supporting vulnerable families
- Parenting supports
- Providing enrollment and information towards emergency dental care

Home visiting programs for some of our most vulnerable families are also offering virtual support to assist with

- adjusting to life with a new baby,
- addressing parenting concerns,
- promoting healthy child development,
- accessing other supports and services as they are available, and

- assessing for increased risk related to child protection

Services/Operational Changes

- Cessation of dental screening
- Cessation of dental services
- Cessation of breastfeeding clinics
- Cessation of well baby clinics
- Cessation of school health activities
- Shifting all prenatal/postnatal support to virtual options from in-person service
- Shifting home visits to remote connections

For the period of 16 March 2020 to 15 June 2020:

- 184 registrants for online prenatal education
- 800 HBHC postpartum screens and assessments completed by PHN
- 696 HBHC home visits
- 248 Nurse Family Partnership visits
- 130 Infant Child Development service visits
- 247 Breastfeeding outreach visits
- 664 interactions with Niagara Parents (phone, live chat, and email)
- 62 moms received support and skill building through our cognitive behavioural therapy post-partum depression group
- 36 families received support and skill building through our Triple P Individualized Parent Coaching

Operational Outlook

1 month

- Continue some school health work through virtual connection with students and parents
- Resume breastfeeding clinics

3 month & 6 month

- Projections on operations in the future will depend on Provincial government policy decisions around COVID-19 response. Loosening of social restrictions will enable delivery of programming with more direct engagement, as well as engagement within schools.

- Resumption of dental clinics and fluoride varnish administration is also being planned for the fall.

Organizational and Foundational Standards

Current State of Operations

Organizational and Foundational Standards supports the data analytics, program evaluation, quality improvement, professional development, communications, engagement, and customer services activities of Public Health. There has been redeployment of 35 of 39 staff to Emergency Operations. Ongoing activity includes

- Opioid surveillance reporting
- Active screening of staff at Regional buildings
- Managing data governance and privacy issues

Services/Operational Changes

- Cessation of public health surveillance work
- Cessation of most public health communications and engagement work
- Cessation of public health data analytics
- Cessation of expanded implementation of electronic medical record system
- Cessation of all public health quality improvement work
- Cessation of Public health applied research
- Cessation of evaluating public health programs
- Cessation of public reception service in Public Health buildings
- Scaling back data governance initiative

Operational Outlook

- Expectation is that resources will remain reallocated to Emergency Operations for at least 6 months.

Emergency Medical Services

Current State of Operations

Emergency Medical Services (EMS) continues to dispatch land ambulance services to the population calling 911, as well as modified non-ambulance response to 911 calls as

appropriate (the System Transformation Project). At present, call volumes are slightly below baseline, and operational response is normal. There are some paramedics who have been exposed to COVID-19 and must be off work to protect their patients and co-workers. EMS is facing increased pressures around personal protective equipment procurement given global shortages.

Services/Operational Changes

- Reduction of paramedic student training activities

Operational Outlook

1 month

- The Pandemic Plan for response prioritization remains in place in case there is a resurgence of cases in Niagara. This is a unique plan to Niagara, enabled by Niagara's local control and tight integration of both ambulance dispatch and the land ambulance services.

3 month & 6 month

- Projections on operations in the future will depend on Provincial government policy decisions around COVID-19 response, and the subsequent circulation of COVID-19 in the population. Higher COVID-19 circulation would create demand for more ambulance response, as well as increase EMS staff who must be off work due to COVID-19 infection or exposure. As 911 calls increase and/or staff are unable to work, the Pandemic Plan will prioritize which calls continue to be served, and which 911 calls receive a modified response (e.g. phone call and advice from a nurse) or no response.
- Emergency Services hopes to undertake its regular recruitment this fall for new paramedics.

Emergency Management

Current State of Operations

Emergency Management is currently fully deployed to supporting the Regional Emergency Operations Centre and advising the Public Health Emergency Operations Centre. Emergency Management is also deeply engaged with supporting emergency

operations teams at the local area municipalities, as well as other key stakeholders (e.g. Niagara Regional Police, fire services, Canadian Forces). The CBNRE team has also been supporting emergency operations part time. Paramedics are also assisting with staffing the shelter system.

Services/Operational Changes

- Cessation of preparedness activities to focus fully on current response to COVID-19.

Operational Outlook

1 month

- Ongoing support of current Emergency Operations Centres while also assisting local area municipalities around anticipated flood response.

3 month

- Ongoing support of current Emergency Operations Centres while also increasingly supporting recovery planning efforts

6 month

- Ongoing support of current Emergency Operations Centres and recovery planning efforts. There may be some elements of recovery planning that can begin to be implemented by this date.

Respectfully submitted and signed by

_____

M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health & Commissioner (Acting)
Public Health & Emergency Services

COVID-19 Impacts on Niagara Emergency Medical Services

Public Health & Social Services Committee
PHD 5-2020

July 14, 2020

Kevin Smith, Chief/ Director

Niagara Emergency Medical Services

Niagara Region

COVID-19 Impacts on Niagara EMS

PHD-05-2020 For Information Only

Business Continuity

- uninterrupted provision of all EMS services since the onset of COVID-19

Enhanced Role in COVID Response

- NEMS continues to assume unconventional roles in response to the pandemic

System Demand

- call volume for NEMS has decreased by 9.2% compared to YTD 2019
- a decrease of ambulance offload delays by 81%

System Performance

- system performance normalized with a positive impact on response times

Business Continuity

Enhanced Role in COVID Response

Community COVID-19 Assessment and Testing (CCAT)

- a team of paramedics that provide community specimen collection (swabbing) for people who are homebound and unable to attend an Assessment Centre or their own physician
- Specialized PPE to reduce consumption of disposable supplies
- over **500** tests completed

Enhanced Role in COVID Response

Infection Prevention & Control (IPAC) Coaching & Support

- created after Public Health's observation that some long term care home and retirement home outbreaks exacerbated by improper PPE usage

- a team of paramedics training on appropriate PPE usage procedures to LTC facilities, retirement homes, Public Health Inspectors and local area municipality employees

- Over **500** trained to date

Enhanced Role in COVID Response

Pandemic Response Plan

- a modification to the allocation of EMS resources in preparation for a possible response to 911 call volume increases and/or hospital overcapacity challenges
- included the use of NEMS Emergency Call Nurses (ECN) to provide enhanced telephone triage for 911 callers under a specific Pandemic Protocol
- reduction of tiered response calls for municipal fire services from approximately 10% of all EMS calls to 3%

System Demand

2020 call volume decreased by 9.2% compared to YTD 2019

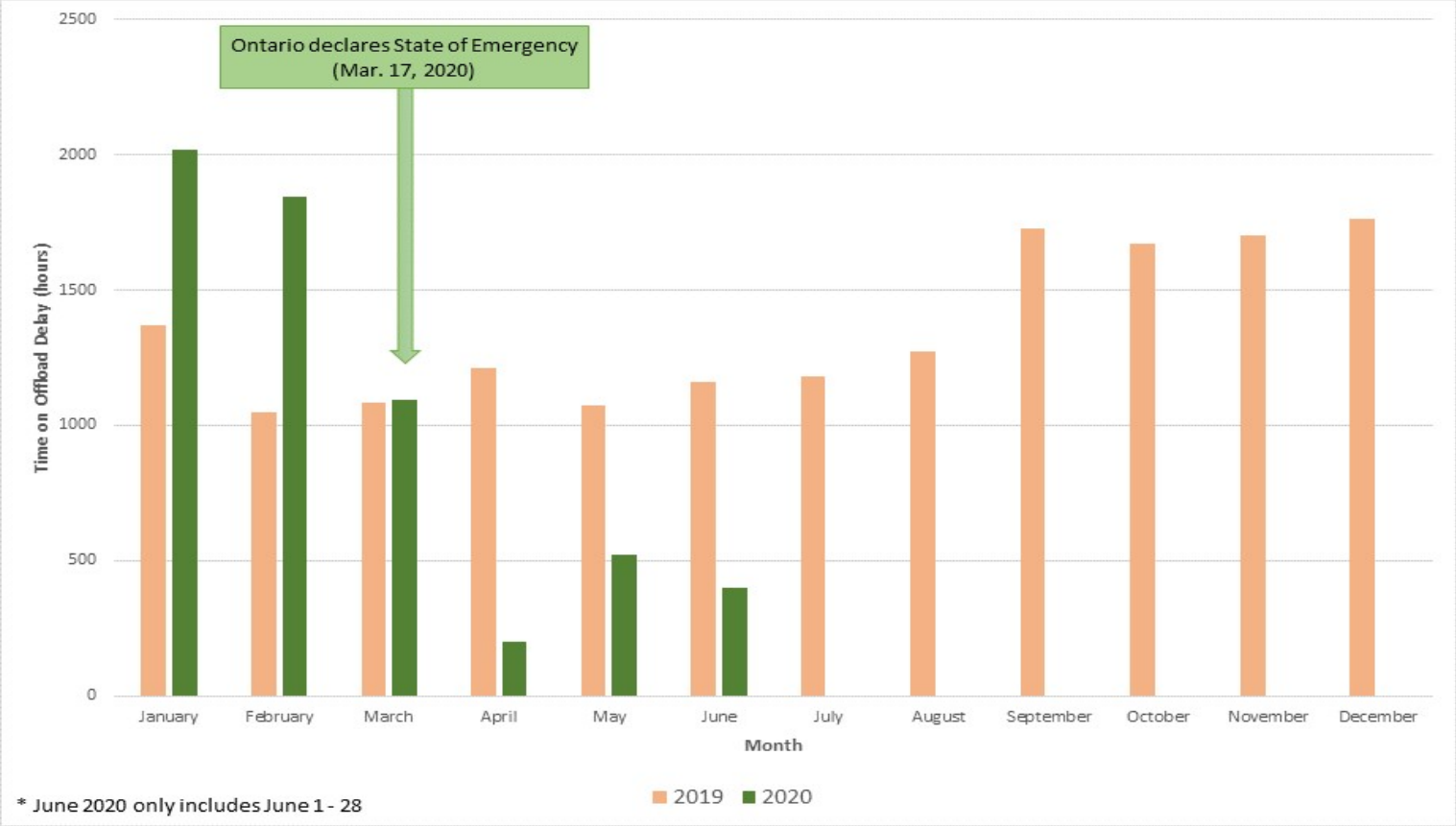
System Demand

Call Volumes by Initial Clinical Presentation

EMS Call Type (MPDS)	EMS Calls 2019 n(%)	EMS Calls 2020 n(%)	Change 2020	2020 compared to previous 4 year average
Assault/ Sexual Assault	629 (2.58)	682 (3.07)	8.4%	0.85%
Cardiac Arrest	336 (1.38)	385 (1.73)	14.6%	20.22%
Chest Pain	2007 (8.22)	1790 (8.06)	-10.8%	-6.36%
Overdose/ Poisoning	865 (3.54)	928 (4.18)	7.3%	59.18%
Psychiatric/ Abnormal Behaviour	1588 (6.50)	1426 (6.42)	-10.2%	-2.79%
Stab/Gunshot	36 (0.15)	42 (0.19)	16.7%	35.48%
Stroke	690 (2.83)	717 (3.23)	3.9%	8.19%
Total	24,424	22,212	-9.1%	-3.73%

System Demand

EMS Offload Hours per Month, 2019-2020



- First **12** weeks 2020 offload delay was **4853** hours
- Following **11** weeks since pandemic onset reduced to **909** hours

System Performance

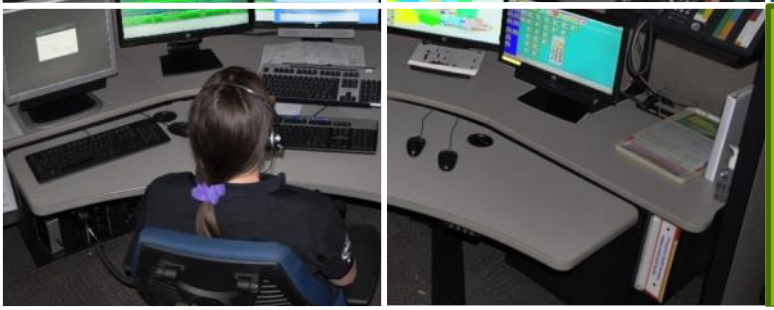
Response time comparison for the time period pre COVID-19 and current

CTAS	Jan 1-Mar 15 (pre COVID-19) AVG	Mar 15-May 31 AVG	CHANGE	Jan 1-Mar 15 (pre COVID-19) 90th	Mar 15-May 31 90th	CHANGE	Response Time Target 90th except as shown
Sudden Cardiac Arrest	6:36	6:05	-0:31	10:55	9:16	-1:39	6:00 55th
1	6:56	6:10	-0:46	11:45	9:31	-2:14	8:00 80th
2	8:57	8:31	-0:26	14:47	13:54	-0:53	15:00
3	17:43	15:32	-2:11	33:06	27:18	-5:48	30:00
4	22:31	18:28	-4:03	45:52	33:53	-7:59	60:00
5	24:20	18:58	-5:22	49:19	35:41	-13:38	120:00

With the significant reduction in offload delays, decreased call volumes and recovery of these emergency resources, for the first time since the implementation of the system transformation in Q3 of 2019, response time performance targets are able to be achieved

COVID-19 Impacts on Niagara EMS Summary

- staffing levels remain consistent for full business continuity
- ability to continue to provide specialized support services specific to COVID-19 response
- benefits of transformation to mobile integrated health model being realized – resource rationalization
- strong collaboration ongoing with Niagara Health to avoid the resumption of lengthy offloads



Thank you

STARCARE
Begins with me

@NiagaraEMS

Subject: COVID-19 Impact on Niagara Emergency Medical Services

Report to: Public Health & Social Services Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Regional Council **RECEIVE** this report for information.

Key Facts

- Niagara Emergency Medical Services (NEMS) has continued uninterrupted provision of core 911 Mobile Integrated Health (MIH) services, including land ambulance services, for the duration of the COVID-19 pandemic
- As a key component of the broader health care system, NEMS has been called upon to play various unconventional roles in response to the pandemic
- During the period of January 1–May 31, 911 call volume for NEMS decreased by 9.2% compared to YTD 2019
- For the same time period there was a decrease in the number of patients transported to the hospital of 16.8%
- Reductions in calls, patient transports and overall hospital utilization resulted in a decrease of ambulance offload delays by 81%
- The recovery of emergency ambulance resources otherwise spent in offload delay has normalized system performance, demonstrating that response time performance targets can be achieved.

Financial Considerations

There are no financial considerations directly associated with this report. The recovery of lost productivity from the reduction of hospital offload delay time is represented in 'hours' of restored service which has an associated cost value but does not represent actual cost savings.

Lost productivity due to offload delay at hospitals for the first 12 weeks of 2020 was reduced from 3944 hours (an average of 404 hrs/week) to 909 hours (an average of 83 hrs/week) in the latter 11 weeks. This represents a total recovery of the equivalent of 3944 hours of available service that was no longer diverted away from their intended

function; to respond to community emergencies. The value of this previous loss of productivity is the equivalent of $366,607 in resources over these 12 weeks.

Analysis

COVID-19 has significantly affected all areas of service delivery by the Niagara Region, including essential services such as Niagara EMS. As a key component of the broader health care system including emergency care, primary care and public health, Niagara EMS has been called upon to play various unconventional roles in the response to the pandemic. This includes:

Community COVID-19 Assessment and Testing (CCAT): a team of paramedics that provide community specimen collection (swabbing) for people who are homebound and unable to attend an Assessment Centre or their own physician - over 500 tests completed.

Infection Prevention and Control (IPAC) Coaching and Support: a team of paramedics providing training and education on appropriate personal protective equipment (PPE) usage procedures to long term care (LTC) facilities, retirement homes, Public Health Inspectors and local area municipality employees - over 1300 people trained to date. This team was created after Public Health's observation that some long term care home and retirement home outbreaks were being exacerbated by improper PPE usage.

Pandemic Response Plan: a modification to the allocation of EMS resources in preparation for a possible response to 911 call volume increases and/or hospital overcapacity challenges. This included the use of NEMS Emergency Call Nurses (ECN) to provide enhanced telephone triage for 911 callers under a specific Pandemic Protocol. This also resulted in a reduction of tiered response calls for municipal fire services from approximately 10% of all EMS calls to 3%. This reduced risk of exposure for fire service employees, risk of disease transmission to patients and families, preserved scarce PPE, and ensured fire resources were available for fire-specific calls as required. There have been no identifiable adverse impacts to patient outcomes as a result.

NEMS has continued to deliver its core service of responding to 911 calls. Prior to the outbreak of COVID-19 in Niagara, the service had just completed a major system transformation to a service delivery model of Mobile Integrated Health. A more fulsome

update on these changes will be provided in a future report. For the purpose of this report, it is important to note that the transformation to MIH has proven advantageous as the service was better positioned to adjust to changes brought on by the pandemic and was able to quickly provide the enhanced services and alterations as noted above. The MIH model allows for optimal access to appropriate health resources to meet the needs of people calling 911. This has resulted in fewer ambulance responses, decreasing risk of exposure to paramedics as well as elimination of many unnecessary transports to an emergency department.

Impact on Call Volume and Patient Acuity

During the period of January 1 - May 31, 2020, 911 call volume for NEMS decreased by 9.2% compared to YTD 2019 (Figure 1). It should be noted that some portion of this decrease is likely consistent with system transformation activities already undertaken by NEMS. The majority of the decrease was seen in low acuity (less severe) types of patient presentations, with a slight increase in patients triaged on the Canadian Triage and Acuity Scale (CTAS) as a level 1, requiring immediate resuscitation (Figure 2). Changes in specific types of patient presentations as assessed upon phone triage is shown in Table 1 below.

Figure 1 *Call Volume Change Year over Year to May 31 2020. Jan–Feb and March–May are shown separately.*

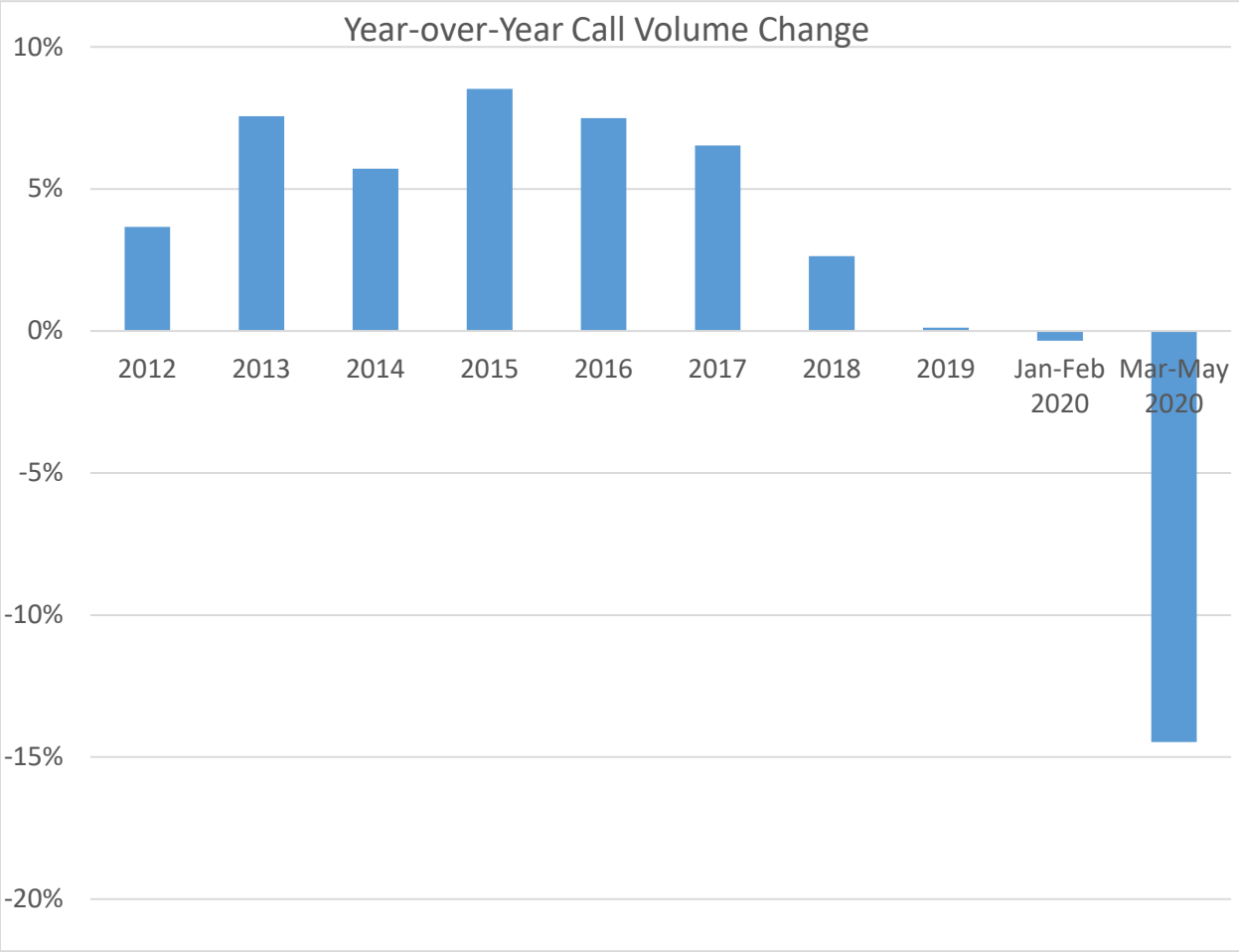


Figure 2 *EMS Acuity (CTAS) on Initial Patient Contact as % of Call Volume, Jan 1-May 31, by Year.*

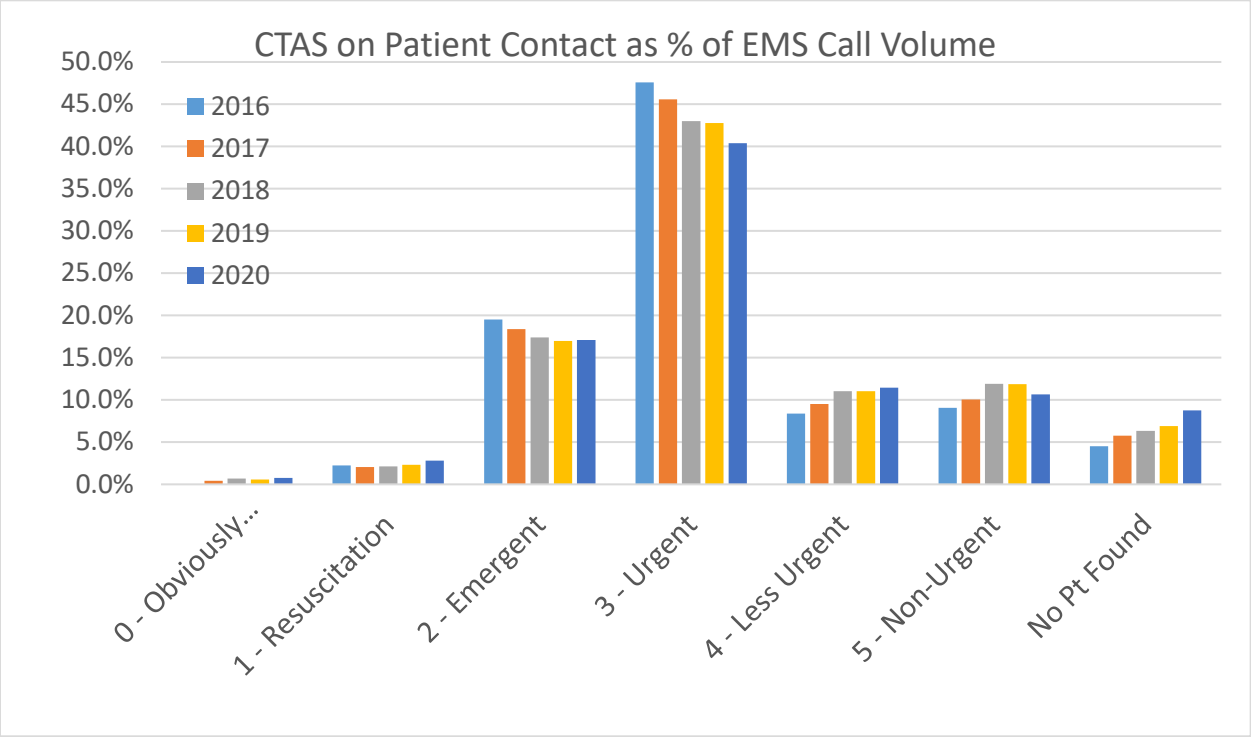


Table 1 *Call volumes by Medical Priority Dispatch System (MPDS) protocol classification. January 1, 2020-May 31, 2020. Note: 'Pandemic Protocol' is a newly added protocol activated April 30, designed to manage low acuity calls for breathing problems, chest pain and 'sick person'. Therefore, these protocols will appear slightly lower.*

EMS Call Type (MPDS)	EMS Calls 2019 n(%)	EMS Calls 2020 n(%)	Change 2020	2020 compared to previous 4 year average
Assault/ Sexual Assault	629 (2.58)	682 (3.07)	8.4%	0.85%
Cardiac Arrest	336 (1.38)	385 (1.73)	14.6%	20.22%
Chest Pain	2007 (8.22)	1790 (8.06)	-10.8%	-6.36%
Overdose/ Poisoning	865 (3.54)	928 (4.18)	7.3%	59.18%
Psychiatric/ Abnormal Behaviour	1588 (6.50)	1426 (6.42)	-10.2%	-2.79%
Stab/Gunshot	36 (0.15)	42 (0.19)	16.7%	35.48%

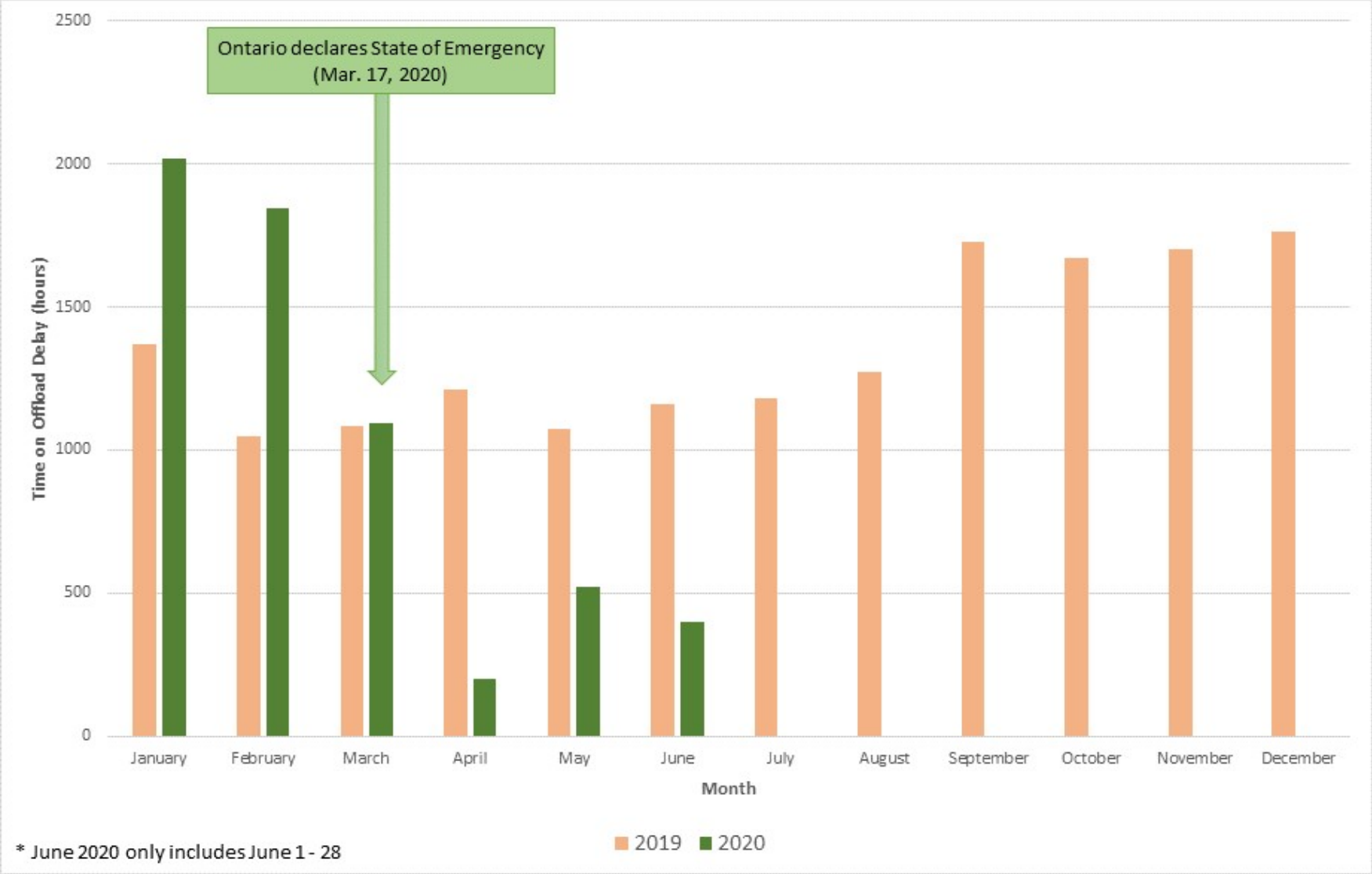
EMS Call Type (MPDS)	EMS Calls 2019 n(%)	EMS Calls 2020 n(%)	Change 2020	2020 compared to previous 4 year average
Stroke	690 (2.83)	717 (3.23)	3.9%	8.19%
Total	24,424	22,212	-9.1%	-3.73%

There has been speculation in various media reports that the health of people may have suffered due to delays in accessing health care out of fear of COVID-19. Our data indicates that this is possible. Incidents of stroke have risen by 8.2%, which could be indicative of delayed care. More significantly, cardiac arrest calls have increased 14.6% (20% against the previous four-year average), potentially indicating delayed attempts to access care. It is possible that the reduction in responses to ‘chest pain’ may reflect fewer people seeking care for cardiac issues that then progress to cardiac arrest and stroke. However, it is difficult to say what the true impact on responses for ‘chest pain’ may be due to changes in how some calls were processed as part of pandemic planning. While incidents processed for psychiatric/abnormal behaviour (including attempted suicide) have decreased slightly, a considerable increase of 7.3% in overdose responses (59.18% against the 4-year average) was observed. It is also possible that some overdose responses were processed as cardiac arrests and are reflected in those numbers. Responses for assault/sexual assault and stab/gunshot have notable increases as well. What is evident is that more analysis is required on this data to best understand the full impact COVID-19 has had on the acute health of our communities as it relates to the use of 911.

Impact on System Performance

With a decrease in call volume of 9.2%, there was a subsequent decrease in the number of patients transported to the hospital of 16.8%. These decreases, combined with hospital efforts to realign resources as part of pandemic planning and fewer people self-presenting at local emergency departments, led to greater hospital capacity to manage patients. This resulted in the reduction of ambulance offload delays by 81% (Figure 3).

Figure 3 *EMS Offload Hours per Month, 2019-2020. State of Emergency declared by Province March 17.*



In the 12 week period prior to the declaration of COVID-19, the time paramedics were required to wait to transfer care of a patient to the hospital (offload delay) was 4853 hours. In the approximately 11 weeks since the onset of the pandemic, this lost time had been reduced to 909 hours. The recovery of these resources otherwise lost to hospital turn around time represent an additional 3944 hours that were no longer diverted away from their intended function to respond to emergencies in our community. While no actual cost savings arise from this recovery, the cost value is equivalent to $366,607 worth of frontline resources not being lost over these 12 weeks.

With the significant reduction in offload delays and the recovery of these emergency resources, for the first time since the implementation of the system transformation in the Q3 of 2019, response time performance targets are being achieved (Table 2). It is apparent that if not for the loss of these resources to hospital wait times as a key contributor to resource availability, Niagara EMS would meet the performance metrics on an ongoing basis.

Table 2 *Response time comparison for the time period pre COVID-19 and current. Measures are reported as average (AVG) and the 90th percentile (90th).*

CTAS	Jan 1-Mar 15 (pre COVID-19) AVG	Mar 15-May 31 AVG	Change	Jan 1-Mar 15 (pre COVID-19) 90th	Mar 15-May 31 90th	Change	Response Time Target 90th except as shown
Sudden Cardiac Arrest	6:36	6:05	-0:31	10:55	9:16	-1:39	6:00 55th
1	6:56	6:10	-0:46	11:45	9:31	-2:14	8:00 80th
2	8:57	8:31	-0:26	14:47	13:54	-0:53	15:00
3	17:43	15:32	-2:11	33:06	27:18	-5:48	30:00

CTAS	Jan 1-Mar 15 (pre COVID-19) AVG	Mar 15-May 31 AVG	Change	Jan 1-Mar 15 (pre COVID-19) 90th	Mar 15-May 31 90th	Change	Response Time Target 90th except as shown
4	22:31	18:28	-4:03	45:52	33:53	-7:59	60:00
5	24:20	18:58	-5:22	49:19	35:41	-13:38	120:00

Alternatives Reviewed

This report provides initial confirmation of the positive effects the transformation to a Mobile Integrated Health model of care has had on the system, specifically in response to the COVID-19 pandemic. Of most significance is the evidence that clearly demonstrates the optimal system performance when offload delay stressors are minimized. Given this knowledge, the alternative option of resuming previous practices associated with hospital offload delay must be avoided at all costs. Niagara EMS is working closely with Niagara Health to take the lessons learned from the pandemic experience, specific to overcrowding and flow at the local emergency departments, and ensure priority measures are implemented to refrain from returning to the pre COVID-19 status of significant offload delays and reduced system performance.

Other Pertinent Reports

PHD 20-2019 Niagara EMS System Transformation Update 2

Prepared by:
Kevin Smith
Chief, Niagara Emergency Medical Services & Director, Emergency Services
Public Health & Emergency Services

Recommended by:
M. Mustafa Hirji, MD, MPH, FRCPC
Medical Officer of Health & Commissioner (Acting)
Public Health & Emergency Services

Submitted by:
Ron Tripp, P.Eng.
Chief Administrative Officer (Acting)

Pubic Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **PHD-C 4-2020**

Subject: Further Details on Order to Wear Masks in Wellington-Dufferin-Guelph

Date: July 14, 2020

To: Public Health & Social Services Committee

From: M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)

At the June 16, 2020 meeting of Public Health & Social Services Committee, Committee requested Public Health to provide more information on the requirement to wear face coverings in Guelph.

What occurred in Wellington-Dufferin-Guelph was a joint effort by their local public health agency and their municipalities. The medical officer of health issued a public health order on all businesses within the region, and in concert, every municipality issued an emergency order as well.

The substance of these orders was that all owners/operators of commercial establishments prohibit persons from entering or remaining in their premises unless they are wearing a face covering. Face coverings must be worn at all times in these establishments, except as reasonably required to receive the services provided by the establishment (i.e. a mask can be removed while receiving outdoor dine-in services). Exceptions are made for persons for whom face coverings are not recommended. The orders also mandate that alcohol-based hand rub be made available for persons entering or exiting these establishments.

In terms of enforcement of the public health order, consistent with section 23 of the *Provincial Offenses Act*, as well as sections 100–102 of the *Health Protection and Promotion Act*, enforcement of the order on any business that was not compliant would require a two stage court proceeding through the Provincial Offenses Court or a court proceeding through the Ontario Superior Court of Justice. As of June 28, 2020, Wellington-Dufferin-Guelph Public Health has not pursued any court proceedings to enforce the order.

Niagara Region

Pubic Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

As of July 2, 2020, the following are various jurisdictions in Ontario and requirements that they have made around wearing face coverings:

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
WELLINGTON-DUFFERIN-GUELPH	Public Health Order & Municipal Emergency Orders	Owners/operators of commercial establishments	• Disallow entry to anyone not wearing a face covering • Hand sanitizer available at entrances
WINDSOR & ESSEX COUNTY	Public Health Order	Owners/operators of commercial establishments	• Have a policy to prohibit entry of anyone not wearing a face covering • Hand sanitizer available at entrances
KINGSTON FRONTENAC LENNOX & ADDINGTON	Public Health Order	Owners/operators of commercial establishments	• Have a policy to prohibit entry of anyone not wearing a face covering • Hand sanitizer available at entrances
CITY OF TORONTO	Bylaw	Owners/operators of indoor spaces accessible to the public	• Have a policy to require staff, customers, and visitors wear a face covering
MIDDLESEX-LONDON	Public Health Order	Transit Operators Hair/nail salons	• Implement local guidance for reducing risk in public spaces • Ensure staff, customers, volunteers, and contractors wear face coverings

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
		Any business where workers and customers are face-to-face for more than 15 minutes	
PEEL REGION	Bylaw (proposed)	Owners/operators of indoor spaces accessible to the public	• Have a policy to require staff, customers, and visitors wear a face covering
WATERLOO REGION	Bylaw (proposed)	All members of the public	• Public must wear face coverings in public spaces

Respectfully submitted and signed by

M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health & Commissioner Acting

Subject: Affordable Housing Strategy Update

Report to: Public Health and Social Services Committee

Report date: Tuesday, July 14, 2020

Recommendations

1. That Report COM 15-2020 **BE RECEIVED** for information; and
2. That a copy of Report COM 15-2020 **BE CIRCULATED** to Local Area Municipalities.

Key Facts

- The purpose of this report is to outline approaches staff are taking in the short-term to address Niagara's affordable housing needs as we continue to assess the changing demographic and economic trends resulting from COVID-19.

- Regional Council identified the retention, protection, and supply of affordable ownership and rental housing as a key objective of the 2019-2022 Council Strategic Plan.

- The Affordable Housing Strategy Steering Committee is an inter-departmental working group whose purpose is to develop a long-term Affordable Housing Strategy that coordinates the various studies, programs, and initiatives being undertaken across the Corporation to address housing affordability in Niagara.

- The development of the Affordable Housing Strategy and its related initiatives has been impacted by the emergency measures put in place to mitigate the spread of COVID-19.

- Short-term approaches include coordination with Local Area Municipalities, updates to the Regional Housing Database, and support for the affordable housing commitments made prior to the COVID-19 pandemic.

- Consideration should also be given to an MOU with Local Municipalities aimed at streamlining the approval and development of affordable housing projects and the identification of vacant/underutilized municipal lands that can be made available for affordable housing.

Financial Considerations

There are no direct financial implications arising from this report. It is expected that any costs associated with the recommended approaches will be brought forward in detail as part of future reports to Committee and Council.

Analysis

The Affordable Housing Strategy Steering Committee (AHSSC) is an inter-departmental working group made up of staff from Niagara Regional Housing (NRH) and Niagara Region's Planning and Development Services, Community Services, and Finance departments. The AHSSC was formed in 2018 in order to co-ordinate the various projects and initiatives being undertaken across the Corporation to address issues of housing affordability in Niagara.

The AHSSC is currently overseeing the development of an Affordable Housing Strategy that outlines the long-term approaches, land use tools, and financial incentives that can be used to support the protection and supply of affordable ownership and rental housing in Niagara.

The Affordable Housing Strategy is informed by the plans, projects, and other initiatives listed in the following section, each of which has been impacted by the implementation of emergency measures to reduce the spread of COVID-19.

Status of Affordable Housing Studies and Initiatives

Housing and Homelessness Action Plan (HHAP) Update

The HHAP includes a complete vision for addressing homelessness and access to affordable housing in response to identified local needs. The updated plan was approved by Regional Council in October 2019, and acknowledged by the Ministry of Municipal Affairs and Housing in March 2020.

Preventing and ending homelessness requires access to safe and affordable permanent housing. This includes options in both the private market (home ownership and purpose-built rentals) and community housing (NRH owned, non-profit, co-operative housing, and supportive housing). The goals related to affordable housing in the HHAP include the following:

- Increase the supply of higher-density housing forms, including townhouse and apartments.
- Increase the number of new community housing units developed, and the proportion of new community housing units that are bachelor/1-bedroom units or four or more bedroom units.
- Prevent the loss of current community housing stock.

During the initial phase of the COVID-19 pandemic, the HHAP working groups, including the Community Housing Provider Advisory, the Housing Affordability Innovation Working Group, and the Lived Experience Advisory have been unable to meet. Staff continue to communicate with stakeholders as needed to support the alignment of local affordable housing initiatives to the HHAP.

Niagara Regional Housing Projects

- NRH is continuing with the renewal and repair of owned units to maintain and increase the current supply. Project planning for new and infill developments on owned land has continued, with construction scheduled to begin on the Hawkins Street redevelopment in the City of Niagara Falls in June 2020.

- Formal project management services continue to be provided in a consulting capacity by NRH to assist housing providers across the region during all phases of new development. NRH has become a primary contact and resource for private developers interested in creating affordable housing across Niagara.

- NRH is preparing an RFP for the development of an Affordable Housing Master Plan to strategically plan for affordable housing units to the year 2041. Once complete, the Master Plan will form an overarching strategy for affordable housing that considers the HHAP, the Regional Housing Database, and the affordable housing grant and incentive programs. After a pause during the initial stages of COVID-19, the Master Plan Steering Committee is to resume meeting in the summer of 2020.

New Niagara Official Plan

The Planning and Development Services Department is continuing its development of the new Official Plan for Niagara Region.

An Official Plan is a long-range policy document that shapes a municipality's physical, economic and social development. The new Niagara Official Plan will include objectives,

policies and mapping to properly plan for forecasted population and employment growth, municipal infrastructure and services including public service facilities, and agricultural and natural heritage resources to ensure that the needs of Niagara's current and future residents are met.

In 2019, Niagara Region engaged the Canadian Centre for Economic Analysis (CANCEA) to prepare a Regional Housing Database to inform the HHAP update and the comprehensive review of the Official Plan. The database aggregates existing sources of housing-related data to determine the current and future demand for affordable housing in Niagara. The results of the analysis of the Regional Housing Database, as well as the associated growth scenario analysis, were endorsed by the Planning and Economic Development Committee in April and November 2019, respectively.

The background work already completed by CANCEA will enable policy drafting to begin for the housing component for the new Official Plan, which will include affordable housing targets and policies to achieve those targets. The Province has recently released new draft population and employment forecasts for Niagara Region to the year 2051 as part of "Amendment 1" to the *A Place to Grow: Growth Plan for the Greater Golden Horseshoe*. Once the Province finalizes Amendment 1, Regional forecasts will be updated and reflected in the new Niagara Official Plan.

Niagara Region Grants and Incentives Review

In 2018, the Niagara Region Grants and Incentives Review was initiated to promote greater transparency, accountability, and efficiency in the administration of the financial incentives offered by Niagara Region, and to ensure they continued to align with Council priorities, economic trends, and growth management strategies.

In September 2019 through PDS 34-2019, Council endorsed the following four target areas for Regional incentives: affordable/rental housing; brownfield remediation; employment growth in key sectors; and public realm.

The Regional Incentive Review Team continues its work to focus and coordinate incentives in these four areas in light of the significant changes caused by COVID-19. Specifically, the Team is monitoring the impact of the pandemic on the construction sector and the housing market and how these changes will affect affordable/rental housing. More information on potential incentive programs related to affordable/rental

housing will come forward when there is a better understanding of these impacts and how affordable housing incentives may best be adapted to address them.

Short-Term Approaches to Housing Affordability

Municipalities across Canada continue to address the impacts of COVID-19. Given the sudden shifts in the ways government services and private businesses have been run since the declaration of the pandemic, significant changes are expected to previously established demographic and economic trends.

Because of these changes, a better understanding of the socio-economic impacts of COVID-19 on Niagara's economy and housing market is needed prior to pursuing long-term investments and actions to support the development and availability of affordable housing in Niagara.

While the opportunities and risks associated with long-term housing strategies are reassessed, however, staff will continue to pursue the following short-term approaches to support affordable housing choices in the region as coordinated by the AHSSC.

Coordination of Affordable Housing with Local Area Municipalities

Like all development proposals, affordable housing projects must be consistent with Provincial, Regional and local land use policies, and must adhere to the processes outlined in the *Planning Act, 1990,* the *Building Code Act, 1992,* and the *Local Planning Appeal Tribunal Act, 2017.*

Due to the nature of affordable housing developments, there are a number of obstacles associated with these applications which can delay the approvals process, including discriminatory opposition from members of the public (NIMBYism) and associated appeals. This is further complicated by the varying fees, timelines, and study requirements implemented by each of Niagara's twelve local municipalities to process these applications.

Development delays can be particularly detrimental for affordable housing projects. For the private market, delays can lead to increases in the final housing sales price, which in turn can reduce or negate the affordability of planned housing units. For non-profit organizations, Niagara Region, or Niagara Regional Housing, project delays can run the risk of exceeding funding deadlines associated with government grants and subsidies on which these developments are often dependent.

Niagara Region is part of a Memorandum of Understanding ("MOU") with Local Area Municipalities to outline the respective responsibilities and timelines associated with the delivery of planning functions and services. The AHSSC has discussed the use of a similar MOU or equivalent agreement with Local Area Municipalities specifically aimed at the review, administration, and approval of affordable housing projects and development applications.

The intent of this agreement would be to facilitate a consistent approach to processing development applications and building permits for affordable housing projects across all twelve municipalities, as well as to ensure a common understanding of the process and timing restrictions associated with Provincially- or Federally-funded developments.

Additionally, a component of the MOU and associated discussions with Local Area Municipalities can include the identification and assessment of vacant or underutilized municipal lands that can be made available for future affordable housing developments. The parcels identified will be assessed for their suitability for affordable housing based on a number of criteria, including:

- the proximity and availability of transit service;
- the proximity of public service facilities, such as social services, recreation, and health and educational programs; and
- the location of adjacent or surrounding incompatible land uses, such as heavy manufacturing or industrial, or other uses with adverse impacts on sound and air quality.

Community Services and NRH staff collaboratively have already been working with Local Area Municipalities to review municipal properties that may be available and appropriate to support affordable or supportive housing projects and to create readiness to respond to Provincial or Federal funding opportunities. Often these funding opportunities have tight turnarounds and require shovel-ready projects to access.

Further coordination and consultation with Local Area Municipalities can lead to innovative programs and initiatives that can more effectively address housing and homelessness. In addition to the initiatives above, the Region will continue to seek partnerships with municipalities to support the development of new affordable housing options.

Funded Housing Projects

Regional staff will continue to process and support previously funded housing projects, including the Partnership Housing Program and the Park Street development in the City of Niagara Falls.

Partnership Housing Program

The 2018 Capital Budget approved a budget of $1.75 million for the Partnership Housing Program (CSD 14-2018, CSD 34-2019), with $1.575 million funded from Development Charges, and the balance from reserves. The purpose of the project is to partner with the private sector for the purposes of developing new, affordable purpose-built rental housing.

In return for the Region's investment, a number of units in the development would be allocated to Niagara Region to prioritize candidates on the centralized waiting list. Additionally the tax revenue on the property would be utilized to fund the required rent subsidy on the units allowing the Region to subsidize more households without an incremental budget increase.

A negotiated request for proposal requiring a two part submission was issued in July of 2019 and closed in October 2019. Part A submissions were evaluated by a team of representatives from Finance, NRH, Community Services and Planning and Development Services. A Part B submission was requested from one proponent on February 18, 2020 and the response was received on March 18, 2020. An initial review of Part B took place in March of 2020, however, some additional information was required of the proponent. Due to the COVID-19 pandemic the continued evaluation of the proponent has been delayed. Staff are following up with the proponent at this time to understand the impact of the pandemic on the submission.

City of Niagara Falls Park Street Development

The Park Street property, owned by the City of Niagara Falls, has been offered by the City to form part of an affordable housing project in the downtown area (CSD 33-2019). This development has been approached as a partnership opportunity between the City, Region, NRH and not-for-profit agencies to develop approximately 200 units on this property, with NRH committed to provide Rent Geared to Income for up to 50 units.

To date the City, with the support of the Region, has completed Phase 1 and 2 Environmental Assessments for the site, and has budgeted $500,000 this year to commence the remediation of the property, with additional monies budgeted for this purpose in 2021, as well as to demolish the existing structure on the property.

Official Plan Amendments for the development have already been approved, and Zoning By-law Amendments for the site are currently underway to allow for a 10 storey structure to be developed on the property. The project's next steps will be to coordinate a joint RFP process during the fall of 2020, with a project award targeted for spring of 2021.

Alternatives Reviewed

Not applicable. This report provides an update on the short term activity related to the affordable housing strategy that is continuing during the COVID-19 pandemic. Evolving available information limits deliberation of long term alternatives at this time. As new information becomes available, additional long term options will be presented in future reports.

Relationship to Council Strategic Priorities

The retention, protection, and increase in the supply of affordable housing stock to provide a broad range of housing to meet the needs of the community is contemplated as part of Objective 2.3 of the 2019-2022 Council Strategic Plan and supports the Council Priority of a Healthy and Vibrant Community.

Other Pertinent Reports

- CSD 14-2018 Alternative Service Delivery Social Housing
- CSD 33-2019 Affordable Housing Development
- CSD 34-2019 Partnership Housing Program
- COM 40-2019 Five-Year Review of Niagara's 10-Year Housing and Homelessness Action Plan
- PDS 17-2019 Niagara Housing Statement: Affordable Housing Data
- PDS 34-2019 Grants and Incentives Review
- PDS 37-2019 Growth Scenario Analysis Related to the Housing Strategy
- CWCD 421-2019 New Niagara Official Plan Updates
- PDS 9-2020 Niagara Official Plan - Consultation Details & Revised Framework

Prepared by:
Alexandria Tikky
Planner
Planning & Development Services

Recommended by:
Adrienne Jugley, MSW, RSW, CHE
Commissioner
Community Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Donna Woiceshyn, CEO Niagara Regional Housing, Marian Bannerman, Grant and Incentive Program Manager, and Jeffrey Sinclair, Homelessness Action Plan Advisor, and reviewed by Cathy Cousins, Director of Homelessness Services & Community Engagement, and Doug Giles, Director of Community & Long Range Planning.

NIAGARA POVERTY REDUCTION NETWORK

July 6, 2020

To the members of Niagara Regional Council Public Health and Social Services Committee:

I am writing on behalf of our Niagara Poverty Reduction Network (NPRN), in support of the motion prepared by Councillor Laura Ip for the Public Health and Social Services Committee meeting of July 14, 2020. NPRN is a collective of over 30 agencies and individuals working to wipe out poverty in Niagara through education, collaboration, and advocacy to address poverty's root causes. We are proud to support the idea brought forward by Councillor Ip's motion: that the Region of Niagara ought to lend its moral authority to the growing movement for a basic income, as a key component of a system of programs and policies that effectively move people away from poverty (e.g. affordable childcare, housing, public transit, etc.).

NPRN has a long history supporting the implementation of a basic income model for Niagara and more broadly. Prior to the implementation of the Ontario Basic Income Pilot and beyond, NPRN engaged in advocacy work related to increasing awareness around a Basic Income Guarantee, media campaigns, and participated in the Basic Income Pilot project consultation process.

Since the beginning of the COVID-19 pandemic, NPRN has addressed the need to develop a moratorium on rent obligations for people living on a low income, and significant gaps in the rollout of the Canada Emergency Response Benefit (CERB), especially pertaining to the inability of Niagara's growing communities of sex workers and undocumented migrant workers to apply for the Benefit.

These unresolved concerns relate directly to Councillor Ip's motion: If implemented, a basic income policy would provide meaningful financial support to the vulnerable tenants and workers whose interests have inspired the above appeals. As we know from the Basic Income Pilot experiment in Hamilton, basic income measures have a significant, positive impact on the health and overall dignity of recipients, especially when implemented alongside other programs and policies that create a stronger social safety net. This endorsement of Councillor Ip's motion is issued with that fact in mind.

Councillor Ip's motion proposes a letter from Chair Bradley to key members of our federal cabinet, on behalf of the Region of Niagara, endorsing the letter from Simcoe Muskoka in the name of income security. Persistent poverty and household food insecurity are cited in Councillor Ip's motion as additional core values motivating the proposed letter.

NIAGARA POVERTY REDUCTION NETWORK
www.WipeOutPoverty.ca
c/o United Way Niagara
800 Niagara St, 2nd Floor, Welland, ON L3C 5Z4 email: info@wipeoutpoverty.ca

NIAGARA POVERTY REDUCTION NETWORK

The Niagara Poverty Reduction Network wholeheartedly supports Councillor Ip's motion and the values that inspire it. We must act in a collaborative way for the human rights of all people, independent of their class. The fact that people can only realize their human rights if they have the benefit of a certain amount of material prosperity gave rise to CERB. This same co-relation is recognized in your own, ongoing efforts as Regional Council to ensure that Ontario Works and the Ontario Disability Support Program are optimally implemented for Niagarans through the efforts of our hard-working municipal social service employees. Moreover, COVID-19 has inspired new awareness across Niagara of the need for basic income. Council endorsement of the Simcoe Muskoka initiative would thus be a wise continuation of the social justice momentum emergent in our region.

Thank you for considering this letter. If you have any concerns or questions related to its contents, or to the work of NPRN, please do not hesitate to be in touch.

Sincerely,
Aidan Johnson

Niagara Poverty Reduction Network Chair

On behalf of the Niagara Poverty Reduction Network

NIAGARA POVERTY REDUCTION NETWORK
www.WipeOutPoverty.ca
c/o United Way Niagara
800 Niagara St, 2nd Floor, Welland, ON L3C 5Z4 email: info@wipeoutpoverty.ca

Minute Item No. 5.1
CSC-C 11-2020
Referral of Motion – Direct Election of the Regional Chair – Additional Information – Past Work Undertaken on Governance Reform

That Correspondence Item CSC-C 11-2020, being a memorandum from A.-M. Norio, Regional Clerk, dated July 15, 2020, respecting Referral of Motion - Direct Election of the Regional Chair - Additional Information - Past Work Undertaken on Governance Reform, **BE RECEIVED** for information.

Minute Item No. 6.1
CSC-C 10-2020
COVID-19 Response and Business Continuity in Corporate Services

That Correspondence Item CSC-C 10-2020, being a memorandum from T. Harrison, Commissioner/Treasurer, dated July 15, 2020, respecting COVID-19 Response and Business Continuity in Corporate Services, **BE RECEIVED** for information.

Minute Item No. 9.1
Confidential Report CSD 29-2020
A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP")

That Confidential Report CSD 29-2020, dated July 15, 2020, respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP"), **BE RECEIVED** for information.

THE REGIONAL MUNICIPALITY OF NIAGARA
CORPORATE SERVICES COMMITTEE
OPEN SESSION

CSC 6-2020
Wednesday, July 15, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Committee Members Present in the Council Chamber:	Foster (Committee Chair), Whalen (Committee Vice-Chair)
Committee Members Present via Teleconference:	Bradley (Regional Chair), Butters, Campion, Diodati, Easton, Edgar, Fertich, Gale, Heit, Ip, Rigby
Absent/Regrets:	Redekop
Staff Present in the Council Chamber:	H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, T. Harrison, Commissioner/Treasurer, Corporate Services, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Teleconference:	S. Guglielmi, Technology Support Analyst, S. Crocco, Legal Counsel, D. Gibbs, Director, Legal & Court Services, K. Lotimer, Legislative Coordinator, F. Meffe, Director, Human Resources, M. Trennum, Deputy Regional Clerk, B. Zvaniga, Interim Commissioner, Public Works

---

1. CALL TO ORDER

Committee Chair Foster called the meeting to order at 9:33 a.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 CSC-C 11-2020
Referral of Motion – Direct Election of the Regional Chair – Additional Information – Past Work Undertaken on Governance Reform

Moved by Councillor Rigby
Seconded by Councillor Easton

That Correspondence Item CSC-C 11-2020, being a memorandum from A.-M. Norio, Regional Clerk, dated July 15, 2020, respecting Referral of Motion - Direct Election of the Regional Chair - Additional Information - Past Work Undertaken on Governance Reform, **BE RECEIVED** for information.

Carried

Moved by Councillor Ip
Seconded by Councillor Butters

1. That the Office of the Regional Clerk **BE DIRECTED** to form a citizen committee of 15 people, as representative as possible of the local area municipalities, and engage in a public consultation process;

2. That the citizen committee and public consultation process **ADDRESS** the following questions:

   - Should the Regional Chair be directly elected by the citizens of Niagara or appointed by Regional Council?
   - How many Regional Councillors should represent each municipality?
   - If the number of Regional Councillors that represent each municipality is suggested to be different than it is currently, should the votes of Regional
   - Councillors be weighted? If so, how should they be weighted?
   - By which method should Regional Councillors be elected?
   - What strategies are recommended to increase citizen engagement for and following elections?
   - What strategies are recommended to get more people to consider running for elected office?
   - What can be done to have Council be more reflective of the demographic make up of the Niagara region, e.g., gender, age, race/ethnicity, income status, etc.?; and

3. That the citizen committee, with the results from the public consultation process, **REPORT** back to Corporate Services Committee by April 2021.

The following friendly ***amendment*** was accepted by the Committee Chair, and the mover and seconder of the motion so that clause 2 reads as follows:

2. That the citizen committee and public consultation process **ADDRESS** the following questions:
   - Should the Regional Chair be directly elected by the citizens of Niagara or appointed by Regional Council?
   - How many Regional Councillors should represent each municipality?
   - If the number of Regional Councillors that represent each municipality is suggested to be different than it is currently, should the votes of Regional Councillors be weighted? If so, how should they be weighted?
   - By which method should Regional Councillors be elected?
   - What strategies are recommended to increase citizen engagement for and following elections?
   - What strategies are recommended to get more people to consider running for elected office?
   - What can be done to have Council be more reflective of the demographic make up of the Niagara region, e.g., gender, age, race/ethnicity, income status, etc.?
   - ***Examine options for dual duty councilors.***

The Committee Chair called the vote on the motion, as amended, as follows:

1. That the Office of the Regional Clerk **BE DIRECTED** to form a citizen committee of 15 people, as representative as possible of the local area municipalities, and engage in a public consultation process;

2. That the citizen committee and public consultation process **ADDRESS** the following questions:

   - Should the Regional Chair be directly elected by the citizens of Niagara or appointed by Regional Council?
   - How many Regional Councillors should represent each municipality?
   - If the number of Regional Councillors that represent each municipality is suggested to be different than it is currently, should the votes of Regional
   - Councillors be weighted? If so, how should they be weighted?
   - By which method should Regional Councillors be elected?
   - What strategies are recommended to increase citizen engagement for and following elections?
   - What strategies are recommended to get more people to consider running for elected office?
   - What can be done to have Council be more reflective of the demographic make up of the Niagara region, e.g., gender, age, race/ethnicity, income status, etc.?
   - Examine options for dual duty councilors; and

3. That the citizen committee, with the results from the public consultation process, **REPORT** back to Corporate Services Committee by April 2021.

Recorded Vote:

Yes (2): Butters, Ip.

No (11): Bradley, Campion, Diodati, Easton, Edgar, Fertich, Foster, Gale, Heit, Rigby, Whalen.

Defeated

6. CONSENT ITEMS FOR INFORMATION

6.1 CSC-C 10-2020
COVID-19 Response and Business Continuity in Corporate Services

Moved by Councillor Fertich
Seconded by Councillor Gale

That Correspondence Item CSC-C 10-2020, being a memorandum from T. Harrison, Commissioner/Treasurer, dated July 15, 2020, respecting COVID-19 Response and Business Continuity in Corporate Services, **BE RECEIVED** for information.

Carried

7. OTHER BUSINESS

7.1 Direct Election of the Regional Chair

Councillor Fertich requested information about the motion respecting direct election of the Regional Chair, specifically if Council could still consider the matter. Ann-Marie Norio, Regional Clerk, advised that as Council has not made a decision on direct election of the Regional Chair, a motion could be brought forward to consider the matter at a future meeting.

7.2 Review of Ride Sharing and Vehicles for Hire

Councillor Ip requested an update respecting the request for a staff report regarding the review of ride sharing and vehicles for hire policies, made at the Corporate Services Committee meeting held on January 15, 2020. Todd Harrison, Commissioner/Treasurer, Corporate Services advised that many Business Licensing employees have been redeployed due to the pandemic and that he would contact Business Licensing staff for an update.

7.3 Public Consultation Process Respecting 2021 Budget Deliberations

Moved by Councillor Ip
Seconded by Councillor Butters

That staff **ENGAGE** in a public consultation process, including surveys, moderated focus groups, and other appropriate communication and information-gathering methods to get feedback from the business community, including organized labour, on our upcoming budget deliberations.

The following friendly ***amendment*** was accepted by the Committee Chair, and the mover and seconder of the motion:

That staff **ENGAGE** in a public consultation process ***that includes comprehensive education on the operations that drive the budget for the public, and includes*** surveys, moderated focus groups, and other appropriate communication and information-gathering methods to get feedback from the business community, including organized labour, on our upcoming budget deliberations.

The Committee Chair called the vote on the motion, as amended, as follows:

That staff **ENGAGE** in a public consultation process that includes comprehensive education on the operations that drive the budget for the public, and includes surveys, moderated focus groups, and other appropriate communication and information-gathering methods to get feedback from the business community, including organized labour, on our upcoming budget deliberations.

Recorded Vote:

Yes (3): Bradley, Butters, Ip.

No (10): Campion, Diodati, Easton, Edgar, Fertich, Foster, Gale, Heit, Rigby, Whalen.

Defeated

8. CLOSED SESSION

Committee did not resolve into closed session.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

9.1 Confidential Report CSD 29-2020
A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP")

Moved by Councillor Butters
Seconded by Councillor Gale

That Confidential Report CSD 29-2020, dated July 15, 2020, respecting A Matter Respecting Litigation and A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 – Update Regarding Niagara-on-the-Lake Wastewater Treatment Plant ("NOTL WWTP"), Niagara-on-the-Lake Sewage Pumping Station ("NOTL SPS"), and Welland Wastewater Treatment Plant Upgrades ("Welland WWTP"), **BE RECEIVED** for information.

Carried

10. NEXT MEETING

The next meeting will be held on Wednesday, August 5, 2020, at 9:30 a.m. in the Council Chamber, Regional Headquarters.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 11:10 a.m.

Councillor Foster
Committee Chair

Kelly Lotimer
Legislative Coordinator

Ann-Marie Norio
Regional Clerk

Administration
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CSC-C 11-2020

Subject: Referral of Motion – Direct Election of the Regional Chair – Additional Information – Past Work Undertaken on Governance Reform

Date: July 15, 2020

To: Corporate Services Committee

From: Ann-Marie Norio, Regional Clerk

Corporate Services Committee, at its meeting held on June 17, 2020, considered the following motion:

1. That the Office of the Regional Clerk **BE DIRECTED** to form a citizen committee of 15 people, as representative as possible of the local area municipalities, and engage in a public consultation process;
2. That the citizen committee and public consultation process **ADDRESS** the following questions:
   - Should the Regional Chair be directly elected by the citizens of Niagara or appointed by Regional Council?
   - How many Regional Councillors should represent each municipality?
   - If the number of Regional Councillors that represent each municipality is suggested to be different than it is currently, should the votes of Regional Councillors be weighted? If so, how should they be weighted?
   - By which method should Regional Councillors be elected?
   - What strategies are recommended to increase citizen engagement for and following elections?
   - What strategies are recommended to get more people to consider running for elected office?
   - What can be done to have Council be more reflective of the demographic make up of the Niagara region, e.g., gender, age, race/ethnicity, income status, etc.?; and

   That the citizen committee, with the results from the public consultation process, **REPORT** back to Corporate Services Committee by April 2021.

Committee subsequently passed the following motion:

> That the motion respecting the formation of a citizen committee, **BE REFERRED** to staff to provide a report to the Corporate Services Committee meeting being held on July 15, 2020.

The establishment of a committee to review and consider the matters noted in the referred motion would be at the will of Council. Should establishment of a committee be approved, staff would provide a report providing additional information respecting a public consultation process including a draft terms of reference for the committee and membership considerations.

Committee requested staff provide information on actions undertaken to date regarding governance. This memo provides Committee with Council's deliberations on governance from the present back to 2005. Appendix 1 sets a compendium of discussions from the present back to 2005. Appendix 2 lists the various documents Council considered during this period of time. Appendix 3 is the most recent work completed on governance by the independent external governance auditor.

Respectfully submitted and signed by

_____

Ann-Marie Norio
Regional Clerk

Attachments:

Appendix 1 Government Reform Compendium from 2005 to Present
Appendix 2 Government Reform – Companion to Compendium from 2005 to Present List of Documents
Appendix 3 Correspondence Item COTW-C 4-2020 "Final Report" Niagara Region Independent Governance Auditor

Government Reform
Compendium from 2005 to Present

At the Corporate Services Committee meeting on June 17, 2020, Committee **received** Correspondence Item CSC-C 8-2020 respecting Referral of Motion – Direct Election of the Regional Chair.

The following motion was **referred** to staff to provide a report at the July 15, 2020 Corporate Services Committee:

> That the Office of the Regional Clerk **BE DIRECTED** to form a citizen committee of 15 people, as representative as possible of the local area municipalities, and engage in a public consultation process;
>
> That the citizen committee and public consultation process **ADDRESS** the following questions:
> • Should the Regional Chair be directly elected by the citizens of Niagara or appointed by Regional Council?
> • How many Regional Councillors should represent each municipality?
> • If the number of Regional Councillors that represent each municipality is suggested to be different than it is currently, should the votes of Regional Councillors be weighted? If so, how should they be weighted?
> • By which method should Regional Councillors be elected?
> • What strategies are recommended to increase citizen engagement for and following elections?
> • What strategies are recommended to get more people to consider running for elected office?
> • What can be done to have Council be more reflective of the demographic make up of the Niagara region, e.g., gender, age, race/ethnicity, income status, etc.?; and
>
> That the citizen committee, with the results from the public consultation process, REPORT back to Corporate Services Committee by April 2021.

At the February 20, 2020 Council Session, Council considered a motion respecting Direct Election of the Regional Chair as follows:

> WHEREAS the Province has completed its governance review and decided to leave governance reform in the purview of each municipality;
>
> WHEREAS section 218.2 of the Municipal Act, 2001, provides a municipality the power to change the method of selecting its head of Council under section 218 of the Act for any regular election after 2018;

Government Reform
Compendium from 2005 to Present

WHEREAS the upper tier municipalities of Durham Region, Halton Region, and Region of Waterloo directly elect their Regional Chair;

WHEREAS upper tier and single-tier municipalities in Ontario with larger populations and/or larger geographic areas than Niagara have directly elected Heads of Council;

WHEREAS Niagara is a progressive municipality with diverse interests; and

WHEREAS all of the voting citizens of Niagara deserve to have a direct say in who shall represent them as Regional Chair.

NOW THEREFORE BE IT RESOLVED:

That The Regional Municipality of Niagara EXERCISE its power and follow the necessary process under section 218 of the Municipal Act, 2001, to change the method of selecting the Head of Council so that beginning with the 2022 municipal election and for all future municipal elections the Regional Chair is elected by general vote by the voting citizens of all 12 local area municipalities in the Niagara region in accordance with the Municipal Elections Act, 1996.

The following motion was carried:

That the motion respecting Direct Election of the Regional Chair **BE REFERRED** to the Corporate Services Committee to allow for consideration of additional governance matters.

At the April 11, 2019 Committee of Whole meeting, Council received a presentation respecting “Final Report” Niagara Region Independent External Governance Auditor. No action was taken.

At the December 13, 2018 Council Session, Correspondence Item CL-C 72-2018 respecting “First Report” Niagara Region Independent External Governance Auditor was received and the following motion was **carried**:

That Correspondence Item CL-C 72-2018, dated December 6, 2018, respecting "First Report" Niagara Independent External Governance Auditor, **BE RECEIVED** and **REFERRED** to the Corporate Services Committee for further review, reporting back to Council with recommendations within the first quarter of 2019.

Government Reform
Compendium from 2005 to Present

At the October 4, 2018 Council Session, correspondence item CL-C 64-2018 respecting "Fact Book" Niagara Region Independent External Governance Auditor, Andrew Sancton Consulting was **received**.

At the July 26, 2018 Council Session, Report CAO 18-2018 respecting Independent External Governance Auditor was received and the following motion was **carried**:

> That Regional Council **APPROVE** the selection of Andrew Sancton Consulting as an Independent External Governance Auditor as recommended by Ombudsman Huberman in his report dated June 29, 2018.

At the December 7, 2017 Council Session, a Statutory Public Meeting was held to receive comments from the public and consider the adoption of a by-law (pursuant to Section 218 of the Act) to change the composition of Niagara Regional Council to add an additional representative for the Township of West Lincoln. Council received Report GM 10-2017 respecting Change to Composition of Regional Council – Additional Representative for West Lincoln and the following motion was **carried**:

> That, subject to the public meeting as required by the Municipal Act, 2001, Regional Council **CONSIDER** adopting Bill 2017-108 to change its composition by adding an additional Councillor from the Township of West Lincoln, effective with the 2018 Municipal Election, provided that:
>
> > a. A majority of the Councils of the area municipalities pass a resolution consenting to the by-law (Bill referred to above); and
> >
> > b. The total number of electors in the Area Municipalities that passed resolutions consenting to the by-law, form a majority of electors in Niagara Region.
>
> That, subject to the adoption of Bill 2017-108, a copy of the Bill and Report GM 10-2017 **BE FORWARDED** to the Clerks of the 12 local area municipalities with a request that their Councils adopt the following resolution and advise the Regional Clerk of the results by no later than December 31, 2017:

Government Reform
Compendium from 2005 to Present

> "That the Council of (name of municipality) consents to the passage of By-law No. 2017-108 of the Regional Municipality of Niagara, being a by-law to change the composition of Regional Council."

Triple majority was achieved and the by-law enacted.

At the November 8, 2017 Corporate Services Committee meeting, Report GM 9-2017 respecting A Review of the Municipal Elections Modernization Act and Composition of Regional Council was received and the following motion was **carried**:

> That Report GM 9-2017 **BE RECEIVED** for information; and
>
> That the Regional Clerk **BE DIRECTED** to provide notice and schedule the associated public meeting in order to consider a by-law for the increase in composition of Regional Council by adding an additional Councillor from the Township of West Lincoln.

The motion was ratified at the Council Session held on November 16, 2017.

At the July 20, 2017, Council Session, correspondence item CL-C 86-2017 respecting Bill 68, Modernizing Ontario Municipal Legislation Act and deferral of CLK 03-2017: Request for Additional Regional Representative for the Township of West Lincoln and the following motion was carried:

> That the Council of the Regional Municipality of Niagara **REQUEST** the Minister of Municipal Affairs to enact a regulation in accordance with Section 218 of the Municipal Act, 2001 to provide it with the authority to begin the process to change the size of Regional Council by the addition of one member from the Township of West Lincoln.

At the April 27, 2017 Council Session, correspondence item CL-C 35-2017 respecting summary of responses from the Local Area Municipalities respecting the proposed change to composition of Regional Council – "Double Direct" was **received** which advised Council that based on the responses received from the local area municipalities, a majority of support from the local municipalities was not achieved; therefore, the proposed change to the composition of Regional Council, specifically that the six members of Regional Council representing the City of St. Catharines be elected by general vote of the electors of the City and by wards as members of both the Council of Niagara Region and the Council of the City, did not achieve triple majority and was defeated.

Government Reform
Compendium from 2005 to Present

At the March 30, 2017, Council Session, Report CLK 3-2017 respecting Request for Additional Regional Representative for the Township of West Lincoln was considered as follows:

> That Council **HEREBY CONFIRMS** its support to change the size of Regional Council by the addition of one member from the Township of West Lincoln;
>
> That the process to provide for the addition of one member from the Township of West Lincoln **COMMENCE** once deliberations on Bill 68 (Modernizing Ontario Municipal Legislation Act, 2016) are completed; and
>
> 3That, once the condition of Recommendation 2 above is met, staff **BE DIRECTED** to bring back a report to Council for consideration of the necessary next steps.

Council subsequently **carried** the following motion:

> That consideration of Report CLK 3-2017, dated March 30, 2017, respecting Request for Additional Regional Representative for the Township of West Lincoln, **BE DEFERRED** pending the results of deliberations on Bill 68 (Modernizing Ontario Municipal Legislation Act, 2016); and
>
> That staff **BE DIRECTED** to prepare a report respecting Regional Council representation by population for all local area municipalities.

At the January 19, 2017 Council Session, Report CLK 2-2016 respecting Change to Composition of Regional Council – "Double Direct" was received and the following motion was **carried**:

> That, subject to the public meeting as required by the *Municipal Act, 2001*, Regional Council **ADOPT** a by-law to change its composition, and such by-law, if adopted, to come into force and effect on April 27, 2017, provided that:
>
> > a. a majority of the councils of the local area municipalities pass resolutions consenting to the by-law (referred to above); and,
> >
> > b. the total number of electors in the local municipalities that have passed resolutions in support of the by-law form a majority of all electors in the region of Niagara as established in the revised list of electors for the municipal election held in the year 2014.

Government Reform
Compendium from 2005 to Present

That, subject to the adoption of the by-law, a copy of the by-law and Report CLK 2-2016 **BE FORWARDED** to the clerks of the 12 local area municipalities with a request that their councils adopt the following resolution and advise the Regional Clerk of the results of that consideration, no later than March 31, 2017:

> "That the Council of (name of municipality) consents to the passage of the by-law of The Regional Municipality of Niagara, being a by-law to change the composition of the Regional Council."

At the November 17, 2016 Council Session, Report CLK 2-2016 respecting Change to Composition of Regional Council – "Double Direct" was considered and the following motion was **carried**:

That Report CLK 2-2016, dated September 15, 2016, respecting Change to Composition of Regional Council - "Double Direct" **BE DEFERRED** until a public meeting as defined under the Municipal Act, 2001, is held by the Council for the City of St. Catharines.

At the September 15, 2016 Council Session, a Statutory Public Meeting was held for Council to receive comments from the public and consider the adoption of a by-law (pursuant to Section 218 of the Act) respecting a change in the composition of Niagara Regional Council to allow the six members of council representing the City of St. Catharines to be members of both Niagara Regional Council and the Council of the City. These six councillors would be elected on a ward system basis. Council received Report CLK 2-2016 respecting Change to Composition of Regional Council – "Double Direct" and the following motion was **deferred** until the December 8, 2016 Regional Council meeting, at the latest, to allow the opportunity for the City of St. Catharines to hold public meeting(s).

That, subject to the public meeting as required by the Municipal Act, 2001, Regional Council **ADOPT** Bill 49-2016 to change its composition (attached to Report CLK 2-2016 as Appendix I), and such Bill, if adopted, to come into force and effect on December 8, 2016, provided that:

a. a majority of the councils of the local area municipalities pass resolutions consenting to the by-law (Bill referred to above); and,

b. the total number of electors in the local municipalities that have passed resolutions in support of the by-law form a majority of all electors in the region of Niagara as established in the revised list of electors for the municipal election held in the year 2014.

Government Reform
Compendium from 2005 to Present

That, subject to the adoption of Bill 49-2016, a copy of the Bill and Report CLK 2-2016 **BE FORWARDED** to the clerks of the 12 local area municipalities with a request that their councils adopt the following resolution and advise the Regional Clerk of the results of that consideration, no later than December 1, 2016:

> "That the Council of (name of municipality) consents to the passage of Bill 49-2016 of The Regional Municipality of Niagara, being a by-law to change the composition of the Regional Council."

At the June 30, 2016 Council Session, Report CLK 1-2016 respecting Minister of Municipal Affairs and Housing Regulation under the *Municipal Act, 2001* – "Double Direct" was received and the following motion was **carried**:

That Niagara Region Council **GIVE NOTICE** of its intent to consider a by-law to change its composition;

That Niagara Region Council **HOLD** one public meeting on September 15, 2016 at 6:30 p.m. in the Council Chambers located at Regional Headquarters, 1815 Sir Isaac Brock Way, Thorold, Ontario;

That the Regional Clerk **BE DIRECTED** to post notice of Council's intent and the public meeting on the Region's Website in accordance with the Region's public notice policy.

That staff **BE DIRECTED** to solicit public input by other means to facilitate the public engagement process.

At the September 23, 2015 Corporate Services Committee meeting, the following motion was **defeated**:

That the Council of the Regional Municipality of Niagara **REQUEST** that the Minister of Municipal Affairs & Housing enact a regulation authorizing The Regional Municipality of Niagara to exercise its power under Section 218 of the Municipal Act, 2001, in order to change the method of selecting the Regional Chair (Head of Council) to an election-at-large across the Niagara Region, in accordance with the Municipal Elections Act, 1996, to be effective 2018; and

That local Niagara Councils **BE NOTIFIED** of the passage of this resolution.

Government Reform
Compendium from 2005 to Present

The above motion was considered separately at Council and subsequently **defeated**.

At the July 23, 2015 Council Session, correspondence item C8313, a letter from the City of St. Catharines, respecting Double Direct Councillor Role - City of St. Catharines was received and the following motion was **carried**:

> That Council **APPLY** to the Ministry of Municipal Affairs and Housing to allow the City of St. Catharines to change its method of electing City and Regional Councillors to the "Double-Direct Method" as outlined in its December 2nd, 2013 report, where six members of Council will serve on both Regional and City Council, while six members of Council would serve only on City Council, and all to be elected on a ward system basis; and
>
> That, the Region **AGREES** to make this request, total compensation of the new "double-duty" Councillors will be equal to the combined compensation a Councillor would receive as a City of St. Catharines Councillor and as a Regional Councillor; and
>
> That, should the request not receive required Regional and/or Provincial approvals, staff **RECOMMEND** specific changes that would improve communication and efficiency under the present system.

At the July 23, 2015 Council Session, correspondence item C8314, a memorandum from Ralph Walton, Regional Clerk, regarding Past Work Undertaken By Council on Governance Reform, was **referred** to the meeting of the Corporate Services Committee being held on September 23, 2015.

At the **January 15, 2015** Council Session, Councillor Sendzik requested that correspondence item C8237 respecting Filling a Vacancy on Regional Council be removed from the agenda as his municipality had received new information from the Ministry of Municipal Affairs and Housing. There were no objections.

At the **January 16, 2014** Council Session, correspondence item C8144, a memorandum from Gary Burroughs, Regional Chair, regarding the City of St. Catharines letter to the Ministry of Municipal Affairs and Housing requesting Regional Council's consideration of a preferred governance modernization option was **received**. Minute Item 18, through the Integrated Community Planning Committee meeting of January 8, 2014 Report ICP 06-2014, addressed the

issue as to whether or not Council should ask MMAH to order the Niagara Region to put the following question on the ballot: "Are you in favour of the twelve municipalities of Niagara and Niagara Region amalgamating to form a new 'City of Niagara'?" This motion was **defeated**.

At the **December 12, 2013** Council Session, correspondence item C8133, a memorandum from Janet Pilon, Regional Clerk, regarding the placement of referendum questions on the ballot for the October 27, 2014 election was **received and referred** to the consideration of Minute Item 534. Minute Item 534 posed several referendum questions for election ballot placement and were dealt with separately as follows:

- Should the Regional Chair position be elected at-large by the people of Niagara versus the current process of election by the Regional Council? This motion was **defeated**.
- Should the Regional Councillor position be limited to a maximum of three consecutive 4-year terms of service versus the current unlimited number of 4-year terms of service? This motion was **defeated**.
- Should the Regional Councillor position be a dual-role position serving both at the Region and at the respective municipality? This motion was **defeated**.
- Should the Regional Councillor position be full-time versus the current part-time position? This motion was **defeated**.
- Should the Niagara Region fund region-wide transit service? This motion was **carried**.
- Should the Region of Niagara employ an Integrity Commissioner to oversee the conduct of Regional Councillors? This motion was **defeated**.
- Should the twelve municipalities of Niagara amalgamate to form a new "City of Niagara"? This motion was **carried**.

At the **June 20, 2013** Council Session, correspondence item C8046, a memorandum from

Janet Pilon, Regional Clerk, regarding the Selection of the Regional Chair was received and the following motion was **carried**:

> That the candidate for the election of Regional Chair who is elected to Regional Council be elected by the sitting members of Regional Council for the term of Council; subject to the process to change the method of selecting the Regional Chair (head of council) to be appointed by the members of Council <u>from the members of Council</u>.

Government Reform
Compendium from 2005 to Present

At the **February 7, 2013** Council Session, correspondence item C7991, a confidential memorandum from Janet Pilon, Regional Clerk regarding A Matter of Solicitor-Client Advice, Governance – Selection of Regional Chair, was received and released to the public save and except the summary. The following motion was **carried**:

> That Regional Council request the Minister of Municipal Affairs and Housing to enact a regulation authorizing The Regional Municipality of Niagara to exercise its power under Section 218 of the Municipal Act, 2001, in order to change the method of selecting the Regional Chair (head of council) to be appointed by the members of council <u>from the members of council</u>, in accordance with the Municipal Elections Act, 1996, to be effective 2014;
>
> That subject to the Minister enacting the regulation outlined above:
>
> > The Director of Legal Services draft a by-law pursuant to the provisions of the regulation and the rules set out in subsection 218(1) of the Municipal Act, 2001; and
> >
> > The Regional Clerk present a report recommending the date that the statutory public meeting of Regional Council will be held to consider the matter.

The following motion was also **carried:**

> That the consideration of a motion respecting a Double Direct (dual role) Regional Councillors representation model, similar to the Durham Region's model of governance, **BE DEFERRED** pending the receipt of a letter from the City of St. Catharines, containing the outcome of the City of St. Catharines' Council consideration of the recommendations from the City of St. Catharines' Governance Committee.

At the **January 24, 2013** Council Business Planning of the Whole Committee meeting, correspondence item C7984, a memorandum from Walter Sendzik, CEO, Greater Niagara Chamber of Commerce (January 23, 2013) respecting Governance in Niagara and correspondence item C7985, a chart illustrating Durham Region Council Composition and map were both **received for information**. The subject of this meeting was specifically "governance." The following motion (and suggested amendments) was **defeated**:

Government Reform
Compendium from 2005 to Present

> That the Council of the Regional Municipality of Niagara requests that Councillor Timms, as the sponsor of this proposal seek the support of his home municipality (City of St. Catharines) for the change to the current Regional Councillors' representation (single role) to a Double Direct (dual role) Regional Councillors representation model, similar to the Durham Region's mode of governance; and
>
> That the City of St. Catharines be requested to initiate the process to change the current Regional Councillors' representation (single role) to a Double Direct (dual role) Regional Councillors representation model, similar to the Durham Region's model of governance.

The following motion was **defeated** (as well as a motion to defer this amendment to another Council Business Planning Committee of the Whole Session):

> That the Council of the Regional Municipality of Niagara requests that Councillor Timms, as the sponsor of this proposal seek the support of his home municipality (City of St. Catharines) for the change to the current Regional Councillors' representation (single role) to a Double Direct (dual role) Regional Councillors representation model ***for the City of St. Catharines***, similar to the Durham Region's model of governance.

The following motion was **carried**:

> That the candidate for the election of Regional Chair who is elected to Regional Council be elected by the sitting members of Regional Council for the term of Council; subject to the process to change the method of selecting the Regional Chair (head of council) to be appointed by the members of council <u>from the members of council</u>.

At the **December 6, 2012** Council Session, correspondence item C7965, an email from Kithio Mwanzia, Director, Policy and Government Relations, Greater Niagara Chamber of Commerce regarding the Election of the Regional Chair and the Consideration of the Double Direct Durham Region Model of Governance was **received and approved**. A presentation by Mr. Mwanzia regarding Governance Models for Niagara was received and referred to the January 24, 2013 Councillor Business Planning Committee of the Whole meeting for a full discussion on governance.

Government Reform
Compendium from 2005 to Present

At the **September 20, 2012** Council Business Planning of the Whole Session, Council were provided with correspondence item C7921 (not specified in minutes), a memorandum from Gary Burroughs, Regional Chair, entitled "Governance Review – Next Steps." The following motion was **carried**:

> That staff prepare a report on the two issues identified "Confusion over delivery of services" and "Adequate Communication and Coordination between the Region and area municipalities" and provide information on the timing required, under the Municipal Act" should any changes/recommendations be brought forward to Council prior to the end of this Council's term of office.

The following motion was **defeated**:

> That this Council no longer discuss Amalgamation; Direct Election of Regional Chair; Dual Role Councillors and Number of Regional Councillors during this term of Council.

The following motion was **carried**:

> That staff investigate the feasibility of hosting a Niagara forum for local and regional politicians improving on the theme 'Niagara: In Search of Best Practices' in order to pursue Councillors identified priorities.

At the **July 26, 2012** Council Session, correspondence item C7899 regarding the Governance Review from Gary Burroughs, Regional Chair, was considered with Dr. Siegel's presentation on Governance Review, which was **received**. Dr. Siegel and the Niagara Observatory provided Regional Council with a brief overview of his analysis attached to C7899, which included steps in problem solving, the roles of local government, perceived problems and suggested next steps (prioritize the problems).

At the **May 24, 2012** Council Session, Report CAO 2-2012 regarding the Progress Report – 2012-2015 Council Business Plan was **received for information**. One of the components of this report speaks to Council's prioritizing its Governance Review.

Government Reform
Compendium from 2005 to Present

At the **March 22, 2012** Council Session, Council **received** correspondence item C7808, a memorandum from Gary Burroughs, Regional Chair, regarding the Governance Review Next Steps for information and directed staff to prepare an analysis of what items could be included in any such focused review including cost/benefit analysis, impact on reallocation of representatives, which changes would require triple majority and/or provincial sign-off, what can be achieved during the 2010-2014 Council term, and the dual role/responsibilities of Councillors.

At the **March 1, 2012** Council Session, Council **received** correspondence item C7796, a letter from Mathew Siscoe, Governance Committee Chair, City of St. Catharines (February 22, 2012) regarding the City of St. Catharines, Governance Committee. Council also **received** the minutes of the February 16, 2012 Council Business Planning Committee of the Whole session on Governance.

At the **February 16, 2012** Council Business Planning Committee of the Whole Session, Dr. Siegel made a presentation on Council Structure Reform; Internal Governance Reform and Service Delivery Reform, and Mr. Hussey (facilitator) reviewed the survey results.

At the **February 9, 2012** Council Session, Council **received** Report CAO 1-2012, February 9, 2012, regarding Council Business Plan - Action Plan "To Develop a More Concrete Partnership and Improved Alignment with Area Municipalities..." (Action 3.6 - Open for Business) and **it was moved that Council would provide feedback on said plan**.

At the **January 19, 2012** Council Session, Regional Chair Gary Burroughs spoke to the issue of the governance review process and made reference to a memorandum that had been distributed to members of Council.

At the **December 8, 2011** Council Session, Regional Chair Gary Burroughs spoke to the issue of governance review. Council also **received** correspondence item C7744, a letter from Bonnie Nistico-Dunk, City Clerk for St. Catharines regarding the appointments to the St. Catharines Governance Committee.

Government Reform
Compendium from 2005 to Present

At the **November 17, 2011** Council Session, Council **received** C7739, a memorandum from Kevin Bain, Regional Clerk regarding City of St. Catharines Governance Committee.

At the **October 27, 2011** Council Session, Regional Chair Gary Burroughs spoke to the issue of governance review. Council also **received** correspondence item C7723, a letter from Bonnie Nistico-Dunk, City Clerk for St. Catharines respecting a request for the active participation of two (2) St. Catharines Regional Councillors on the City of St. Catharines' Governance Committee and **referred** it to staff for a background report.

At the **June 3, 2010** Council Session, Councillor Puttick made a Notice of Motion to reconsider the Council decision of February 28, 2008 to refrain from spending any further resources – financial or otherwise - on the debate or examination of the composition of Regional Council and municipal governance in the Niagara Region during the current term of this Council in order to allow for consideration of a change in Council composition or governance for the term of Council commencing December 1, 2014. [No motion was pursued.]

At the **May 13, 2010** Council Session, Council **received** correspondence item C7486, a letter from D. Carnegie, Director of Corporate Services / Clerk for the City of St. Catharines to Premiere Dalton McGuinty respecting the City of St. Catharines' resolution for Regional Government Reform.

At the **March 25, 2008** Council Organization Review Committee Session, Committee moved to maintain its status quo with respect to its method of electing the Regional Chair, that while Regional Council can appoint a Regional Chair that has not been an elected Councillor, it has always chosen not to, but rather, to elect the Regional Chair from those elected by the general vote to serve as Regional Councillor.

At the **February 28, 2008** Council Session, Council **received** the following correspondence items:

C7006	A package of information from Mr. William McLean: a letter dated November 15, 2007 with schedules identifying the composition of municipal and regional Councils within Ontario and a letter dated

Government Reform
Compendium from 2005 to Present

January 16, 2008 in response to Councillor McMullan's efforts to alter Regional Council.

Received and referred to the Council Organization Review Committee.

C7010 A letter from Mr. William McLean (February 24, 2008) respecting Restructuring Niagara Regional Council.

Received.

C7015 A letter from Dean Iorfida, Clerk, City of Niagara Falls (February 27, 2008) respecting the City of Niagara Falls Council's position on the composition of Regional Council.

Received and referred to the Council Organization Review Committee.

Council also **adopted the following motion**:

WHEREAS on June 19, 2003, the Council of the Regional Municipality of Niagara resolved that the issue of governance and the composition of Regional Council be referred to the 2003-2006 Regional Council;

AND WHEREAS, despite that resolution, on November 24, 2005, Regional Council resolved to focus on the priorities established during the 2004-2006 Council Business Planning process and, thereby, to not re-examine Council composition and governance;

AND WHEREAS on May 24, 2007, Regional Council resolved that the issue of governance be referred to a fulsome debate as part of the Regional Council Business Planning Session;

AND WHEREAS, despite that resolution, the 2007-2011 Regional Council Business Plan, adopted on December 20, 2007, contains no mandate to either re-examine the composition of the Regional Council or of governance in the Niagara Region;

Government Reform
Compendium from 2005 to Present

AND WHEREAS within the last six months, more than 50% of Niagara's area municipalities have endorsed resolutions to maintain the current composition of the Regional Council and current governance structure thereby eliminating the possibility of the "triple majority" vote in support of change;

THEREFORE BE IT RESOLVED THAT the Corporate Services Committee recommend that Regional Council reaffirm its support of the priorities established in the 2007-2011 Regional Council Business Plan, thereby knowingly commit to refrain from spending any further resources – financial or otherwise – on the debate or examination of the composition of Regional Council and of municipal governance in the Niagara Region during the current term of this Council.

Carried.

Council also **adopted the following motion**:

That the City of St. Catharines be advised of Regional Council's decision to reaffirm its support for the priorities established in the 2007-2011 Regional Council Business Plan, thereby knowingly commit to refrain from spending any further resources – financial or otherwise – on the debate or examination of the composition of Regional Council and of municipal governance in the Niagara Region during the current term of this Council.

Carried.

At the **February 20, 2008** Corporate Services Committee Session, the Committee **adopted the following motion**:

WHEREAS on June 19, 2003, the Council of the Regional Municipality of Niagara resolved that the issue of governance and the composition of Regional Council be referred to the 2003-2006 Regional Council;

AND WHEREAS, despite that resolution, on November 24, 2005, Regional Council resolved to focus on the priorities established during the 2004-2006 Council Business Planning process and, thereby, to not re-examine Council composition and governance;

AND WHEREAS on May 24, 2007, Regional Council resolved that the issue of governance be referred to a fulsome debate as part of the Regional Council Business Planning Session;

Government Reform
Compendium from 2005 to Present

AND WHEREAS, despite that resolution, the 2007-2011 Regional Council Business Plan, adopted on December 20, 2007, contains no mandate to either re-examine the composition of the Regional Council or of governance in the Niagara Region;

AND WHEREAS within the last six months, more than 50% of Niagara's area municipalities have endorsed resolutions to maintain the current composition of the Regional Council and current governance structure thereby eliminating the possibility of the "triple majority" vote in support of change;

THEREFORE BE IT RESOLVED THAT the Corporate Services Committee recommend that Regional Council reaffirm its support of the priorities established in the 2007-2011 Regional Council Business Plan, thereby knowingly commit to refrain from spending any further resources – financial or otherwise – on the debate or examination of the composition of Regional Council and of municipal governance in the Niagara Region during the current term of this Council.

Carried.

At the **February 12, 2008** Council Organizational Review Committee Session, the Committee considered the letter from the City of St. Catharines regarding representation of the City of St. Catharines at Niagara Regional Council and the issue of representation by population. From the minutes:

Committee members concurred that its focus at this time is on municipal representation on Regional Council and not the overall "governance" issue and that numerous options should be developed and include the following criteria during this examination:

- Representation by population using up to date population and growth statistics
- Consider "Wards"
- Protection of minority interests
- Size of Council
- Property Value Assessment
- Ease of understanding
- Weighted Voting
- Equitable representation by population across Niagara

Government Reform
Compendium from 2005 to Present

It was also moved:

> That the fourth item under Scope, in the Terms of Reference for the Council Organization Review Committee, be amended to read as follows:
>
> "Review former investigations and reports regarding governance at the Region of Niagara for the purpose of making recommendations regarding representation and voting procedures at Regional Council."
>
> **Carried**.

At the **January 22, 2008** Council Organizational Review Committee Session, the Committee moved that:

> That the matter of the "Representation on Niagara Regional Council" be referred to the Regional Council meeting of February 28, 2008.
>
> **Carried**.

At the **December 20, 2007** Council Session, Council **received** the following correspondence items, which were subsequently **referred** back to the February 28, 2008 Council Session by the Council Organization Review Committee at their January 22, 2008 Session:

C6978 A letter from Kenneth R. Todd, Director of Corporate Support Services, City of St. Catharines (November 23, 2007) requesting that the Niagara Region forward a request to the Minister of Municipal Affairs to make regulations under the Municipal Act authorizing the Region to exercise its powers under Section 218 of the Municipal Act with respect to the composition of Regional Council.

Received and referred to the Council Organization Review Committee.

Government Reform
Compendium from 2005 to Present

C6979 A letter from Janet Beckett, City Clerk, City of Port Colborne (November 29, 2007) advising Regional Council of the City of Port Colborne's resolution declaring that they are not in favour of adding more Regional Councillors and of weighted votes so that Port Colborne's level of representation is not diminished.

Received and referred to the Council Organization Review Committee.

C6980 A letter from Susan Daniels, Deputy City Clerk, City of Thorold (December 5, 2007) respecting Municipal Representation at Regional Council.

Received and referred to the Council Organization Review Committee.

At the **May 24, 2007** Council Session, Council **adopted the following motion**:

That the Niagara Regional Council establish a working committee of respected eminent Niagara citizens (with outside professional support) to:

- Reflect on what changes have occurred and what problems have arisen over the history of Niagara Regional Government.
- Determine whether there is the need to examine our governance to assure we have a strong future in terms of social, cultural and economic issues.
- If so, propose a way to accomplish that examination.
- Report their findings back to Council by January 1st, 2008.

Council also **adopted the following motion**:

That the above motion respecting the Redefining a Regional Governance Model, be referred to a Council Business Planning Session for a full and open debate.

Carried.

Government Reform
Compendium from 2005 to Present

At the **June 15, 2006** Council Session, Council **received** correspondence item C6784 from John Gerretsen, Minister, Ministry of Municipal Affairs and Housing respecting the resolution passed by the Council of the City of St. Catharines requesting a change in representation on Regional Council and **referred** it to the Council Organization Review Committee (CORC) for deliberation during the next term of Council.

At the **November 24, 2005** Council Session, Council **adopted the following motion**:

> That Report CHR 3-2005, Composition of Regional Council, be received for information, and copies be distributed to the area municipalities and local MPP's.
>
> **Carried**.

Council also **adopted the following motion**:

> That Regional Council supports the comments expressed in Report CHR 3 and supports a focus on the priorities established during the Council Business Planning process through continued collaboration with our area municipalities.
>
> **Carried**.

At the **April 7, 2005** Council Session, Council **adopted the following motion**:

> That the Memorandum to Regional Chairman Partington from Councillor Baty, Chair, Council Organization Review Committee respecting Referral of Governance Issues be received and the recommendations contained therein be approved.
>
> **Carried**.

The recommendations contained in this memorandum are as follows:

> That consideration of the communications and the governance matter be deferred and not dealt with by the Council Organization Review Committee; and
>
> That this matter be referred to the Regional Chair's Office for determining when this matter could best be dealt with within the timeframe of the existing Council term; and
>
> That background information and reports from previous governance committees and correspondence from local municipalities and other sources regarding Council

Government Reform
Compendium from 2005 to Present

representation be provided in a comprehensive report for consideration at a Committee of the Whole Council meeting as determined by the Regional Chair.

At the **March 22, 2005** Council Organizational Review Committee Session, it was moved that:

> That consideration of the communications and the governance matter be deferred and not dealt with by the Council Organization Reorganization Committee; and
>
> That this matter be referred to the Regional Chair's Office for determining when this matter could best be dealt with within the timeframe of the existing Council term; and
>
> That background information and reports from previous governance committees and correspondence from local municipalities and other sources regarding Council representation be provided in a comprehensive report for consideration at a Committee of the Whole Council meeting as determined by the Regional Chair.

Carried.

At the **March 17, 2005** Council Session, Council **received** correspondence item C6446, a resolution from the City of St. Catharines requesting the Regional of Niagara to establish a system of representation which corresponds to population distribution, with a view to not increase the size of Regional Council, and **referred** it to the Council Organization Review Committee.

At the **January 20, 2005** Council Session, Council **received** correspondence item C6400, correspondence from Pat Schofield, Port Colborne, Ontario (December 20, 2004) expressing concerns respecting Regional government which includes restructuring, affordability, and representation on council from the Northern tier versus the Southern tier.

Appendix 2
CSC-C 11-2020

Government Reform
Companion to Compendium from 2005 to Present
List of Documents

Item	Council Session	Details
CSC-C 8-2020	June 25, 2020 (CSC Meeting June 17, 2020)	Referral of Motion – Direct Election of the Regional Chair
COTW-C 4-2019	April 25, 2019 (COTW meeting April 11, 2019	"Final Report" Niagara Region Independent Governance Auditor
CL-C 72-2018	December 13, 2018	"First Report" Niagara Region Independent External Governance Auditor
CL-C 64-2018	October 4, 2018	"Fact Book" Niagara Region Independent External Governance Auditor, Andrew Sancton Consulting
CAO 18-2018	July 26, 2018	Independent External Governance Auditor
CL-C 49-2018	July 5, 2018	Independent Third Party Report – 2016 Hiring Process of the Chief Administrative Officer (recommendation contained therein to evaluate existing governance framework)
CL-C 120-2017	December 7, 2017	Letter from M. Balsom, President/CEO, Greater Niagara Chamber of Commerce re Governance Opportunity
GM 10-2017	December 7, 2017	Change to Composition of Regional Council – Additional Representative for West Lincoln
GM 9-2017	November 16, 2017 (CSC Meeting November 8, 2017)	A Review of the Municipal Elections Modernization Act and Composition of Regional Council
CL-C 86-2017	July 20,2017	Memorandum from L. Bubanko, Regional Clerk, re Bill 68, Modernizing Ontario Municipal Legislation Act and deferral of CLK 03-2017: Request for Additional Regional Representative for the Township of West Lincoln
CL-C 35-2017	April 27, 2017	Memorandum from N. Devos, Acting Regional Clerk, re summary of responses from the Local Area Municipalities respecting the proposed change to composition of Regional Council "Double Direct"
CLK 3-2017	March 30, 2017	Request for Additional Regional Representative for the Township of West Lincoln
CL-C 12-2017	January 19, 2017	Speaking Notes from S. Soos, resident, City of Welland re Report CLK 2-2016
CL-C 8-2017	January 19, 2017	Memorandum from R. Walton, Regional Clerk, re Chronology of the Consideration of the Proposed Change to Composition of Regional Council – "Double Direct"
CL-C 5-2017	January 19, 2017	Email from D. Hesse, resident, City of St. Catharines re Report CLK 2-2016
CL-C 4-2017	January 19, 2017	A letter from the City of St. Catharines re dual duty Councillor proposal – City of St. Catharines

Government Reform
Companion to Compendium from 2005 to Present
List of Documents

Item	Council Session	Details
CL-C 112-2016	November 17, 2016	Speaking Notes from G. Darte, resident, City of St. Catharines re Report CLK 2-2016
CL-C 111-2016	November 17, 2016	Speaking Notes from J. Bullivant, resident, City of St. Catharines re Report CLK 2-2016
CL-C 108-2016	November 17, 2016	Memorandum from R. Walton, Regional Clerk re Change to Composition of Regional Council – "Double Direct"
CL-C 103-2016	September 15, 2016	Speaking Notes from G. Darte, resident, City of St. Catharines re Report CLK 2-2016
CL-C 99-2016	September 15, 2016	Email from P. Malaguti re Report CLK 2-2016
CL-C 98-2016	September 15, 2016	Email from F. Hanam re Report CLK 2-2016
CL-C 97-2016	September 15, 2016	Email from S. Corcoran re Report CLK 2-2016
CL-C 96-2016	September 15, 2016	Email from D. Hesse, re Report CLK 2-2016
CL-C 95-2016	September 15, 2016	Letter from Dr. J. McTavish, resident, City of St. Catharines re Report CLK 2-2016
CL-C 91-2016	September 15, 2016	Memorandum from R. Walton, Regional Clerk, re Dual Duty Councillor Public Survey Results
CL-C 90-2016	September 15, 2016	Online Submission from B. Janzen, resident, City of St. Catharines re Report CLK 2-2016
CL-C 89-2016	September 15, 2016	Speaking Notes from D. Alexander, resident, City of St. Catharines re CLK 2-2016
CLK 2-2016	September 15, 2016	Change to Composition of Regional Council – "Double Direct"
CLK 1-2016	June 30, 2016	Minister of Municipal Affairs and Housing Regulation under the Municipal Act, 2001 – "Double Direct"
CSC-C 23-2015	October 1, 2015 (September 23, 2015 CSC Meeting)	Comments from M. Balsom, President/Chief Administrative Officer, Greater Niagara Chamber of Commerce re: C8314
C8314	July 23, 2015	Memorandum from R. Walton, Regional Clerk, re: Past Work Undertaken by Council on Governance Reform
C8313	July 23, 2015	Correspondence from the City of St. Catharines re: Double Direct Councillor Role
C8242	January 15, 2015	Letter from K. Mwanzia, Interim Chief Executive Officer, Greater Niagara Chamber of Commerce re: Governance Modernization in Niagara
C8239	January 15, 2015	Memorandum from H. Schlange, Chief Administrative Officer respecting Background Information re: Regional Municipality Councillor roles

Government Reform
Companion to Compendium from 2005 to Present
List of Documents

Item	Council Session	Details
C8237	January 15, 2015	Correspondence from the City of St. Catharines re: Filling a Vacancy on Regional Council
C8144	January 16, 2014	Memorandum from G. Burroughs, Regional Chair re: City of St. Catharines letter to the Ministry of Municipal Affairs and Housing requesting Regional Council's consideration of a preferred governance modernization option
ICP 6-2014	January 16, 2014	Question on the Ballot for the October 27, 2014 Municipal Election
C8133	December 12, 2013	Memorandum from J. Pilon, Regional Clerk re: Placement of Referendum Questions on the ballot for the October 27, 2014 Election
C8046	June 30, 2013	Memorandum from J. Pilon, Regional Clerk regarding the Selection of the Regional Chair
C7991	February 7, 2013	Confidential memorandum from J. Pilon, Regional Clerk regarding A Matter of Solicitor-Client Advice, Governance – Selection of Regional Chair [save and except the summary which remains confidential]
C7985	February 7, 2013 (through CBPCOTW of January 24, 2013)	Chart illustrating Durham Region Council Composition and map were both received for information
C7984	February 7, 2013 (through CBPCOTW of January 24, 2013)	Memorandum from W. Sendzik, CEO, Greater Niagara Chamber of Commerce (January 23, 2013) respecting Governance in Niagara
CBPCOTW 1-2013	January 24, 2013	Minutes of the January 24, 2013 Council Business Planning Committee of the Whole meeting on Governance
C7965	December 6, 2012	Email from K. Mwanzia, Director, Policy and Government Relations, Greater Niagara Chamber of Commerce regarding the Election of the Regional Chair and the Consideration of the Double Direct Durham Region Model of Governance
GNCC Presentation	December 6, 2012	Presentation by K. Mwanzia, Director, Policy and Government Relations, Greater Niagara Chamber of Commerce regarding Governance Models for Niagara

Government Reform
Companion to Compendium from 2005 to Present
List of Documents

Item	Council Session	Details
C7921	September 20, 2012	Memorandum from G. Burroughs, Regional Chair, entitled “Governance Review – Next Steps.”
CBPCOTW 8-2012	September 20, 2012	Minutes of the September 20, 2012 Council Business Planning Committee of the Whole meeting on Governance – Addressing the Issues and Identifying Next Steps
C7899	July 26, 2012	Memorandum from G. Burroughs, Regional Chair, regarding the Governance Review
Presentation – Dr. Siegel July 26, 2012	July 26, 2012	Presentation by Dr. Siegel on Governance Review – “What’s The Problem?”
CAO 2-2012	May 24, 2012	Progress Report – 2012-2015 Council Business Plan
C7808	March 16, 2012	Memorandum from G. Burroughs, Regional Chair, regarding the Governance Review Next Steps
C7796	February 22, 2012	Letter from M. Siscoe, Governance Committee Chair, City of St. Catharines regarding the City of St. Catharines, Governance Committee
CBPCOTW 2-2012	February 16, 2012	Minutes of the February 16, 2012 Council Business Planning Committee of the Whole meeting on Governance - Council Structure Reform; Internal Governance Reform and Service Delivery Reform
CAO 1-2012	February 9, 2012	Council Business Plan - Action Plan "To Develop a More Concrete Partnership and Improved Alignment with Area Municipalities..." (Action 3.6 - Open for Business)
Memo	January 19, 2012	Memorandum from G. Burroughs Regional Chair to members of Council regarding the governance review process
C7744	December 8, 2011	Letter from B. Nistico-Dunk, City Clerk for St. Catharines regarding the appointments to the St. Catharines Governance Committee
C7739	November 17, 2011	Memorandum from K. Bain, Regional Clerk regarding City of St. Catharines Governance Committee

Government Reform
Companion to Compendium from 2005 to Present
List of Documents

Item	Council Session	Details
C7723	October 27, 2011	A letter from B. Nistico-Dunk, City Clerk, City of St. Catharines (October 21, 2011) respecting a request for the active participation of two (2) St. Catharines Regional Councillors on the City of St. Catharines' Governance Committee
C7486	May 13, 2010	A letter form D. Carnegie, Director of Corporate Services / Clerk for the City of St. Catharines to Premiere Dalton McGuinty respecting the City of St. Catharines' resolution for Regional Government Reform
C7015	February 28, 2008	A letter from D. Iorfida, Clerk, City of Niagara Falls (February 27, 2008) respecting the City of Niagara Falls Council's position on the composition of Regional Council
C7010	February 28, 2008	A letter from Mr. W. McLean (February 24, 2008) respecting Restructuring Niagara Regional Council
C7006	February 28, 2008	A package of information from Mr. W. McLean: a letter dated November 15, 2007 with schedules identifying the composition of municipal and regional Councils within Ontario and a letter dated January 16, 2008 in response to Councillor McMullan's efforts to alter Regional Council
C6980	December 20, 2007	A letter from S. Daniels, Deputy City Clerk, City of Thorold (December 5, 2007) respecting Municipal Representation at Regional Council
C6979	December 20, 2007	A letter from J. Beckett, City Clerk, City of Port Colborne (November 29, 2007) advising Regional Council of the City of Port Colborne's resolution declaring that they are not in favour of adding more Regional Councillors and of weighted votes so that Port Colborne's level of representation is not diminished

Government Reform
Companion to Compendium from 2005 to Present
List of Documents

Item	Council Session	Details
C6978	December 20, 2007	A letter from K. R. Todd, Director of Corporate Support Services, City of St. Catharines (November 23, 2007) requesting that the Niagara Region forward a request to the Minister of Municipal Affairs to make regulations under the Municipal Act authorizing the Region to exercise its powers under Section 218 of the Municipal Act with respect to the composition of Regional Council
CHR 3-2005	November 24, 2005	A report from P. Partington, Regional Chair on the Composition of Regional Council
C6784	June 15, 2006	A letter from J. Gerretsen, Minister, Ministry of Municipal Affairs and Housing respecting the resolution passed by the Council of the City of St. Catharines requesting a change in representation on Regional Council
Memo	April 7, 2005	A memo from Councillor Baty to Council on the Referral of Government Issues
C6446	March 17, 2005	A resolution from the City of St. Catharines requesting the Regional of Niagara to establish a system of representation which corresponds to population distribution, with a view to not increase the size of Regional Council
C6400	January 20, 2005	Correspondence from P. Schofield, Port Colborne, Ontario (December 20, 2004) expressing concerns respecting Regional government which includes restructuring, affordability, and representation on council from the Northern tier versus the Southern tier

Government Reform
Companion to Compendium from 2005 to 2015
List of Historical Documents

Item	Council Session	Details
CLK 07-2003	February 11, 2003	Reshaping Council – The Next Steps
CLK 39-2002	December 19, 2002	Responses from the Area Municipalities to By-law No. 124-2002, to Change the Composition and Size of Regional Council
CLK 37-2002	November 13, 2002	Altering the Composition of Regional Council Addition of One Councillor to Represent the Town of Pelham
The Hollick Report	August 2002	Reshaping the Council or Regional Niagara
The Berkeley Report	April 2000	Good Governance for the Future
The Kitchen Report	October 1989	Niagara Region Review Commission Report and Recommendations
The Mayo Report	October 1964	Local Government – Units of Lincoln and Welland Counties

FINAL REPORT

Prepared by Andrew Sancton Consulting:
Dr. Andrew Sancton
Dr. Timothy Cobban

April 5, 2019

TABLE OF CONTENTS

1. INTRODUCTION 2

2. COUNCILLOR REMUNERATION 2

3. COUNCILLOR EXPENSES 4

3.1 LIMITS 4

3.11 Conference attendance 4

3.12 Annual newsletter 4

3.13 Mileage 4

3.2 LEGAL COSTS 5

3.3 ROLE OF STAFF 5

4. NON-FINANCIAL RESOURCES FOR REGIONAL COUNCILLORS 6

5. CODE OF CONDUCT 7

6. A "REVIEW FRAMEWORK" FOR REGIONAL COUNCIL 9

6.1 CONSULTATIONS 10

6.2 THE PROVINCE'S REGIONAL GOVERNMENT REVIEW 11

6.2 RECOMMENDATIONS 12

1. INTRODUCTION

We are pleased to submit our second and final report as Independent External Governance Auditor for Niagara Region. This *Final Report* follows our *First Report* (dated 6 December 2018 and presented to Regional Council on 13 December 2018), and our *Fact Book* (dated 30 September and presented to Regional Council on 4 October 2018). It presents the findings from the second and third phases of our *Work Plan*, and addresses the following subjects:

- Councillor remuneration
- Councillor expenses
- Non-financial resources for councillors
- Code of Conduct
- A "review framework" for representation on Regional Council.

2. COUNCILLOR REMUNERATION

The second phase of our Work Plan, approved by Regional Council at its meeting on 26 July 2018, required that we provide our analysis and recommendations concerning the remuneration members of Niagara Region Council. Compensation for members of Niagara Regional Council has become an issue in large part because of recent changes to the *Income Tax Act*, which no longer allow municipalities—such as Niagara Region—to declare one-third of politicians' salaries as expenses and thus tax-exempt. As we explained in our *Fact Book*, many—perhaps most—municipalities have responded to the elimination of the tax exemption by adjusting councillors' salaries upwards to offset the income lost to the additional taxation, while at least some municipalities have chosen to leave their salaries unchanged. As we also document in our *Fact Book*, the salaries of the members of Niagara Regional Council (including the Chair) are the lowest among Ontario's regional governments, but its council is also the largest and its population and annual operating budget the smallest.

During our consultations, (see the Introduction to our *First Report*), about one-third of respondents indicated that they thought the salary for regional councillors was too probably too low, given the demands on their time to attend community functions, prepare for and attend council and committee meetings, and to meet with and serve citizens. About one-half of respondents thought that the salary was probably fair, though some thought that councillors' salaries should be "topped-up" in response to income tax changes. At the public meeting, there appeared to be little support for increasing council remuneration.

As we wrote in our *Fact Book*, there is little that can be said with any certainty about determining appropriate levels of compensation for elected officials. In Niagara Region, our consultations revealed that nearly everyone thought that the position of a regional councillor was a part-time position, and should be compensated as such. We agree. Many of those we interviewed also explained that financial compensation was not a main motivation in their decision to run for regional council. This was especially true for those that had retired from their professions with healthy pensions, or had other significant sources of income or wealth. No one—including us—wants politicians that are primarily seeking to enrich themselves through elected office. But it is important that the compensation be sufficient enough so that the position of regional councillor remains accessible to individuals from a variety of socio-economic backgrounds.

At least one respondent raised the possibility of tying council remuneration more directly to local economic conditions. In the City of London, where we both reside, a citizen task force reviewing council compensation recommended exactly this in 2017, and councillors' salaries were set to equal median employment income for full-time, full-year workers.[1] As we previously stated, we do not believe the role of regional councillor in Niagara should be viewed as a full-time position. A more appropriate statistical measure for Niagara Region, therefore, might be median total income, a figure which includes those who work part-time as well as those who are fully employed. As reported in the 2016 Census, this figure is $31,601 for Niagara Region.[2] Adjusted for inflation using monthly consumer price index data, this amounts to $33,894 in 2019. However, as this exercise has just demonstrated, the selection of this particular statistic over the alternatives is somewhat arbitrary. Median total income probably *is* a better choice than median full-time income because the former includes part-time workers while the latter excludes them, but the main reason to prefer it is that the dollar amount ($33,894) is much closer to the current salary for regional councillors than the one calculated using median full-time income ($53,382). Because the selection of the appropriate statistic is arbitrary, and because the connection between regional councillors and local economic performance is a tenuous one at best, we prefer adopting a simpler approach. Our recommendation is that:

> **Remuneration of the Regional Chair and councillors be increased to sufficiently offset the loss in after-tax income due to the removal of 1/3rd federal income tax exemption.**

[1] https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=32906
[2] https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=CD&Code1=3526&Geo2=PR&Code2=35&Data=Count&SearchText=Niagara&SearchType=Begins&SearchPR=01&B1=All&GeoLevel=PR&GeoCode=3526&TABID=1

3. COUNCILLOR EXPENSES

3.1 Limits

From our investigations and consultative process, it is clear to us that the current council expense policy needs improvement. Almost everyone we spoke to was in favour of imposing limits on councillor expenses. As we note in our *Fact Book*, this can be accomplished in different ways. One approach is to establish an overall budget limit for expenses for each member of council, either annually or per four-year council term. The difficulty with such an approach for Niagara Region is that it may not be to possible to set a budget limit that is fair and appropriate for all councillors, enables them to perform their various functions and duties, and still acts as an effective constraint on spending. An expense limit designed to cover the cost of producing and mailing a modest annual newsletter for regional councillors elected at-large in St. Catharines, for example, would not be very relevant to a councillor undertaking the same activity in Wainfleet. A similar example can be made using mileage; obviously councillors in Grimsby have farther to travel to attend council meetings than do those in Thorold. We do not oppose creating an overall budget limit for individual councillor expenses. But, for the reasons we identify above, we think it will be more effective if the existing council expense policy is amended to include the following changes:

3.11 Conference attendance

There is currently no limit on the number of conferences councillors can attend in a given year, or on the number of councillors that can attend any particular conference. We recommend:

> **That councillors may attend up to 3 conferences per year of two or more days in duration requiring overnight accommodations. Conferences must be related to their to duties as a Regional Councillor, and they must register as a Regional Councillor (i.e., not as a Mayor). Conferences must be located within continental North American. No more than 4 council members may attend any one particular conference. Exceptions to these stipulations require approval of Council.**

3.12 Annual newsletter

We understand than newsletters are an important means through municipal councillors communicate with their constituents. We recommend:

> **That councillors be reimbursed for the expenses of producing and distributing 1 newsletter annually.**

3.13 Mileage

It was made clear to us during our consultations that there has been controversy surrounding when mileage should be claimed for regional councillors. In our view, it is perfectly appropriate for regional councillors to be reimbursed for the cost of travelling to and from official regional business functions, such as council meetings, committee meetings (provided they are a member), training sessions, etc.. We do not think it is necessary, however, for regional councillors to be reimbursed for travel costs related to other activities that, while they may relate to their duties and responsibilities as regional councillors, do not constitute official regional business (e.g., attending community events, meeting with constituents). We recommend:

That councillors be reimbursed for mileage for attending official regional functions only.

3.2 Legal Costs

In addition to these changes, we also believe that legal costs arising from or in any way related to complaints under the Code of Conduct should be deemed ineligible expenses. As we document in our *Fact Book*, Niagara Region is alone among regional governments in reimbursing such expenses. While some other Ontario municipalities do reimburse legal expenses related to Code of Conduct complaints, most do so *only if* the council member is found not to have been in violation of the Code of Conduct. We do not support such a policy for two reasons. First, as a practical matter, it does not offer much guidance to councillors in their decision on whether or not to retain legal counsel in the event of a complaint, since they cannot know in advance the outcome. Second, even in the unfortunate case of a wholly vexatious or unfounded complaint, where a councillor feels highly confident of a decision in their favour, there ought to be little reason to seek legal advice; the integrity commissioner process in Ontario is designed precisely to avoid making such expenses necessary. Finally, as we explain in greater detail below, we are optimistic that the culture of the current council will be significantly improved from that of 2014-2018, and that councillors need not be as concerned about protecting themselves from vexatious or politically motivated complaints. We therefore recommend:

That legal expenses arising from or in any way related to complaints under the Code of Conduct be deemed ineligible expenses.

3.3 Role of Staff

We were also asked to review the role of regional staff in administering the councillor expense policy. The current Councillors Expense Policy By-law specifies the following role for staff

5.2. Regional Administrative Staff

a) Ensure consistent application of this policy;

b) Process expenses in accordance with this policy;

c) Ensure the supporting documentation is in place and that expenditures conform to this policy;

d) Advise Members if any submitted or proposed expenditure is an Ineligible Expense or a breach of this policy;

e) Track actual expenses against approved budget; and

f) Each year, incorporate budget dollars in the annual budget for Council to consider for funding or reimbursing Members' Eligible Expenses

g) Complete the yearly Councillor Remuneration Report as required by the Act

Based on our consultations and investigations, there appears little reason to change or modify the role of staff in a significant way. We do think it is important, however, that staff not be placed in the difficult position of determining whether or not a particular expense claim is eligible. We therefore recommend:

That staff be required to forward any expense claims that do not clearly conform to the expense policy to the Audit Committee.

As per the terms of the current regional council expense policy, it would then be the responsibility of the Audit Committee to review the claim, and provide a recommendation to Council, who makes the final decision.

Finally, to enhance transparency and accountability, we also recommend:

That staff publish the councillor expenses quarterly disclosures on the Niagara Regional Council webpage.

4. NON-FINANCIAL RESOURCES FOR COUNCILLORS

Our investigations concerning non-financial resources for councillors centred on the suitability of the existing office and lounge space for regional councillors, and the adequacy of the administrative support provided to them. Through our consultative process, we learned that administrative support for councillors is provided largely through the Clerk's Office. There, staff provide administrative assistance to councillors as required and respond to their inquiries either directly, or by steering them to the appropriate department. As we outlined in our *Fact Book*, an alternative arrangement can be found in Waterloo Region, where councillors share one full-administrative assistant.

Among the outgoing and returning councillors that we interviewed, the overwhelming consensus was that the existing administrative resources for regional councillors were more than adequate. Most saw little to no advantage in having a full-time administrative assistant dedicated to regional councillors over the current arrangement, and many wondered how such a person's time could be evenly (or fairly) divided among 31 councillors.

Similarly, our consultations revealed that the existing office and meeting space for councillors was generally considered to be adequate. While most councillors use the space to collect mail and occasionally meet with other councillors around council and committee meetings, some councillors—generally those living in closer proximity to regional headquarters—did use the space to meet with citizens.

Our recommendation is that:

> **No changes should be made to the existing non-financial resources for regional councillors.**

5. CODE OF CONDUCT

Under Ontario's Municipal Act, each municipal integrity commissioner is responsible, among other things, for receiving complaints about violations of the municipality's Code of Conduct. In our *Fact Book* dated 30 September 2018, we wrote the following:

> In his recent annual report, Niagara's Integrity Commissioner outlined his activities over the preceding year. Unfortunately, his annual report contains no links to his reports on individual incidents, nor does Integrity Commissioner's webpage on the Region's website. We discovered some of these individual reports in the Agendas of regional council meetings only with the help of reports in the *St. Catharine's Standard* that were found through Google.

In order for regional councillors and the general public to have a better idea of how Niagara's Code of Conduct has been interpreted, our first recommendation is that:

> **The Region's website contain separate pages for the Integrity Commissioner which will contain links not only to the Code of Conduct and to complaints procedures but also to the various annual reports of the integrity commissioner and to his/her reports relating to particular complaints over a significant period of time, five years perhaps.**

A possible model for such webpages can be found on the website of the Regional Municipality of York at: https://www.vaughan.ca/cityhall/integrity_commissioner/Pages/default.aspx

From our own investigations and from our consultative process we have determined that there are two related problems concerning Niagara Region's Code of Conduct.

1. The content of the Code itself, especially the extent to which it purports to govern all aspects of regional councillors' lives or whether it relates only to their actions "in an official capacity".
2. The Code has been "weaponized" in the sense that citizens and councillors with different political views from particular councillors appear to complain too frequently to the Integrity Commissioner as a way of discrediting their political opponents.

It is our view that changing the content of the Code cannot prevent its weaponization. The Code can only be effective if it is used carefully and for the purposes for which it was intended. In our view this means that complaints by one councillor against another should be made only in the most egregious of circumstances (e.g., if a councillor received hateful personal insults or threats from a council colleague).

On the basis of our consultations, we are optimistic that the culture of the current council will be significantly improved from that of the 2014-18 council. We sensed a desire from newly-elected councillors not to continue old political battles involving the Code and its weaponization.

Regardless of future patterns of councillor behaviour, Niagara Region needs a Code of Conduct. The current one[3] is clearly outdated in that it makes no reference to the role of the Integrity Commissioner. It states instead that "Members of Council are encouraged to discuss any situations of concern or doubt regarding the code with the Regional Chair." The role of the Integrity Commissioner is, however, briefly referred to on the Region's webpage relating to "Complaint Process for Council Code of Conduct".[4]

In 2017 Regional Council hired a well-respected municipal lawyer, John Mascarin, to advise the Council's Procedural Bylaw Review Committee on the preparation of a new Code of Conduct. His advice and draft code can be found on pp.5-27 of the committee's agenda for 16 May 2017.[5] The Committee substantially amended the draft code before presenting it to council.[6] The most significant amendments related to insuring that the code only applied to members when they were acting "in their official capacities". After a long debate on 14 December 2017, Regional Council rejected the amended version, meaning that nothing resulted from the Mascarin draft.

On the basis of our consultations, we are convinced that many, perhaps most, of the current council would adopt Mr. Mascarin's proposed Code of Conduct. These councillors generally see

[3] https://www.niagararegion.ca/government/council/code-of-conduct/code-of-conduct.pdf
[4] https://www.niagararegion.ca/government/council/code-of-conduct/submit-complaint.aspx
[5] www.niagararegion.ca/council/Council%20Documents/2017/PBLRC-agenda-may-16-2017.pdf
[6] For the amended document, see: https://www.niagararegion.ca/council/Council%20Documents/2017/COTW-agenda-dec-14-2017.pdf

no reason to restrict the code's applicability to their actions "in their official capacities". Nobody seemed much interest in reviving old debates about exactly what may or may not be involved in their "official capacity. Like us, most of our interviewees had faith that no integrity commissioner would attempt to bring the Region's Code of Conduct into their private lives at home or into their activities as an entrepreneur or employee, unless their behaviour in these settings was so public and objectionable as to bring the Region into serious disrepute.

Having faith that the Region would engage reasonable and sensible integrity commissioners, we recommend that:

> **Regional Council adopt the Code of Conduct proposed by Mr. John Mascarin in May 2017 that can be found on pp.20-27 of the document that is referenced in footnote 3 above.**

6. A "REVIEW FRAMEWORK" FOR REGIONAL COUNCIL

The final phase of our Work Plan required that we "analyze the options and make recommendations concerning a 'review framework' for Regional Council to consider concerning the determination of the number of members of its council that will represent each lower-tier municipality after the municipal election of 2022."

In our *Fact Book* we stated the following:

> In 2017 Regional Council added an additional seat for West Lincoln in accordance Sections 218 and 219 of the Ontario Municipal Act. Although this action has helped equalize representation for the less populous area municipalities in Niagara, it has exacerbated the obvious under-representation of the more populous, especially Niagara Falls and St. Catharines. Because Niagara made a change to its council composition during the period 2014-18 and because of the provisions of Section 218 (11) of the Ontario Municipal Act, the Niagara Regional Council is not obliged to review its representation system until after the municipal election of 2026. If Regional Council does not affirm or amend its representation system between 2018 and 2028, the Minister of Municipal Affairs may make a regulation under subsection (7) to change the representation of one or more area municipalities. Subsection (10) states that "When considering whether to make a regulation under subsection (7), the Minister shall, in addition to anything else the Minister wishes to consider, have regard to the principle of representation by population." A lot can change between now and 2028. However, even if subsection (10) did not exist, there is much to be said for the argument that representation on regional councils, including Niagara's, should adhere more closely to

the principle of representation by population. In this regard, Halton Region after 2018 can serve as a model.

The paragraph quoted above was designed to show that, because the Niagara Regional Council *did* change its composition for the 2018 municipal elections, it was *not* obliged to review its representational system prior to 2026. Our conclusion on this matter seemed to differ from that of the Regional CAO at the time, with whom we had briefly discussed this matter as we developed our *Work Plan*. As indicated above, however, we still believe that Regional Council, as a matter of principle, should do all it can to ensure that all Niagara Region residents are represented equally on its council.

In our *Fact Book* we presented data about the representational system in Ontario's other regional municipalities and suggested that one way by which the size of Niagara's regional council could be reduced while simultaneously adhering more closely to the principle of representation by population would be to adopt a system of weighted voting for members of regional council, a mechanism provided for in Section 218 (3) of the Municipal Act. We described how this system works for the county council in Simcoe.

6.1 Consultations

During our consultations, there were very few respondents who were interested in discussing the principle of representation by population in general and weighted voting in particular. Instead, many councillors told us they believed this part of our mandate was largely irrelevant because they expected the new provincial government to take more drastic action to change the nature of regional government in Niagara. This possibility will be addressed in the next section of this report.

A significant number of people we consulted proposed that members of Niagara regional Council be elected from the four federal and provincial electoral districts that currently cover the entirety of Niagara's territory. With two councillors from each district, this would create a regional council having at least eight members. The proposal was obviously inspired by recent provincial legislation for the City of Toronto that created a 25-member council, the wards of which corresponded to Toronto's 25 federal and provincial electoral districts. We carefully considered this proposal but do not recommend its adoption for two main reasons.

1. If mayors were also on the regional council, they would outnumber the other elected members of the council. This is not a problem in itself, but the fact that there is such a variation in the populations of the lower-tier municipalities *is* a problem. We should be able to assume that the electoral districts have roughly equal populations. But the mayors certainly do not represent municipalities of equal populations. The only way to fix this problem would be to introduce weighted voting for the mayors. It would be possible, of course, *not* to include mayors on the regional council. Such an arrangement existed for

the two-tier Corporation of Greater Winnipeg (1961-71) and the Regional Municipality of Ottawa-Carleton (1994-2000). In both cases, severe conflict broke out between the two tiers, leading to provincial legislation for complete amalgamation. We would never recommend the establishment of an upper-tier regional council without membership from the lower-tier mayors.

2. A more serious problem is that there will be another federal redistribution of electoral districts following the 2021 federal census and there is no guarantee that the federal Electoral Boundaries commission for Ontario will not create an electoral district in western Niagara that might also include Haldimand County and/or parts of the City of Hamilton. Many will remember that, prior to the 2013 federal redistribution, there was a federal and provincial electoral district called Niagara West—Glanbrook. A similar electoral district might have to be created again, depending on 2021 population figures for Niagara, the City of Hamilton, and Haldimand. Because the City of Toronto is about six times more populous than the Region of Niagara, the creation of a reconfigured electoral district crossing Niagara's borders is much more likely than the creation of an electoral district crossing the boundaries of the City of Toronto. The creation of such a cross-border electoral district in Niagara would mean that Niagara could not use the federal and provincial electoral districts in the 2026 municipal election and would therefore have to devise some other representational system following the 2022 municipal election.

6.2 The Province's Regional Government Review

On 15 January 2019 the provincial government announced that it had appointed two special advisors to assist in a "Regional Government Review". (For details, see https://www.ontario.ca/page/regional-government-review#tor.) The mandate of the advisors is to:

> …is to provide expert advice to the Minister of Municipal Affairs and Housing and to make recommendations to the government on opportunities to improve regional governance and service delivery.
>
> Recommendations from the advisory body will focus on the following questions:
>
> Questions on municipal governance and decision-making;

a. Is the decision-making (mechanisms and priorities) of upper- and lower-tier municipalities efficiently aligned?

b. Does the existing model support the capacity of the municipalities to make decisions efficiently?

c. Are two-tier structures appropriate for all of these municipalities?

d. Does the distribution of councillors represent the residents well?

e. Do the ways that regional councillors/heads of council get elected/appointed to serve on regional council help to align lower- and upper-tier priorities?

   Questions on municipal service delivery;

f. Is there opportunity for more efficient allocation of various service responsibilities?

g. Is there duplication of activities?

h. Are there opportunities for cost savings?

i. Are there barriers to making effective and responsive infrastructure and service delivery decisions?

This mandate clearly overlaps with the subject matter of this, our *Third Report*.

6.3 Recommendations

When our *Work Plan* was formulated, we were under the impression that recent amendments to the *Municipal Act* would require Niagara Region to review its representational system prior to the municipal election of 2022. As indicated in the introductory paragraphs of this section, we quickly realized that this was not the case, because the addition of one representative for West Lincoln in 2018 meant that Niagara would not need a representational review until prior to the 2026 election. Nevertheless, we believe that there are serious problems with current arrangements. As indicated in our *Fact Book*, Niagara Falls and, to a somewhat lesser extent, St. Catharines are grossly under-represented on regional council in relation to the principle of representation by population.

We have already noted that weighted voting on regional council attracted little support during our consultations. Nevertheless, we believe that, in the context of the provincial Regional Government Review, it should be revisited. In the Table below, we present a revised version of the weighted-voting plan we presented in our *Fact Book.* This revised plan adheres even more closely to the principle of representation by population. More importantly, in the context of the province's apparent desire to reduce the total number of municipal politicians, this plan reduces the size of the Niagara Regional Council (excluding the Chair) from 31 to 25. Some may see such a reduction as relatively insignificant in the overall scheme of things, but it is an action that can be taken in Niagara without any additional provincial legislation and without affecting any current municipal boundaries. It would also show that Niagara is willing to adopt innovative solutions not previously adopted by any other Ontario regional government.

Lower-tier municipality	Population (2016 Census)	Share of regional population (%)	Number of regional councillors	Number of regional votes	Share of regional votes (%)	Number of residents per regional vote	Relationship to regional average
Fort Erie	30,710	6.9	2	2	5.6	15,355	+23.4
Grimsby	27,314	6.1	2	2	5.6	13,657	+9.8
Lincoln	23,787	5.3	2	2	5.6	11,894	-4.4
Niagara Falls	88,071	19.7	3	3x2=6	16.7	14,679	+18.0
Niagara-on-the-Lake	17,511	3.9	2	2	5.6	8,756	-29.6
Pelham	17,110	3.8	2	2	5.6	8,555	-31.2
Port Colborne	18,306	4.1	2	2	5.6	9,153	-26.4
St. Catharines	133,113	29.7	3	3x3=9	25	14,790	+18.9
Thorold	18,801	4.2	2	2	5.6	9,401	-24.4
Wainfleet	6,372	1.4	1	1	2.8	6,372	-48.8
Welland	52,293	11.7	2	2x2=4	11.1	13,073	+5.1
West Lincoln	14,500	3.2	2	2	5.6	7,250	-41.7
TOTALS	447,888	100	25	36	100.4	12,441	--

We recommend:

That, in accordance with Sections 218 and 219 of the Ontario Municipal Act and with the approval of the majority of its constituent municipalities, representing a majority of the Region's electors, Niagara Regional Council reduce its membership (excluding the Regional Chair) from 31 to 25 and enact a system of weighted voting as illustrated in the Table above for the municipal election of 2022.

We fully recognize that, as a result of the provincial Regional Government Review, municipal arrangements in Niagara might be so different in 2022 so as to make irrelevant the changes we are recommending. We believe, however, that regardless of the structural preferences of the Region's constituent municipalities and/or the provincial government, Regional Council should itself take action so as to indicate its openness to change and innovation. In the event that the Regional Government Review does not lead to structural changes in Niagara, we are convinced that the representational system we propose for 2022 is considerably superior to what is now in place.

Corporate Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **CSC-C 10-2020**

Subject: COVID-19 Response and Business Continuity in Corporate Services

Date: July 15, 2020

To: Corporate Services Committee

From: Todd Harrison, Commissioner of Corporate Services and Regional Treasurer

Corporate Services delivers efficient and innovative service excellence to external and internal customers in an integrated and timely manner.

During this pandemic, our staff have continued this support function for core businesses within our group and for operating departments. In addition, Corporate Services has provided critical support to the Emergency Operations Committee (EOC).

The following provides an overview of activity that has taken place and a projection of expected service delivery moving forward.

CONSTRUCTION, ENERGY AND FACILITIES MANAGEMENT (CE&FM)

Current Status of Operations

The CE&FM group is divided into two main groups, Construction and Facilities Management. This Team continues to be an essential component of the Region's EOC. Some of the functions performed in this capacity are:

- Coordinating the sourcing of essential supplies in collaboration with other departments;
- Continuing Operations and Maintenance of all opened facilities including enhanced cleaning protocols to ensure safe working environment for essential staff not working from home;
- Coordinating emergency procurements of PPE and other supplies that are critical to business continuity for essential services;
- Coordinating shipping/receiving and securement of critical supply needs;

- Provides dedicated and secure storage areas to assist LTC pandemic supply requirements;
- Upgrading facilities with social distancing barriers, protective screens;
- Responding to internal client needs for changes in normal operations, special moves and health & safety concerns;
- Providing enhanced security monitoring of sites with reduced and or no staff on site;
- Created and maintaining a Portal request mechanism for EOC supply chain requests allowing for increased efficiencies and tracking of delivery; and
- Redeployment of CE&FM staff to support REOC and facilities operations.
- Preparation of Covid-19 recovery planning documentation.

Operational Outlook

1/3/6 months

Construction:

- Continue to work with contractors on construction sites for work that resumed as of mid-May (after the 20 day mandatory shut down during April).
- For projects not in construction, staff is proceeding with procurement for projects deemed to be critical to proceed.
- Working with OH&S, staff continue to review Regional office locations to determine if there are physical changes required to re-open to the public.
- Completed installation of glass/plexi barriers at SAEO Niagara Falls and Welland for public waiting areas.
- Working with communications, developed new Region floor decals and signage for physical distancing. Decals to be installed throughout Region facilities.

Cleaning:

- Staff has extended the current enhanced COVID cleaning requirements for facilities managed by CE&FM and EMS stations for another month and will be renegotiating the contracts to extend for another 6 months. Have also added 2 temporary staff backfilling vacant positions.
- Procured additional cleaning and janitorial supplies to meet divisional and client needs.
- Facilities front-line staff continue to meet enhanced COVID cleaning requirements for internal staff and public safety.
- Addressed multiple emergency workplace disinfection requests following positive COVID findings in the workplace.

Supply Chain and Deliveries

- Dedicated staff to deliver new enhanced screening signage from Public Health.
- Dedicated staff to delivery and reception of all Region Headquarters deliveries to loading dock to limit personnel entry to Region Headquarters.
- Have met all client and divisions support requests for procurement of PPE, hygiene and cleaning supplies.
- Sourced N95 masks for use by emergency and essential region staff. Currently piloting other face masks to be used by region staff when 6' physical distance rule cannot be maintained.

Building Security

- Continue to monitor security and facility access control systems to meet program delivery needs.
- Continue to keep all Region sites functional, safe and secure for eventual return to normal operations.

Housing / Brock University

- Continue to manage unit allocations for temporary housing for essential service workers at Brock University - 27 rooms available.

Non-essential maintenance and repair work

With opening up of maintenance and repair work by the Province in early May, continue with critical maintenance repair work and services and any other work required for the efficient building operations.

FINANCIAL MANAGEMENT AND PLANNING (FMP)

Current Status of Operations

As indicated, all of the Corporate Services Departments continue to deliver core services while at the same time perform a significant number of duties to support the Regional EOC.

FMP staff have continued to support core business functions during the pandemic. Some highlights of these actions include:

- Complete the 2019 year end audit;
- Submission to the Province of the 2019 Financial Information Return
- Develop 2020 tax bylaws and provide required necessary report and bylaws; and
- Work with Public Works to update financial implications of SNF water treatment plant for inclusion in the 2021 budget; and
- Publication of the 2020 Budget Summary
- 2021 budget planning and preparations.

Additionally, FMP has a main role in the Region's EOC as part of the Finance and Administration Unit. Highlights include:

- Development and implementation of procedures for cost reporting and tracking;
- Coordination and collaboration with municipal treasurers of assumptions and information for consolidated financial impact information for advocacy to provincial and federal governments;
- Review of Regional capital projects in light of provincial legislative essential construction business and Regional capacity to complete;
- Implementation of on-line/credit card payments for services such as business licenses, garbage bag tags including direct sales to residents, planning and transportation permits, long term accommodations, etc.;
- Support HR in development of cost tracking system to facilitate staff redeployment to essential services in pandemic;
- Support HR in establishing process to administer and report on the provinces pandemic pay initiative;
- Extensive cash flow and collections analysis and planning in conjunction with local municipalities;
- Analysis and reporting related to Council motion to consider deferral of 2020 water/wastewater budget increases; and
- Preparation of COVID-19 recovery planning documentation.

Operational Outlook

1/3/6 months

- Managing Local Area Municipality receivable and payables in accordance with CSD 31-2020.
- Improvements to Cash Flow model tools and processes to support ongoing operations and cash flow implications of municipal COVID concessions.
- Preparing 2019 Annual Report

- Ongoing COVID financial analysis and weekly/monthly impact and cash flow reporting to Council with updates for items impacting 2021 budget to be added.
- Provincially funded Program Financial Audits underway to comply with legislation.
- Second and third quarter financial reporting to Council in accordance with policies.
- Preparation of 2021 Capital and Operating Budgets timetables and planning report for Council and establishing strategies for budget preparation.
- Supporting the 2021 Capital and Operating Budgets preparation
- Supporting GO implementation, Niagara Regional Transit Governance, Canada Summer Games, Airport Master Plan RFP, sponsorship revenue, sustainability review, Asset Management Planning
- Managing debenture issuance process with consideration to market factors and municipal needs and risk.
- Creation of Development Charge and Community Benefit Bylaws RFP.

PROCUREMENT AND STRATEGIC ACQUISITIONS (PSA)

Current Status of Operations

Similar to other departments within Corporate Services, PSA staff have delivered by supporting core business functions while taking on additional projects to support the Region's EOC.

Highlights of activity during the operational period includes:

- Facilitating new and ongoing procurements culminating in award;
- Realty related works for inflight projects, leases and licenses;
- PeopleSoft Change PO's, Supplier and PCard administration; and
- Sourcing critical PPE and supplies needed for the EOC response to the pandemic.
- Preparation of Covid-19 recovery planning documentation.

Operational Outlook

1/3/6 months

The Region's review of essential projects both capital and operational has resulted in a prioritization of formal procurements moving forward. This will continue throughout the pandemic and afterwards.

INFORMATION TECHNOLOGY SERVICES (ITS)

Current Status of Operations

Similar to other departments within Corporate Services, ITS staff have delivered by supporting core business functions while taking on additional established projects to support the Region's EOC.

Highlights of initiatives completed during the pandemic include the following:

- Worked in collaboration with Corporate Communications to provide video conferencing solutions to support the Regional Chair's "State of the Region" address.
- Implemented technology and processes to accommodate electronic participation in Planning Department's public consultation activities.
- Launched enhanced public facing COVID-19 statistics related to Phase 2 measures on the external website.
- Developed enhancements to the Staff Redeployment website to help better manage the ongoing processes related to staff movements to support COVID-19.
- Additional functionality added to new Online Payment process.
- Preparation of Covid-19 recovery planning documentation.

Operational Outlook

1/3/6 months

- Continued support for COVID-19 initiatives while supporting and enabling staff to work from home. Prior to COVID-19 daily average for the number of remote connections was approximately 90 users, current daily average is 1270 users.
- Ongoing updates to the screening questions used by EMS in their tool 'EMS Tools'

- Ongoing COVID-19 data analytics including internal operations supports and external data visualizations - Launched enhanced stats on external website including municipal breakdown.
- Implemented technology and processes to accommodate electronic public participation in Council and Committee meetings.
- Went live with the “Homelessness Reporter” for Community Services that will allow staff to track and monitor homeless in Niagara.
- Automated Public Health EOC status report for daily briefing and Ministry submission.

LEGAL SERVICES

Current Status of Operations

As indicated, all of the Corporate Services Departments continue to deliver core services while at the same time perform a significant number of duties to support the Regional EOC.

The Legal team provides a key role in the Region’s EOC. The team has responded to significant number of new provincial legislation and announcements throughout the pandemic period. Highlights of advice provided to EOC:

- Advise on response to construction legislation related to essential services;
- Risk Management advice on building screening and security issues; and
- Various legal advice during pandemic.
- Preparation of Covid-19 recovery planning documentation.

Operational Outlook

1/3/6 months

The Legal team continues to provide advice and deliver services to operational departments on core business activities. The team also continues to provide additional support for REOC and Covid-related matters as required with the majority of the team working remotely.

COURT SERVICES

Current Status of Operations

The Court Services team is overseen by the Region's legal department on behalf of the joint board of management, between the Region and area municipalities.

Highlights of operational changes to Court Services:

- Closed to the public.
- Providing service via telephone and email to individuals.
- Also providing onsite service for enforcement agencies related to filing charges.
- Beginning July 6, judicial pre-trial matters and early resolution guilty pleas may proceed, where eligible, before a Justice of the Peace remotely by audio or video conference.
- Awaiting for further information re: potential legislative amendments that would increase capacity to complete matters remotely, such as paperless/electronic documents, expanding the use of telephone and video for matters.
- Awaiting direction from the Ministry of the Attorney General regarding resumption of in person matters in POA courthouses.
- Continued collaboration with Facilities and Corporate Health & Safety to prepare for reopening utilizing the Recovery Secretariat Guidelines which have been provided by the MAG.
- Preparation of Covid-19 recovery planning documentation.

Operational Outlook

1/3/6 months

Continue responding to public enquiries and requests from enforcement agencies while awaiting resumption of regular court proceedings.

BUSINESS LICENSING

Current Status of Operations

Similar to the other departments in Corporate Services, the Business Licensing unit has continued to operate with core service delivery as well as play a role in the Region's EOC. These activities are identified separately.

Business License

- Revenues were down for March, April and May, however June saw an increase in collections. Revenues are still below annual projections at this time.
- The emergency orders impacted not only the businesses but the employees of those businesses. There may be a reduced employee pool that these businesses may draw from and further impact their business operation.

Provincial Order Enforcement

The provincial government's announcement for stricter enforcement of social distancing and business' temporary closings resulted in an enhanced bylaw enforcement. In cooperation and coordination with local municipalities, the Region's enforcement team has increased its how's of operations to respond to increased complaints.

- Staff have been re-assigned to enforce the Provincial Orders and remain assigned to an evening shift schedule Saturday to Tuesday supported by staff from Tobacco Enforcement. Staff remain assigned to this until further notice or when the orders and state of emergency is lifted; and
- Staff respond to after-hours calls to assist the local response and also monitor the Region's six public open space properties, and ensure Region licensed businesses that are non-essential remain closed.
- Preparation of Covid-19 recovery planning documentation.

Operational Outlook

1/3/6 months

The Regional Enforcement Manager will continue to work in cooperation with local municipalities, NRPS and other Regional departments in a coordinated approach to enforcement of the social distancing legislation until the pandemic eases.

The business license bylaw review is ongoing and will likely come before Council after the pandemic eases.

Respectfully submitted and signed by

_____
Todd Harrison, CPA, CMA
Commissioner of Corporate Services and
Regional Treasurer

Minute Item No. 5.1
PDS 26-2020
Natural Environment Work Program - Phase 4: Identification and Evaluation of Options

That Report PDS 26-2020, dated July 15, 2020, respecting Natural Environment Work Program - Phase 4: Identification and Evaluation of Options, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to initiate the 2nd point of engagement with the public, stakeholders, and Indigenous groups;
2. That staff **BE DIRECTED** to report back on the 2nd point of engagement, and that based on the incorporation of input received, staff **BE DIRECTED** to make a recommendation for the final preferred options for endorsement by Council; and
3. That Report PDS 26-2020 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Minute Item No. 5.2
PDS 12-2020
Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2020 Funding Recommendations

That Report PDS 12-2020, dated July 15, 2020, respecting Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2020 Funding Recommendations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the twenty-six (26) Local Area Municipal projects under the 2020 Combined Sewer Overflow (CSO) Control / Wet Weather Management (WWM) Cost Sharing Program, as identified in Appendix 1 of Report PDS 12-2020, **BE APPROVED** in the amount of $4,000,000;
2. That the respective partnership funding agreements with the Local Area Municipalities **BE PREPARED** and **EXECUTED** in compliance with the terms and conditions, as outlined in Appendix 3 and Appendix 4 of Report PDS 12-2020; and
3. That the respective Local Area Municipalities **BE ADVISED** of the results of Regional funding support, as outlined in Appendix 1 of PDS 12-2020.

Minute Item No. 6.1
ED 9-2020
COVID-19 Response and Business Continuity in Economic Development

That Correspondence Item ED 9-2020, being a memorandum from V. Kuhns, Acting Director, Economic Development, dated July 15, 2020, respecting COVID-19 Response and Business Continuity in Economic Development, **BE RECEIVED** for information.

Minute Item No. 6.2
PDS-C 7-2020
COVID-19 Response and Business Continuity in Planning and Development

That Correspondence Item PDS-C 7-2020, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated July 15, 2020, respecting COVID-19 Response and Business Continuity in Planning and Development, **BE RECEIVED** for information.

THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES

PEDC 6-2020
Wednesday, July 15, 2020
Council Chamber/Teleconference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON

Committee Members Present in the Council Chamber:	Huson (Committee Chair)
Committee Members Present via Teleconference:	Bradley (Regional Chair), Butters, Bylsma, Campion, Darte (Committee Vice-Chair), Easton, Fertich, Foster, Greenwood, Heit, Junkin, Rigby, Sendzik, Ugulini, Witteveen, Zalepa
Absent/Regrets:	Bellows, Redekop
Staff Present in the Council Chamber:	L. Glynn, Technology Support Analyst, P. Lambert, Director, Infrastructure Planning & Development Engineering, A.-M. Norio, Regional Clerk
Staff Present via Teleconference:	E. Acs, Manager, Community Planning, I. Banach, Manager, Long Range Planning, P. Busnello, Manager, Development Planning, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, V. Kuhns, Acting Director, Economic Development, D. Morreale, Director, Development Approvals, R. Mostacci, Commissioner, Planning & Development Services, S. Norman, Senior Planner, K. Provost, Manager, Strategic Initiatives , M. Trennum, Deputy Regional Clerk, R. Tripp, Acting Chief Administrative Officer

---

1. CALL TO ORDER

Committee Chair Huson called the meeting to order at 1:01 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

3. PRESENTATIONS

There were no presentations.

4. DELEGATIONS

Moved by Councillor Heit
Seconded by Councillor Darte

That Liz Benneian **BE PERMITTED** to appear before Committee as a delegate respecting Report PDS 26-2020, concerning Natural Environment Work Program - Phase 4: Identification and Evaluation of Options (Agenda Item 5.1).

Carried

There being no objection, the staff presentation respecting Report 26-2020, concerning Natural Environment Work Program - Phase 4: Identification and Evaluation of Options (Agenda Item 5.1) was received prior to the delegation on this matter (Agenda Item 4.1).

Sean Norman, Senior Planner, provided information respecting Report PDS 26-2020 - Natural Environment Work Program - Phase 4: Identification and Evaluation of Options. Topics of the presentation included:

- Project Overview - Natural Environment
- Overview of Phase 4
- Identification, Evaluation and Comparison of Options
- Preliminary Preferred Options
- Next Steps

4.1 Natural Environment Work Program - Phase 4: Identification and Evaluation of Options (Agenda Item 5.1)

4.1.1 Liz Benneian, Resident, Town of Lincoln

Liz Benneian, resident, Town of Lincoln, provided information respecting the Natural Heritage System approach to a Natural Environment Work Program and spoke in support of Option 3C as described in Report PDS 26-2020, respecting Natural Environment Work Program - Phase 4: Identification and Evaluation of Options.

5. ITEMS FOR CONSIDERATION

5.1 PDS 26-2020

Natural Environment Work Program – Phase 4: Identification and Evaluation of Options

Moved by Councillor Foster
Seconded by Councillor Zalepa

That Report PDS 26-2020, dated July 15, 2020, respecting Natural Environment Work Program - Phase 4: Identification and Evaluation of Options, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That staff **BE DIRECTED** to initiate the 2nd point of engagement with the public, stakeholders, and Indigenous groups;
2. That staff **BE DIRECTED** to report back on the 2nd point of engagement, and that based on the incorporation of input received, staff **BE DIRECTED** to make a recommendation for the final preferred options for endorsement by Council; and
3. That Report PDS 26-2020 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Carried

Councillor Information Request(s):

Explore 3C as a potential option for the Natural Environment Work Program - Phase 4. Regional Chair Bradley

Provide information respecting the cost of this project to date and projected costs going forward. Councillor Rigby

5.2 PDS 12-2020

Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2020 Funding Recommendations

Moved by Councillor Rigby
Seconded by Councillor Easton

That Report PDS 12-2020, dated July 15, 2020, respecting Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2020 Funding Recommendations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the twenty-six (26) Local Area Municipal projects under the 2020 Combined Sewer Overflow (CSO) Control / Wet Weather Management (WWM) Cost Sharing Program, as identified in Appendix 1 of Report PDS 12-2020, **BE APPROVED** in the amount of $4,000,000;
2. That the respective partnership funding agreements with the Local Area Municipalities **BE PREPARED** and **EXECUTED** in compliance with the terms and conditions, as outlined in Appendix 3 and Appendix 4 of Report PDS 12-2020; and
3. That the respective Local Area Municipalities **BE ADVISED** of the results of Regional funding support, as outlined in Appendix 1 of PDS 12-2020.

Carried

Councillor Information Request(s):

Provide information respecting combined sewer overflow (CSO) control and storm water to the Public Works Committee. Councillor Rigby.

6. CONSENT ITEMS FOR INFORMATION

6.1 ED 9-2020

COVID-19 Response and Business Continuity in Economic Development

Moved by Councillor Zalepa
Seconded by Councillor Fertich

That Correspondence Item ED 9-2020, being a memorandum from V. Kuhns, Acting Director, Economic Development, dated July 15, 2020, respecting COVID-19 Response and Business Continuity in Economic Development, **BE RECEIVED** for information.

Carried

6.2 PDS-C 7-2020

COVID-19 Response and Business Continuity in Planning and Development

Moved by Councillor Witteveen
Seconded by Councillor Ugulini

That Correspondence Item PDS-C 7-2020, being a memorandum from R. Mostacci, Commissioner, Planning and Development Services, dated July 15, 2020, respecting COVID-19 Response and Business Continuity in Planning and Development, **BE RECEIVED** for information.

Carried

6.3 PDS 21-2020

Updated Employment Work Plan for the New Niagara Official Plan

Moved by Councillor Rigby
Seconded by Councillor Greenwood

That Report PDS 21-2020, dated July 15, 2020, respecting Updated Employment Work Plan for the New Niagara Official Plan, **BE RECEIVED** and **BE CIRCULATED** to local municipal Planning Directors and the Ministry of Municipal Affairs and Housing.

Moved by Councillor Heit
Seconded by Councillor Easton

That Correspondence Item PDS 21-2020 **BE DEFERRED** until such time as the City of St. Catharines has completed their Employment Lands Study.

Carried

7. OTHER BUSINESS

There were no items of other business.

8. NEXT MEETING

The next meeting will be held on Wednesday, August 5, 2020 at 1:00 p.m. in the Council Chamber, Regional Headquarters.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 3:54 p.m.

Councillor Huson
Committee Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

Natural Environment Work Program – Phase 4: Identification and Evaluation of Options

Planning and Economic Development Committee
PDS 26-2020

July 15, 2020

Sean Norman, PMP, MCIP, RPP – Senior Planner

Niagara Region

making our mark

NIAGARA OFFICIAL PLAN

PDS 26-2020

Natural Environment Work Program – Phase 4: Identification and Evaluation of Options

July 15, 2020 – Presentation to Planning and Economic Development Committee

SUSTAINABLE REGION NATURAL ENVIRONMENT

Project Overview – Natural Environment

Project Phase	Activities
1	Project Initiation and Procurement
2	Background Study and Discussion Papers for Mapping and Watershed Planning Priority Areas
3	1st Point of Engagement: Inform on Background Study
4	Develop and Evaluate Options for Natural System(s)
5	2nd Point of Engagement: Consultation on Options for the Natural System(s)
6	Develop Regional Natural System(s)
7	Develop OP Policies & Finalize Mapping
8	3rd Point of Engagement: Draft OP Policies and Schedules
9	Other Implementation Tools

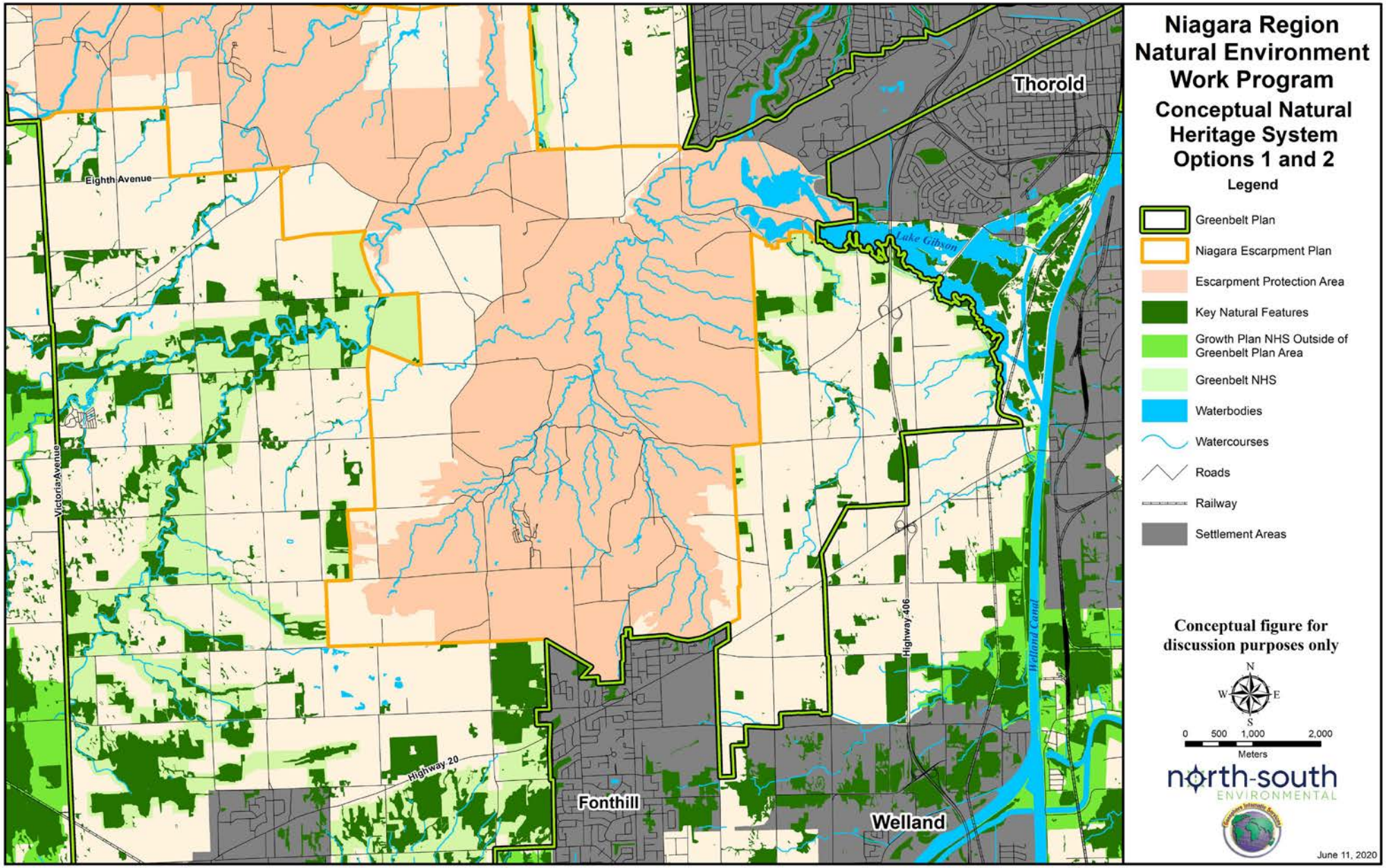
Overview of Phase 4

- Incremental step between the background reports and the mapping and policy development process
- Goal is to establish the overall direction for the natural heritage system (NHS) and water resource system (WRS)
- Based on concepts for the natural systems only. Mapping, criteria, and policies were developed to a level-of-detail that was required to support the evaluation and engagement process only
- Detailed and region-wide mapping to be completed in subsequent phases of the work program

Identification & Evaluation of Options

- Separate process for the NHS and WRS
- Range of considerations needed to be reflected in the development of options
- All options would ‘conform’ with provincial requirements – some options would meet minimum provincial standards other options would exceed minimum standards
- Evaluation process was undertaken based on criteria that were established during the completion of the background studies and during the 1st point of engagement

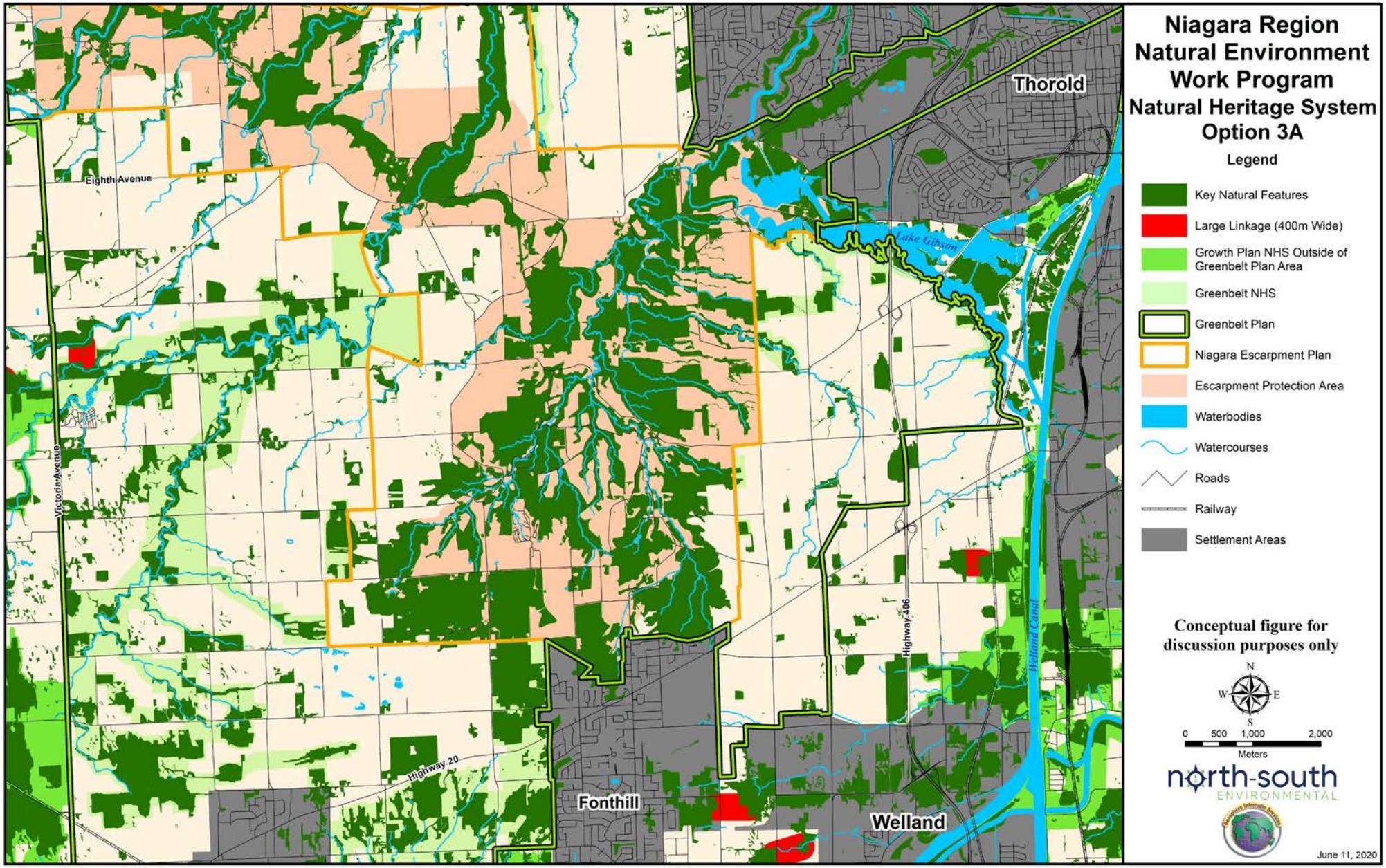
SUSTAINABLE REGION NATURAL ENVIRONMENT


Niagara Region
Natural Environment
Work Program
Conceptual Natural
Heritage System
Options 1 and 2
Legend
Greenbelt Plan
Niagara Escarpment Plan
Escarpment Protection Area
Key Natural Features
Growth Plan NHS Outside of Greenbelt Plan Area
Greenbelt NHS
Waterbodies
Watercourses
Roads
Railway
Settlement Areas
Conceptual figure for discussion purposes only
N
W
E
S
0
500
1,000
2,000
Meters
north-south
ENVIRONMENTAL
June 11, 2020
Thorold
Lake Gibson
Eighth Avenue
Victoria Avenue
Highway 20
Highway 406
Welland Canal
Fonthill
Welland

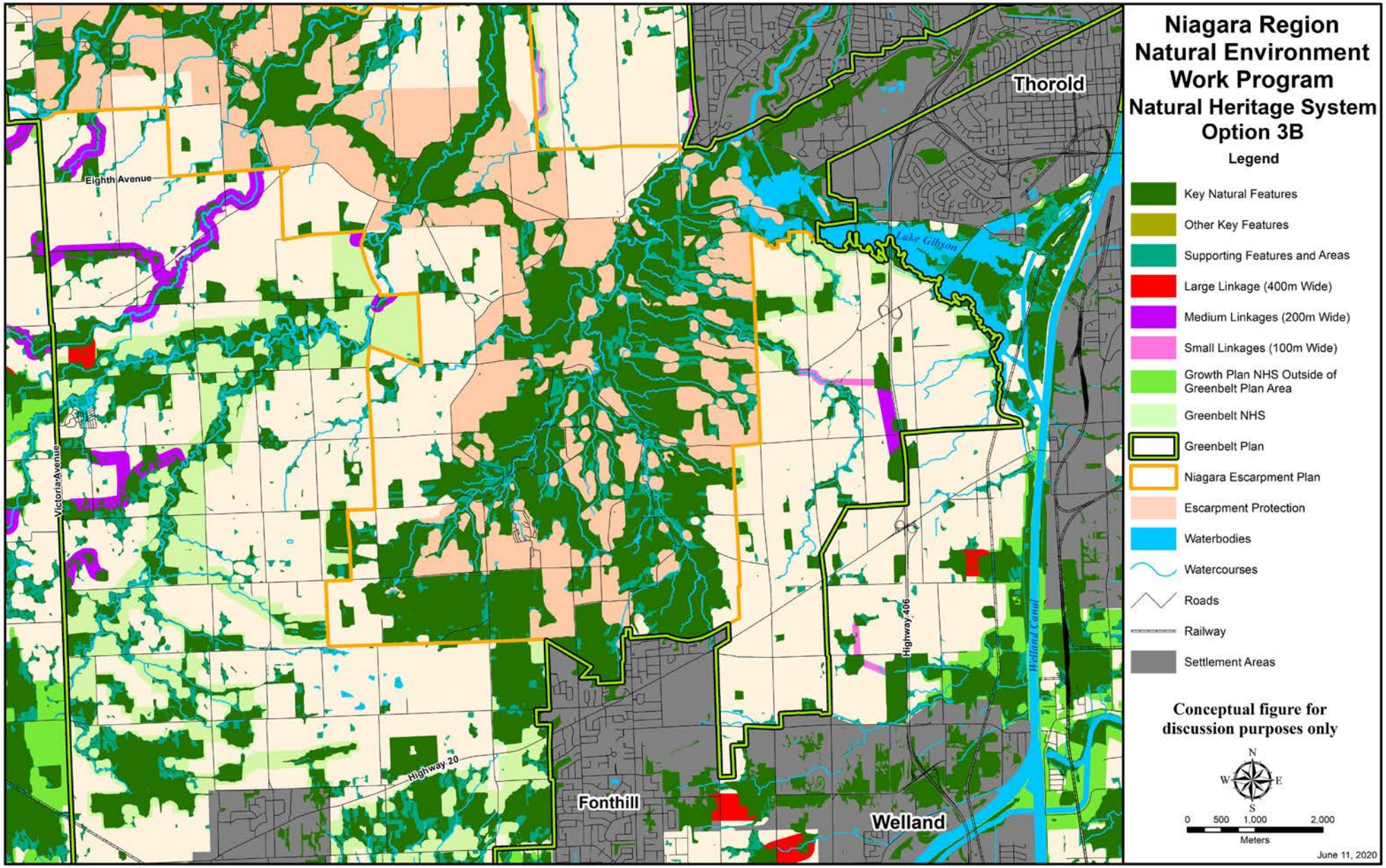
Comparison of Option 3A, 3B, & 3C

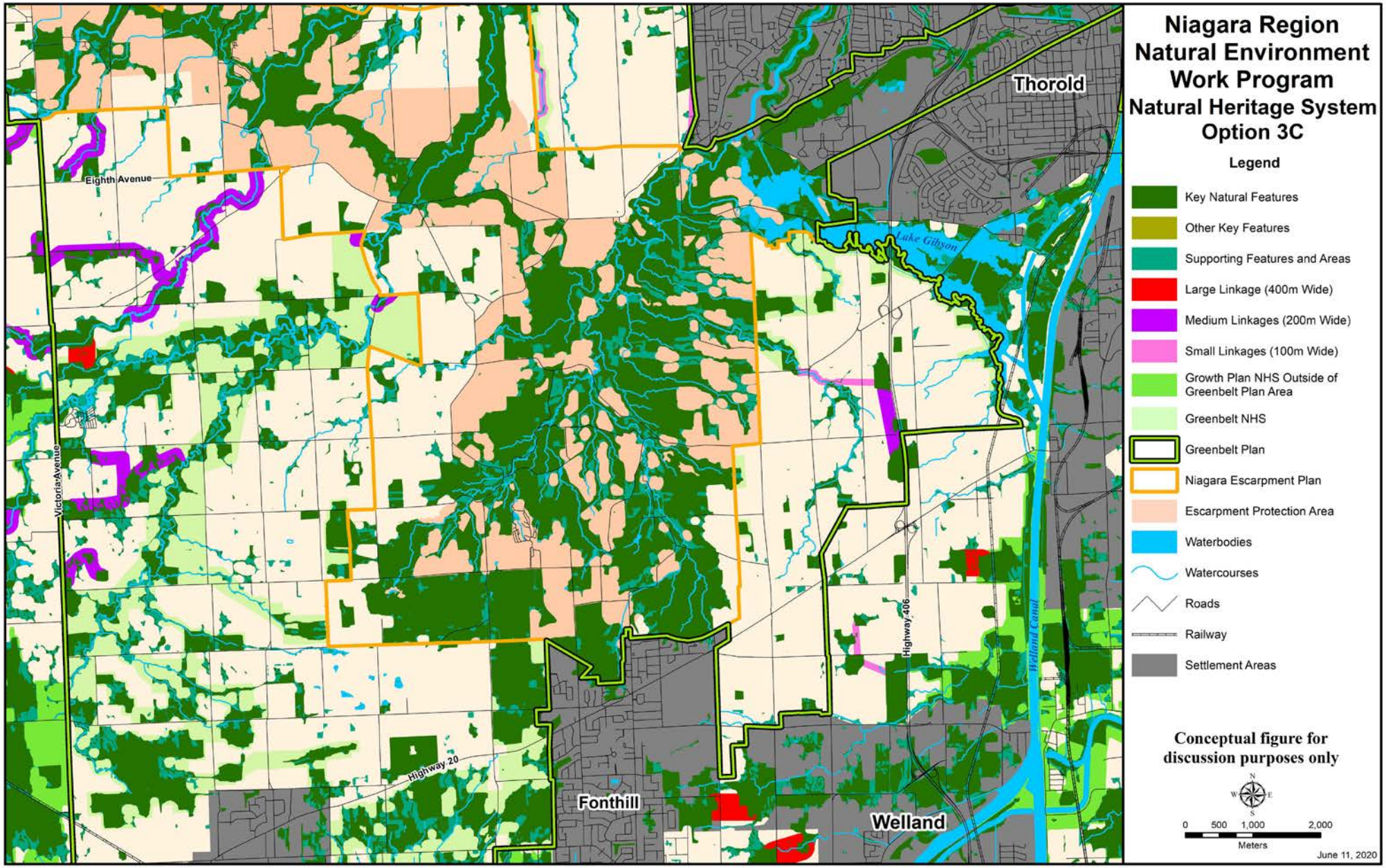
	N.H.S. 3A	N.H.S. 3B	N.H.S. 3C
Component Features and Areas	• Key Natural Heritage Features within the N.E.P. • Other Key Natural Features and Areas outside of provincial N.H.S.s, but only outside of settlement areas	• Key Natural Heritage Features within the N.E.P. as per Option 3A • Other Key Natural Features and Areas outside of provincial N.H.S.s both outside and in settlement areas • Supporting Features and Areas outside of settlement areas	• Key Natural Heritage Features within the N.E.P. as per Options 3A and 3B • Other Key Natural Features and Areas outside of provincial N.H.S.s both outside and in settlement areas as per Option 3B • Supporting Features and Areas in all of the Region, including both outside and within settlement areas
Connecting the System (linkages)	• Large Linkages only between Key Natural Features and Areas outside of settlement areas	• Large and Medium Linkages between Key Natural Features and Areas outside of settlement areas	• Large, Medium and Small Linkages between Key Natural Features and Areas outside of settlement areas • Small Linkages between Key Natural Features and Areas in settlement areas where the potential linkage area is in a natural state
Buffers/ Vegetation Protection Zones (to Key Natural Features and Areas)	• Suggested policy minimums outside of provincial N.H.S.s and outside of settlement areas	• Suggested policy minimums outside of provincial N.H.S.s, both inside and outside of settlement areas	• Mandatory buffers outside of settlement areas (that can be reduced through study) with suggested policy minimums inside settlement areas

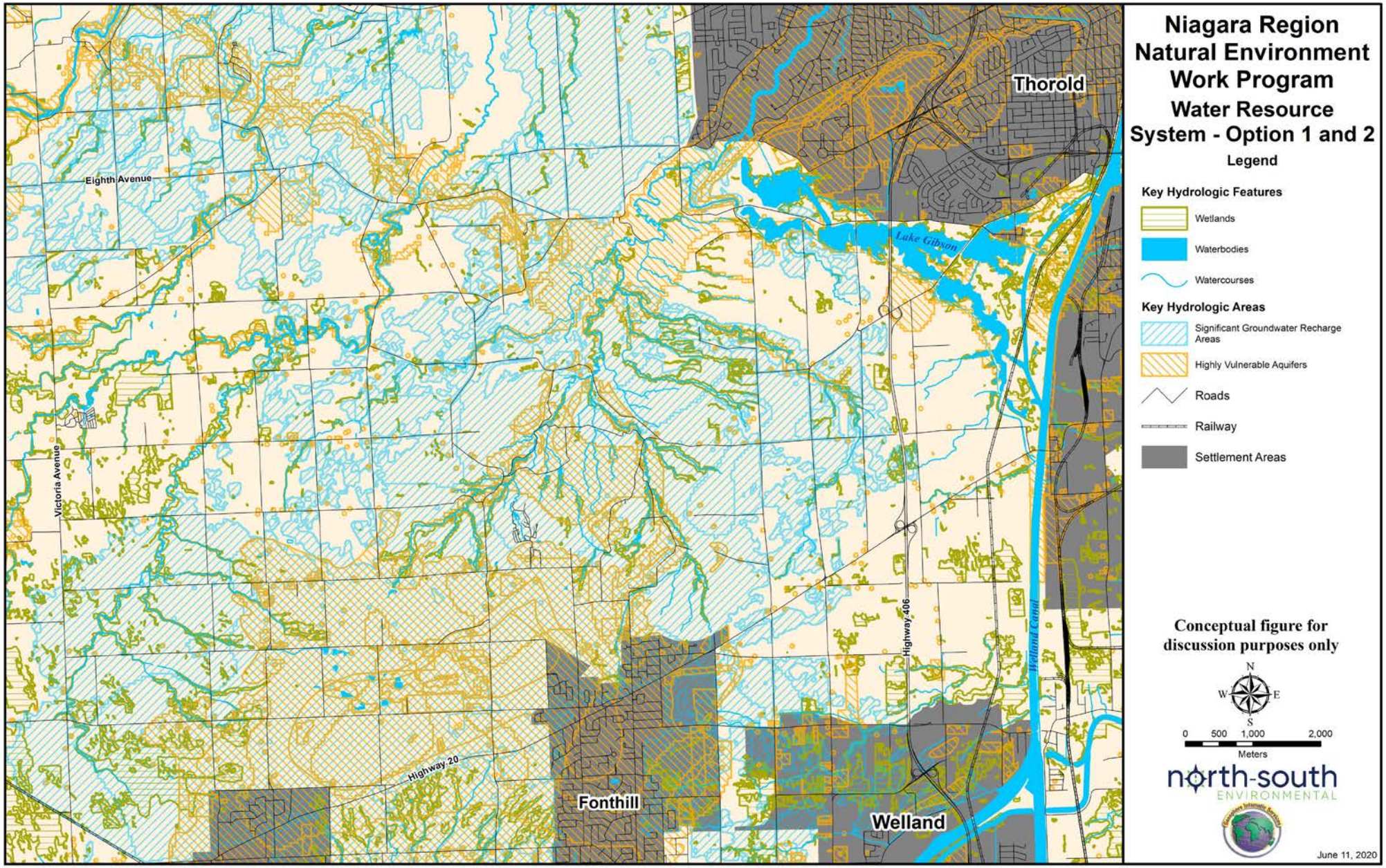
SUSTAINABLE REGION NATURAL ENVIRONMENT



SUSTAINABLE REGION NATURAL ENVIRONMENT


Niagara Region
Natural Environment
Work Program
Natural Heritage System
Option 3B
Legend
Key Natural Features
Other Key Features
Supporting Features and Areas
Large Linkage (400m Wide)
Medium Linkages (200m Wide)
Small Linkages (100m Wide)
Growth Plan NHS Outside of Greenbelt Plan Area
Greenbelt NHS
Greenbelt Plan
Niagara Escarpment Plan
Escarpment Protection
Waterbodies
Watercourses
Roads
Railway
Settlement Areas
Conceptual figure for discussion purposes only
N
W
E
S
0
500
1,000
2,000
Meters
June 11, 2020
Thorold
Lake Gibson
Eighth Avenue
Victoria Avenue
Highway 20
Highway 406
Welland Canal
Fonthill
Welland


Niagara Region
Natural Environment
Work Program
Natural Heritage System
Option 3C
Legend
Key Natural Features
Other Key Features
Supporting Features and Areas
Large Linkage (400m Wide)
Medium Linkages (200m Wide)
Small Linkages (100m Wide)
Growth Plan NHS Outside of Greenbelt Plan Area
Greenbelt NHS
Greenbelt Plan
Niagara Escarpment Plan
Escarpment Protection Area
Waterbodies
Watercourses
Roads
Railway
Settlement Areas
Conceptual figure for discussion purposes only
0 500 1,000 2,000
Meters
June 11, 2020
Thorold
Lake Gibson
Eighth Avenue
Victoria Avenue
Highway 20
Highway 406
Welland Canal
Fonthill
Welland



SUSTAINABLE REGION NATURAL ENVIRONMENT

Preliminary Preferred Options

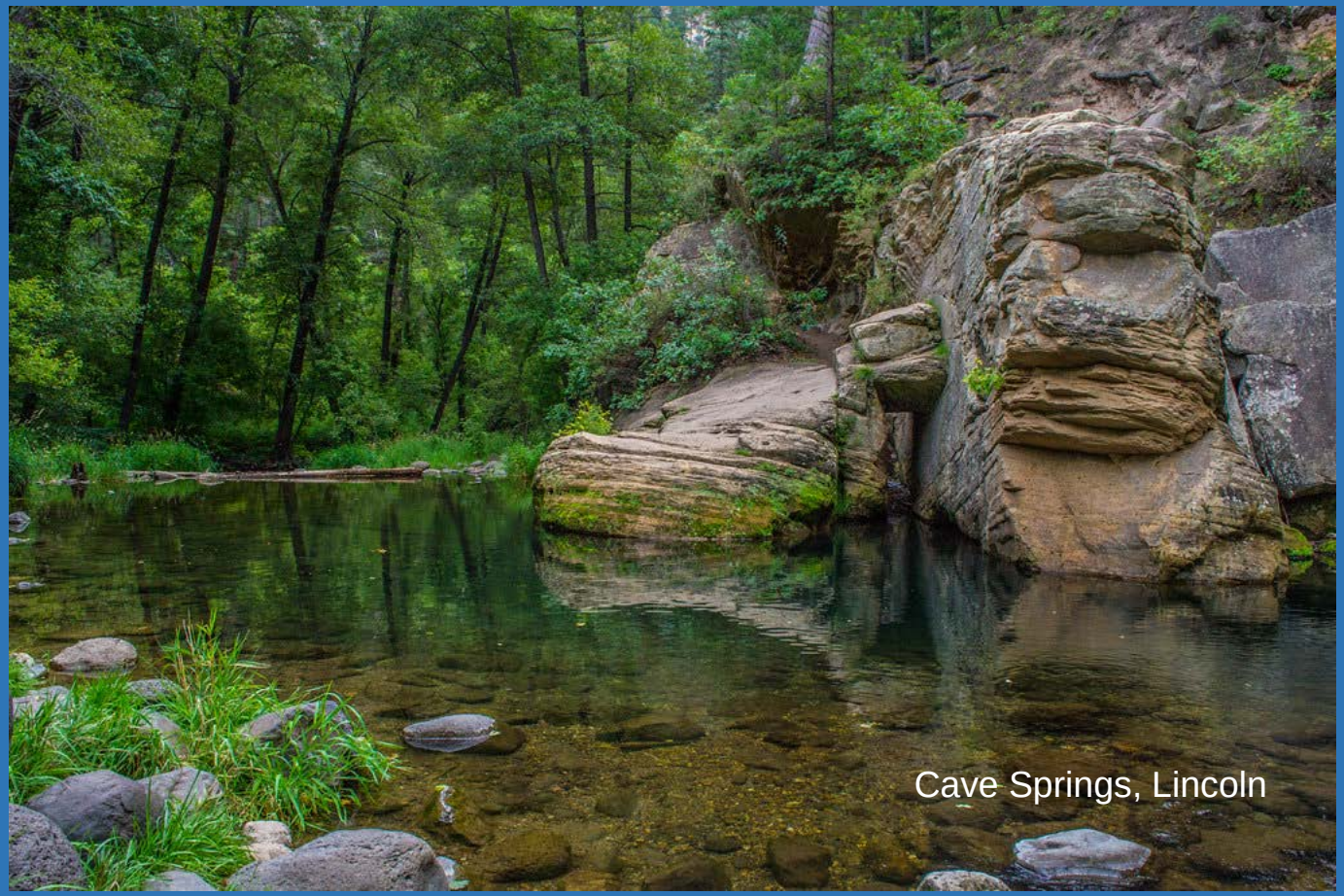
- Option 3B was identified as the preliminary preferred option for NHS
- Option 2A was identified as the preliminary preferred option for NHS
- Both options share similar characteristics:
  - Exceeds minimum provincial standards
  - Incorporates public and stakeholder feedback
  - Provides a balanced approach which directs optional components outside of settlement areas
  - Supports the Region in achieving other objectives such as mitigating the impacts of climate change

Next Steps

1. Initiate 2nd point of engagement with public, stakeholders, and Indigenous groups
2. Incorporate the input received
3. Report back to PEDC with recommendation for final preferred option
4. Initiate the detailed design process

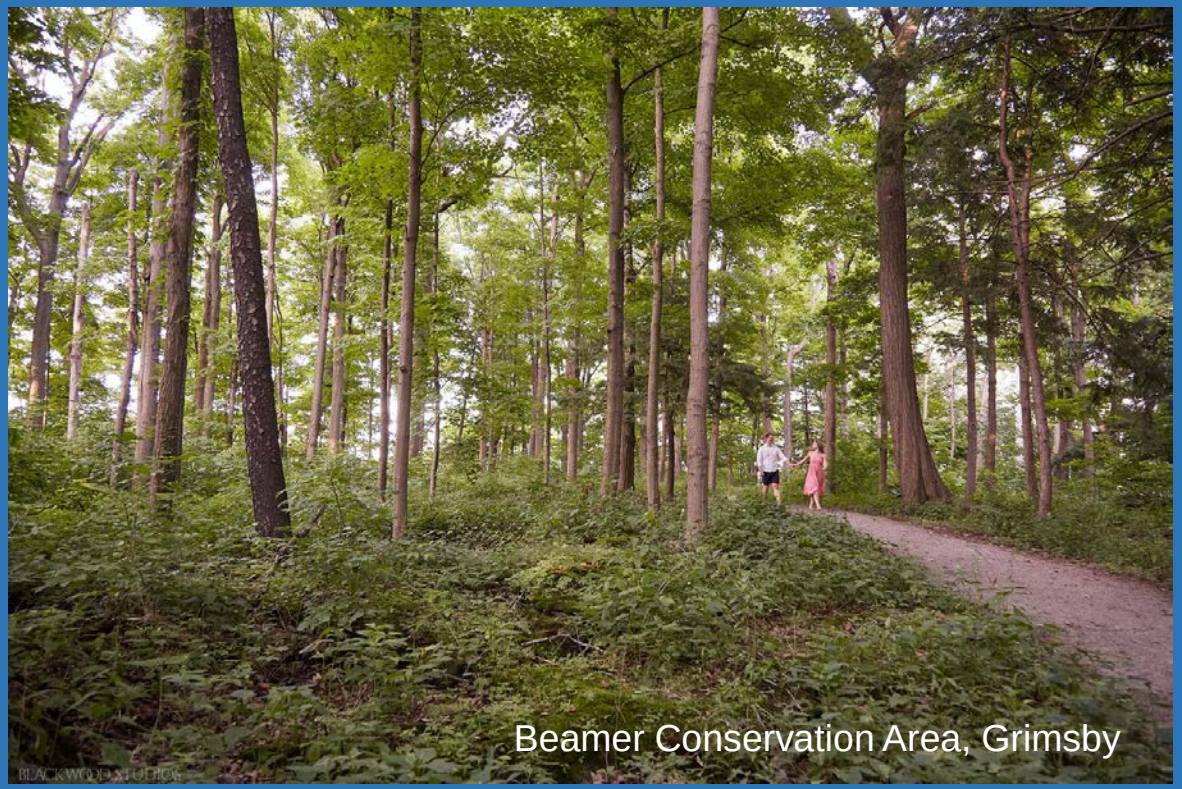
SUSTAINABLE REGION NATURAL ENVIRONMENT

Creating Niagara's Natural Heritage System



Liz Berneian

Thank You For Taking A Natural Heritage System Approach



Beamer Conservation Area, Grimsby

The decisions Council will make on what Natural Heritage System option to support may be the most important decision this Council makes — one that will either protect Niagara's natural legacy for future generations or lead to its inevitable loss.

Oakville's Natural Heritage System

The dark green areas are the land designated as Natural Heritage System (25+% of the area).
The system preserves ecological integrity over the long-term and allows only passive human use.
The light green areas are neighbourhood parks and sports fields.

Halton Region's Natural Heritage System

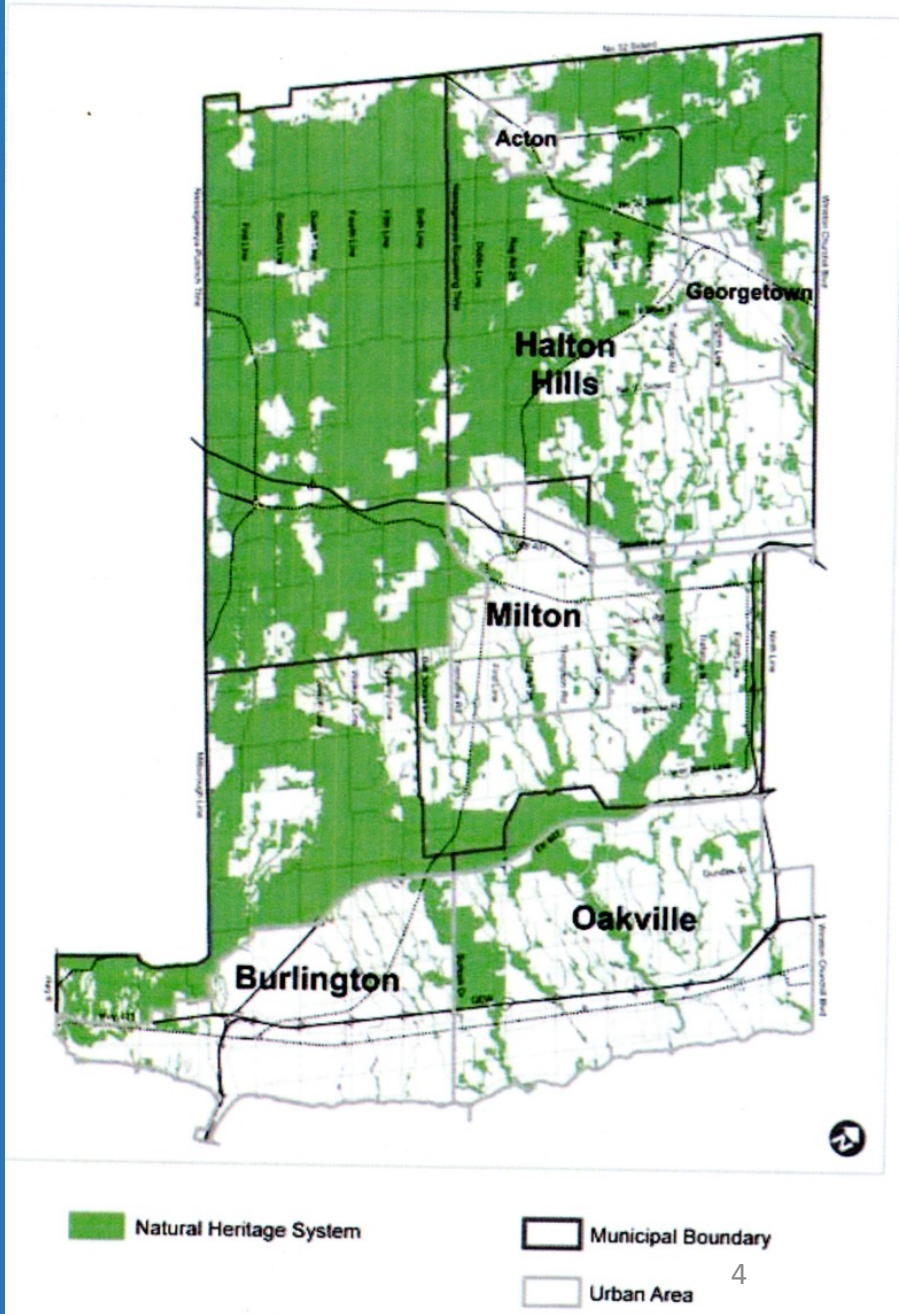
The plan protects 33% of Halton Region's land.

The system includes Greenbelt and Escarpment lands, woodlands, wetlands and floodplains, core and linkage enhancement areas and other natural areas as identified by municipalities.

Designating NHS does not preclude agricultural uses.

676

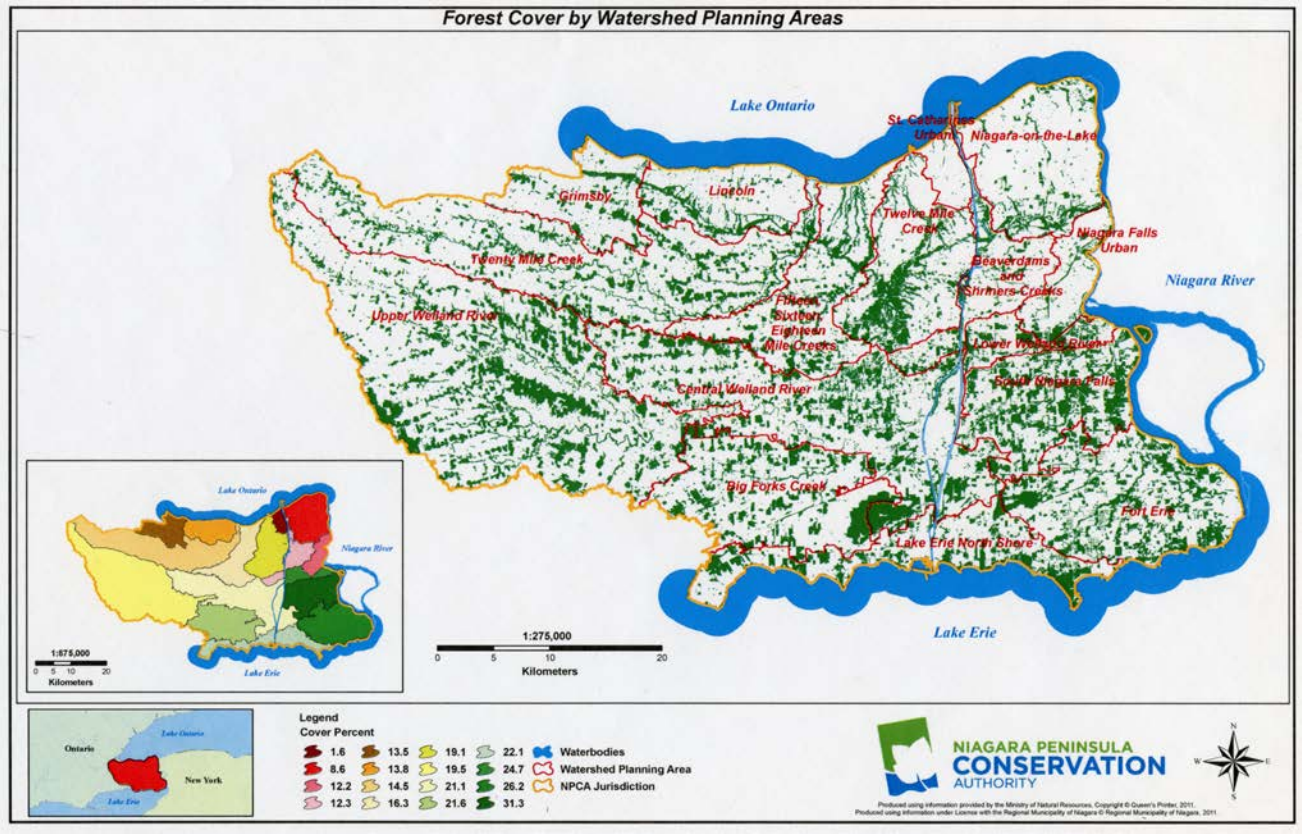
Figure 6. Sustainable Halton NHS



Development Pressure Will Only Increase In The Years Ahead

As we all know, Niagara is under significant development pressure. If we don't act now to preserve Niagara's natural environment there will be nothing left to save. Niagara has already experienced devastating losses to its natural heritage.

Niagara's Depleted Natural Heritage



Environment Canada says 30% forest cover is the minimum forest cover threshold.

40% will support half of potential species richness and marginally healthy aquatic systems.

50% forest cover is likely to support most of the potential species and healthy aquatic systems.

In Niagara we have 17.5% forest cover. Many large areas of Niagara including Grimsby, Lincoln, St. Catharines, Niagara-on-the-Lake, Thorold, and Niagara Falls have less than 14%.

Some areas are as low as 1.6%. It's important to note this map is from 2011. More has been lost.

Niagara's Woodlands Are In Bad Shape

They are small, narrow, fragmented and don't have interior forest habitat.

The Natural Heritage System will protect the woodlands that exist and will enhance them with buffers, linkages and through restoration plantings.

679

FOREST CONDITIONS
D

Forests are ecosystems that are composed of a diverse group of plants, animals and other organisms. Forests provide many social and ecological benefits such as habitat of flora and fauna, carbon sequestration, building materials, and opportunities for recreation.

The percentages of forest cover, forest interior, and stream side cover were used to evaluate the forest conditions of the watershed.

What Did we Find?

- The majority of NPCA's watershed scored a D grade as most of the woodlands are small, narrow, fragmented, and do not contain interior forest habitat.
- The highest forest condition grades were found in the southern portions of the watershed.
- The lowest forest condition grades were found in watersheds along the Lake Ontario shoreline, portions of Hamilton, and the urban centres such as St. Catharines and Niagara Falls.

Niagara's Surface Water Is In Bad Shape

Surface water is contaminated with fertilizer and pesticides from agriculture, faulty septic systems, sewer overflows and urban stormwater.

Its quality has been rated a "D" in Watershed Reports for many years.

Protecting natural areas and enhancing them, as envisioned in the NHS report, is key to improving ground water quality.

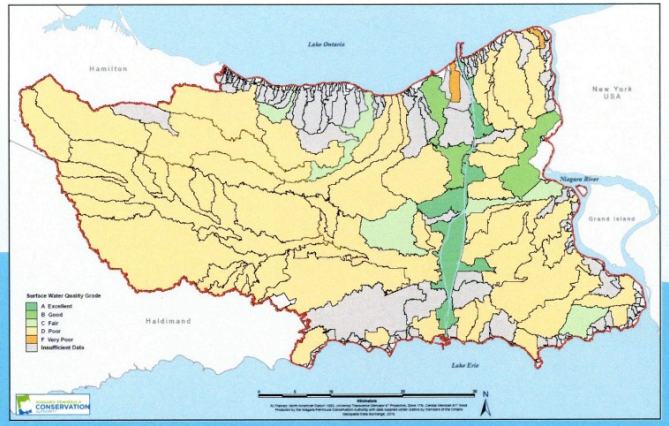
SURFACE WATER QUALITY
D

The NPCA monitors water quality at 80 sites throughout its watershed.

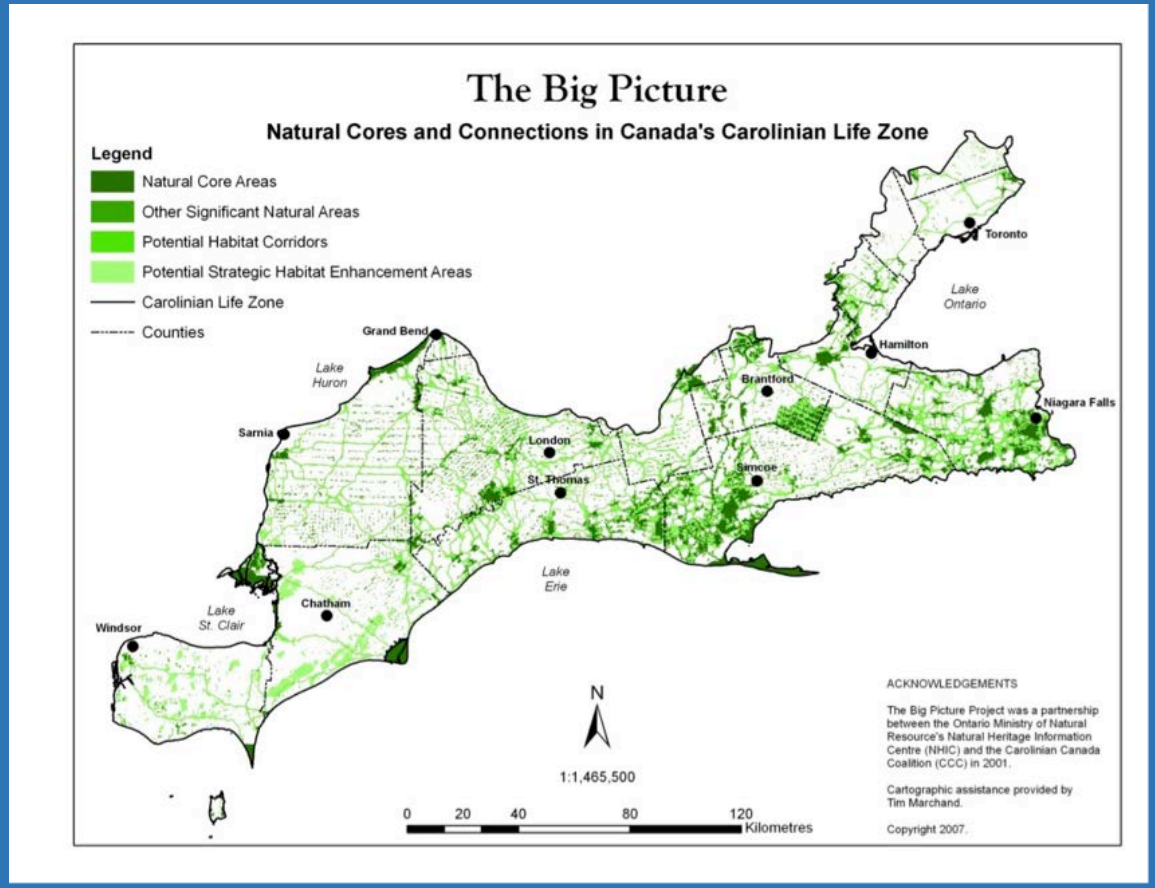
Surface water quality is graded using three indicators:
- Phosphorus (contributions from excessive fertilizer use and wastewater discharge)
- E. coli bacteria (found in the intestines of humans and other animals)
- Benthic macroinvertebrates community (small animals without a backbone that live at the bottom of streams). These animals have a range of tolerances to water pollution. Their quantity and variety can provide an indication of the level of water pollution.

What Did we Find?

- Most of the watersheds scored a D grade and have poor water quality.
- The highest surface water quality grades were found in watersheds where cleaner water is redirected from Lake Erie and the Niagara River to support hydroelectric generation and shipping in the Welland Canal.
- Nutrient and bacteria contamination from non-point sources (agricultural/livestock runoff and faulty septic systems) and point sources (combined sewer overflow and urban stormwater) continue to be the major causes of water quality impairment in the NPCA watershed.

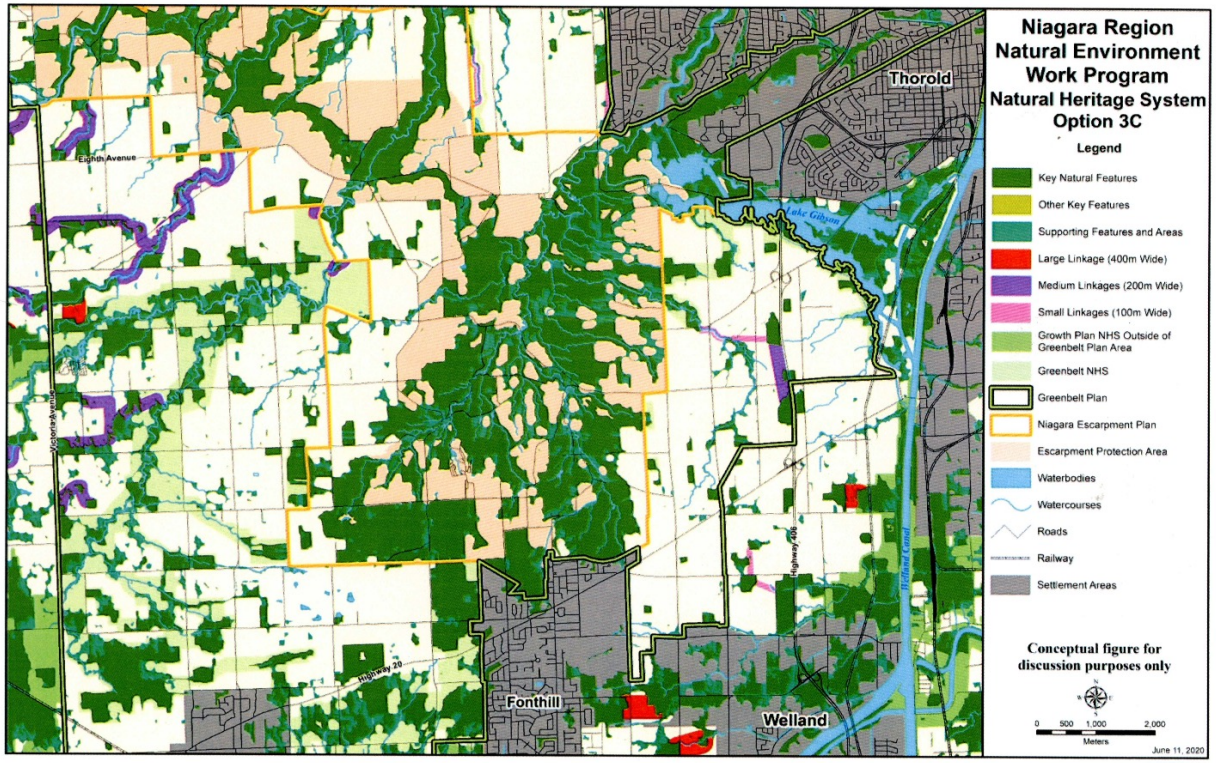


Niagara's NHS Is Key To Preserving Canada's Most Diverse Ecosystem



The Carolinian Zone is the most diverse bioregion in Canada but due to the loss of natural areas to urban development and agriculture less than 15% of its natural area remains. 125 species are considered vulnerable, species of special concern, threatened or endangered by either the federal or provincial government.

Please Support the Best NHS Plan: 3C not 3B



The major difference between Option 3C and # B is that option 3C includes supporting features and small linkages within settlement areas and suggests minimum buffers from key natural features within settlement areas.

Please Support the Best NHS Plan: 3C not 3B

One of the things COVID-19 has taught us is that people value nature where they live.

Please Support the Best NHS Plan: 3C not 3B

Our people deserve all the green infrastructure benefits that natural spaces provide: shade/cooling; water purification; flood abatement; oxygen production; erosion control.

Thank you

Subject: Natural Environment Work Program – Phase 4: Identification and Evaluation of Options

Report to: Planning and Economic Development Committee

Report date: Wednesday, July 15, 2020

Recommendations

1. That Report PDS 26-2020 **BE RECEIVED** for information;

2. That staff **BE DIRECTED** to initiate the 2nd point of engagement with the public, stakeholders, and Indigenous groups;

3. That staff **BE DIRECTED** to report back on the 2nd point of engagement, and that based on the incorporation of input received, staff **BE DIRECTED** to make a recommendation for the final preferred options for endorsement by Council; and

4. That Report PDS 26-2020 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- The purpose of this report is to present a summary of the options, evaluation process, and preliminary preferred options for the natural heritage system (NHS) and water resource system (WRS) to be implemented as part of the new Niagara Official Plan.

- The preliminary preferred options are the recommendations of the Consultant team and are supported by the professional opinion of Regional Planning Staff. The preliminary preferred options still require the input of the public, stakeholders, and Indigenous groups. Following the incorporation of input received through the 2nd point of engagement, the preliminary preferred options will be finalized, and then recommended by Planning Staff for the endorsement of Council.

- The direction for the Natural Environment Work Program through PDS 18-2018 was to take an incremental approach to developing the policies and mapping for the new Niagara Official Plan, including a number of decision points of Council and opportunities for consultation and engagement. This report presents the results of

Phase 4, which was the identification and evaluation of options for the NHS and WRS.

- Phase 4 is the incremental step in the work program between the background reports and the mapping and policy development phases to follow. Phase 4 is based on concepts for the natural systems only. Mapping, criteria, and policies were only developed to a level of detail that will be required to support the evaluation and engagement process. Once a direction has been established, detailed and region-wide mapping will be completed in conjunction with policy development during the next phase of the work program.

- There has been a strong desire expressed from the public, Councils, and other stakeholders to see the Region implement systems and policies beyond minimum provincial requirements.

- The full report entitled "Technical Report #2: Identification and Evaluation of Options for Regional Natural Environment System(s)" completed by the Consultant team is attached to this report.

Financial Considerations

The ongoing costs associated with the Natural Environment Work Program will be accommodated within the Council approved Regional Official Plan project budget.

Analysis

Background

The background reports for the Natural Environment Work Program are complete and were presented to Regional Council through PDS 32-2019:

- Mapping Discussion Paper
- Watershed Planning Discussion Paper
- Natural Environment Background Study
- Consultation Summary Report – 1st Point of Engagement

The reports are available for review on the website for the new Niagara Official Plan: https://www.niagararegion.ca/projects/rural-and-natural-systems/default.aspx

The background reports are extensive and reviewed a wide range of topics related to both the mapping and policy development process. Several of the key findings which are essential to understanding the identification and evaluation of options are:

- There is a Provincial requirement for the Region to have both a natural heritage system (NHS) and water resource system (WRS). The requirement for a comprehensive WRS is new, includes surface and groundwater, and will be developed and implemented in the Region for the first time. Together the NHS and WRS will form the Region's natural environment system.

- The Province – through the Provincial Policy Statement (PPS), Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan (NEP) has created a complicated framework for the protection of natural features, areas, and systems. There are different frameworks and policies that need to be considered in each geographic area of the Region (i.e. settlement areas, Growth Plan, Growth Plan NHS, Greenbelt Plan, Greenbelt Plan NHS, PPS, and NEP). This makes designing a system that meets the environmental protection objectives of the Region as well as being simple and flexible very difficult. For a system to be balanced and designed in consideration of the unique attributes of each geographic area of the Region, it will require detailed and well thought-out policies and other implementation tools.

- There is now a requirement for a 'systems-based' approach to natural environmental planning. The current framework in the Region is more reflective of a 'features-based' approach which was common in the late '90 and early 2000s. A 'system-based' approach requires the protection of areas adjacent to and connecting natural features in addition to the features themselves.

- Through the 1st point of engagement there was a strong desire expressed from the public, Councils, and other stakeholders to see the Region implement systems and policies beyond minimum provincial requirements.

<u>Development of Options</u>

The background studies identified a range of considerations that were reflected in the development of options. These considerations are documented in detail as part of the attached "Technical Report #2: Identification and Evaluation of Options for Regional Natural Environment System(s)". As there is a requirement for both a NHS and WRS, a separate process was undertaken to develop options for each.

It is important to note that given the ongoing changes in Provincial requirements, even the most basic options will result in changes in natural environment planning in the Region, in terms of both features and areas identified for protection, and restrictions to development. A brief overview of the options identified in Technical Report #2 is as follows:

Overview of NHS Options:

A range of options for the development of an NHS were designed – starting with those which would meet provincial standards to those which would exceed provincial standards as permitted by the PPS. All of the options identified would meet the test of conformity with respect to provincial requirements.

- NHS Option 1 – Minimum Standards – Overlay:
    - This option would simply implement the minimum standards of the PPS, Growth Plan, Greenbelt Plan, and NEP.
    - This option relies on the Growth Plan NHS and Greenbelt Plan NHS to fulfil the requirements for a 'system-based' approach. Other geographic areas of the Region, including settlement areas, would continue to be reflective of a 'features-based' system.
    - Key features required to be mapped would be shown, other features would rely only on the policies of the Official Plan for protection.
    - Restrictive development and site alteration polices would rely on the provincial policies of the PPS, Growth Plan, and Greenbelt Plan.
    - All features, areas, and systems would be shown as an overlay in the Official Plan schedules.
- NHS Option 2 – Minimum Standards – Designation:
    - This option would be the same as Option 1 except that features would be a designation in the Official Plan as opposed to an overlay.
    - There are no policy differences between Option 1 and Option 2.
- NHS Option 3 – Going Beyond Minimum Standards: This option builds upon NHS Option 1 and 2 by providing three scenarios that exceed minimum provincial standards, and include an increasing range of additional components, linkages, and buffers/vegetation protection zones. There is specific consideration

given to the design of the system in settlement areas. Table 1 on page 24 of Technical Report #2 provides a more detailed overview of the options which are summarized as follows. Building on Option 2:

- Option 3A -
  - identifies additional features outside of settlement areas (e.g. key features that are required to be included in the Greenbelt Plan NHS but could be identified Region-wide, etc.);
  - includes large linkages outside of settlement areas ; and,
  - suggests policy minimum for buffers outside of provincial NHSs and outside of settlement areas.
- Option 3B -
  - identifies additional features in and outside settlement areas;
  - identifies supporting features outside of settlement areas (e.g. enhancement areas, etc.);
  - includes large and medium linkages outside of settlement areas; and,
  - suggests policy minimums for buffers outside of provincial NHSs, and both inside and outside of settlement areas.
- Option 3C -
  - identifies additional features in and outside settlement areas;
  - identifies supporting features in and outside of settlement areas;
  - includes large, medium, and small linkages outside of settlement areas;
  - includes small linkages inside of settlement areas where the potential area is in a natural state; and,
  - prescribes mandatory buffer minimums outside of settlement areas with suggested policy minimums inside of settlement areas.

<u>Overview of WRS Options:</u>

The identification of a WRS is relatively new in provincial planning. As such, there is limited guidance or existing examples from other jurisdictions to rely on for best

practices. Two primary options for the WRS have been identified, both of which would meet the test of conformity with respect to provincial requirements. Both options rely on watershed planning or equivalent to support the identification of features and areas as well as the policy development process. [Note: a watershed planning project is underway]

- WRS Option 1 – Minimum Standards: This option would implement the standards of the PPS, Growth Plan, Greenbelt Plan, and NEP. The WRS would be identified as an overlay in the new Niagara Official Plan.
- WRS Option 2 – Going Beyond Minimum Standards: This option includes all of the policy direction and components identified in WRS Option 1 as well as additional features and areas (such as headwater drainage features or ecologically significant groundwater recharge areas) which would be considered Regionally important, and are identified thorough watershed planning or equivalent. WRS Option 2 is divided into two sub-options:
    - 2A: would identify additional features and areas outside of settlement areas only.
    - 2B: would identify additional features and areas Region wide, including within settlement areas.

<u>Evaluation of Options</u>

Evaluation Criteria:

Preliminary criteria were identified through the Natural Environment Background Study, refined through discussion with the TAG and other stakeholders through the 1st point of engagement, and finalized in the attached Technical Report #2. A comprehensive set of criteria were developed that included a range of considerations including: ecology, land-use planning, stakeholder needs, and public input. As the Natural Environment Work Program is ultimately a land-use planning exercise, the evaluation criteria went beyond ecological considerations to ensure that an additional land-use planning exercise would not be required.

Evaluation Process:

A separate evaluation process was undertaken for the NHS and WRS options. The evaluation of options was a qualitative comparison of how each option achieves the criteria. The evaluation process was not a scoring, weighting, or quantitative analysis of each option, instead, it was largely a value-based exercise.

Preliminary Preferred Options

Following the evaluation of the options, preliminary preferred options were identified for the NHS and WRS. The preliminary preferred options are the recommendations of the Consultant team and are supported by the professional opinion of Regional Planning Staff. The preliminary preferred options still require the input of the public, stakeholders, and Indigenous groups. Following input received through the 2nd point of engagement the final preferred option will be recommended by Planning Staff for the endorsement of Council. The detailed design process for the NHS and WRS will then begin including detailed region-wide mapping and policy development.

NHS:

Option 3B was identified as the preliminary preferred NHS option. Technical Report #2 provides details of the rationale which is summarized as follows. Option 3B:

- Goes beyond minimum provincial standards for the identification of features and systems which in the long-term will support a more resilient and biodiverse NHS. This option has the added benefit of supporting a range of additional objectives such as helping to mitigate the impacts of climate change.
- Provides a balanced approach for the protection of the NHS by increasing the number of components and features outside of settlement areas and limiting additional constraints to development in settlement areas, thereby helping to support the desire to direct growth to settlement areas. This option is considered defensible from both an ecological and land-use planning perspective.
- Can be designed, mapped, and implemented within the constraints and timelines of the new NOP.
- Effectively considers input received through the 1st point of engagement.

WRS:

Option 2A was identified as the preliminary preferred WRS option. Technical Report #2 provides details of the rationale which is summarized as follows. Option 2A:

- Goes beyond minimum provincial standards for the identification of features and systems which in the long-term will support a more robust and resilient WRS. This option has the added benefit of support a range of additional objectives such as helping to mitigate the impacts of climate change.

- Provides a balanced approach for the protection of the WRS by identifying additional regionally-important areas and features outside of settlement areas and limiting additional constraints to development in settlement areas, thereby helping to support the desire to direct growth to settlement areas. This option is considered defensible from both an ecological and land-use planning perspective.
- Can be designed, mapped, and implemented within the constraints and timelines of the new NOP.
- Effectively considers input received through the 1st point of engagement.

Additional Considerations

In addition to recommending the preliminary preferred options, Technical Report #2 provides some additional direction towards moving the work program forward including:

- Further direction on which natural features are appropriate to be mapped for the new NOP, and which features are more appropriately protected through policy.
- Further direction on what the appropriate source of information and methods are for many of the features and areas that are recommended to be mapped.
- Recommendations on several of the key issues that have been important to the public and other stakeholders. For example, the report recommends:
    - that offsetting not be considered as part of the policy framework for the new NOP and,
    - that fish habitat is not recommended to be mapped as part of the new NOP (although it would be fully protected by polices in the Official Plan as required by provincial policy). This is the approach taken by many of our comparator municipalities.

Next Steps

The next steps in the Natural Environment Work Program are to:

1. Undertake the 2nd point of engagement with the public, stakeholders, and Indigenous group (i.e Phase 5).
2. Incorporate input received through the consultation process and identify the final preferred option for the NHS and WRS.

3. Present the final preferred option for the NHS and WRS to Regional Council for endorsement.
4. Initiate Phase 6 of the work program which is the detailed design of the systems based on the final preferred options.

Alternatives Reviewed

Council could choose not to direct staff to initiate the 2nd point of engagement with the public, stakeholders, and Indigenous groups. This is not recommended.

Relationship to Council Strategic Priorities

This report is being brought forward as part of the ongoing reporting on the new Niagara Official Plan. The Natural Environment Work Program aligns with Objective 3.2 Environmental Sustainability and Stewardship:

"A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, aligned with a renewed Official Plan."

Other Pertinent Reports

- PDS 40-2016 – Regional Official Plan Update
- PDS 41-2017 – New Official Plan Structure and Framework
- PDS 3-2018 – New Official Plan Update
- PDS 6-2018 – Natural Environment Project Initiation Report
- PDS 18-2018 – Natural Environment – Project Framework
- PDS 9-2019 – New Official Plan Consultation Timeline Framework
- PDS 10-2019 – Update on Natural Environment Work Program – New Regional Official Plan
- CWCD 122-2019 – Agricultural and Environmental Groups – Draft Stakeholder Lists
- CWCD 150-2019 – Update on Official Plan Consultations – Spring 2019
- CWCD 179-2019 – Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan
- CWCD 271-2019 – Update on Consultation for New Official Plan
- PDS 32-2019 – Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study
- PDS 1-2020 – New Niagara Official Plan – Public Consultation Summary

- PDS 3-2020 – Ecological Land Classification Mapping Update
- PDS 9-2020 – Niagara Official Plan – Consultation Details and Revised Framework
- CWCD 153-2020 – Natural Environment Work Program Update – New Niagara Official Plan

Prepared by:
Sean Norman, PMP, MCIP, RPP
Senior Planner
Planning and Development Services

Recommended by:
Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Karen Costantini, Planning Analyst – Regional Official Plan, and reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, Dave Heyworth, MCIP, RPP, Official Plan-Policy Consultant, and Doug Giles, Director, Community and Long Range Planning.

Appendices

Appendix 1 Natural Environment Work Program: Technical Report #2: Identification and Evaluation of Options for Regional Natural Environment System(s) – 107 pages

Appendix 1

Natural Environment Work Program: Technical Report #2: Identification and Evaluation of Options for Regional Natural Environment System(s)

June 12, 2020

107 Pages

making our mark
NIAGARA
OFFICIAL PLAN

NEW NIAGARA
OFFICIAL PLAN

Natural Environment Work Program:
Technical Report #2: Identification and Evaluation of Options for Regional Natural Environment System(s)

Niagara Region
June 12, 2020

SUSTAINABLE REGION

This page is intentionally left blank.

Project Study Team

Team Member	Firm	Role
Sal Spitale	North-South Environmental Inc.	Project Manager, Primary Author
Nick McDonald	Meridian Planning Consultants Inc.	Secondary Author
Mirek Sharp	North-South Environmental Inc.	Project Advisor, Report Reviewer
Kristen Harrison	North-South Environmental Inc.	Contributing Author
Mariëtte Pushkar	Ecosystem Recovery Inc.	Water Resource Engineer
Chris Moon	Ecosystem Recovery Inc.	Water Resource Engineer
Glenn Pothier	Glenn Pothier Consulting	Facilitator

This page is intentionally left blank.

Table of Contents

1.0 Introduction 1
1.1 Purpose of this Report 1
2.0 Overview of Discussion Papers, the Natural Environment Background Study and the 1st Point of Engagement 2
2.1 Overview of Mapping Discussion Paper 2
2.2 Overview of the Watershed Planning Discussion Paper 2
2.3 Overview of Natural Environment Background Study 3
2.4 Key Considerations from 1st Point of Engagement 4
3.0 Options for the Natural Environment Systems 5
3.1 Policy Direction for the new Niagara Official Plan 6
3.2 Policy Framework Options for the Natural Heritage System 17
3.3 Policy Framework Options for the Water Resource System 35
4.0 Approach to Evaluate Natural Environment System Options 43
4.1 Evaluation of Options for the Natural Environment Systems 43
5.0 Preliminary Preferred Option for the Region's Natural Environment System 53
5.1 Natural Heritage System Preliminary Preferred Option 53
5.2 Water Resource System Preliminary Preferred Option 54
5.3 Implications for Natural Environment System Planning 55
6.0 Mapping the Natural Environment System 56
6.1 Components Recommended for Mapping the Natural Environment System 56
6.2 Components of the Natural Environment System Not Recommended for Mapping 58
6.3 Sources of Mapping Data and Recommendations for Mapping 59
7.0 Next Steps 65
8.0 References 66

List of Tables

Table 1. Overview of Natural Heritage System Options: 3A, 3B and 3C. 24
Table 2. Components of the Natural Heritage System. 33

Table 3. Components of the Water Resource System. 42
Table 4. Evaluation of options for the Natural Heritage System. 47
Table 5. Evaluation of options for the Water Resource System. 50
Table 6. Datasets and recommendations for improving or creating datasets for the components considered for mapping in the Region's Natural Environment Systems. 61

List of Figures

Figure 1. Conceptual illustration of N.H.S. Option 1 and 2 28
Figure 2a. Conceptual illustration of N.H.S. Option 3A..... 29
Figure 2b. Conceptual illustration of N.H.S. Option 3B..... 30
Figure 2c. Conceptual illustration of N.H.S. Option 3C..... 31
Figure 3. Conceptual illustration of Water Resource System Option 1..... 40

List of Appendices

Appendix 1: Description and Criteria for Select Components of the Natural Heritage System Components 70
Provincially Significant Wetlands and Provincially Significant Coastal Wetlands..... 70
Significant Woodlands 71
Significant Valleylands..... 78
Significant Wildlife Habitat (S.W.H.)..... 78
Areas of Natural and Scientific Interest (A.N.S.I.) 79
Fish Habitat 79
Habitat for Endangered and Threatened Species..... 80
Linkages 80
Key Hydrologic Features 84
Other Natural Heritage Features and Areas 84
Areas That Support Hydrologic Functions 90
Buffers and Vegetation Protection Zones 90
Appendix 2: Description and Criteria for Select Components of the Water Resource System 94
Key Hydrologic Features 94

Key Hydrologic Areas 95
Ground Water Features 96
Surface Water Features 97
Hydrologic Functions 98
Shoreline Areas 98

List of Figures in Appendices

Figure 1. Significant Woodland mapping using recommended criteria 76
Figure 2. Preliminary conceptual linkage options 82
Figure 3a. Conceptual enhancement areas for Option 1 86
Figure 3b. Conceptual enhancement areas for Option 2 87
Figure 3c. Conceptual enhancement areas for Option 3 88

This page is intentionally left blank

1.0 Introduction

An important component of the new Niagara Official Plan (N.O.P.) is the development of new policies and mapping for the Region's natural environment system(s). This work is essential for the preservation of the Region's natural heritage and water resources, and to bring the Region in conformance the recent provincial plans and mapping. These systems include both the natural heritage system (N.H.S.) and the water resource system (W.R.S.). While the N.H.S. and the W.R.S. are discussed in Provincial documents as two distinct systems with specific policies related to each, they include some of the same features (e.g., wetlands, etc.), are ecologically interconnected, and thus are collectively considered the natural environment system.

In order to inform the development of options for the policies and mapping of the natural environment system, two discussion papers and one technical report were completed in Phase 2 of the Natural Environment Work Program:

- Mapping Discussion Paper – September 2019
- Watershed Planning Discussion Paper– September 2019
- Technical Report #1: Natural Environment Background Study – September 2019

The two discussion papers and Technical Report #1 include information related to the identification of the natural environment system and options for mapping and policy. A brief overview of these documents is provided in **Section 2.0** below.

The topics reviewed in these documents were discussed through consultation with stakeholders and members of the public as part of the 1st Point of Engagement completed in Phase 3 of the Natural Environment Work Program. The feedback and comments received through consultation informed the development of the discussion papers and technical report and documented in the Consultation Summary Report. A summary of the key takeaways from the 1st Point of Engagement is also provided in **Section 2.0**.

1.1 Purpose of this Report

The purpose of this technical report is to develop and evaluate options for Niagara Region's natural environment system, including policies and mapping and to identify preliminary preferred options for the N.H.S. and W.R.S. A key element of developing options will be incorporating Provincial requirements for natural environment planning as reviewed in the discussion papers and Natural Environment Background Study.

2.0 Overview of Discussion Papers, the Natural Environment Background Study and the 1st Point of Engagement

The following provides a brief overview of the Mapping Discussion Paper, Watershed Planning Discussion Paper, Natural Environment Background Study and key takeaways from the 1st Point of Engagement. These reports inform the various options for the design and implementation of a regional natural environment system that meets Provincial requirements and the Region's vision for the natural environment.

2.1 Overview of Mapping Discussion Paper

As a first step in the overall work program a Mapping Discussion Paper was prepared. The purpose of the Mapping Discussion Paper was to review relevant provincial guidance for natural environment mapping, review the Region's existing mapping data, and provide preliminary input towards the development of mapping options. The Mapping Discussion Paper included:

- An evaluation of current regional natural environment mapping to assess the age, quality, accuracy, and sources of information
- Considerations for mapping the natural environment system at a Regional scale
- A review of comparator municipalities
- Consideration of how the natural environment system should be reflected and refined in local Official Plans.
- Recommendations related to what features to map, what datasets required updating and further study (e.g., field verification), what features should be addressed through policy rather than be mapped, and estimated costs for updating datasets of components recommended for mapping as part of the natural environment system(s)

The findings and recommendations from the Mapping Discussion Paper which inform the identification and evaluation of options have been carried forward into this report.

2.2 Overview of the Watershed Planning Discussion Paper

The purpose of the Watershed Planning Discussion Paper was to provide the Region with further understanding of the Provincial watershed planning requirements to inform development of the new N.O.P. This discussion paper reviewed the following topics:

- History and background to watershed planning and its relevance to development of the new N.O.P.
- Summary of provincial draft watershed planning requirements/guidance
- Review of provincial policies, guidelines, and direction with respect to watershed planning that need to be considered and addressed through the new N.O.P.

- Equivalency of Watershed Planning Documents - the equivalency of existing watershed planning documents to the 2018 Draft Watershed Planning guidance document. Gaps and data deficiencies were identified and reviewed with respect to incorporating into the natural systems work program or additional work
- Considerations for policies to reflect watershed planning requirements

The Watershed Planning Discussion Paper also provided recommendations for a watershed planning framework for Niagara Region; an approach was proposed that considered geographical scale, hierarchy of stakeholders and respective responsibilities within the Region, triggers and timelines for study initiation, and inter-relationships for completion of cross-jurisdictional studies.

The findings and recommendations from the Watershed Planning Discussion Paper which inform the identification and evaluation of options for the W.R.S. have been carried forward into this report.

2.3 Overview of Natural Environment Background Study

The Natural Environment Background Study provides an unbiased, fact-based discussion and analysis, and where appropriate provides recommendations related to a list of specific topics that were either of interest to the public and stakeholders, and/or necessary to inform decisions related to the options for the Region's natural environment system. The background study includes:

- A review of relevant Provincial legislation, policies, guidelines and technical criteria related to natural environment planning
- Definitions of key terms and concepts of relevance to natural environment planning
- A review and discussion of Provincial Plans, (i.e. Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan) including a discussion on key changes that inform Niagara's natural environment system. Specific discussion was provided on the implications of the new Growth Plan N.H.S. and Growth Plan Agricultural System on the development of the Region's natural environment systems
- A review and discussion of the range of natural environment work completed by the Niagara Peninsula Conservation Authority (N.P.C.A.) that could inform the Region's natural environment systems
- A review of industry guidance and best management practices related to the identification of the natural environment systems
- A detailed review of the natural environment planning, mapping, and policies of three comparator municipalities
- A review of the connection between climate change and natural environment planning
- A review and discussion of invasive species and natural environment planning
- A review and discussion of shorelines and the role of the Region in shoreline planning and management

- A discussion on natural hazards with direction on if and how natural hazards should be addressed as part of the Region's natural environment systems
- A review of current Provincial direction and best-practices related to offsetting/natural area enhancements in natural environment planning
- A detailed discussion on definitions and criteria for woodlands as they relate to natural environment planning. In addition, this discussion reviewed issues associated with impacts from emerald ash borer, best practices for mapping and refinements, relationship with municipal tree by-laws, illegal cutting, and consideration of silviculture and other planted woodlands
- A review and discussion of fish habitat, including requirements at a Provincial and Federal level
- A review and discussion of linkages, riparian vegetation, and vegetation protection zones
- A review and discussion of the work completed by the Region on watercourse identification and mapping
- A review of the current Regional system and natural environment policies including a gap analysis related to current Provincial requirements
- Identification of trends, issues, and key policy directions for natural environment planning
- A discussion of a suggested framework for new Regional Official Plan policies
- Recommendations for consideration in the design of the Regional natural environment systems, mapping, and policy development
- Preliminary recommendations for criteria that could be used to evaluate various options for Regional natural environment systems

The findings and recommendations from the Natural Environment Background Study which inform the identification and evaluation of options have been carried forward into this report.

2.4 Key Considerations from 1st Point of Engagement

The purpose of the 1st Point of Engagement was to inform the public and stakeholders on the discussion papers and background study and to seek input for the development of options for evaluation in the next phase of the Natural Environment Work Program. In total, nine key themes emerged through the 1st Point of Engagement. The following six themes are considered directly relevant to informing the development of the options for mapping and policies for the natural environment systems:

- **Develop Consistent and Clear Policies -** Developing policies that are consistent with Provincial and Federal legislation and Provincial policies; are clear and defensible; provide the appropriate level of flexibility, and include definitions for key terms to ensure objectives for the natural environment are met and policies are implemented as intended.

- **Take a Systems Approach to Natural Environment Planning -** Watershed planning should form the basis for land use planning. The natural environment

component of the new N.O.P. should take a holistic approach with consideration of the inter-relationships between multiple issues and their cumulative impacts.

- **Recognize the Uniqueness of Niagara's Geography, Natural Environment and Agriculture -** Niagara Region is rich in natural beauty and has a thriving agricultural community that both relies on and supports the natural environment. The approach to natural environment planning needs to recognize this and other important industries and find a balance that achieves the goals and objectives for the natural environment system.

- **Accurately Map the Natural Environment -** The mapping of the natural environment system should ensure a level of accuracy that supports land use planning and includes the best available data; this includes working with agency partners and the community to ensure data is accurate and recent. Available natural environment mapping data should also be accessible in a user-friendly on-line mapping tool.

- **Protect the Natural Environment -** Future natural environment planning in Niagara needs to reflect multiple focuses: protecting existing important natural environment features and restoring/enhancing others. Tools and guidelines will need to be developed to ensure policies are interpreted and implemented as intended.

- **Develop Forward Thinking Natural Environment Policies -** The new N.O.P. should recognize trends and issues in environment planning and provide clear policies to achieve the vision, goals, and objectives for the Region's natural environment.

The themes identified through the 1st Point of Engagement can be summarized into the following statement:

> The Region's natural environment system planning framework should be forward thinking, following a systems approach that accurately identifies and protects the natural environment, recognizes the uniqueness of Niagara's geography, and important agricultural system, and is implemented through a clear and consistent set of policies, with roles and responsibilities clearly identified.

This statement will be considered when evaluating the options to determine if they meet the intent of this statement.

3.0 Options for the Natural Environment Systems

The Region's natural environment system will include a N.H.S. and a W.R.S. The minimum policy requirements for each system are set out in Provincial policy documents including the Provincial Policy Statement (P.P.S), the Greenbelt Plan, the Niagara Escarpment Plan and the Growth Plan. These documents have been reviewed

in the Mapping Discussion Paper and set the direction for developing policies for the new N.O.P.

The Province has given municipalities the discretion to develop natural environment systems that exceed minimum Provincial policy requirements so long as they do not conflict with the P.P.S. and other Provincial plans. Therefore, developing the Regional natural environment system should consider a range of options that meet minimum policy requirements/standards, and provide alternatives that include the protection of additional features and areas that are important at the Regional scale and/or provide a system with enhanced ecological integrity and biological diversity. The options also need to address preliminary policy directions relating to the protection of the components of the natural environment system, as informed from the recommendations put forward in the discussion papers, Natural Environment Background Study and from feedback received during the 1st Point of Engagement.

3.1 Policy Direction for the new Niagara Official Plan

The existing Regional Official Plan (R.O.P) policy framework on the natural environment was initially developed in the 1970s and then refined and updated as required. The establishment of a Core N.H.S. on Schedule C in the R.O.P (which is divided into Environmental Protection and Environmental Conservation) was very commonplace in Ontario between the 1970's and the 2000's. It is recognized that in the case of Niagara, there was also an effort made to identify potential natural heritage corridors.

Significant changes have been made to Provincial policy, notably in 2017 with a new Growth Plan and updated Greenbelt and Niagara Escarpment Plans. There is now a need for a very different approach in the new N.O.P. with that approach being based on the establishment of a N.H.S. and a W.R.S. In this regard, Section 18 of the Natural Environment Background Study reviewed a number of considerations, the primary of which are the requirements of the Province with respect to the contents of an upper-tier Official Plan as it relates to N.H.S. and W.R.S. mapping and policies.

In this regard, the P.P.S. (2020) indicates the following in part with respect to Official Plans in general in the Preamble:

> "Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas."

There is also reference in the above to cross boundary issues, which is dealt with as well by Section 1.2.4 of the P.P.S. (2020), which states the following:

> "Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities shall:

e) identify and provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries."

Section 1.2.1 of the P.P.S. (2020) provides some insight into what those matters that cross municipal boundaries may be and they include items c), e), and f) below:

"c) Managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
e) Ecosystem, shoreline, watershed, and Great Lakes related issues;
f) Natural and human-made hazards;"

As per the above, there is an expectation in the P.P.S. that upper-tier Official Plans 'identify and provide policy direction for the lower-tier municipalities on' managing natural heritage and water resources and ecosystem, shoreline, watershed, and Great Lakes related issues. It is noted that Section 2.1.3 of the P.P.S. (2020) requires that N.H.S.s be identified. While there is no specific requirement in the P.P.S. that such a system be identified in an upper-tier Official Plan, it is common practice for upper-tier municipalities to establish and map N.H.S.s in their Official Plans.

In addition, there is also a requirement in the P.P.S. for 'planning authorities' to implement certain planning tools, with a 'planning authority' being either an upper tier, single tier or lower tier municipality. With respect to water resources in particular, Section 2.2.1 of the P.P.S. requires that planning authorities 'protect, improve or restore the quality and quantity of water' by doing certain things. In this regard, there is a specific requirement for a planning authority to:

1. Use the watershed as the ecologically meaningful scale for integrated and long-term planning. Given that watersheds typically extend beyond local municipal boundaries, this implies that there is a need for an upper-tier policy framework and oversight when it comes to watershed planning;

2. Identify water resource systems, which consist of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which implies that these areas need to be mapped in an upper-tier Official Plan, if information is available;

3. Maintain linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas. This implies that there is a need for an upper-tier policy framework on linkages and possibly mapping showing linkages; and,

4. Implement necessary restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas and protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions. This implies that there is a need for an upper-tier Official Plan to map these features,

where known, and include policies that establish restrictions on development within and adjacent to these features.

Similar to Section 1.2.4 e) of the P.P.S. (2014), Section 5.2.3.2 f) of the Growth Plan (2019) states the following:

> "Upper-tier municipalities, in consultation with lower-tier municipalities, will, through a municipal comprehensive review, provide policy direction to implement this Plan, including:
>
> f) addressing matters that cross municipal boundaries."

The difference between the P.P.S. policy and the Growth Plan policy is that the Growth Plan policy requires that matters that cross municipal boundaries be addressed through a municipal comprehensive review, which is defined as a new Official Plan, or an Official Plan Amendment (O.P.A.).This process would be initiated by an upper-or single-tier municipality under section 26 of the Planning Act to comprehensively apply the policies and schedules of Growth Plan. It is noted, as per the above that there is a requirement to 'comprehensively apply the policies' of the Growth Plan through such a process, which Niagara Region is currently engaged in.

Section 2.2.1.3 of the Growth Plan (2019) provides additional direction to upper-tier municipalities and it indicates in sub-section d) the following:

> "Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:
> d) support the environmental and agricultural protection and conservation objectives of this Plan;"

Sub-section d) above speaks to the requirement to support the environmental and agricultural protection and conservation objectives of this Plan, which implies that the objectives are to be implemented in some way. Section 4.2.10.1 of the Growth Plan (2019) provides further direction on what upper and single tier Official Plans shall contain, with sub-sections e) and f) being particularly relevant:

> "Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection, that will include:
>
> e) Recognizing the importance of watershed planning for the protection of the quality and quantity of water and the identification and protection of hydrologic features and areas;
> f) Protecting the Natural Heritage System for the Growth Plan and water resource systems;"

With respect to the N.H.S., Section 4.2.2.2 of the Growth Plan (2019) states the following:

> "Municipalities will incorporate the Natural Heritage System for the Growth Plan as an overlay in official plans, and will apply appropriate policies to maintain, restore, or enhance the diversity and connectivity of the system and the long-term ecological or hydrologic functions of the features and areas as set out in the policies in this subsection and the policies in subsections 4.2.3 and 4.2.4."

The above policy does not specify what type of municipality is required to identify the N.H.S. as an overlay in their Official Plan - however, incorporating the N.H.S. as an overlay in both upper-tier and lower-tier Official Plans allows for a consistent approach. At a minimum, section 4.2.10.1 f) of the Growth Plan requires that single- and upper-tier municipalities protect this system through the development of policies in their Official Plans. A similar policy requirement also applies to the agricultural system. Section 4.2.2.5 of the Growth Plan (2019) also references single- and upper tier municipalities:

> “Upper- and single-tier municipalities may refine provincial mapping of the Natural Heritage System for the Growth Plan at the time of initial implementation of their official plans. For upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality. After the Natural Heritage System for the Growth Plan has been implemented in official plans, further refinements may only occur through a municipal comprehensive review.”

The above means that only single- and upper-tier municipalities can modify the boundaries of the N.H.S. established by the Province. In addition, once the N.H.S has been incorporated in Official Plans, only an upper tier or single tier municipality can consider refinements through the municipal comprehensive review process.

With respect to lands outside of the N.H.S. for the Growth Plan (2019), Section 4.2.2.6 states the following:

> “Beyond the Natural Heritage System for the Growth Plan, including within settlement areas, the municipality:
>
> a) will continue to protect any other natural heritage features and areas in a manner that is consistent with the PPS; and
> b) may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the P.P.S."

This implies that there is some discretion by the municipality for how, in what form and where the N.H.S. will be identified outside of the Growth Plan N.H.S. (and including within settlement areas), so long as it is consistent with the P.P.S.

The above Growth Plan policy supports the consideration of different approaches outside of the provincial N.H.S.s including within settlement areas, provided such approaches are consistent with the P.P.S. It is also noted that the above policy requires that features and other natural heritage features and areas be protected, however, the identification and protection of any other natural heritage system is optional.

In this regard, there is no requirement to establish a natural heritage system outside of provincial N.H.S.s including within settlement areas as long as features are protected in a manner that is consistent with the P.P.S. That said, the Growth Plan Regional N.H.S. Mapping – Technical Report notes the following:

> "…that the scale of the NHS is important. Given that NHS mapping for the Growth Plan for the Greater Golden Horseshoe is on a broad, regional scale, it is focused on identifying larger core areas and broad linkages. The mapping was not intended to identify all areas and connect features that may be important to consider at a local or smaller scale…" (O.M.N.R.F. 2018, p. 4).

This statement acknowledges that there may be other features or connections (i.e., linkages) not identified in the Growth Plan N.H.S. that are important for Niagara Region that could be identified as part of Niagara's N.H.S.

With respect to the W.R.S., Section 4.2.1.1 of the Growth Plan (2019) states the following:

> "Upper- and single-tier municipalities, partnering with lower-tier municipalities and conservation authorities as appropriate, will ensure that watershed planning is undertaken to support a comprehensive, integrated, and long-term approach to the protection, enhancement, or restoration of the quality and quantity of water within a watershed."

The above section is similar to Section 2.2.1 of the P.P.S. and applies to all municipalities.

Section 4.2.1.2 of the Growth Plan (2019) then states the following:

> "Water resource systems will be identified to provide for the long-term protection of key hydrologic features, key hydrologic areas, and their functions."

The above implies that W.R.S.'s are to be identified in all Official Plans and that designations and policies will be required. This policy direction is also consistent with Section 2.2.1 of the P.P.S.

The Greenbelt Plan contains extensive N.H.S. policies and identifies the spatial extent of the Greenbelt Plan N.H.S.; however, like the Growth Plan, it does not map a W.R.S. With respect to implementation, Section 5.3 of the Greenbelt Plan states the following with respect to the N.H.S.:

> "Official plans shall contain policies that reflect the requirements of this Plan together with a map(s) showing the boundaries of the Greenbelt Area, the Protected Countryside, the Natural Heritage System and the agricultural land base. Municipalities shall provide a map showing known key natural heritage features and key hydrologic features and any associated minimum vegetation protection zones identified in this Plan. The identification of the Natural Heritage System boundary will form the basis for applying the policies of section 3.2."

The above clearly requires that all Official Plans show the boundary of the Greenbelt Area, the Protected Countryside, and the Greenbelt Plan N.H.S. The section goes further to require the preparation of a map showing 'known key natural heritage features and key hydrologic features and any associated minimum vegetation protection zones'.

Section 5.3 of the Greenbelt Plan states the following with respect to components of the W.R.S. (with the second paragraph being directly applicable to Niagara Region):

> "Municipalities should also include a map of wellhead protection areas together with associated policies for these areas within their official plans as appropriate and in accordance with any provincial directives on source water protection.
>
> Building on watershed planning, key hydrologic areas shall be identified and the appropriate designations and policies will be applied in official plans to provide for their long-term protection."

Unlike the P.P.S., Growth Plan and Greenbelt Plan, there are no specific policies in the N.E.P. requiring the mapping of the N.H.S. in an Official Plan, because the N.E.P. does not include nor map a N.H.S.

Section 18.3.4 of the Natural Environment Background Study provides a summary of the Provincial requirements discussed above.

3.1.1 Issues and Trends in Natural Environment Planning

The Natural Environment Background Study reviewed several topics of relevance to current issues and trends in natural environment planning. For example, there is more recognition through legislation and policy to mitigating impacts of climate change and managing invasive species. In addition, there has been significant discussion on the topic of biodiversity offsetting related to other files in the Region. These topics are further discussed below as they may or may not inform the development of the options for the Region's natural environment systems.

Climate Change

It is widely acknowledged that a more robust natural environment system is more resilient to impacts from climate change, and larger areas of natural cover and impervious surfaces can help to mitigate the impacts of climate change. The Natural Environment Background Study provided recommendations on the types of policies that should be considered for the new N.O.P. It was also recommended that the options ensure connectivity (linkages) between features to be maintained or enhanced. These approaches to addressing the challenges associated with climate change have been carried forward in developing the options for the natural environment systems (see **Section 3.3** and **3.4**) and are further discussed in the evaluation of the options (see **Section 4**).

Invasive Species

Invasive species pose a major threat to the natural environment, where the impacts of invasive species result in changes to vegetation community composition, classification

of a feature and ultimately the protection of the feature and natural environment system as a whole. An example of this is the combined impact to the canopy and understory of woodlands where the canopy trees are dying from invasive insects leaving an understory dominated by invasive shrubs. Under the current woodland definitions and policies, these woodlands may lose their status as significant, therefore the policies that protect significant woodlands may no longer apply to them, resulting in a loss of woodland cover – this is thoroughly discussed in **Section 12.3** of the Natural Environment Background Study. In order to recognize the impacts of invasive species on natural features and their status, and ensure woodland (and natural area cover) in the Region does not decline, either the definition of woodland should account for this change in woodland cover, or policies should be developed that ensure protection of woodlands and natural cover regardless of change in status. For example, Niagara Region could include a policy similar to the Region of Peel, as follows:

> "In the event that portions of the significant woodland are damaged or destroyed, either through anthropogenic or natural causes, there shall be no adjustment to the boundary or re-designation of these areas in the area municipal official plans and the Region will require replacement or rehabilitation of the ecological features, functions and/or landforms" (Policy 2.3.2.7, Peel Official Plan).

Another important consideration beyond the policies related to classification and protection of features is the development and implementation of a region-wide invasive species management program. Due to the wide-spread prevalence of invasive species in the Region and their ability to continue to spread and further reduce the natural environment, including ecosystem services, the Natural Environment Background Study recommended the Region develop a coordinated invasive species management plan in conjunction with the area municipalities and/or the Niagara Peninsula Conservation Authority.

Offsetting

There is a recent and controversial history related to the concept of offsetting in Niagara. As a result of this, during early consultation on the Natural Environment Work Program, there were many questions on the topic. Stakeholders requested more information about the concept, and clarification on its application in land use planning in Ontario. The Natural Environment Background Study (**Section 11**) provided an objective review of the current knowledge, best practices and review of existing guidelines for offsetting.

The development of options for the natural environment systems has carefully reviewed and considered requirements for natural environment planning as determined by the P.P.S. and provincial plans, which do not contemplate offsetting as an approach to support natural environment planning. Furthermore, based on the review of best practices and current knowledge of the challenges associated with offsetting as described in the Natural Environment Background Study, and feedback received through the 1st Point of Engagement, it is recommended that offsetting not be an approach the Region consider as part of the natural environment planning framework.

As such, offsetting is not being proposed as part of the policy framework or implementation tools recommended for the Region's natural environment systems.

3.1.2 Impact of Provincial Requirement to Map the Agricultural System

In recognition of the overlap between the Provincial Agricultural System and N.H.S. mapping, the Province has identified four options with respect to mapping in a document entitled 'Implementation Procedures for the Agricultural System in the Greater Golden Horseshoe' dated March 2020. In this regard, the following is stated:

"For clarity and consistency across the GGH, it is recommended that as a best practice, one of four options be used by municipalities for official plan mapping where prime agricultural areas overlap with key natural heritage features and key hydrologic features. In all four options, the Natural Heritage System in the Growth Plan / Greenbelt Plan would be an overlay. As well, permissions for new agricultural uses, agriculture-related uses and on-farm diversified uses where features and prime agricultural areas overlap would be restricted by protective policies (i.e., no development or site alteration)."

It is noted as per the above that the N.H.S. would be an overlay in each of the four identified options. However, key natural heritage features and key hydrologic features within the N.H.S. could be designated within a mutually exclusive land use designation in an Official Plan. Variations of options identified by the Province could be considered as long as prime agricultural areas are clearly delineated, this is further discussed in **Section 3.1.6**.

3.1.3 Implementing the Niagara Escarpment Plan in the New N.O.P.

At the present time, Schedule C of the R.O.P. includes certain lands within the N.E.P. within the Environmental Protection Area and Environmental Conservation Area and also identifies fish habitat, Earth Science Areas of Natural and Scientific Interest and Potential Natural Heritage Corridors.

The N.E.P. is implemented to varying degrees in upper- and lower-tier Official Plans, but not through the application of zoning by-laws pursuant to the Planning Act. Instead of zoning, the Niagara Escarpment Commission (N.E.C.) oversees the issuance of development permits for all development within the N.E.P. area. In addition, the N.E.C. also is responsible for processing applications to amend the N.E.P. and for commenting on applications to amend the Regional and Local Official Plans as required. In addition, the development permit process administered by the N.E.C. also allows for conditions to be included and attached to development permits. To a very large extent, the development permit system relied upon by the N.E.C. is very similar to the development permit process established by the Province through amendments to the Planning Act (now known as the Community Planning Permit System).

It is noted that since N.E.C. implements the N.E.P., some municipalities simply indicate that the N.E.P. applies and direct the reader to the N.E.P. to determine what is permitted and under what conditions. Others repeat the policy framework word-for-word,

or translate the policy framework into the language of the Official Plan. Both of these options would conform to the N.E.P.

3.1.4 Natural Heritage Systems within Settlement Areas

Section 2.1.3 of the P.P.S. states the following:

> "Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas."

The above section implies that the 'size and form' of N.H.S.s can vary based on land use considerations. Given the use of the words 'size and form', this also implies that the criteria relied upon to determine whether a feature is significant could be different if the feature is in a settlement area with the selected criteria recognizing that there are a number of other Provincial policies supporting more compact development forms.

Furthermore, in recognition of the desire for more efficient development patterns in settlement areas, the Region could establish different criteria for determining when a feature is significant in settlement areas and determining whether the identification of enhancements and linkages in settlement areas is appropriate. The approach to minimum vegetation protection zone (V.P.Z.) width could also be different in settlement areas. These options are presented in the **Section 3.2**.

3.1.5 Mapping Options for the Identification of Features in the New N.O.P.

Section 5.2.1 of the Mapping Discussion Paper reviewed five basic approaches to identifying known key natural heritage features, key hydrologic features and natural heritage features and areas (referred to as key features and areas below) in an Official Plan as set out below:

Mapping Option 1 - Designate key features and areas in a separate mutually exclusive land use designation that is shown on an operative Official Plan schedule. Allow for refinements to boundaries and the addition of new key features and areas and the deletion of key features and areas without requiring an Official Plan Amendment;

Mapping Option 2 - Designate key features and areas in a separate mutually exclusive land use designation that is shown on an operative Official Plan schedule. Allow for only 'minor' refinements to boundaries without an Official Plan Amendment and require an Official Plan Amendment for the addition of new key features and areas and the deletion of key features and areas;

Mapping Option 3 - Identify key features and areas as a potential 'constraint to development' on an operative Official Plan schedule and allow for refinements without requiring an Official Plan Amendment (meaning that the features would be an overlay designation that 'sits on top' of other designations);

Mapping Option 4 - Identify key features and areas as a potential 'constraint to development' in an appendix to the Official Plan and allow for refinements without requiring an Official Plan Amendment;

Mapping Option 5 - Identify key features and areas in a companion document that is not part of the Official Plan.

In all options, an Environmental Impact Study or other study approved by the Region would be needed to support refinements and the addition or deletion of key features.

Within the Mapping Discussion Paper, it was determined that mapping option 5 would not conform to Provincial policy since the key features and areas are not mapped in a statutory document. In considering the specific restrictions on development and site alteration within and adjacent to key natural heritage features, key hydrologic features and natural heritage features and areas in Provincial policy, it is concluded within this paper that mapping option 4 would also not conform to Provincial policy. Option 4 will not conform as these key features and areas are not mapped in an operative component of an Official Plan. This leaves mapping options 1 to 3, with option 3 involving the mapping of key features and areas in an overlay designation. These options are presented in **Section 3.2.**

Each of the above options were assessed in the Mapping Discussion Paper based on the following factors:

- Accuracy of information - a high degree of confidence would be required for Options 1 and 2 and less so with each option after Option 2;
- Ability to update information - new information comes into effect when known in all options except Option 2;
- Fairness and transparency when new N.O.P is developed - there is more fairness and transparency with Options 1 to 3 since information can be challenged because features are being mapped in a statutory document;
- Fairness and transparency after N.O.P is in effect - since changes can be made without an OPA in Options 1, 3, 4 and 5, there would be no public process required to consider those changes. However, the impact of the change lessens in Options 4 and 5 because features are not mapped in a statutory document;
- Impacts on planning process - since major refinements to feature boundaries would require an OPA in Option 2, the planning process may be longer as a consequence;
- Ease of access to information - Options 1 and 2 would provide for the greatest ease of access since information on features would be included on a schedule to the OP; and

- Defensibility of approach - Options 1 and 2 are the most defensible since features would be designated in a manner that prohibits development. Option 3 would also be defensible since the features are also mapped in a statutory document. Options 4 and 5 would not conform to Provincial policy since mapping of features is not included in statutory document.

On the basis of the above, the minimum standard option would involve the mapping of key natural heritage features, key hydrologic features and natural heritage features and areas in an overlay designation. It is noted that this overlay designation would be different than the N.H.S. itself, which would also be in an overlay designation as well, meaning that there would be two overlay designations. Prime agricultural areas would be designated and with both the N.H.S and features included in overlay designations, this approach would be similar to the first option identified in the document entitled 'Implementation Procedures for the Agricultural System in the Greater Golden Horseshoe' dated March 2020.

It is noted that while the N.E.P. also contains policies on key natural heritage features and key hydrologic features, they do not have to be identified in the new N.O.P. to meet minimum standard requirements since the N.E.C., not the Region, administers the N.E.P. This means that key natural heritage features and key hydrologic features do not need to be identified or mapped within the N.E.P. area in the new N.O.P.

In addition to features, the Growth Plan and Greenbelt Plan N.H.S.s include linkages and V.P.Z.s. With respect to the linkages, these can be shown on the mapping as a different overlay that distinguishes the feature from the linkage (meaning that this would be the third overlay in the minimum standards approach). Policies on linkages should be consistent with policies related to the N.H.S. for the Growth Plan and Greenbelt Plan. Linkages in a minimum standard option would not be identified on the mapping or through policy outside of the Growth Plan and Greenbelt Plan N.H.S.

With respect to the V.P.Z.s, there are three mapping approaches. The first is to incorporate the 30-metre V.P.Z. requirement as part of the mapping of the feature itself, with policy text explaining the approach (it is noted that the V.P.Z. is reduced to 15 metres by the Greenbelt Plan within the Niagara Peninsula Tender Fruit and Grape Area for new buildings or structures for agricultural, agriculture-related and on-farm diversified uses from permanent and intermittent streams). The second is to establish a separate layer, in the form of another overlay, that goes around each of the features. The third is to not incorporate the mapping of the V.P.Z. at all and rely upon the policy document that indicates that a 30-metre wide (or 15 meters in the Niagara Peninsula Tender Fruit and Grape Area) V.P.Z. is required. V.P.Z.'s would not be identified on the mapping or through policy outside of the Growth Plan and Greenbelt Plan N.H.S.s, although there would be a policy requiring the establishment of a minimum V.P.Z. through a Planning Act process in accordance with the adjacent lands policies of the P.P.S.

3.2 Policy Framework Options for the Natural Heritage System

Given the previous discussion, there are a number of options that can be considered respecting how features and other elements of the N.H.S. are mapped in the new N.O.P. (designation versus overlay). In addition, the establishment of a N.H.S. beyond the N.H.S. established by the Growth Plan and Greenbelt Plan is optional. Lastly, different criteria for determining the significance of features can be applied in different parts of the Region (most notably within settlement areas).

Part III of the P.P.S. (2020), "How to Read the Provincial Policy Statement", notes that the policies and direction provided in the P.P.S. "represent minimum standards" as described in the following statement:

> "The policies of the Provincial Policy Statement represent minimum standards.
>
> Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement."

Based on direction from the P.P.S. and Provincial plans and previous discussions related to policy considerations and approaches provided in **Section 3.1**, three N.H.S. options have been developed for consideration and evaluation. The first option involves implementing Provincial policy in a manner that achieves what is required to meet minimum standards. In Option 1 this option would treat the two Provincial N.H.S.s (Growth Plan and Greenbelt Plan) and key features and areas throughout the Region as an overlay, meaning that at least two overlays would be established. In this option, linkages would not extend beyond the two Provincial N.H.S.s, although significant features outside of the two Provincial N.H.S. systems would be included within an overlay. The second option includes the same as Option 1, but would designate the same key features and areas in a mutually exclusive land use designation, with the two Provincial N.H.S.s (Growth Plan and Greenbelt Plan) continuing to be an overlay.

Option 3 goes beyond the minimum standards (as permitted by the P.P.S.) by building upon Options 1 and 2, and includes sub-options with an increasing number of optional components, enhancements, and connections that would have the effect of establishing a spatially larger N.H.S that extends beyond the two Provincial N.H.S.s(Growth Plan and Greenbelt Plan).

In developing the options, the following were considered:

- Desire to have:
  - A complex, flexible system;
  - A more simple, prescriptive system; or
  - Options for both.

- Interest and support for meeting minimum provincial requirements or going beyond in developing the natural environment system.
- Land-use specific policy considerations:
    - Consistent across similar geographies; or
    - One or more distinct policy-groups for urban, rural, and/or agricultural.
- Treatment of the N.H.S. and W.R.S. (both the Provincial and local) as designated land-uses or as land-use overlays.
- Treatment of Buffers, Enhancement Areas and Linkages as:
    - Part of the N.H.S. / W.R.S.; or
    - Supplementary/other components.

3.2.1 N.H.S. Option 1 - Minimum Standards - Overlay

The Province has developed the N.H.S. for the Growth Plan and a N.H.S. for the Greenbelt Plan, which must be incorporated as an overlay in the new N.O.P. Although it addresses only part of the Region, it could be interpreted as providing the required N.H.S. for Niagara Region, thus fulfilling Section 2.1.3 of the P.P.S. that requires a N.H.S. be identified. This approach is also consistent with Section 4.2.2.6 of the Growth Plan which states that municipalities have the option of establishing a N.H.S. outside of the Growth Plan N.H.S. This is further supported by the statement in the document entitled 'Implementation Procedures for the Agricultural System in the Greater Golden Horseshoe' dated March 2020, that indicates that “if local natural heritage systems are identified outside of the Provincial natural heritage system for the Growth Plan / Greenbelt Plan natural heritage system ...”.

The above implies that while features and areas beyond the N.H.S. for the Growth Plan and Greenbelt Plan must be protected according to policies of the P.P.S., there is discretion as to if and how the municipality will identify a local N.H.S. beyond the Growth Plan and Greenbelt Plan N.H.S.s. As a result, minimum standards in this case would mean that a local N.H.S. outside of the Growth Plan and Greenbelt Plan N.H.S.s would not be required.

The N.H.S. for the Growth Plan does not apply to lands that are subject to the N.E.P. However, the N.E.P. does not include a N.H.S. and nor is there a requirement in the N.E.P. for a N.H.S. to be mapped in Official Plans.

In addition to identifying the two Provincial N.H.S.s as overlays, Section 5.3 of the Greenbelt Plan specifically requires that key natural heritage features, key hydrologic features and any associated minimum vegetation protection zones be mapped. While there is no direction in this section on whether this mapping is to be in an Official Plan, it is our opinion that this option would identify key features and minimum vegetation protection zones in the Greenbelt Plan N.H.S. also as an overlay on an operative schedule to the Official Plan.

There is no similar explicit requirement in the Growth Plan to map key features. As there are specific restrictions on development and site alteration within and adjacent to key natural heritage features and key hydrologic features in the Growth Plan N.H.S. and within and adjacent to key hydrologic features outside of settlement areas, it is our

opinion that they should also be identified as an overlay on an operative schedule to the Official Plan. With respect to vegetation protection zones and linkages within the Growth Plan, they have already been included as part of the N.H.S. mapping for the Growth Plan. That said, mapping of vegetation protection zones for those Key Natural Heritage Features and Key Hydrologic Features within the Growth Plan that require a vegetation protection zone should be illustrated as an overlay. Outside of the Growth Plan and Greenbelt N.H.S.'s, it is also our opinion that including significant natural heritage features in an overlay would be appropriate, because of the specific restrictions on development and site alteration in the P.P.S (2020) and to support implementation of these policies.

On the basis of the above, N.H.S. Option 1 would include the following:

- The N.H.S. for the Growth Plan and the N.H.S. for the Greenbelt Plan.
- Key natural heritage features within the Greenbelt Plan and Growth Plan N.H.S.
- Key hydrologic features outside of settlement areas
- Significant Natural Heritage Features outside of the Growth Plan and Greenbelt Plan N.H.S.s, as identified in the P.P.S.

Figure 1 shows a conceptual representation of N.H.S. Option 1 of the N.H.S. within a representative area of Niagara Region. It should be recognized that the mapping represents a conceptual approach to mapping N.H.S. Option 1, and includes datasets that will be updated prior to the completion of the final mapping for the Region's N.H.S.

Details of N.H.S. Option 1 - Components

Growth Plan
On lands subject to the Growth Plan, the following would need to be incorporated in the new N.O.P.:

- The **N.H.S. for the Growth Plan** is included as an overlay designation. This N.H.S. would not extend into lands within settlement areas.

- The following features would be identified as key natural heritage features in the N.H.S. for the Growth Plan:

    - Habitat of endangered species and threatened species;
    - Fish habitat;
    - Wetlands (also considered to be a key hydrologic feature by the Growth Plan and the Greenbelt Plan);
    - Life science areas of natural and scientific interest (A.N.S.I.'s);
    - Significant valleylands;
    - Significant woodlands;
    - Significant wildlife habitat (including habitat of special concern species);
    - Sand barrens, savannahs, and tallgrass prairies; and
    - Alvars.

(Note: these key features are the same in the Greenbelt Plan but differ from the features identified in the N.E.P. and the P.P.S.).

- Of the above key natural heritage features, wetlands (including Provincially significant wetlands and non-Provincially significant wetlands), life science A.N.S.I.s, and significant woodlands, would be included in a separate overlay designation the new N.O.P. on the same schedule, or on a different schedule if required, since there is only so much that can be adequately shown on the same schedule.

- For those features that are not included in the overlay, policies would be required to ensure that appropriate studies be completed to verify their presence and extent, as necessary.

- The policies in Section 4.2.2.3 of the Growth Plan dealing with negative impacts, connectivity, the removal of features, the amount of disturbed area permitted, and agricultural uses within the N.H.S. for the Growth Plan would be incorporated within the new N.O.P. as is.

- The restrictive development and site alteration policies that apply to key natural heritage features within the N.H.S. for the Growth Plan in Section 4.2.3 of the Growth Plan would be incorporated within the new N.O.P. as is.

- The restrictive development and site alteration policies that apply to lands within 120 meters of key natural heritage features within the N.H.S. for the Growth Plan in Section 4.2.4 of the Growth Plan would be incorporated within the new N.O.P. as is.

- For fish habitat, and significant woodlands, a V.P.Z. of no less than 30 metres, measured from the outside boundary of the key natural heritage feature is required. Other key natural heritage features and areas will require a V.P.Z. as determined through an approved study. The restrictions and exemptions related to development or site alteration in V.P.Z.'s, as noted in Section 4.2.4.3, would apply and these restrictions would also be included in the new N.O.P. as is.

Greenbelt Plan
On lands subject to the Greenbelt Plan, the following would need to be incorporated in the new N.O.P.:

- The Greenbelt N.H.S. is included as an overlay designation.

- The following features would be identified as key natural heritage features in the Greenbelt N.H.S.:

    - Habitat of endangered species and threatened species;
    - Fish habitat;
    - Wetlands;

- Life science A.N.S.I.s;
- Significant valleylands;
- Significant woodlands;
- Significant wildlife habitat (including habitat of special concern species);
- Sand barrens, savannahs, and tallgrass prairies; and
- Alvars.

- Of the above features, wetlands (including Provincially significant wetlands and non-Provincially significant wetlands), life science A.N.S.I.s, and significant woodlands and related minimum V.P.Z.s would be included in in a separate overlay designation the new N.O.P. on the same schedule, or on a different schedule if required, since there is only so much that can be shown adequately on the same schedule.

- For those features that are not within the overlay, policies would be required that ensure that appropriate studies be completed to verify the presence and extent of these features, and to ensure that the policies are applied as necessary.

- The restrictive development and site alteration policies that apply to lands within and adjacent to key natural heritage features within the Greenbelt Plan N.H.S. in Section 3.2.5 of the Greenbelt Plan would be incorporated within the new N.O.P. as is. The policies affecting key natural heritage features are similar, but not the same as the policies affecting key natural heritage features in the Growth Plan.

- In the case of wetlands, fish habitat, and significant woodlands, a minimum 30 metre V.P.Z., measured from the outside boundary of the key natural heritage feature is required (the V.P.Z. is reduced to 15 metres for agricultural buildings in the Niagara Peninsula Tender Fruit and Grape Area). A V.P.Z. will be required for other key natural heritage features within the N.H.S. or key hydrologic features anywhere within the Protected Countryside as determined through a natural heritage evaluation or a hydrological evaluation, where development is proposed within 120 metres of a feature. The restrictions and exemptions related to development or site alteration in vegetation protection zones, as noted in Section 3.2.5.1, shall apply.

Provincial Policy Statement

On lands that are outside of the N.H.S. for the Growth Plan and the Greenbelt Plan N.H.S., outside of the N.E.P., and within settlement areas, the following would need to be incorporated in the new N.O.P.:

- In this minimum standards option, linkages and enhancement areas would not be established on lands that are outside of the N.H.S for the Growth Plan and the Greenbelt N.H.S.

- The following features would be identified as natural heritage features and areas and subject to the development and site alteration policies of the P.P.S.:

- Significant wetlands;
- Significant coastal wetlands;
- Habitat of endangered species and threatened species;
- Fish habitat;
- Significant areas of natural and scientific interest;
- Significant valleylands;
- Significant woodlands; and
- Significant wildlife habitat.

- Of the above features, significant wetlands, significant areas of natural and scientific interest and significant woodlands would be included in an overlay designation the new N.O.P. on the same schedule, or on a different schedule if required, since there is only so much that can be shown on the same schedule. Natural heritage features and areas that are present in settlement areas would also be included as an overlay.

- For those features that are not within the overlay, policies would be required that ensure that appropriate studies be completed to verify the presence and extent of these features, and to ensure that the policies are applied as necessary.

- The restrictive development and site alteration policies that apply to lands within and adjacent to features dealt with by the P.P.S. in Sections 2.1.4 to 2.1.8 would be incorporated within the new N.O.P. as is.

- Mandatory buffers or V.P.Z.s of any kind adjacent to significant natural heritage features would not be identified through policy, since there are no mandatory buffer or V.P.Z. requirements in the P.P.S. (2020). Instead, the policies would require an environmental impact study to support the establishment of a buffer or V.P.Z. through a Planning Act process only.

3.2.2 N.H.S. Option 2 – Minimum Standards - Designation

This option would be similar to N.H.S. Option 1 except that key features would be designated in a mutually exclusive land use designation instead of being in an overlay. There are no policy differences in N.H.S. Options 1 and 2 since policies would be included in the new N.O.P. that prohibit development and site alteration within and adjacent to features, regardless of whether they were included in an overlay or a designation. As a result, the only difference in the approach is how the features are mapped. This also means that the prime agricultural area and the key features would be in mutually exclusive designations, as opposed to key features being in an overlay on top of the prime agricultural area designation in Option 1.

3.2.3 N.H.S. Option 3 – Going Beyond Minimum Standards

N.H.S. Option 3 builds on N.H.S. 1 and N.H.S. 2 by establishing a local N.H.S. that includes linkages and enhancement areas, extending beyond the Growth Plan and Greenbelt Plan N.H.S.'s. Option 3 also establishes three scenarios (as summarized in **Table 1**) that progressively exceed minimum standards (i.e. minimum provincial requirements). In this regard, all of the key natural heritage features, key hydrologic

features and significant natural heritage features that are designated in Option 2 would also be designated in each of N.H.S. Options 3A, 3B and 3C.The restrictive Provincial policies on development and site alteration would also be incorporated in the new N.O.P. as per Options 1 and 2. Additional linkages and component features and areas are added as per Options 3A, 3B and 3C, although linkages are not included in settlement areas in Options 3A and 3B.

Table 1. Overview of Natural Heritage System Options: 3A, 3B and 3C.

	N.H.S. 3A	N.H.S. 3B	N.H.S. 3C
Component Features and Areas	• Key Natural Heritage Features within the N.E.P. • Other Key Natural Features and Areas outside of provincial N.H.S.s, but only outside of settlement areas	• Key Natural Heritage Features within the N.E.P. as per Option 3A • Other Key Natural Features and Areas outside of provincial N.H.S.s both outside and in settlement areas • Supporting Features and Areas outside of settlement areas	• Key Natural Heritage Features within the N.E.P. as per Options 3A and 3B • Other Key Natural Features and Areas outside of provincial N.H.S.s both outside and in settlement areas as per Option 3B • Supporting Features and Areas in all of the Region, including both outside and within settlement areas
Connecting the System (linkages)	• Large Linkages only between Key Natural Features and Areas outside of settlement areas	• Large and Medium Linkages between Key Natural Features and Areas outside of settlement areas	• Large, Medium and Small Linkages between Key Natural Features and Areas outside of settlement areas • Small Linkages between Key Natural Features and Areas in settlement areas where the potential linkage area is in a natural state
Buffers/ Vegetation Protection Zones (to Key Natural Features and Areas)	• Suggested policy minimums outside of provincial N.H.S.s and outside of settlement areas	• Suggested policy minimums outside of provincial N.H.S.s, both inside and outside of settlement areas	• Mandatory buffers outside of settlement areas (that can be reduced through study) with suggested policy minimums inside settlement areas

N.H.S. in the Niagara Escarpment Plan Area

In addition to the above, the following key natural heritage features in the N.E.P. area would also be designated in each of Options 3A, 3B and 3C:

- Wetlands;
- Habitat of endangered species and threatened species;
- Fish habitat;
- Life science A.N.S.I.;
- Earth science A.N.S.I.;
- Significant valleylands;
- Significant woodlands;
- Significant wildlife habitat; and
- Habitat of special concern species in escarpment natural and escarpment protection areas.

- Of the above features, wetlands (including Provincially significant wetlands and non-Provincially significant wetlands), life and earth science areas of natural and scientific interest (A.N.S.I.s) and significant woodlands would be designated within the N.E.P.

- For those features that are not designated, policies would be required that ensure that appropriate studies be completed to verify the presence and extent of these features, and to ensure that the policies are applied as necessary.

- The restrictive development and site alteration policies that apply to lands within and adjacent to key natural heritage features within the N.E.P. area in Section 2.7 would be incorporated within the new N.O.P. as is. The policies affecting key natural heritage features are similar, but not the same as the policies affecting key natural heritage features in the Growth Plan and Greenbelt Plan. In this regard, a mandatory minimum V.P.Z. is not included in the N.E.P.

Other Features and Supporting Features and Areas

In addition to the above, items 1, 3 and 4 below could be included in each of Options 3A, 3B and 3C as individual overlays where mapping is available within the N.H.S.:

1. Key hydrologic features (note that these features are also considered to be part of the W.R.S. and two options - overlay versus designation are discussed in Section 3.3.1 of this report);
2. Federal and provincial parks and conservation reserves;
3. Other natural heritage features and areas (that are not defined as key natural heritage features);
4. Lands that have been restored or have the potential to be restored to a natural state;
5. Areas that support hydrologic functions; and
6. Working landscapes that enable ecological functions to continue.

Of the above, areas that support hydrologic functions (item 5) would be dealt with in the W.R.S. policy framework.

Provincial parks could be included for information purposes, however, it is not recommended that it be specifically included within the Region's N.H.S. because of the variety of uses that exist on these lands. There are no conservation reserves in Niagara Region but there are a number of conservation areas owned by the N.P.C.A. that could also be identified for information purposes.

This leaves other natural heritage features (item 3), lands that have been restored or have the potential of being restored (item 4) and areas and working landscapes (item 6). With working landscapes, these would be difficult to define and map, therefore it is recommended that they not be included as components of the N.H.S. Furthermore, they are often addressed through stewardship rather than policy that may unnecessarily restrict activities associated with other complementary uses. Other natural heritage features and areas could be shown as an overlay on an operative schedule. For Options 3A and 3B, these other natural features could be identified outside of settlement areas, where information is available. For Option 3C, such features would also be identified as an overlay in settlement areas.

Lands that have been restored or have the potential of being restored would be considered ‘supporting features and areas’ or ‘enhancement areas’. Similar to the above, these areas could be identified as an overlay outside of settlement areas in Options 3A and 3B, where information is available. For Option 3C, such areas could also be identified as an overlay in settlement areas as well. Enhancement areas should be illustrated as an overlay as they may not entirely be comprised of an area in a natural state (i.e., they may contain developed areas or active recreational areas). A fulsome discussion of options for enhancement areas is provided in **Appendix 1**, **Section 1.10.1**. For illustrative purposes, figures representing the options for the N.H.S. where enhancements are proposed would include what is referred to as “enhancement area option 2”.

Buffers/Vegetation Protection Zones in the N.H.S.

Lastly, while the Growth Plan and Greenbelt Plan prescribe minimum V.P.Z.s, there is no such prescribed width in the N.E.P. or P.P.S. On this basis, a flexible approach to V.P.Z.s outside of the Provincial N.H.S.s is suggested in Option 3A for features outside of settlement areas. In Option 3B, the flexible approach also applies to features in settlement areas as well. For Option 3C, mandatory V.P.Z.s are applied to features outside of settlement areas. Buffers and V.P.Z.s could be shown as an overlay on an operative schedule. For areas outside of Provincial Plan areas where a minimum V.P.Z. has been prescribed, recommended minimum and mandatory buffer widths have been proposed in **Appendix 1, Section 1.12**.

Figures 2a, **2b** and **2c** provide a visual for comparison of N.H.S. Options 3A, 3B and 3C within a representative area of Niagara Region based on the direction for mapping discussed in **Section 6.0** of this technical report. It should be recognized that the mapping represents a conceptual approach to mapping N.H.S. Option 3A, 3B and 3C,

and includes datasets that are anticipated to be updated prior to the completion of the final mapping for the Region's N.H.S. Once a preferred option is selected, detailed mapping for the entire Region would occur through Phase 7 and 8 of the Natural Environment Work Program

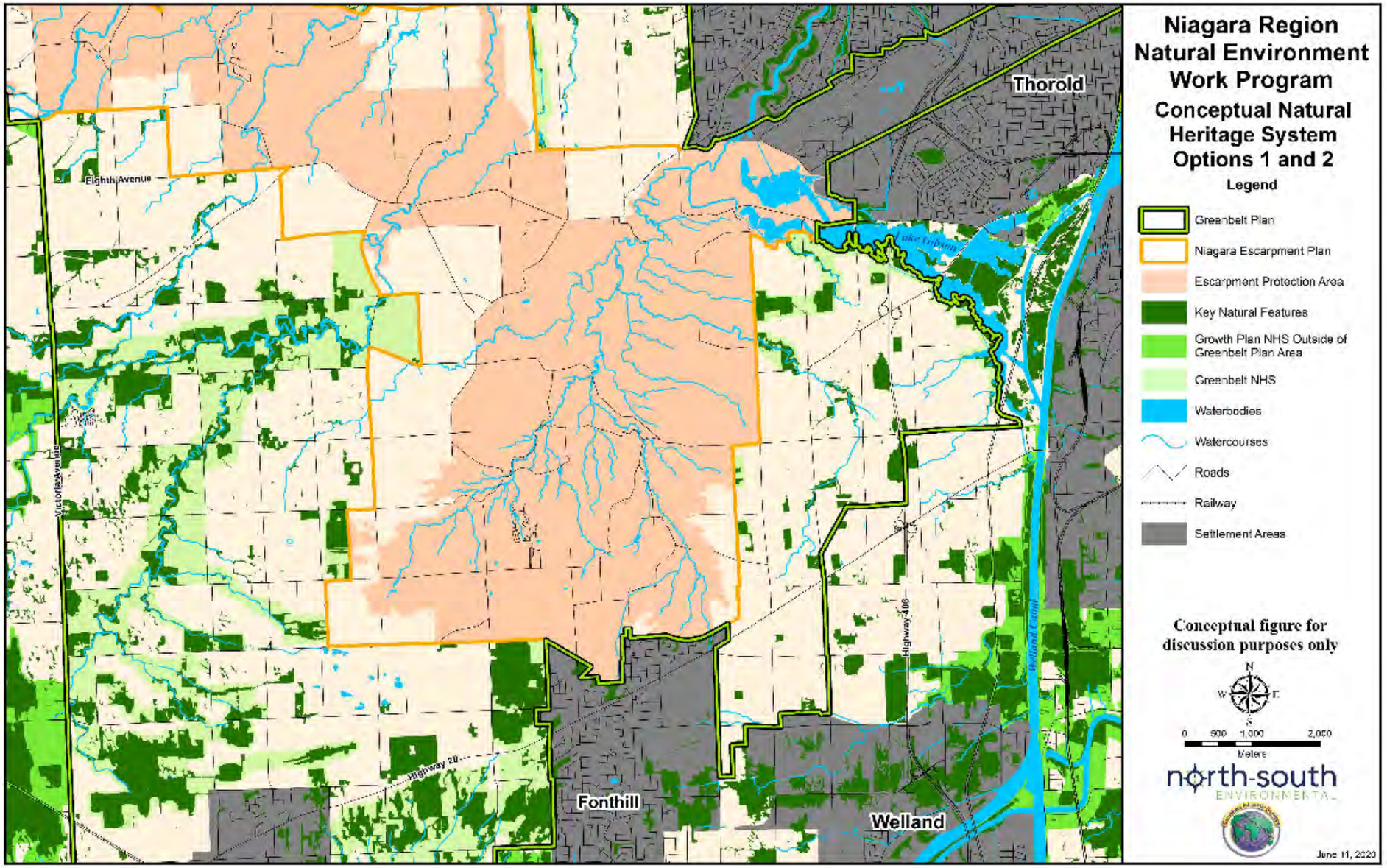


Figure 1. Conceptual illustration of N.H.S. Option 1 and 2.

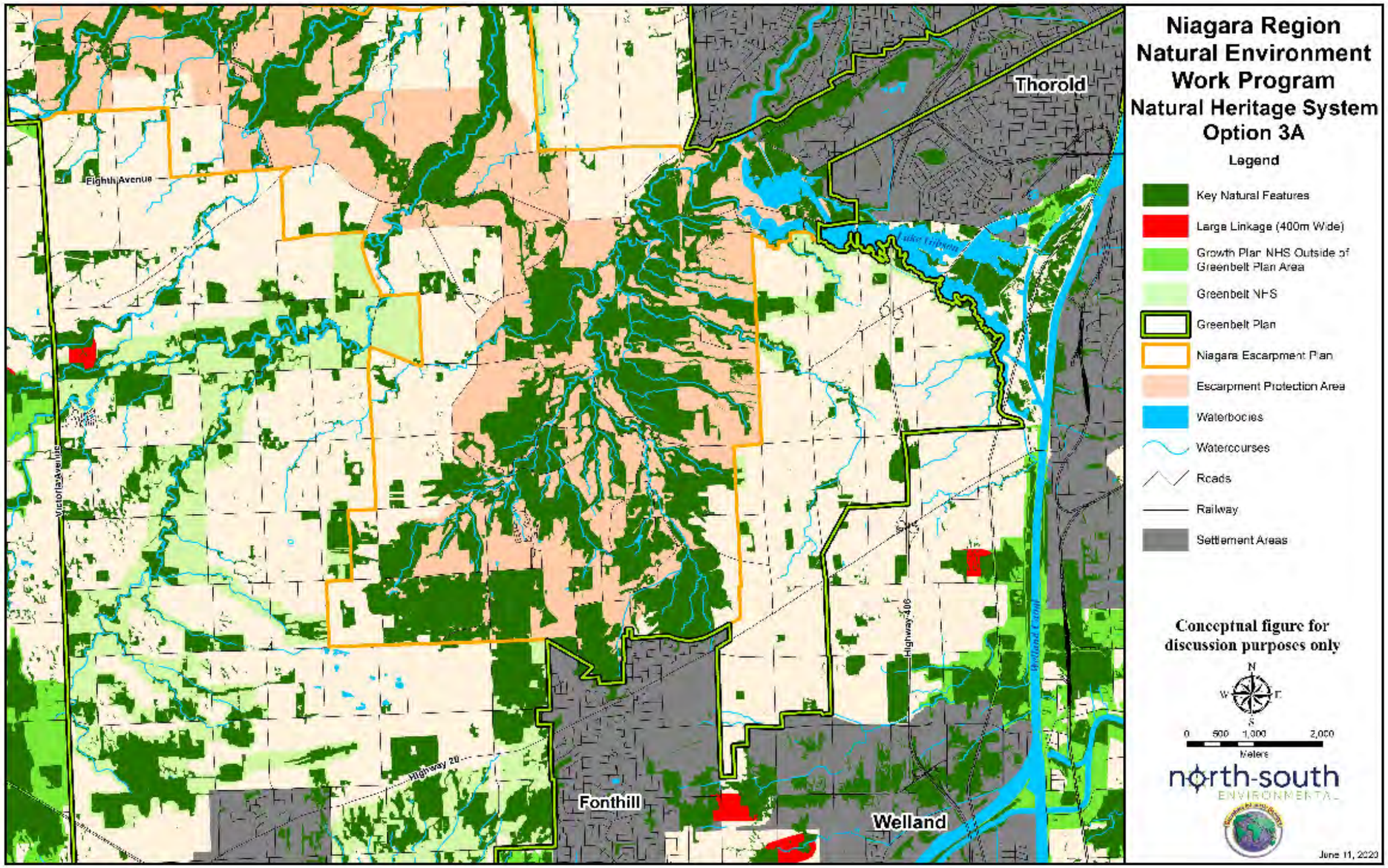


Figure 2a. Conceptual illustration of N.H.S. Option 3A.

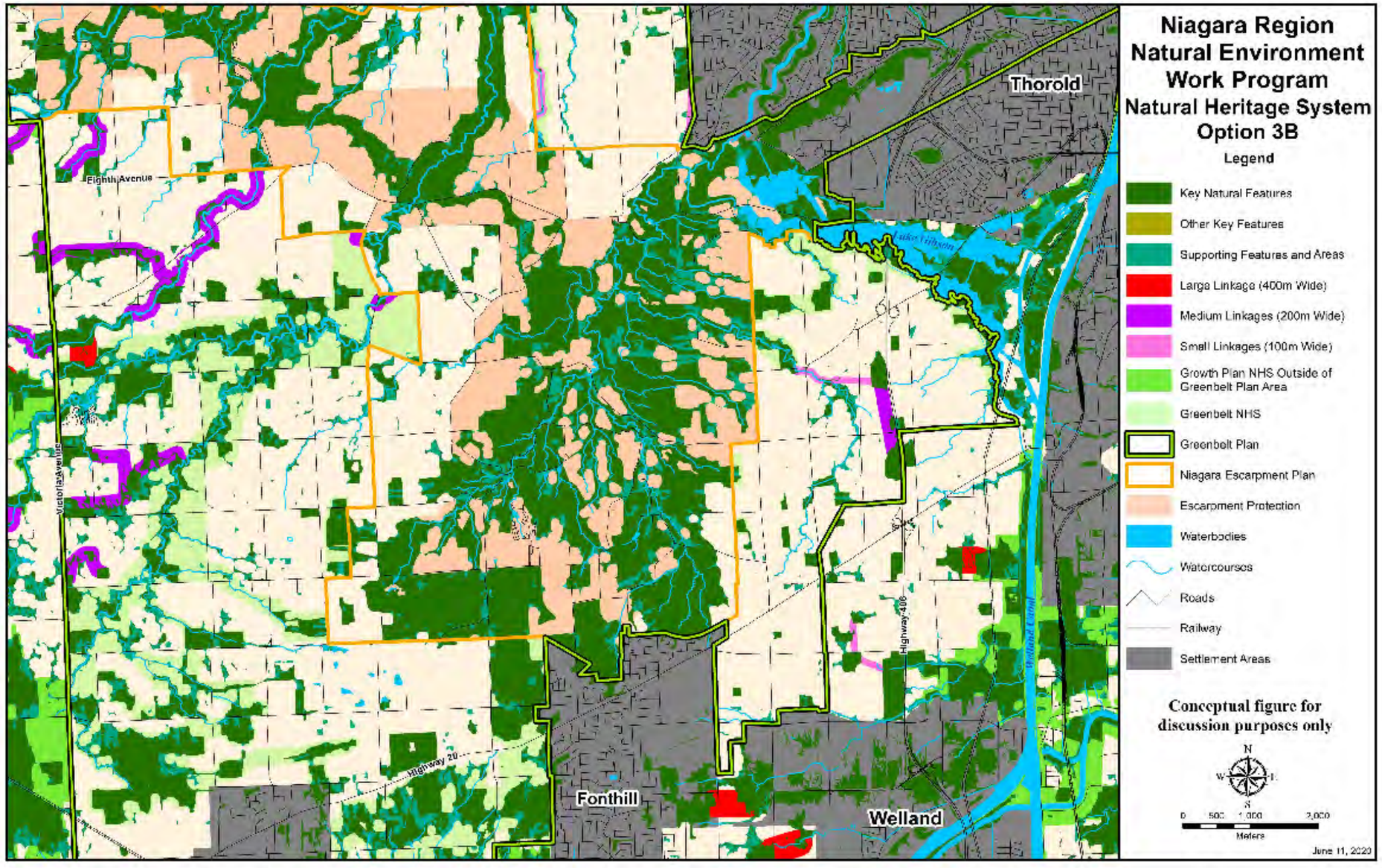


Figure 2b. Conceptual illustration of N.H.S. Option 3B.

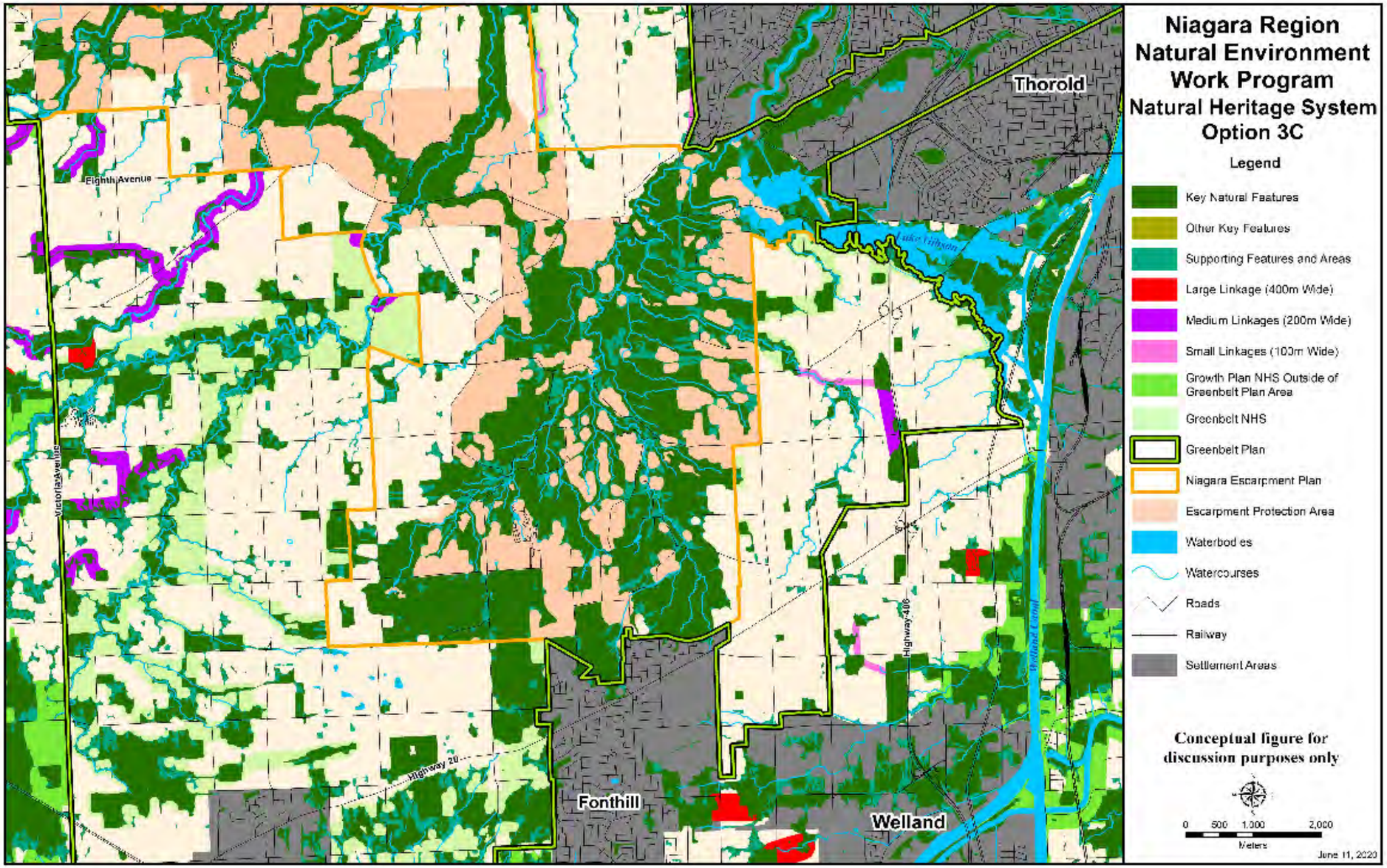


Figure 2c. Conceptual illustration of N.H.S. Option 3C.

3.2.4 Components of the Natural Heritage System

The above section described options for the N.H.S. that include various component features. The components of the N.H.S. have been grouped into the following categories:

- Key Features and Areas;
- Other Key Features (required in Greenbelt Plan N.H.S. and in W.R.S., but otherwise optional for N.H.S.);
- Supporting Features and Areas (considered optional components of the N.H.S.);
- Linkages (a required component of the N.H.S.); and
- Buffers/V.P.Z.s.

These categories are further expanded in **Table 2.** While there are some options and recommendations regarding criteria for component features (e.g., Significant Woodlands) as discussed in **Appendix 1**, the framework of options does not establish a final set of criteria for those components. Varying widths for linkages have been provided to enable evaluation of the options, but these are expected to be refined following consultation during the 2nd Point of Engagement and through the detailed design of the system in phase 7 and 8 of the Natural Environment Work Program. The review of definitions and potential criteria for other components have been discussed in **Appendix 1** of this technical report and will be further defined in subsequent phases of this work program.

Table 2. Components of the Natural Heritage System.

Category	Provincial Document	Components
Key Features and Areas	Natural heritage features and areas as per P.P.S.	• Provincially Significant Wetlands (P.S.W.s) and coastal wetlands • Significant woodlands • Significant Life Science A.N.S.I. • Significant Earth Science A.N.S.I. • Fish Habitat • Significant Valleylands • Significant Wildlife Habitat • Habitat of Threatened and Endangered Species
	Key Natural Heritage Features as per Growth Plan and Greenbelt Plan	• Wetlands (Provincial and non-Provincially Significant) • Significant woodlands • Life Science A.N.S.I. • Fish Habitat • Significant Valleylands • Significant Wildlife Habitat • Habitat of Threatened and Endangered Species • Sand barrens, savannahs, tallgrass prairies and alvars
	Key Natural Heritage Features as per the Niagara Escarpment Plan	• Wetlands (Provincially and non-Provincially Significant) • Significant woodlands • Life Science A.N.S.I. • Earth Science A.N.S.I • Fish Habitat • Significant Valleylands • Significant Wildlife Habitat • Habitat of Threatened and Endangered Species • Habitat of special concern species in Escarpment Natural Area and Escarpment Protection Area designations
	Key Hydrologic Features as per Greenbelt Plan	• Wetlands (Provincially and non-Provincially Significant) • Permanent and intermittent streams • Inland lakes and their littoral zones • Seepage areas and springs
Other Key Features	Key Hydrologic Features as per the Growth Plan	• Permanent and intermittent streams • Inland lakes and their littoral zones • Seepage areas and springs

Category	Provincial Document	Components
		• Wetlands (all wetlands outside of settlement areas)
Supporting Features and Areas	As per the definition of N.H.S. in the P.P.S, Growth Plan and Greenbelt Plan	• Other natural heritage features and areas; this could include: ▪ Other woodlands (i.e., not meeting the criteria as Significant Woodland) ▪ Grasslands/meadows not meeting the criteria as Significant Wildlife Habitat that are continuous with Core Features and Areas ▪ Non- P.S.W.s in settlement areas ▪ Other valleylands ▪ Other wildlife habitat • Lands that have been restored or have the potential to be restored to a natural state ▪ Enhancement areas
Linkages	Growth Plan, Greenbelt Plan, P.P.S.	Types of Linkages (potential) • Large Linkages = Between large Core Areas (>50ha): 200-400m wide • Medium Linkages = Between medium Core Areas (>20 ha): 100-200 m wide • Small Linkages = Between small Core Areas (>10 ha): 50-100 m wide
Buffers/ Vegetation Protection Zone	As defined in the Provincial Plans and recommended in **Section 1.12** of **Appendix 1**	• Vegetation protection zone widths would be applied as defined in the Provincial plans for those plan areas • The following buffers widths for areas outside of the Provincial Plans have been recommended (as described in **Appendix 1, Section 1.12**): o If minimum buffers: ▪ Outside of settlement areas • All features = 30 m ▪ Inside of settlement areas • P.S.W.s = 30 m • All other key natural features = 15 m o If mandatory buffers: ▪ Inside and outside of settlement areas • All features = 30 m

3.3 Policy Framework Options for the Water Resource System

3.3.1 Introduction to Identification of the Water Resource System

The identification of a W.R.S. is relatively new in Provincial planning. As such, there is limited guidance or existing examples in other jurisdictions that provide best practices.

The direction for the identification of a W.R.S, as noted in policy 4.2.1.3 of the Growth Plan states:

> "Watershed planning or equivalent will inform:
>
> a) the identification of water resource systems."

It is acknowledged in the Watershed Planning Discussion Paper that much of the information exists to develop the equivalent of a region-wide watershed plan, and makes reference to municipal and provincial databases on N.H.S.s, subwatershed plans, monitoring data, etc. More recently, the Region, in partnership with the N.P.C.A. developed the Contemporary Mapping of Watercourses dataset that contains a comprehensive, up-to-date and accurate geospatial dataset of watercourses. Subwatershed studies and other reports (e.g., N.P.C.A. Groundwater Study) include datasets and assessments of W.R.S. features. In particular, subwatershed studies identify key hydrologic functions and key hydrologic areas and consider existing conditions and future conditions associated with urban development and other impacts (e.g., climate change).

Subwatershed studies and other reports can also inform policy development, as they inherently apply current best practices in their characterization and management recommendations for W.R.S. features and areas. Through reviewing these existing studies, specific areas can be identified for mapping in the W.R.S. and policies can be developed based on the recommendations from these studies. It should be recognized that the data contained in subwatershed studies can be quite dated and the recommended methods and protocols may vary widely between subwatershed studies. These aspects need to be considered when assembling and vetting the data for use in mapping the W.R.S. That said, the existing studies, geospatial datasets and reports are considered equivalent to Regional watershed planning and sufficient to inform the identification of the W.R.S.

Two primary options have been proposed for the W.R.S., including the following:

- W.R.S. Option 1 –minimum standards related to Provincial planning requirements
- W.R.S. Option 2 –going beyond minimum standards including an increasing number of components and potential connections.

3.3.2 W.R.S. Option 1 – Minimum Standards

This option reiterates the policy direction for the W.R.S. established through policy in the P.P.S., Growth Plan and the Greenbelt Plan. There is no similar requirement in the N.E.P. to map a W.R.S. The basic elements of this policy framework are described below.

Growth Plan and Greenbelt Plan

As mentioned above, there is an expectation that watershed planning will inform the identification of a W.R.S. and inform how the quality and quantity of water will be protected, enhanced or restored. At a minimum, for lands subject to the Growth Plan and the Greenbelt Plan, the following would need to be incorporated in the new N.O.P.:

- The following features would be included as key hydrologic features in the W.R.S.:
    - Permanent streams and intermittent streams;
    - Inland lakes and their littoral zones;
    - Seepage areas and springs; and
    - Wetlands (which are also considered to be key natural heritage features by the Growth Plan and the Greenbelt Plan).
- The following areas would be included as key hydrologic areas in the W.R.S.:
    - Significant groundwater recharge areas;
    - Highly vulnerable aquifers; and
    - Significant surface water contribution areas.
- The inclusion of other components of the W.R.S. would be informed by watershed planning or equivalent. The following components would be included as part of the W.R.S., as informed by watershed planning or equivalent (Section 4.2.1.3), where they are considered “necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption”:
    - Ground water features:
        - recharge/discharge areas;
        - water tables; and
        - aquifers and unsaturated zones.
    - Surface water features:
        - headwaters;
        - recharge/discharge areas; and
        - associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.
    - Hydrologic functions; and
    - Shoreline areas.
- The W.R.S. would be shown as an overlay designation on an operative schedule of the Official Plan. This overlay would extend into settlement areas. Given the

absence of information on the location and in particular the boundaries of elements of the W.R.S., only certain elements of the W.R.S. can be mapped at this time.

- Wetlands (which are both key natural heritage features and key hydrologic features) are also considered to be a component of the Growth Plan N.H.S. and the Greenbelt Plan N.H.S in this option; they would be identified as an overlay, as per N.H.S. Option 1.

- The policies in Section 4.2.2.3 of the Growth Plan and Section 3.2.2 of the Greenbelt Plan relating to key hydrologic features that deal with negative impacts, connectivity, removal of features, and agricultural uses within the N.H.S. for the Growth Plan and Greenbelt Plan would be incorporated within the new N.O.P. as is.

- The restrictive development and site alteration policies that apply to key hydrologic features anywhere in the Region except for settlement areas, the Greenbelt Plan area and the N.E.P. area, also in Section 4.2.3 of the Growth Plan and Section 3.2.4 of the Greenbelt Plan would be incorporated within the new N.O.P. as is.

- The restrictive development and site alteration policies that apply to lands within 120 m of key hydrologic features anywhere in the Region except for settlement areas and the N.E.P. Area, also in Section 4.2.4 of the Growth Plan and Section 3.2.5 of the Greenbelt Plan, would be incorporated within the new N.O.P. as is.

- For key hydrologic features, a V.P.Z. of no less than 30 metres, measured from the outside boundary of the key hydrologic feature, is required (the V.P.Z. is reduced to 15 metres for agricultural buildings in the Niagara Peninsula Tender Fruit and Grape Area. Evaluations will be required to identify any additional restrictions to be applied before, during, and after development to protect the hydrologic and ecological functions of the feature. The restrictions and exemptions related to development or site alteration in V.P.Z.s, as noted in both the Growth Plan and Greenbelt Plan would apply.

Provincial Policy Statement

Policy 2.2.1 of the P.P.S. notes the following:

> "Planning authorities shall protect, improve or restore the quality and quantity of water by:
>
> a) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed."

- The P.P.S. does not include any other policies related to the W.R.S. The Region would therefore have the ability to implement policies specific to settlement areas

that ensure adequate protection of the components of the W.R.S., while still directing appropriate development and infill within settlement areas.

- Similar to the direction provided in the Growth Plan, the identification of these components and the evaluation of their contribution to the ecological and hydrological integrity of the watershed is best determined through watershed planning or equivalent. Watershed Planning studies or the equivalent would also inform policy development. That said, it is expected the policies related to the W.R.S. in settlement areas would apply to the following, as informed through a review of existing watershed studies and geospatial datasets contained therein:
    - Ground water features;
    - Hydrologic functions;
    - Natural heritage features and areas; and
    - Surface water features, including shorelines.

Figure 3 provides a visual of W.R.S. Option 1 within a representative area of Niagara Region based on the direction for mapping discussed in **Section 6** of this technical report. It should be recognized that the mapping represents a conceptual approach to mapping the W.R.S. and includes datasets that are anticipated to be updated prior to the completion of the final mapping for the Region's W.R.S.

This page is left intentionally blank.

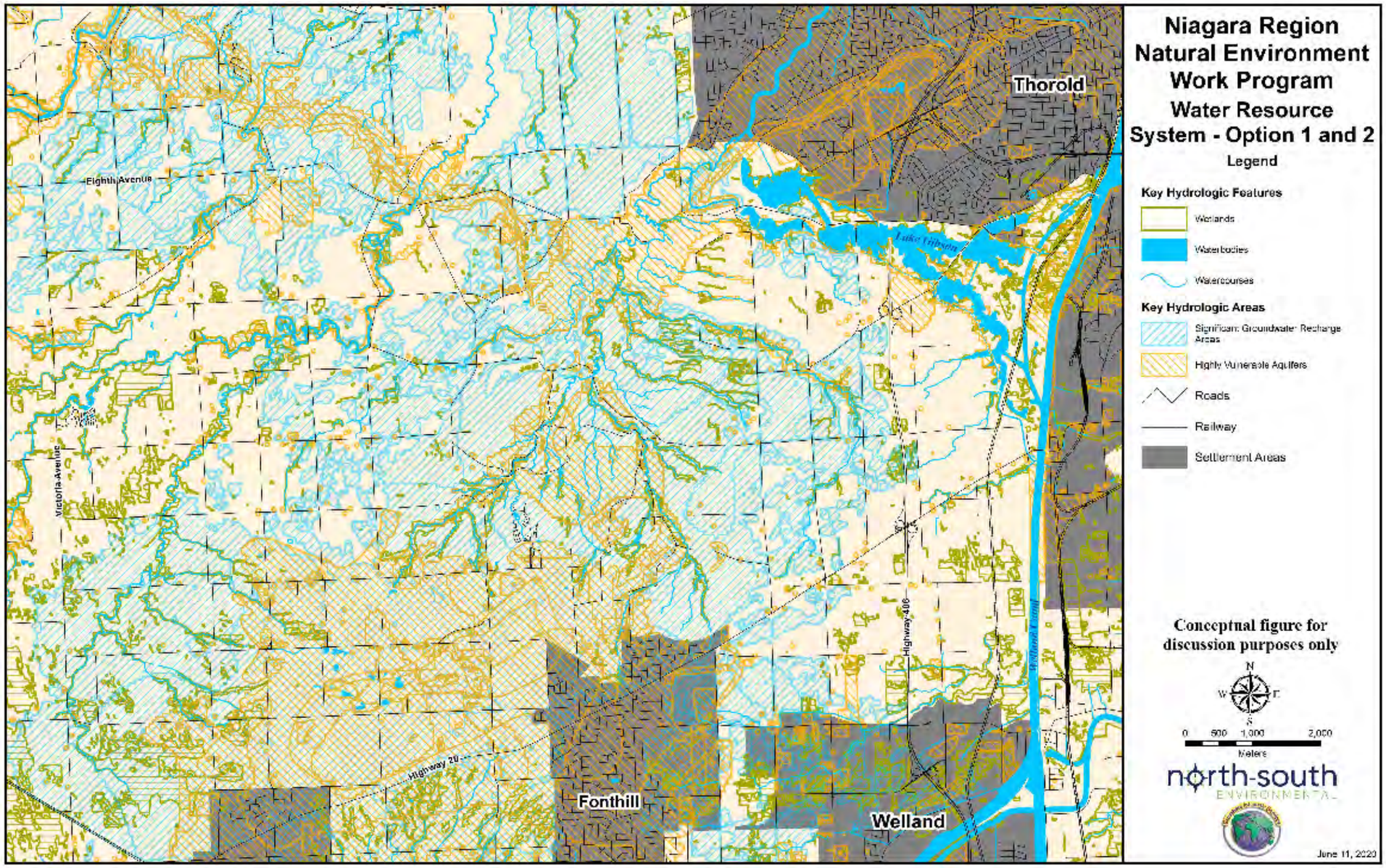


Figure 3. Conceptual illustration of Water Resource System Option 1.

This page is left intentionally blank.

3.3.3 W.R.S. Option 2 – Going Beyond Minimum Standards

W.R.S. Option 2 includes all of the policy direction and components as identified in W.R.S. Option 1 as well as additional features and areas as informed through watershed planning or equivalent. The main difference between W.R.S. Option 1 and 2 would be the inclusion of additional components that goes beyond the required components of the W.R.S. Another difference would be that all key hydrologic features outside of settlement areas would be designated as per N.H.S. Option 2. Beyond this, the additional components may include:

- Headwater Drainage Features;
    - classified as “Protection”
    - classified as “Conservation”
- Ecologically Significant Groundwater Recharge Areas; or
- Hydrologic Functions;
    - Floodplain
    - Karst features.

W.R.S. Option 2 has been further divided into Options 2A and 2B where the main difference would be including or excluding these additional components in settlement areas:

- W.R.S. Option 2A – includes all of the components of W.R.S. plus the additional components listed above located outside of settlement areas only
- W.R.S. Option 2B - includes all of the components of W.R.S. plus the additional components listed above located region-wide, including within settlement areas

3.3.4 Components of the Water Resource System

The components of the W.R.S. (**Table 3**) have been grouped into required categories (Key Hydrologic Features and Key Hydrologic Areas) and those features or areas that are to be informed by watershed planning or equivalent. Definitions, and in some cases, preliminary criteria have been provided for the components of the W.R.S. described in **Appendix 2**.

Table 3. Components of the Water Resource System.

Category	Components
Key Hydrologic Features (required)	• Permanent streams and intermittent streams • Inland lakes and their littoral zones • Seepage areas and springs • Wetlands
Key Hydrologic Areas (required)	• Significant groundwater recharge areas • Highly vulnerable aquifers • Significant surface water contribution areas

Category	Components
Ground water features (to be informed by watershed planning or equivalent)	• Recharge/discharge areas • Ecologically Significant Groundwater Recharge Areas • Water tables • Aquifers and unsaturated zones
Surface Water Features (to be informed by watershed planning or equivalent)	• Headwaters • Recharge/discharge areas • Associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.
Hydrologic functions (to be informed by watershed planning or equivalent)	• Floodplain • Karst
Shoreline areas	• Recommended to be defined as 30 m (98 ft) from the limits of the shoreline flood hazard
Vegetation Protection Zone	• For key hydrologic features, a vegetated protection zone of no less than 30 m, measured from the outside boundary of the key hydrologic feature, is required outside of settlement areas.

4.0 Approach to Evaluate Natural Environment System Options

Each of the options characterized in **Section 3** will be assessed using a set of criteria that represent the full range of considerations identified through the Natural Environment Background Study to assess how they perform in each area. The options are also compared against each under each set of criteria to identify which option best fulfills the criteria. An evaluation of the options against a set of criteria and each other will not only assist the Region in identifying the preferred option for the natural environment system, including mapping and policies, but provides a defensible, transparent process that responds to input from the consultation process.

4.1 Evaluation of Options for the Natural Environment Systems

Preliminary criteria were developed in the Natural Environment Background Study based on consultation with the Technical Advisory Group (T.A.G.), and with input from stakeholders and the public during the 1st Point of Engagement. The general themes of the preliminary criteria considered the following:

- Consistency;
- Balance;
- Defensibility;
- Effectiveness; and
- Effective use of resources.

The feedback received from the 1st Point of Engagement has been used to build on these themes and develop the criteria to evaluate the options. Furthermore, following the 1st Point of Engagement, several key themes emerged that have been summarized in the following statement:

> "The Region's natural environment system planning framework should be forward thinking, following a systems approach that accurately identifies and protects the natural environment, recognizes the uniqueness of Niagara's geography, and important agricultural system, and is implemented through a clear and consistent set of policies, with roles and responsibilities clearly identified."

This statement is considered when evaluating the options to determine if the options meet the intent of this statement.

It should be recognized that the evaluation of options is a relative qualitative comparison of how each option achieves the criteria. The evaluation is not a scoring, weighting or quantitative analysis of each option. The evaluation is largely a value-based exercise that is intended to identify the option(s) which best fulfill the criteria, and ultimately the desire of the Region, stakeholders, and the public to provide policies and mapping that will achieve the goals and objectives for the natural environment system.

It should be noted that the criteria related to ensuring consistency with legislative requirements was not carried forward in the evaluation, as this criterion is redundant since it is Provincial policy, not laws and legislation that require that certain features be protected. Specifically, it is recognized that the Endangered Species Act (E.S.A.) does apply to endangered and threatened species and there is a process specific to those species that would apply regardless of which natural environment system option were selected by the Region.

Likewise, the criterion related to 'Conformity with Provincial Direction and Plans' is not included in the evaluation because all of the options proposed have been developed to ensure they conform to the requirements of the policies of the P.P.S. and Provincial plans. However, it should be noted that N.H.S. Options 3A, 3B and 3C exceed minimum standards with respect to the number of components and areal extent of the system.

The results of the evaluation of options for the N.H.S. and W.R.S. against the criteria and each other are provided in **Table 4** and **Table 5** respectively. A visual representation of the extent to which each option fulfills the criteria is provided along with a discussion of how the options meet each criterion. For some of the categories

several options fulfill the criteria; however, the option that best fulfills the criteria was indicated by a green circle for the N.H.S. and a blue circle for the W.R.S.

This page is left intentionally blank

Table 4. Evaluation of options for the Natural Heritage System.

Evaluation Criteria	Ability of Option to Meet Criteria (full = ●, partial = ◕, minimal = ◔)					Comparison of Options
	1	2	3A	3B	3C	
Consistent						
Achieves the Vision, Goals and Objectives of the new N.O.P., with consideration of Regional Council's strategic priorities	◔	◔	◕	●	●	The Region has not finalized a Vision, Goals and Objectives for the new N.O.P. However, through feedback received during the 1st Point of Engagement, the options have been reviewed against this statement: "The Region's natural environment system planning framework should be forward thinking, following a systems approach that accurately identifies and protects the natural environment, recognizes the uniqueness of Niagara's geography, and important agricultural system, and is implemented through a clear and consistent set of policies, with roles and responsibilities clearly identified". Nothing in any of the options imposes additional restrictions to normal farming practices as already identified in Provincial policy, as such, all of the options recognize the importance of the agricultural system. Both N.H.S. Options 3B and 3C meet the intent of the above noted statement. However, Option 3C best represents a forward thinking systems approach since it includes additional linkages and features.
Balanced						
Considers stakeholder needs and interests	◔	◔	◕	◕	◔	**Agriculture** - Generally speaking, Provincial policy recognizes and permits agricultural uses in and adjacent to key features within the two Provincial N.H.S.s and recognizes existing agricultural uses. As a result, while additional lands may be identified in Options 3A and 3B and 3C, the impacts of doing so would be negligible. As such, the agricultural communities' needs have been recognized in all options. **Development and Growth** - Potential impacts on efficient development patterns in urban areas increase in Option 3C in particular as a result of the inclusion of additional key features, supporting features and linkages, which may have an impact on the location and amount of net developable areas. The constraints on other land uses resulting from identifying additional land in the form of larger features, other features and linkages in Option 3C is a consideration, particularly in settlement areas, where there is a desire to support efficient and compact development. Impacts may also be felt with rural development as a result of applying Options 3A, 3B and 3C on rural residential lot creation and other forms of rural development. **Environmental Protection** – Moving from Options 3A through 3C, the system includes more features and supporting areas, and connectivity, thus N.H.S. Option 3C provides a relatively higher degree of confidence that the N.H.S. will provide a resilient, interconnected system that preserves and enhances natural features, ecological functions and native biodiversity. Option 3B would best provide a balanced option that considers stakeholder needs as it includes Supporting Features and Areas outside of provincial N.H.S.s that would increase the resiliency of the system, but only outside of settlement areas as not to encumber growth and intensification within settlement areas.

Evaluation Criteria	Ability of Option to Meet Criteria (full = ●, partial = ◕, minimal = ◔)					Comparison of Options
	1	2	3A	3B	3C	
Provides flexibility to achieve balanced land use planning **or** provides clear direction with respect to how balanced land use planning will be achieved	●	◕	◔	◔	◔	Option 1 provides the most flexibility when considering the development of land uses since only the features are identified in an overlay designation. In Option 2, these same lands would be designated, meaning that there may be less flexibility when considering alternative land uses. It is noted however that the policy framework is the same in both options. In Options 3A, 3B and 3C, other lands having environmental value would be identified along with an increasing requirement to identify buffers, thus having an impact on the location and form of development.
Defensible						
Policies and identification of systems are informed by best practices (i.e., supported by science)	◔	◔	◕	●	●	This criterion has more to do with the criteria relied upon to identify the components of the N.H.S. The ecological integrity of a system as a whole is more robust when linkages and enhancement areas are identified to support the resiliency of the system, particularly when they are identified region-wide. While the policy and mapping options have all been based on best practices, and follow a science-based approach to ensure defensible and rigorous policies and mapping, Option 3B applies the most balanced, defendable approach. The approach in Option 3B incorporates both an ecological approach to identifying a complete system which includes linkages and enhancement areas outside of settlement areas; this has the effect of limiting constraints on development in settlement areas. As such, N.H.S. Option 3B would be highly defensible at a Local Planning Appeal Tribunal (L.P.A.T.) hearing from an ecological and land use planning perspective.
Policies follow a systems-based approach	◔	◔	◕	◕	●	While N.H.S. options 1 and 2 are representative of a systems approach, it does not apply across the Region. Options 3A, 3B apply across the Region (including lands within the NEP), except for identifying linkages in settlement areas, whereas Option 3C would include linkages in settlement areas. Option 3C incudes the largest areal extent including additional linkages and enhancements, including within settlement areas.
Effective						
Ensure protection of the natural environment system	◔	◔	◕	◕	●	Moving from N.H.S. Option 3A through 3C, the system includes more features and supporting areas and connectivity, thus providing an increasing degree of confidence that the N.H.S. will provide a resilient, interconnected system that preserves and enhances natural features, ecological functions, and native biodiversity. Furthermore, a larger more robust natural environment system is more resilient to the impacts from climate change, and larger areas of natural cover and impervious surfaces can help to mitigate impacts of climate change. Option 3C best ensures the protection of a region-wide N.H.S, including within settlement areas.
The policies can be effectively implemented	●	●	◕	◕	◕	Provincial policy outlines in considerable detail how features are to be protected and under what conditions development may be considered. This would apply across all of the options. For the other supporting features, enhancement areas and linkages included in Options 3A, 3B and 3C, the Region has the ability and discretion to establish policies that are based on local context. However, moving beyond Provincial policy requires more consideration for how policies could be interpreted and implemented. Implementation tools may need to be developed to support the interpretation and implementation of some policies (e.g., buffer guidelines). Given the relative ease of implementing Provincial policy requirements compared with a more complex policy framework that would result through Options 3A, 3B and 3C, N.H.S. Option 1 and 2 would result in a simpler policy framework. However, by designating features, Option 2 ensures that policies protecting features can be more effectively implemented.

Evaluation Criteria	Ability of Option to Meet Criteria (full = ●, partial = ◕, minimal = ◔)					Comparison of Options
	1	2	3A	3B	3C	
Directing development to desired locations that support the objectives of the Province with respect to the location of growth and development	●	●	●	◕	◔	All of the options would support development in desired locations (e.g. infill / intensification, etc.) where appropriate, because each option provides additional flexibility in settlement areas. However, Option 3C may have the most impact on growth and development in settlement areas since linkages in the settlement areas are a component of Option 3C. This means that since Options 1, 2, and 3A do not identify other key features, enhancement or linkages in settlement areas, these options would impose the least amount of restrictions to development in settlement areas. Since Option 3A identifies a more complete system, including linkages and enhancement areas outside of settlement areas, development would also be more likely to occur in settlement areas, where growth is more desirable; as such, Option 3A best fulfills this criterion.
Time and Resourcing						
Anticipated timeline for approval	◕	◕	●	●	◕	This criterion considers the timeline and resources required to implement both the policies of the natural environment system, as well as subsequent development applications that require implementation of the natural environment policies of the new N.O.P. Based on feedback received through the 1st Point of Engagement, there is a desire to protect the N.H.S., while ensuring development is directed to appropriate locations. Option 3B best fulfills this criterion related to approval of the new N.O.P. and limiting constraints to development in settlement areas, which would not include linkages, while providing flexibility to permit appropriate development in settlement areas.
Anticipated **timeline** to develop implementation tools (e.g., mapping, screening tools, E.I.S. guidelines, water resource study guidelines, etc.)	●	●	●	◕	◕	Compared with Options 1 and 2, moving through Options 3A, 3B and 3C would require a greater need for implementation tools to provide clear guidance and direction for implementing enhancement areas, linkages, identifying ecologically appropriate buffers, and applying criteria as defined in the new N.O.P. or updated Environmental Impact Study Guidelines. Since Option 3A largely identifies features and areas outside of settlement areas, implementation could rely more heavily on Provincial guidance such as the Greenbelt Plan Technical Definitions and Criteria for Key Natural Heritage Features in the N.H.S. of the Protected Countryside Area (O.M.N.R. 2012) and the Natural Heritage Reference Manual (O.M.N.R. 2010). There would be few implementation tools required to map the N.H.S. or implement policies for Options 1 and 2. With Option 1 identifying the N.H.S. as an overlay and across a smaller area of the Region, mapping the system would require less time, and fewer tools or guidance documents woud be required.
Anticipated **costs** to develop implementation tools (e.g., mapping, screening tools, E.I.S. guidelines, water resource study guidelines, etc.)	●	●	●	◕	◕	It is expected that for Options 1, 2 and 3A, the Region could rely more heavily on Provincial guidance such as the Greenbelt Plan Technical Definitions and Criteria for Key Natural Heritage Features in the N.H.S. of the Protected Countryside Area (O.M.N.R. 2012) and the Natural Heritage Reference Manual (O.M.N.R. 2010). When identifying additional key natural features, enhancements, linkages and buffers outside of the Provincial plan areas and within settlement areas, there will be additional resources and tools required to support the interpretation and implementation of policies and mapping.

Table 5. Evaluation of options for the Water Resource System.

Evaluation Criteria	Ability of Option to Meet Criteria (full = ●, partial = ◕, minimal = ◔)			Comparison of Options
	1	2A	2B	
Consistent				
Achieves the Vision, Goals and Objectives of the new N.O.P. with consideration of Regional Council's strategic priorities	●	●	●	The Region has not finalized a Vision, Goals and Objectives for the new N.O.P. However, through feedback received during the 1st Point of Engagement, the options have been reviewed against this statement: "The Region's natural environment system planning framework should be forward thinking, following a systems approach that accurately identifies and protects the natural environment, recognizes the uniqueness of Niagara's geography, and important agricultural system, and is implemented through a clear and consistent set of policies, with roles and responsibilities clearly identified". None of the options are intended to impose additional restrictions to normal farming practices as already identified in Provincial policy, as such, all options recognize the importance of the agricultural system. All three W.R.S. options meet the intent of the above noted statement. However, Option 2B best represents a forward thinking systems approach that would protect more of the components of the W.R.S. region-wide. In addition all wetlands would be designated in Options 2A and 2B.
Balanced				
Considers stakeholder needs and interests	◔	◕	◔	**Agriculture** - Generally speaking, Provincial policy recognizes and permits agricultural uses in and adjacent to key hydrologic features and hydrologic areas within the two Provincial N.H.S.s and recognizes existing agricultural uses. While additional lands may be identified in Option 2, the impacts of doing so would be negligible. As such, the agricultural communities' needs have been recognized in all options. **Development and Growth** - The impacts of identifying additional land in Option 2A and 2B on other land uses is a consideration, particularly where rural development is proposed in the form of residential lot creation for both options and for development in settlement areas in option 2B. Option 1 would provide the lease amount of constraints to development, particularly in settlement areas where the W.R.S. would not identify additional components. **Environmental Protection** – Option 2B includes more features and areas, thus Option 2B provides a relatively high degree of confidence that the W.R.S. will provide long-term protection of key hydrologic features, key hydrologic areas, and their functions. Option 2A would best provide a balanced option that considers stakeholder needs as it identifies more components of the W.R.S. that would increase the resiliency of the system, but only outside of settlement areas as not to encumber growth and intensification within settlement areas.

Evaluation Criteria	Ability of Option to Meet Criteria (full = ●, partial = ◕, minimal = ◔)			Comparison of Options
	1	2A	2B	
Provides flexibility to achieve balanced land use planning **or** provides clear direction with respect to how balanced land use planning will be achieved	◕	●	◕	W.R.S. Option 1 provides some flexibility when considering the development of land uses since only the required features and areas and associated minimum prescribed V.P.Z.s are identified in an overlay designation outside of settlement areas. While Options 2A and 2B identify additional features, Option 2A provides the most balanced approach to land use planning as the additional features are identified outside of settlement areas, thus supporting directing development into settlement areas. Furthermore, the additional features identified in W.R.S. Option 2B are most often located in rural areas (e.g., headwater drainage features), contained within other key natural features, or confined by surrounding development in settlement areas. Therefore, it is anticipated that Option 2A would capture most of these features, and by not including them in settlement areas, growth and development can more appropriately be achieved in settlement areas.
Defensible				
Policies and identification of systems are informed by best practices (i.e., supported by science)	◕	●	◕	This criterion has more to do with the criteria relied upon to identify the components of the N.H.S. The ecological integrity of a system as a whole is more robust when linkages and contributing areas are identified to support the resiliency of the system, as well if the system applies region wide. While the policy and mapping options have all been based on best practices and follow a science-based approach to ensure defensible and rigorous policies and mapping, Option 2A applies the most balanced, defendable approach. The approach in Option 2A incorporates both an ecological approach to identifying a complete system, while limiting constraints on development in settlement areas. As such, W.R.S. Option 2A would be highly defensible at an L.P.A.T. hearing from an ecological and land use planning perspective.
Policies follow a systems-based approach	◕	◕	●	While W.R.S. Options 1 and 2A are representative of a systems approach, they do not apply across the entire Region. While there would be different policies applying to features based on geography, Options 2B would apply region-wide, and include lands within the N.E.P. Option 2B incudes the largest areal extent and includes contributing areas, therefore, allowing the policies to be applied to a more inclusive system.
Effective				
Ensure protection of the natural environment system	◔	◔	●	Moving from W.R.S. Option 1 through 2B, the system includes more hydrologic features and areas, thus, providing an increasing degree of confidence that the W.R.S. will provide a resilient system that will provide long-term protection of key hydrologic features, key hydrologic areas, and their functions. Furthermore, a larger more robust W.R.S. is more resilient to impacts from climate change, and identification and protection of larger areas of natural cover and impervious surfaces can help to mitigate the impacts of climate change. Option 2B best ensures the protection of the W.R.S. by identifying the system region-wide, including in settlement areas.
The policies can be effectively implemented	●	◕	◔	Provincial policy outlines in considerable detail how components of the W.R.S. outside of settlement areas are to be protected and under what conditions development may be considered. This would apply across all of the options. For the other hydrologic features and areas included in Option 2B, the Region has the ability and discretion to establish policies that are based on local context. However, moving beyond Provincial policy requires more consideration for how policies could be interpreted and implemented. Implementation tools may need to be developed to support the interpretation and implementation of some policies (e.g., identification and treatment of floodplain zones in settlement areas; approach to protect and/or manage headwater drainage features). Option 1 provides relative ease of implementing Provincial policy requirements compared to the more complex policy framework that would result through Options 2A and 2B; therefore, Option 1 better fulfills this criterion.

Evaluation Criteria	Ability of Option to Meet Criteria (full = ●, partial = ◕, minimal = ◔)			Comparison of Options
	1	2A	2B	
Directing development to desired locations that support the objectives of the Province with respect to the location of growth and development	●	●	◕	All of the options would aim to support development in desired locations (e.g. infill / intensification, etc.) where appropriate. Even Option 2B could include policies that encourage protection of the additional components identified, while permitting appropriate development to occur in settlement areas. However, with the identification of additional hydrologic features and areas in settlement areas, additional restrictions would be imposed. That said, Option 2A increases the potential for constraints outside of settlement areas, but not in settlement areas, as such would have the effect of directing development to settlement areas.
Time and Resourcing				
Anticipated timeline for approval	◕	●	◕	This criterion considers the timeline and resources required to implement both the policies of the natural environment system, as well as subsequent development applications that require implementation of the natural environment policies of the new N.O.P. Based on feedback received through the 1st Point of Engagement, there is a desire to protect the W.R.S., while ensuring development is directed to appropriate locations. Option 2A best fulfills this criterion related to approval of the new N.O.P. and limiting constraints to development in settlement areas, as it identifies a region-wide system, while providing flexibility to develop policies that support appropriate development in settlement areas.
Anticipated **timeline** to develop implementation tools (e.g., mapping, screening tools, E.I.S. guidelines, water resource study guidelines, etc.)	●	◕	◕	Moving through Options 1, 2A and 2B, there would be a greater need for implementation tools to provide clear guidance and direction for identifying the components of the W.R.S. Since Option 1 mainly identifies hydrologic features and areas outside of settlement areas, implementation could rely more heavily on Provincial guidance. There would be fewer implementation tools required to map the W.R.S. or implement policies for Option 1.
Anticipated **costs** to develop implementation tools (e.g., mapping, screening tools, E.I.S. guidelines, water resource study guidelines, etc.)	●	◕	◕	It is expected that for Option 1 the Region can more readily obtain existing information and geospatial datasets from existing source (e.g., Comtemporary Mapping of Watercourses dataset, watershed planning reports, etc.). When identifying additional hydrologic features and areas, there will be additional resources and tools required to support the interpretation and implementation of policies and mapping.

5.0 Preliminary Preferred Option for the Region's Natural Environment System

Following the evaluation of the options against the criteria, the following have been identified as the preliminary preferred options:

- N.H.S. Option 3B
- W.R.S. Option 2A

The following sections provide an overview of the evaluation and explanation regarding the selection of the preferred options for the N.H.S. and the W.R.S.

5.1 Natural Heritage System Preliminary Preferred Option

The following provides a summary of the framework for N.H.S. Option 3B:

- The N.H.S. for the Growth Plan and the N.H.S. for the Greenbelt Plan are both identified as an overlay;
- A N.H.S would also be established as an overlay on lands outside of the Growth Plan and Greenbelt Plan N.H.S., but outside of settlement areas;
- Within the Greenbelt Plan N.H.S. and Growth Plan N.H.S., key natural heritage features and key hydrologic features would be designated. Vegetation protection zones and linkages within the Greenbelt Plan N.H.S. and Growth Plan N.H.S would also be identified separately and included in an overlay designation;
- Beyond the Greenbelt N.H.S. and Growth Plan N.H.S. linkages would be identified as an overlay and policies would be included in the N.O.P. that provide guidance on the establishment of V.P.Z's in these areas;
- Significant natural heritage features and areas outside of the Greenbelt Plan N.H.S. and Growth Plan N.H.S and the N.E.P. would be designated
- Key natural heritage features and key hydrologic features within the N.E.P. would also be designated;
- Other key natural features and areas and supporting features and areas outside of the Greenbelt N.H.S. and Growth Plan N.H.S and the N.E.P both outside and inside settlement areas would be identified through the use of an overlay;
- The restrictive policies as provided in the P.P.S., and the Provincial plans would be incorporated into the new N.O.P;
- Prime agricultural areas and key features and areas would be designated in mutually exclusive land use designations, which equally recognizes the importance of the natural heritage and agricultural systems;

The following provides an overview as to why N.H.S. Option 3B was selected as the preliminary preferred option:

1. Option 3B most closely aligns with the feedback statement, summarizing the direction received from feedback through the 1st Point of Engagement.

2. Option 3B provides a more balanced approach to the identification and protection of the N.H.S., by increasing the number of components and connections outside of settlement areas, while also attempting to support development in settlement areas by limiting the number of components, linkages and requirements for buffers within settlement areas.
3. Option 3B applies the most balanced, defendable approach that incorporates best practices from an ecological approach to identifying a complete system, while limiting constraints on development in settlement areas. As such, N.H.S. Option 3B would be highly defensible at an L.P.A.T. hearing from an ecological and land use planning perspective.
4. Option 3B would be effective in ensuring protection of the N.H.S. The N.H.S. includes key features and areas both inside and outside of settlement areas. Additional linkages and enhancement areas are identified outside of settlement areas, thereby increasing the resiliency of those features and areas.
5. While Option 1 and 2 would be the most straight-forward, cost effective, requiring the least amount of time and resources, Option 3B can be mapped in the timeline set out for the new N.O.P. This would be achieved by updating select datasets (e.g., woodland dataset), acquiring other more recent datasets (e.g., wetlands from the NPCA), and by developing a clear set of definitions and criteria for the other components not being mapped. Furthermore, implementation could rely more heavily on Provincial guidance such as the Greenbelt Plan 'Technical Definitions and Criteria for Key Natural Heritage Features in the N.H.S. of the Protected Countryside Area' (O.M.N.R., 2012) and the Natural Heritage Reference Manual (O.M.N.R., 2010). Additional guidance documents and tools (e.g., updated Environmental Impact Study Guideline, Buffer Guidelines) can be prepared prior to final approval and adoption of the new N.O.P.

5.2 Water Resource System Preliminary Preferred Option

The following provides a summary of the framework for W.R.S. Option 2A:

- This option reiterates the policy direction for the W.R.S. established through policy in the P.P.S., Growth Plan, Greenbelt Plan, and N.E.P.;
- The W.R.S. would be shown as an overlay designation on an operative schedule of the Official Plan. This overlay would extend into settlement areas;
- Wetlands outside of settlement areas would be designated as per N.H.S. Option 3B;
- Prime agricultural areas and wetlands would be designated in mutually exclusive land use designations, which equally recognizes the importance of the natural heritage and agricultural systems (with the W.R.S. identified as an overlay); and
- The components of the W.R.S. would include:
    - Key Hydrologic Features;
    - Key Hydrologic Areas;
    - Ground water features;
    - Surface water features;

- Shoreline Areas;
- Hydrologic functions outside of settlement areas;
- Ecologically Significant Groundwater Recharge Areas outside of settlement areas; and
- Vegetation Protection Zones for Key Hydrologic Features outside of settlement areas.

The following provides an overview as to why W.R.S. Option 2A was selected as the preliminary preferred option:

1. Option 2A most closely aligns with the feedback statement summarizing the direction received from feedback through the 1st Point of Engagement.
2. Option 2A provides a more balanced approach to the identification and protection of the W.R.S. by increasing the number of components and connections outside of settlement areas and minimizing the hydrologic features and areas identified within settlement areas, which has the effect of directing development to settlement areas.
3. Option 2A applies the most balanced, defendable approach that incorporates best practices from an ecological perspective that identifies a complete system, while limiting constraints on development in settlement areas. As such, W.R.S. Option 2A would be highly defensible at an L.P.A.T. hearing from an ecological and land use planning perspective.
4. When considering the effectiveness of the options to ensure protection of the W.R.S., Option 2A includes additional hydrologic features and areas outside of settlement areas that will provide long-term protection of key hydrologic features, key hydrologic areas, and their functions. The resulting W.R.S. mapping and policy framework would have the effect of appropriately directing development to settlement areas while identifying a more robust system with stronger policies outside of settlement areas.
5. While Option 1 would be the most straight-forward and cost effective, requiring the least amount of time and resources. Option 2A can be mapped in the timeline set out for the new N.O.P. This can be achieved by using existing geospatial datasets (e.g., Contemporary Mapping of Watercourses) and compiling available information from existing sources (e.g. subwatershed studies, groundwater studies, etc.) that would form the equivalent to a region-wide watershed plan.

5.3 Implications for Natural Environment System Planning

The preliminary preferred options go beyond the minimum Provincial standards for the identification of the N.H.S. and W.R.S. The selection of these options was informed by the feedback and direction received during the 1st Point of Engagement as summarized in the key themes noted in **Section 2.3.** The feedback provided additional direction that should be considered when developing the natural environment system policies and framework.

As a result of the preliminary preferred options going beyond the Provincial minimum standards, the following is recommended to ensure the objectives for the natural environment system are met and policies are implemented as intended:

- Policies will need to include an appropriate level of flexibility given the inclusion of other features and supporting features and areas that go beyond the Provincial requirements, being mindful that a systems-based approach must be preserved;
- Definitions for component features not currently defined will need to be more fully developed and vetted through the process;
- Criteria will need to be well developed for the identification of component features, particularly those which are not currently well defined (e.g., 'lands that have been restored or have the potential to be restored');
- Environmental Impact Study Guidelines will need to be updated to support the identification and/or refinement of component features, including how to appropriately identify buffers/V.P.Z.s (currently there is no minimum provided); and
- W.R.S. Guidelines will need to be provided that support the appropriate identification and/or refinement of component features.

6.0 Mapping the Natural Environment System

The direction from the Province as outlined in the P.P.S. and Provincial plans identify what features/components that could comprise the proposed natural environment system. Although Provincial direction specifies that N.H.S. and W.R.S. (which together comprise the natural environment system) must be identified by municipalities, the direction for mapping features/components within these systems varies among the Provincial plans. However, it is recognized that features are to be mapped where information exists and is deemed appropriate by the municipality to support implementation of the relevant official plan policies.

6.1 Components Recommended for Mapping the Natural Environment System

The Mapping Discussion Paper provided a review of the P.P.S., Provincial plans and policies, and a review of comparable municipal approaches to mapping N.H.S.s. The review of mapping datasets recommended a subset of components that should be mapped based on a review of the age of data, accuracy, completeness (i.e., representation of the data across the entire Region) and the need to provide a visual representation of the feature to support policy implementation. The Mapping Discussion Paper provided a review of existing datasets in Table 9 of that report and provided a recommendation on the suitability of datasets and preliminary considerations for use of that dataset. Through applying a set of criteria related to the age, accuracy and areal (i.e., geographic) coverage of the dataset recommendations, as well as considerations of options to update existing datasets or develop new datasets, recommendations for mapping components were provided in Section 8.3.1 of the Mapping Discussion Paper.

Through the development of natural environment system options provided in this report and in consideration of the data that will obtained through studies currently being completed (i.e., Ecological Land Classification Mapping for the Region and the Watershed Equivalency Study) the following components are recommended for mapping the N.H.S. and W.R.S.:

Natural Heritage System:

- P.S.W.s;
- Significant woodlands;
- Linkages;
- Life Science A.N.S.I.s;
- Earth Science A.N.S.I.s;
- Other wetlands (required to be mapped in the Growth Plan and Greenbelt Plan N.H.S.);
- Permanent and intermittent streams (required to be mapped in Greenbelt Plan N.H.S.);
- Inland Lakes (required to be mapped in Greenbelt Plan N.H.S.)*;
- Other woodlands*;
- Grasslands/meadows not meeting the criteria as significant wildlife habitat that are continuous with key features*;
- Sand barrens, savannahs, tallgrass prairies and alvars*; and
- Enhancement areas*.

Water Resource System:

- P.S.W.s and non-P.S.W.s;
- Inland lakes;
- Permanent streams (including rivers) and intermittent streams;
- Significant groundwater recharge areas;
- Highly vulnerable aquifers;
- Shoreline areas*; and
- Floodplains, flooding hazards, floodways*.

All components recommended for mapping in Section 6.2.1 of the Mapping Discussion Paper have been carried forward in this report. Those components denoted by an asterisk are components that were previously not identified for inclusion in the natural environment system, or were not recommended for mapping due to a lack of available data. In the case of Inland Lakes, the initial review of a potential dataset was based on the category ‘inland lakes and their littoral zones’. While mapping of littoral zones is currently not available nor is it anticipated to be produced through a current or anticipated study, there is datasets available to map Inland Lakes. Therefore, Inland Lakes are recommended for mapping.

The Region has recently initiated a study to map vegetation communities, with a minimum mapping unit of 0.1 hectares, in the Region according to Ecological Land

Classification. This dataset will allow the mapping of other woodlands, grasslands/meadows that are continuous with key features, and sand barrens, savannahs, tallgrass prairies and alvars. Enhancement areas can also be mapped in part informed through the Ecological Land Classification dataset currently being produced, as well as applying GIS-based algorithms.

Shoreline areas do not currently have a GIS dataset available for mapping this component. However, the N.P.C.A. currently regulates shorelines and the dynamic beach hazard, which is typically considered 30 meters from the limits of the shoreline flood hazard. A dataset representing this 30 m shoreline area can be easily produced using a GIS buffering tool. Furthermore, the mapping dataset produced through the Ecological Land Classification mapping project can be used to map natural/naturalized shoreline areas that are located within or overlap the shoreline area.

Floodplain datasets were evaluated in the Mapping Discussion Paper as suitable for mapping, but would require an updated dataset from the N.P.C.A. prior to developing mapping for the new N.O.P.

It should be acknowledged that additional datasets may be developed at a later time or sufficient data be available through other studies (e.g., subwatershed studies, environmental assessments, etc.) that could be used to map other components included as part of the Region's natural environment system. If other datasets are determined suitable for mapping the Region may consider updating the mapping of the natural environment system through an Official Plan Amendment.

6.2 Components of the Natural Environment System Not Recommended for Mapping

As mention previously in **Section 6.1**, the Mapping Discussion Paper provided a review of the datasets and made recommendations for those that should be mapped using current datasets, available datasets requiring minor updates/modifications, or in anticipation of datasets developed through anticipated studies. The components recommended for inclusion in the Natural Environment System, but which should not be mapped, include the following:

Natural Heritage System

- Fish habitat
- Significant valleylands
- Significant wildlife habitat
- Habitat of threatened and endangered species
- Habitat of special concern species in Escarpment Natural Area and Escarpment Protection Area designations
- Seepage areas and springs
- Other valleylands
- Other wildlife habitat

Water Resource System

- Significant surface water contribution areas
- Ground water features;
    - recharge areas (not considered 'significant groundwater recharge areas')
    - discharge areas
    - water tables
    - aquifers (not considered 'highly vulnerable aquifers')
    - unsaturated zones
- Surface water features;
    - headwaters (i.e., headwater drainage features)
    - recharge areas (not considered 'significant groundwater recharge areas')
    - discharge areas
    - associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics
- Hydrologic functions;
    - Karst features
- Ecologically Significant Groundwater Recharge Areas*

Through the Mapping Discussion Paper it was determined that the above listed datasets were either not available, could not be easily produced, were insufficient in areal extent, inaccurate, contained sensitive data, and/or were not anticipated to be developed, and therefore should not be considered for mapping. Of the above listed components that are not recommended for mapping, Ecologically Significant Groundwater Recharge Areas were not discussed in the Mapping Discussion Paper. Similar to other components of the W.R.S., Ecologically Significant Groundwater Recharge Areas are best identified through subwatershed studies, or other site specific studies; the coverage of such mapping if currently available or produced in the future, would not be sufficient at the region-wide scale for mapping in the new N.O.P., therefore should not be mapped.

Headwater drainage features have been mapped as part of the Contemporary Mapping of Watercourses dataset. While this information is available, it has been recommended in this report that only 'protection' and 'conservation' headwater drainage features be included as components of the Water Resource System (see description of headwater drainage features in **Appendix 2**) given their increased hydrological and ecological contribution to the downstream watercourse system. Classification of headwater drainage features has not been completed at the region-wide scale and it is not anticipated that such a study would be completed, therefore, mapping of 'protection' and 'conservation' headwater drainage features is not recommended.

6.3 Sources of Mapping Data and Recommendations for Mapping

The Mapping Discussion Paper provided a review of available mapping as well as recommendations for how datasets could be improved, acquired, or created. **Table 6**

provides a review of the above noted datasets and expands further on recommendations for datasets for use in mapping the natural environment system.

Table 6. Datasets and recommendations for improving or creating datasets for the components considered for mapping in the Region's Natural Environment Systems.

Component Features and Areas	Existing Source of Data	Recommendations
Natural Heritage System		
Provincially Significant Wetland	Ministry of Natural Resources and Forestry (M.N.R.F)	Updates are undertaken by the Province. Regularly scheduled data downloads from Land Information Ontario (L.I.O.) for updated dataset is recommended to ensure current data are in use.
Significant Woodland	Region woodland dataset is anticipated to be updated and criteria for significant woodlands can be applied to woodland dataset	1. Use available woodland datasets as base data; and. 2. Apply criteria established for significant woodlands.
Linkages	Growth Plan N.H.S.	1. The Growth Plan N.H.S. includes linkages, which would be sufficient for mapping N.H.S. Option 1 and 2; or 2. In addition to the Growth Plan N.H.S. which includes linkages, develop a GIS-based algorithm to identify key features that should be linked. This can be informed by reviewing the results of the Nature for Niagara's Future study which recommends connections.
Life Science A.N.S.I.	M.N.R.F., 2018	None
Earth Science A.N.S.I.	M.N.R.F., 2018	None
Other wetlands	N.P.C.A. Ecological Land Classification	1. Mapping of 'Other' (i.e. non P.S.W.) wetlands is available through N.P.C.A. (in place of M.N.R.F. 'other evaluated wetland' and unevaluated wetland mapping). N.P.C.A.

Component Features and Areas	Existing Source of Data	Recommendations
	(E.L.C.) mapping where available	regularly updates their wetland mapping and provides mapping updates to M.N.R.F. 2. Where E.L.C. mapping is available, wetland datasets can be developed.
Permanent and intermittent streams	Contemporary Mapping of Watercourses (Region, 2016)	1. Use watercourse layers with attribute of 'permanent' or 'intermittent' flow regime.
Inland lakes	Contemporary Mapping of Watercourses (Region, 2016)	Inland lakes can be identified by applying the Greenbelt Plan definition: "any inland body of standing water, usually fresh water, larger than a pool or pond or a body of water filling a depression in the earth's surface." However, it is recommended additional parameters or size criteria be determined as part of the detailed design process for the N.H.S. to be completed as part of the next technical report.
Other woodlands	Region woodland dataset is anticipated to be updated	See recommendations #1-4 for Significant Woodlands noted in **Appendix 1**.
Grasslands/meadows not meeting the criteria as significant wildlife habitat that are continuous with key features	E.L.C. mapping where available	It is anticipated that a region-wide E.L.C. dataset will be developed from which grasslands/meadows can be mapped.
Sand barrens, savannahs, tallgrass prairies and alvars	E.L.C. mapping where available	It is anticipated that a region-wide E.L.C. dataset will be developed from which sand barrens, savannahs, tallgrass prairies and alvars can be mapped.

Component Features and Areas	Existing Source of Data	Recommendations
Enhancement areas	None	Criteria and methods to identify enhancement areas will be established as part of the detailed design process for the N.H.S. to be completed as part of the next technical report.
Water Resource System		
Provincially Significant Wetlands	See above	See above
Other Wetlands	See above	See above
Inland Lakes	See above	See above
Permanent and Intermittent Streams	See above	See above
Significant Groundwater Recharge Areas	N.P.C.A. Groundwater Study Final Report (Waterloo Hydrogeologic Inc. 2005); Source protection planning documentation and mapping; and Review of subwatershed studies	Existing data can be obtained through the N.P.C.A. Groundwater Study Final Report, source protection planning documentation and mapping and data derived through subwatershed studies
Highly Vulnerable Aquifers	N.P.C.A. Groundwater Study Final Report (Waterloo Hydrogeologic Inc. 2005);	Existing data can be obtained through the N.P.C.A. Groundwater Study Final Report, source protection planning documentation and mapping and data derived through subwatershed studies

Component Features and Areas	Existing Source of Data	Recommendations
	Source protection planning documentation and mapping; and Review of subwatershed studies	
Shoreline Areas	N.P.C.A. shoreline flood/erosion inventory mapping	Combine hazard mapping (shoreline flood and erosion) from N.P.C.A. with natural heritage feature mapping (e.g., E.L.C.) to identify naturally vegetated shorelines.
Floodplain, flooding hazard, floodway	N.P.C.A	The regulatory floodplain as determined according to N.P.C.A. policies.

7.0 Next Steps

The preliminary preferred options identified in this technical report will be presented through the 2nd Point of Engagement. Initially, the preliminary preferred options will be presented to the Region's Planning and Economic Development Committee (P.E.D.C.) to seek direction to consult with stakeholders and the public. Following consultation on the preliminary preferred options, a preferred option would be presented to P.E.D.C. and Council for final endorsement.

Once a final option is selected, the detailed design of the N.H.S. and W.R.S. will be undertaken. This information will be provided in Technical Report #3 and include the following:

- Expanding on the preferred options to fully develop definitions, criteria, system components, sources of information, direction for preparing mapping, including R.O.P. schedules;
- Detailed recommendations for Official Plan policies to support implementation of the system, building on the recommendations that were provided in the Mapping Discussion Paper, Natural Environment System Background Study, and this technical report;
- A framework for implementation based on previous work completed for this work program, including how local area municipalities would incorporate the Region's natural environment system mapping and policies into their Official Plans and the roles and responsibilities of other public agencies and landowners;
- Recommendations for implementation tools that will need to be recognized in the new N.O.P. (e.g. E.I.S. guidelines); and
- A review of current Regional E.I.S. guidelines and preliminary recommendations for updating them.

8.0 References

Niagara Peninsula Conservation Authority [N.P.C.A.]. 2009. Groundwater Vulnerability Analysis Niagara Peninsula Source Protection Area. Prepared for Niagara Peninsula Source Protection Authority.

Niagara Peninsula Conservation Authority [N.P.C.A.]. 2013. Updated Assessment Report: Niagara Peninsula Source Protection Area. Prepared for Niagara Peninsula Source Protection Authority.

Nottawasaga Valley Conservation Authority [N.V.C.A.]. 2015b. Nottawasaga Valley Source Protection Area Approved Assessment Report.

Ontario Ministry of Natural Resources and Forestry [M.N.R.F.]. 2018. The Regional Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe - technical report on criteria, rationale and methods. Natural Heritage Section, Ontario. Ministry of Natural Resources and Forestry. Queen's Printer for Ontario, Peterborough, Ontario.

Ministry of Municipal Affairs and Housing [M.M.A.H.]. 2020. Provincial Policy Statement, 2020, Under the Planning Act.

Ministry of Natural Resources [M.N.R.]. 2002. Technical Guide: River & Stream Systems Erosion Hazard Limit

Toronto and Region Conservation Authority [T.R.C.A.] 2004. Belt Width Delineation Procedures.

Toronto and Region Conservation Authority and Credit Valley Conservation. 2014. Evaluation, Classification and Management of Headwater Drainage Features Guideline.

This page is left intentionally blank

Appendix 1: Descriptions and Criteria for Select Components of the Natural Heritage System

This page is left intentionally blank.

Description and Criteria for Select Components of the Natural Heritage System Components

The Mapping Discussion Paper and Natural Environment Background Study provided a review of the components recommended for inclusion in the N.H.S. The follow builds on that review with further discussion of the components, providing definitions where they have been developed and indicating if criteria have been established or need to be established to aid in identifying the component. While this Technical Report is not intended to develop criteria and definitions for all of the potential components, several components (e.g., significant woodlands, linkages and enhancement areas) require identification of preliminary criteria in order to identify what they include, and thus provide clarity on the range of options to be considered. The criteria provided herein are subject to change through future consultation and refinement through the next phases of the Natural Environment Work Program.

Provincially Significant Wetlands and Provincially Significant Coastal Wetlands

P.S.W.s (coastal and inland) are determined using the Ontario Wetland Evaluation System (O.W.E.S.). The Province is the administrator of these assessments, makes determinations in this regard and houses the analyses and dataset from wetland evaluations. As such, it is the Provincial dataset that will be used to identify and define this component.

Non-Provincially Significant Wetlands

Non-P.S.W.s (including evaluated wetlands determined to be non- Provincially significant, Locally Significant Wetlands, as well as unevaluated wetlands, etc.) can represent substantial natural heritage resources on the landscape and can provide valuable ecological function(s), especially in landscapes with few wetlands. It should be noted, that all wetlands are considered key hydrologic features according to the Growth Plan; as such, all wetlands outside of settlement areas are subject to policies of the Growth Plan that protect key hydrologic features (see Growth Plan Section 4.2.3). Notwithstanding the above, minimum size thresholds should be established to determine when a wetland becomes a key hydrologic feature.

Although the Growth Plan specifically indicates that key hydrologic features outside of settlement areas are to be protected, there is no requirement to protect them in settlement areas. However, they can be identified as key hydrological features within settlement areas, if deemed appropriate by the Region and could also be subject to different criteria than non-P.S.W.s outside of settlement areas. Since wetlands in settlement areas may provide important ecosystem services in addition to important ecological functions, consideration should be given to including ‘other wetlands’ in settlement areas as a component of the N.H.S., or at the least, as features to be protected. Targets for wetland cover could be considered when determining the size/threshold for those wetlands that should be included as ‘other wetlands’. According

to guidance from How Much Habitat is Enough?, “at least 10% wetland habitat and 6% of each subwatershed, or 40% of the historic watershed wetland coverage should be protected and restored” (Environment Canada, 2013, p.13). Region-specific targets can be identified following a geospatial review of wetland cover in Niagara Region.

Significant Woodlands

The Natural Environment Background Study provided a comprehensive review of the definition of woodlands and considerations for criteria to identify significant woodlands. Several recommendations for consideration were provided that have been carried forward for further discussion when developing the options to identify significant woodlands. Following from those recommendations, the following decisions will inform the criteria for significant woodlands in the Region.

Application of Guidelines and Technical Criteria

The Greenbelt technical paper provides criteria for identifying significant woodlands within the Greenbelt Plan area. The Province has also suggested that the Greenbelt Plan Technical Criteria and the Natural Heritage Reference Manual (O.M.N.R., 2010) be used as guidance to identify significant woodlands within the Growth Plan area, outside of the Greenbelt Plan N.H.S.

Targets to Inform Criteria

Based on existing woodland data, the woodland cover in Niagara Region is approximately 17.5%.

General guidance for woodland cover targets is provided in Environment Canada’s How Much Habitat is Enough? (Environment Canada, 2013):

> “30% forest cover at the watershed scale is the minimum forest cover threshold. This equates to a high-risk approach that may only support less than one half of the potential species richness, and marginally healthy aquatic systems;
>
> 40% forest cover at the watershed scale equates to a medium-risk approach that is likely to support more than one half of the potential species richness, and moderately healthy aquatic systems;
>
> 50% forest cover or more at the watershed scale equates to a low-risk approach that is likely to support most of the potential species, and healthy aquatic systems.”

Setting targets for woodland cover will inform size-based components of woodland criteria. As Niagara Region’s woodland cover is approximately 17.5%,the Region could set a realistic target above 17% that is based on a geospatial review of potential areas for restoration or reforestation. Comparatively, York Region currently has 23% woodland cover and has set a target of 25% woodland cover by 2031. While this is below the 30% cover target that is considered a high-risk approach to support functions associated with woodlands, this would be a realistic cover target to achieve in the

timeframe established. The approach to achieve this increase in woodland cover can include protecting woodlands that meet a minimum size threshold and encouraging or requiring enhancement of woodlands through restoration of internal gaps, indents, or gaps between fragmented woodland patches. This would also have the effect of increasing the ecological function and resiliency of the existing woodlands.

The woodland cover by geographic area (e.g., settlement vs. outside of settlement areas, above vs. below the escarpment) should also be assessed to assist in setting targets for woodland cover in Niagara Region. These targets should inform the development of criteria to identify Significant Woodlands in Niagara.

Best Practices to Inform Criteria

Based on a review of best practice documents, (e.g., Natural Heritage Reference Manual (O.M.N.R., 2010) and How Much Habitat is Enough? (Environment Canada, 2013) developing criteria for significant woodlands may include consideration of the following factors:

- Land use (settlement area vs. outside settlement areas);
- Total and relative cover of woodlands;
- Ecological function and uncommon characteristics;
- Economic and social functional values;
- Proximity to other significant natural features (e.g., watercourses, wetlands, Great Lakes, etc.);
- Geography (e.g., above or below the escarpment); and
- Overlap with components of the W.R.S. (e.g., significant groundwater recharge area, vulnerable aquifer, etc.).

As recommended in the Natural Environment Background Study, criteria should be developed to include Significant Woodlands that have been affected by natural and anthropogenic changes in woodland composition and structure, where these changes would result in the feature no longer meeting the definition of woodland. These features provide an important ecological function and can contribute to meeting woodland cover targets in the long term, as the potential to restore them to woodlands remains. As such, criteria should be developed to recognize these features as Significant Woodlands (assuming they meet other criteria for significance). Alternatively, the woodland/natural feature could be captured in the criteria of another component of the N.H.S. (e.g., restoration or enhancement area) that remains a part of the natural environment system and is afforded appropriate protection in policy.

Criteria for Significant Woodlands

Greenbelt Plan Criteria to identify Significant Woodlands within the Greenbelt Plan N.H.S. have been provided in the Technical Definitions and Criteria for Key Natural Heritage Features in the Natural Heritage System of the Protected Countryside – Technical Paper 1 (O.M.N.R., 2012). These criteria include:

- Any woodland 4 ha or greater in size; or

- Any woodland 1 ha or greater in size containing:
    - Naturally occurring (i.e., not planted) trees (as defined in Appendix D of the Greenbelt Technical Paper); or
    - 10 or more trees per ha greater than 100 years old or 50 cm or more in diameter; or
    - Containing a basal area of at least 8 sqm per ha in native trees that are 40 cm or more in diameter; or
    - Any woodlands wholly or partially within 30 m of a significant wetland; habitat of an endangered or threatened species; significant woodland; or
- Any woodland 0.5 ha or greater in size containing:
    - A provincially rare treed vegetation community with an S1, S2 or S3 in its ranking by the M.N.R.'s Natural Heritage Information Centre (N.H.I.C.); or
    - Habitat of a woodland plant species with an S1, S2 or S3 in its ranking or an 8, 9, or 10 in its Southern Ontario Coefficient of Conservatism by the N.H.I.C, consisting of 10 or more individual stems or 100 or more sqm of leaf coverage.

In applying these criteria, a woodland must have an average minimum width of 40 m measured to crown edges to qualify as a 'significant' woodland. Also, the criteria noted above are specific to the Greenbelt Plan N.H.S. and may not be appropriate for use region-wide (e.g., applying criteria related to basal area or leaf coverage may be difficult to implement and are generally not used).

Criteria have not yet been developed for identifying significant woodlands in the N.H.S. for the Growth Plan. The Province has suggested following best practices as provided in the Natural Heritage Reference Manual (O.M.N.R., 2010) and the Greenbelt Plan Technical Paper (O.M.N.R., 2012). The Natural Heritage Reference Manual provides size criteria for Significant Woodlands based on woodland cover within a given jurisdiction (in this case Niagara Region). The Region's woodland cover is 17.5%, within the range of 15-30% woodland cover for the 20 ha size threshold (O.M.N.R., 2010, p. 68). The Natural Heritage Reference Manual also notes that "the size threshold should be reduced in the absence of information for the other three criteria" (O.M.N.R., 2010, p. 68). These criteria are related to ecological functions (e.g., woodland diversity), uncommon characteristics (e.g., presence of rare species), and economic and social functional values (e.g., other ecosystem services). In the absence of this information, the size threshold for significant woodlands in Niagara Region would be reduced to 4 ha, as recommended in the Natural Heritage Reference Manual (O.M.N.R., 2010, Table 7-2, p. 68). This is consistent with the Greenbelt Technical Paper criteria related to size for identifying Significant Woodlands. As such, it would be appropriate to apply the Greenbelt Plan Technical Criteria for size to identify Significant Woodlands within the N.H.S. for the Growth Plan.

The definition for 'significant' in regard to woodlands in the P.P.S. also suggests the identification of Significant Woodlands be determined "using criteria established by the Ontario Ministry of Natural Resources" (M.M.A.H., 2020, p. 51). As such, it would be appropriate to apply the same size criteria established for Significant Woodlands in the

Greenbelt Plan as a minimum for the remainder of Niagara Region (including within the N.E.P. area).

The current Regional Official Plan includes size criteria for identifying Significant Woodlands. With the preparation of a new N.O.P., criteria for significant woodlands will be proposed to ensure current best practices and science puts forward ecologically appropriate and defendable criteria. However, the current criteria for significant woodlands in Niagara provides a solid foundation on which to develop new criteria. Firstly, size requirements for identifying Significant Woodlands should consider the Greenbelt Plan Technical Paper criteria, as well as consideration of woodland cover in settlement areas compared with outside of settlement areas. For example, the current criteria indicate that woodlands 2 ha or larger in size "within or overlapping Urban Area Boundaries" (Niagara Region Official Plan, 2014, p. 7-18) would qualify as Significant Woodland. Following a review of current woodland cover in settlement areas (to be undertaken as part of the next Technical Paper), this may be determined to be an appropriate size threshold. To be consistent with the criterion in the Greenbelt Technical Paper, the size threshold for significant woodlands outside of settlement areas should be 4 hectares or larger. In addition to size criteria, proximity criteria could include any woodland of any size as significant where it overlaps with any key feature or significant feature. Therefore, based on the guidance from the Natural Heritage Resource Manual (N.H.R.M) and the Greenbelt Technical Paper, criteria to identify significant woodlands in Niagara Region should be as follows:

- Any woodland 4 ha or greater in size; or
- Any woodland 2 ha or greater in settlement areas; or
- Any woodland 1 ha or greater in size meeting at least one of the following criteria:
    - Naturally occurring (i.e., not planted) trees (as defined in the species list of Appendix D in the Greenbelt Technical Paper)
    - 10 or more trees per ha greater than 100 years old or 50 cm or more in diameter;
    - Any woodlands wholly or partially within 30 m of a significant wetland; habitat of an endangered or threatened species; significant woodland; or
- Any woodland 0.5 ha or greater in size meeting at least one of the following criteria:
    - A provincially rare treed vegetation community with an S1, S2 or S3 in its ranking by the M.N.R.'s N.H.I.C;
    - Habitat of a woodland plant species with an S1, S2 or S3 in its ranking or an 8, 9, or 10 in its Southern Ontario Coefficient of Conservatism by the N.H.I.C., consisting of 10 or more individual stems or 100 or more sqm of leaf coverage; or
- Any woodland of any size overlapping with one or more of the following features:
    - P.S.W.s;
    - Life Science A.N.S.I.;
    - Earth Science A.N.S.I.;
    - Fish habitat;

- Significant valleylands;
- Significant wildlife habitat; and
- Habitat of threatened species and endangered species.

To be consistent with the Greenbelt Technical Paper, a woodland must have an average minimum width of 40 m measured to crown edges to qualify as a 'significant' woodland according to these criteria.

Figure 1 provides a conceptual illustration of significant woodlands when applying the above using existing and available information (e.g. significant wildlife habitat, age of trees and composition of species was not used to map significant woodlands on Figure 2). This illustration of woodlands is based on existing woodland datasets. It is understood that the Region intends on updating the datasets available to identify woodlands in an effort to improve the accuracy of the significant woodland dataset.

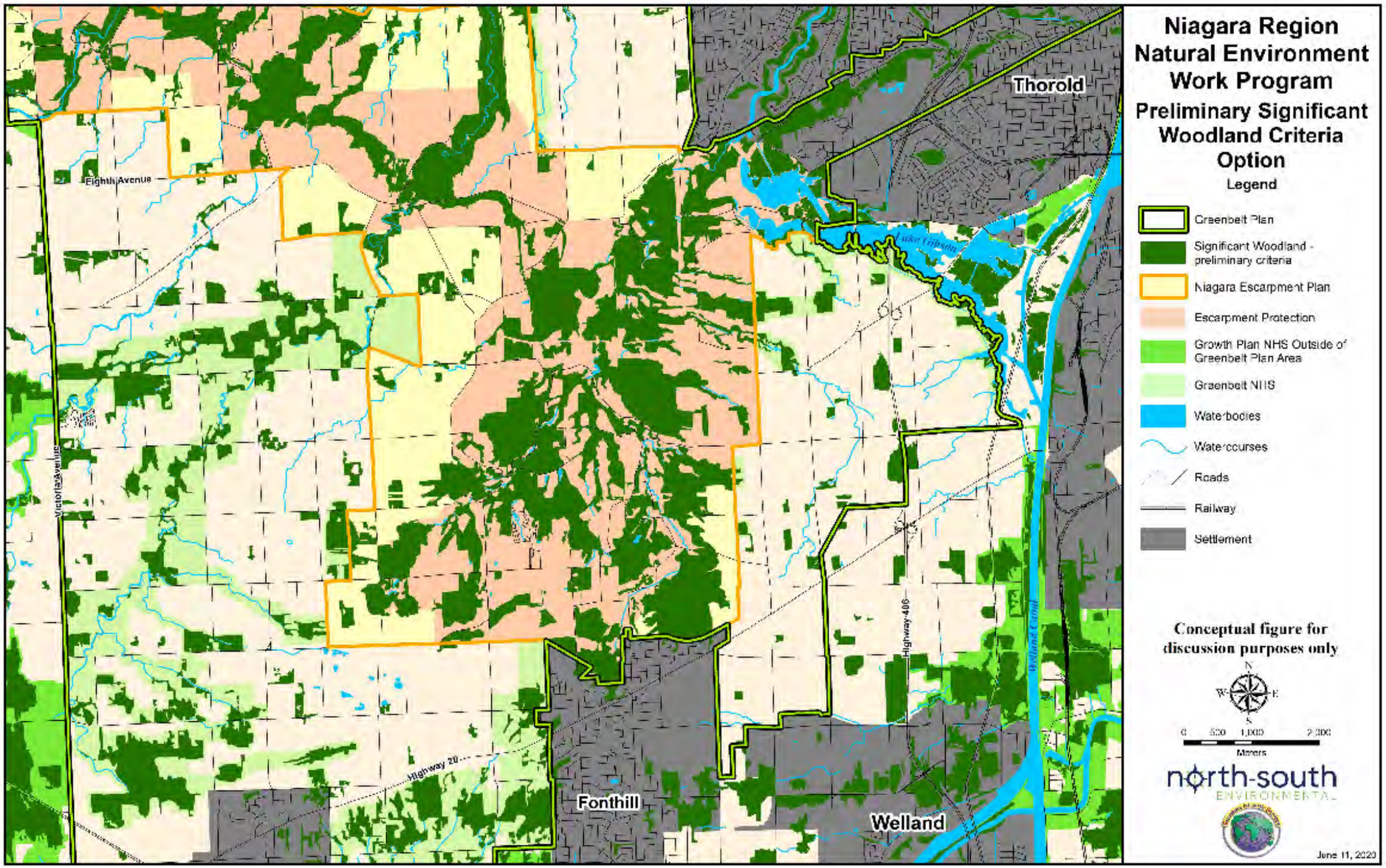


Figure 1. Significant Woodland mapping using recommended criteria.

This page is left intentionally blank.

Significant Valleylands

Valleylands are landform features formed by watercourses and contain a watercourse for some part of the year. Often, as a result of their topography (e.g., deep valleys, steep slopes, often wooded, sometimes containing seepage areas, etc.) they are some of the most prominent and enduring natural features on the landscape in southern Ontario. Other features, such as forests and wetlands, have more frequently been removed or filled over for settlement areas, agriculture and development.

In the P.P.S. (2020), valleylands are defined as:

> *"…* a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year."

Under the P.P.S. the definition of significance with respect to valleylands means:

> "ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system."

The definition of a significant valleyland under the Growth Plan mirrors that of the P.P.S. with the additional statement that "[significant valleylands] are to be identified using criteria established by the Province."

With respect to Provincial criteria, several may be useful in identifying criteria to identify significant valleylands in Niagara Region:

- Greenbelt Plan 2005. **Technical Definitions and Criteria for Key Natural Heritage Features in the Natural Heritage System of the Protected Countryside** (O.M.N.R., 2012): criteria applicable within the Greenbelt Plan area. Direction from the Province (M.N.R.F.) is to use the criteria for significant valleylands from the Greenbelt Technical Paper within the Growth Plan N.H.S.
- **The Natural Heritage Resource Manual** (N.H.R.M., 2010)**:** criteria generally applicable throughout Ontario. Prepared in support of the 2005 P.P.S. The principles contained in this document remain relevant for the identification of natural heritage features in Ontario. The criteria can be used to identify significant valleylands outside of the Growth Plan N.H.S.

Significant Wildlife Habitat (S.W.H.)

Significant Wildlife Habitat (S.W.H.) is generally identified as those areas of ecological importance for supporting and providing specialized wildlife habitat form and/or function. S.W.H. represent the best quality examples of habitat types available on the landscape. The province prepared the 'Significant Wildlife Habitat Criteria Ecoregion Schedules' (M.N.R.F., 2015) to provide geographically-based guidance for the identification of significant habitat. Municipalities have the opportunity to identify equally or more restrictive criteria for the identification of S.W.H.; however, the S.W.H. Criteria

Schedules are generally used as the basis for identification of S.W.H. at the municipal level. The Ecoregion 7E Criteria Schedule applies to Niagara Region.

Areas of Natural and Scientific Interest (A.N.S.I.)

Life Science A.N.S.I.s are identified as being high quality example(s) of ecological form and function in each Ecodistrict in the province (provincially significant) and the Region (regionally significant) and are generally defined by natural heritage features (e.g., a woodland, valley top of bank, etc.) and generally exclude anthropogenic land uses (e.g., residential areas / properties).

Earth Science A.N.S.I.s represent the best examples of geologic and geomorphic landforms and areas (e.g., a moraine) in each Ecodistrict in the province (provincially significant) and the Region (regionally significant). They may encompass a single feature or a group of related features (e.g., a drumlin field). As geologic / geomorphic landforms, the overlying land use may include a composite of natural and anthropogenic uses (e.g., woodland, agricultural, rural residential, etc.).

The M.N.R.F. identifies A.N.S.I.s and provides available mapping to municipalities.

Fish Habitat

A comprehensive discussion on the relationship between Fish Habitat and the new N.O.P. is included as Section 13 of the Natural Environment Background Study. A brief summary is provided below.

The Federal Fisheries Act provides a definition for Fish Habitat, which has been adopted across the P.P.S. and Provincial plans. It should be noted that the definition does not stipulate that the watercourse or waterbody have fish residing in it (i.e., be direct fish habitat) to be considered fish habitat under the Fisheries Act or in accordance with those plans that have adopted the definition. Within Niagara Region, fish habitat may therefore include:

- Watercourses and waterbodies that seasonally or permanently provide direct or indirect fish habitat;
    - Waterbodies containing fish habitat may exclude constructed off-line ponds (e.g., active irrigation ponds, stormwater ponds)
- Intermittent watercourses or headwater drainage features that provide contributions in terms of baseflow, material (e.g., substrates) or allochthonous inputs important to the maintenance of downstream fish habitat;
- Shoreline features that provide direct contributions in terms of materials (e.g., substrates) or allochthonous inputs important to the maintenance of fish habitat in Lake Ontario.

For the purpose of defining and identifying Fish Habitat to which natural environment policies will apply, the Federal Fisheries Act definition should be included in the new N.O.P. Where detailed fish habitat mapping is not available, all waterbodies, permanent

or intermittent streams, headwaters, seasonally flooded areas, municipal or agricultural surface drains, lakes and ponds (excluding human-made off-line ponds such as stormwater management ponds), should initially be considered fish habitat unless and until it is demonstrated to the satisfaction of the regulatory authority that the feature(s) do not meet the definition of Fish Habitat (per the Fisheries Act).

Based on the review provided in the Natural Environment Background Study, it is recommended that Fish Habitat not be mapped (although appropriate polices for protection would still apply). However, screening and identification of Fish Habitat can be supported by using available detailed Fish Habitat mapping provided by the M.N.R.F., Department of Fisheries and Oceans Canada, the conservation authority, or other mapping and data sources as suitable. Types or categories of Fish Habitat (e.g., warm water or cold water) can be used to inform management objectives, mitigation and potential enhancement activities, which could be appropriately informed by watershed planning.

Habitat for Endangered and Threatened Species

Habitat for Endangered Species and Threatened species is defined through the Endangered Species Act (2007) and may be identified through a variety of project processes (e.g., a subwatershed study); however, it is confirmed and managed by the Province through their administration of the Endangered Species Act (2007). Habitat mapping for many species may not be maintained as a comprehensive dataset. Habitat mapping access is generally highly restricted by the Province, in part owing to the sensitive nature of the data.

It should be recognized that habitat mapping for Endangered and Threatened species is incomplete and will change over time as surveys are completed and/or as species designations change (e.g., new species are listed or de-listed as Endangered or Threatened). It is not recommended this category be mapped as a component of the Region's N.H.S.

Linkages

In the context of N.H.S. planning, linkage means an area that provides ecological connectivity between natural heritage features. Linkages support a range of community and ecosystem processes enabling plants and animals to move among natural heritage features, in some cases over multiple generations. Linkages are preferably associated with the presence of existing natural areas and functions and should be established where they will provide an important contribution to the long-term sustainability of the overall N.H.S.

The Growth Plan identified a N.H.S. as one complete system. This system was developed by identifying core areas that include concentrations of natural features and connecting them with linkages, although core areas and linkages are not separately mapped. In Niagara Region, core areas for the Growth Plan N.H.S. were defined by the Province as being natural features that are 100 ha in size or greater. The Growth Plan

'Technical report on criteria, rationale and methods' (M.N.R.F., 2018) provides a thorough review of approaches to identifying core areas, including how core areas were identified in the N.H.S. for the Growth Plan. In addition, the Growth Plan technical report considers the following when identifying linkages:

- Natural features (e.g. water courses, valleylands, woodland/wetland patches) and rural/agricultural lands without barriers that connect core features;
- Connectivity/permeability (i.e., linkages were not identified where bisected by major roads);
- Length (no minimum); and
- Width ≥ 500 m (e.g., added 250 m on each side of watercourses that qualify).

It should be recognized that the Growth Plan N.H.S. was undertaken at a Greater Golden Horseshoe scale that captures the larger/more significant features/areas (referred to as 'core areas') and links the larger core areas. The Growth Plan Regional N.H.S. Mapping – Technical Report (O.M.N.R.F., 2015, p. 4) recognizes this in the following statement:

> "Given that N.H.S. mapping for the Growth Plan for the Greater Golden Horseshoe is on a broad, regional scale, it is focussed on identifying larger core areas and broad linkages. The mapping was not intended to identify all areas and connect features that may be important to consider at a local or smaller scale…"

The N.H.S. at the Niagara Region scale, including the identification of linkages, should therefore identify additional features and linkages that are important at the scale of the Region to meet the objectives and targets for the Niagara Region N.H.S. Based on the review of best practices and guidance documents provided in the Natural Environment Background Study, the following criteria should be considered for identifying Niagara Region Linkages:

- Large Linkages = Between large Core Areas (>50ha): 200-400 m wide;
- Medium Linkages = Between medium Core Areas (>20 ha): 100-200 m wide; and
- Small Linkages = Between small Core Areas (>10 ha): 50-100 m wide.

In applying these recommended criteria, the approach of identifying core areas is solely intended to inform the location for ecologically appropriate linkages; as such, core areas would not be mapped in a schedule in the new N.O.P., nor have policies associated with them. In the case of identifying linkages for Niagara's N.H.S., core areas can be defined as an individual feature or group of features in close proximity to each other (e.g., within 120 m) that have functional ecological connectivity (i.e., their proximity to each other supports ecological functions, such as wildlife habitat, exchange of genetic material, etc.). **Figure 2** provides a conceptual illustration of how linkages can be identified following this approach. The recommended approach for identifying core areas for the purpose of identifying linkages will be further discussed in the Regional Natural System(s) Technical Report, to be completed during Phase 6 of the Natural Environment Work Program.

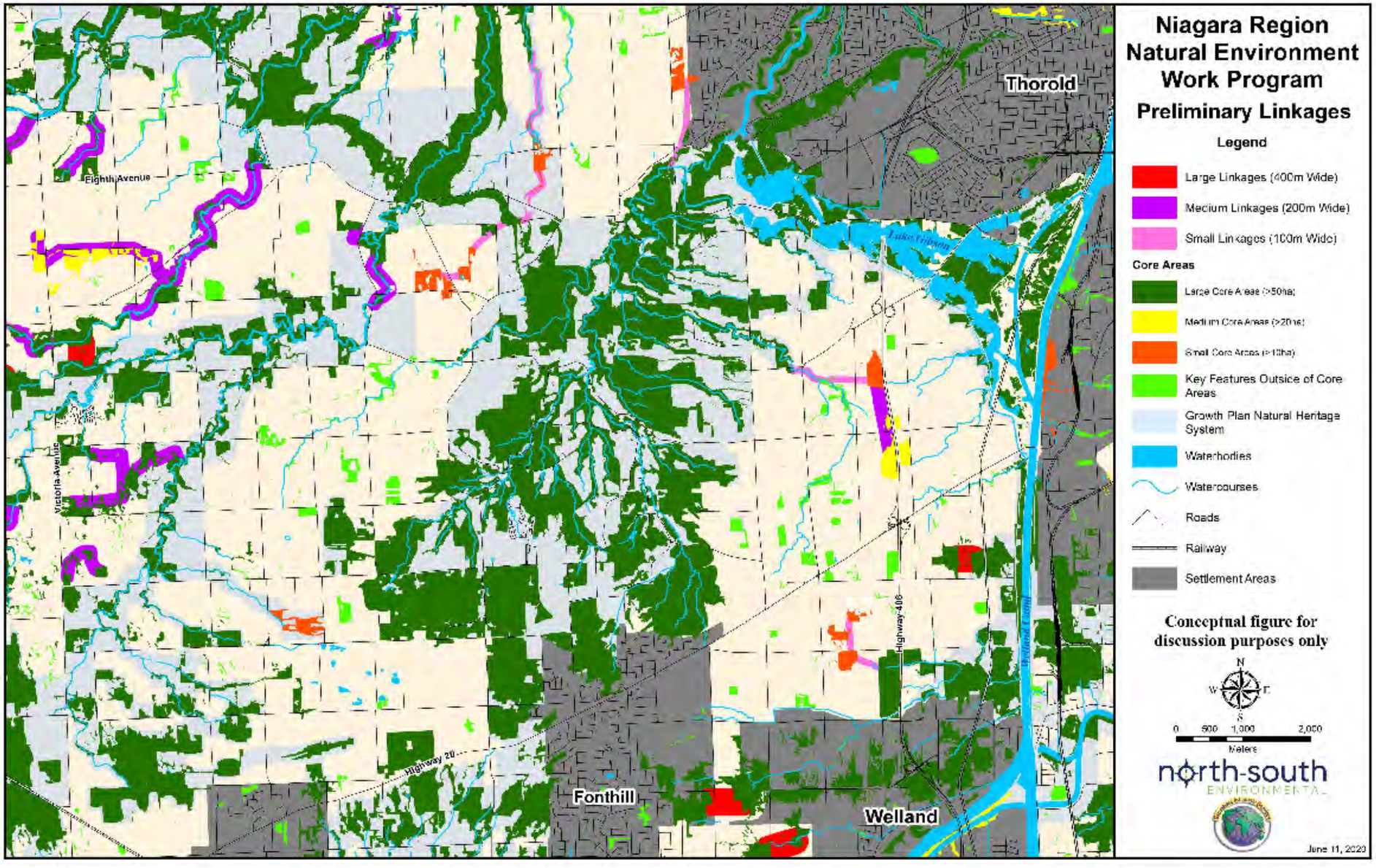


Figure 2. Preliminary conceptual linkage options.

This page is left intentionally blank.

Key Hydrologic Features

Key Hydrologic Features are discussed in Section 2.1.

Other Natural Heritage Features and Areas

There is currently no definition for this optional component of the N.H.S. However, this component could include any number of natural features that do not currently meet the criteria to be considered on of the listed components in the definition for 'Natural Heritage Features and Areas'. For example, this component may include:

- Other woodlands (i.e., not meeting the criteria as Significant Woodland);
- Non-P.S.W.s (defined in section 1.1.1) in settlement areas;
- Other valleylands; and
- Other wildlife habitat.

Other than non-P.S.W.s, these features are not currently defined, nor are criteria proposed at this time.

Lands That Have Been Restored or Have the Potential to Be Restored to a Natural State [Enhancement Areas]

There is currently no definition for this optional component of the N.H.S. However, this component would function as and can be referred to as enhancement areas. Enhancement areas can include those areas recommended for restoration or enhancement as identified in watershed plans and other environmental studies or reports. These can be identified through consultation with the N.P.C.A. and can be identified through mapping sources, such as E.L.C. mapping.

The Natural Environment Background Study (Section 14) provided a review of best practices related to identifying potential enhancement areas. Based on applying accepted landscape ecology principles, the following objectives should be considered when identifying enhancement areas to key features:

- Achieve minimum size threshold of core area (woodland/swamp = 20 ha, wetland/open habitat = 10 ha);
- Group key natural features to create larger contiguous natural areas;
- Reduce edge habitat and increase proportion of interior conditions (> 100 m from edge); and
- Include critical function zones and important catchment areas critical to sustaining ecological functions.

Types of enhancements to mapped key features (i.e., Significant Woodlands, P.S.W.s, Life Science A.N.S.I.s) and potential criteria can be developed by applying these accepted landscape ecology and biogeography principles related to size and proximity. For example, options for criteria could include the following:

- Enhancement Option 1:
    - Fill ‘bays and inlets’ along the edge of features - < 30 m wide
    - Fill interior gaps in features - < 0.25 ha
    - Fill gaps between features - < 30 m
- Enhancement Option 2:
    - Fill ‘bays and inlets’ along the edge of features - < 60 m wide
    - Fill interior gaps in features - < 0.5 ha
    - Fill gaps between features - < 60 m
- Enhancement Option 3:
    - Fill ‘bays and inlets’ along the edge of features - < 100 m wide
    - Fill interior gaps in features - < 1.0 ha
    - Fill gaps between features - < 120 m

Figure 3a, **3b** and **3c** provide a conceptual illustration of how each enhancement option may appear as enhancements to key features. To understand the relative difference in area these enhancement areas cover for each of the options, the areal coverage for each enhancement option within the visual extent of the figure is provided as follows:

- Enhancement Areas Option 1 = 856 ha
- Enhancement Areas Option 2 = 1,195 ha
- Enhancement Areas Option 3 = 3,157 ha

Visually, and spatially, moving from Enhancement Area Option 1 through 3, more enhancement areas are captured resulting in a larger N.H.S. Enhancement Area Option 1 would in effect overlap with buffers, should they be required. Therefore, Enhancement Area Option 1 would result in very little increase in overall area of the N.H.S. should minimum buffers be required. For the example illustrated in **Figure 3b**, Enhancement Area Option 2 would identify approximately 50% more area than Enhancement Option 1, by filling in larger gaps, indents, and bays/inlets.

Enhancement Area Option 3 would identify an even larger area of enhancement, achieving a similar visual and functional result for the N.H.S. as was developed by the Province for the N.H.S. for the Growth Plan, where the N.H.S. for the Growth Plan includes the areas in between key natural heritage features. The policies in the Growth Plan restrict the percentage of land that can be developed in areas of the Growth Plan N.H.S. not occupied by a key natural heritage feature, as described in Section 4.2.2.3 of the Growth Plan. Through implementation of the Growth Plan policies where new development or site alteration is proposed, there is a requirement that a portion of the area must “remain or be returned to natural self-sustaining vegetation”, thereby having the effect of ‘enhancing’ the key natural heritage features of the N.H.S.

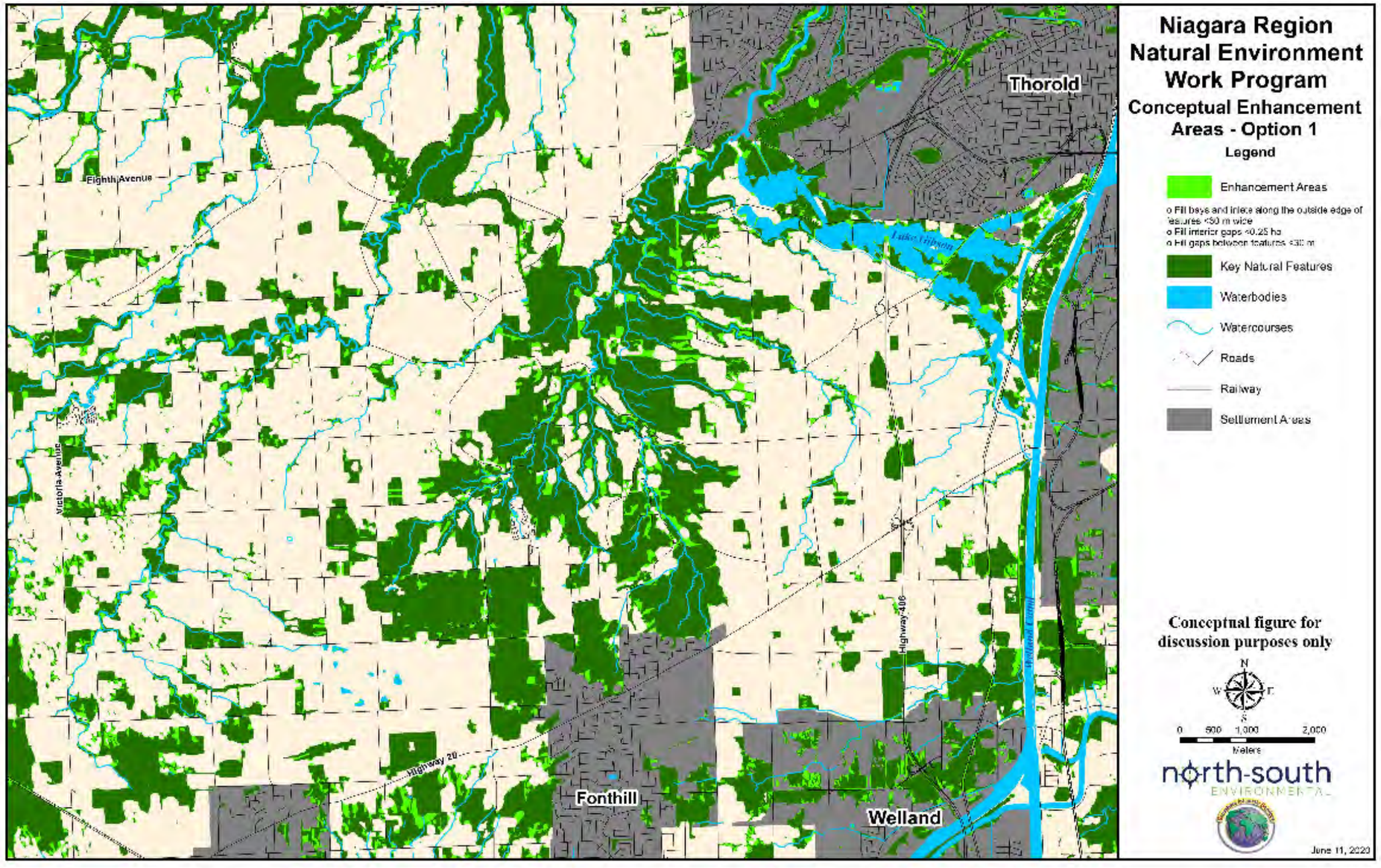


Figure 3a. Conceptual enhancement areas for Option 1.

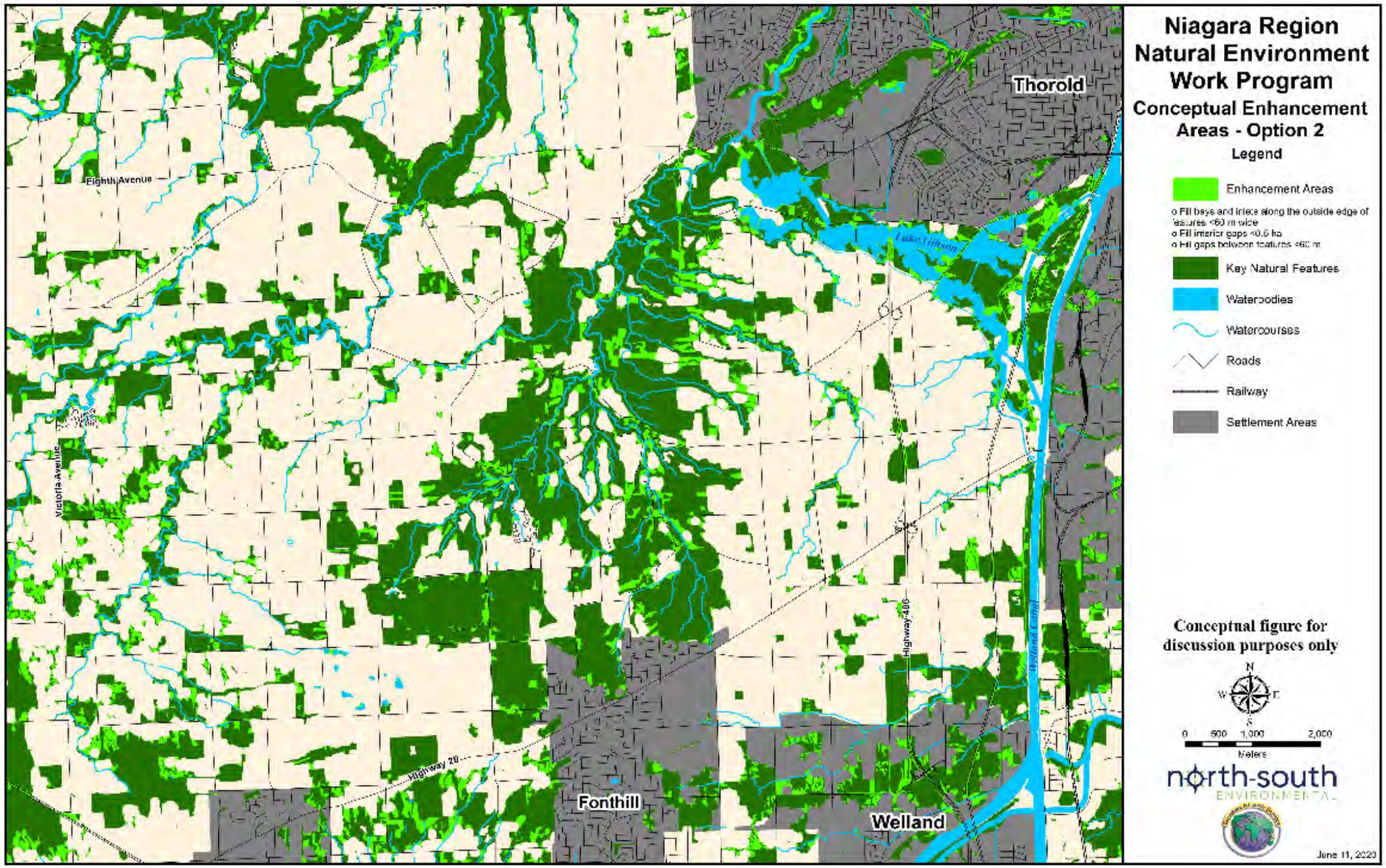


Figure 3b. Conceptual enhancement areas for Option 2.

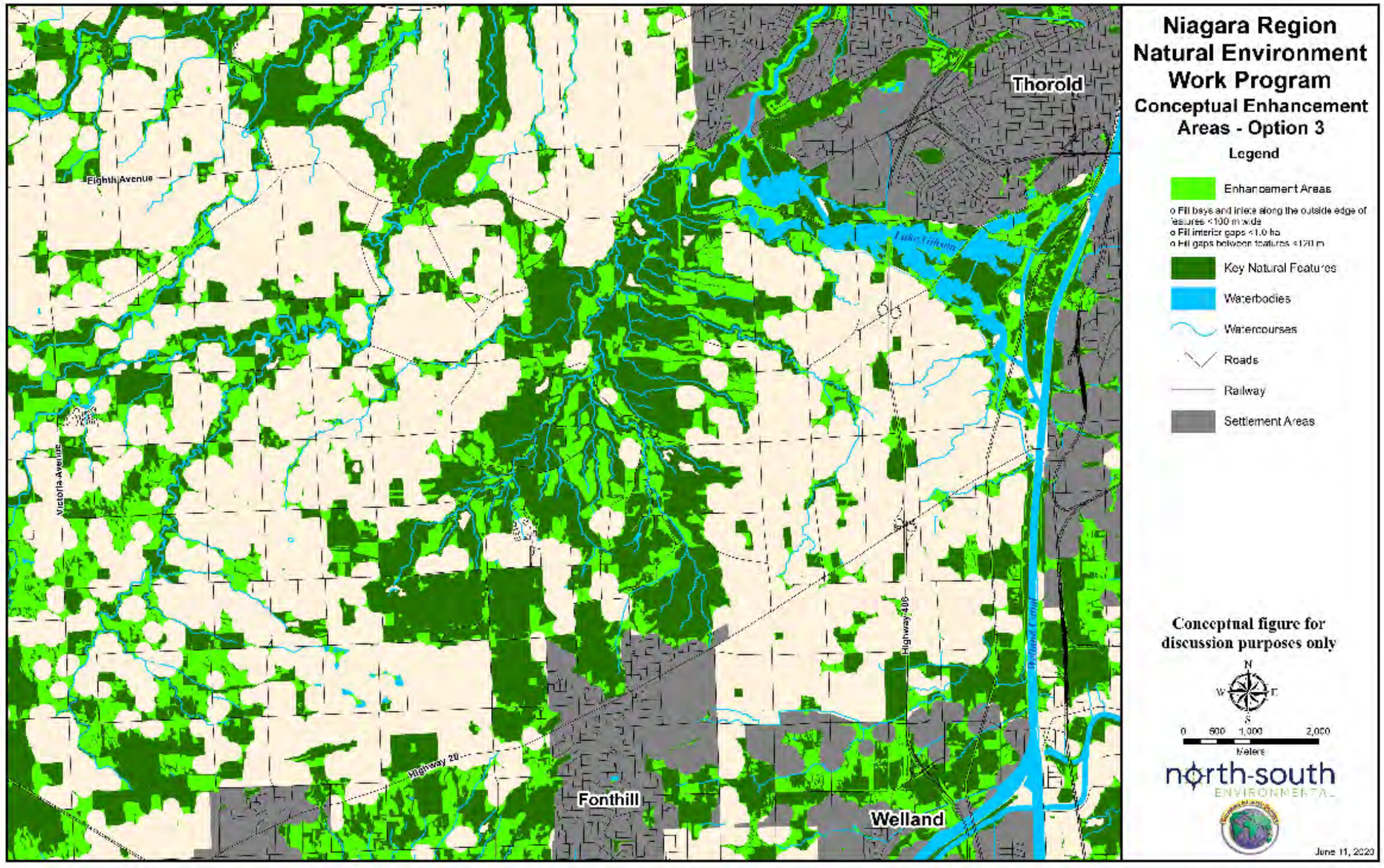


Figure 3c. Conceptual enhancement areas for Option 3.

This page is left intentionally blank.

Areas That Support Hydrologic Functions

Hydrologic Functions are defined in the P.P.S. (2020) and the Growth Plan as:

> "the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things."

The definition includes every potential component of water as it relates to the N.H.S. and W.R.S. Whereas the other components of the natural environment system provide more clear direction relating to definitions and potential criteria, there are no specific criteria to identify areas that support hydrologic functions. To capture other features/functions/areas that support hydrologic functions, which have not been specifically included in other components of the natural environment system, the following features/areas could be considered as part of this optional component:

- Floodplain, flooding hazard, floodway;
- Dynamic beach hazard; and
- Karst.

Buffers and Vegetation Protection Zones

Section 15.1 of the Natural Environment System Background Study provided a comprehensive review of policy requirements and exemptions for V.P.Z.s in the Provincial plan areas and Provincial N.H.S.s, a review of comparator municipal approaches to identifying and implementing buffers, and best practices to identifying buffers. The Background Study provided the following recommendations related to V.P.Z.s and buffers:

- The new N.O.P. will need to provide a definition of V.P.Z., and policies for the protection and implementation of exemptions (e.g., agriculture) and minimum required V.P.Z.s that is consistent with the Greenbelt and Growth Plan. The Region may consider including requirements for buffers and even prescribe minimum buffers as part of the natural environment system.
- The new N.O.P. must ensure that policies related to buffers to V.P.Z.s refer to and are consistent with the Greenbelt Plan policies 3.2.5.7 and 3.2.5.8, which notes that the agricultural community is exempt from Policy 3.2.5.4 and 3.2.5.5 within the Niagara Peninsula Tender Fruit and Grape Area.
- The Region may consider developing a guidance document for determination of buffers as part of site-specific studies (e.g., subwatershed plan, secondary plan, E.I.S.). There are several examples from comparator municipalities, which the Region may be able to draw from.

Following from these recommendations, review of best practices and comparator municipal approaches to identifying buffers, the following approaches to determine

buffer widths for key natural features areas (as listed in Table 2 within the main body of this Technical Report) is suggested for areas outside of the Provincial plan areas:

1. Minimum buffers (can be determined to be larger based on site-specific studies and following guidance documents developed by the Region)
    a. Outside of settlement areas
        i. All features = 30 m
    b. Inside of settlement areas
        i. P.S.W.s = 30 m
        ii. All other key natural features = 15 m
2. Mandatory buffers that can be refined (increased or decreased) following a refinement framework or guidance developed by the Region)
    a. Inside and outside of settlement areas
        i. All features = 30 m

Appendix 2: Descriptions and Criteria for Select Components of the Water Resource System

This page is left intentionally blank.

Description and Criteria for Select Components of the Water Resource System

The Mapping Discussion Paper and Natural Environment Background Study provided a review of the components recommended for inclusion in the W.R.S. The following builds on that review with further discussion of the components, providing definitions where they have been developed, and indicating if criteria have been established or need to be established to aid in identifying the component.

Key Hydrologic Features

Permanent and Intermittent Streams

Permanent and intermittent streams are those that contain water for a sufficient period in an average year to develop defined channel form and morphology. Intermittent streams may be dry during parts of the year. They may include features where the water table is above the stream bottom during parts of the year. The Growth Plan and Greenbelt Plan define intermittent stream as follows:

> "Stream-related watercourses that contain water or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year." (Greenbelt Plan)

Inland Lakes and their Littoral Zones

The Greenbelt Plan defines inland lakes as "any inland body of standing water, usually fresh water, larger than a pool or pond or a body of water filling a depression in the earth's surface". However, it is recommended additional parameters or size criteria be determined as informed through watershed planning or equivalent.

The littoral zone of a lake refers to the area near shore where the light penetrates to the lakebed making this zone the most ecologically productive area in a lake and which supports rooting aquatic vegetation.

Seepage Areas and Springs

The Greenbelt Plan and Growth Plan define Seepage Areas and Springs as "sites of emergence of groundwater where the water table is present at the ground surface." (Greenbelt Plan)

Wetlands

The Greenbelt Plan and Growth Plan define wetlands as:

> "Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

> Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.
>
> Wetlands are further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time." (Greenbelt Plan)

Wetlands components are previously discussed in **Section 1.1**.

Key Hydrologic Areas

Significant Groundwater Recharge Area

The Greenbelt Plan and Growth Plan defines a Significant Groundwater Recharge Area (S.G.R.A.) as follows:

> "An area that has been identified:
> a) as a significant groundwater recharge area by any public body for the purposes of implementing the P.P.S., 2014;
> b) as a significant groundwater recharge area in the assessment report required under the Water Act, 2006; or
> c) as an ecologically significant groundwater recharge area delineated in a subwatershed plan or equivalent in accordance with provincial guidelines.
>
> For the purposes of this definition, ecologically significant groundwater recharge areas are areas of land that are responsible for replenishing groundwater systems that directly support sensitive areas like cold water streams and wetlands. (Greenbelt Plan)

Groundwater recharge areas are classified as "significant" when they supply more water to an aquifer (which is used as a drinking water source) than the surrounding area (N.P.C.A., 2013). In other words, a recharge area is considered significant when it helps to maintain the water level in an aquifer that supplies a community with drinking water, or supplies groundwater recharge to a coldwater ecosystem that is dependent on this recharge to maintain its ecological function (N.V.C.A., 2015b). Significant groundwater recharge areas are subdivided by the groundwater vulnerability and assigned scores of 6, 4 or 2 for groundwater vulnerabilities of high, medium and low, respectively (N.P.C.A., 2009).

Highly Vulnerable Aquifers

The Greenbelt Plan and Growth Plan define a Highly Vulnerable Aquifer (H.V.A.) as follows: "Aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect." (Greenbelt Plan)

H.V.A.s are areas of high groundwater vulnerability that "typically consist of granular aquifer materials or fractured rock that have a high permeability, are exposed near the

ground surface, and have a relatively shallow water table" (N.P.C.A., 2009). Aquifer Vulnerability Index (A.V.I.) groundwater vulnerability assessments have been completed to improve the delineation of highly vulnerable aquifers. The A.V.I. groundwater vulnerability assessments were based on regional hydrostratigraphic interpretations (N.P.C.A., 2009). The H.V.A. delineation reflects the increased vulnerability of the shallowest identified aquifers by transport pathways. H.V.A are also defined as aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect (Greenbelt Plan, 2017).

Significant Surface Water Contribution Areas

The Greenbelt Plan and Growth Plan define Significant Surface Water Contribution Areas as follows: "Areas, generally associated with headwater catchments, that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a watershed."

Ground Water Features

Recharge/Discharge Areas

An area where rain or snow seeps into the ground and flows to an aquifer is called a recharge area. Recharge areas tend to be areas that are characterized by permeable soils, such as sand or gravel, which allow the water to seep easily into the ground. Discharge areas are locations where groundwater transitions to the surface through springs or seeps, often into wetland features or watercourses.

Another important recharge area that may be considered as part of a W.R.S. includes Ecologically Significant Groundwater Recharge Areas (E.S.G.R.A.s). "E.S.G.R.A.s are identified as areas of land that are responsible for supporting groundwater systems that sustain sensitive features like coldwater streams and wetlands" (Lake Simcoe Region Conservation Authority, 2014). Ecological significance of the recharge area is identified where there is a "linkage" between the recharge area and an ecologically significant feature (e.g., a reach of a coldwater stream, a wetland, or an A.N.S.I.). The identification of an E.S.G.R.A. represents the pathway in which recharge would reach that feature. In this way, E.S.G.R.A.s would be important areas to include, in order to provide a connection or linkage between Key Hydrologic Features and Key Natural Heritage Features.

Water Tables

The water table refers to the upper surface or elevation of the saturated zone in an aquifer (i.e., the soil that is saturated with groundwater). This elevation or location of the water table can vary substantially over time and spatial location.

Aquifers and Unsaturated Zones

An aquifer is the underground storage of groundwater within permeable rock or unconsolidated sediment. By definition, water can be extracted from, or enter, an aquifer with relative ease. Unconfined aquifers are those in which surface water can enter directly. Confined aquifers are those that are situated between impermeable

layers of stone or sediment. Aquifers may exist at shallow depths close to watercourses, or may be found at much greater depths. The unsaturated zone of an aquifer refers to the porous underground area that is above the water table. Saturated zones refer to the underground area in which water occupies all pores and fractures.

Surface Water Features

Headwaters

Headwaters are not defined in the Provincial plans. The Evaluation, Classification and Management of Headwater Drainage Features Guideline, prepared by the Toronto and Region Conservation Authority and Credit Valley Conservation (2014) defines Headwaters as:

> "Non-permanently flowing drainage features that may not have defined bed or banks; they are first-order and zero-order intermittent and ephemeral channels, swales and connected headwater wetlands, but do not include rills or furrows".

This guideline document provides criteria for identifying and classifying headwater drainage features (H.D.F.s) for the purpose of recommending an approach to management. Management recommendations are provided based on the classification of the feature, such as:

- Protection (important functions);
- Conservation (valued functions);
- Mitigation (contributing functions);
- Recharge Protection (recharge functions);
- Maintain or Replicate Terrestrial Linkage (terrestrial functions); and
- No Management Required (limited functions).

According to the H.D.F. guidelines (Toronto and Region Conservation Authority and Credit Valley Conservation 2014), protection H.D.F.s are recommended to be protected in situ and conservation H.D.F.s should either be protected or ensure that their form and function are replicated in a natural channel design if relocated. Other management recommendations are generally related to maintaining hydrologic functions that can be achieved through storm water management designs and low impact development options. Terrestrial linkage functions would be considered as part of the N.H.S., and are therefore not recommended for inclusion as part of the H.D.F. component of the W.R.S. As such, it is recommended that if H.D.F.s are to be included as a component of the W.R.S., 'protection' and 'conservation' H.D.F.s be included and protected as part of the system.

Recharge/Discharge Areas

This has been previously defined under Ground Water Features.

Associated Riparian Lands

As the Growth Plan definition for 'Surface Water Features' states, Associated Riparian Lands "… can be defined by their soil moisture, soil type, vegetation or topographic characteristics" (as defined in part of the definition for Surface Water Features in the Growth Plan 2019). Riparian zones are the ecotone or interface between a watercourse and the terrestrial vegetation community and are characterized by hydrophilic plants.

Hydrologic Functions

The intent of the W.R.S. is to provide long-term protection for the functions associated with Key Hydrologic Features and Key Hydrologic Areas. As defined in the P.P.S., hydrologic function is defined as:

> "The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things."

Consideration of elements that could be mapped to protect hydrological function include the following:

- **Floodplain** – the regulatory floodplain is defined by N.P.C.A. as the floodlines corresponding to the 100 - year flow event and represents the flood hazard area.

- **Karst Features** –Karst landscapes form due to the dissolution of soluble rocks such as limestone and dolomite. The resultant geology includes underground drainage systems such as sinkholes, caves, and rivers. The surface of karstic terrain is marked by dissolution features referred to as karren and is bare/rocky or supports a shallow overburden of soil that could support unique ecological communities. Generalized mapping of karstic terrain is available from the Ontario Geological Survey and is refined based on site-specific observations. Linkage between karst features and both the W.R.S. and N.H.S. is undertaken as part of watershed planning.

Shoreline Areas

Shorelines are the interface between terrestrial and aquatic environments, allowing for interactions between them, providing: specialized habitats (e.g., natural beach, overhanging cover, bird stopover or nesting, etc.), natural cover, areas of shoreline erosion or accretion, nutrient and sediment filtration / buffering, shading, foraging opportunities, etc. Naturalized shorelines also allow for natural shoreline processes, provide filtering / buffering and assist in protecting and maintaining water quality. The form and function of natural shorelines and shoreline features are important components of a connected and dynamic natural environment system.

It should be noted that hazards, including shorelines and the dynamic beach hazard, are also regulated according to the Conservation Authorities Act and through policies of

the various Conservation Authorities (N.P.C.A. in Niagara Region). The regulated area is typically identified as 30 m (98 ft) from the limits of the shoreline flood hazard. This regulated area should be considered when developing criteria for Shoreline Areas in addition to direction provided in watershed planning reports.

Subject: Combined Sewer Overflow (CSO) Control and Wet Weather Management (WWM) Program – 2020 Funding Recommendations

Report to: Planning and Economic Development Committee

Report date: Wednesday, July 15, 2020

Recommendations

1. That the twenty-six (26) Local Area Municipal projects under the 2020 Combined Sewer Overflow (CSO) Control / Wet Weather Management (WWM) Cost Sharing Program, as identified in Appendix 1 of Report PDS 12-2020, **BE APPROVED** in the amount of $4,000,000;

2. That the respective partnership funding agreements with the Local Area Municipalities **BE PREPARED AND EXECUTED** in compliance with the terms and conditions, as outlined in Appendix 3 and Appendix 4 of Report PDS 12-2020; and

3. That the respective Local Area Municipalities **BE ADVISED** of the results of Regional funding support, as outlined in Appendix 1 of PDS 12-2020.

Key Facts

- The purpose of this report is to provide background information to support the approval of the 2020 Local Area Municipal projects (LAM) under the CSO Control / WWM Program;
- The Combined Sewer Overflow (CSO) Control Cost Share Program has been in place since 2007 and is intended to facilitate shared funding with the local Municipal partners to help mitigate the impacts of wet weather events on the Region-wide sanitary system and the environment. As a result, the Region benefits from this program by gaining capacity at regionally owned trunks, sewage pump stations and wastewater treatment plants, which in return, could be used for growth without oversizing Regional infrastructure;
- Representatives of the CSO/WWM Working Group developed administrative procedures and criteria to support this Program and to rank project submissions by local Municipalities in accordance with the guiding principles. The group periodically reviews established criteria for improvements and needed adjustments in the funding priorities;

- The Region supports this approach and has included funding annually in its budget. For 2020, an amount of $4,000,000 was budgeted in the Region's Wastewater Operating Budget;
- The total of eligible projects submitted by local Municipal partners for 2020 was $5,177,397;
- The total requested amount exceeded the approved program budget of $4,000,000 by $1,177,397 for 2020;

Financial Considerations

A gross budget of $4,000,000 has been approved as part of the 2020 Wastewater Operating Budget for the CSO Control Cost Share program. Funding for this program is partially provided through the Development Charges (50%).

The thirty-five (35) eligible projects considered for funding under the 2020 CSO Control Program totaled $5,177,397. The total requested amount exceeded the approved program budget of $4,000,000 by $1,177,397 for 2020. As a result, Appendix 1 presents twenty-six (26) municipal projects being recommended for funding of which, one (1) is recommended to receive a partial funding. The other nine (9) eligible municipal projects, presented in Appendix 2, have not been recommended for funding in 2020 due to the budget limitations.

Included in the recommended projects list is a $15,000 support contribution to Municipal I/I Collective Research Project for the reduction of I/I. This project is directly aligned with the WWM strategic approach benefiting both, the Region and the LAM. In support of it, each municipality signed a written consent in 2019 agreeing that the contribution be taken from the CSO Control Funding Program. This agreement was confirmed again for 2020 by the Working Group.

Early in 2020, Regional staff in collaboration with the local Municipal partners, will review the local budget forecast for the CSO related projects. This will ensure the ability to consider a potential increase of the CSO Control Program through 2021 rate budget process should the increased demand continue.

In addition to the $4,000,000 approved in the 2020 Wastewater Operating Budget, there are currently $22,548,871 of previously approved and active CSO projects at December 31, 2019. Of that amount, $6,469,553 has been paid to Local Area Municipalities at December 31, 2019.

The Region currently has $16 million in commitments to 10 municipalities for approved but unspent CSO projects as per 2019 Year-End in Appendix 5.

Analysis

The CSO Control Work Group adjusted the funding options structure for the eligible CSO cost share projects during 2018 and 2019. This adjustment incorporated a weighted approach of a growth component into the evaluation matrix and a change of funding priorities for different types of work. Appendix 3 shows the Funding Options.

Thirty-six (36) applications were received from eight (8) local Municipalities. One (1) application from Fort Erie, after an initial review, was not supported by the CSO Control Program Policy and therefore, not included in the final evaluation process.
Regional staff reviewed and evaluated thirty-five (35) compliant projects and incorporated twenty-six (26) of them into the final recommendation list presented in Appendix 1.

The requested funding for all eligible projects totaled $5,177,397 including a $15,000 support contribution to Municipal I/I Collective research project, which was endorsed by all local Municipal partners. The total requested fund of $5,177,397 is $1,177,397 greater than the 2020 approved budget of $4,000,000. Nine (9) projects not recommended for funding are presented in Appendix 2.

Alternatives Reviewed

No alternatives were reviewed at this time.

Relationship to Council Strategic Priorities

This report was brought forward by Regional Staff, supported by the CSO/WWM Working Group and by the Public Works Officials. This aligns with Council's Strategic Priorities for Responsible Growth and Infrastructure Planning and the objectives of Environmental Sustainability & Stewardship and Maintenance of Existing Infrastructure.

Other Pertinent Reports

- PW4.S06.0, September 2, 2014 – Combined Sewer Overflow (CSO) Control & Wet Weather Management Policy

- PDS 14-2019, April 17, 2019 – Combined Sewer Overflow (CSO) Control and Wet Weather Management Program – 2019 Funding Recommendations

- PW 18-2020, May 12, 2020 - Council Motion Re 2020 Water and Wastewater Budget Increase Deferral

Prepared by:
Ilija Stetic, B.Sc., PMP
Project Manager
Planning and Economic Development

Recommended by:
Rino Mostacci, MCIP, RPP
Commissioner
Planning and Economic Development

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Phill Lambert, P. Eng., Director, Infrastructure Planning & Engineering, Lyndsey Ferrell, Program Financial Specialist, and reviewed by Dan Ane, Manager Program Financial Support. In addition to, the final consultation was done with Ron Tripp, P.Eng., Acting Chief Administrative Officer

Appendices

Appendix 1	Recommended 2020 CSO Control Program Funding Requests
Appendix 2	Projects Not Recommended for Funding
Appendix 3	Funding Options
Appendix 4	CSO Control / WWM Policy Funding Conditions
Appendix 5	Summary of CSO Project Remaining Budget Encumbrance by Municipality by 2019 Year-End

Appendix 1: Recommended 2020 CSO Control Program Funding Requests

Municipality	Project Title	Regional Share %	Requested Funding $	Recommended Funding $
Fort Erie	2020 Sanitary Sewer CCTV Inspection	50	102,500	102,500
	Flow Monitoring Program, Pre/Post	60	36,000	36,000
Grimsby	2020 Baker Rd WWTP PPCP-Flow Monitoring	60	288,000	288,000
Niagara Falls	Armoury Street Sewer Separation	40	10,497	10,497
	Bukator Drive & Rapids View Drive Sewer Separation	40	485,000	485,000
	Elm Street Sewer Separation	40	8,360	8,360
	Homewood Avenue Sewer Separation	40	8,120	8,120
	Huggins Street Area - Implementation Study	50	25,000	25,000
	Kitchener St Sewer Separation	40	1,017,720	1,017,720
	Maple Street Sewer Separation	40	14,800	14,800
	Portage Road & Prospect Street Sewer Separation	30	36,200	36,200
	Silvertown Area Functional Servicing Assessment	40	20,000	20,000
	South Niagara Falls (Chippawa) I&I Remedial Action Project	40	150,000	150,000
	Tactical I&I Reduction South NF [1]	50	600,000	238,303
	Valley Way EA - Implementation Plan	50	50,000	50,000
Niagara-on-the-Lake	CSO Flow Monitoring Post Repair - Dorchester South	60	30,000	30,000
	CSO Flow Monitoring Post Repair - Front and Ricardo	60	30,000	30,000
	Dorchester North I/I Study	50	75,000	75,000
St. Catharines	CSO Model Verification Project	60	120,000	120,000
	Cummings Street / Kent Street Sewer Separation	50/60 [2]	244,500	244,500
	Glenwood Avenue / South Drive Sewer Separation	50/60 [2]	347,000	347,000
Welland	Edgar Elgin Sewer Separation	40	40,000	40,000
	ICIP Broadway Area Infrastructure Improvements	50/30/50 [2]	138,000	138,000
	Monitoring Project	60	90,000	90,000
	Private Side Disconnection	60	180,000	180,000
West Lincoln	Inflow and Infiltration Study	50	200,000	200,000
Municipal I/I Collective Research Project for the Reduction of I/I		100	15,000	15,000
Total			**4,361,697**	**4,000,000**

Note 1: Partial funding recommended based on approved budget of $ 4 M.

Note 2: Funding % share is dependent on specific project component and related work. Projects combined different works resulting in different Regional share. See Appendix 3 for % of cost share for projects.

Appendix 2: Projects not recommended for funding

Municipality	Project Title	Regional Share %	Requested Funding $
Fort Erie	Trenchless Repairs	30	120,000
	Dead End Watermain Replacement [1]	30	135,000
	Bowen Road Watermain Replacement [1]	30	8,100
	Idylewylde St Sanitary Sewer	30	32,100
	Thunder Bay Trenchless Sewer Rehabilitation	30	75,000
	High St Watermain Replacement [1]	30	40,500
Lincoln	Lincoln Ave - Phase 1	30	96,000
	Rittenhouse Road Reconstruction	30	201,000
Welland	Inflow and Infiltration Reduction Project	30/50 [2]	108,000
Total			**815,700**

Note 1: Projects included works on the sanitary sewer system.

Note 2: Funding % share is dependent on specific project component and related work. Projects combined different works resulting in different Regional share. See Appendix 3 for % of cost share for projects.

Economic Development
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

ED 9-2020

Subject: COVID-19 Response and Business Continuity in Economic Development

Date: July 15, 2020

To: Planning and Economic Development Committee

From: Valerie Kuhns, Acting Director, Economic Development

Economic Development

Current Status of Operations

This report is the economic development division's monthly update on our response to COVID-19 and business continuity. Niagara Economic Development continues to focus its work on supporting local businesses through new initiatives developed in collaboration with the other Economic Development offices in the region as the Economic Rapid Response Team (ERRT). The majority of our team are working from home and are starting to consider doing so on a longer term basis. We hold regular team meetings through Zoom to provide more formal updates but are in constant contact through video conferencing, email and cell phone calls. The level of productivity is high and it is impressive that the team has been able to adapt to the change in work focus and working environment.

Service/Operational Changes

We are now beginning to look longer term and exploring how new tools and processes can be developed to continue with our regular work in a modified way. Despite not actively being engaged in lead generation we continue to receive investment inquiries and respond to them. Going forward into the fall, we are looking into holding virtual FDi meetings and virtual site tours.

Significant Initiatives or Actions Taken

The COVID-19 webpage continues to provide up to date information on provincial and federal announcements, new funding programs, and local support. The link to the

website is errt.niagararegion.ca. In the last 30 days, the website has had 712 page views and 249 were unique visits.

The dedicated ERRT email remains available for businesses to contact to ask questions. The emails are triaged and sent to the appropriate municipal Economic Development office or organization to respond immediately. The email address is ERRT@niagararegion.ca

The ERRT is promoting a Niagara PPE list that is continually updated by the Niagara Industrial Association. The list includes members and non-member companies from Niagara who produce different types of PPE or have pivoted to produce PPE. The directory has been built and is hosted on our website at https://niagaracanada.com/covid-19/ppe/

The first COVID-19 Business Impact Survey report was released in May and the results widely circulated to upper levels of government as well as FCM, AMO, FedDev etc. and the results also informed our recovery planning conversations.

The second COVID-19 Business Impact Survey closed on June 1st and a report has been circulated to all economic development offices and an extensive list of key business stakeholders and supporters in the region. A government relations plan was also executed that disseminated the information to the appropriate contacts in upper levels of government as well as FCM, AMO and FedDev.

This survey was focused on recovery, with questions that addressed the funding programs that businesses accessed, the areas where they require further assistance, the largest barriers to re-opening, etc. The survey yielded responses from 1,382 business across all 12 municipalities in Niagara. The full survey analysis report was circulated to Regional Council in the Weekly Correspondence but is also attached to this report as Appendix A.

Key highlights contained in the Part 2 Survey Results include:

- 1,103 businesses accessed the various federal/provincial relief programs, while 229 respondents had not accessed any programs at all.
- The most popular government programs were the Canada Emergency Wage Subsidy, Canada Emergency Business, and the Canada Emergency Response Benefit.

- Estimated total lost revenue is $7.8 billion across the economy, which can be largely attributed to Niagara's higher concentration of tourism-oriented industry sectors.
- Jobs losses are expected to be significantly higher than what was reported in the Labour Force Survey (35,200+).
- Many businesses are not able to meet their monthly financial obligations o 36% reported the ability to only pay up to 50 percent of fixed expenses, i.e. rent, insurance, payroll, etc., and 22% reported only being able to cover up to 25% of fixed expenses.
- 35% of businesses surveyed reported they are either at risk of permanent closure or vulnerable to closure, which disproportionately affects accommodation and food services; arts, entertainment and recreation, retail trade, and other personal services.

Through work with the members of the Niagara (ERRT), a draft Economic Recovery Plan has been created to address the business needs identified through the second survey. The draft Economic Recovery Plan has been circulated to Economic Development Officers, Chambers of Commerce, academic institutions, sector associations, and additional stakeholders across the region for input. The Plan is organized in three pillars: Research and Information; Advocacy and Resilience and actions are organized into Immediate, Mid-Term and Long-Term timeframes. The most recent draft version of this plan is attached to this report in Appendix B.

The Economic Development division has partnered with Emergency Management and Public Health to facilitate weekly calls with business membership organizations from across the region, including but not limited to Chambers of Commerce, BIAs, etc. The calls focus on relevant safety guidelines and documents that are meant to assist businesses in safely reopening. The attendees provide a channel to inform their members on critical topics such as use of PPE, safe patio expansion, return to work guidelines, etc.

The partnership with Venture Niagara, Community Futures Development Corporation on the Regional Recovery and Relief Fund's (RRRF) administration, loan approvals, and promotion continues to be strong. This program was announced by FedDev at the end of May.

The businesses eligible for loans through the RRRF are those that have not been able to access other Federal Government programs. More specifically, the targeted businesses include sole proprietorships, "Main Street" type businesses and tourism-

based businesses. Approximately 20 businesses have received these loans or approval for financing to date, with new applications being prepared and approved weekly. The amount of money that has been provided to ranges from $2,500 to $40,000 which is the maximum amount available under the program.
https://www.ventureniagara.com/regional-relief-recovery-fund/

Niagara Economic Development continues to represent the region on weekly GTA Economic Development Alliance meetings. This group is jointly promoting the impact being felt by businesses across the GTA to the provincial and federal governments and serves a resource for discussion on recovery planning best practices. The framework of the Niagara Economic Recovery Plan mirrors the framework being used by the GTA Alliance, to reflect the broader economic implications of the pandemic in our recovery efforts.

Operational Outlook

The operational outlook is dependant on the ongoing situation and impact of COVID-19. At the present time there are still many unknowns, including the possibility of a second wave. Due to these uncertainties, the outlook is flexible and will be revised as necessary.

1 month

- Economic Recovery Plan completed and implementation ongoing.
- Continued support to local businesses through ERRT initiatives.
- NED's budget reviewed and funds re-allocated to support local business and LAM recovery projects.
- Ongoing collaboration with local Economic Development Offices, Chambers of Commerce, Niagara Workforce Planning Board, Niagara Industrial Association etc.
- Explore new tools to conduct economic development activities virtually.
- Most team members continue to work remotely.

3 months

- Continued implementation of the Economic Recovery Plan focused on long term actions.

- Monitor the economic indicators to better understand the impact of COVID-19 on the local economy compared to previous years, and determine where resources could best be utilized to maximize ongoing economic development programing.
- Development of the 10 Year Economic Development Strategy starts.
- Virtual Foreign Direct Investment program throughout the fall.
- Ongoing collaboration with local Economic Development Offices, Chambers of Commerce, Niagara Workforce Planning Board, Niagara Industrial Association etc.

6 months

- Economic research and stakeholder consultation for 10 Year Economic Development Strategy completed.
- Review of ERRT initiatives depending on the continued impact of COVID-19.
- Continue to monitor the economic indicators to better understand the impact of COVID-19 on the local economy compared to previous years, and determine where resources could best be utilized to maximize ongoing economic development programing.
- Review work practices depending on Niagara Region recommendations and Public Health.
- Development of an economic emergency communications plan to address possible future emergencies that may impact the regional economy.
- Ongoing collaboration with local Economic Development Offices, Chambers of Commerce, Niagara Workforce Planning Board, Niagara Industrial Association etc.

Respectfully submitted and signed by

_____

Valerie Kuhns
Acting Director, Economic Development

Appendices

Appendix A Niagara COVID-19 Business Impact Survey Report – Part 2

Appendix B Niagara ERRT's Draft Economic Recovery Plan

Office of the Regional Chair | Jim Bradley
1815 Sir Isaac Brock Way, PO Box 1042 Thorold, ON L2V 4T7
Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243
Email: jim.bradley@niagararegion.ca
www.niagararegion.ca

June 23, 2020

Re: Niagara COVID-19 Business Impact Survey Report – Part 2

In early April, Niagara's Economic Rapid Response Team (ERRT) shared the results of Part 1 of the Niagara COVID-19 Business Impact Survey. This survey was intended to better understand the initial effect and future projections the mandated closure of businesses resulting from the COVID-19 had on the local economy. The survey was a collaborative effort by all the regional economic development offices and led by Niagara Region Economic Development.

The second phase of the COVID-19 Business Impact Survey commenced on May 15, 2020. Niagara area businesses received a follow-up survey as a means for the ERRT to understand the impact COVID-19 has had on the regional economy and inform Niagara's recovery plan.

Together with the support of additional economic development partners, including Niagara's chambers of commerce, the survey data contained in the enclosed report identifies the gaps in the federal and provincial funding as well as initiatives that have been very successful and would benefit businesses with their continuation. This information illustrates the sectors most affected by the physical distancing restrictions and can advise public policy in determining the appropriate guidelines that can be reasonably implemented for businesses.

Key highlights contained in the Part 2 Survey Results include:

- 1,103 businesses accessed the various federal/provincial relief programs, while 229 respondents had not accessed any programs at all
- The most popular government programs were the Canada Emergency Wage Subside, Canada Emergency Business, and the Canada Emergency Response Benefit
- Estimated total lost revenue is $7.8 billion across the economy, which can be largely attributed to Niagara's higher concentration of tourism-oriented industry sectors
- Jobs losses are expected to be significantly higher than what was reported in the Labour Force Survey (35,200+)
- Many businesses are not able to meet their monthly financial obligations
    - 36% reported the ability to only pay up to 50 percent of fixed expenses, i.e. rent, insurance, payroll, etc., and 22% reported only being able to cover up to 25% of fixed expenses
- 35% of businesses surveyed reported they are either at risk of permanent closure or vulnerable to closure, which disproportionately affects accommodation and food services; arts, entertainment and recreation, retail trade, and other personal services

With the collection of this valuable data, community stakeholders and all orders of government can ensure Niagara's business interests are included in any future recovery measures. To meet the needs of local businesses, at least $35 million in large capital investments will be

required for businesses to operate under COVID-19 precautionary measures. The data also offers some insight into what other tools can be developed to assist businesses in repurposing or transforming business models in order to adapt to the new way of conducting business in the post-COVID era. These supports will enable Niagara's economy to continue to thrive. Additional financial investments that reflect the needs of businesses will provide the foundation to boost job growth and reinvigorate Niagara's hospitality and tourism sector so that we can continue to be a keystone tourist destination in Ontario.

We look forward to collaborating with government representatives and community stakeholders in rebuilding Niagara's economy in the post-COVID period. For more information regarding the methodology or survey results, I welcome you to contact the Regional Chair's Office at 905-980-6000 ext. 3341.

Sincerely,

Jim Bradley, Chair
Niagara Region

NIAGARA COVID-19
BUSINESS IMPACT SURVEY PART 2

Niagara Region

Fort Erie | Grimsby | Lincoln | Niagara Falls | Niagara-on-the-Lake | Pelham
Port Colborne | St. Catharines | Thorold | Wainfleet | Welland | West Lincoln

Introduction

COVID-19 has had a major impact on the lives and well-being of most people worldwide. This impact has certainly been felt in Niagara by both residents and the thousands of businesses that are the engine of the regional economy of Niagara.

Before the onset of COVID-19, Niagara was experiencing significant economic gains. By the end of 2019, the region had experienced the lowest unemployment rate in 20 years at 4.7 percent. Investment in new building construction was the highest it has ever been at $2.4 billion. Export values were at an all time high of $4.7 billion. Tourism expenditures were also reaching record levels at $2.4 billion. The start of 2020 continued this momentum with the regional economy showing signs of strength and growth potential. However, COVID-19 abruptly stunted this economic progress; not just for Niagara, but for the entire global economy.

This Niagara COVID-19 Business Impact Survey – Part 2 is a collaborative effort of the Niagara Economic Rapid Response Team (ERRT), with an integrated and proactive focus on addressing the business and economic impacts of COVID-19, as well as planning the best steps for economic recovery. The ERRT was formed by the Niagara Regional Chair along with the mayors of Niagara's 12 municipalities: Fort Erie, Grimsby, Lincoln, Niagara Falls, Niagara-on-the-Lake, Pelham, Port Colborne, St. Catharines, Thorold, Wainfleet, Welland, and West Lincoln.

The survey results provide insights into the depth and breadth of the impact that COVID-19 has had on the Niagara economy. It is significant and challenging with no real precedent in the history of the region. The Great Recession in 2008 eroded underpinnings of the global economy, but this time it is expected that Niagara is in a position to bounce back quicker provided the spread of COVID-19 can be contained.

The ERRT is working together along with stakeholders in the business community to ensure that Niagara gets back to business as soon as possible, and as responsibly as possible.

Methodology

The Niagara COVID-19 Business Impact Survey – Part 2 was distributed to approximately 10,000 businesses from May 15 until June 1, 2020, mainly through direct email.

The economic development departments of the Town of Fort Erie, Town of Lincoln, City of Niagara Falls, City of St. Catharines, City of Port Colborne, and the City of Welland contacted the businesses in those respective municipalities while Niagara Region contacted businesses in the municipalities without economic development offices at the time, which included Wainfleet, Pelham, West Lincoln, Grimsby, Thorold, and Niagara-on-the-Lake.

Additional channels were used to promote the survey to Niagara businesses including Niagara-based chambers of commerce, various business and industry associations, as well as social media channels including LinkedIn, Facebook and Twitter.

The survey was intended only for businesses that operate in Niagara and non-Niagara businesses were removed from the data results.

Of the approximately 10,000 businesses that were contacted directly and reached through promotional channels, 1,382 businesses completed the survey for an approximate response rate of 13%.

Whereas the first Niagara COVID-19 Business Impact Survey focused specifically on the economic impact of COVID-19 as the crisis unfolded, the second survey focused on the continued economic impact of COVID-19, as well as business status, support measures, and details specific to business and economic recovery.

A copy of the survey instrument is included as an appendix.

The “n” figure on the graphs below refers to the number of responses to each part of the survey. Some sections will have more responses than total survey respondents due to the ability to select multiple answers on some questions.

Analysis

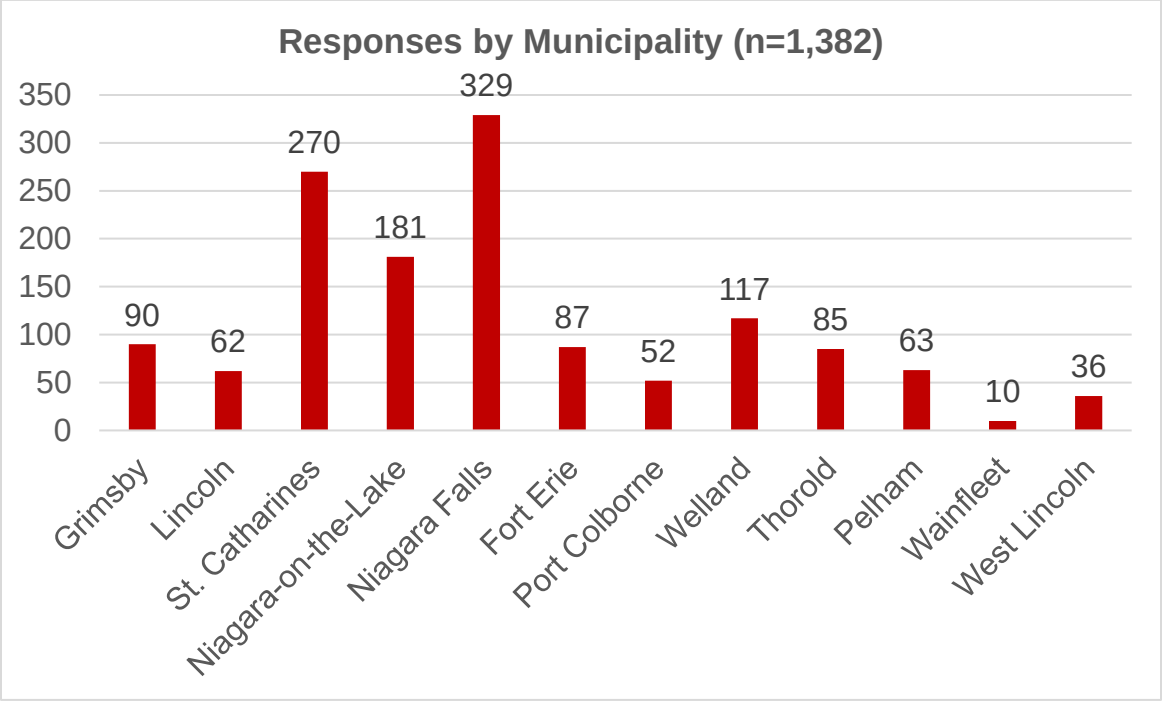
The following section provides a detailed analysis of the results from each question of the survey. The section is segmented into five sections:

- Respondents: This section provides information on the business that completed the survey.
- Employment: This section provide information on the effects of COVID-19 on employment and staffing.
- Revenue and Expenses: This section provides information on revenue loss, anticipate revenue loss, ability to pay, and added expenses.
- Business Status: This section provide information on the current situation of the businesses surveyed.
- Recovery: This section provides information on business recovery measures and related issues.

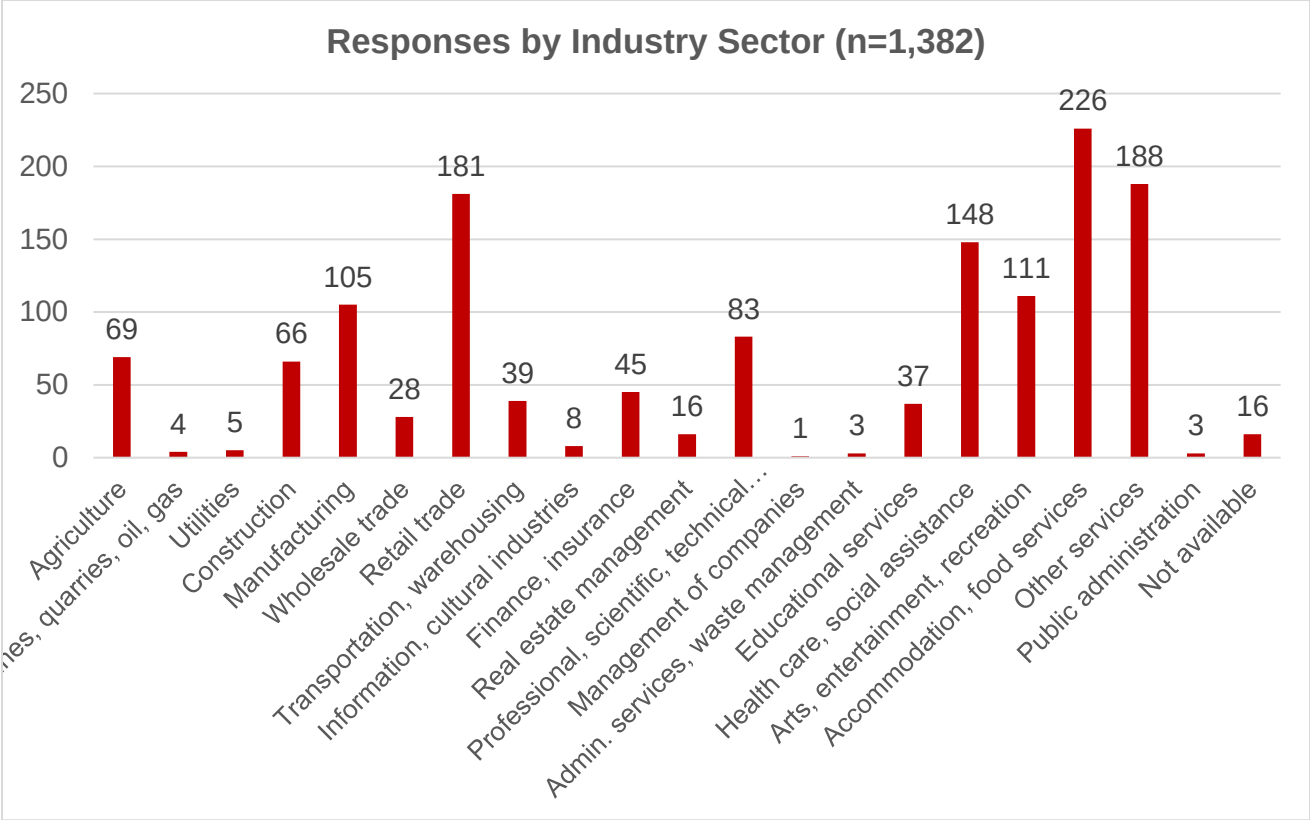
The respondents section provides information on the businesses that completed the survey. The employment section provides information on the effects of COVID-19 on employment and staffing. The revenue and expenses section provides information on lost revenue, the ability to pay, and added expenses. The business status section provides information on the current situation of businesses surveyed, and the recovery section provides information on business recovery measures and related issues to re-opening.

Respondents

The following section provides information on the number of business respondents by municipality, and the number of respondents by industry sector using the North American Industry Classification System (NAICS).



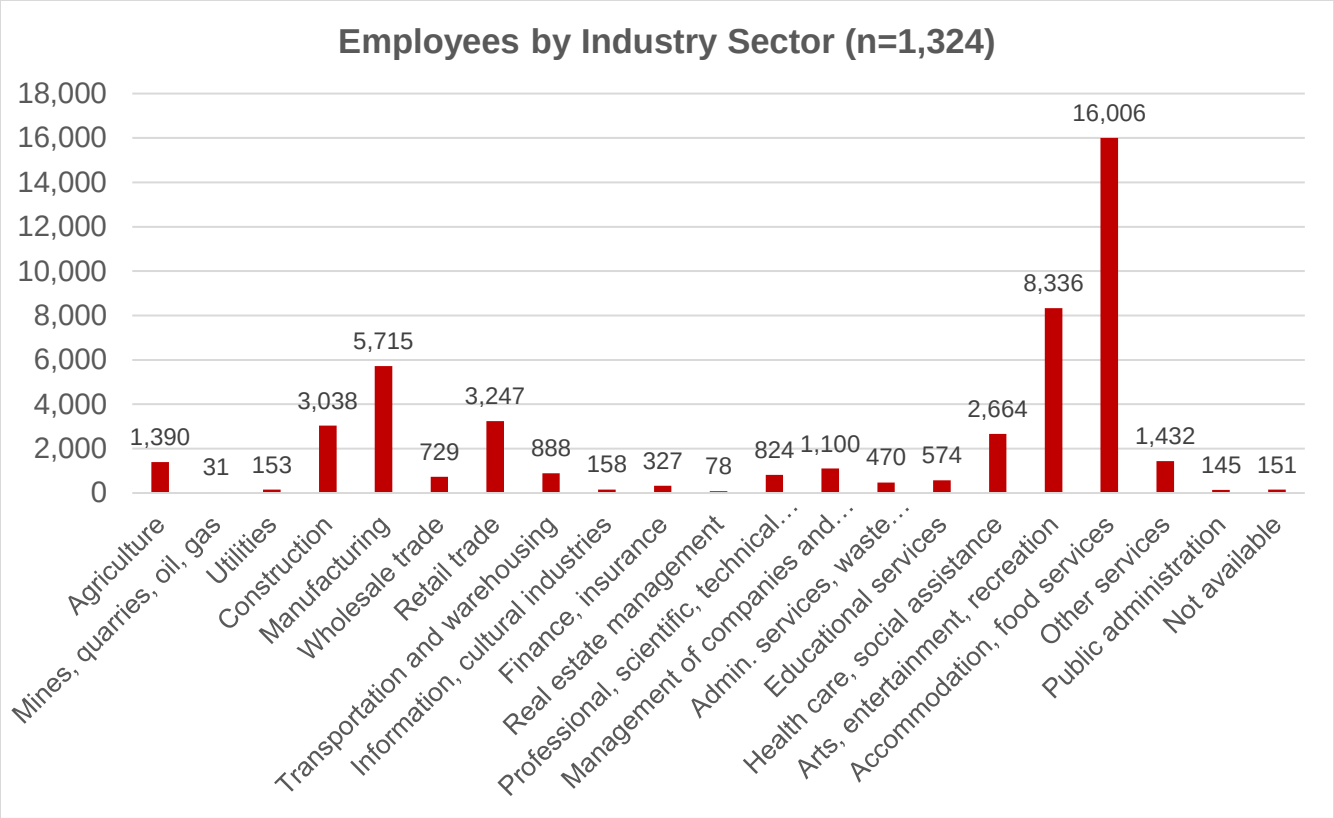
- Respondents selected the municipality in Niagara where their businesses have a physical presence. 1,382 businesses completed the survey with respondents from each Niagara municipality.



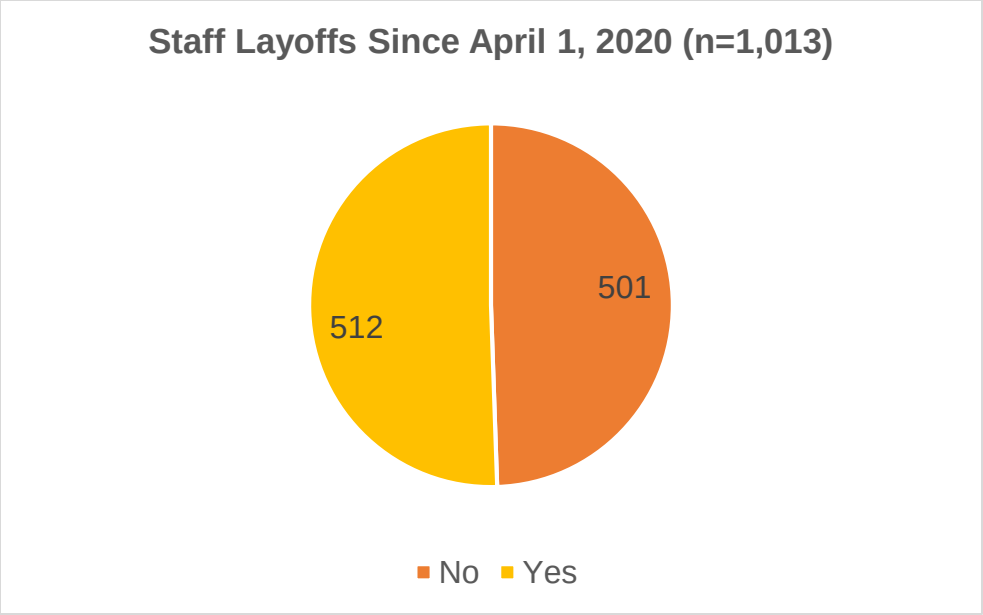
- Businesses self-identified the industry sector that best reflects their business activities. Responses were strong across the industry sectors that are most prevalent in Niagara.
- Responses were notably strong across industry sectors including accommodation and food services; other services; retail trade; health care and social assistance; and, arts, entertainment and recreation.

Employment

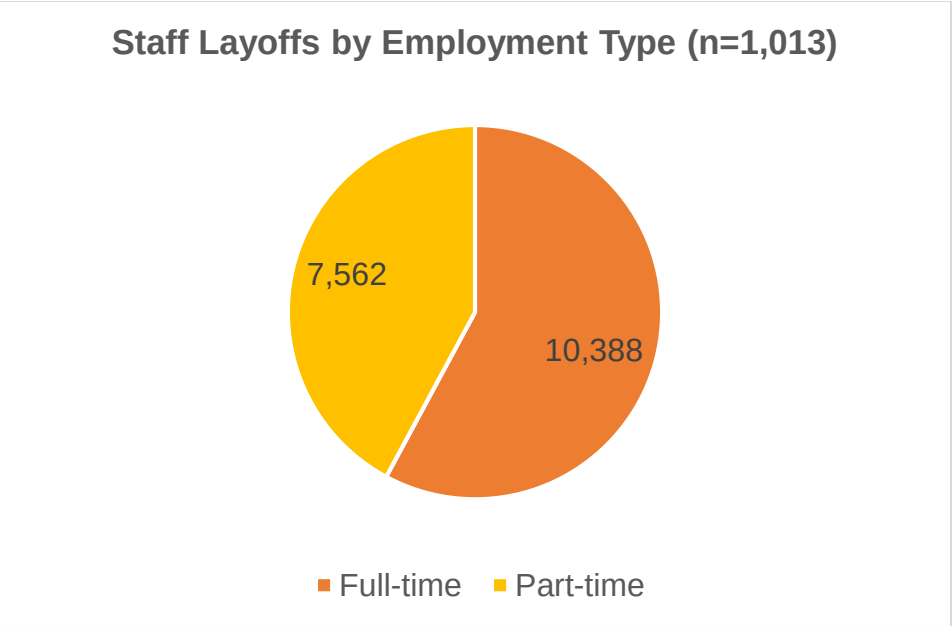
The following section provides employment and staffing characteristics of the respondent businesses. The information provided includes employees represented by industry sector, staff layoffs, and staff layoffs by employment type, total layoffs by industry sector, anticipated future layoffs, and anticipated future layoffs by industry sector.



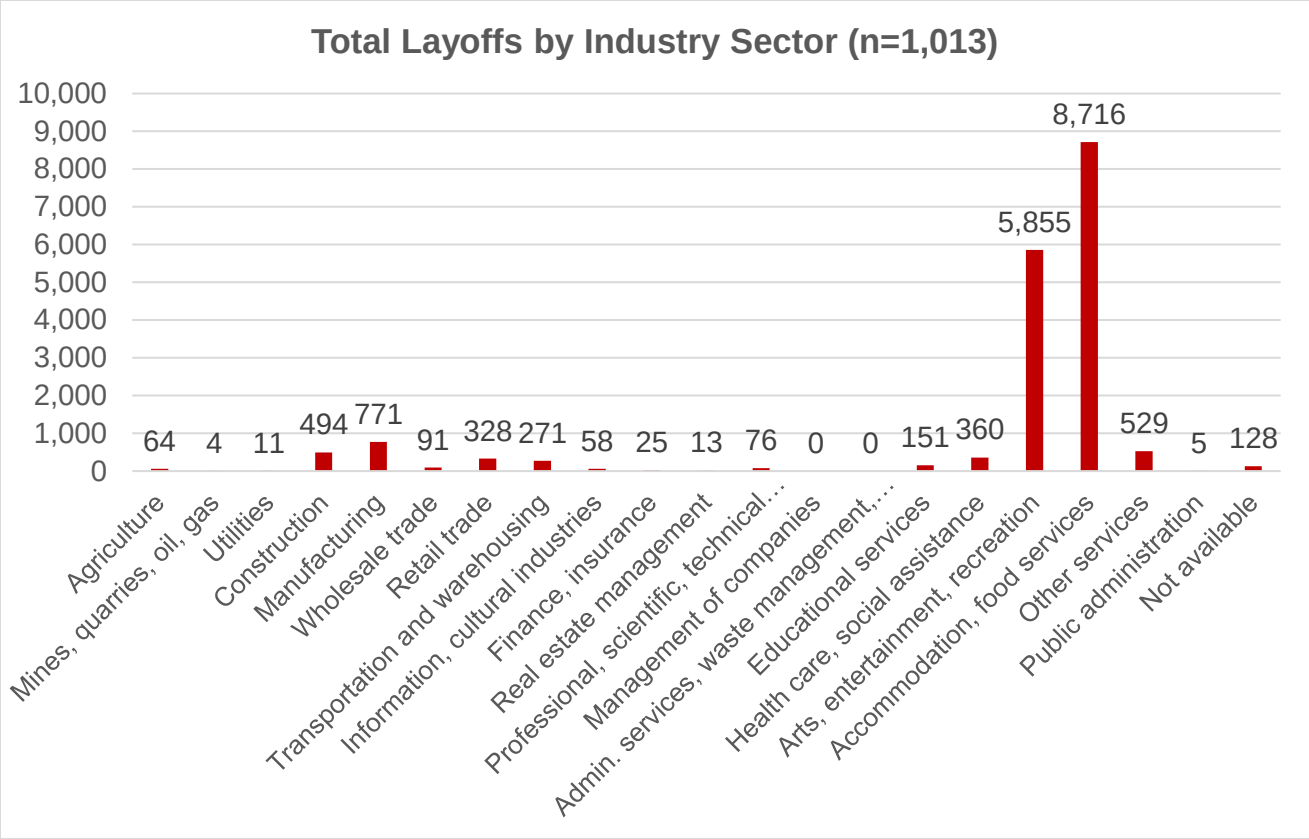
- Respondents were asked to identify the number of employees employed in their establishment. 1,324 respondents reported employing 47,456 staff.
- The industry sectors where respondents reported the highest number of employees included accommodation and food services (16,006); arts, entertainment and recreation (8,336); manufacturing (5,715); retail trade (3,247); and, health care and social assistance (2,664).



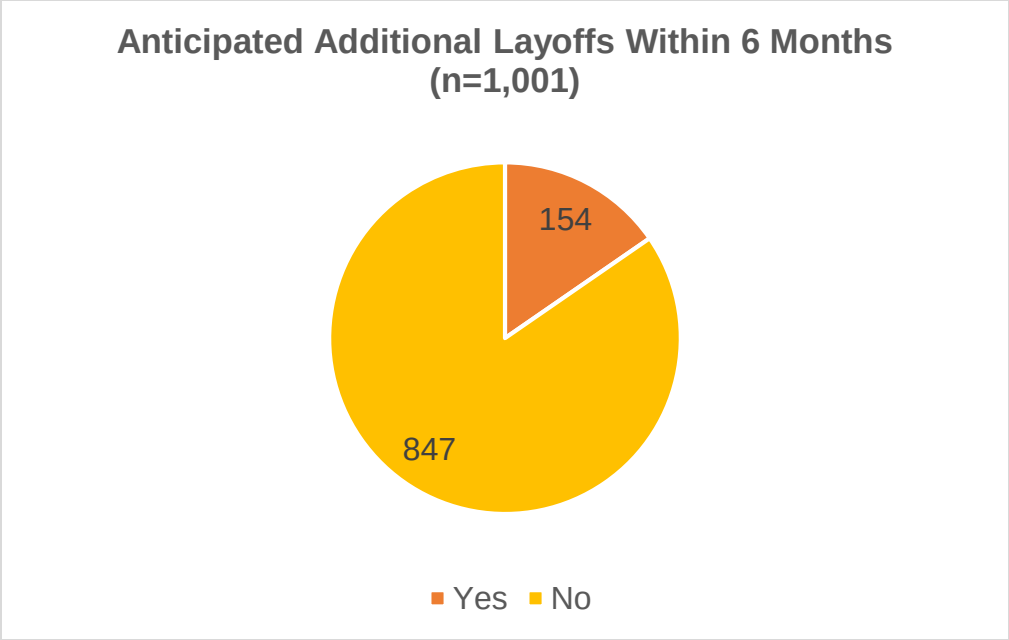
- 512 (51%) respondents reported that they laid off staff, while 501 (49%) had not laid off any staff.



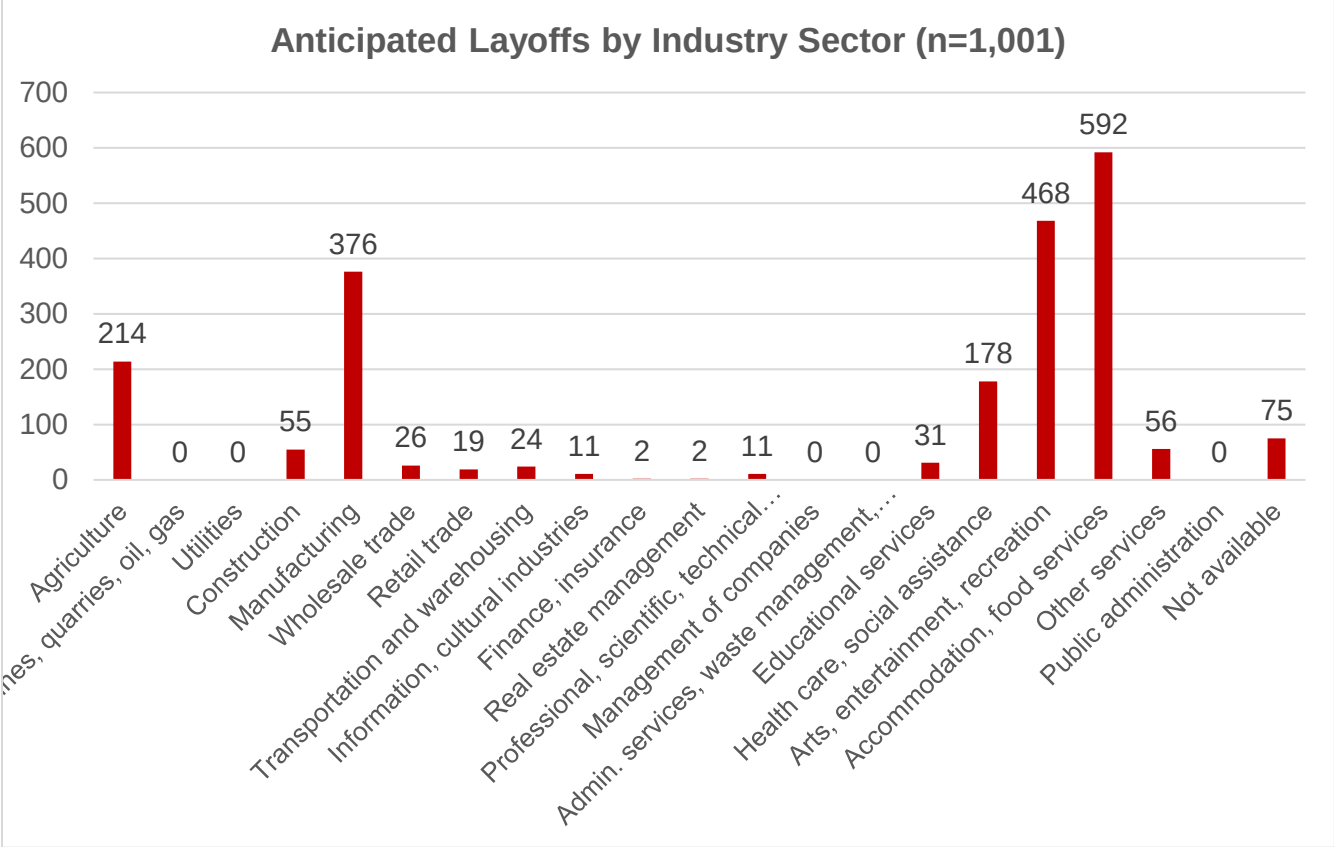
- Respondents reported total layoffs of 17,950 staff across industry sectors. 10,388 (58%) were full-time staff and 7,562 (42%) were part-time staff.



- Total staff layoffs were disproportionate by industry sector. Although accommodation and food services; and, arts, entertainment and recreation had the highest number of responses, the number of staff layoffs were exponentially higher than the other sectors.
- Manufacturing also reported a high number of layoffs, but it is important to note that food and beverage manufacturing businesses such as wineries and some food processing experienced significant layoffs.
- The other services sector also experienced a high number of layoffs. Many of the businesses in this sector include salons, personal services, repair services, funeral homes, pet care, civic and social organizations, etc.



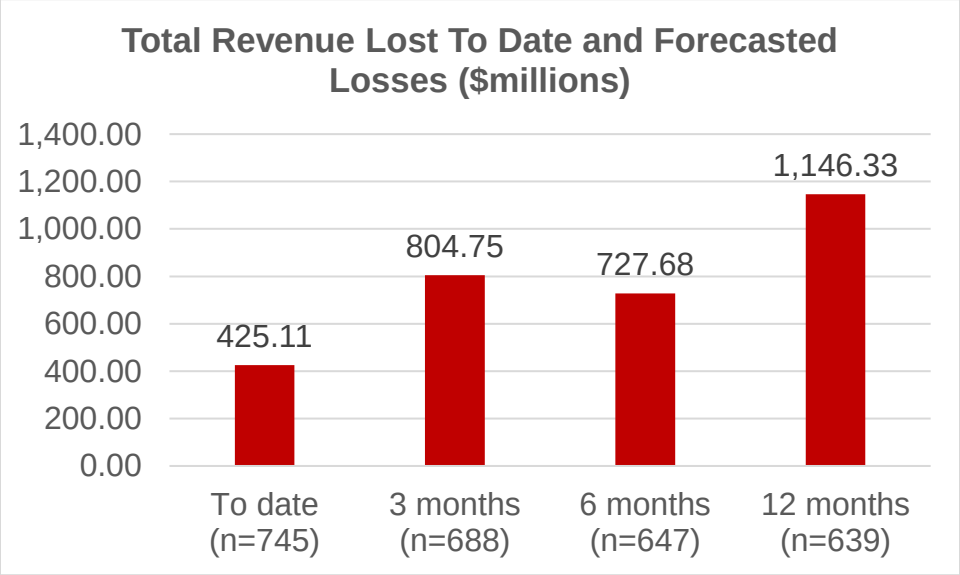
- Most respondents (85%) did not anticipate further staff layoffs within the next 6 months, while 15% indicated they would be making additional lay-offs. This would be contingent on measures implemented to open parts of the economy.



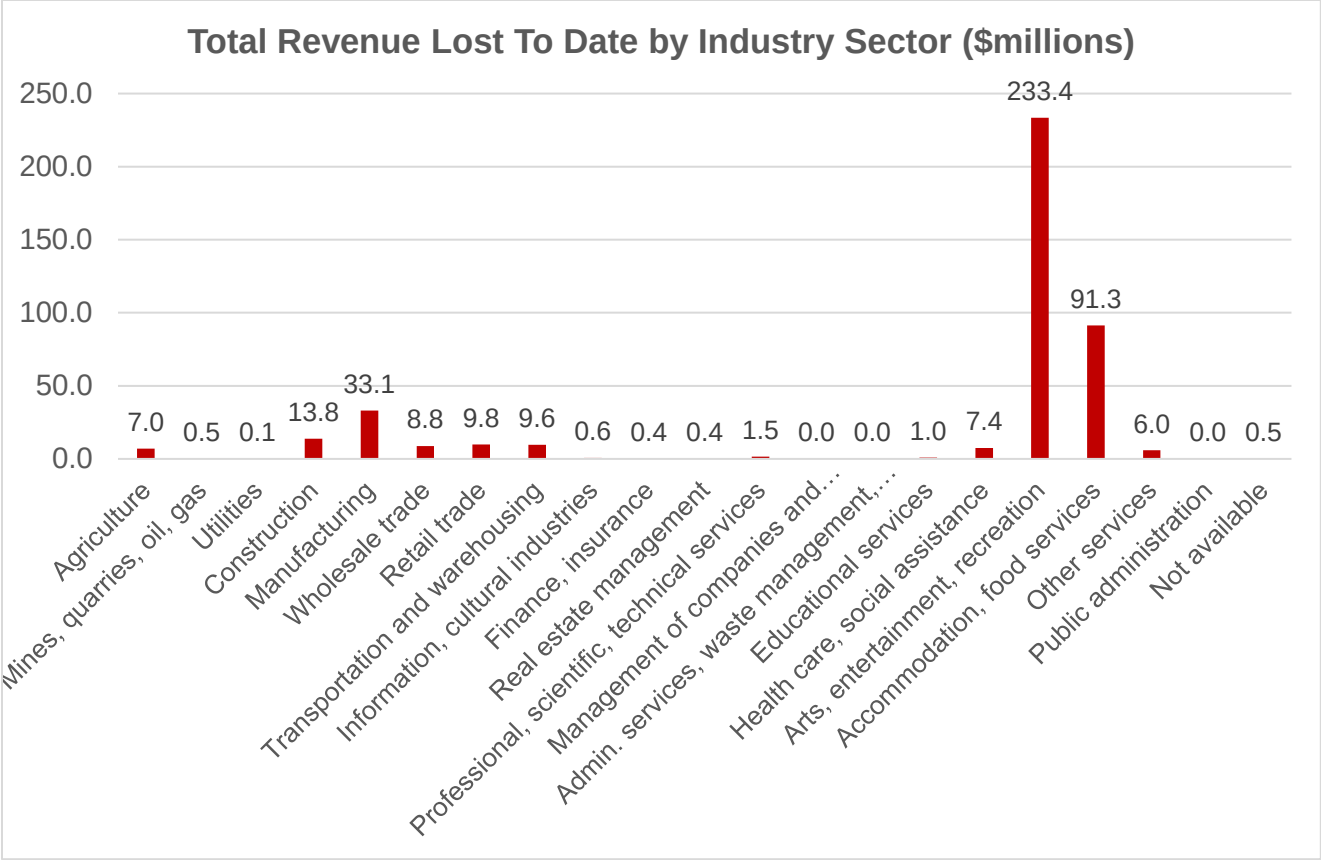
- The business in industry sectors that reported the most layoffs are also those that report the most number of anticipated layoffs. Accommodation and food services, and arts, entertainment and recreation report the highest number of anticipated layoffs.
- It is surprising to see that manufacturing reported such a high number of anticipated layoffs, but this could be a result of global supply chain challenges, as well as effects on food and beverage manufacturing sectors, particularly the wine industry since there is a hospitality component to those businesses.

Revenue and Expenses

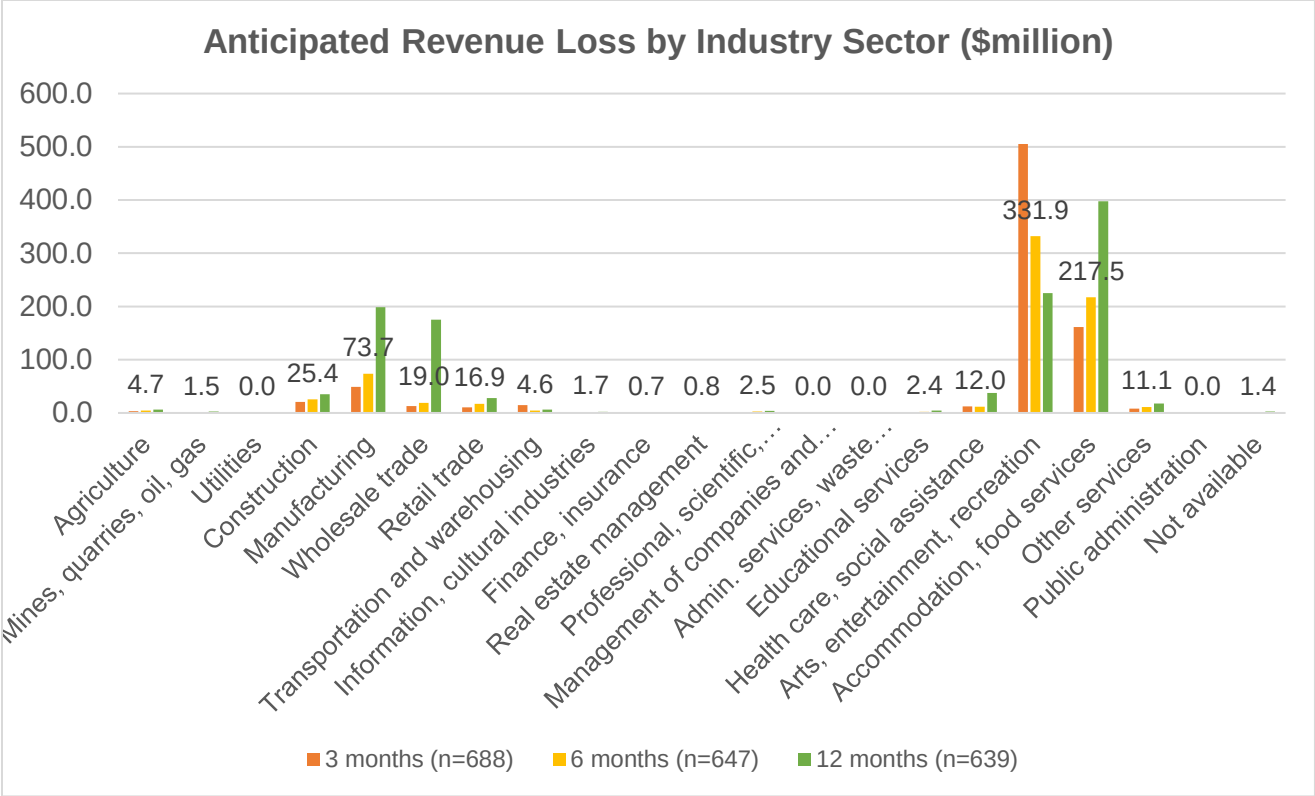
The following section provides information specific to current and forecasted lost revenue, current and forecasted lost revenue by industry sector, and the ability for businesses to pay fixed expenses.



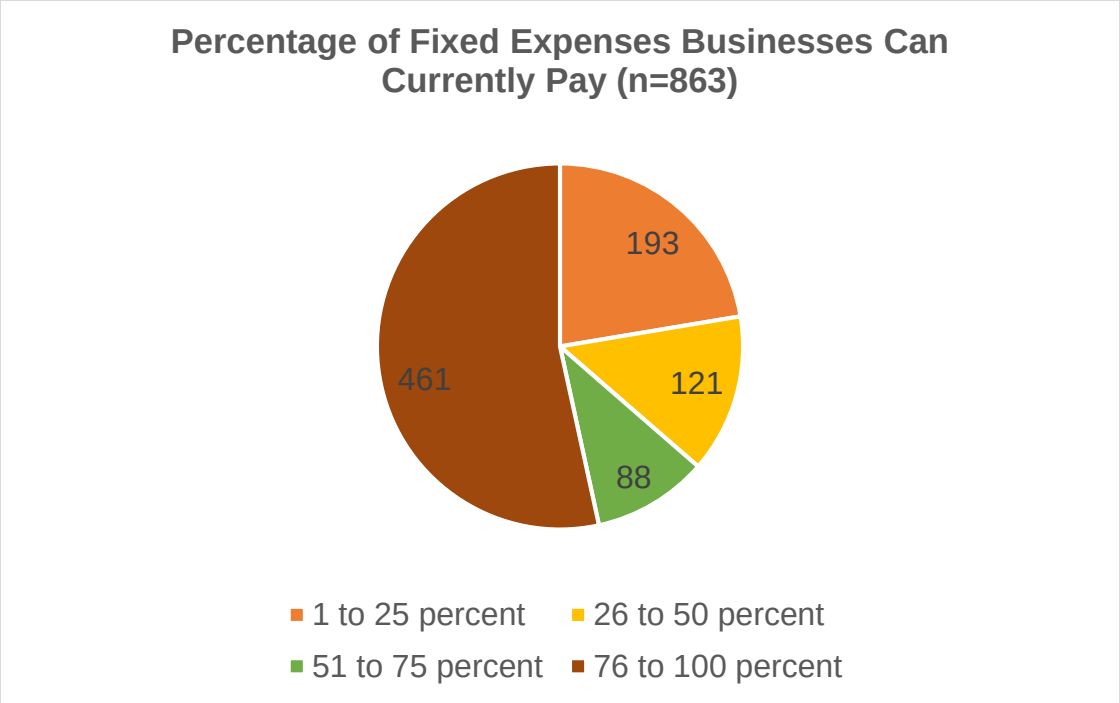
- Businesses have reported a staggering loss of revenue since the start of COVID-19. 745 respondents reported a combined loss of $425.11 million.
- In regards to anticipated losses, 688 businesses anticipated a loss of $804.75 million within 3 months, 647 business anticipate a loss of $727.68 million in 6 months, and 639 businesses reported anticipate losses of $1.146 billion within 12 months.
- Respondents represent only 5% of businesses in Niagara, so existing and anticipated losses would be in the multi-billions of dollars across the regional economy.



- It is apparent some industry sectors were affected disproportionately. Arts, entertainment and recreation (111 respondents) reported an estimated loss of $233.4 million; accommodation and food services (226 respondents) reported an estimated loss of $91.3 million; and, manufacturing (105 respondents) reported an estimated loss of $33.1 million.
- The sectors that reported the smallest revenue losses include management of companies and enterprises; utilities; administration, waste management and remediation; mines, quarries, oil and gas extraction; finance and insurance; real estate management; and, information and cultural industries.



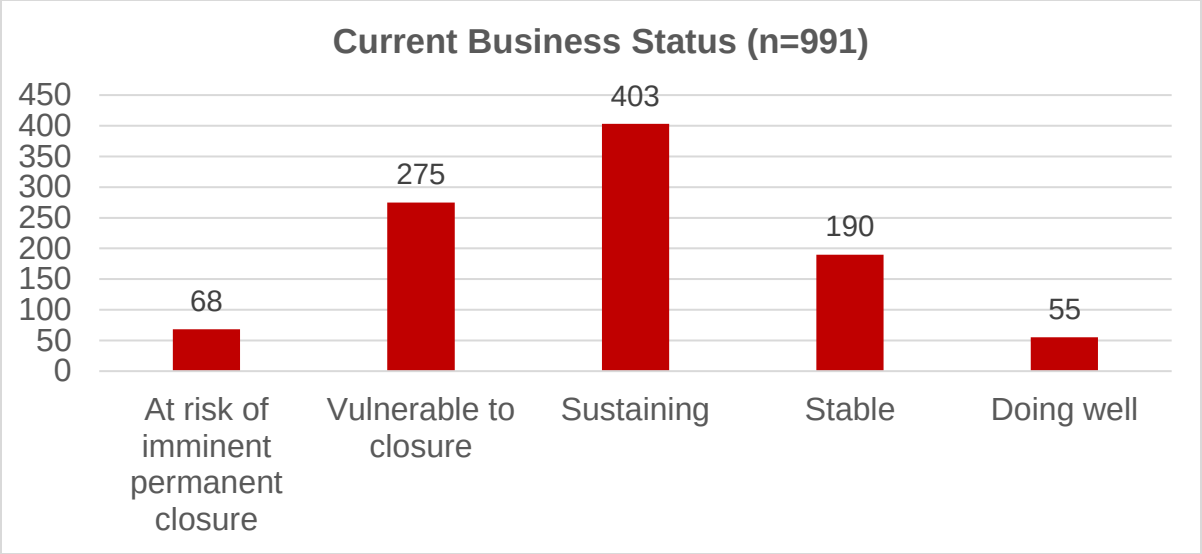
- The sectors that anticipated the largest ongoing loss of revenue included accommodation and food services at $397.4 million over 12 months; arts, entertainment and recreation at $225.1 million over 12 months; manufacturing at $198.5 million over 12 months; and, wholesale trade at $175.4 million over 12 months.



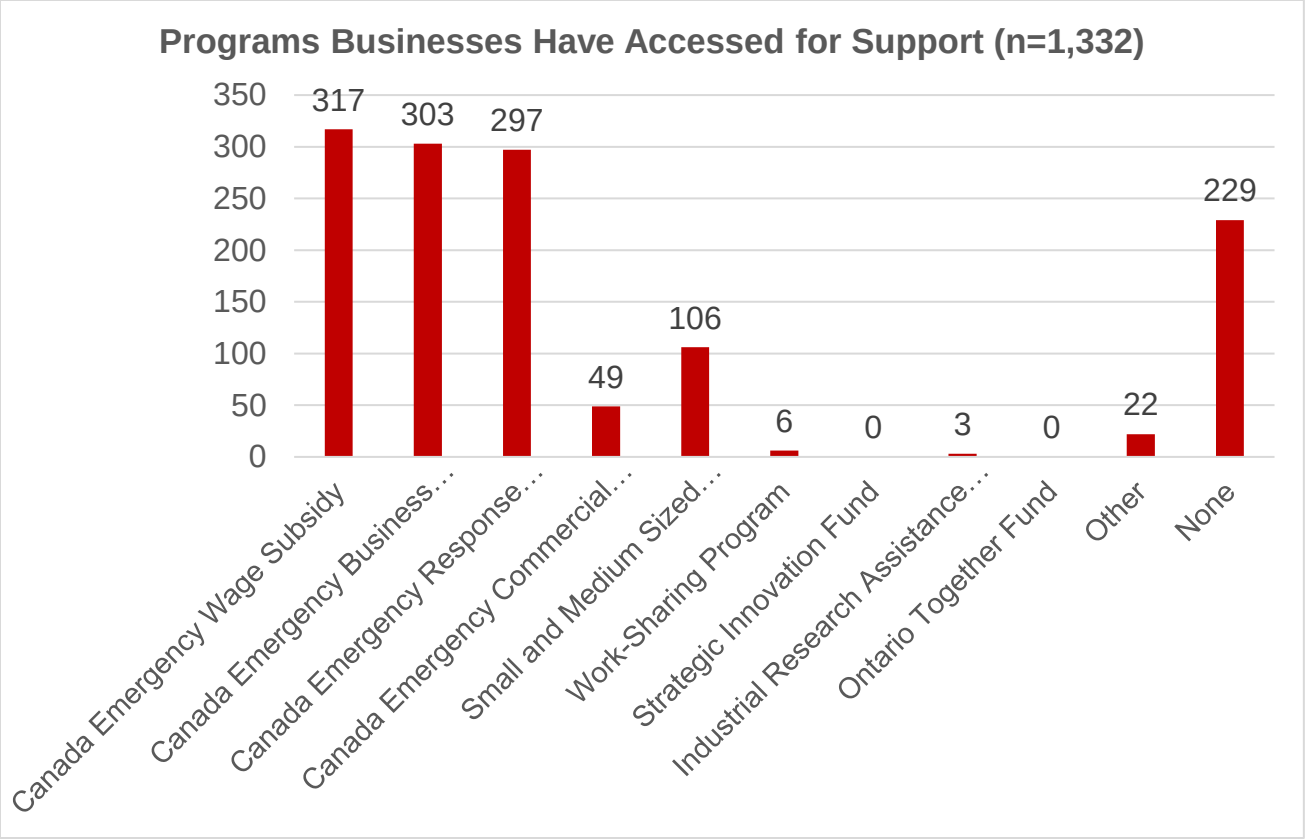
- Respondents reported the percentage of fixed business expenses they were able to pay under the current circumstances. These included expenses such as rent, insurance, subscriptions, equipment leases, payments on loans, depreciation, advertising, etc.
- Almost half of respondents (45%) reported that they were able to cover 100% of their current fixed expenses. However, 471 (55%) reported that they were not able to cover total current fixed expenses.
- 193 (22%) reported only being able to cover 1 to 25 percent of expenses, 121 (14%) reported only being able to cover 26 to 50 percent of current fixed expenses, 88 (10%) reported only being able to cover 51 to 74 percent, and 461 (53%) reported being able to cover 76 to 100 percent.

Business Status

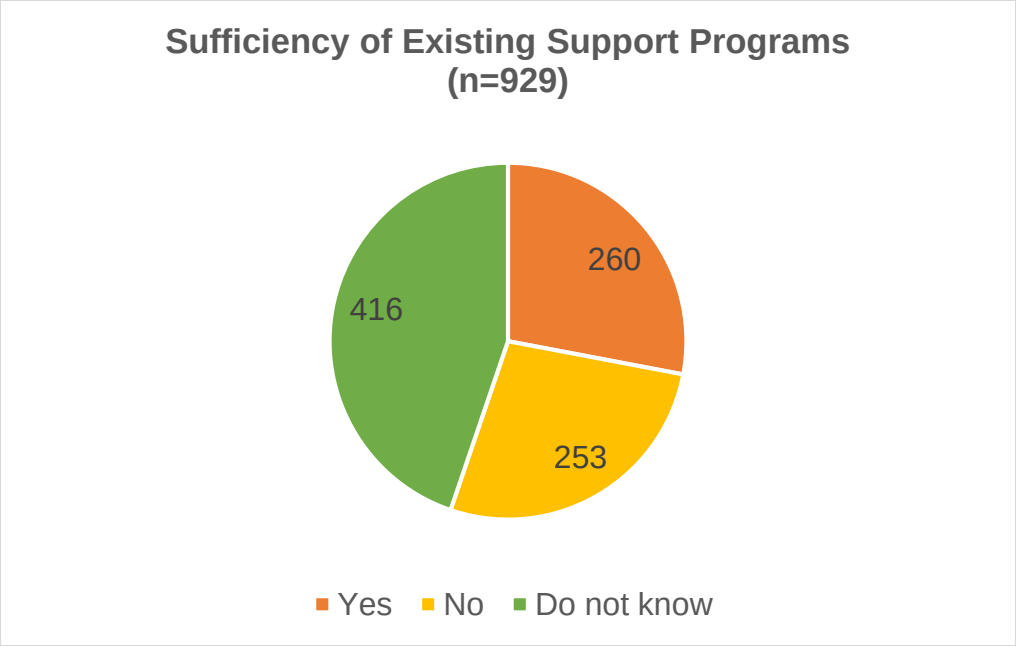
The following section provides information specific to the current status of business respondents including their well-being, support programs accessed, the sufficiency of the support programs offered, supports desired from local and regional government, resources required to pursue new opportunities, capital required to operate under COVID-19 precautionary measures, operating capacity under COVID-19 precautionary measures, and supply chain characteristics and sourcing intentions.



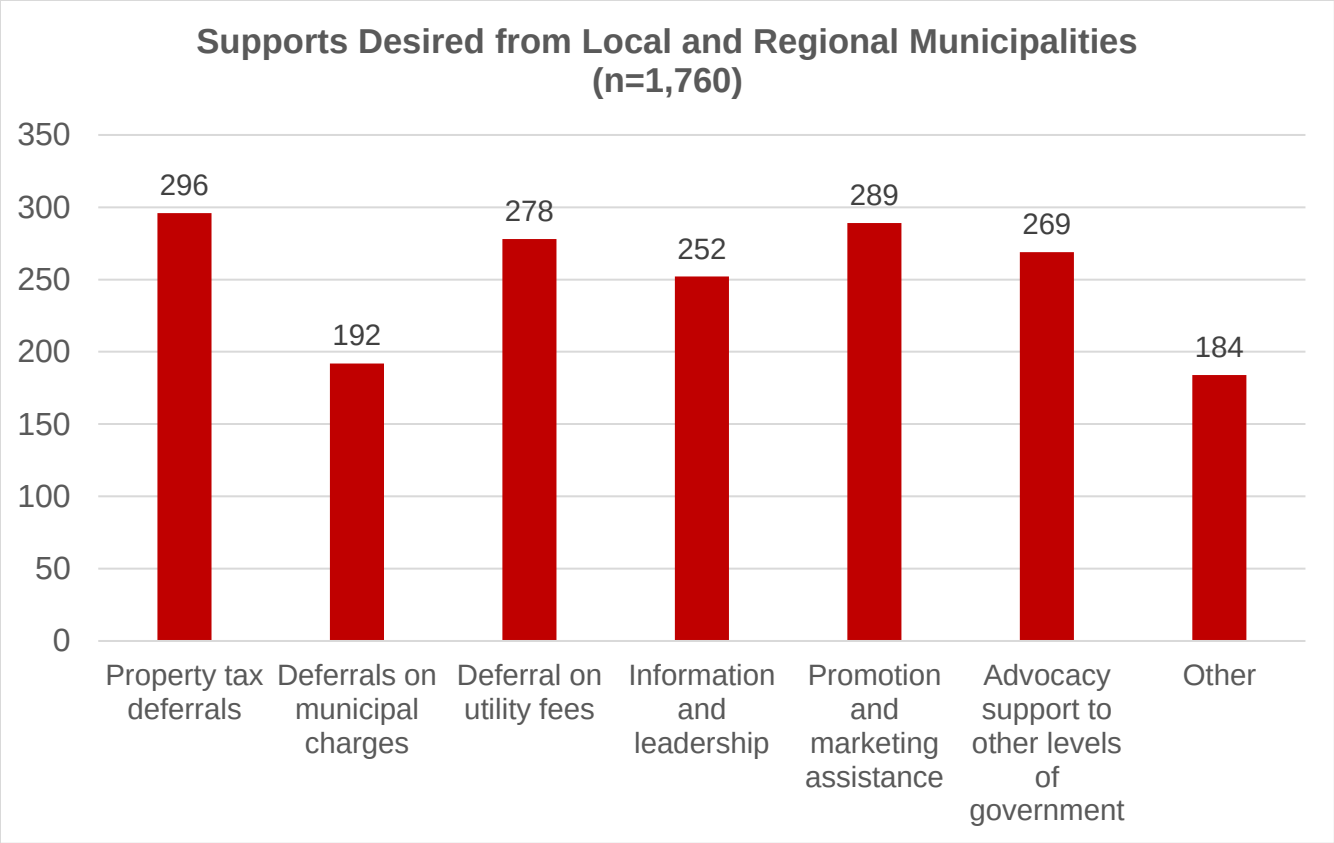
- Businesses were asked to identify their current business' level of vulnerability. Of 991 respondents, 68 (7%) indicated they were at risk of imminent permanent closure, 275 (28%) indicated that were vulnerable to closure, 403 (41%) indicated that they were sustaining, 190 (19%) indicated that they were stable, and 55 (6%) indicated that they were doing well.
- It is important to highlight that 343 (35%) of respondents are at serious risk of closure.



- A number of new business support programs were launched and some existing programs were directed to provide support to businesses struggling through COVID-19.
- In total, 1,103 respondents accessed programs while 229 respondents did not access any programs.
- Based on survey results, Canada Emergency Wage Subsidy program was the most accessed with 317 recipients, followed by Canada Emergency Business Account with 303 recipients, Canada Emergency Response Benefit with 297 recipients, and Small and Medium-Sized Business Enterprise Loan with 106 recipients.
- The lesser access programs included Canada Emergency Commercial Rent Assistance with 49 recipients, other programs with 22 recipients, Work-Sharing program with 6 recipients, and Industrial Research Assistance Program with 3 recipients.
- Respondents did not access the Strategic Innovation Fund or the Ontario Together Fund.

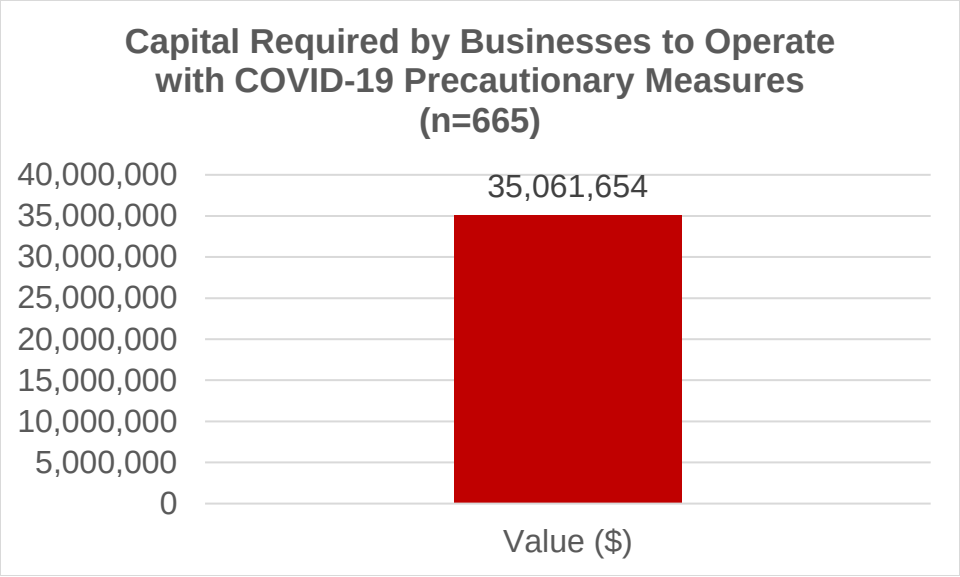


- Businesses were asked if the existing programs were sufficient to support them through COVID-19 to recovery. Of 929 respondents, 260 (28%) indicated yes, 253 (27%) indicated no, and 416 (45%) indicated that they do not know.

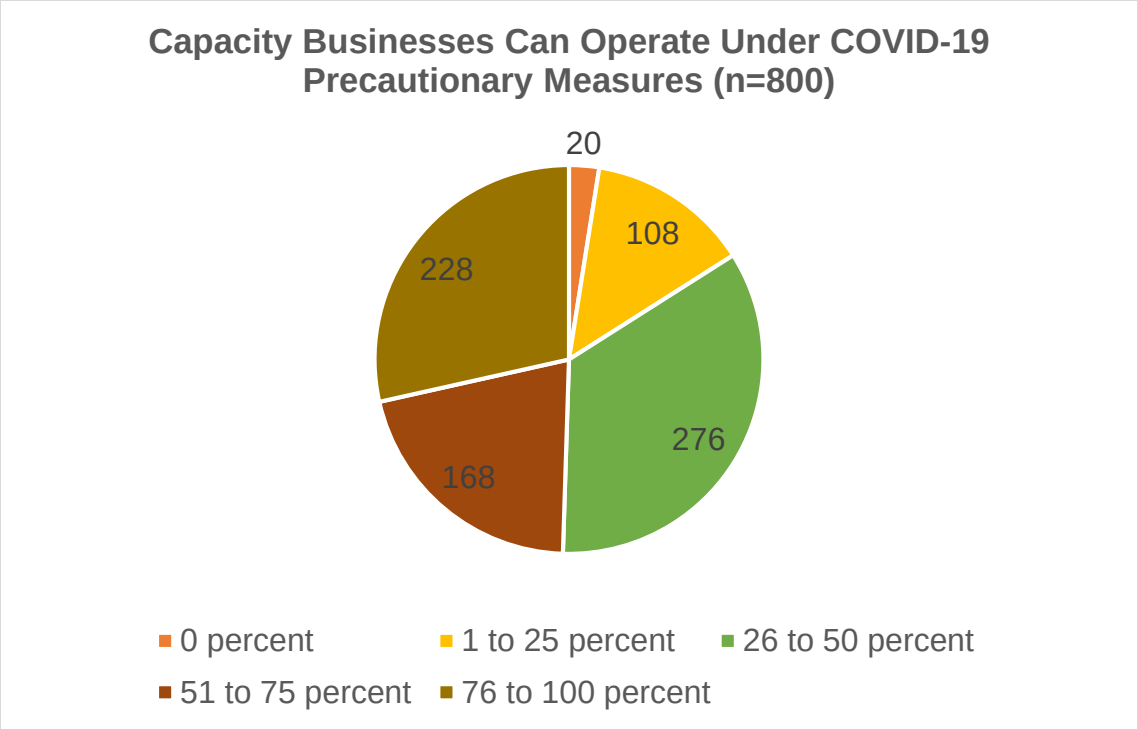


- Businesses were asked what type of supports they would like from local and regional municipalities.
- 296 (17%) reported they would like property tax deferrals, 289 (16%) reported they would like promotion and marketing assistance, 278 (16%) reported they would like deferrals on utility fees, 269 (15%) reported they would like advocacy and support to other levels of government, 252 (14%) indicated they would like information and leadership from the municipalities, 192 (11%) reported they would like deferrals on municipal charges.
- 184 (10%) reported other, which includes regulatory reductions, property tax forgiveness and reductions, and grants.

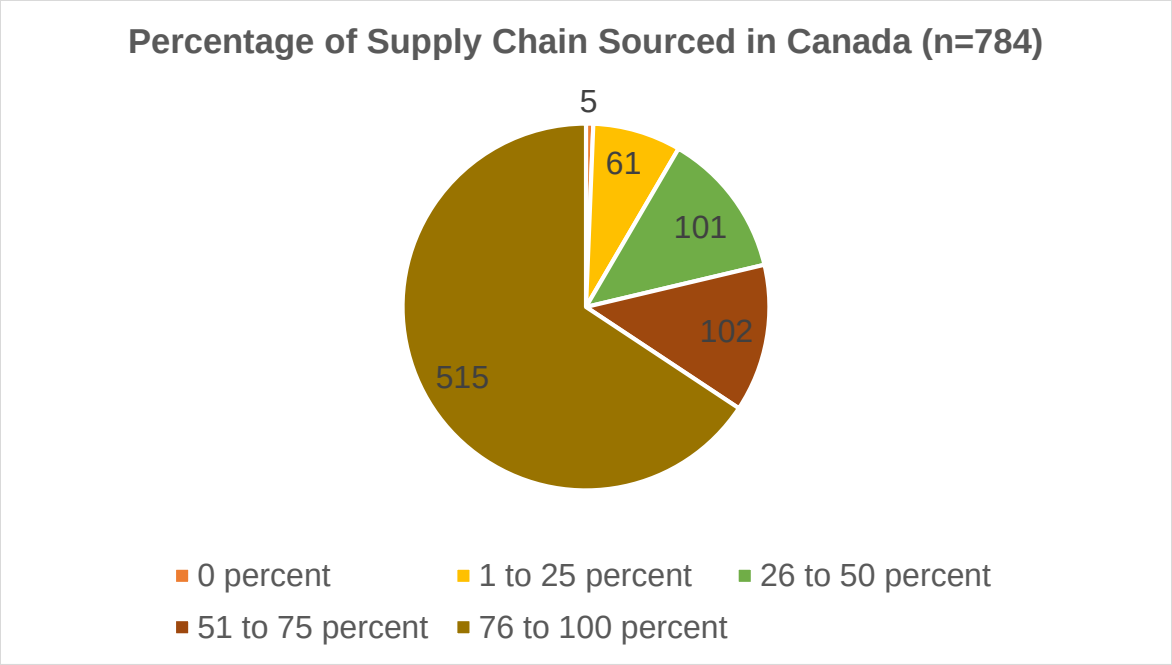
- Due to COVID-19, many businesses have had to make substantial pivots to survive.
- Businesses were asked what resources they require in order to pursue a new market and/or service/product delivery opportunities. 323 (21%) indicated they require additional capital, 241 (16%) indicated they need market research support, 181 (12%) indicated they need business planning assistance, 145 (9%) indicated they need new employees, 134 (9%) indicated they need new tooling, and 103 (7%) indicated they need new suppliers.
- 78 (5%) indicated they needed other supports, which were mostly technical/advisory in nature.



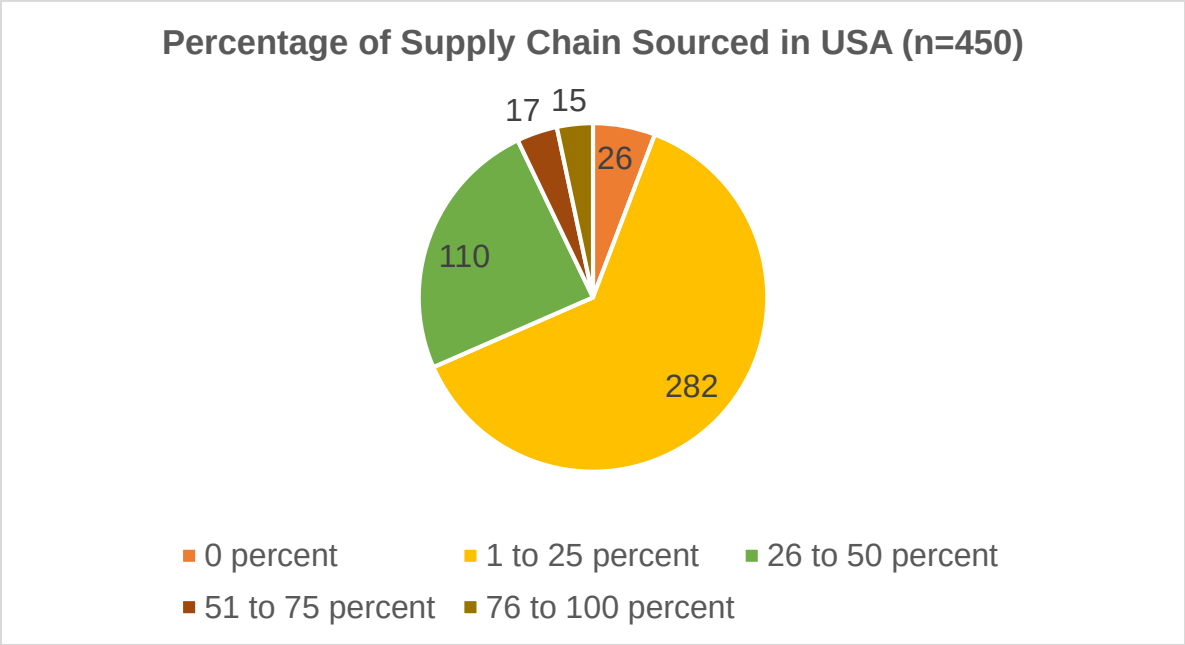
- In order to operate with COVID-19 precautionary measures in place businesses will need to make substantial capital investments into supplies, infrastructure and other fixed assets.
- 665 respondents reported a need to make a combined capital investments of $35.1 million to operate with COVID-19 precautionary measures in place.
- The sectors that reported the highest amount of capital investments required included manufacturing ($8.43 million), accommodation and food services ($7.94 million), health care and social assistance ($4.0 million), agriculture ($2.7 million), and retail trade ($1.4 million).



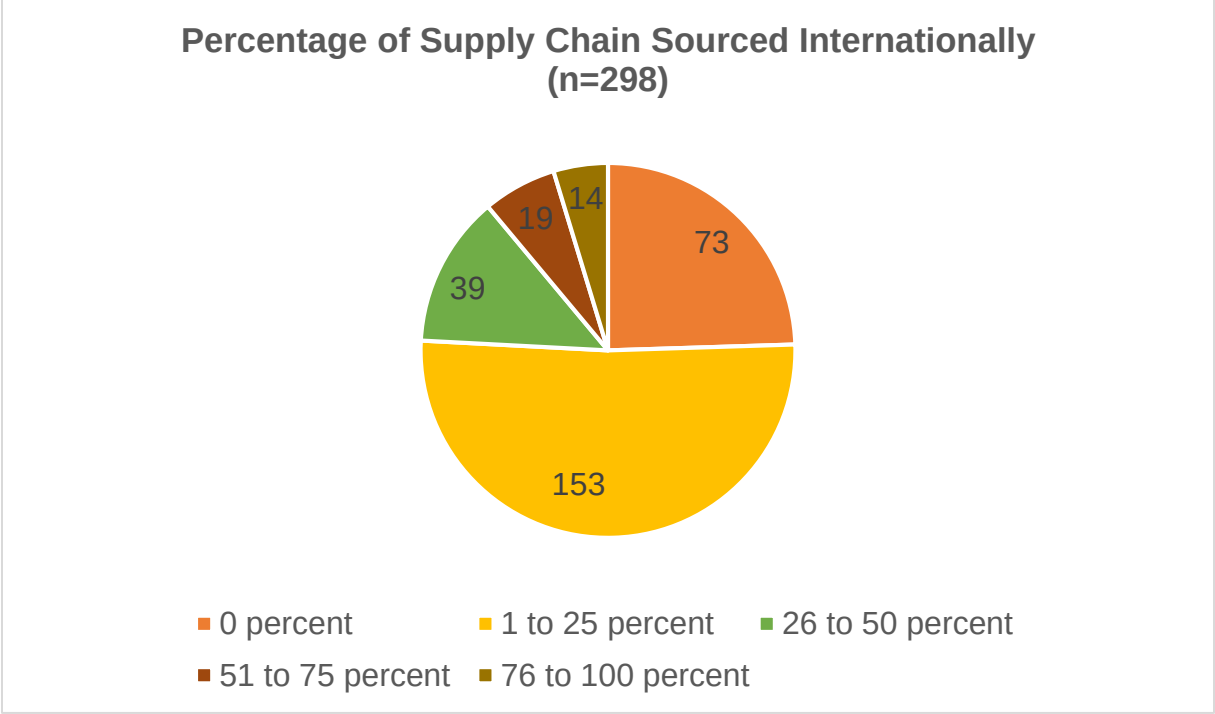
- With COVID-19 precautionary measures in place, many businesses will not be able to operate at full capacity. Only 143 of 800 companies (18%) reported that they would be able to operate at full capacity with precautionary measures in place. 20 businesses (2.5%) reported that they would not be able to operate with precautionary measures in place.
- Almost half of respondents (384) have indicated they would be able to operate at 50% capacity or less, while 396 respondents (49%) reported that they would be able to operate above 50% capacity.



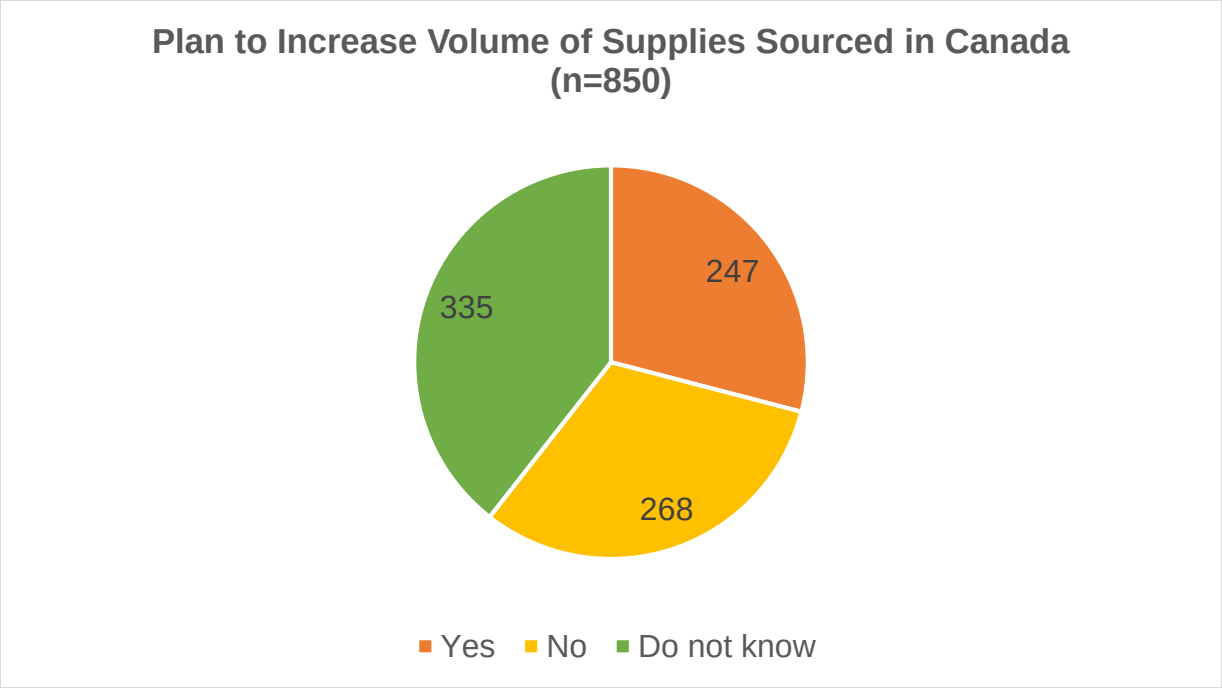
- Businesses were asked the percentage of supply chains sourced in Canada.
- Only 5 (1%) of respondents reported sourcing no supplies in Canada, while 61 (8%) reported sourcing 1 to 25 percent, 101 reported (13%), 102 (13%) reported 51 to 75 percent, and 515 (66%) reported 76 to 100 percent.



- Business were asked to indicate the percentage of supply chains sourced in the USA. 26 (6%) reported no USA supply chains, 282 (63%) reported 1 to 25 percent, 110 (24%) reported 26 to 50 percent, 17 (4%) reported 51 to 75 percent, and 15 (3%) reported 76 to 100 percent.



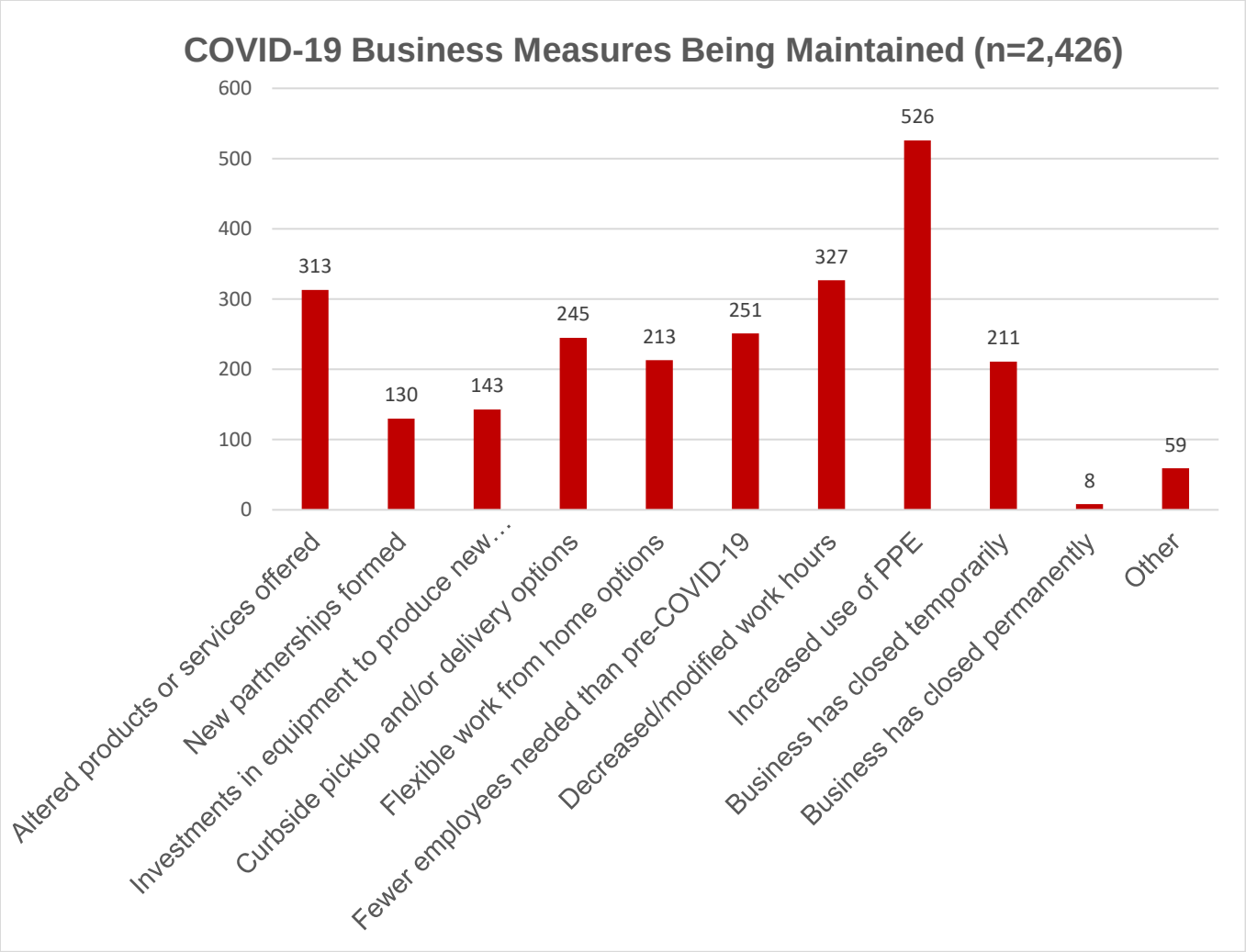
- Businesses were also asked to indicate the percentage of supply chains sourced internationally. 73 (24%) reported no international suppliers, 153 (51%) reported 1 to 25 percent, 39 (13%) reported 26 to 50 percent, 19 (6%) reported 51 to 75 percent, and 14 (5%) reported 76 to 100 percent.



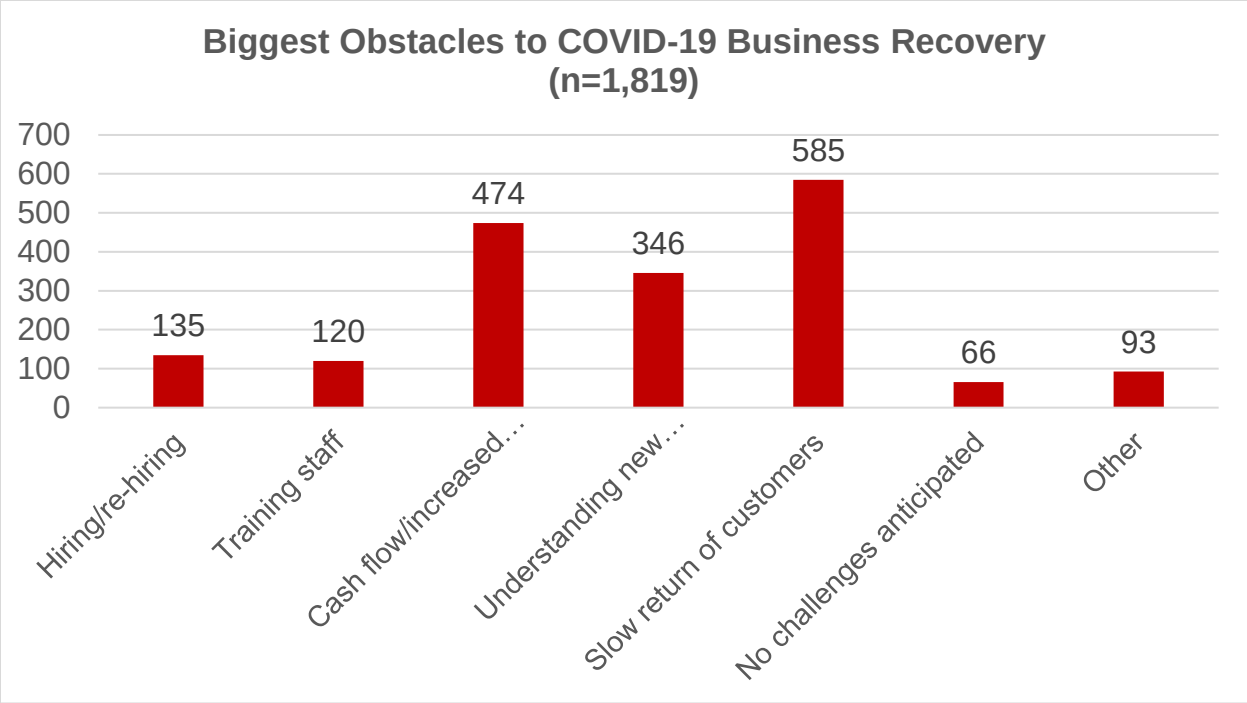
- Businesses were asked if they plan to increase the volume of supplies they are sourcing from within Canada. 247 (29%) respondents reported yes, 268 (32%) reported no, and 335 (39%) reported that they do not know.

Recovery

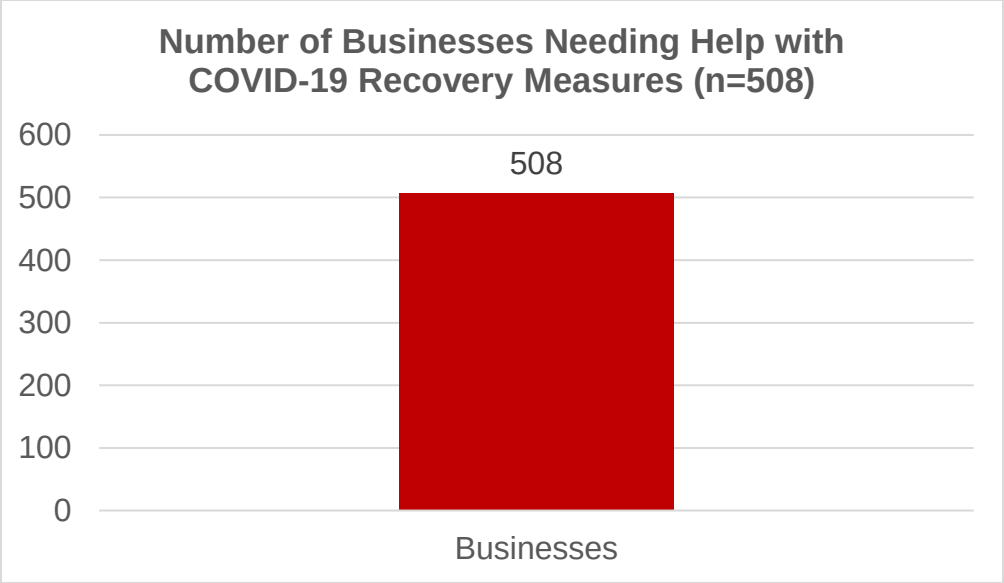
The following section provides information on COVID-19 measures being maintained going forward, the biggest obstacles businesses face to recovery, businesses that need help with COVID-19 recovery, assistance measures required by businesses, and mental health resources required by businesses.



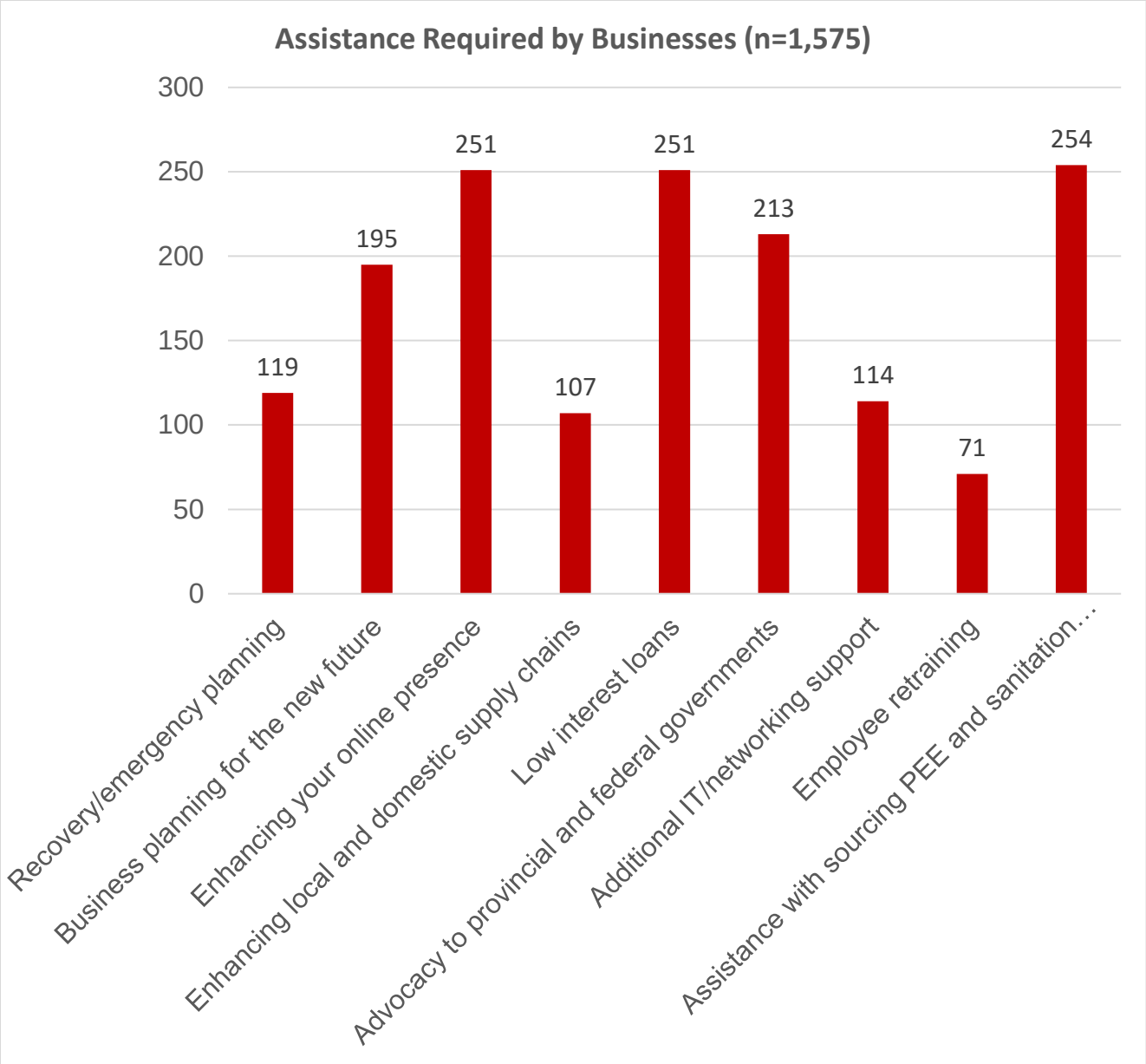
- Most businesses had to make substantial changes to operations with the onset of the COVID-19 pandemic, and many indicated they will maintain these changes going forward.
- The most prevalent change was increased use of PPE with 526 respondents (22%), followed by decreased/modified work hours with 327 respondents (13%), altered products or services offered with 313 respondents (13%), fewer employees needed than pre-COVID-19 with 251 respondents (10%), curbside pickup and/or delivery options with 245 respondents (10%), flexible work from home options with 213 respondents (9%), business has closed temporarily with 211 respondents (9%), investment in equipment to produce new offerings with 143 respondents (6%), new partnership formed with 130 respondents (5%), and other with 59 respondents (2%).
- 8 respondents (0.3%) reported closing the business permanently.



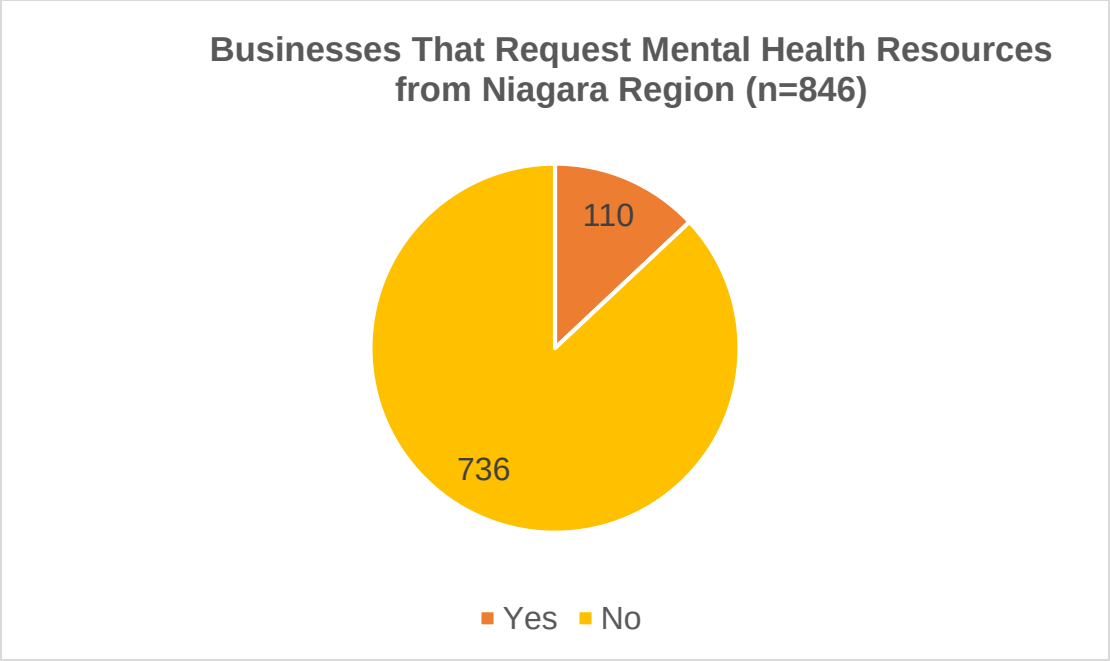
- The COVID-19 recovery process will present many obstacles and challenges to most businesses.
- Businesses reported the biggest obstacle to be the slow return of customers with 585 (32%) respondents, followed by cash flow/increased debt loads with 474 (26%) respondents, understanding new physical space requirements with 346 (19%) respondents, hiring or re-hiring with 135 (7%) respondents, training staff (with 120 (7%) respondents, and other with 93 (5%) respondents.
- 66 (4%) respondents reported no challenges anticipated.



- Businesses will also require a significant amount of help and guidance when recovering from the impacts of COVID-19.
- 508 businesses (37%) of total respondents indicated that they need help with COVID-19 recover measures.



- The 508 businesses that reported needing help with COVID-19 recovery measures in the previous question selected 1,575 measures that they need help with.
- Businesses reported assistance with sourcing PPE and sanitation supplies as their biggest need with 254 (16%) respondents, followed by enhancing online presence with 251 (16%) respondents, low-interest loans with 251 (16%) respondents, advocacy to provincial and federal governments with 213 (14%) respondents, business planning for the new future with 195 (12%) respondents, recovery/emergency planning with 119 (8%) respondents, additional IT/networking support with 114 (7%) respondents, enhancing local and domestic supply chains with 107 (7%) respondents, and employee retaining with 71 (5%) respondents.



- COVID-19 has affected the mental health and well-being of many people including business owners and employees.
- Businesses were asked if they would like to be contacted by Niagara Region Public Health for resources related to mental health. 846 businesses responded and 100 (13%) requested mental health resources while 736 (87%) did not.

Conclusion

All industry sectors and businesses in Niagara have experienced some form of negative effect from COVID-19. However, it is very clear that some have been affected disproportionately. The negative economic impact is staggering and if some businesses have not felt a negative effect yet, they may once the lost revenue, unemployment and decline in GDP ripples through the regional economy.

Revenue lost figures are staggering and have the potential to decimate Niagara's economy if the recovery process is prolonged and if we experience a second wave COVID-19. 745 respondents reported a combined loss of $425.1 million. If we extrapolate this across the entire economy, the total estimated revenue losses would be $7.8 billion. For perspective, total retail and restaurant expenditures in Niagara in 2017 alone were $6.3 billion, tourism expenditures were $2.4 billion, and Niagara's total GDP is approximately $17.2 billion.

Niagara's GDP will be hit much harder than Ontario and Canada given our reliance on tourism-related industries, businesses and jobs. Niagara has a provincial tourism location quotient of 1.8, which means we have 1.8 times the concentration of jobs in Niagara than Ontario. This means our tourism industries will be affected much harder in Niagara than Ontario as a whole, so it is important to have resources and measures in place to support tourism in Niagara.

As mentioned, some industry sectors were affected disproportionately with respect to revenue loss and staff layoffs. Based on the survey results, the most vulnerable sectors include accommodation and food services; arts, entertainment and recreation; retail trade; other services; and, health care and social assistance. These sectors often involve businesses activities that rely on person-to-person interaction and or assembly of people in some form.

Most businesses surveyed (55%) cannot keep up with their current fixed expenses and this could lead to bankruptcies if recovery is prolonged, particularly in accommodation and food services; other services; arts, entertainment and recreation; health care and social assistance; and, retail trade

Many businesses are either at risk of imminent permanent closure (7%) or vulnerable to closure (28%) mainly affecting accommodation and food services; arts, culture and recreation; retail trade; and, health care and social assistance.

Many support programs have been accessed (1,332) by businesses across almost all industry sectors in Niagara. However, a high number of companies have specified the current supports are insufficient, especially in accommodation and food services; other services; retail trade; arts, entertainment and recreation; and heath care and social assistance

Although many businesses are looking for some sort of financial relief from local and regional municipal governments, many are looking for non-financial supports including promotion and marketing assistance, advocacy and support to other higher levels of government, and information and leadership from municipalities.

Businesses will require a large range of support resources to pursue new market opportunities and diversify their markets and offerings in response to COVID-19. However, some in traditional industries and are not able to make substantial pivots.

A large amount of capital and investment is required for businesses to safely operate under COVID-19 precautionary measures. The average business will be required to invest $52,724, which would equate to about $720 million in capital investment required across the entire regional economy.

Business capacity and productivity declined abruptly in Niagara due to COVID-19. 72% of businesses cannot operate at full capacity under COVID-19 precautionary measures. 51% of businesses are operating at 50% capacity or less. Sectors that are not public-facing such as manufacturing, agriculture, construction, and finance and insurance and wholesale were not as affected.

Businesses in Niagara currently do most of their supply sourcing domestically. Some businesses that source from the USA and internationally will be looking to do more sourcing domestically to stabilize their supply chains while many are currently undecided on what they will do. This is an opportunity to help businesses find local suppliers where possible.

The recovery process will be resource intensive and require additional advisory supports to assist businesses through recovery. Many businesses are looking to maintain changes in operations due to COVID-19. However, many are looking to maintain lower staffing levels, which will pose a problem for employment recovery in Niagara

Businesses perceive many obstacles to recovery from COVID-19. Many businesses consider a slow return of customers, cash flow and debt repayment, and being familiar with new physical space requirements as their biggest obstacles to recovery.

Businesses will need a wide range of supports to recover from the effects of COVID-19. The biggest support needed will be sourcing the proper PPE and sanitation supplies and having sufficient supplies to meet demand. They will require financial supports such as no/low interest loans, technical and advisory supports to enhance their online presence, advocacy to upper levels of government for resources and support, market research, and business planning for the new future.

Lastly, many business owners and staff are dealing with mental health challenges during these times, especially given the uncertainties they face on a daily basis. They will need resources and supports to ensure that they remain well.

For more information economic development contacts are:

Niagara Region	Valerie Kuhns	Acting Director, Economic Development	valerie.kuhns@niagararegion.ca
Fort Erie	Caralee Grummett	Manager, Economic Development & Tourism Services	cgrummett@forterie.ca
Lincoln	Paul DiIanni	Economic Development Officer	pdiianni@lincoln.ca
Niagara Falls	Serge Felicetti	Director of Business Development	sfelicetti@niagarafalls.ca
Port Colborne	Julian Douglas-Kameka	Economic Development Officer	juliandouglas-kameka@portcolborne.ca
St. Catharines	Brian York	Director, Economic Development and Government Relations	byork@stcatharines.ca
Thorold	Marco Marino	Manager of Economic Development	marco.marino@thorold.ca
Welland	Dan Degazio	General Manager, Economic Development Recreation and Culture	dan.degazio@welland.ca

Appendix

Survey Instrument

1) Business name:

2) Municipality:

3) Number of employees:

4) Industry sector:

Agriculture
Mining, quarrying, oil and gas extraction
Utilities
Construction
Manufacturing
Wholesale trade
Retail trade
Transportation and warehousing
Information and cultural industries
Finance and insurance
Real estate management
Professional, scientific and technical services (includes business services)
Management of companies and enterprises
Administrative services, waste management and remediation
Educational services
Health care and social assistance
Arts, entertainment and recreation
Accommodation and food services
Other services
Public administration (government)

5) Please estimate the loss of business revenue to date due to COVID-19, as well as your projections for the next three months, six months, and 12 months:

To date
3 months
6 months
12 months

6) Have you made staff layoffs since April 1, 2020? If so, please indicate the number of full-time and part-time staff that have been laid off (e.g. 0, 1, 5, 10, etc.):

7) Do you anticipate having to make additional staff layoffs within the next 3-6 months? If yes, please indicate the number of anticipated layoffs (e.g. 1, 5, 10, etc.):

8) What percentage of your current fixed expenses (e.g. lease, mortgage, loans, insurance, etc.) are you able to pay under current conditions (e.g. 0, 10, 15, 50, 75, etc.)?

9) What best describes your current business situation?

At risk of imminent permanent closure
Vulnerable to closure
Sustaining
Stable
Doing well

10) Have you received support from any of the following programs or measures? Please select all that apply:

Canada Emergency Wage Subsidy
Canada Emergency Business Account
Canada Emergency Response Benefit
Canada Emergency Commercial Rent Assistance
Small and Medium Sized Business Enterprise Loan
Work-Sharing Program
Strategic Innovation Fund
Industrial Research Assistance Program (IRAP)
Ontario Together Fund
Other (please specify)

11) Are existing government support programs sufficient to ensure your operation will remain viable and ready to reopen when COVID-19 restrictions are removed (yes/no)?

12) Are there other areas of support that the federal and/or provincial government can provide to assist your business during this time (please specify)?

13) What type of support would you like from local municipal/regional government right now (please check all that apply)?

Property tax deferrals
Deferrals on municipal charges
Deferral on utility fees
Information and leadership
Promotion and marketing assistance
Advocacy support to other levels of government
Other (please specify)

14) If you were to change your product or service offering to target new market opportunities, what would you require?

Additional capital
New employees
New suppliers
Market research/intelligence
New tooling
Business planning assistance
Not interested in offering new products or services
Other (please specify)

15) What capital investments will be required for your business to operate safely under physical distancing and/or other precautionary measures (specify value)?

16) What capacity will your business be able to operate at while adhering to social distancing and other precautionary measures when you are able to reopen (e.g. 10%, 50%, 75%, etc.)?

17) What percentage of your supply chains and/or business supplies are sourced within Canada, the United States, and internationally (e.g. 10%, 20%, etc.)?

Canada:
United States:
International:

18) Do you plan to increase the volume of supplies you are sourcing within Canada (yes/no)?

19) Do you anticipate maintaining any of the following changes you implemented due to COVID-19 (check all that apply)?

Altered products or services offered
New partnerships formed
Investments in equipment to produce new products or provide new services
Curbside pickup and/or delivery options
Flexible work from home options
Fewer employees needed than pre-COVID-19
Decreased/modified work hours
Increased use of PPE in the workplace
Business has closed temporarily
Business has close permanently
Other (please specify)

20) What do you perceive to be your business' biggest obstacle to recovery from COVID-19? Check all that apply:

Hiring/re-hiring
Training staff
Cash flow/increased debt loads
Understanding new physical space requirements/enforcement
Slow return of customers
No challenges anticipated
Other (please specify)

21) Would you like assistance with any of the following COVID-19 recovery measures (check all that apply))?

Recovery/emergency planning
Business planning for the new future
Enhancing your online presence
Enhancing local and domestic supply chains
Low interest loans
Advocacy to provincial and federal governments
Additional IT/networking support
Employee retraining
Assistance with sourcing PPE and sanitation supplies

22) If you selected any of the items above, please provide your email address:

23) Due to COVID-19, employers and employees in Niagara are facing increased stress, anxiety and uncertainty about the future. Would you like to be contacted by Niagara Region Public Health regarding the mental health resources and supports available for your workplace? If yes, please provide your email address:

Niagara ERRT's Draft Economic Recovery Plan

On March 18, 2020, Niagara's mayors and Regional Chair came together to launch the Niagara Economic Rapid Response Team (ERRT). Through this team, Niagara's economic development professionals have been collaborating throughout the pandemic to connect Niagara businesses with the supports and resources they need to survive and recover.

Niagara is united in its support of the business community during this unprecedented crisis and will foster collaboration, innovation and resilience as we seek to safely re-open. The ERRT is committed to offering long-term, ongoing support to help ensure Niagara's businesses remain supported and connected throughout this process and will re-emerge prosperous and sustainable.

The 13 municipalities across Niagara have each taken measures to relieve the burden on local businesses in their communities. These activities include deferrals of taxes and utility fees, increased online advisory services, access to personal protective equipment (PPE) waiving various penalties and interest on outstanding accounts, and launching shop local campaigns promoting businesses that are open and offering modified services.

Stakeholders like the Chambers of Commerce, Niagara Workforce Planning Board, and Employment Ontario providers have been, and will continue to be, critical partners in assuring that communications about new programs are being received and businesses' challenges are being brought to the forefront. They are part of a larger network of community enablers that will play an active role in the ERRT recovery planning process and implementation.

The Niagara Economic Recovery Plan (the "Plan") and its identified actions are reflective of the responses and input received from businesses through the survey responses, input from further by industry and sector consultation, as well as the results from corporate calling efforts.

The Plan will focus on local initiatives to address the needs of our businesses and connect them with resources to provide further assistance. This will include both strategies to re-open safely and to build more resilient businesses by learning from changes realized as a result of the pandemic. The plan is centred on encouraging and supporting businesses, investment, and job creation in order to proactively recover from the COVID-19 pandemic.

The Plan has been developed in a way that aligns with local economic recovery efforts, as well as broader, province-wide priorities. This alignment has been obtained by engaging the local area municipality (LAM) staff responsible for economic recovery planning and through participation in the GTA Economic Development Alliance.

The GTA Economic Development Alliance is recently formed group, composed of 20+ municipalities that have come together to support economic recovery across Ontario. Current members are Aurora, Brampton, Burlington, Durham Region, Georgina, Halton Hills, Halton Region, King, Markham, Milton, Mississauga, Niagara Region, Oakville, Richmond Hill, Toronto, Vaughan, Whitchurch-Stouffville, York Region, the Economic Developers Council of Ontario (EDCO), as well as the regional investment attraction agency Toronto Global.

Based on the initial reporting through the first COVID-19 Business Impact survey, the impact of the pandemic was projected to be close to $576.3 million within the first 3 months. It is recognized that for many Niagara businesses, the road to economic recovery will be long and difficult.

The Accommodation and Food Service and Tourism sectors were especially hard hit, being the first to be mandated closed and experiencing the highest reported staff lay-offs and revenue losses. Retail and Arts, Entertainment and Recreation were also hard-hit and experienced a significant loss in revenue and high lay-offs. An unprecedented number of people have left the workforce as a result of lay-offs due to COVID-19.

DRAFT

There are significant workforce and labour market challenges that lie ahead to combat the negative effects of the pandemic.

The Niagara COVID-19 Business Impact Survey – Part 2 was distributed to approximately 10,000 businesses from May 15 until June 1, 2020, mainly through direct email.

This survey's questions centred on recovery, with questions that address the aid programs that businesses accessed, the areas where they require further assistance, the largest barriers to re-opening, and the like. The survey yielded responses from 1,382 business across all 12 municipalities in Niagara. The responses are representative of all industry sectors in Niagara's economy and respondents reported employing 47,456 staff.

The industry sectors where respondents reported the highest number of employees included accommodation and food services; arts, entertainment and recreation; manufacturing; retail trade; and, health care and social assistance. Respondents reported total layoffs of 17,950 staff across industry sectors, with 58% being full-time staff and 42% being part-time staff.

Through the survey, businesses reported a combined loss of $425.11 million in revenue. It is apparent some industry sectors were affected disproportionately. Arts, entertainment and recreation and accommodation and food services reported the highest revenue losses.

Although many businesses reported accessing a number of aid programs, it is apparent that additional supports are required to assist them in re-opening and recovering. Respondents reported the highest needs as property tax deferrals, promotion and marketing assistance, deferrals on utilities, and advocacy to other levels of government.

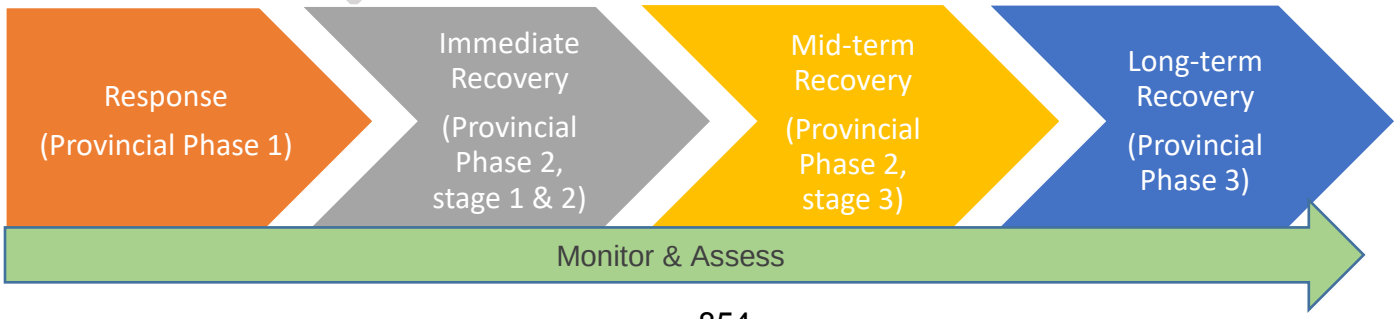
We acknowledge the overall responsiveness of policymakers that introduced support and relief measures for many businesses and employees impacted. As the Province looks to re-open parts of the economy through the Re-Opening Ontario after COVID-19 framework, the ERRT has shifted its focus and efforts to recovery planning.

The proposed Plan is a series of actions that will create a positive investment climate in Niagara and help its local economy by supporting local businesses. Specifically, the plan is centered on the following 3 main themes: Research and Information, Advocacy, and Resilience.

In order to help move the economy forward, a series of actions will be taken immediately, while other measures will be actioned subsequently. The Plan uses a phased approach that will follow the Province's framework for re-opening. Guidance will be taken from the Province to guide how we move between phases. Input from the local Medical Officer of Health will be sought to help advise decisions locally on how to move between phases as well.

The Plan will be updated regularly and will likely change as the COVID-19 emergency evolves, as more information becomes available, and as the Province of Ontario updates its Emergency Orders. This will not be a linear progression through the framework, as any sharp increase in the number of cases would require movement back to previous phases.

The proposed progression of this Plan is as follows:



DRAFT

The actions in the plan are intended to progress in conjunction with the Province's framework. Any adjustment in the progression through that framework by the Province would require an assessment on the impact locally to this plan. As such, the plan will continue to assess, evolve, and adjust as necessary depending on the advice directed by the Province and in consultation with the local Medical Officer of Health.

Niagara's ERRT will work in consultation with Niagara Region's Strategic Communications and Public Affairs division to create a comprehensive communications strategy to support the Plan. This strategy will ensure local businesses remain engaged with the progression of the plan, and remain connected with the supports and initiatives outlined in the Plan.

As the region moves into Phase 3 and beyond, the efforts in the Recovery Plan will lead into the Long Term Economic Development Strategy that has been identified as a Regional Council strategic priority.

DRAFT

	Immediate	Mid-term	Long-term
Research and Information Pillar	Conducting a second COVID economic impact (Business Impact) survey Maintain a strong base of data on the local economy and businesses, available to stakeholders to inform decision making Ongoing promotion and timely posting of new Federal and Provincial initiatives and announcements on the ERRT website page Promoting Provincial and Federal aid programs, including the Resiliency Help Desk at 1-866-989-1080 where businesses can access accountants or financial advisors Monitoring and reporting on the impact of the new future for students at Brock/Niagara College on Niagara's economy and business's employment needs	Prepare a report on the second regional COVID Business Impact survey results Identify vulnerable companies and sectors from the survey as a focus for municipal BR+E efforts Preparation and circulation of sector- and municipal-specific reports produced from second COVID Business Impact survey On-going monitoring of development application activity upon re-opening of economy, including year over year analysis as indicator of economic growth post-pandemic Recognizing and showcasing businesses that are successfully pivoting through the ERRT website and other channels Adding a COVID business impact feedback form on the ERRT website for ongoing data collection Regular/on-going updates to Regional Council on COVID-19 impact related activities, issues and efforts Monitor activities and impacts in other comparable municipalities to benchmark Niagara and learn from best practices	On-going: Regular research updates to stakeholders on general market conditions, including local workforce changes, large expansion investments, business closures, etc. as available/released Conduct a third COVID Business Impact Survey in phase 3 to determine the status of recovery of businesses

DRAFT

		Host online webinars on topics relevant to supporting business With Emergency Management and Public Health, support businesses to re-open in a safe and responsible way by sharing guidelines and protocols with business associations through update calls, as needed Using the survey results, look for commonalities in supply demand locally. Identify essential supplies and support companies in sourcing Niagara/Canada suppliers	

DRAFT

	Immediate	Mid-term	Long-term
Advocacy Pillar	Continued alignment between Regional and LAMs' Government Relations strategies and advocacy efforts. Advocating for alignment and longer-term repayment schedules for all deferral programs to allow businesses reopening to generate sufficient cash-flow Continue to provide research and anecdotal findings from Niagara businesses to the appropriate levels of government within relevant Ministries, as well as AMO, FCM, FedDev and the joint Ontario government committee Continued participation in the GTA and provincial recovery planning efforts to identify best practices and synergies across communities in recovery efforts Advocate for a strong child care system that will enable parents to return to their employment	Strive for consistent application of bylaw enforcement across LAMs and the Region. Advocate for COVID-19 relief programs to continue into 2021 for tourism and hospitality sectors, including but not limited to CERB, CEWS, and rent relief programs Supporting Planning departments in review of red-tape reduction efforts to increase speed for development to re-start Advocate for digitization of Region permits and applications, where possible, to assist business cost savings Advocate to keep COVID-19 relief programs in place for employees while they are in re-training or re-skilling process Advocating for expedited planning approvals at the Provincial level including MTO, Greenbelt, Niagara Escarpment Commission, etc.	Immediate and longer term: Advocate for changes to the Ontario Planning Act to allow existing CIP funding programs to support COVID-19 related relief efforts. For example: CIPs allowing for an enhancement of virtual a presence (e.g. website design) Immediate and longer term: advocacy for accelerated broadband infrastructure investment in areas with limited/no service, working with SWIFT and other available programs Immediate and longer term: Continued advocacy for infrastructure investments for major/regionally significant projects and expediting those already in process

DRAFT

	Immediate	Mid-term	Long-term
Resilience Pillar	Conduct significant engagement with stakeholders representing tourism, manufacturing and agri-business and Task Force members (see below) Expedited approval and coordination of use of public realm spaces by businesses to allow for distancing while supporting business resiliency Targeted business retention efforts (BR&E) led by the EDOs in the local area municipalities with specific strategies to assist businesses in distress Encourage "buy-local" promotion via Social Media, particularly Linked-In & www.openinniagara.com. and amplify existing or complementary buy-local initiatives across Niagara Increased digitization of government services including but not limited to: digital business advisory/support services, consultations and webinars, pre-consultation meetings, online applications, virtual town hall meetings, etc. Assist businesses that need access to capital by partnering on the promotion of the Regional Recovery & Relief fund at Venture Niagara Maintain a listing of Niagara PPE suppliers on the ERRT website.	Work with Public Health to provide clear guidance on public safety and appropriate PPE for businesses Assist businesses in procurement of PPE by maintaining database on ERRT website and other tools Working with partners in workforce development – helping displaced workers find employment and deploy talent attraction initiatives to fill gaps Identify programs/funds for workforce training/re-training/re-skilling for a more flexible and adaptive workforce and assist employers in accessing them Assisting businesses in increasing their online presence – promotion of Digital Main Street and/ or other resources to get gain virtual presence Review decision-making process to allow for expedited approvals on development initiatives to support business re-opening Monitoring and mitigating any future wave of business closures or bankruptcies that may occur when relief programs end	Monitor level of demand for office and retail space due to increased adoption of online technologies and work-from-home options by business. Creative thinking to repurpose use of any excess space made available. Supply chains have been strained. Seek opportunities for import replacement – sourcing new domestic suppliers, or supporting repatriation of manufacturing. Re-focus FDI strategies and messaging to opportunities post- COVID. Develop new tools to undertake investment attraction, including site selection virtually Retain and develop OpenInNiagara tool to be a comprehensive online, regional business directory tool with input from municipalities Include a portion in the Long Term Economic Strategy that addresses mitigation plans for future pandemic impact

DRAFT

The ERRT cannot achieve these actions on their own. There is a large group of community enablers whose support and resources will be necessary to achieve these actions. This group will provide input to the plan and provide resources and feedback.

It is suggested that this group be referred to as the Niagara Economic Action Task Force. This group will be used as a channel for communication to provide updates on the recovery plan actions, as well as solicit feedback and engage in assessment of relevancy of these actions as time progresses. Information will be shared by Niagara Economic Development at regular intervals, through email and virtual meetings.

The proposed Economic Action Task Force members would include, but not be limited to:

- Niagara Region Economic Development
- EDO representatives from each of the Local Area Municipalities
- Niagara Workforce Planning Board
- Chambers of Commerce
- Innovate Niagara
- Niagara Falls Small Business Enterprise Centre & St. Catharines Enterprise Centre
- Niagara Association of Realtors
- Employment Ontario service providers
- Niagara Region Social Assistance and Employment Opportunities
- Niagara Region Children's Services
- Business Development Bank of Canada and Venture Niagara
- Brock University and Niagara College
- Private sector participation
- Tourism, manufacturing and agri-business stakeholders
- Niagara Industrial Association
- Niagara Home Builders Association
- Niagara Construction Association
- St. Lawrence Seaway Management Corporation
- Tourism Partnership of Niagara and local DMOs
- Any additional members will be added where applicable to deliver on pillar activities

Underscoring the work being done by the Economic Action Task Force, there will be extensive public-private sector consultation and participation from Tourism, Manufacturing and Agri-business sectors to guide the work being done by the group.

The Niagara Region Economic Development department will act as a Project Manager on this recovery plan. Encouraging participating in the Pillar groups, liaising with the Pillar Leads (where applicable), coordinating the meet-ups of different advisory stakeholders, compiling the updates and sending communications to all Task Force members.

DRAFT

Planning and Economic Development Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

PDS-C 7-2020

Subject: COVID-19 Response and Business Continuity in Planning and Development

Date: July 15, 2020

To: Planning and Economic Development Committee

From: Rino Mostacci, Planning and Development

Commissioner Comments, Planning & Development Services

Planning and Development Services Staff are working remotely – all core and essential services continue to be delivered. We are processing development applications and providing inspection services within expected timelines, working on master servicing plans and making progress on key long range planning programs. As well we are maintaining working relationships with our private sector partners and continue to find solutions and offer support as needed. Staff are also supporting the Regional EOC and the implementation of "*Open Niagara"*.

Of particular note, on Wed., June 17 at 5:00 pm Planning & Development staff successfully hosted a virtual Open House for the Regional Woodland By-law update. Staff delivered a presentation which was followed by a question and answer period in a panel discussion format. We had approximately 70 attendees participate and responded to 28 on-line questions. This was a very encouraging first official public engagement session for a Regional planning matter. We look forward to refining our ability to achieve meaningful public input and consultation utilizing similar formats and technology. Clearly the days of the traditional in-person public/town hall meeting are likely over and we will be working with community and private sector stokeholds to create new and effective public engagement platforms.

Community and Long Range Planning

Current Status of Operations

Long Range and Community Planning

The Province announced draft "*Amendment 1"* to 2019 Growth Plan and draft revised *"Land Needs Assessment"*. These draft documents are open for comment in the ERO until July 31, 2020 and are being reviewed to determine compatibility with the Regional Official Plan.

Area Planners meetings are continuing on a monthly basis. Topics of discussion include response and adaptation to planning services during COVID, holding of public meetings, volumes of applications received and updates to Provincial Growth Plan and Regional Official Plan.

Development Planning & Approval Services

Current Status of Operations

Development Planning

Development Planning & Approval Services continues to adapt to ensure the delivery core development review functions including: review and comment on all development applications from a Provincial and Regional perspective, coordinating and analyzing internal review/comments from Urban Design, Environmental Planning and Development Engineering for a "one-window" Regional response.

For the month of May the following development volumes were received by the department:

- Planning Applications (includes zoning, subdivision, site plan etc.) - **38**
- Engineering Applications (includes servicing reviews, site plan, etc.) - **28**
- Private Septic Applications - **26**
- Pre-consultations - **52**

Environmental Planning

On **Wednesday, June 17 at 5:00 pm** staff successfully hosted a virtual Open House on the Regional Woodland By-law update**.** The meeting began with a presentation and was followed by a question and answer period in a panel discussion format. There were approximately 70 attendees at the virtual open house and 28 questions were asked following the presentation. As part of the update staff are encouraging residents and stakeholders to partake in an on line survey. The online survey can be accessed at the following link until June 30th.

https://www.niagararegion.ca/culture-and-environment/woodland-bylaw-review/default.aspx

Following the public engagement process staff will present an updated Woodland by-law for Council approval in late summer.

Infrastructure Planning & Development Engineering

Current Status of Operations

Development Engineering

We are continuing to respond to development applications with engineering comments, legal agreements for road works, and processing ECA's under the Transfer of Review program for new sanitary and storm sewers. Additionally, we are continuing with Stormwater Management (SWM) review, Transportation review/meetings, and W&WW review/meetings as it relates to development applications and inquiries. We are working on the SWM Guidelines Project with WOOD Consulting Engineers and assessing schedule/deliverables to adapt to current situation.

Infrastructure Planning

We are continuing with the development of the RFP for the 2021 Water & Wastewater (W&WW) Master Servicing Plan (MSP) Update project in consultation with W&WW team. The target release for the RFP is in September to ensure work can be completed by end of 2021 as it is an important input for the Development Charges Background Study and By-law update.

We are leading the Baker Road Pollution Prevention and Control Plan and additional flow monitoring work. We are coordinating with local municipalities (West Lincoln, Lincoln and Grimsby) for this project. We continue to work with LAMs on previously approved CSO Projects and projected cash flow demands. The 2020 CSO Project Approval report is scheduled for the July PEDC Committee.

Development Industry Liaison

We are continuing with the review of the potential build out scenarios for the urban areas of Niagara in collaboration with planning group. This must be completed to be part of the 2021 W&WW MSP update to better understand the potential servicing implications and supporting infrastructure for build out. We are leading the development application process for the Linhaven and Gilmore LTC Redevelopment Projects and coordinating with St. Catharines, MTO, and other review parties to ensure that site plan application can be approved and the timelines associated with this project remain on track (Government funding is tied to this as well). Participating with Development Industry meetings (NHBA) to understand impacts and restrictions from COVID to residential development industry and housing stock.

Private Sewage/Septic Systems Program

The Private Sewage System group (responsible for Part 8 of the Ontario Building Code) is continuing to receive and respond to septic permit applications, inspections, development applications, special requests and complaints.

Respectfully submitted and signed by

_____

Rino Mostacci, MCIP, RPP
Commissioner, Planning and Development Services

Subject: Updated Employment Work Plan for the New Niagara Official Plan

Report to: Planning and Economic Development Committee

Report date: Wednesday, July 15, 2020

Recommendations

1. That Report PDS 21-2020 **BE RECEIVED** for information; and

2. That a copy of Report PDS 21-2020 **BE CIRCULATED** to local municipal Planning Directors and the Ministry of Municipal Affairs and Housing.

Key Facts

- This Report sets out the Region's updated employment work plan for the new Niagara Official Plan.

- At the May 13, 2020 Planning and Development Committee ("PEDC") meeting, the PEDC deferred endorsement of the Employment Area Strategy (PDS 14-2020) to allow for further consultation.

- As a result, Regional staff updated its employment work plan to include additional consultation this Summer and Fall.

- With the deferral of PDS 14-2020, staff updated the employment work plan to merge components of the Employment Area Strategy, Regional Official Plan Amendment No. 16 and the Official Plan Employment Policy Paper. Doing so will simplify the development of policies and mapping, and allow for additional consultation opportunities.

- The Official Plan Employment Policy Paper is planned for completion by the end of 2020. Regional Official Plan Amendment No. 16 will no longer proceed.

Financial Considerations

The ongoing costs associated with the Employment Work Plan can be accommodated within the Council approved Regional Official Plan project budget.

Analysis

Provincial Plans require the Region to plan for employment uses. Recent amendments to the *Provincial Policy Statement, 2020* (the "*PPS*") and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019* (the "*Growth Plan*") have modernized employment planning in Ontario.

<u>The Employment Area Strategy</u>

In 2018, Regional staff started work on the Employment Area Strategy (the "Employment Strategy") with its consultants MHBC Planning and urbanMetrics.

The Employment Strategy included the following consultation that informed the recommendations of the Strategy:

- Throughout the Fall of 2018 and Summer of 2019, Regional staff had multiple one-on-one meetings with each local municipality to identify employment lands that should be included within employment areas.
- On October 8, 2019 and October 10, 2019, Regional staff hosted stakeholder workshops with local municipal planners and industry stakeholders, respectively, to review draft employment area policy direction and mapping.
- In November 2019, Regional staff participated in 4 Public Information Centres ("PICs") as part of the new Niagara Official Plan (the "new OP") to solicit public input on employment areas, amongst other things.
- On February 25, 2020, Regional staff hosted an industry stakeholder update and question and answer session to discuss the draft recommendations of the Employment Strategy and its next steps for implementation.

In May 2020, the Employment Strategy was advanced to Planning and Economic Development Committee ("PEDC") for endorsement (PDS 14-2020). The Report was deferred to allow for further consultation. Additionally, the Committee raised questions about how Niagara's employment planning will respond to the changes arising from the COVID-19 pandemic.

ROPA 16

In response to the Province's updated rules on employment, in late 2019, the Region started the process for Regional Official Plan Amendment No. 16 ("ROPA 16").

The purpose of ROPA 16 was to address the employment policy gap in the existing Regional Official Plan ("ROP") prior to the completion of the new OP in 2021. ROPA 16 included a proposed new schedule (Schedule G3 – Employment Areas) that would implement employment area boundaries as mapped through the Employment Strategy.

Additionally, preliminary work had started on the Official Plan Employment Policy Paper (the "Employment Paper"), which was to follow endorsement of the Employment Strategy and ROPA 16. The Employment Paper would inform the development of the employment policies for the new OP.

Updated Employment Work Plan

Regional staff considered how to incorporate additional consultation into its employment work plan.

It was determined to merge the Employment Strategy, ROPA 16 and Employment Paper into a unified process.

With this change, the Employment Paper will address the matters set out in the Employment Strategy and ROPA 16, instead of advancing a separate ROPA 16. Since the Employment Strategy was deferred, the planned timing for ROPA 16 was revisited to allow for further consultation. The original ROPA 16 timeframe would be set back, which would be too close to the planned timing for the new OP. Thus, staff determined that a unified approach for all projects was more appropriate.

The COVID-19 pandemic's impact on employment areas was not addressed in the Employment Strategy since that work was completed prior to the pandemic having a substantive impact in Canada.

Additionally, on June 16, 2020, the Province released *Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and the *Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe*.

The new Provincial materials noted above, and the COVID-19 impact on employment areas, will be addressed in the Employment Paper.

A detailed timeline of the updated employment work plan public consultation process is shown in Appendix 1.

Planned consultation and milestones are as follows:

- Throughout the Summer and Fall, Regional staff will continue to consult with local municipal planners and industry stakeholders to address matters and requests as they arise.
- In mid-July, 2020, the Region will launch an online survey using MetroQuest to gather public feedback on employment planning. This online survey will be live for approximately 3 weeks.
- On July 22, 2020, the Region will host a virtual open house to present draft materials and gather feedback.
- At the September 9, 2020 PEDC meeting, Regional staff will report on the consultation feedback received.
- In August or September, 2020, the Region will host Public Information Centres for the new OP. Components of Employment Paper will be featured for comment.
- Staff are targeting the December 9, 2020 PEDC meeting to report on the Employment Paper.

Alternatives Reviewed

An alternative to the simplified, merged approach set out above, is one in which the Region continues with the original employment work plan, condensed with additional consultation. This modified original work plan could include advancing ROPA 16, rather than merging ROPA 16 with the balance of the employment work.

With the deferral of the Employment Strategy, this alternative is not recommended. Since it involves more approvals, the process is more complex. Likewise, public consultation opportunities may be more limited and in close succession to each other

because of the tight time between events. As a result, this process would be more confusing for the public.

Although the original work program made sense if the Employment Strategy had been adopted in May 2020, given the outcome at PEDC and the release of the draft Provincial materials noted above, the new merged approach is more practical to achieve the Committee's objectives.

Relationship to Council Strategic Priorities

The Region's employment work plan feeds in the new OP work program and helps to achieve the following Strategic Priorities:

- Business and Economic Growth; and
- Responsible Growth and Infrastructure Planning.

The initiatives of the Region's employment work plan will offer important insight on matters relating to the short- and long-term protection of employment in Niagara. Analysis and recommendations from this work program will improve the Region's ability to plan for the long-term economic growth and support the viability of all types of employment. These initiatives will improve the ability for municipalities and industry stakeholders to make sound evidence-based decisions on land uses, infrastructure, and other service delivery programs.

Other Pertinent Reports

PDS 33-2019 – Growth Management Program Update for New Official Plan

PDS 35-2019 – Project Initiation Report, Employment Policies Update

PDS 14-2020 – Niagara Region's Employment Area Strategy: Background Report and Recommendations

Prepared by:
Alexander Morrison, MCIP, RPP
Planner
Planning and Development Services

Recommended by:
Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

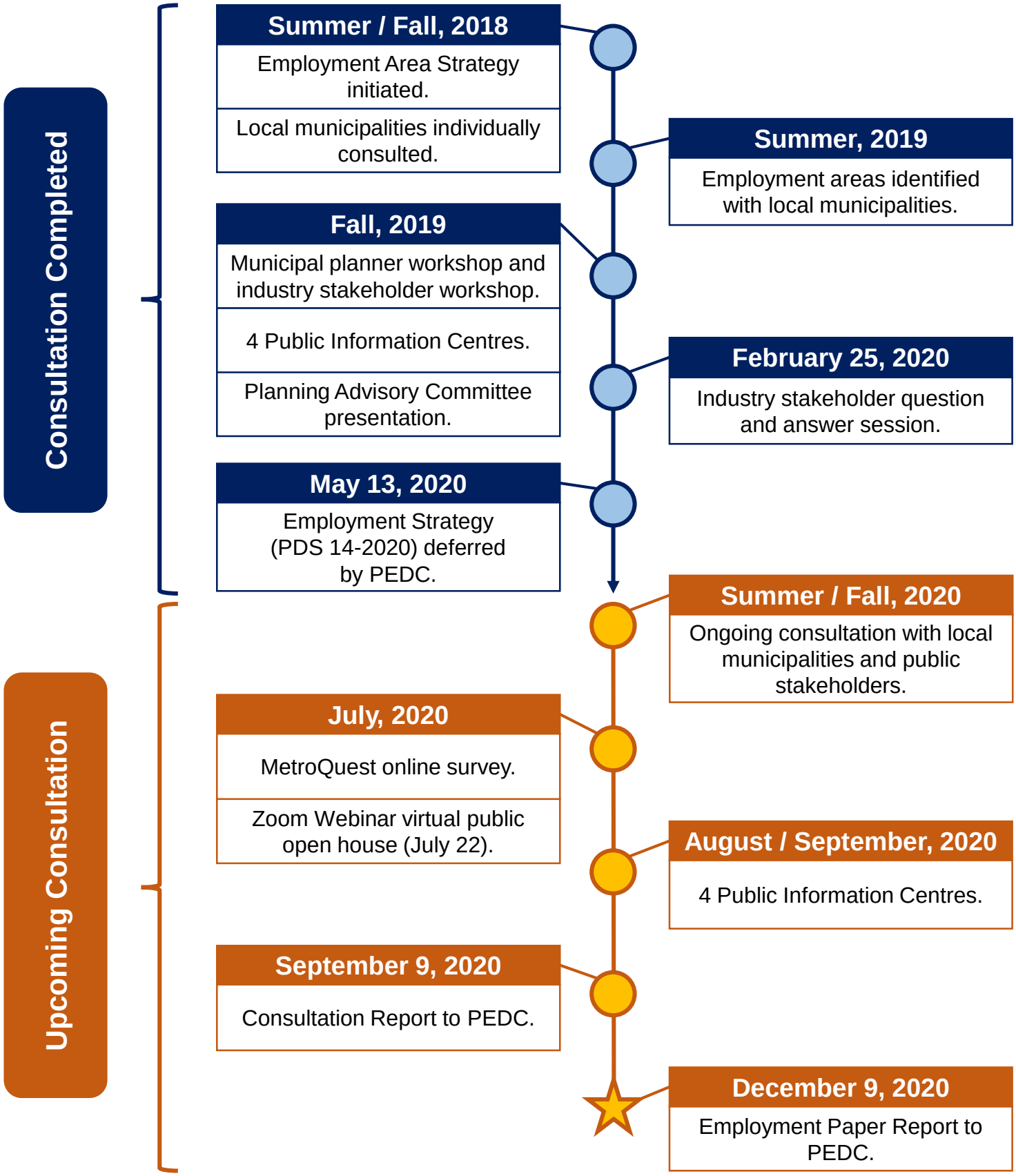
Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Isaiah Banach, Manager of Long Range Planning, and reviewed by Doug Giles, Director of Community and Long Range Planning, and Lyndsey Ferrell, Program Financial Specialist.

Appendices

Appendix 1 Updated Employment Work Plan: Timeline of Public Consultation

Updated Employment Work Plan: Timeline of Public Consultation



Niagara Region

Ron Tripp | Acting Chief Administrative Officer
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM

CAO 16-2020

Subject: Supplemental Information - Options to Consider for Mandating Face Coverings

Date: July 23, 2020

To: Regional Council

From: Ron Tripp, Acting Chief Administrative Officer

At its special meeting held on July 8, 2020, Regional Council considered report CAO 15-2020 – Options to Consider for Mandating Face Masks (Appendix 1). Council subsequently passed the following resolution:

> 1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020; and
>
> 2. That staff **BE DIRECTED** to proceed with a comprehensive education campaign regarding face coverings when physical distancing is not possible.

Correspondence Item CL-C 50-2020, provides Council with additional information respecting the education campaign regarding face coverings when physical distancing is not possible.

On July 8, Council deferred the matter of approval of a temporary by-law requiring mandatory face coverings in enclosed public places during the COVID-19 pandemic and requested staff include in the proposed by-law provisions requiring owners and operators of enclosed public spaces to have a policy in place respecting the wearing of face coverings similar to the by-law passed by the City of Mississauga.

Report CAO 15-2020 outlined options with regard to mandating face coverings, one of which was to support local area municipalities that implement by-laws for mandatory face coverings. Since the July 8 meeting, the City of St. Catharines and Town of Niagara-on-the-Lake have passed by-laws to impose temporary regulations requiring the wearing of Masks within Enclosed Public Spaces. In addition, some of the other local area municipalities have expressed their intention to also pass by-laws respecting face coverings. The option to support lower tier municipalities that implement by-laws is an approach that the Region of Peel has taken in this regard with Mississauga, Brampton and Caledon each passing their own by-laws rather than the Region of Peel doing so.

The authority that would be relied upon to pass a by-law respecting face coverings is pursuant to section 11 of the Municipal Act, 2001 which provides for the ability for bothe

lower and upper tier municipalities to pass by-laws regarding the health, safety and well-being of persons.

The draft by-law prepared by staff would govern all enclosed public places within the Region, as defined in the by-law in order to focus the regulation on indoor spaces where members of the public may have difficulty maintaining the required physical distancing, consistent with public health advice. The by-law does not include "staff only areas" of enclosed public places where member of the public do not attend, given that employers have greater ability to control those areas in accordance with their responsibilities under the *Occupational Health and Safety Act.*

The draft by-law also exempts buildings and services under Provincial and Federal jurisdiction, and specific institutions/facilities that are subject to their own regulatory regime, such as hospitals and schools. The draft by-law further expressly provides that it will not be interpreted to conflict with a Provincial or Federal statute including Emergency Orders.

The draft by-law primarily places responsibility on individuals to wear a face covering when in an enclosed public place, but also places some limited responsibilities on owners/operators of enclosed public places. To the extent that Council consider the focus of any regulation regarding face coverings should be on businesses, the power to pass by-laws related to business licensing largely rests with the local area municipalities should they wish to rely on that authority to impose special conditions related to face coverings as a part of their business licensing requirements.

A revised draft by-law, including red-line revisions has been attached to this memorandum as Appendix 4, further to direction provided by Council on July 8, and the further review by staff of by-laws approved by other jurisdictions since that time.

Upon the request of Council to include provisions within the by-law requiring owners and operators of enclosed public spaces to have a policy in place respecting the wearing of face coverings, staff have included an new provision in section 10 that provides for this measure. As well, staff have included provisions to ensure training for employees is undertaken with respect to the policy.

Council further discussed at the Special meeting whether or not the by-law should be applicable to Regional transit. Staff have further reviewed this issue in response and confirmed that Niagara's transit operators have been aligned with a "recommended" mask policy across all systems. This followed from federal and provincial health direction (as well as a unanimous trend across the transit industry in Ontario) and was done in consultation with Niagara Region Public Health partners who approved of the transit mask policy and subsequent public campaign. At present, 'strongly recommended' is the masking policy on all Niagara transit (locals and Regional).

However, with the passing of the City of St. Catharines mandatory masking by-law it is the understanding of staff that the St. Catharines Transit Commission has also opted to align its masking policy with the City's by-law. Moving forward, all St. Catharines operated transit will move to the mandatory masking policy in line with City facilities and City roll out.

As Niagara Region Transit is Regionally-funded and locally-operated, the Region's local transit partners have been consulted and alerted to the incongruence of one service moving to mandatory while the others remain 'recommended. As such, Niagara Region transportation staff support the inclusion of transit into any mandatory face covering by-law as may be approved by Regional Council. Therefore the draft by-law has further been revised to apply to Regional transit.

Transportation staff have noted that there may be larger operational issues around enforcement and refusal of service that will likely need to be addressed.

Given the inclusion in the draft by-law of transit, staff reached out to the Region's Business Licensing Unit to confirm if taxis and vehicles for hire should also be included as part of the by-law. Business Licensing staff have expressed a preference that any required controls for this industry area be addressed through the business licensing process. As such taxis and vehicles for hire have not been included in the by-law which is consistent with the approach that has been taken by the Region of Waterloo.

In addition, at the July 8, 2020, Special Council meeting, Council approved an amendment to the draft by-law to provide that owners or operators shall provide hand sanitizer at all public entrances and exits for the use of members of the public attending the enclosed public space. Therefore this provision has also been included in the draft by-law.

As other jurisdictions have continued to consider and implement requirements related to mandatory face coverings, staff have provided an updated summary (Appendix 2).

Some of the Public Health considerations canvassed at the Special Meeting applicable to face coverings were also the subject of a subsequent email communication issued by Dr. Hirji to provide further information on the topic (Appendix 3).

If Regional Council desires to enact a temporary Regional by-law mandating face coverings, a suggested motion would be:

That Regional Council **APPROVE** the temporary by-law to require mandatory face coverings in enclosed public places during the COVID-19 pandemic attached as Appendix 4 to Report CAO 15-2020.

Respectfully submitted and signed by

_____
Ron Tripp, P. Eng
Acting, Chief Administrative Officer

Attachments:

Appendix 1 Report CAO 15-2020 – Options to Consider for Mandating Face Coverings

Appendix 2 Actions by Other Jurisdictions respecting Face Coverings

Appendix 3 Email message from Dr. Hirji: The Evidence & Controversy around Face Coverings

Appendix 4 Draft Proposed By-law

Niagara Region

For Subject: Options to Consider for Mandating Face Coverings

Report to: Regional Council

Report date: Wednesday, July 8, 2020

Recommendations

1. That Regional Council **CONSIDER** the options presented in Report CAO 15-2020; and

2. That staff **PROCEED** with the option approved by Regional Council.

Key Facts

- The Province of Ontario and The Regional Municipality of Niagara have declared emergencies as a result of the COVID-19 pandemic pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E.9, as amended.
- Niagara Region Public Health continues to recommend public health measures to be practiced by all residents of Niagara in order to reduce the spread of COVID-19. These include keeping a 2 metre physical distance from others, cleaning hands often, wearing a mask or face covering when maintaining physical distancing is not possible, and staying home and getting tested if sick.
- On June 25, 2020, Council approved the Recommendations in Report CAO 14-2020 (Appendix 1) to encourage all residents and visitors to Niagara to practice the above behaviours that limit the spread of infection. As well all business owners were encouraged to enable other to practice these behaviours.
- Over the past few weeks, other jurisdictions have implemented requirements with respect to face coverings either through an order issued by their medical officer of health pursuant to Provincial Emergency Orders, enactment of a by-law or by their medical officer of health providing instructions under the state of emergency for the mandatory use of face coverings.
- While Niagara's Acting Medical Officer of Health is not currently contemplating making such an order, Regional Council may pass a by-law under section 11 of the Municipal Act, 2001 which could mandate the use of face coverings.
- Alternatively, given Niagara's diverse landscape, Regional Council may choose to defer to (but fully support) the individual decision of the local area municipal councils regarding face coverings.
- Face coverings will not protect the wearer from getting COVID-19. Wearing a face covering protects others from the wearer's respiratory droplets. Therefore, properly wearing an appropriate face covering may reduce the risk of transmission when physical distancing is not possible (Appendix 4 Province of Ontario Fact Sheet).

Financial Considerations

Should Council proceed with Option 1, there would be no costs involved.

Should Council proceed with Option 2 to enact a by-law with respect to face coverings, or Option 3 to launch a comprehensive education campaign, there is no specific budget for an education and advertising program. The estimated cost of an education/advertising program is $30,000 excluding regional staff time. This campaign is likely to include radio, print and social media advertising elements similar to the scope of what was enacted during the Region's *Stay Home Niagara* efforts.

There is no capacity to absorb these costs within the 2020 Public Health Operating Budget.

In addition with respect to Option 2, financial considerations associated with by-law and enforcement would need to be addressed especially as it relates to after hours and weekend enforcement since many local area municipalities do not have enforcement outside of regular business hours.

There may be additional costs if Council elects to provide masks to the public at municipal facilities or as a part of community outreach efforts to ensure that the requirement of wearing a face covering does not become a financial barrier to individuals seeking to access goods and services, including municipal services.

Analysis

Currently businesses and workplaces are responsible for following public health guidance with some types of workplaces required to have face coverings for their clients and staff (e.g. personal service settings like nail salons, hair dressers, piercing and tattoo studios, dental offices, health care providers). Others are given discretion to decide whether to make mask-wearing mandatory based on upon each setting's particular risk profile, the occupational health and safety of employees and health risks to members of the public entering their premises. Individual businesses and workplaces may refuse entry to persons not wearing a non-medical mask, subject to reasonable exceptions, including those set out in existing public health guidelines.

The re-opening of businesses and other services will result in more people returning to the workplace, more gatherings, and more people taking public transit, which may make the ability to physically distance difficult, or in some cases, impossible. The science regarding the use of masks is still evolving and their efficacy is not definitive; however, the wearing of face masks or face coverings is one measure being considered by a number of jurisdictions that can be taken to help mitigate the risk of the spread of COVID-19, when the preferred measure of physical distancing is not possible.

Staff have outlined three options for Council to consider that support the increased use of face coverings in enclosed spaces where physical distancing is not possible, and provided an overview of considerations applicable to all options.

Option 1

Support those Local Area Municipalities who implement By-laws for Mandatory Face Coverings

Niagara Region has continued to support public health guidance to recommend and encourage the use of non-medical masks in specific situations and settings where physical distancing may be difficult.

For purposed of consistency, efficiency and enforcement, the Province of Ontario would be in the best position to mandate the wearing of medical or non-medical masks by the general public under the Emergency Management and Civil Protection Act. To date the Province has not mandated the wearing of masks citing enforcement challenges as well as concerns related to a “one size fits all” approach given the differing case counts and risk throughout Ontario municipalities.

The local area municipalities have authority pursuant to section 11 of the Municipal Act, 2001, to pass by-laws regarding the health, safety and well-being of persons. The local area municipalities are also largely responsible for business licensing pursuant to section 11 of the Municipal Act, 2001.

A “one size fits all” approach to mandating face coverings throughout the Region has drawbacks. This is an unprecedented situation. Each municipality has its own unique set of circumstances that should be considered when deciding if face coverings should be mandatory in their jurisdiction, including economic recovery strategies.

Currently COVID-19 data is available on a local municipal basis and it demonstrates the varying number of cases between municipalities in Niagara. The opportunity to main maintain physical distance may also vary depending on whether a municipality is more urban or rural, and with the kinds of public places present and how crowded they are likely to be. Should an individual municipality consider it necessary to implement a by-law to mandate face coverings, it could be done with an enhanced understanding of the local impacts and challenges this might create. The Region has not had the opportunity to undertake specific outreach and consultation with the local area municipalities, stakeholders (including the business community) and the public regarding the mandating of masks, therefore there is some risk that proceeding to do so may attract criticism for interfering in the business of the local area municipalities, particularly if the Region’s by-law conflicts with by-laws or measures being consider by the local area municipalities.

In this regard, the City of St. Catharines held a Special Council meeting on July 6, 2020 and subsequently directed City staff to enact a temporary by-law. This by-law would require individuals or organizations that are responsible for the operation of a facility or businesses which have enclosed spaces open to the public to ensure no member of the public is permitted entry unless wearing a mask or face covering to help limit the spread of COVID-19. Consideration of this by-law will take place at their Council meeting being held on July 13.

It is unknown at this time should the City of St. Catharines proceed with their by-law, whether it may be in conflict with any Regional by-law enacted and create additional confusion for members of the public and businesses.

It is worth noting that this direction would be consistent with the approach taken by Peel Region, where they deferred to the judgement of their local municipalities to make decisions regarding mandatory face coverings.

Another benefit of the decision-making on this topic resting with the local area municipalities is that they can tailor the requirements of the by-law to align with their individual business licensing by-law regimes and the duration of their declarations of emergency.

If Regional Council wants to support the local area municipalities' efforts to pass their own by-laws a suggested motion would be:

That Regional Council **ENDORSE** and **SUPPORT** the efforts of those local area municipalities that enact temporary by-laws respecting mandatory face coverings to ensure continued diligence in the fight against COVID-19.

Option 2

Enact a Temporary Regional By-law Mandating Face Coverings

Niagara Region also has the authority pursuant to section 11 of the Municipal Act, 2001 to pass by-laws regarding the health, safety and well-being of persons that could be relied upon to pass a by-law mandating the use of face coverings in enclosed public spaces where physical distancing is not possible.

Mandatory face coverings by-laws should be time limited and reviewed based on the state of the pandemic, evolving scientific evidence, the easing of other public health restrictions as the Province re-opens and the impact on the operations of businesses and facilities. Such by-laws should also be limited in scope to ensure that they are no more intrusive than necessary based on available alternatives and the rights of individuals under the Charter of Rights and Freedoms and consideration of other applicable legislation such as AODA.

One factor Council should be aware of in considering this option is the potential that the respective declarations of emergency of the Province, Region and local area municipalities may be terminated at different times. Restrictions imposed on the public and business based on the emergency should be in alignment with the changing state of emergency. However a Regional by-law would not afford flexibility to vary requirements in different municipalities, whereas a local by-law could be repealed at any time if the emergency in that jurisdiction is terminated.

The draft by-law included as Appendix 3 places the onus on persons who are in certain enclosed public places within buildings to comply with the requirement to wear a face covering and on owners and operators of enclosed public places to post signage at all entrances regarding the use of face coverings. This approach strives to provide a balanced responsibility for ensuring that face coverings are worn while in enclosed places.

The draft by-law targets enclosed places based on evidence that the risk of spreading COVID-19 is higher indoors that in outdoor spaces. The draft by-law targets those places within buildings where the public is more likely to be in close proximity such as when shopping, entering/exiting a high traffic area, waiting for service, etc. These public places would not include “employee only” areas such as offices, storage areas, etc. that are not open to the general public because there is more control of the area by the owner/employer an ability for the owner/operator to implement health and safety measures as necessary related to their employees in accordance with the Occupational Health and Safety Act.

Face coverings are defined in the draft by-law to include masks, bandanas, scarves or similar items which are fitted to completely cover the mouth, nose and chin of a wearer without gaping. The draft by-law outlines exemptions recognizing that wearing a face covering may not be possible/is not recommended for all people including, children under 5, anyone who has trouble breathing or is unable to wear a face covering for medical reasons. Individuals that are unable to wear a face covering will not be required to provide proof of any exemptions.

Public education and buy-in will be an important part of compliance with this by-law and if approved, Regional staff will work to educate residents about the by-law by undertaking a communications campaign.

Should Council wish to proceed with the passing of a temporary by-law, enforcement would be undertaken pursuant to the Provincial Offences Act. Considering that this is a Regional By-law, the draft by-law provides for enforcement by Niagara Regional Police and municipal law enforcement officers or by-law officers appointed by a lower tier municipality or by The Regional Municipality of Niagara.

Overall approach and enforcement strategies would need to be considered to ensure consistency across all the local area municipalities. Enforcement would be by way of summons until such time a set fine order can be obtained to allow for the issuance of tickets. Council should be aware that Ontario Court of Justice issued a notice July 2 that no in-person Provincial Offences Act proceedings will be conducted until September 14, 2020. The lack of practical enforcement options may undermine any relative advantages of making this measure legally mandatory and could result in conflict or questions concerning equity and infringement on certain rights.

Given the draft by-law is regulatory in nature with potential enforcement consequences (i.e. fines) and impacts to business operations, an opportunity for the local area municipalities, businesses and the public to provide input should be contemplated prior to passage of the by-law. Staff could upon direction by Council provide public notice and/or employ other means to seek public input and engage with stakeholders for purposes of receiving input for Council's consideration.

If Regional Council desires to enact a temporary Regional by-law mandating face coverings, a suggested motion would be:

That Regional Council **APPROVE** the temporary by-law to require mandatory face coverings in enclosed public places during the COVID-19 pandemic attached as Appendix 3 to Report CAO 15-2020.

Option 3

Launch a comprehensive education campaign that continues to recommend face coverings when physical distancing is not possible

This option is responsive to the potential concern that there may be uncertainty among members of the public regarding the issue of face coverings including:

- When and why to wear a face covering
- What type of face covering
- The correct use of face coverings to prevent risk of contamination
- Proper disposal of face coverings

The education campaign could comprise advertising, online resources, signage, social media and community outreach and would serve to reinforce the advice of public health officials, including regarding the importance of maintaining physical distancing of two metres wherever possible, hand washing and staying home and getting tested if symptomatic. This would build on the recommendations approved by Council on June 25, 2020, in CAO 14-2020.

This option would preserve the autonomy of local area municipalities to make their own determination regarding the benefits of passing by-laws and continues to allow businesses to develop their own policies reflective of their individual operations and customer interactions.

If Regional Council wishes to proceed with an education campaign that continues to recommend face coverings when physical distancing is not possible suggested motion would be:

That staff **BE DIRECTED** to proceed with a comprehensive education campaign that continues to recommend face coverings when physical distancing is not possible.

Face Covering Considerations Applicable to all Options

The approach to masks needs to be part of a broader strategy to reduce the spread of COVID-19. It is critical to emphasize that wearing a mask alone will not prevent the spread of COVID-19. Any guidance on mask wearing should be balanced against ensuring that members of the public do not overestimate their effectiveness or develop a false sense of security in their use, which may potentially lead to lower adherence to other more critical preventative measures such as physical distancing and hand hygiene.

Any requirement for face coverings should be accompanied by education on proper use given that improper use of face coverings can increase the risk of transmission of COVID-19. There is also a need to recognize that wearing a face covering may not be possible for some people.

Many businesses and other services that have continued to operate in some manner during the pandemic have made the wearing of masks mandatory. With regard to businesses that are already open or are preparing to reopen, the Province has already set conditions under Ontario Regulation 82/20 and Ontario Regulation 263/20 (under EMCPA) , including ensuring compliance with the Occupational Health and Safety Act and compliance with the guidance for public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting. In other cases, certain regulatory bodies have imposed this requirement as a condition of being able to re-start their services. These measures have been directed at both persons responsible for places of business, and at members of the public.

If masks are made mandatory, employees and/or the general public will either have to use their own masks, or have them supplied by their employer or the business owner in question. The costs associated with such measures must be considered to ensure that members of the public continue to have access to good and services they require. Consideration should also be given to those that may not have access to face coverings

and not be able to comply with the by-law requirements to ensure that the requirement to wear a mask does not become financial barrier.

The World Health Organization recently released an interim guide on mask usage (https://www.who.int/publications/i/item/advice-on-the-use-of-masks-in-the-community-during-home-care-and-in-healthcare-settings-in-the-context-of-the-novel-coronavirus-(2019-ncov)-outbreak), which includes some considerations on the benefits and drawbacks of the use of masks or face coverings:

Potential benefits/advantages

- Reduced potential exposure risk from infected persons before they develop symptoms;
- Reduced potential stigmatization of individuals wearing masks to prevent infecting others (source control) or of people caring for COVID-19 patients in non-clinical settings; however, there is the potential for the reverse to occur if masks are mandated (see below)
- Making people feel they can play a role in contributing to stopping spread of the virus;
- A visual cue to remind people to be compliant with other measures (e.g., hand hygiene, not touching nose and mouth). However, this can also have the reverse effect (see below); and,
- Potential social and economic benefits. Amidst the global shortage of surgical masks and PPE, encouraging the public to create their own fabric masks may promote individual enterprise and community integration. Moreover, the production of non-medical masks may offer a source of income for those able to manufacture masks within their communities. Fabric masks can also be a form of cultural expression, encouraging public acceptance of protection measures in general. The safe re-use of fabric masks will also reduce costs and waste and contribute to sustainability.

Potential harms/disadvantages

- Potential increased risk of self-contamination due to the manipulation of a face mask and subsequently touching eyes with contaminated hands;
- Potential self-contamination that can occur if non-medical masks are not changed when wet or soiled. This can create favourable conditions for microorganism to amplify;
- Potential headache and/or breathing difficulties, depending on type of mask used;
- Potential development of facial skin lesions, irritant dermatitis or worsening acne, when used frequently for long hours;
- Difficulty with communicating clearly;
- Potential discomfort;
- A false sense of security, leading to potentially lower adherence to other critical preventive measures such as physical distancing and hand hygiene;
- Poor compliance with mask wearing, in particular by young children;
- Waste management issues; improper mask disposal leading to increased litter in public places, risk of contamination to street cleaners and environment hazard;
- Difficulty communicating for deaf persons who rely on lip reading;

- Disadvantages for or difficulty wearing them, especially for children, developmentally challenged persons, those with mental illness, elderly persons with cognitive impairment, those with asthma or chronic respiratory or breathing problems, those who have had facial trauma or recent oral maxillofacial surgery, and those living in hot and humid environments.

As well, there is a risk of stigmatization of those persons with medical conditions who are unable to wear masks either being perceived as unsafe by others, or perceived as being irresponsible or inconsiderate to others.

Currently, public health officials at all government levels support the use of non-medical masks or face coverings for persons in public places where it is difficult to maintain two metres of physical separation from others. Many businesses and other services that have continued to operate in some manner during the pandemic have made the wearing of masks mandatory. In other cases, Provincial orders and certain regulatory bodies have imposed this requirement as a condition of being able to re-start their services.

It should be emphasized that wearing a face covering remains a second-line preventative measure, when the preferred measure of physical distancing is not possible. Practicing physical distancing and frequent hand washing are still the most effective methods to limit the spread of the virus, and both are supported by stronger scientific evidence than wearing face coverings. Paradoxically, a bylaw on mandatory face coverings would mandate the less scientifically-supported second line prevention measures, while leaving the more effective first line measures voluntary. Some regions that have mandated face coverings have addressed this by simultaneously requiring operators of public spaces to provide hand sanitation stations at the entrance to any public space.

Contributing factors to the effectiveness of the use of cloth masks included proper training on mask use, proper fit, hand hygiene and duration of wear. The mask wearer should be properly educated on how to use a mask and adhere to all other mask etiquette.

Alternatives Reviewed

Staff reviewed the approaches taken by other jurisdictions to date (Appendix 5).

Council could decide to not take any action with respect to mandating face coverings acknowledging that public health officials at all government levels have provided advice that the most important measures are to keep a two metre distance from others, wash hands often and to stay home when sick. The use of masks in enclosed public settings where physical distancing is not possible is in addition to the above measures.

Council could also defer to the Medical Officer of Health to continue to exercise judgement on when and if to issue emergency instructions or a public health order making non-medical masks or face coverings mandatory for all community members, with exceptions. These approaches would still suffer the enforcement issues associated with a by-law, with even more challenging enforcement if the route of a public health order was selected. As well, these avenues are legally untested methods to set a requirement on all of society. At present, the Acting Medical Officer of Health does not favour such emergency instructions or an order, but is continually reviewing the situation and would adapt if conditions and evolution of scientific knowledge warrants.

Relationship to Council Strategic Priorities

Ensuring diligence around measures to limit the spread of COVID-19 will prevent illness and potentially death in Niagara. As well it will maximize the opportunity to reopen business safely. This directly supports two of Council's Strategic Priorities: Supporting Businesses and Economic Growth and Healthy and Vibrant Community.

Other Pertinent Reports

See Appendices.

Submitted by:
Todd Harrison, CPA, CMA
Acting Chief Administrative Officer

This report was prepared in consultation with Dr. M.Mustafa. Hirji, Acting Medical Officer of Health, Ann-Marie Norio, Regional Clerk, Donna Gibbs, Director, Legal and Court Services, and Daryl Barnhart, Executive Officer to the Regional Chair.

Appendices

Appendix 1 Report CAO 14-2020 A Unified Message for All-of-Niagara Vigilance Against COVID-19

Appendix 2 Memorandum PHD-C 4-2020 Further Details on Order to Wear Masks in Wellington-Dufferin-Guelph

Appendix 3 Draft By-law

Appendix 4 Fact Sheet from Government of Ontario website "Face Coverings and Face Masks"

Appendix 5 Actions by Other Jurisdictions respecting Face Coverings

Niagara Region

Subject: A Unified Message for All-of-Niagara Vigilance Against COVID-19

Report to: Board of Health (Regional Council)

Report date: Thursday, June 25, 2020

Recommendations

1. That Regional Council, as the Board of Health, **THANKS** the people of Niagara for their sacrifice and diligence in practicing personal conduct that has "flattened the curve" of COVID-19 and enabled Niagara to move into Stage 2 of the province's *A Framework for Reopening Our Province*;

2. That Regional Council, as the Board of Health, **RESOLVES** that as restrictions on the economy and social interaction are lifted in Niagara, it is more important than ever that everyone practices behaviours that limit the spread of infection, namely:

   2.1. Keeping a physical distancing of 2 metres from others
   2.2. Washing or sanitizing hands frequently
   2.3. Wearing a face covering where it is not possible to maintain a 2 metre distance
   2.4. Being attentive to one's health, and isolating oneself while seeking testing if one develops any symptoms of infection, however mild;

3. That Regional Council, as the Board of Health, **REQUESTS** all leaders and influencers in Niagara to speak in a unified voice about the importance of practicing the above behaviours;

4. That Regional Council, as the Board of Health, **ENCOURAGES** all residents and visitors to Niagara to practice the above behaviours; and

5. That Regional Council, as the Board of Health, **ENCOURAGES** all businesses and services in Niagara to implement all reasonable measures that enable their clients, employees, and visitors to practice the above behaviours.

Key Facts

- As Niagara has entered Stage 2 of the province's *Framework to Reopen Ontario*, there will be more interaction with people who partake of business and services that can reopen, and therefore greater risk that COVID-19 will again circulate more widely.

- Other countries such as South Korea, China, and several U.S. states have seen resurgences in COVID-19 as they reopened, particularly as their populations simultaneously reduced their vigilance to personal behaviours that can limit the spread of COVID-19.

- At Public Health & Social Services Committee on June 16, several members highlighted their concern with a resurgence of infection in Niagara, and the importance of people practicing behaviours such as wearing face coverings that limit the spread of COVID-19.

- Aligned and consistent messaging by all parties is needed to "break through" the plethora of information that surrounds us, and ensure everyone understands the importance of ongoing diligence in the face of COVID-19 to prevent future surges of illness.

Financial Considerations

There are no financial implications to this report.

Analysis

Niagara has achieved great success in reducing the spread of COVID-19. During the peak period of the outbreak, Niagara saw 150 cases over the course of a week (April 11–17). In the most recent week (June 13–19), Niagara had only 13 new cases.

This success is attributable to multiple factors:

1. Restrictions on the US border and measures to reduce travel that have stopped the importation of infections into Niagara from abroad

2. Restrictions on business and social life, reducing interactions amongst persons and therefore reducing the ability of infection to spread
3. Intensive follow-up of cases and contact tracing by Public Health to break chains of transmission
4. Efforts by essential businesses to limit the spread of infection by measures such as controlling the number of clients in their premises, frequent disinfection, one-way flows of traffic to discourage interaction, barriers between workers and clients at check-outs, increased on-line and curbside shopping.
5. Efforts by the people of Niagara to practice behaviours that have limited the spread of infection such as staying home as much as possible, keeping 2 metre distance from persons outside of the household, washing and sanitizing hands frequently, wearing face coverings when a 2-metre distance can't be kept, and staying isolated and getting tested when feeling ill.

These measures have also incurred significant cost and sacrifice in terms of personal freedom and mental wellness, lost income, pressures on child care, risk of illness incurred by essential workers continuing to serve the people of Niagara, and economic survival of businesses amongst many others. The social and economic costs of these has been significant.

As Niagara entered Stage 2 of the Province's *A Framework for Reopening our Province* (https://www.ontario.ca/page/framework-reopening-our-province-stage-2) on June 19, 2020, one of the five success factors listed earlier is being scaled back: restrictions on business and social life. This will lessen the most painful of the social and economic costs being experienced, but at the cost of lessening the measures in place to slow the spread of COVID-19. In order to maintain low case counts of COVID-19 in Niagara, efforts towards the remaining four success factors need to continue if not be redoubled.

At greatest risk of not continuing are the voluntary measures taken by businesses and the people of Niagara. There is understandably going to be fatigue to maintaining these measures, and continuing these practices with the same intensity will be difficult.

The experience of other countries such as China, South Korea, and the United States shows that as vigilance to such measures drops with reopening of businesses and services, COVID-19 is resurgent:

> …a resurgence of infections in the Seoul region where half of South Korea's 51 million people live is threatening the country's success story and prompting health authorities to warn that action must be taken now to stop a second wave.
>
> …since the easing of distancing, there has been a clear erosion in citizen vigilance, which, along with the highly effective contact tracing, has been credited for allowing the country to weather the epidemic without lockdowns.
>
> While the Health Ministry and KCDC have repeatedly urged residents in the capital area to refrain from unnecessary gatherings and other public activity, data provided by cellphone carriers, credit-card companies and mass-transport operators over the past weekend indicated that people were just as active as before.[1]

It is imperative that Niagara not mirror this experience and once again experience the same costs to citizens and business of restrictions on the economy and social life.

In terms of personal conduct that can limit the spread of COVID-19, the Public Health Agency of Canada advises that [2]

> The best thing you can do to prevent spreading COVID-19 is to wash your hands frequently with warm water and soap for at least 20 seconds. If none is available, use hand sanitizer containing at least 60% alcohol.

The Agency further highlights physical distancing, particularly staying home if one is ill, as measures that are important to stop the spread of infection. Where physical distancing is not possible, wearing a face covering is a secondary measure to mitigate the risk of not keeping physical distance:

- maintain a 2-metre physical distance from others

---

[1] "Resurgence of coronavirus infections in Seoul prompts warning from South Korean health authorities". *Globe & Mail*. June 11, 2020. https://www.theglobeandmail.com/world/article-resurgence-of-coronavirus-infections-in-seoul-prompts-warning-from/ (Accessed June 12, 2020)

[2] "Non-medical masks and face coverings: About". Public Health Agency of Canada. June 9, 2020. https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/about-non-medical-masks-face-coverings.html (Accessed June 19, 2020)

- when physical distancing cannot be maintained, consider wearing a non-medical mask or homemade face covering

It should be emphasized that wearing a face covering remains a second-line preventive measures, when the preferred measures of physical distancing is not possible. Physical distancing has stronger and consistent evidence to support it. The evidence for face coverings is much weaker and conflicting, even though over the course of the pandemic, the research has begun to lean more favourably to the benefits of wearing face coverings.

A recent systematic review and meta-analysis published in *The Lancet* on June 1, 2020 examined the scientific evidence for these two measures. This kind of research study is considered one of the highest forms of scientific evidence as it combines the findings of the best research available to determine the overall impact. This study concluded with "moderate certainty" that physical distancing reduces the spread of COVID-19. It also concluded that face masks "could result" in reducing risk of infection, but only with "low certainty".[3]

Ontario's scientific agency for public health, Public Health Ontario, published a summary and synthesis of research on face coverings on June 4, 2020. This summary highlights the many studies showing face coverings as ineffective or harmful, as well as more recent studies no showing some benefit to face coverings. Overall, it concludes[4]

- The majority of studies have not demonstrated benefit in cluster randomized controlled trials evaluating the effect of members of the general public wearing masks in non-healthcare settings to prevent the acquisition of viral respiratory infections.

[3] DK Chu, EA Aki, S Duda, K Solo, S Yaacoub, HJ Schünemann. "Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis". *The Lancet*. June 1, 2020. DOI:https://doi.org/10.1016/S0140-6736(20)31142-9

[4] Ontario Agency for Health Protection and Promotion (Public Health Ontario). 2019-nCoV – What We Know So Far About…Wearing Masks in Public. Toronto, ON: Queen's Printer for Ontario; 2020.

- If masks are not used appropriately, and not combined with meticulous hand hygiene, there is a theoretical risk of increased infection risk through self-contamination.
- Recommending indiscriminate public wearing of medical masks may result in additional critical shortages of masks needed to protect front-line healthcare workers, and any potential benefits of mask wearing are likely less impactful than physical distancing and hand hygiene.

Balancing this potential benefit with uncertain scientific evidence, the Public Health Agency of Canada recommend face coverings be used, but in a limited fashion: as a mitigation measures when physical distancing is not possible, but not universally.

In addition to these personal behaviours that can limit the spread of COVID-19, one other element of personal contact can support another success factor: getting tested for COVID-19 which enables case management and contact tracing efforts by local public health. Continuing the message the importance of anyone with mild symptoms getting tested will ensure cases of COVID-19 are not missed, and stopping chains of transmission can be maximised.

Through the diligence of citizens and businesses practicing an enabling these behaviours (physical distancing, hand washing/sanitizing, wearing face coverings where distancing is not possible, isolating and getting tested when one has symptoms of illness), Niagara will stand the best chance of successfully reopening the economy and resuming social life, with only limited impact on COVID-19 spread. An All-of-Niagara effort by opinion leaders and influencers to promote these behaviours is recommended to realize this potential.

Alternatives Reviewed

Not speaking in a unified voice across Niagara will lessen the ability of the message to reach and influence residents, employers, and visitors.

Relationship to Council Strategic Priorities

Ensuring diligence around voluntary measures to limit the spread of COVID-19 will prevent illness and potentially death in Niagara. As well, it will maximize the opportunity to reopen businesses safety. This directly supports two of Council's Strategic Priorities:

- Supporting Businesses and Economic Growth
- Healthy and Vibrant Community

Other Pertinent Reports

None

_____

Prepared & Recommended by:
M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health & Commissioner (Acting)
Public Health & Emergency Services

_____

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

Niagara Region

Pubic Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

MEMORANDUM **PHD-C 4-2020**

Subject: Further Details on Order to Wear Masks in Wellington-Dufferin-Guelph

Date: July 14, 2020

To: Public Health & Social Services Committee

From: M. Mustafa Hirji, Medical Officer of Health & Commissioner (Acting)

At the June 16, 2020 meeting of Public Health & Social Services Committee, Committee requested Public Health to provide more information on the requirement to wear face coverings in Guelph.

What occurred in Wellington-Dufferin-Guelph was a joint effort by their local public health agency and their municipalities. The medical officer of health issued a public health order on all businesses within the region, and in concert, every municipality issued an emergency order as well.

The substance of these orders was that all owners/operators of commercial establishments prohibit persons from entering or remaining in their premises unless they are wearing a face covering. Face coverings must be worn at all times in these establishments, except as reasonably required to receive the services provided by the establishment (i.e. a mask can be removed while receiving outdoor dine-in services). Exceptions are made for persons for whom face coverings are not recommended. The orders also mandate that alcohol-based hand rub be made available for persons entering or exiting these establishments.

In terms of enforcement of the public health order, consistent with section 23 of the *Provincial Offenses Act*, as well as sections 100–102 of the *Health Protection and Promotion Act*, enforcement of the order on any business that was not compliant would require a two stage court proceeding through the Provincial Offenses Court or a court proceeding through the Ontario Superior Court of Justice. As of June 28, 2020, Wellington-Dufferin-Guelph Public Health has not pursued any court proceedings to enforce the order.

Niagara Region

Pubic Health & Emergency Services
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

As of July 2, 2020, the following are various jurisdictions in Ontario and requirements that they have made around wearing face coverings:

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
WELLINGTON-DUFFERIN-GUELPH	Public Health Order & Municipal Emergency Orders	Owners/operators of commercial establishments	• Disallow entry to anyone not wearing a face covering • Hand sanitizer available at entrances
WINDSOR & ESSEX COUNTY	Public Health Order	Owners/operators of commercial establishments	• Have a policy to prohibit entry of anyone not wearing a face covering • Hand sanitizer available at entrances
KINGSTON FRONTENAC LENNOX & ADDINGTON	Public Health Order	Owners/operators of commercial establishments	• Have a policy to prohibit entry of anyone not wearing a face covering • Hand sanitizer available at entrances
CITY OF TORONTO	Bylaw	Owners/operators of indoor spaces accessible to the public	• Have a policy to require staff, customers, and visitors wear a face covering
MIDDLESEX-LONDON	Public Health Order	Transit Operators Hair/nail salons	• Implement local guidance for reducing risk in public spaces • Ensure staff, customers, volunteers, and contractors wear face coverings

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
		Any business where workers and customers are face-to-face for more than 15 minutes	
PEEL REGION	Bylaw (proposed)	Owners/operators of indoor spaces accessible to the public	• Have a policy to require staff, customers, and visitors wear a face covering
WATERLOO REGION	Bylaw (proposed)	All members of the public	• Public must wear face coverings in public spaces

Respectfully submitted and signed by

M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health & Commissioner Acting

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO REQUIRE MANDATORY FACE COVERINGS IN ENCLOSED PUBLIC PLACES DURING THE COVID-19 PANDEMIC

WHEREAS on March 17, 2020, an emergency was declared by the Government of Ontario ("Province") pursuant to Order in Council 518/2020 under section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 ("EMCPA") in response to the outbreak of COVID-19;

WHEREAS on April 3, 2020 The Regional Municipality of Niagara and Niagara's 12 local area municipalities jointly declared a State of Emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act*;

WHEREAS public health authorities at the Federal and Provincial level have recommended that persons where face coverings in public where physical distancing cannot be maintained;

WHEREAS subsection 891) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

WHEREAS The Regional Municipality of Niagara has the authority to enact by-laws for the health, safety and well-being of persons pursuant to section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended; and

WHEREAS the Council of The Regional Municipality of Niagara wishes to enact a temporary by-law to protect the health, safety, and well-being of residents and visitors to Niagara Region as the Province reopens to require individuals to wear a face covering while in certain enclosed public spaces to assist in reducing the spread of COVID-19 in the Region.

DRAFT

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. (1) Every person within an enclosed public place shall wear a face covering.

(2) Every person that is the parent or guardian accompanying a child that is five (5) years old or older in an enclosed public place shall ensure that the child wears a face covering.

(3) A “person” in subsections (1) and (2) of this section shall include any occupant within an enclosed public place and shall include, but not be limited to, any owner, operator, employee and worker in the enclosed public place and any customer, patron or other visitor in the enclosed public place but shall not include any of the following persons:

(a) a child who is under the age of five (5) years old;

(b) a person who is unable to wear a face covering as a result of a medical condition or a disability pursuant to the Human Rights Code, R.S.O. 1990, c. H.19, who is unable to put on or remove a face covering without assistance or for whom a face covering would inhibit the person’s ability to breathe;

(c) a person while consuming food or drink provided by a business that is permitted to operate under the Provincial Emergency Orders and provided that all other conditions of the Emergency Orders are met;

(d) a person engaged in a sport or other strenuous physical activity;

(e) a person while assisting or accommodating another person with a hearing disability; and

(f) employees and agents for the owner or operator of the enclosed public space within an area not for public access, or within or behind a physical barrier.

(4) No person shall be required to provide proof of any of the exemptions set out in subsections (3) (a), (b) and (e) of this section.

DRAFT

(5) For the purposes of this By-law, an enclosed public place shall mean all or any portion of a building that is located indoors and where the public is ordinarily invited or permitted access to whether or not a fee is charged or a membership is required for entry.

(6) For greater clarity, an enclosed public place shall include the following:

(a) retail stores where goods and services are sold to customers;

(b) businesses that primarily sell food including restaurants, supermarkets, grocery stores, bakeries and convenience stores;

(c) churches, mosques, temples, synagogues and other places of worship, except during a religious rite or ceremony that is incompatible with the face being covered;

(d) shopping malls or similar structures which contain multiple places of business;

(e) lobby areas of commercial buildings;

(f) common areas of hotels and motels and other short term accommodations, such as lobbies, elevators, meeting rooms or other common use facilities but does not include the common areas of residential apartment buildings or condominiums;

(g) laundromats;

(h) concert venues, theatres and cinemas;

(i) fitness centres, gyms, other recreational and sports facilities and clubhouses;

(j) arcades and other amusement facilities;

(k) premises utilized as an open house, presentation centre, or other facility for real-estate purposes;

(l) museums, galleries, historic sites and similar attractions;

(m) businesses providing personal care services;

DRAFT

(n) banquet halls, convention centres, arenas, stadiums and other event spaces; and

(o) municipal buildings.

(7) For greater clarity, a waiting area, lobby, service counter, washroom, hallway, stairwell and elevator are included as part of an enclosed public place prescribed in subsection (6) of this section if they are open to the general public.

(8) For greater clarity, the following places shall not be included as an enclosed public place for the purposes of this section:

(a) day cares, schools, post secondary institutions and other facilities used solely for educational purposes;

(b) hospitals, independent health facilities and offices of regulated health professionals; and

(c) buildings and services owned or operated by the Province of Ontario or the Federal Government of Canada;

(d) an indoor area of a building that is accessible only to employees; and

(e) portions of buildings that are being used for the purpose of providing day camps for children or for the training of amateur or professional athletes

(9) For the purposes of this by-law, a face covering shall mean a mask or other face covering, including a bandana or scarf constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping.

DRAFT

(10) Every person who is the owner or operator of an enclosed public place shall post clearly visible signage conspicuously at all entrances to the enclosed public place containing the following text in a minimum font size of 24 point:

Protect each other
Wear a face covering
Cover your nose, mouth, and chin
Required by the Face Covering By-law
Does not apply to children under the age of five and those who are unable to wear a face covering as a result of a medical condition or a disability.

(11) A “person” in subsection (10) of this section shall include, but not be limited to, a corporation.

2. This By-law may be enforced by:

(1) A provincial offences officer of a lower tier municipality or The Regional Municipality of Niagara or other person appointed under the authority of a municipal by-law to enforce municipal by-laws;

(2) A public health inspector acting under the direction of the Medical Officer of Health;

(3) A police officer of the Niagara Regional Police Service;

(4) Such other person as designated from time to time by The Regional Municipality of Niagara.

3. (1) Every person who contravenes any provision of this By-law is guilty of an offence.

(2) Upon conviction, every person who contravenes any provision in this By-law is liable to a fine not exceeding one thousand dollars ($1,000), exclusive of costs, for each offence, recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, or any successor legislation thereto.

4. If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the By-law shall be severed and the remainder of the By-law shall still continue in force.

DRAFT

5. This By-law shall not be interpreted so as to conflict with a Provincial or Federal statute, regulation, or instrument of a legislative nature, including an order made under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended.

6. This By-law may be cited as the “Face Covering By-law”.

7. This By-law shall come into force and effect on July 20, 2020.

8. This By-law shall be deemed repealed and no longer in force and effect at 12:01 a.m. on October 1, 2020 unless otherwise extended or repealed by resolution of Council.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____

James Bradley, Regional Chair

_____

Ann-Marie Norio, Regional Clerk

Passed: <date>

DRAFT

COVID-19: Get the latest updates or take a self-assessment.

Ontario

Face coverings and face masks

Learn about face coverings and how to properly wear, fit, remove and clean your non-medical face mask.

About face coverings and COVID-19 (coronavirus)

The best way to stop the spread of COVID-19 (coronavirus) is by staying home and avoiding close contact with others outside of your household.

It is recommended that you use a face covering (non-medical mask such as a cloth mask) to reduce the risk of transmission of COVID-19 when physical distancing and keeping two-metres' distance from others may be challenging or not possible, such as:

- public transit
- smaller grocery stores or pharmacies
- when you are receiving essential services

Face coverings will not protect you from getting COVID-19.

Medical masks (surgical, medical procedure face masks and respirators like N95 masks) should be reserved for use by health care workers and first responders.

Get a poster about face coverings (https://files.ontario.ca/moh-coronavirus-face-coverings-en-2020-05-20.pdf) .

Fit

Non-medical masks or face coverings should:

- fit securely to the head with ties or ear loops
- maintain their shape after washing and drying
- be made of at least two layers of tightly woven material (such as cotton or linen)
- be large enough to completely and comfortably cover the nose and mouth without gaping

Face coverings will not protect you from getting COVID-19. The best way to protect yourself is to:

- minimize errands to a single trip where possible
- avoid close contact with others and keep at least two metres from others outside your household
- wash your hands regularly (or using alcohol-based hand sanitizer if soap and water are not available)
- practice proper cough and sneeze etiquette (for example, sneeze and cough into your sleeve and avoid touching your eyes, nose or mouth)

Who should not use face coverings

Face coverings should not be placed on or used by:

- children under the age of two
- anyone who has trouble breathing
- anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance

How to properly use face coverings

When wearing a face covering, you should:

- wash your hands immediately before putting it on and immediately after taking it off (practise good hand hygiene while you are wearing the face covering)
- make sure the face covering fits well around your nose and mouth
- avoid moving the mask around or adjusting it often
- avoid touching the covering while using it
- not share it with others

Face coverings should be changed when they get slightly wet or dirty.

Remove or dispose of face coverings

When removing a face covering, you should:

- throw it out into a lined garbage bin
- wash your hands

Do not leave any discarded face coverings in shopping carts or on the ground.

Cleaning

If the face covering **can be cleaned**, you should:

- put it directly into the washing machine or a bag that can be emptied into the washing machine
- wash with other items using a hot cycle with laundry detergent (no special soaps are needed), and dry thoroughly
- wash your hands after putting the face covering into the laundry

All face coverings **that cannot be cleaned** should be thrown out and replaced as soon as they get slightly wet, dirty or crumpled.

For more information, please read the Public Health Ontario (PHO) fact sheet (https://www.publichealthontario.ca/-/media/documents/ncov/factsheet/factsheet-covid-19-how-to-wear-mask.pdf?la=en) .

Summary dos and don’ts

Do:

- wash your hands immediately before putting on and immediately after taking off a face covering or face mask
- practise good hand hygiene while you are wearing the face covering
- make sure the face covering fits well around your nose and mouth

- avoid moving the mask around or adjusting it often
- avoid touching the covering while using it
- change the face covering or face mask when it gets slightly wet or dirty

Do not:

- share face coverings or face masks with others
- place on children under the age of two years or on anyone unable to remove without assistance or who has trouble breathing
- use plastic or other non-breathable materials as a face covering or face mask

Guidance for health care workers

Personal protective equipment (https://www.canada.ca/en/health-canada/services/drugs-health-products/medical-devices/covid19-personal-protective-equipment.html) (PPE) is a garment or device worn by health care workers to protect themselves from infection when they:

- are in close contact with people who are infected
- can't maintain a safe physical distance
- do not have access to a physical barrier

PPE includes:

- surgical masks, also called procedural or medical masks, which prevent droplets and splashes from passing through the mask material
- respirators, such as the N95 respirator, which have a filter and seal around the nose and mouth to help prevent exposure to airborne particles
- gowns
- gloves
- eye protection, such as goggles or face shields

The type of PPE you need depends on the type of health care work you do. Health care workers who provide direct care to patients with suspected or confirmed COVID-19 need to:

- follow droplet and contact precautions
- use a surgical mask, isolation gown, gloves and eye protection

Learn more about Public Health Ontario's PPE recommendations in health care facilities (https://www.publichealthontario.ca/-/media/documents/ncov/updated-ipac-measures-covid-19.pdf?la=en) .

If you are a business or health care organization and you need PPE, you can find a company or business association that supplies personal protective equipment (https://covid-19.ontario.ca/how-your-organization-can-help-fight-coronavirus) .

Updated: June 23, 2020
Published: May 20, 2020

Related

What you should do to help prevent the spread (https://www.ontario.ca/page/covid-19-stop-spread#section-1)

Appendix 1
Memorandum CAO 16-2020

Sector-specific health and safety guidance to prevent COVID-19 in the workplace (https://www.ontario.ca/page/resources-prevent-covid-19-workplace)

As of July 16, 2020, the following are various jurisdictions in Ontario and requirements that they have made around wearing face coverings:

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
WELLINGTON-DUFFERIN-GUELPH	Public Health Order & Municipal Emergency Orders	Owners/operators of commercial establishments	• Disallow entry to anyone not wearing a face covering • Hand sanitizer available at entrances
WINDSOR & ESSEX COUNTY	Public Health Order	Owners/operators of commercial establishments	• Have a policy to prohibit entry of anyone not wearing a face covering • Hand sanitizer available at entrances
KINGSTON FRONTENAC LENNOX & ADDINGTON	Public Health Order	Owners/operators of commercial establishments	• Have a policy to prohibit entry of anyone not wearing a face covering • Hand sanitizer available at entrances
CITY OF TORONTO	Bylaw	Owners/operators of indoor spaces accessible to the public	• Have a policy to require staff, customers, and visitors wear a face covering
MIDDLESEX-LONDON	Public Health Order	Transit Operators Hair/nail salons Any business where workers and customers are face-to-face for more than 15 minutes	• Implement local guidance for reducing risk in public spaces • Ensure staff, customers, volunteers, and contractors wear face coverings

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
PEEL REGION	Support of By-law issued by lower tiers (By-laws issued by City of Brampton, City of Mississauga, Town of Caledon)	All members of the public and operators of enclosed public spaces	• Public must wear face coverings in enclosed public spaces • Public must wear face coverings while inside enclosed public place • Have a policy that prohibits persons from entering without a face covering and post signage at all entrances regarding the by-law
WATERLOO REGION	Bylaw	All members of the public and operators	• Public must wear face coverings in enclosed public spaces • Business owners must post signage
DURHAM REGION	Instruction from Public Health pursuant to Provincial Emergency Orders	All members of the public and operators	• Public must wear face coverings while in indoor places accessible to the public
YORK REGION	Instruction from Public Health pursuant to Provincial Emergency Orders (proposed)	Operators of enclosed public spaces	• Have a policy that prohibits persons from entering without a face covering

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
SIMCOE MUSKOKA DISTRICT HEALTH UNIT	Instruction from Public Health pursuant to Provincial Emergency Orders	All members of the public	• Public must wear a face covering while within publically accessible indoor locations
PUBLIC HEALTH SUDBURY & DISTRICTS	Instruction from Public Health pursuant to Provincial Emergency Orders	Owners/operators of commercial establishments	• Have a policy that prohibits persons from entering without a face covering
HALTON REGION	By-law (Co-exist with by-laws passed by City of Burlington and Town of Halton Hills	All members of the public and owners/operators	• Public must wear face coverings while inside enclosed public place • Have a policy that prohibits persons from entering without a face covering and post signage at all entrances regarding the by-law
CITY OF OTTAWA	By-law	All members of the public and owners/operators	• Public required to wear a mask in an indoor public setting • Post signage at all entrances regarding the by-law and provide hand sanitizer

JURISDICTION	TYPE OF REQUIREMENT	OBJECT OF REQUIREMENT	CONTENT OF REQUIREMENT
CITY OF ST. CATHARINES	By-law	All members of the public and owners/operators	• Public must wear face coverings while inside enclosed public place • Have a policy that prohibits persons from entering without a face covering and post signage at all entrances regarding the by-law
TOWN OF NIAGARA-ON-THE-LAKE	By-law	All members of the public and owners/operators	• Public must wear face coverings while inside enclosed public place • Have a policy that prohibits persons from entering without a face covering and post signage at all entrances regarding the by-law

From: Sparks-Zahn, Jennifer
To: All Regional Niagara E-Mail Accounts
Subject: A message from Dr. Hirji: The Evidence & Controversy around Face Coverings
Date: Tuesday, July 14, 2020 9:44:46 AM
Attachments: image004.png
image006.png
image008.png

Good morning team,

Lately, the COVID-19-related story receiving more attention than anything else, is whether to make face coverings mandatory. This morning, we want to share the evidence around wearing face coverings to explain our current position on this issue, and to help inform you further around this debate.

Back in the spring, the message from most public health expert organizations was that face coverings worn in the community are not helpful. This reflected the best evidence at the time. Specifically, in high quality randomized controlled trials done with influenza and influenza like illness (ILI), there was no significant benefit to a person from wearing a mask; and no such good quality studies looking at whether others are protected from a mask-wearer.

When we looked at lower quality studies around influenza and ILI—observational and ecological studies which are uncontrolled—there was only slightly better news. Several studies showed that if someone wore a mask and did frequent hand washing, they were protected from infection. If a study did not include hand washing though, it generally did not show benefit from wearing a mask. As for protecting others by the mask wearer, these lower quality studies had inconsistent results—sometimes they showed protection, but other times they did not.

Expert bodies therefore concluded that mask-wearing wasn't likely to be effective, and that hand washing was more important. This conclusion was embraced strongly in light of theoretical harms from wearing masks: contaminating hands by touching masks; a false sense of security, resulting in no longer keeping physical distance; stigmatization of those who can't wear masks (e.g. medical reasons), etc.

In the last few months, new research has emerged that is specific to COVID-19 that has shifted the conversation. While there are no high quality randomized studies yet, several new low quality observational and ecological studies show that wearing face coverings protects others from COVID-19. It's hard to know if other factors could be affecting the results (similar to how hand washing did with the influenza/ILI studies). As well, it is not clear what types of masks are effective from those studies, nor if the study countries are similar enough to our Canadian context that the results would hold here. Nonetheless, the results are consistent and large. As well, a new research paper (a systematic review and meta-analysis) did look at 3 higher quality studies (cluster randomized trials) on SARS (which has some similarities to COVID-19), and found a benefit to masks work by the community when pooling results of those three studies, albeit this benefit had only "low certainty".

Acknowledging a precautionary approach of not waiting for perfect information before making decisions, most public health expert bodies now recommend face coverings when people can't keep physical distance given the importance of preventing COVID-19.

However, recognizing the weakness of the evidence, these bodies aren't recommending policies that require wearing face coverings. The Chief Public Health Officer of Canada and all provincial/territorial chief medical officers of health agree. In Niagara, we also concur with these expert bodies. However, like these, while we're not calling for requirements to wear face coverings (given the lack of strength in the research), we are also not opposed to them (given the research does support use of face coverings) if they are adopted based on other considerations.

There are some local medical officers of health, almost all in Ontario, who have decided to support mandatory face coverings. They argue that given the dynamics of their local regions, that they need to do more to prevent a resurgence of COVID-19, particularly as we reopen businesses and resume public life.

There are valid arguments on both sides of this debate. Ultimately, this boils down to a value judgement: how much do we as a society want to hedge against the risk of COVID-19 that we are willing to deny a small amount of personal freedom and risk potential harms, relying only on relatively weak research to justify this. Our position is that these sorts of value judgements are best made by society as a whole through its elected leaders. It is clear that the public is currently split with passionate advocates on both sides of the debate—all the more reason that elected leaders should publicly debate and decide this.

CBC | MENU
COVID-19 Local updates Live video COVID-19 tracker Subscribe to newsletter
NEWS Top Stories Local The National Opinion World Canada
Ad closed by Google

Health

Mandatory mask laws are spreading in Canada

Mostly targeted at transportation so far, but calls are growing for more widespread application

Emily Chung · CBC News · Posted: Jun 17, 2020 2:39 PM ET | Last Updated: June 17

Of course, we've seen the research evolve over the last few months, and we are going to continue to monitor emerging research and adjust our position as the evidence demands—whether that means changing our recommendations, issuing orders, or taking other action. In the meantime, the ongoing discussion around this topic, where both sides speak to the importance of face coverings, will hopefully encourage more people to wear face coverings voluntarily, and perhaps even foster a new social norm.

To explore the research on this topic more, we recommend the WHO's Advice, Public Health Ontario's summary of the research, and a rapid review by Alberta Health Services.

_____

M. Mustafa Hirji, MD MPH FRCPC
Medical Officer of Health & Commissioner (Acting)
Niagara Region Public Health & Emergency Services

1815 Sir Isaac Brock Way
P.O. Box 1052, Station Main
Thorold, Ontario L2V 0A2

Phone: 905-688-8248 ext. 7338 Toll-free: 1-888-505-6074
Fax: 905-682-3901
www.niagararegion.ca

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO REQUIRE MANDATORY FACE COVERINGS IN ENCLOSED PUBLIC PLACES DURING THE COVID-19 PANDEMIC

WHEREAS on March 17, 2020, an emergency was declared by the Government of Ontario ("Province") pursuant to Order in Council 518/2020 under section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 ("EMCPA") in response to the outbreak of COVID-19;

WHEREAS on April 3, 2020 The Regional Municipality of Niagara and Niagara's 12 local area municipalities jointly declared a State of Emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act*;

WHEREAS public health authorities at the Federal and Provincial level have recommended that persons where face coverings in public where physical distancing cannot be maintained;

WHEREAS subsection 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

WHEREAS The Regional Municipality of Niagara has the authority to enact by-laws for the health, safety and well-being of persons pursuant to section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended; and

WHEREAS the Council of The Regional Municipality of Niagara wishes to enact a temporary by-law to protect the health, safety, and well-being of residents and visitors to Niagara Region as the Province reopens to require individuals to wear a face covering while in certain enclosed public spaces to assist in reducing the spread of COVID-19 in the Region.

DRAFT

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. (1) (a) Every person within an enclosed public place shall wear a face covering.

(b) Every person before entering and while riding any public transit vehicle owned or operated by The Regional Municipality of Niagara shall wear a face covering.

(2) Every person that is the parent or guardian accompanying a child that is five (5) years old or older in an enclosed public place or a public transit vehicle owned or operated by The Regional Municipality of Niagara shall ensure that the child wears a face covering.

(3) A "person" in subsections (1) and (2) of this section shall include any occupant within an enclosed public place and shall include, but not be limited to, any owner, operator, employee and worker in the enclosed public place and any customer, patron or other visitor in the enclosed public place but shall not include any of the following persons:

(a) a child who is under the age of five (5) years old;

(b) a person who is unable to wear a face covering as a result of a medical condition or a disability pursuant to the Human Rights Code, R.S.O. 1990, c. H.19, who is unable to put on or remove a face covering without assistance or for whom a face covering would inhibit the person's ability to breathe;

(c) a person while consuming food or drink provided by a business that is permitted to operate under the Provincial Emergency Orders and provided that all other conditions of the Emergency Orders are met;

(d) a person while receiving services involving the face and requiring the temporary removal of a face covering provided such services are permitted to operate under the Provincial Emergency Orders and provided 2 metres distance is maintained from all other persons other than the person providing the service;

(~~d~~e) a person engaged in a sport or other strenuous physical activity;

(~~e~~f) a person while assisting or accommodating another person with a hearing disability; and

DRAFT

(~~f~~g) employees and agents for the owner or operator of the enclosed public space within an area not for public access, or within or behind a physical barrier.

(4) No person shall be required to provide proof of any of the exemptions set out in subsections (3) (a), (b) and (~~e~~f) of this section.

(5) For the purposes of this By-law, an enclosed public place shall mean all or any portion of a building that is located indoors and where the public is ordinarily invited or permitted access to whether or not a fee is charged or a membership is required for entry.

(6) For greater clarity, an enclosed public place shall include the following:

(a) retail stores where goods and services are sold to customers;

(b) businesses that primarily sell food including restaurants, supermarkets, grocery stores, bakeries and convenience stores;

(c) churches, mosques, temples, synagogues and other places of worship, except during a religious rite or ceremony that is incompatible with the face being covered;

(d) shopping malls or similar structures which contain multiple places of business;

(e) lobby areas of commercial buildings;

(f) common areas of hotels and motels and other short term accommodations, such as lobbies, elevators, meeting rooms or other common use facilities but does not include the common areas of residential apartment buildings or condominiums;

(g) laundromats;

(h) concert venues, theatres and cinemas;

(i) fitness centres, gyms, other recreational and sports facilities and clubhouses;

(j) arcades and other amusement facilities;

DRAFT

(k) premises utilized as an open house, presentation centre, or other facility for real-estate purposes;

(l) museums, galleries, historic sites and similar attractions;

(m) businesses providing personal care services;

(n) banquet halls, convention centres, arenas, stadiums and other event spaces; and

(o) municipal buildings.

(7) For greater clarity, a waiting area, lobby, service counter, washroom, hallway, stairwell and elevator are included as part of an enclosed public place prescribed in subsection (6) of this section if they are open to the general public.

(8) For greater clarity, the following places shall not be included as an enclosed public place for the purposes of this section:

(a) day cares, schools, post secondary institutions and other facilities used solely for educational purposes;

(b) hospitals, independent health facilities and offices of regulated health professionals; and

(c) buildings and services owned or operated by the Province of Ontario or the Federal Government of Canada;

(d) an indoor area of a building that is accessible only to employees; and

(e) portions of buildings that are being used for the purpose of providing day camps for children or for the training of amateur or professional athletes.

(9) For the purposes of this by-law, a face covering shall mean a mask or other face covering, including a bandana or scarf constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping.

DRAFT

(10) Every person who is an owner or operator of an enclosed public place shall adopt a policy regarding the wearing of face coverings that prohibits persons from entering , or otherwise remaining within the enclosed public place unless they are wearing a face covering, subject to the exemptions provided for in this by-law.

(11) Every person who is an owner or operator of an enclosed public place shall ensure that all persons working at the enclosed public place are trained in the requirements of the policy.

(12) Every person who is an owner or operator of an enclosed public place shall provide a copy of the face covering policy for inspection by any persons authorized to enforce this by-law.

(13) Every person who is the owner or operator of an enclosed public place shall post clearly visible signage conspicuously at all entrances to the enclosed public place containing the following text in a minimum font size of 24 point:

Protect each other
Wear a face covering
Cover your nose, mouth, and chin
Required by the Face Covering By-law
Does not apply to children under the age of five and those who are unable to wear a face covering as a result of a medical condition or a disability.

(14) Every person who is the owner or operator of an enclosed public space shall provide hand sanitizer with a minimum 70% alcohol content, at all public entrances and exits at all times for the use of members of the public attending the enclosed public place.

(1~~1~~5) A “person” in subsection (10) of this section shall include, but not be limited to, a corporation.

2. This By-law may be enforced by:

(1) A provincial offences officer of a lower tier municipality or The Regional Municipality of Niagara or other person appointed under the authority of a municipal by-law to enforce municipal by-laws;

(2) A public health inspector acting under the direction of the Medical Officer of Health;

DRAFT

(3) A police officer of the Niagara Regional Police Service;

(4) Such other person as designated from time to time by The Regional Municipality of Niagara.

3. (1) Every person who contravenes any provision of this By-law is guilty of an offence.

(2) Upon conviction, every person who contravenes any provision in this By-law is liable to a fine not exceeding one thousand dollars ($1,000), exclusive of costs, for each offence, recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, or any successor legislation thereto.

4. If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the By-law shall be severed and the remainder of the By-law shall still continue in force.

5. This By-law shall not be interpreted so as to conflict with a Provincial or Federal statute, regulation, or instrument of a legislative nature, including an order made under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended. For greater certainty, nothing in this By-law shall be construed as permitting the opening or access to an enclosed public place that is not permitted or is restricted by a Provincial Emergency Order. The owner or operator of an enclosed public place is responsible to ensure that it is operated in accordance with all applicable Provincial Emergency Orders and laws, including the Occupational Health and Safety Act and regulations thereunder.

6. This By-law may be cited as the “Face Covering By-law”.

7. This By-law shall come into force and effect on July ~~20~~31, 2020.

8. This By-law shall be deemed repealed and no longer in force and effect at 12:01 a.m. on October 1, 2020 unless otherwise extended or repealed by resolution of Council.

DRAFT

THE REGIONAL MUNICIPALITY OF NIAGARA

_____

James Bradley, Regional Chair

_____

Ann-Marie Norio, Regional Clerk

Passed: <date>

DRAFT

Subject: Organizational Structure Overview 2011-Present

Report to: Regional Council

Report date: Thursday, July 23, 2020

Recommendations

That this report **BE RECEIVED** for information.

Key Facts

- The purpose of this report is to respond to information requests received during the 2020 budget deliberations regarding the historic growth of the organization.
- This report is intended to inform Regional Council of the organizational changes contributing to its growth and structure changes over the following time periods: The Late Trojan Years (2011-2013); The Schlange Years of Change (2014-2016); The D'Angelo Years (2017-2018) and The Present (2019-2020).
    - All increases to permanent Full-Time Equivalents (FTEs) require Council approval either with the Annual Budget, or in-year through a program change
    - Approved FTE by Department are reported in each Annual Budget Report including adjusted FTEs for the previous year to include any in-year approved program changes.
- This report is also intended to inform Regional Council that formal recruitment processes have been, or will be initiated for key roles currently, vacant or filled in an acting capacity as described under Summary Comments and Next Steps.

Financial Considerations

Although there are no financial considerations for this information only report, the following table was developed to provide context around the various organizational changes and FTE increases relative to the annual operating budget and assessment growth in Niagara during the same time period.

Table 1: Data Summary of FTE Growth Relative to Budget and Assessment Growth

	2011-2013	2014-2016	2017-2018	2019-2020
Net Budget Increase $ Including Rate Excluding ABCs	$20.4M	$13.3M	$19.5M	$45.9M
Average Annual Net Budget Increase %	2.6%	1.5%	3.2%	7.2%
Average Annual Assessment Growth	1.2%	1.1%	1.3%	1.6%
Permanent FTE Increase	54.9	34.6	58.0	69.9
Average Annual Perm FTE Growth	0.7%	0.5%	1.1%	1.3%

Analysis

The information contained in this report outlines the changes in the organizational structure, including approved Full-Time Equivalents (FTEs), and changes in departmental FTEs for the following time periods:

- The “Late Trojan Years” (January 1, 2011 – October 27, 2013)
- The “Schlange Years” of Change (October 28, 2013 – November 13, 2016)
- The “D’Angelo Years” (November 14, 2016 – December 13, 2018)
- The Present (December 14, 2018 – March 1, 2020)

<u>The Late Trojan Years (January 2011 – October 2013)</u>
During the Late Trojan Years, the position of Chief Administrative Officer (CAO) was held by Mr. Michael Trojan (August 7, 2005-May 31, 2013), and subsequently on an interim basis by both Mr. Kenneth Brothers and Mr. Patrick Robson (alternating from June 1, 2013 – October 27, 2013) during the period of recruitment for a permanent CAO.

During The Late Trojan Years, the Corporation was organized into the following Departments which were each headed by a Commissioner: Public Works, Community Services, Public Health, Corporate Services and Integrated Community Planning. In addition, following the transition of service model in November 2011, the Director of Administration and the Director of Economic Development following the transition of service model in November 2011, also reported directly to the CAO. Organizational charts for the Late Trojan Years can be found in Appendix 1.

Many support services at this time were decentralized and Departments often were responsible for arranging their own support services such as strategy, finance, and IT support from within their own department and operated independently from the support Division (i.e. Financial Management and Planning) which resulted in corporate inconsistencies and duplication of services provided in multiple areas of the Corporation.

FTE stabilization was a major focus during these years and efforts were put in place to “freeze” FTE growth as well as place additional vacancy management controls and approvals to backfill vacancies in most parts of the Corporation and a Council directed FTE “freeze” was implemented from July 28, 2011 until December 8, 2011.

During these years the more significant corporate and departmental pressures and major organizational changes included:

Corporate Administration

- The transition of the service model for the Niagara Economic Development Corporation (NEDC) in 2011 which resulted in the function being brought into Niagara Region, and the 15 FTE associated with the NEDC becoming part of the newly created Economic Development Division reporting into the CAO within the Corporate Administration Department. The 15 FTE were later reduced to six (6) FTE mid-year in 2012.

Corporate Services

- The creation of the Financial Management System Implementation team in June 2013 to support the project planning, implementation and change management identified as necessary in advance of the roll-out of a future Enterprise Financial Management System (to be later implemented in 2016). This need to introduce a control and audit tool was identified as a requirement in order to ensure compliance with financial and procurement policies and by-laws. The team was

created and enhanced using temporary FTEs and internal staff secondments which were all funded from the approved capital project budget.

Integrated Community Planning

- The creation of the Responsive Region Improvement Team (RRIT) came into effect as of January 1, 2012 under direction of Council. RRIT reported directly to the Regional Chair, and through the Audit Committee, and was captured within the Integrated Community Planning Division. RRIT was tasked with conducting an ongoing review of Niagara Region's programs and services, seeking further efficiencies and service enhancements, and to bring innovation and service excellence to the way services are delivered. Council directed that RRIT was to operate within the existing FTE compliment and with no increases to the budget which resulted in the need to repurpose some of the nine (9) surplus FTE noted above from Economic Development to be repurposed for the RRIT initiative.

Public Works

- The creation of the Inter-municipal Transit Pilot within Public Works in June 2012 which required one (1) additional temporary position assigned to act as the Niagara Region Transit Outreach Coordinator.

Public Health

- Funding pressures for Public Health which had an impact on the Department's ability to maintain existing FTEs for all funded and partially funded programs resulting in FTE reductions in 2011.

Community Services

- Pressures on the Social Assistance & Employment Opportunities Division of Community Services with increasing caseloads in Niagara Region since 2008 having significant impact on staff.

Over the course of the Late Trojan Years, a total of 73 FTE (net increase of 54.9 FTE) were approved by Council, either as part of the annual budget process, or as an in-year program adjustment and the details of these FTE approvals are included in Appendix 2. FTEs were approved during these years as follows by Department:

- Corporate Administration – 15 FTE in Economic Development as the result of transitioning the delivery model of the Niagara Economic Development Corporation (previously operating and reported under the Agencies, Boards, Commissions (ABCs), to deliver service as a Division of the Niagara Region in late 2011 (*NOTE: this transition would not be* identified *when comparing total*

Niagara Region FTEs including ABCs as the FTE were previously reported under the ABC).

- Corporate Services – 8 FTE; 2 FTE for Court Services; 2 FTE for Financial Management and Planning; 4 FTE were single FTE asks amongst the Divisions
- Public Works - 5 FTE; 3 FTE within Water/Wastewater
- Integrated Community Planning - 3 FTE
- Public Health – 11.6 FTE; 2 FTE to create the Wainfleet Emergency Response Team within EMS; 1 Chief Nursing Officer (as mandated by the Province); most additional FTE were funded by the Province
- Community Services – 30.4 FTE; 14 FTE in Social Assistance & Employment Opportunities (SAEO) to help address increasing caseloads; and 7.3 FTE funded by the Province for Seniors Services staff.

While Council approved a total of 73 additional FTE in the Late Trojan Years, the adjusted budgeted FTEs for Niagara Region at the end of the Late Trojan Years (2011, 2012 and 2013) only increased by 54.9 FTE when compared with the 2010 adjusted budgeted FTE as outlined in Appendix 3. The differences in the Council approved additional FTE and the increase in adjusted budgeted FTE reported in the Annual Budget Summary documents are the result of decreases in FTE due to program changes within Public Health as a result of funding changes, and/or improvements in practices and procedures related to how FTE were captured. FTE are reconciled yearly to account for all of these changes and are accurate as per the adjusted FTE counts noted in the Annual Budget Summary documents. Additionally restructuring that occurred both within departments as well as cross-departmentally which was approved within the Corporate Delegation of Authority Policy are not captured within this report, and do not increase Corporate FTE.

<u>The Schlange Years of Change</u>

The Schlange Years of Change are defined as October 28, 2013 – November 13, 2016, when the position of CAO was held by Mr. Harry Schlange from October 28, 2013 – May 28, 2016, and subsequently filled on a temporary basis by Mr. Maurice (Mo) Lewis until November 13, 2016. Organizational charts for The Schlange Years of Change are found in Appendix 4.

These years marked significant organizational transformation with the realignment of services across the organization. The organizational structure maintained its six-Department structure with Commissioners leading the Corporate Services; Public

Works; Planning and Development Services; Public Health and Community Services departments. The Schlange Years of Change also introduced Niagara Region to the *One Team* philosophy which was aimed at breaking down silos within departments and divisions, and to bring the Corporation together amidst the fast paced structural changes that were occurring organization-wide.

In 2015, an FTE compliance review was undertaken to ensure consistent application of the FTE definition when reporting on FTEs. Reporting on approved temporary FTEs was introduced as a separate reporting measure from permanent FTEs. Additionally, in 2016 it was determined that the FTE reporting in Emergency Medical Services (EMS) was inconsistent with how FTEs were reported elsewhere. As a result of these reporting changes, FTEs reported in the 2015 adjusted budget and in the 2016 adjusted budget for EMS show noticeable changes that were confirmed not to be the result of any significant increase or decrease in approved FTEs outside of what was approved by Council.

While the six-department structure was maintained, there was significant restructuring and realignment of business functions and services within each department in an effort to improve create operational efficiencies. Some of the more notable changes included:

Corporate Administration

- Corporate Administration was restructured to include the following Divisions: Human Resources Services; Office of the Regional Clerk; Organizational Performance (an enhanced RRIT to include Corporate Strategy oversight); Economic Development; and Corporate Communications. In addition, a new Manager Partnership Development position replaced the previous Director Administration, and was responsible for ensuring corporate consistency with adherence to the Council strategic priorities.

Corporate Services

- Corporate Services experienced some key leadership changes over these years including a change of Commissioners from Mr. Lewis to Mr. Jason Burgess when Mr. Lewis was asked to assume the Acting CAO position when Mr. Schlange vacated the position and Mr. Burgess assumed the Acting Commissioner position, as well as many leadership changes at the Director level.
- The consolidation and centralization of business support operations resulted in the significant reduction of FTE within Public Works, Community Services, Public Health and Planning and Development Services; and a corresponding increase in FTE within Corporate Services and Corporate Administration as a result of this

consolidation of support services. At this time, many of these FTEs were consolidated into Financial Management and Planning, and the newly enhanced Organizational Performance Division within Corporate Administration. This restructure resulted in the repurpose and elimination of many senior positions in effect moving from a hierarchical design to a flattening of the organizational structure in these areas.

- As part of the EFMS implementation, Corporate Services continued to restructure resulting in the elimination of the Properties Management Division, and the creation of the Procurement and Strategic Acquisitions, and Construction, Energy and Facilities Management Divisions.
- The newly created Procurement and Strategic Acquisitions Division absorbed many repurposed positions previously within Financial Management and Planning Division, as well as Real Estate and Properties Surveys services which both previously reported into the former Properties Management Division.

Public Works

- The Public Works Department faced several challenges during these years, namely the departure of senior leaders; Commissioner Brothers left the organization at the end of the Late Trojan Years, in addition to many other leadership departures including Ms. Betty Matthews-Malone, who was Acting Commissioner until March, 2014 when the position was permanently filled by Mr. Ron Tripp.

Planning and Development

- The Planning and Development Services Department also saw a change in Commissioner when Mr. Patrick Robson left in January 2014, followed briefly in an Acting capacity by Ms. Mary Lou Tanner until the role was filled permanently by Mr. Rino Mostacci in September 2014.
- Planning and Development Services was restructured to better reflect a focus on pro-active land use planning to support and manage growth and a more comprehensive urban agenda. At this time, the Development Approvals and the Development Engineering functions which had been moved to Public Works were re-integrated within Planning and Development Services

Public Health

- Public Health began seeing significant challenges within Emergency Medical Services over these years with the increase in call volumes, varying complexity

of calls and off-load delays which increased pressures on the EMS System Performance Sustainability.

Community Services

- Community Services Commissioner also saw a change in senior leadership with the departure of the Ms. Katherine Chislett in October 2015 when she was replaced by Ms. Adrienne Jugley on an Acting basis, including for the duration of the permanent recruitment of the Commissioner roles.
- The previous Operational Support Services division was restructured following the centralization of the support services out of the operations, and was repurposed to focus on Homelessness Services and Community Engagement which was previously a function of Social Assistance and Employment Opportunities (SAEO).
- The implementation of provincial technology SAMS within SAEO had a significant impact on the amount of time required of staff to case manage their clients in additional to steady increase in case load volumes.
- Changes in Seniors Services included the decentralization of laundry services and laundry services were added to each Long- Term Care (LTC) Home; in-sourcing kitchen services at Deer Park Villa; and the enhancement of the Convalescent Care program.

Over the course of the Schlange Years of Change, a total of 123 FTE were approved by Council (net increase of 34.6 FTE), either as part of the annual budget process, or as an in-year program adjustment as noted in Appendix 5. FTEs were approved during these years as follows by department:

- Corporate Administration – 0 FTE
- Corporate Services – 3 FTEs
- Public Works – 5 FTEs
- Integrated Community Planning – 3 FTEs
- Public Health – 51.1 FTE; 24 FTEs added to EMS for paramedics to create 3 new 24-hour ambulance crews to address growing call volumes, each 50% funded by the province); 15.5 FTEs added in Mental Health to create a full Assertive Community Treatment Team (ACTT) and Early Intervention services for young adults (ages 16+) (all 100% funded by the province);
- Community Services – 60.9 FTEs; 23.5 funded FTEs within Seniors Services; 33 FTEs within SAEO to address the case volumes

While Council approved an additional 123 FTEs in the Schlange Years of Change, there were significant reductions to overall FTEs as a result of improvements to practices and procedures associated with reporting on FTEs, resulting in the adjusted budgeted FTEs for Niagara Region increasing by only 34.6 FTEs when compared with the 2013 adjusted budgeted FTE as outlined in Appendix 6. This was the result of the noted changes in FTE reporting, in addition to FTE reductions of previously funded positions in Public Health. The majority of the restructuring during the Schlange Years of Change that occurred both within a department as well as cross-departmentally was approved under the Corporate Delegation of Authority Policy and did not result in an increase to Corporate FTEs.

The D'Angelo Years

The D'Angelo Years are defined as November 14, 2016 – December 14, 2018 when Mr. Carmen D'Angelo was the CAO. During these years the Corporation battled to maintain its corporate image and the Corporate Leadership Team (CLT) underwent significant leadership changes. These changes included: hiring of the General Manager, Mr. Chris Carter to lead the Administration-Corporate Services Department; Public Health's departure of the Medical Officer of Health, Dr. Valerie Jaeger and the transition to Dr. Mustafa Hirji as the Acting Medical Officer of Health; Enterprise Resource Management Services departure of Acting Commissioner Burgess, the appointment of Ms. Helen Chamberlain in the Acting role in the interim, and the hiring of the new Commissioner Enterprise Resource Management Services, Mr. Todd Harrison; and Community Services filling the Commissioner vacancy on a permanent basis with Ms. Jugley following more than a year in the position in an Acting capacity. The organizational chart can be found in Appendix 7.

In addition to the changes at the CLT level, the following were the major initiatives and changes for each department:

Corporate Administration

- The structure of the Corporate Administration division changed again under Carmen D'Angelo with the following divisions reporting into Corporate Administration: Economic Development, Strategic Communications and Public Affairs, and Internal Control & Organizational Performance (ICOP) which was a further evolution of the previous Organizational Performance Division.
- The creation of the Project Management Office (PMO) as a unit operating within the ICOP Division transitioned 6 FTE from IT Solutions with the intent of setting

up a center of excellence to give direction and create harmonized standards for Project Managers across the Corporation.

Administration-Corporate Services

- This new Department was created to report to the new General Manager position. It was originally communicated that the department would oversee all previous direct reports of the CAO under the direction of a Deputy CAO, however when the position was hired it was given the General Manager title.
- The Department evolved to include the following divisions: Human Resources; IT Solutions; Office of the Regional Clerk; Construction, Energy and Facilities Management; and Customer Service/Business Licensing.
- Customer Service/Business Licensing was the newest Division created within the Corporation and merged the Customer Service work that was aimed at creating standards and improving the customer experience, as well as the new Business Licensing team that was in the process of being established in at the end of 2018 when the work was uploaded from the Niagara Regional Police Services (NRPS).

Enterprise Resource Management Services (ERMS)

- During the D'Angelo Years, the ERMS Department was retitled from the original Corporate Services Department and underwent continued restructuring. As at December 18, 2018, the department consisted of Legal and Court Services; Financial Management and Planning, and Procurement.
- With a paired down Department compared to what it was under the Corporate Services name, ERMS continued to focus on providing financial, procurement and legal guidance to the Corporation.

Public Works

- Council also approved the creation of the GO Implementation Office to assist with the coordination with Metrolinx following the Province's announcement that GO Train service would be extended to Niagara with stops in Grimsby planned by 2021. The GO Implementation Office was created without an increase to permanent FTEs through the utilization of long-term Temporary FTEs and internal staff secondments.
- Council approval and implementation of the 2016 Water & Wastewater Master Plan and subsequent capital projects approved in order to support the Master Plan. The 10 approved increases in addition to some FTE movement of existing approved FTEs into Public Works were required in order to implement this Master Plan and resulted in the department FTE increase of 14.9 FTEs at the end of 2018 compared with 2016 FTEs.

Planning and Development Services

- These years saw the Department initiate a new Niagara Official Plan in 2017 in accordance with *The Planning Act* which requires municipalities to regularly review and update official plans to conform to Provincial requirements such as the Growth Plan for the GGHA and Provincial Policy Statement on Land Use Planning.
- The Department saw its largest growth as the result of Council approved 8.5 FTEs, to assist with the preparation of the New Official Plan as well as work uploaded from the Niagara Peninsula Conservation Authority (NPCA) and to facilitate and manage the significant increase in development with pro-active planning programs and support to local municipalities.

Public Health

- Aside from the noted change in leadership with the Medical Officer of Health, Public Health maintained general Department stability throughout these years, though provincial funding reductions saw ongoing erosion of Public Health. The department was also renamed to Public Health & Emergency Services.
- In 2016, a Council directed consultant recommended a Niagara EMS Master Plan with a focus on addressing service sustainability amid increasing call volumes. The Master Plan supported the recommendation that additional ambulance crews were required in order to maintain existing service levels to Niagara Region. As a result one (1) new ambulance crew (8 FTEs) was added in the 2017 budget, and a second crew (8 FTEs) was added in 2018.

Community Services

- Once the Commissioner role was awarded permanently to Ms. Jugley, the Department remained structurally stable for the remainder of these years.
- Additional funding from the Province was given to Children's Services which resulted in the creation of 5.9 FTEs. Children's Services also made changes to address legislation which required all Full-Time employees working in the childcare centers to move from 35 hours to 40 hours per week. This change did not impact FTE counts.
- An announcement was made regarding LTC Home redevelopment and the Capital Project was approved and funding secured through the Province.

Over the D'Angelo Years Council approved 63.9 FTEs (net increase of 58 FTEs) as detailed in Appendix 8. Increases in Council approved FTEs were approved as follows:

Corporate Administration – 7 FTEs: including 5 FTEs for the CAO's restructure as outlined in a Confidential Report CAO 7-2017; and 2 FTEs for Economic Development

- Corporate Services – 2 FTEs
- Enterprise Resource Management – 2 FTEs
- Public Works – 12 FTEs; 5 FTEs for water and wastewater project managers to manage the additional capital works projects are due to the Region's recently approved Asset Management Plan (AMP) recommendations, the recently approved Water & Wastewater Master Servicing Plan, and upper tier funding programs; and 5 FTE wastewater operators required to operate the new NOTL wastewater treatment plant
- Planning & Development Services – 8.5 FTEs; 5 FTEs for plan review and tree by-law enforcement
- Public Health – 25.5 FTEs; 16 FTEs for EMS, funded 50% by the province; 6 FTEs for public health, fully funded by the provincial government to support opioids response work, as well as the first provincial base funding increase in several years announced just prior to the 2018 provincial election. Council also formalized 1 FTE for physical recruitment, after funding and repeatedly renewing a contract position to do that work for 17 years.
- Community Services – 6.9 FTEs for funded positions within Children's Services
- In total, unionized FTEs reduced by 42.24 FTE and non-union FTEs increased by 48.28 FTEs

Over the D'Angelo Years Council approved 63.9 FTE however the Corporation grew by only 58 FTE compared with the FTE count in 2016 as approved FTE was offset by reductions in FTE as the result of program changes, and a reduction in FTE in Court Services as outlined in Appendix 9.

<u>The Present</u>

The Present is defined as December 15, 2018 – March 1, 2020, the period of time when Council approved Ron Tripp as the Acting CAO. The Present began with a change to five key leadership positions (including the CAO). On December 17, 2018, the following senior leadership positions became vacant: General Manager, Director, Human Resources, Director, Economic Development, and Director, Strategic Communications & Public Affairs as part of an Organizational Leadership transformation. Organizational charts for The Present can be found in Appendix 10.

With key positions vacant, immediate and temporary restructuring was implemented to support corporate stability. With the General Manager position vacant, the decision was made to temporarily restructure Administration-Corporate Services between the Corporate Administration and Enterprise Resource Management Department. Ms. Catherine Habermebl was appointed as the Acting Commissioner, Public Works and later transitioned the position to Mr. Bruce Zvaniga on a temporary basis effective February 2020. The Director positions were all appointed on a temporary basis and subsequently, the Director Human Resources and Associate Director Strategic Communications and Public Affairs positions have both been posted and awarded on a permanent basis. The General Manager position has been repurposed to Corporate Services, and the Director Economic Development position remains filled on a temporary Acting basis.

The Corporation has been faced with a great deal of external pressure and uncertainty as the result of announcements from the Provincial government in early 2019 of a pending municipal governance review as well as notice of proposed consolidation of the 35 Provincial health units reduced down to 10.

Post March 1, 2020, the COVID-19 pandemic has added an additional layer of complexity to the Corporation, especially in respect to how FTEs are assigned and utilized across the Corporation. Redeployment of FTEs has occurred both within Departments such as Public Health and Community Services, as well as cross-departmentally which will result in new challenges for the Corporation on reporting of this utilization of FTEs in the future.

Additional structural changes by department during these years include:

Corporate Administration

- Immediately this Division was restructured along with Corporate Services to restructure the divisions on a temporary basis and later confirmed to be a permanent restructure as of August 1, 2018. The following divisions report into Corporate Administration: Economic Development, Corporate Strategy & Innovation, Clerks Administration, and Human Resources.
- In November 2019 following the restructure of the previous ICOP Division, a new Corporate Strategy and Innovations division was created and Strategic Communications & Public Affairs unit moved within the larger division as a separate functional unit. In addition to Strategic Communications & Public Affairs, the Corporate Strategy and Innovation Division will also support Organizational

Performance functions, Diversity, Equity and Inclusion work, and the Community, Safety and Wellbeing work. The FTE impact of this restructure was a reduction of seven (7) permanent FTEs and one (1) temporary FTE to the Corporation.

Corporate Services

- In August 2018, after the temporary restructure was announced to be permanent, ERMS officially returned to its prior name of Corporate Services led by Commissioner Harrison.
- The divisions reporting into Corporate Services now remain: Financial Management and Planning; Procurement and Strategic Acquisitions; Legal and Court Services; IT Solutions; Construction, Energy & Facilities Management; Customer Service and Business Licensing; and Asset Management.
- Two new units were added to the Department - the Asset Management Division which included seven (7) Council approved FTEs to support the 2017 provincial regulation on municipal asset management planning; and Business Licensing which began as a project in 2018 and was implemented in May 2019 and was supported with the Council approved 5 FTEs required to upload the work from NRPS.

Public Works

- The Department experienced a change in senior leadership with Mr. Tripp in the Acting CAO position. Ms. Habermebl was originally appointed Acting Commissioner, and later Mr. Zvaniga accepted the position on a temporary basis.
- Work continues on the 2017 Water and Wastewater Master Plan which resulted in an additional 15 FTEs approved by Council to support the operations and capital projects. Transportation also began planning for the implementation of Vision Zero Road Safety Program which includes implementing initiatives such as Automated Speed Enforcement, Red Light Cameras, and Community Safety Zones. Once implemented, it is expected that this Program will have impacts on the future staffing requirements of both Transportation Services and Court Services as such an additional 14 FTEs between the two divisions were approved by Council.

Planning and Development Services

- The Department continues to work to prepare the New Official Plan and manage increasing development volumes and the work uploaded from the NPCA. The work program of the Department has stabilized and adequate resources are in place.

Public Health & Emergency Services

- There has been very little change to the organizational structure of the Public Health Department over the past eighteen months, while uncertainty remains surrounding the Province's direction to consolidate the 35 public health units into 10 regional agencies by 2021. Provincial funding for public health returned to being frozen, resulting in reductions of public health FTE to maintain balanced budgets. Funding was partly downloaded effective January 2020 resulting in an increase to the levy contribution of the Public Health budget without any increase to staff or service provision.

Community Services

- Prior to the pandemic, Community Services was preparing to implement the Alternative Service Delivery for Niagara Regional Housing (NRH). Once implemented, Community Services would be able to continue to provide comprehensive support for its vulnerable clients within the Department with a new divisional model.
- Seniors Services was able to secure additional funding in 2019 and received Council approval to hire an additional 14.1 FTEs for Personal Support Workers to assist in providing resident care for increasing responsive behaviours.

As of March 1, 2020 Council has approved 77.5 FTEs (net increase of 69.9 FTEs) during this time outlined in Appendix 11. While there has been additional movement of FTE within the departments as approved under the Corporate Delegation of Authority Policy, the Corporation has grown by 69.9 FTEs with the difference primarily representing the reduction of FTEs associated with the restructure of ICOP. To-date Council approved FTE have been approved as follows:

- Corporate Administration – 0 FTE
- Corporate Services – 27 FTEs; 5 FTEs for the creation of the Business Licensing unit; and 7 FTEs for the creation of the Asset Management Office; 12 FTEs for Court Services to support Vision Zero Road Safety Program
- Public Works – 27 FTEs; 2 FTEs to support Vision Zero Road Safety Program; 2 FTEs in waste collections and diversion advisors from temporary to permanent; 15 FTEs to support water/wastewater operations
- Planning & Development Services – 0 FTE
- Public Health – 9.4 FTEs; 3.4 FTEs related to the Ontario Seniors Dental Care program, 100% funded by the provincial government; 4 FTE to support mental health programming, 100% funded by the provincial government; 2 additional

FTE created as part of a suicide-prevention initiative; additional 3.5 FTE were created to sustain the successful EMS System Transformation (most funded by the provincial government), while 3.5 public health FTE were reduced as a consequence of lost provincial funding within a frozen budget.

- Community Services – 14.1 FTEs for Seniors Services front line staff
- In total unionized FTEs increased by 47.41 FTEs and non-union FTEs increased by 22.34 FTEs

As noted, the following senior leadership positions are being filled on a temporary basis or vacant with recruitment pending:

- Director Economic Development – Ms. Valerie Kuhns, Acting Director Economic Development
- Director Corporate Strategy & Innovation – vacant
- Diversity, Equity and Inclusion Program Manager – job competition has resumed
- Medical Officer of Health & Commissioner (Public Health & Emergency Services) — recruitment efforts suspended in February 2018; current plans are to resume recruitment upon (1) completion of the province's review of public health and emergency health services, and what change may be required to the department and this role; and (2) the hire of a permanent CAO
- Chief Administrative Officer – job competition currently on-hold

Summary Comments – Next Steps

As noted through the Present section of this report, the following leadership positions are being filled on a temporary basis or vacant with recruitment pending. This is to inform Council that the following recruitment processes have been or will be initiated in the summer months:

Director of Economic Development – This role is currently filled on an acting basis. The permanent recruitment for this role was placed on hold pending the outcome of the Provincial Governance Review as per Confidential Report CAO 12-2019. The provincial review concluded late in 2019 with no recommendations related to Governance reform and with recommendations that encouraged municipal governments to review service delivery models and alternatives in order to maximize cost effectiveness and service delivery efficiency. The work of service delivery review continues, although at a modest pace due to COVID-19, through a working group of the 13 Niagara CAO's. It is recommended that the recruitment process be initiated for a permanent Director at this

time. Resourcing required for both the response to COVID-19 as well as the development of a comprehensive Recovery Plan, coordinated across all 13 municipalities and key stakeholder groups, is critical. The recruitment for this role will provide stability within the organization and resourcing necessary for the recovery work in the next several months.

Director of Corporate Strategy & Innovation – This role is currently vacant. It is recommended that the recruitment process be initiated for a permanent Director at this time. Resourcing required for both the response to COVID-19 as well as the development of a comprehensive Recovery Plan, coordinated across all 13 municipalities and key stakeholder groups, is critical. The recruitment for this role will provide stability within the organization and resourcing necessary for the recovery work in the next several months.

Diversity, Equity and Inclusion Program Manager – This position was approved through the 2020 budget deliberations. A recruitment process was commenced in February. However, the interviewing of candidates was put on hold in the second week of March due to COVID-19. Eight of the Niagara local municipalities have now passed resolutions in support of CIM membership and the remaining four have similar resolutions to be considered in the near future. The candidate interviews have now been rescheduled utilizing online technology and a successful candidate should be in place soon.

Medical Officer of Health - This role is currently filled on an acting basis as approved by the Niagara Region Board of Health in December 2017. Prior to COVID-19, the Province indicated that they would not be considering the permanent appointment of any new MOH prior to the completion of the Provincial review of the Public Health units. It understand that this work has been paused due to COVID-19. The recruitment for a permanent MOH will remain in abeyance until direction form the Province has been received.

Chief Administrative Officer – As directed by Council through motion on March 26, 2020, the recruitment for a permanent CAO will remain on hold “until the Council has determined that the pandemic situation has been appropriately resolved so that the Council of the Region of Niagara can focus on this important process.”

Alternatives Reviewed

There are no alternatives to consider as this is an information only report.

Relationship to Council Strategic Priorities

This Report supports the Regional Council Strategic Priority: A commitment to high quality, efficient, fiscally sustainable and coordinated core services through enhanced communication, partnerships and collaborations with the community.

Other Pertinent Reports

Confidential CAO 12-2019, August 1, 2019 A Matter Respecting Labour Relations – Organizational Structure Realignment

Prepared and Recommended by:
Sarah Sebben
Human Resources Consultant
Corporate Administration

Submitted by:
Ron Tripp, P.Eng.
Acting Chief Administrative Officer

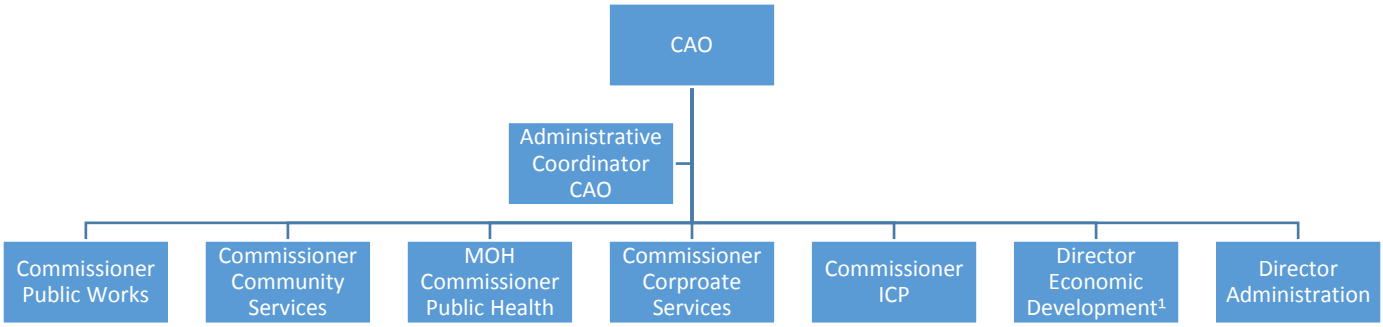
This report was prepared in consultation with staff from Financial Management and Planning, and reviewed by Franco Meffe, Director Human Resources .

Appendices

Appendix 1 Niagara Region Approved FTE Increases – Late Trojan Years
Appendix 2 Organizational Charts– Late Trojan Years
Appendix 3 Department Adjusted Budgeted FTEs – Late Trojan Years
Appendix 4 Niagara Region Approved FTE Increases – Schlange Years of Change
Appendix 5 Organizational Charts – Schlange Years of Change

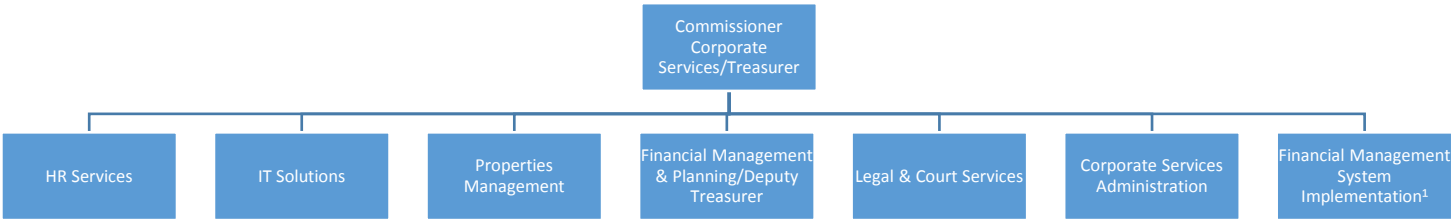
Appendix 6 Department Adjusted Budgeted FTEs – Schlange Years of Change
Appendix 7 Niagara Region Approved FTE Increases – D'Angelo Years
Appendix 8 Organizational Charts – D'Angelo Years
Appendix 9 Department Adjusted Budgeted FTEs – D'Angelo Years
Appendix 10 Niagara Region Approved FTE Increases – The Present
Appendix 11 Organizational Charts – The Present
Appendix 12 Department Adjusted Budgeted FTEs – The Present

Chart 1: CAO Direct Reports as of October 27, 2013



[1] - Economic Development became integrated as part of the Niagara Region from the previous service model operating as Niagara Economic Development Corporation in 2011.

Chart 2: Corporate Services Organizational Chart as of October 27, 2013



[1] – Financial Management System Implementation division effective June 17, 2013

Chart 3: Public Works Organizational Chart as of October 27, 2013

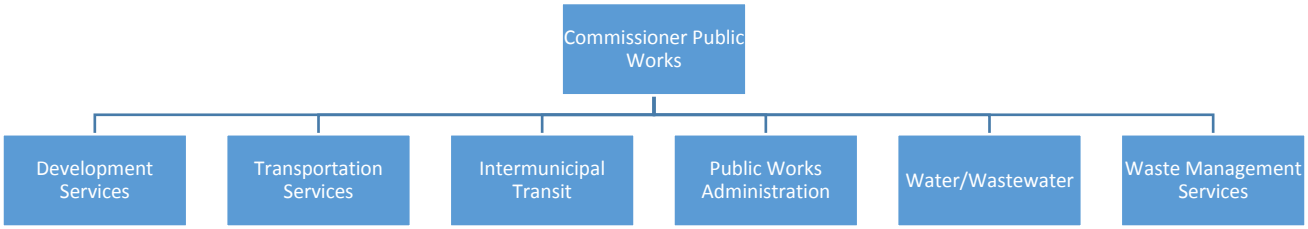
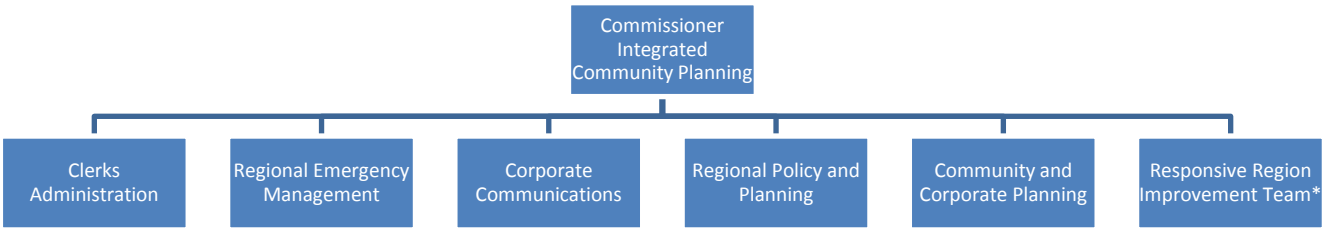


Chart 4: Integrated Community Planning Organizational Chart as of October 27, 2013



**Responsive Region Improvement Team reported directly to the Regional Chair and Audit Committee however reported into the Integrated Community Planning department.*

Chart 5: Public Health Organizational Chart as of October 27, 2013

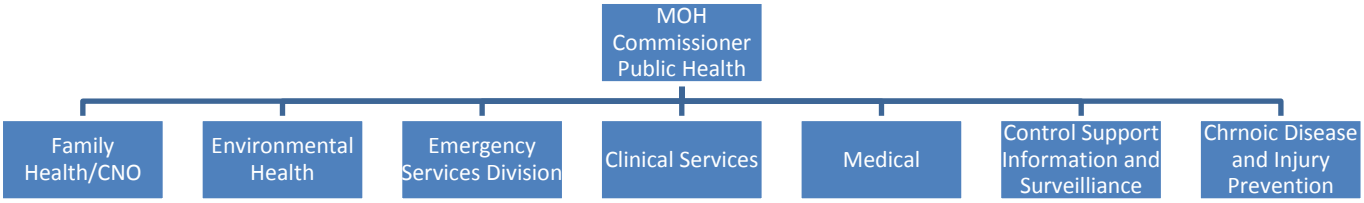
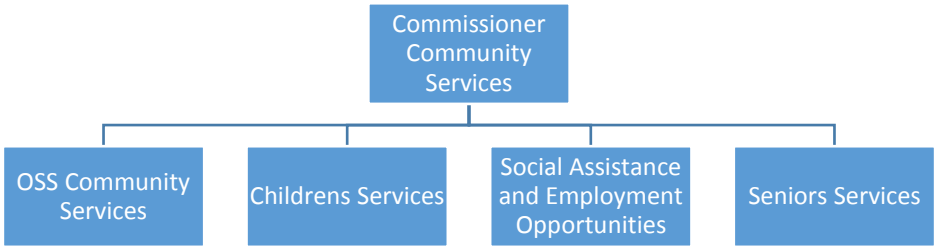


Chart 6: Community Services Organizational Chart as of October 27, 2013



CAO 18-2020 Appendix 2 - Niagara Region Approved FTE Increases – Late Trojan Years

Item	# FTE	Comments
Approved FTE in 2011 Budget		
Integrated Community Planning	2	1 FTE - Clerks Administration for administration support 1 FTE - Planning services
Public Works	1	1 FTE - Engineering and Transportation Services
Approved FTE in-year 2011 with Authorization from Council		
Public Health	2	1 FTE - Nurse Educator position to be created to support the Chief Nursing Officer requirement of the Ontario Public Health Organization Standards 1 FTE - Provincially funded nursing position in Niagara's Early Intervention in Psychosis Service within the Community Health Program
Corporate Services	2	1 FTE - Facilities Project Manager (Temporary) to deliver Niagara Regional Police Services buildings (HQ/2 District and 1 District) 1 FTE - IT Solutions staff
Corporate Administration	15	15 FTE - Economic Development as the result of transitioning the service model of the Economic Development Corporation to a division of the Niagara Region
Approved FTE in 2012 Budget		
Corporate Services	2	1 FTE - Court Prosecutor within Court Services to assist with increasing service demands 1 FTE - Court Prosecutor Assistant to assist with increasing service demands
Public Works	1	1 FTE - to respond to legislated requirements under the Clean Water Act for a Risk Management Officer and Inspector
Approved FTE in-year 2012 with Authorization from Council		
Corporate Services	3	2 FTE - within Financial Management and Planning to perform financial compliance reviews 1 FTE - Legal Claims Examiner and Review (Temporary)

		2.6 FTE - fully funded positions by the Local Health Integration Network to support enhanced services to residents of Deer Park Villa and Suites in Grimsby and the enhanced adult day services at the South Niagara Health and Wellness Centre in Welland
Community Services	23.1	5.9 FTE funded for Seniors Services
		0.6 FTE additional funding for housing assistance program
		14 FTE - Social Assistance & Employment Opportunities (SAEO) for temporary staff to address the 47% increase in Ontario Works caseloads since 2008
Approved FTE in-year 2012 with Authorization from Council		
		1 FTE - Chief Nursing Officer
		2 FTE - creation of the Wainfleet Emergency Response Team within Emergency Medical Services (EMS)
Public Health	7.6	4.6 FTE - fully funded positions to fulfil the Ontario Public Health Standards (OPHS) and Healthy Babies Healthy Children (HBHC) protocol requirement for a Screening Liaison Nurse and the Healthy Smiles Ontario Program in order to provide greater access to the dental services and to increase customer service
Approved FTE in 2013 Budget		
Corporate Services	1	1 FTE - Human Resources Services Labour Relations position
Integrated Community Planning	1	1 FTE - new position to enhance the Regional Emergency Planning unit
Public Works	3	3 FTE - Water/Wastewater to assist with the changes to service delivery
Approved FTE in-year 2013 with Authorization from Council		
Community Services	7.3	7.3 FTE - fully funded positions through the Local Integrated Health Network to assist with senior care
Public Health	2	2 FTE - funded by the Province these positions were created to support Early Psychosis program within Public Health

CAO 18-2020 Appendix 2 - Niagara Region Approved FTE Increases – Late Trojan Years

Total Approved Increase to FTE:	73	
Less FTE Adjustments:	-18.1	-18.1 FTE – Corporate reductions to FTEs
Net Change in FTE:	54.9	

Note: Systems used during these years are no longer supported, as such the information shown is accurate to the information presented to Council and made available to the public in Annual Budget Summary documents.

Niagara Region Approved FTE Increases – Late Trojan Years does not include FTE movement within departments, cross-departments or reductions in FTE that may have occurred as a result of program changes and/or improvements to practices and procedures related to how FTE were captured. FTE are reconciled yearly to account for all of these changes and are accurate as per the adjusted FTE counts noted in the Annual Budget Summary documents.

Appendix 3 – Department Adjusted Budgeted FTEs – Late Trojan Years

Department	2010 Adjusted Budgeted FTE	2011 Adjusted Budgeted FTE	2012 Adjusted Budgeted FTE	2013 Adjusted Budgeted FTE	FTE Change since 2010 - Late Trojan Years
Corporate Administration	7	22	13	13	+6
Corporate Services	205.5	207.5	212.5	212.5	+7
Public Works	472.8	473.8	474.8	477.8	+5
ICP/Planning	51	53	54	56	+5
Public Health	645.6	639.1	646.1	648.1	+2.5
Community Services	1102.2	1102.2	1124.3	1131.6	+29.4
Niagara Region + Court Services	**2484.1**	**2497.6**	**2524.7**	**2539**	**+ 54.9**

The Niagara Region + Court Services FTEs reported above are the adjusted budgeted FTE for all employees of the Niagara Region in addition to employees of Court Services (Court Services FTE are reported under Agencies, Boards and Commissions). Court Services is included as it operates as within Corporate Services under the Legal & Court Services division. All other FTEs reported under Agencies, Boards or Commissions (ABCs) were not included in the reported Niagara Region FTE.

Notes: Systems used during these years are no longer supported, as such the information shown is accurate to the information presented to Council and made available to the public in Annual Budget Summary documents.

Corporate Administration FTE includes Governance FTE and Economic Development
Corporate Services FTE includes Court Services FTE
ICP/Planning FTE includes Responsive Region Improvement Team FTE
Public Works FTE include Levy and Rate

Chart 7: CAO Direct Reports (including Corporate Administration) as of November 13, 2016

Chart 8: Corporate Services Organizational Chart as of November 13, 2016

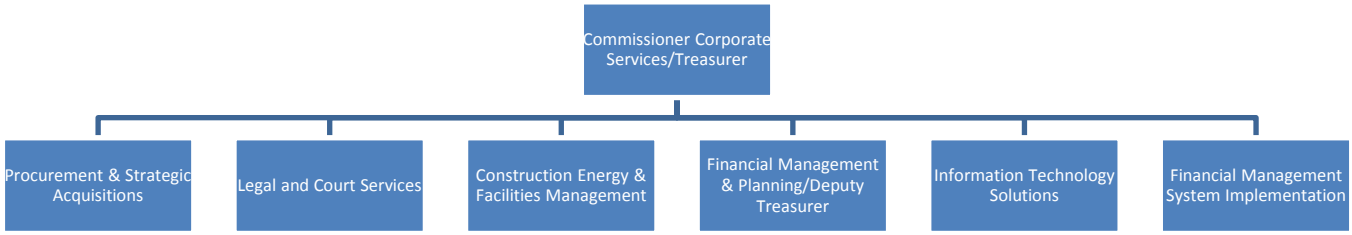


Chart 9: Public Works Organizational Chart as of November 13, 2016

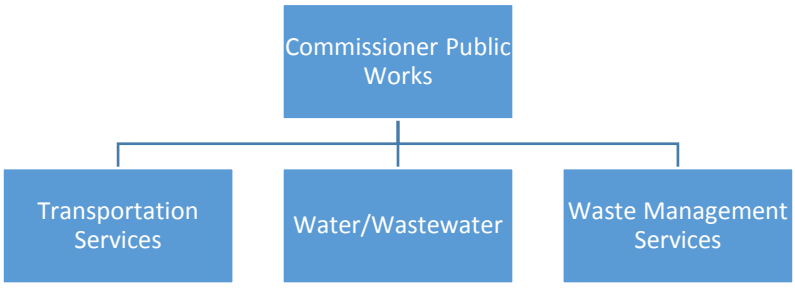


Chart 10: Planning and Development Services Organizational Chart as of November 13, 2016

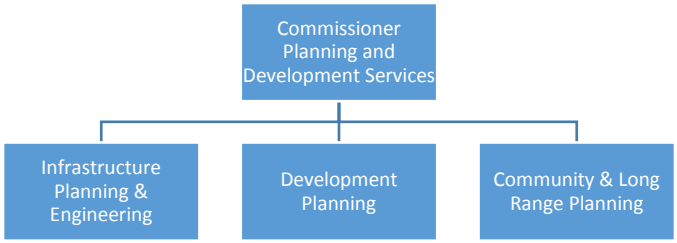


Chart 11: Public Health Organizational Chart as of November 13, 2016

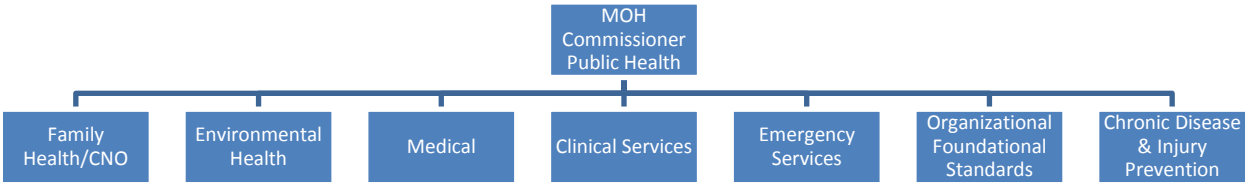
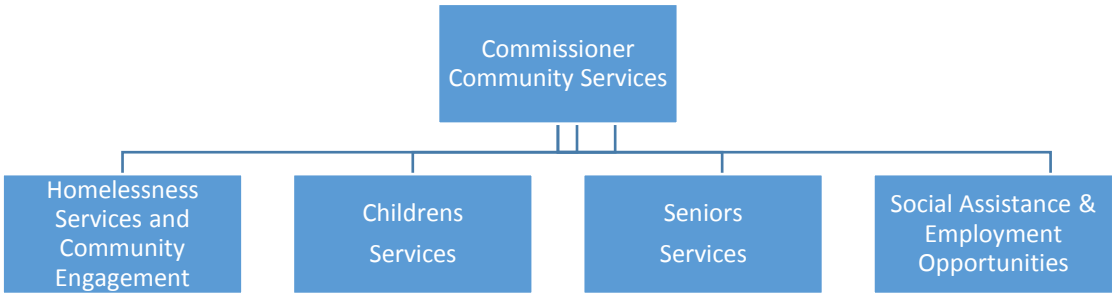


Chart 12: Community Services Organizational Chart as of November 13, 2016



Appendix 5 - Niagara Region Approved FTE Increases – Schlange Years of Change

Item	# FTE	Comments
Approved FTE in 2014 Budget		
Public Works	1	1 FTE - Engineering and Transportation Services to assist with Capital Projects
Public Health	2	3 FTE assigned to address increasing caseload volumes 2 FTE - fleet management and pharmacy needs
Approved FTE in-year 2014 with Authorization from Council		
Public Health	20.6	16 FTE - paramedics to support two new 24-hour ambulance crews 2 FTE - Operations Supervisors to oversee the ambulance crews 0.6 FTE - for Healthy Smiles Assistant 2 FTE - Mental Health Early Psychosis Intervention service
Public Works	3	3 FTE - Water/Wastewater additional support
Corporate	-30.3	-30.3 FTE - Corrections made for corporate consistency relate to temporary, student or trainee positions that were included in the 2014 FTE budget
Approved FTE in 2015 Budget		
Corporate Services	3	1 FTE - Legal Services to transition the temporary claims examiner to permanent 1 FTE - Properties Management for a Mechanic position to support the new NRPS HQ/2 District building in Niagara Falls 1 FTE - IT Solutions for a Project Manager for infrastructure growth
Public Health	21	16 FTE - paramedics to support two new 24-hour ambulance crews 2 FTE - Operations Supervisors to oversee the ambulance crews 2 FTE - logistical/regulatory staff in EMS
Planning & Development Services	2	1 FTE - transition from temporary to permanent to engage primary care service providers 2 FTE - transition from temporary to permanent to support the review and approval of official plans and zoning by-laws
Community Services	18.3	17.3 FTE - fully funded Personal Support Workers within Seniors Services 1 FTE - transitioning a temporary position to permanent in homelessness programming and reporting

Approved FTE in-year 2015 with Authorization from Council		
Public Health	15.5	15.5 FTE - fully funded positions within Mental Health Program to create a full Assertive Community Treatment Team (ACTT) and Early Intervention services for young adults (ages 16+)
Community Services	6.2	6.2 FTE - Provincially funded positions to support bringing the kitchen services in-house to Deer Park Villa as the result of the West Lincoln Memorial Hospital no longer providing contracted services
Public Health	-20	-20 FTE - EMS approvals in 2015 Budget that were deferred
Corporate	-1.7	-1.7 FTE - Reduction of previously funded positions historically funded through gapping
Approved FTE in 2016 Budget		
Community Services	33	28 FTE - transition from temporary to permanent for staff within Social Assistance & Employment Opportunities as the result of increasing caseload volumes and the union not agreeing to extend the temporary status beyond 2 years 5 FTE - new positions within Social Assistance & Employment Opportunities to address increases to caseloads and SAMS software
Planning & Development Services	1	1 FTE - to maintain existing service levels
Public Works	1	1 FTE - transition from temporary to permanent for Transportation Construction Inspector
Public Health	12	8 FTE - paramedics for 1 ambulance 2 FTE - Operational Supervisors 2 FTE - Logistical staff EMS
Corporate	-2.3	-2.3 FTE corrected in accordance with new workforce planning management model
Public Health	-1.5	-1.5 FTE - adjustment to FTE replacement hours
Approved FTE in-year 2016 with Authorization from Council		
Corporate	-52.8	-52.6 FTE - revised to eliminate EMS replacement pay hours
Total Approved Increase to FTE as originally reported:	143	
Adjustment due to deferral of 20 EMS FTE	-20	
Total Reductions in FTE:	-88.6	
Net Change in FTE:	34.4	

The 20 FTE reduction for EMS is due to the 20 FTE originally noted as approved in the 2015 Budget that was deferred

Note: Systems used prior to 2015 are no longer supported, as such the information shown is accurate to the information presented to Council and made available to the public in Annual Budget Summary documents.

Niagara Region Approved FTE Increases – Schlange Years of Change Years does not include FTE movement within departments, cross-departments or reductions in FTE that may have occurred as a result of program changes and/or improvements in practices and procedures related to how FTE were captured in particular with respect to the distinction between permanent and temporary FTEs. FTE are reconciled yearly to account for all of these changes and are accurate as per the adjusted FTE counts noted in the Annual Budget Summary documents.

Appendix 6 – Department Adjusted Budgeted FTEs – Schlange Years of Change

Department	2013 Adjusted Budgeted FTE	2014 Adjusted Budgeted FTE	2015 Adjusted Budgeted FTE	2016 Adjusted Budgeted FTE	FTE Change since 2013 - Schlange Years of Change [1]
Corporate Administration	13	96.7	95.7 9 (T)	98.3 5 (T)	+ 85.3
Corporate Services	212.5	194.4	197.3 35 (T)	204.9 13.2 (T)	-7.6
Public Works	477.8	451.8	452.8 16 (T)	449.2 12 (T)	- 28.6
ICP/Planning	56	34	36 1 (T)	37 -	-19
Public Health	648.1	667.2	687 2.8 (T)	641.2* 3.2 (T)	-6.9
Community Services	1131.6	1093.7	1113.5 32 (T)	1143 10.3 (T)	+11.4
Niagara Region + Court Services	**2539**	**2537.8**	**2582.3 95.8 (T)**	**2573.6 43.7 (T)**	**+34.6**

[1] – 2015 was the first year that Temporary FTE were reported on in the Annual Budget, therefore there is no known change in Temporary FTE since 2013.

(T) Indicates Temporary FTE

** Adjustments made to the FTE reporting for EMS to comply with standard FTE reporting practices. There were no actual decreases in FTE and differences are the result of reporting changes.*

The Niagara Region + Court Services FTEs reported above are the adjusted budgeted FTE for all employees of the Niagara Region in addition to employees of Court Services (Court Services FTE are reported under Agencies, Boards and Commissions). Court Services is included as it operates as within Corporate Services under the Legal & Court Services division. All other FTEs reported under Agencies, Boards or Commissions (ABCs) were not included in the reported Niagara Region FTE

Notes:

Corporate Administration FTE includes Governance FTE and Economic Development
Corporate Services FTE includes Court Services FTE
Public Works FTE include Levy and Rate

Chart 13: CAO Direct Reports as of December 14, 2018

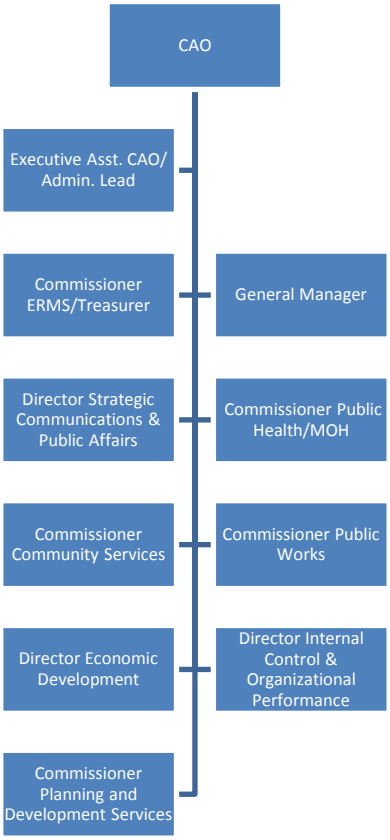


Chart 14: Administration-Corporate Services Organizational Chart as of December 14, 2018

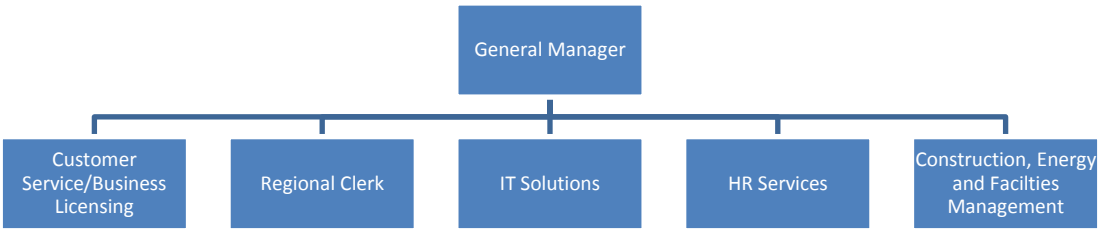


Chart 15: Enterprise Resource Management Services Organizational Chart as of December 14, 2018

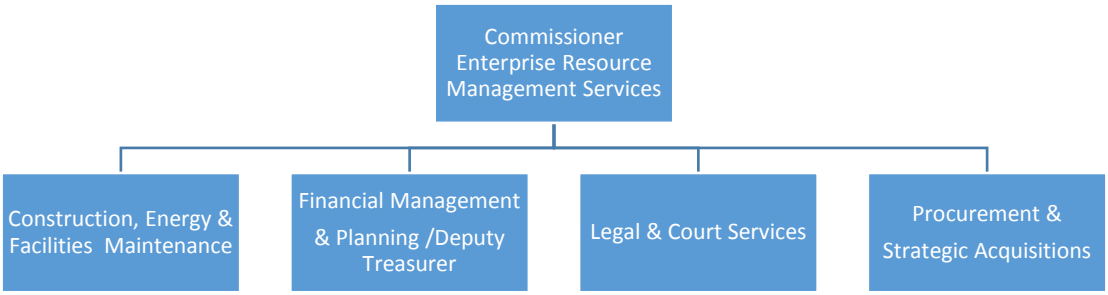


Chart 16: Public Works Organizational Chart as of December 14, 2018

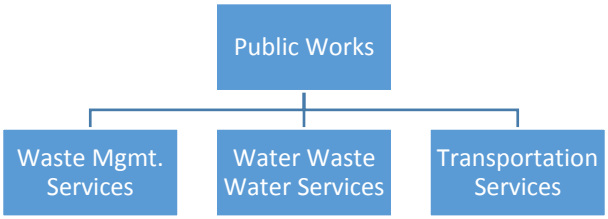


Chart 17: Planning and Development Services Organizational Chart as of November 14, 2018

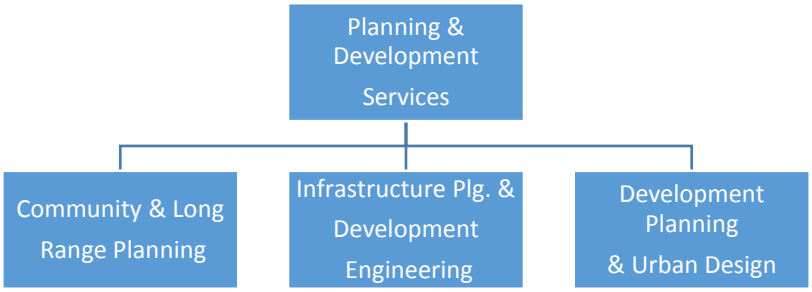


Chart 18: Public Health Organizational Chart as of December 14, 2018

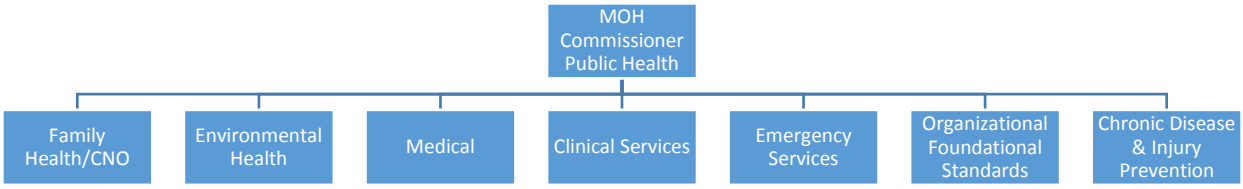
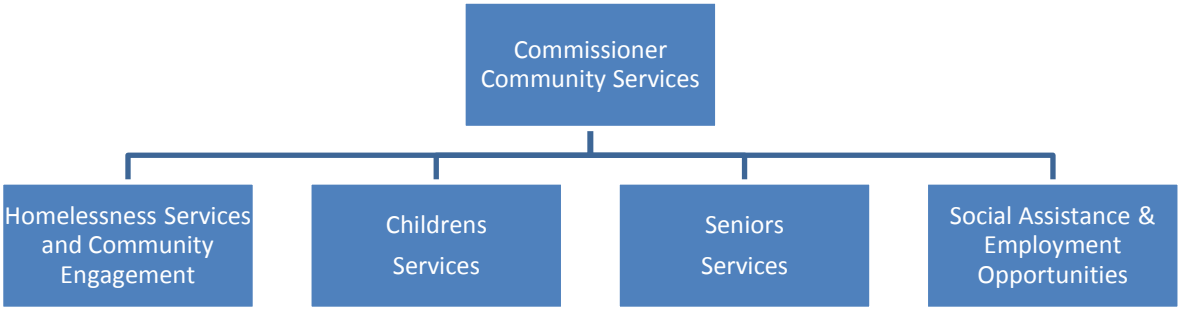


Chart 19: Community Services Organizational Chart as of December 14, 2018



Item	# FTE	Comments
Approved FTE in 2017 Budget		
Public Health	8	8 FTE - one new 24-hour ambulance crew
Public Works	3	1 FTE - Systems Maintenance required to operate the new NOTL wastewater treatment plant 2 FTE - Wastewater Operators to operate the new NOTL wastewater treatment plant
Corporate Services	2	2 FTE - Contract and vendor management 1 FTE - Support Global Attractiveness initiatives
Economic Development	2	1 FTE - Economic Development Officer to offer focused economic development services to the partner municipalities through Team Niagara
Planning & Development Services	1	1 FTE - Development Planner to meet legislated timelines given the increase in development applications
Approved FTE in-year 2017 with Authorization from Council		
Corporate Administration	5	5 FTE - identified in Confidential CAO Report - 2 ICOP; 1 Clerks; Communications 2
Community Services	6.9	5.9 FTE - funded positions to expand Early learning and Child Care programs 1 FTE - funded position to assist with the Home for Good program
Public Health	2.5	2.5 FTE - funded position for enhancements to Opioid Response
Approved FTE in 2018 Budget		
Public Health	9	8 FTE - one new 24-hour ambulance crew 1 FTE - Physician Recruitment and Retention position
Enterprise Resource Management Services	2	1 FTE - transition for Facilities Supervisor from temporary to permanent FTE 1 FTE - for Legal Counsel to assist with commercial/business and employment law
Planning & Development Services	7.5	1 FTE - Landscape Architect 0.5 FTE - Temp to Perm Expedited Development Approvals 5 FTE - Plan Review and Tree by-law enforcement 1 FTE - Development Relations

Item	# FTE	Comments
Public Works	9	5 FTE - water and wastewater Project Managers additional capital works are due to the Region's recently approved Asset Management Plan (AMP) recommendations, the recently approved Water & Wastewater Master Servicing Plan (MSP), as well as upper tier funding programs 1 FTE - Children's Water Festival and Water Sampling 3 FTE - Wastewater Operators required to maintain adequate staffing levels
Corporate Services	-6	-1 FTE - Court Services -5 FTE - Corporate downsizing efforts
Approved FTE in-year 2018 with Authorization from Council		
Public Health	6	6 FTE - fully funded by the Province to be used to support the following programs: Youth & New Mothers, Addictions & Sexual Health, Topical/Emerging Issues, Administrative Support and One-time Projects.
Total Approved Increase to FTE:	63.9	
Total Reductions to FTE:	-6	
Net Change in FTE:	57.9	

Note: Niagara Region Approved FTE Increases – D'Angelo Years do not include FTE movement within departments, cross-departments or reductions in FTE that may have occurred as a result of program changes and/or practice and procedure improvements related to how FTE were captured. FTE are reconciled yearly to account for all of these changes and are accurate as per the adjusted FTE counts noted in the Annual Budget Summary documents.

Appendix 9 - Department Adjusted Budgeted FTEs – D'Angelo Years

Department	2016 Adjusted Budgeted FTE	2017 Adjusted Budgeted FTE	2018 Adjusted Budgeted FTE	FTE Change since 2016 – D'Angelo Years
Corporate Administration	98.3 5 (T)	33 2.8 (T)	38 0.3 (T)	-60.3 -4.7 (T)
Corporate Services	204.9 13.2 (T)	130.3 4 (T)	156.4 6.8 (T)	-48.5 -6.4 (T)
Enterprise Resource Management Services		149.9 6 (T)	115 1 (T)	+115 +1 (T)
Public Works	449.2 12 (T)	452.2 13.3 (T)	464.1 16.7 (T)	+14.9 +4.8 (T)
ICP/Planning	37	38 4.5 (T)	45.5 4 (T)	+8.5 +4 (T)
Public Health	641.2 3.2 (T)	651.7 3.9 (T)	663.7 2.8 (T)	+22.5 -0.4 (T)
Community Services	1143 10.3 (T)	1148.9 9.8 (T)	1148.9 7.3 (T)	+5.9 -3 (T)
Niagara Region + Court Services	**2573.6 43.7 (T)**	**2604 44.3 (T)**	**2631.6 39 (T)**	**+58 -4.7 (T)**
Union/Non-Union Breakdown	**2050.76 (U) 574.80 (NU)**	**2002.65 (U) 601.25 (NU)**	**2008.52 (U) 623.08 (NU)**	**-42.24 (U) +48.28 (NU)**

(T) Indicates Temporary FTE

(U) Indicates Unionized position (NU) indicates Non-Union position – This reporting can be done from 2016 onward due to improvements in the Financial Management System

Notes:

Corporate Services FTE includes Governance FTE
Enterprise Resource Management FTE includes Court Services FTE
Public Works FTE include Levy and Rate

Chart 20: CAO Direct Reports as of January 31, 2020

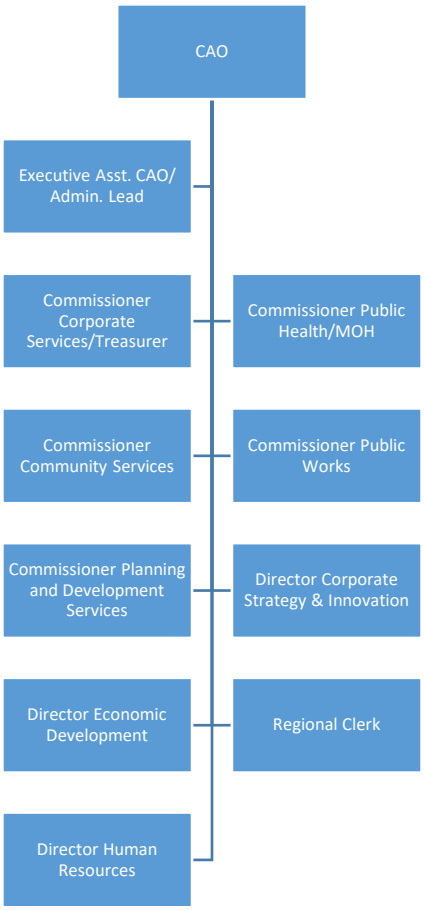


Chart 21: Corporate Services Organizational Chart as of January 31, 2020

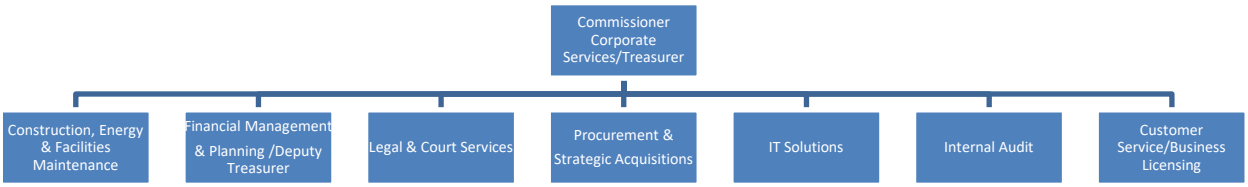


Chart 22: Public Works Organizational Chart as of January 31, 2020

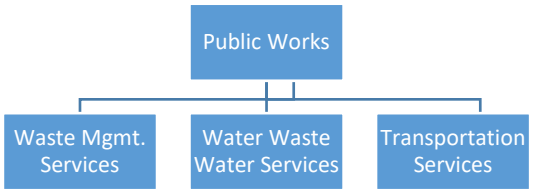


Chart 23: Planning and Development Services Organizational Chart as of January 31, 2020

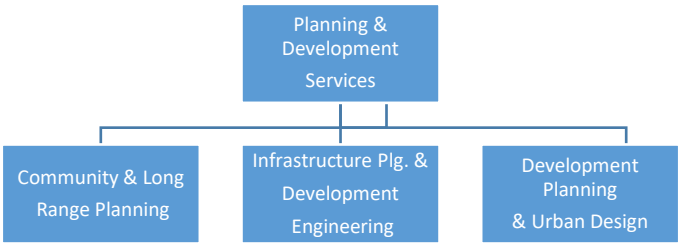


Chart 24: Public Health Organizational Chart as of January 31, 2020

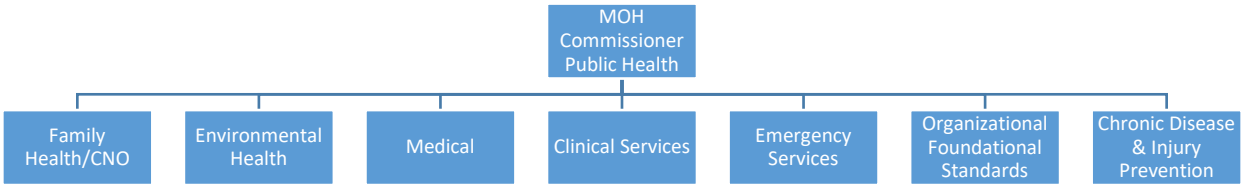
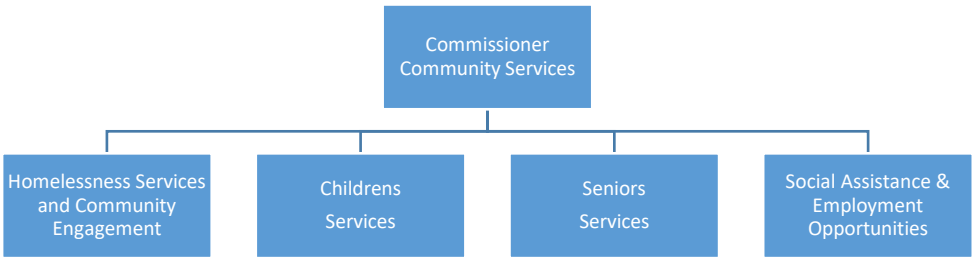


Chart 25: Community Services Organizational Chart as of January 31, 2020



Appendix 11 – Niagara Region Approved FTE Increases – The Present

Item	# FTE	Comments
Approved FTE in 2019 Budget		
Corporate Services	5	5 FTE - Business Licensing
Community Services	14.1	14.1 FTE - Seniors Front Line Staff
Enterprise Resource Management Services	7	7 FTE - Asset Management Office
Public Works	21	3 FTE - Contract Administrations & Inspector 1 FTE - Engineering Technician 1 FTE - Surveys and Mapping Analyst 1 FTE - Permits Technician 1 FTE - Energy Project Manager 3 FTE - Water System Maintainers 3 FTE - Water System Operators 1 FTE - Wastewater Quality Management Specialist 3 FTE - Wastewater Systems Maintainers 2 FTE - Wastewater System Operators 2 FTE - Environmental Enforcement Officers
Public Health	1	1 FTE - Fleet Equipment Custodian
Corporate Administration	-1	-1 FTE - Human Resources - reduction
Approved FTE in-year 2019 with Authorization from Council		
Public Health	3.4	3.4 FTE - to record revenue and related expenditures related to the Ontario Seniors Dental Care program from the Ministry of Health and Long-Term Care
Approved FTE in 2020 Budget		
Public Health	5	2 FTE - within Mental Health to support suicide awareness programs 2 FTE - funded by LHIN to support mental health 1 FTE - Manager/Commander of Clinical Programs to support the EMS System Transformation
Corporate Services	15	1 FTE - for Financial Management and Planning to assist with the Community Benefit and Development Charge Adminstration 1 FTE - for Facilities Maintainer to provide maintenance and coordination for the GO Stations as a result of GO Transit Phase 1 12 FTE - within Court Services to support Vision Zero Road Safety Program

Public Works	6	1 FTE - for Facilities Maintainer to provide additional maintenance and coordination at Regional Headquarters 2 FTE - transition temporary waste collection and diversion advisors to permanent FTE 1 FTE - Integrated Services Manager 1 FTE - transition of temporary Transportation Services Coordinator to permanent 2 FTE - Vision Zero Road Safety Program
Corporate Services	-8	-8 FTE as the result of Organizational Restructuring
Total Approved Increase to FTE:	77.5	
Total Reductions to FTE:	-8	-8 FTE with ICOP restructuring
Net Change in FTE:	69.5	

Note: Niagara Region Approved FTE Increases – The Present do not include FTE movement within departments, cross-departments or reductions in FTE that may have occurred as a result of program changes and/or practice and procedure improvements related to how FTE were captured. FTE are reconciled yearly to account for all of these changes and are accurate as per the adjusted FTE counts noted in the Annual Budget Summary documents.

12 FTE in Court Services and 2 FTE in Public Works are approved under Vision Zero which has been deferred due to the pandemic.

CAO 18-2020 Appendix 12 - Department Adjusted Budgeted FTEs – The Present

Department	2018 Adjusted Budgeted FTE	2019 Adjusted Budgeted FTE	2020 Budgeted FTE	FTE Change since 2018 – The Present
Corporate Administration	38 0.3 (T)	92.3 2 (T)	90.3 6 (T)	+52.3 +5.7 (T)
Corporate Services	156.4 6.8	228.2 6.6 (T)	237.3 8.6 (T)	+80.9 +2 (T)
Enterprise Resource Management Services	115 1 (T)	N/A*	N/A*	-115 -1 (T)
Public Works	464.1 16.8 (T)	485.1 14.7 (T)	492.1 20.2 (T)	+28 +3.4 (T)
ICP/Planning	45.5 4 (T)	45.5 5 (T)	45.5 5 (T)	- +1 (T)
Public Health	663.7 2.8 (T)	668.3 6.4 (T)	673.3 9.2 (T)	+9.6 +6.4 (T)
Community Services	1148.9 7.3 (T)	1163 12.3 (T)	1163 12.3 (T)	+14.1 +5 (T)
Niagara Region + Court Services	**2631.6 39 (T)**	**2682.4 47 (T)**	**2701.5 61.3 (T)**	**+69.9 +22.3**
Union/Non-Union Breakdown	**2008.52 (U) 623.08 (NU)**	**2044.17 (U) 638.06 (NU)**	**2055.93 (U) 645.42 (NU)**	**+47.41 (U) +22.34 (NU)**

(T) Indicates Temporary FTE

** Enterprise Resource Management Services was dissolved effective August 11, 2019*

(U) Indicates Unionized position (NU) indicates Non-Union position - This reporting can be done from 2016 onward due to improvements in the Financial Management System

The Niagara Region + Court Services FTEs reported above are the adjusted budgeted FTE for all employees of the Niagara Region in addition to employees of Court Services (Court Services FTE are reported under Agencies, Boards and Commissions). Court Services is included as it operates as within Corporate Services under the Legal & Court Services division. All other FTEs reported under Agencies, Boards or Commissions (ABCs) were not included in the reported Niagara Region FTE

Notes:

Corporate Administration FTE includes Governance FTE
Corporate Services FTE includes Court Services FTE
Public Works FTE include Levy and Rate

In accordance with the notice and submission deadline requirements of Sections 18.1 (b) and 11.3, respectively, of Niagara Region's Procedural By-law, the Regional Clerk received from Councillor Diodati a motion to be brought forward for consideration at the July 23, 2020 Council meeting respecting Continued Initiatives for Economic Stimulation and Recovery.

Continued Initiatives for Economic Stimulation and Recovery

WHEREAS the economic impact of the COVID-19 global pandemic on businesses and individuals has been devastating and unprecedented and recovery continues with no immediate end in sight;

WHEREAS the Regional Municipality of Niagara and the 12 Local Area Municipalities have been forced to pivot in response to the challenges of COVID-19;

WHEREAS provisions for quicker approvals and streamlined procedures allowing for immediate economic recovery and stimulation in Niagara have been allowed;

WHEREAS these initiatives could continue to greatly benefit our communities as more efficient processes have been established that are user-friendly, and cost-effective;

WHEREAS Plato once said "necessity is the mother of invention." Every challenge creates opportunities; and

WHEREAS resilience is part of Niagara's DNA.

NOW THEREFORE BE IT RESOLVED:

1. That the Regional Municipality of Niagara and 12 Local Area Municipalities **ENGAGE** their CAOs, Senior Economic Development Personnel, and possibly key planning staff to review current initiatives and seek out further processes and activities that can be streamlined throughout the Regional Municipality of Niagara; and

2. That these initiatives are **INTENDED** to assist with further economic stimulation throughout Niagara by cutting red tape, creating incentives and streamlining processes with the idea that this will help to save money and stimulate the economy, allowing for greater effectiveness with economic recovery throughout Niagara.

Signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Niagara Region and Friendship Centre Support

Origins of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Municipalities and Local Indigenous Friendship Centres

Since 2018, the Association of Municipalities of Ontario (AMO) staff and the Ontario Federation of Indigenous Friendship Centres (OFIFC) have been meeting on an ongoing basis to develop a relationship and explore collaborative opportunities for municipal governments and Indigenous peoples in urban centres (off-reserve) across Ontario.

The OFIFC is a provincial Indigenous organization that represents the collective interest of twenty-nine (29) Friendship Centres operating across Ontario. Friendship Centres are community hubs where Indigenous people living in urban centres can access culturally-based programs and services.

AMO and the OFIFC have been working on the collaboration of an AMO-OFIFC Friendship Declaration, which influenced preliminary discussions of the Municipal Declaration Working Group – made up of AMO, OFIFC, Friendship Centre Executive Directors, and municipal elected officials and staff, around the formation of a vision for an Ontario Declaration.

The declaration would recognize that municipal governments and the respective Friendship Centres are diverse and have varying capacities and resources. The declaration would involve a strategic alliance and combined participation between AMO and the OFIFC. Broadly, the AMO-OFIFC declaration is planned to acknowledge the respectful relationship between municipalities and Friendship Centres in urban areas to jointly improve the well-being of Indigenous people while maintaining an ongoing partnership and communication. The key intent is to identify common priorities of interest and having consistent messaging around serving people in our communities.

Signing of the Declaration at the 2020 AMO Virtual Conference

Both AMO and the OFIFC's Presidents will be signing this declaration at AMO's upcoming virtual conference during August 17-19. Municipal participation presents an opportunity for Niagara Region to be recognized for its good partnership work and leadership that municipalities and Friendship Centres are undertaking at the local and regional levels.

Once the signing occurs between the Region and local Friendship Centre Board, AMO will acknowledge the Region at the official Declaration-signing ceremony during the AMO Conference.

Additional Signatories

Rural and urban indigenous peoples are supported by two Native Friendship Centres in Niagara region – the Niagara Regional Native Centre located in Niagara-on-the Lake, and the Fort Erie Native Friendship Centre located in Fort Erie. Although staff work closely with both Friendship Centres, the Niagara Regional Native Centre has not yet responded to Niagara Region's invitation to participate in the signing of the Declaration. Although the deadline to submit Council's signing of the Declaration to AMO is July 24th, the Declaration enables additional signatory's to participate when they are able to do so. Staff will continue to engage with Niagara Regional Native Centres and seek its expression of interest to participate in this Declaration of mutual commitment and friendship.

Council Resolution

Signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Local Municipality and Friendship Centre Support

WHEREAS Niagara Region is working with the local Indigenous Friendship Centres, the Fort Erie Native Friendship Centre and the Niagara Regional Native Centre;

WHEREAS the Fort Erie Native Friendship Centre and the Niagara Regional Native Centre have been active contributors to the wellbeing of residents in the community;

WHEREAS Niagara Region has a good and ongoing relationship with the Fort Erie Native Friendship Centre and the Niagara Regional Native Centre and wants to set a leading example in the area of Indigenous relations by demonstrating overlapping community interest and work;

WHEREAS the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC) Declaration of Mutual Commitment and Friendship reflects the municipality's understanding of and working relationship with Indigenous people in the community;

WHEREAS the Fort Erie Native Friendship Centre and the Niagara Regional Native Centre are contemplating the signing of this declaration and participation in related concurrent activities during the virtual AMO Conference in August of 2020;

WHEREAS this declaration is a living document that additional local Friendship Centres can sign onto at any future date;

NOW THEREFORE IT BE RESOLVED

1. That Niagara Regional Council **AUTHORIZES** the Regional Chair to sign in conjunction with the local Indigenous Friendship Centres, the joint AMO-OFIFC Declaration of Mutual Commitment and Friendship on behalf of the Region and participate in related concurrent activities during the AMO 2020 Conference;

2. That Council **DIRECT** staff to work with AMO in order to coordinate the declaration signing and related concurrent activities in advance of the AMO 2020 Conference; and

3. That the Regional Clerk **CIRCULATE** the AMO-OFIFC Declaration of Mutual Commitment to the Local Area Municipalities of Niagara for consideration by their respective local Councils.

Declaration of Mutual Commitment and Friendship (FINAL)

Improving the Quality of Life of Indigenous People Across Ontario's Municipalities
Joint and Ongoing Commitment Between Signatories:
the Association of Municipalities of Ontario (AMO) and
the Ontario Federation of Indigenous Friendship Centres (OFIFC)

---

1. WHEREAS in Ontario, over 85 percent of Indigenous people live in municipalities;
2. WHEREAS the growing percentage of Indigenous people living in municipalities and the Friendship Centres that serve them participate in and contribute to municipal community life;
3. WHEREAS the Friendship Centres have existed in Ontario municipalities for over half a century and have vital roles to play in community development, social cohesion, and improving the quality of life for Indigenous people living in urban and rural areas;
4. WHEREAS the Friendship Centres receive their mandate from their communities and are inclusive of all Indigenous people;
5. WHEREAS municipal governments have a growing and critical role in human and social services and community development and many have shown leadership in working in partnership with Indigenous organizations;
6. WHEREAS the Truth and Reconciliation Commission defines reconciliation as "an ongoing process of establishing and maintaining respectful relationships";
7. WHEREAS strengthening relations between Indigenous and non-Indigenous people is essential to municipal governments, Friendship Centres, and communities across Ontario;
8. WHEREAS municipal governments play an important role in providing and delivering valuable programs and services to meet the needs of their residents, as well as being responsible, in all or some part, for over two hundred and eighty (280) pieces of provincial legislation that impact daily life of all who live in Ontario;
9. WHEREAS many municipal governments and Friendship Centres have taken up the responsibility to collaborate on a variety of initiatives that improve Indigenous quality of life and have had tangible community impacts;
10. WHEREAS municipal governments are on the front-lines working directly with all individuals to support and determine social determinants of health, demonstrating a notion of direct responsibility contributing to community wellbeing and prosperity;
11. WHEREAS the AMO has developed the Indigenous Relations Task Force to advise the AMO Board of Directors on municipal-Indigenous relationship building;
12. WHEREAS the OFIFC was founded in 1971 and works to support, advocate for and build the capacity of member Friendship Centres across Ontario;
13. WHEREAS the Friendship Centre Movement is the largest Indigenous service network in the province supporting the vibrant and quickly-growing Indigenous population through programming, research, education, and policy advocacy;
14. WHEREAS AMO and OFIFC are partnering on a variety of initiatives to improve collaboration and information sharing amongst our membership, not limited to the work

of the AMO-OFIFC Indigenous Relations Working Group and the AMO-OFIFC Memorandum of Understanding signed on date; AND

15. WHEREAS this declaration is a living document that municipal governments and Friendship Centres can sign onto or use as a framework for the development of local or regional declarations that can be addended to this declaration;

THAT SIGNATORY MUNICIPAL GOVERNMENTS RECOGNIZE:

16. THAT Indigenous people reside and build community and resilience in municipalities across Ontario;
17. THE value of Indigenous knowledge and expertise to design, plan, implement, and evaluate public policy and programs that impact the wellbeing of Indigenous people is paramount;
18. THE responsibility taken up by Indigenous Friendship Centres to meet Indigenous community need;
19. THE value of building relationships and partnerships with Friendship Centres to improve the quality of life of Indigenous people in their municipality; AND
20. THAT the exchange of information and skills within and between municipal governments and related associations contribute to improved understanding in the area of Indigenous relations.

THAT SIGNATORY ONTARIO INDIGENOUS FRIENDSHIP CENTRES RECOGNIZE:

21. THAT they are and have been leaders in urban Indigenous community development and in reflecting and responding to the needs of Indigenous people in municipalities for over half a century;
22. THAT they are engaged in local and regional affairs and that they contribute to municipal life and that they lead the Indigenous social, community, economic, and cultural development of municipalities across Ontario;
23. THE responsibility taken up by municipal governments to meet and serve Indigenous communities;
24. THAT municipal governments provide essential services that Friendship Centre community members rely on to thrive;
25. THAT municipal governments are leaders in Ontario in meeting community needs through local programs, services and community development, be they in human and social services, public safety or public works/infrastructure, and are integral to community well-being and the social determinants of health;
26. THAT the development and maintenance of good relationships and partnerships with municipal governments is essential to achieving long-term positive impact on Indigenous communities; AND
27. THAT Friendship Centres acknowledge that they operate in a municipal landscape and rely on municipal governments.

ALL SIGNATORIES RECOGNIZE:

28. THAT we are uniquely positioned to improve community-wellbeing through local policy development, programs and services as we are well-equipped to be responsive to community needs;
29. THAT community-identified needs and priorities should provide the basis for policy and program development, and that we are uniquely positioned to improve the quality of life of Indigenous people living in municipalities;
30. THAT mutual respect, responsibility, trust, transparency and collaboration to meet common community priorities are key principles of relationship building between non-Indigenous and Indigenous organizations;
31. THAT the Friendship Centres and municipal governments play key roles in working against racism, inequality, discrimination, and stigma within and between communities;
32. THAT the goal of this declaration is to provide municipal governments and Friendship Centres with a framework for relationship-building to advance reconciliation in communities across Ontario;
33. THAT the goal of this declaration is to enhance social cohesion between Indigenous and non-Indigenous people and support closer cultural, social and civic ties between Indigenous and non-Indigenous people;
34. THAT we can play a leadership role and set a standard by advancing reconciliation locally and regionally through partnerships and collaboration;
35. THAT fostering local and regional partnerships is integral to improving the quality of life for all communities; AND
36. THAT we establish and maintain an ongoing dialogue and working relationships at the local and provincial orders.

SIGNATORIES AND ADJACENT DATES:

AMO

OFIFC

Ongoing Signatures:

Municipal Governments (Elected Officials)

Friendship Centres (Presidents)

Declaration between
Niagara Region and the
Indigenous Friendship Centres of Niagara
Addendum to the AMO-OFIFC Declaration

WHEREAS the culture and traditions of Indigenous peoples are woven into the fabric of Canada's heritage and particularly in the historical roots of the Niagara region;

WHEREAS the federal census data indicates the Niagara area includes over 12 thousand individuals of Indigenous ancestry;

WHEREAS the population of rural and urban Indigenous peoples is significantly underrepresented in government data that is creating a disconnect with information on the essential services that are required by Niagara's Indigenous population;

WHEREAS to better understand how best to enhance the quality of life and increase the prosperity among Niagara's urban and rural Indigenous peoples, it is critical for Niagara Region to actively collaborate with representatives of the Indigenous community;

WHEREAS corporate service areas within Niagara Region that directly support the needs of Niagara's Indigenous population have fostered and maintained a close working relationship with Niagara's Native Friendship Centres;

WHEREAS Regional studies indicate there is a critical need to co-ordinate all relevant social services in the Region and to educate all persons involved in these and other applicable services unique to the needs of Indigenous people;

WHEREAS opportunities exist for collaboration with other service areas within the Region in the development of effective engagement practices for the purposes of

- increasing representation of the urban and rural Indigenous organizations in the delivery of Regional services and
- enhancing the presence of the Indigenous community in Regional events

ALL SIGNATORIES RECOGNIZE:

THAT Niagara Region and the Niagara's Indigenous Friendship Centres work together to achieve the articles of the AMO-OFIFC Declaration of Mutual Commitment and Friendship

SIGNATORIES AND ADJACENT DATES:

Niagara Region

Fort Erie Native Friendship Centre

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO ACCEPT, ASSUME AND DEDICATE
BLOCK 41, PLAN 59M476 IN THE TOWN OF PELHAM
AS PART OF REGIONAL ROAD NO. 54 (RICE ROAD)

WHEREAS it is in the interest of Council for The Regional Municipality of Niagara to accept a road widening from Hert Inc.;

WHEREAS it is deemed expedient to accept, assume and dedicate the lands hereinafter described as part of the public highway being Regional Road No. 54 (Rice Road).

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following land be and the same is hereby accepted, assumed and dedicated as public highway forming part of the said Regional Road No. 54 (Rice Road):

Block 41, Plan 59M476, S/T an Easement in Gross as In SN522825, Town of Pelham, Regional Municipality of Niagara.

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed:

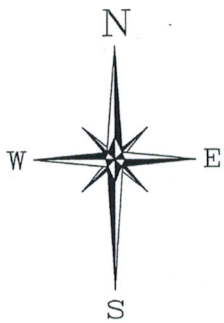
PLAN OF SUBDIVISION OF
PART OF LOT 171
GEOGRAPHIC TOWNSHIP OF THOROLD
TOWN OF PELHAM
REGIONAL MUNICIPALITY OF NIAGARA

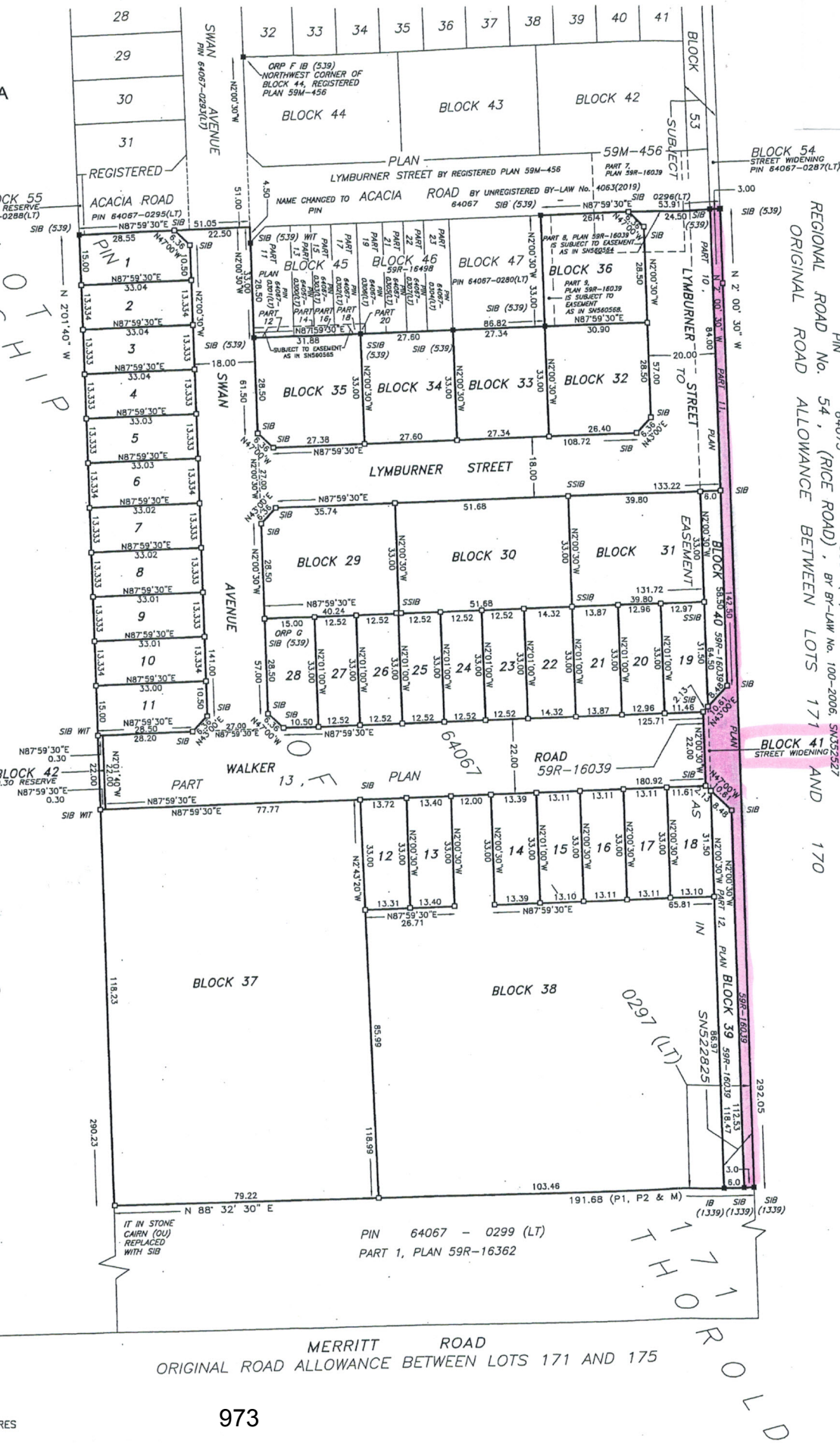
SCALE 1 : 1000

20m 0 20 40m

KIRKUP MASCOE URE SURVEYING LTD.
ONTARIO LAND SURVEYORS

PLAN 59M-476





LEGEND & NOTES

SIB DENOTES STANDARD IRON BAR
SSIB DENOTES SHORT STANDARD IRON BAR
IB DENOTES IRON BAR
IT DENOTES IRON TUBE
DENOTES SURVEY MONUMENT FOUND
DENOTES SURVEY MONUMENT SET
WIT DENOTES WITNESS
P1 DENOTES PLAN 59R-16039
P2 DENOTES PLAN 59R-16362
ORP DENOTES OBSERVED REFERENCE POINT
M DENOTES MEASURED
OU DENOTES ORIGIN UNKNOWN
539 DENOTES D. G. URE, O.L.S.
1339 DENOTES W. A. MASCOE, O.L.S.

ALL MONUMENTS SET ARE IRON BARS UNLESS SHOWN OTHERWISE.

0.30 RESERVES SHOWN ON THIS PLAN ARE NOT DRAWN TO SCALE.

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

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO ACCEPT, ASSUME AND DEDICATE PART OF TOWNSHIP LOT 156 IN THE CITY OF NIAGARA FALLS AS PART OF REGIONAL ROAD NO. 98 (MONTROSE ROAD)

WHEREAS it is in the interest of Council for The Regional Municipality of Niagara to accept a road widening from 1970175 Ontario Inc.;

WHEREAS it is deemed expedient to accept, assume and dedicate the lands hereinafter described as part of the public highway being Regional Road No. 98 (Montrose Road).

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following land be and the same is hereby accepted, assumed and dedicated as public highway forming part of the said Regional Road No. 98 (Montrose Road):

> Part Township Lot 156, in the Geographic Township of Stamford, now City of Niagara Falls, Regional Municipality of Niagara designated as Part 1 on Reference Plan 59R-16730.

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed:

1970175 ONTARIO INC.

ILLUSTRATION SHOWING APPROXIMATE LOCATION OF ROAD WIDENING ALONG REGIONAL ROAD 98 (MONTROSE ROAD) SOUTH OF BADGER ROAD CITY OF NIAGARA FALLS

LEGEND:

- DENOTES TERANET MAPPING

- DENOTES SUBJECT PROPERTY

CAUTION:

- This is not a Plan of Survey

DISCLAIMER
This map was compiled from various sources and is current as of 2020.
The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map.
© 2015 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Airphoto (Spring 2018)

SCALE 1:750

0 5 10 20 Metres

Niagara Region

Internal Use Only

Transportation Services
Surveys & Property Information
IR-20-151 Date: 2020-06-07

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO ACCEPT, ASSUME AND DEDICATE
PART OF TOWNSHIP LOT 173 IN THE CITY OF NIAGARA FALLS
AS PART OF REGIONAL ROAD NO. 49 (McLEOD ROAD)

WHEREAS it is in the interest of Council for The Regional Municipality of Niagara to accept a road widening from M5V The Niagara Inc.;

WHEREAS it is deemed expedient to accept, assume and dedicate the lands hereinafter described as part of the public highway being Regional Road No. 49 (McLeod Road).

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the following land be and the same is hereby accepted, assumed and dedicated as public highway forming part of the said Regional Road No. 49 (McLeod Road):

> Part Township Lot 173, in the Geographic Township of Stamford, now City of Niagara Falls, Regional Municipality of Niagara designated as Parts 1, 2 and 3 on Reference Plan 59R-16619; Part 2 is S/T Easement as in RO390317.

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed:

M5V The Niagara Inc

ILLUSTRATION SHOWING APPROXIMATE LOCATION OF ROAD WIDENING ALONG REGIONAL ROAD 49 (McLEOD ROAD) NIAGARA FALLS

LEGEND:

- DENOTES TERANET MAPPING

- DENOTES SUBJECT PROPERTY

CAUTION:

- This is not a Plan of Survey

DISCLAIMER
This map was compiled from various sources and is current as of 2020.
The Region of Niagara makes no representations or warranties whatsoever, either expressed or implied, as to the accuracy, completeness, reliability, and currency or otherwise of the information shown on this map.
© 2015 Niagara Region and its suppliers. Projection is UTM, NAD 83, Zone 17. Airphoto (Spring 2018)

SCALE = 1:1,200

0 5 10 20 Metres

Niagara Region

Internal Use Only

Transportation Services
Surveys & Property Information
IR-20-156 Date: 2020-07-09

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2020-43

A BY-LAW TO AUTHORIZE THE BORROWING UPON INSTALMENT DEBENTURES IN THE AGGREGATE PRINCIPAL AMOUNT OF $18,660,600.00 ($707,000.00 PRINCIPAL AMOUNT OF 5 YEAR INSTALMENT DEBENTURES AND $17,953,600.00 PRINCIPAL AMOUNT OF 10 YEAR INSTALMENT DEBENTURES) FOR CAPITAL WORKS OF THE CITIES OF ST. CATHARINES AND WELLAND

WHEREAS the *Municipal Act, 2001*, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act;

AND WHEREAS section 403 of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law and subsection 403 (7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 of the Act are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Regional Municipality of Niagara (the "Upper-tier Municipality") received requests of the respective Councils of The Corporation of the City of St. Catharines and The Corporation of the City of Welland (individually a "Lower-tier Municipality", collectively the "Lower-tier Municipalities") to borrow money for the respective capital work(s) or classes of work(s), as the case may be, of the Lower-tier Municipalities (individually a "Capital Work", collectively the "Capital Works") set out in Column (1) of Schedule "A" attached hereto and forming part of this By-law ("Schedule

"A"") and to issue debentures for the Capital Works in the respective principal amounts specified in Column (8) of Schedule "A";

AND WHEREAS before authorizing its respective Capital Work(s) and before authorizing any additional cost amounts and any additional debenture authorities in respect thereof (if any), the Council of each Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation. Prior to the Council of the respective Lower-tier Municipality exercising its powers in respect of each of its respective Capital Work(s), each such additional cost amount and each such additional debenture authority, the respective Treasurer determined that the estimated annual amount payable in respect of each of its respective Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the relevant Lower-tier Municipality to exceed its updated limit and that the approval of each Capital Work, each such additional cost amount and each such additional debenture authority by the Local Planning Appeal Tribunal pursuant to such regulation was not required;

AND WHEREAS to provide long-term financing for the Capital Works it is now deemed to be expedient to borrow money by the issue and sale of instalment debentures of the Upper-tier Municipality in the aggregate principal amount of $18,660,600.00 ($707,000.00 principal amount of 5 year instalment debentures and $17,953,600.00 principal amount of 10 year instalment debentures) payable at the times and bearing interest at the rates hereinafter set forth, as agreed to by the Upper-tier Municipality on July 7, 2020.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. For the Capital Works, the borrowing upon the credit of the Upper-tier Municipality at large of the aggregate principal amount of $18,660,600.00 ($707,000.00 principal amount of 5 year instalment debentures and $17,953,600.00 principal amount of 10 year instalment debentures) and the issue of instalment debentures therefor within the respective terms of years as set out in Column (1) of Schedule "A" in denominations of $1,000.00 and any integral multiples thereof, as hereinafter set forth are hereby authorized.

2. The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause any number of instalment debentures in the aggregate principal amount of $18,660,600.00, as described in section 1 above, (the "Debentures") payable in annual instalments of principal (July 31) with semi-

annual instalments of interest thereon (January 31 and July 31) to be issued for such amounts of money as may be required for the Capital Works in global and definitive forms, not exceeding in total the said aggregate principal amount of $18,660,600.00. The Debentures shall bear the Upper-tier Municipality's municipal seal and the signatures of the Regional Chair and of the Treasurer of the Upper-tier Municipality, all in accordance with the provisions of the Act. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs. The Debentures shall initially be issued in global fully registered form as part of one certificate in the aggregate principal amount of $34,186,000.00, substantially in the form attached as Schedule "B" hereto and forming part of this By-law (the "Global Debenture"). The Global Debenture shall initially be issued in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and shall provide for payment of principal and interest electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as the Global Debenture is held by CDS.

3. (1) The Debentures shall all be dated the 31st day of July, 2020, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall mature within the terms of years set out in Column (1) of Schedule "A" and the respective amounts of principal and interest payable in each of the years during the currency of the Debentures shall be as set forth in Schedule "C" attached hereto and forming part of this By-law ("Schedule "C""). The Debentures maturing (principal payable) in the year 2021 shall bear interest at the rate of 0.55% per annum, the Debentures maturing (principal payable) in the year 2022 shall bear interest at the rate of 0.65% per annum, the Debentures maturing (principal payable) in the year 2023 shall bear interest at the rate of 0.80% per annum, the Debentures maturing (principal payable) in the year 2024 shall bear interest at the rate of 0.95% per annum, the Debentures maturing (principal payable) in the year 2025 shall bear interest at the rate of 1.05% per annum, the Debentures maturing (principal payable) in the year 2026 shall bear interest at the rate of 1.20% per annum, the Debentures maturing (principal payable) in the year 2027 shall bear interest at the rate of 1.35% per annum, the Debentures maturing (principal payable) in the year 2028 shall bear interest at the rate of 1.45% per annum, the Debentures maturing (principal payable) in the year 2029 shall bear interest at the rate of 1.55% per annum and the Debentures maturing (principal payable) in the year 2030 shall bear interest at the rate of 1.60% per annum.

(2) Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario are not authorized or obligated by law or executive order to be closed (a "Business Day") and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

4. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable both before and after default and judgment. Any amounts payable by the Upper-tier Municipality as interest on overdue principal or interest in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

5. In limited circumstances (as agreed to by both the Upper-tier Municipality and CDS) the Global Debenture shall be exchangeable for certificated Debentures in definitive fully registered form in authorized denominations upon surrender of the Global Debenture to the Treasurer of the Upper-tier Municipality provided that there is at least one definitive Debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive Debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as of the record date for such exchange in accordance with the provisions of the Global Debenture, shall bear the same interest rates and maturity dates, shall bear all unmatured interest obligations and shall have the same benefits and be subject to the same terms and conditions as the Global Debenture (except insofar as they specifically relate to the Global Debenture). In issuing definitive Debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive Debentures shall be in fully registered form, payable as to principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Upper-tier Municipality's bank designated in the definitive Debentures. Prior to maturity, the definitive Debentures shall be payable as to interest by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.

6. (1) In each year in which a payment of an instalment of principal and interest becomes due in respect of the Debentures, there shall be raised as part of the general upper-tier levy the amounts of principal and interest payable in each year as set out in Schedule “C” to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality. Without limiting the generality of the foregoing, each of the Lower-tier Municipalities shall pay its respective portion of the aforesaid yearly amounts required to be paid to the Upper-tier Municipality by the Lower-tier Municipalities in respect of its Capital Works described in Schedule “A”, as set out in Schedule “D” attached hereto and forming part of this By-law (“Schedule “D””) to the Upper-tier Municipality one Business Day before the date payment is due. The amounts required to be paid to the Upper-tier Municipality in accordance with Schedule “D” shall constitute a debt of the respective Lower-tier Municipality to the Upper-tier Municipality and such amount shall, when combined with any amounts payable by the Upper-tier Municipality in the year for repayment of the debt for which the Debentures are to be issued, be sufficient to meet the total amount of principal and interest payable in the year by the Upper-tier Municipality in respect of the Debentures, all in accordance with the provisions of this By-law and the Act.

(2) If any Lower-tier Municipality fails to make any payment or portion of it as provided in this By-law, such Lower-tier Municipality shall pay interest to the Upper-tier Municipality on the amount in default at the rate of 15% per annum, from the date the payment is due until it is made.

(3) There shall be raised, pursuant to this By-law, in each year of the currency of the Debentures, as part of the general upper-tier levy, the amounts required to be paid to the Upper-tier Municipality in any previous year by any one or more of the Lower-tier Municipalities to the extent that the amounts have not been paid to the Upper-tier Municipality in accordance with this By-law and the Act.

7. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

8. The Upper-tier Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which

particulars of the cancellations, exchanges, substitutions and transfers of Debentures may be recorded and the Upper-tier Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

9. The Upper-tier Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Upper-tier Municipality shall deem and treat registered holders of the Debentures, including the Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Upper-tier Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Upper-tier Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Upper-tier Municipality.

10. The Debentures are transferable or exchangeable at the office of the Treasurer of the Upper-tier Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Upper-tier Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Regional Chair and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

11. The Regional Chair and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity dates and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen, destroyed or dematerialized, provided that the applicant therefor shall have: (a) paid such

costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized) furnished the Upper-tier Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Upper-tier Municipality in its discretion; and (c) surrendered to the Upper-tier Municipality any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

12. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity dates and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

13. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Upper-tier Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Upper-tier Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange and (d) in the case of a transfer, enter in the registry the name of the registered holder as directed by the transferor.

14. Subject to an agreement that the Upper-tier Municipality may enter into to the contrary, reasonable fees may be imposed by the Upper-tier Municipality for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized and for the replacement of any of the interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed. When new Debentures are issued in substitution in these circumstances the Upper-tier Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

15. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.

16. (1) The Regional Chair and the Treasurer are hereby authorized to cause the Debentures to be issued, the execution of a purchase letter in respect of the Debentures, dated as at July 7, 2020, by the Treasurer (Commissioner/Treasurer Enterprise Resource Management Services) is hereby ratified, confirmed and approved, one or more of the Treasurer and the Regional Clerk are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to carry out the sale of the Debentures through CDS's book entry only system and the Treasurer is authorized to affix the Upper-tier Municipality's municipal seal to any of such documents and papers.

(2) The money received by the Upper-tier Municipality from the sale of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be delivered to The Corporation of the City of St. Catharines and The Corporation of the City of Welland, as the case may be, on the basis that each such lower-tier municipality shall apportion and apply such money to its respective Capital Work(s), as applicable, in accordance with this By-law, and to no other purpose except as permitted by the Act.

17. The Upper-tier Municipality reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

18. Subject to the Upper-tier Municipality's statement of investment policies and goals and the applicable legislation, the Upper-tier Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Upper-tier Municipality may in its discretion determine.

19. This by-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed: <>

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
	The Corporation of the City of St. Catharines							
	Term 1-5 Year Serial Debenture							
	Capital costs in connection with the following Capital Works:							
1	Digital Signage Update Replacement and enhancement of digital signage throughout the City	402.236	2019-10			72,000		72,000
2	Program Registration/Rental Software Upgrade Class software implementation/upgrade to support Recreation and Community Services program delivery	402.228	2020-52			135,000		135,000
3	Network/Server Infrastructure Corporate Infrastructure - technology hardware improvements	402.231	2020-56			1,108,000		400,000
4	Arena Improvement Program, 2013 Bill Burgoyne LED lighting upgrade	460.477	2020-51			108,000		100,000
	Sub-total for 5 year debenture					**$ 1,323,000**		**$707,000**
	Term 1-10 Year Serial Debenture							
5	Race St. Parking Lot Rehabilitation Parking lot rehabilitation of identified deficiencies	412.126	2019-10			315,000		315,000

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
6	2019 Resurfacing Program	415.024	2019-10			784,420		784,420
	Roads program including curb repairs, milling and road resurfacing and top course asphalt as planned in various locations in the city							
7	St Paul St./Queen St. Intersection Improvements	415.029	2019-10			40000		40,000
	William St. intersection and Plaza improvements including road resurfacing							
8	Pelham Road Bridge - Partial Construction	415.043	2019-10			634,667		634,570
	Pelham Rd. Bridge at CN	415.043	2019-271			742,830		300,500
	Bridge rehabilitation / construction							
9	Greenwood Ave. / Beatrice St.	415.052	2019-96			111,000		100,000
	Roadway - base repairs in conjunction with sanitary sewer replacement (P16-061)							
10	Moffatt St. Reconstruction	415.065	2019-10			2,394,000		2,394,000
	Road reconstruction from north limit to south limit of Moffat St. including utility relocations							
	Engineering service and partial funding of utility relocation costs associated with proposed road reconstruction	415.065	2020-55			270,000		270,000
11	Lorne St. Reconstruction	415.07	2020-58			252,000		252,000
	Additional road reconstruction							

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
12	Glenwood Ave./South Dr. Reconstruction Road resurfacing in conjunction with underground improvements Glenwood Ave. from Rockcliffe Rd. to north limit South Dr. from Rockcliffe Rd. to Cliff Rd.	415.324	2019-271			160,000		160,000
13	2020 Resurfacing Program Road resurfacing including mill and spot curb repairs	415.328	2019-271			382,460		382,460
14	Cumming/Kent Reconstruction Replacement and necessary spot repairs of existing sanitary sewers	425.303	2019-271			120,500		120,500
15	Russell/Woodland Sanitary sewer replacements	425.307	2019-271			310,000		310,000
16	Francis Creek Drain Improvements Channel cleaning, bank stabilization and erosion control to improve the drain's function (P15-007)	430.357	2020-57			1,360,000		1,077,000
17	Lowell Ave. Storm sewer improvements in conjunction with roadworks, watermain and sanitary sewers on Lowell Ave.	430.359	2016-79			28,500		28,500

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
18	Rodger St./Sharon St.	430.362	2019-98	8646-B36G7E	10/8/2019	495,000		495,000
	Storm sewer improvements in conjunction with roadworks, watermain and sanitary sewers							
19	St. George St.	430.367	2019-97			79,000		78,000
	Storm sewer improvements							
20	Glenwood Ave./South Dr. Sewer Design	430.377	2020-54			141,110		141,110
	Glenwood Ave./South Dr. Reconstruction	430.377	2019-271	2957-BNVTPK	24/04/2020	301,000		301,000
	Combined storm sewer separation construction in conjunction with watermain, sewer and road work							
21	St. Davids Rd. (RR#71) Reconstruction	435.700	2019-271			338,000		338,000
	Replacement of existing cast iron watermain in conjunction with Regional road reconstruction							
22	St. Paul St. (RR#81) West (Bridge over CN Tracks)	435.701	2019-271			402,000		200,000
	Replacement of existing cast iron watermain in conjunction with Regional road reconstruction							
23	Seymour Hannah Arena – Replacement of Compressor/Pumps and Control Panel Upgrade	460.366	2019-271			180,000		180,000
	Replacing compressor and associated equipment							

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
24	Merritton Arena - Dehumidificaton System Replacement	460.368	2019-271			99,000		99,000
	Asset renewal for the dehumidifcation system							
25	Meridian Centre Renewal and Improvements	460.37	2019-271			360,000		360,000
	Ice surface LED lighting conversion							
26	Yates St. - Structural Repairs Stone Retaining Wall - Phase 2	460.512	2019-271			180,000		180,000
	Oakhill Park/Yates St. Construction	460.512	2019-10			135,000		135,000
	Replacement and rebuilding of stone wall to address structural concerns							
27	Bill Burgoyne Arena - Accessibility Improvements Washrooms and Other	460.518	2019-271			261,000		261,000
	Implementation of accessibility standards within the facility, including washrooms							
28	Port Weller Community Centre Upgrades	460.522	2020-53			594,000		499,540
	Implementing lighting upgrades, site safety and accessibility in washrooms and the facility							
29	Sunset Beach Phase 1 Park Design and W.C.	460.551	2019-271			873,000		473,000
	Sunset Beach washroom - site servicing	460.551	2019-10			63,000		63,000
	Addressing site deficiencies and replacing existing washroom which is at end of life and meeting accessibility requirements and improving level of service at Sunset Beach							

Schedule “A”

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
30	Merritton Community Centre Roof Replacement Addressing roofing deficiencies	460.555	2019-10			54,000		54,000
31	2019 Shoreline Priority Program Work at priority locations identified for enhanced shoreline protection	470.292	2019-10			360,000		360,000
32	Abby Mews - Engineering and Partial Construction Addressing Lake Ontario shoreline identified deficiencies in proximity to private structures	470.293	2019-271			1350000		1,350,000
	Sub-total for 1-10 year debenture					**$14,170,487**		**$12,736,600**
	Total - City of St. Catharines					**$15,493,487**		**$13,443,600**

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
	The Corporation of the City of Welland							
	Term 1-10 Year Serial Debenture							
	Capital costs in connection with the following Capital Works:							
1	Sewer Rehabilitation and Relinement	10-330-15096	2016-43			700,000		700,000
2	MSC Roof Replacement Phase 3 of 3	10-444-20081	2019-148			690,000		690,000
3	Maple Park Pool Accessibility Improvement	10-410-20048	2019-148			50,000		50,000
4	Arena Boiler Replacement	10-430-20099	2019-148			400,000		400,000
5	Fleet Capital Replacement	10-323-20002	2019-148			827,649		827,000
6	New Technology Equipment/Licensing	10-131-20503	2019-148			100,000		100,000
7	Public Works Asset Management Phase 2 of 3	10-131-20699	2019-148			147,000		147,000
8	Memorial Park Ball Diamond Lighting	10-419-20048	2019-148			687,400		687,000

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
9	New Water Front Park Development	10-410-20995	2019-148			150,000		150,000
10	Cast Iron Watermain Replacement Program	10-910-20215	2019-146; 2019-148			1,250,000		1,250,000
11	Water Meter Replacements	10-910-20221	2019-146; 2019-148			200,000		200,000
12	Fleet Replacement - Water	10-910-20265	2019-146;2019-148			16,402		16,000
	Sub-Total for 10 year debenture					**$5,218,451**		**$5,217,000**
	Total – City of Welland							**$5,217,000**

Schedule "B"

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to The Regional Municipality of Niagara or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & CO., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & CO. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & CO., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

No.GR2020-01 $34,186,000.00

C A N A D A

Province of Ontario

THE REGIONAL MUNICIPALITY OF NIAGARA

FULLY REGISTERED GLOBAL INSTALMENT DEBENTURE

THE REGIONAL MUNICIPALITY OF NIAGARA (the "Issuer"), for value received, hereby promises to pay to

CDS & CO.

as nominee of CDS or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), by the final maturity date of this global debenture (July 31, 2030), the principal amount of

Thirty-Four Million, One Hundred Eighty-Six Thousand Dollars
---------- ($34,186,000.00) ----------

by annual payments on the 31st day of July in each of the years 2021 to 2030, both inclusive, in the amounts set forth in the Schedule on the second page hereof (the "Schedule") in lawful money of Canada, and to pay interest thereon until the final maturity date of this global debenture in like money in semi-annual payments from July 31, 2020, or from the last date on which interest has been paid on this global debenture, whichever is later, at the rates of interest set forth in the Schedule, in arrears on the 31st day of January and the 31st day of July, in each year (each, a "Payment Date") in the manner provided in the Conditions. Subject to the Conditions, interest shall be paid on default at the applicable rate set out in the Schedule both before and after default and judgment. The applicable interest rate, the payments of principal and interest and the principal balance outstanding in each year are shown in the Schedule.

This global debenture is subject to the Conditions.

DATED at the Region of Niagara the 31st day of July, 2020.

IN TESTIMONY WHEREOF and under the authority of By-law No. 2020-45 of the Issuer duly passed on the 23rd day of July, 2020 (the "Debenture By-law"), this global debenture is sealed with the municipal seal of the Issuer and signed by the Regional Chair and by the Treasurer thereof.

Date of Registration: July 31, 2020

_____ (seal) _____
Regional Chair Treasurer

This global debenture is also signed by the Regional Clerk pursuant to the Issuer's internal requirements.

_____
Regional Clerk

Schedule “B”

SCHEDULE

Year	CUSIP No.	ISIN No.	Interest Rate %	Semi-annual Interest Jan 31 $	July 31 $	Principal July 31 $	Total Annual Payment $	Principal Balance Outstanding July 31 $
2020				-	-	-	-	34,186,000.00
2021	65355DP25	CA65355DP251	0.55	192,424.50	192,424.50	3,283,000.00	3,667,849.00	30,903,000.00
2022	65355DP33	CA65355DP335	0.65	183,396.25	183,396.25	3,301,000.00	3,667,792.50	27,602,000.00
2023	65355DP41	CA65355DP418	0.80	172,668.00	172,668.00	3,322,000.00	3,667,336.00	24,280,000.00
2024	65355DP58	CA65355DP582	0.95	159,380.00	159,380.00	3,349,000.00	3,667,760.00	20,931,000.00
2025	65355DP66	CA65355DP665	1.05	143,472.25	143,472.25	3,381,000.00	3,667,944.50	17,550,000.00
2026	65355DP74	CA65355DP749	1.20	125,722.00	125,722.00	3,418,000.00	3,669,444.00	14,132,000.00
2027	65355DP82	CA65355DP822	1.35	105,214.00	105,214.00	3,459,000.00	3,669,428.00	10,673,000.00
2028	65355DP90	CA65355DP905	1.45	81,865.75	81,865.75	3,506,000.00	3,669,731.50	7,167,000.00
2029	65355DQ24	CA65355DQ242	1.55	56,447.25	56,447.25	3,555,000.00	3,667,894.50	3,612,000.00
2030	65355DQ32	CA65355DQ325	1.60	28,896.00	28,896.00	3,612,000.00	3,669,792.00	-
				1,249,486.00	**1,249,486.00**	**34,186,000.00**	**36,684,972.00**	

Schedule "B"

LEGAL OPINION

We have examined the Debenture By-law of the Issuer authorizing the issue of instalment debentures in the aggregate principal amount of $34,186,000.00 dated July 31, 2020 and maturing in ten (10) instalments of principal of varying amounts on the 31st day of July in each of the years 2021 to 2030, both inclusive.

The Debenture By-law has been properly passed and is within the legal powers of the Issuer. The Global Debenture issued under the Debenture By-law in the within form (the "Global Debenture") is a direct, general, unsecured, unsubordinated, joint and several obligation of the Issuer and of its lower-tier municipalities (the "Lower-tier Municipalities"). The Global Debenture is enforceable against the Issuer and the Lower-tier Municipalities subject to the special jurisdiction and powers of the Local Planning Appeal Tribunal over defaulting municipalities under the *Municipal Affairs Act*, as amended. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter delivered on the date of the Global Debenture.

Toronto, July 31, 2020 WeirFoulds LLP

Schedule "B"

CONDITIONS OF GLOBAL DEBENTURE

Form, Denomination, Ranking and Beneficial Interests in Global Debenture

1. The debentures issued pursuant to the Debenture By-law (individually a "Debenture", collectively the "Debentures") are issuable as fully registered Debentures without coupons in denominations of $1,000.00 and any integral multiples thereof.

2. The Debentures are direct, general, unsecured, unsubordinated, joint and several obligations of the Issuer and of the Lower-tier Municipalities. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Issuer except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is a Global Debenture registered in the name of the nominee of CDS and held by CDS. Beneficial interests in this Global Debenture are represented through book entry accounts, to be established and maintained by CDS, on its records for CDS's participants (the "Participants") in accordance with its participant agreement and rules and procedures which are posted on CDS's website.

4. Except in the limited circumstances described herein, owners of beneficial interests in this Global Debenture will not be entitled to have Debentures registered in their names, will not receive or be entitled to receive physical delivery of Debentures and will not be considered registered holders of Debentures under the Conditions. The Issuer does not have any responsibility or liability for maintaining, supervising or reviewing any records of CDS or Participants relating to payments made or to be made by CDS or any Participant on account of beneficial ownership interests in this Global Debenture.

Certificated Debentures

5. This Global Debenture is exchangeable, in whole but not in part, for certificated Debentures in definitive form registered in the name of a person other than CDS or its nominee only upon the occurrence of any of the following events: (a) upon 30 days notice by CDS to the Issuer, CDS may discontinue the eligibility of this Global Debenture on deposit, or cease to hold this Global Debenture in respect of the Debentures; or (b) if CDS ceases to be a recognized clearing agency under applicable Canadian or provincial securities legislation and a successor is not appointed; or (c) if the Issuer gives CDS appropriate notice that it is unable or unwilling to continue to have CDS hold this Global Debenture as a book entry only security or that it desires or has processed an entitlement requiring a withdrawal of this Global Debenture, and the Issuer has all right, power, capacity and authority to do so.

6. Debentures issued in exchange for this Global Debenture shall be issued as certificated Debentures in definitive form in authorized denominations, shall have the same benefits and be subject to the same terms and conditions as this Global Debenture (except insofar as they specifically relate to this Global Debenture as such), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive Debentures are to be registered.

7. Upon the exchange of certificated Debentures in definitive form for this Global Debenture, the Issuer shall receive and cancel this Global Debenture, shall reduce the holdings of CDS & CO. on the registry to nil and shall issue or cause to be issued in exchange for this Global Debenture certificated Debentures in definitive form in an aggregate principal amount equal to and in

exchange for the Participants' proportionate interests in this Global Debenture as of the record date for such exchange, as directed by CDS. On or after any such exchange, but only to the extent reasonably practicable in the circumstances, the Issuer shall make all payments in respect of such certificated Debentures in definitive form to the registered holders thereof, notwithstanding such exchange occurred after the record date for any payment and prior to such payment date.

Registration

8. The Issuer will keep at its designated office in the Region of Niagara a registry in which shall be entered the names and addresses of the registered holders of Debentures and particulars of the Debentures held by them respectively and in which transfers, exchanges and substitutions of Debentures may be registered.

Title

9. The Issuer shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Issuer shall deem and treat registered holders of Debentures, including this Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Issuer on the Debentures to the extent of the amount or amounts so paid.

Payments of Principal and Interest

10. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date, including a maturity date. Principal of and interest on the Debentures are payable by the Issuer to the persons registered as holders in the registry on the relevant record date. The Issuer shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

11. The Issuer shall make all payments in respect of annual principal (July 31) and semi-annual interest (January 31 and July 31) on the Debentures on the Payment Dates commencing with a payment of semi-annual interest on January 31, 2020 electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as this Global Debenture is held by CDS.

12. In the case that certificated Debentures in definitive form are issued, the Issuer shall make all payments in respect of principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Issuer's bank designated in the definitive Debentures, and prior to maturity, shall make payments of interest, by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.

13. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest

payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

14. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "Business Day"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

15. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Issuer.

16. In the case of the death of one or more joint registered holders, despite sections 9 and 15 of the Conditions, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Issuer.

Transfers, Exchanges and Substitutions

17. Debentures are transferable or exchangeable at the office of the Treasurer of the Issuer upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Issuer and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

18. The Issuer shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity dates and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft, destruction or dematerialization, provided that the applicant therefor shall have: (i) paid such costs as may have been incurred in connection therewith; (ii) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized Debenture) furnished the Issuer with such evidence (including evidence as to the certificate number of the Debenture in question) and indemnity in respect thereof satisfactory to the Issuer in its discretion; and (iii) surrendered to the Issuer any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

19. Each Debenture executed and delivered upon any registration of transfer or exchange for or in substitution for any Debenture or part thereof shall carry all the rights to interest, if any, accrued and unpaid which were carried by such Debenture or part thereof and shall be so dated.

20. Subject to an agreement that the Issuer may enter into to the contrary, the Issuer shall not impose any fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the issue of new Debentures in substitution for Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized or for the issue of new cheques, in substitution for

interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed.

Purchases

21. Subject to the investment policies and goals of the Issuer and the applicable legislation, the Issuer may, if not in default under the Debentures, at any time purchase Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Issuer may in its discretion determine.

Additional Debentures

22. The Issuer reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

Notices

23. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Issuer or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day then such notice may be given on the next following Business Day.

Time

24. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

25. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Schedule “C”

REPAYMENT SCHEDULE

Year	Interest Rate %	Semi-annual Interest Jan 31 $	Semi-annual Interest July 31 $	Principal July 31 $	Total Annual Payment $
2020		-	-	-	-
2021	0.55	105,030.65	105,030.65	1,792,600.00	2,002,661.30
2022	0.65	100,101.00	100,101.00	1,802,000.00	2,002,202.00
2023	0.80	94,244.50	94,244.50	1,814,000.00	2,002,489.00
2024	0.95	86,988.50	86,988.50	1,828,000.00	2,001,977.00
2025	1.05	78,305.50	78,305.50	1,846,000.00	2,002,611.00
2026	1.20	68,614.00	68,614.00	1,865,000.00	2,002,228.00
2027	1.35	57,424.00	57,424.00	1,888,000.00	2,002,848.00
2028	1.45	44,680.00	44,680.00	1,913,000.00	2,002,360.00
2029	1.55	30,810.75	30,810.75	1,941,000.00	2,002,621.50
2030	1.60	15,768.00	15,768.00	1,971,000.00	2,002,536.00
		681,966.90	**681,966.90**	**18,660,600.00**	**20,024,533.80**

Schedule “D”

Year	*St. Catharines*	*Welland*
	$	$
2021	1,442,931.30	559,730.00
2022	1,442,227.50	559,974.50
2023	1,442,790.50	559,698.50
2024	1,442,334.50	559,642.50
2025	1,442,823.00	559,788.00
2026	1,442,858.00	559,370.00
2027	1,442,730.00	560,118.00
2028	1,442,370.00	559,990.00
2029	1,442,389.00	560,232.50
2030	1,442,720.00	559,816.00
	14,426,173.80	**5,598,360.00**

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2020-44

A BY-LAW TO AUTHORIZE THE BORROWING UPON INSTALMENT DEBENTURES IN THE AGGREGATE PRINCIPAL AMOUNT OF $15,525,400.00 ($1,213,776.00 PRINCIPAL AMOUNT OF 5 YEAR INSTALMENT DEBENTURES AND $14,311,624.00 PRINCIPAL AMOUNT OF 10 YEAR INSTALMENT DEBENTURES) FOR CAPITAL WORKS OF THE REGIONAL MUNICIPALITY OF NIAGARA

WHEREAS the Municipal Act, 2001, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS the Act also provides that all debentures issued under a by-law passed by a regional municipality for its own purposes are direct, joint and several obligations of the regional municipality and its lower-tier municipalities;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Regional Municipality of Niagara (the "Upper-tier Municipality") has authorized the undertaking of the capital works or classes of works, as the case may be, of the Upper-tier Municipality (individually a "Capital Work", collectively the "Capital Works") set out in Column (1) of Schedule "A" attached hereto and forming part of this By-law ("Schedule "A"") and desires to issue debentures for the Capital Works in the aggregate principal amount of $15,525,400.00 ($1,213,776.00 principal amount of 5 year instalment debentures and $14,311,624.00 principal amount of 10 year instalment debentures), as specified in Column (8) of Schedule "A";

AND WHEREAS each of the Capital Works set out in Schedule "A" under the heading "Niagara Regional Housing" constitutes a capital work in respect of which the Council of the Upper-tier Municipality will provide a grant to Niagara Regional Housing ("NRH") in accordance with the applicable legislation on the basis that, in the opinion of the Council of the Upper-tier Municipality, it is in the interests of the Upper-tier Municipality to make such grant. In that connection the Upper-tier Municipality will provide NRH with the proceeds from the debentures to be issued pursuant to this By-law in respect of each such Capital Work in the form of a grant, on the basis that each such grant will be

conditional upon it being used only for capital costs in connection with each such Capital Work, which has a lifetime that is at least equal to the term of years of the debentures set out in Column (1) of Schedule “A” that relates to each such Capital Work of NRH;

AND WHEREAS before authorizing the Capital Works and before authorizing an additional cost amount and an additional debenture authority in respect of one of the Capital Works, the Council of the Upper-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation. Prior to the Council of the Upper-tier Municipality exercising its powers in respect of each Capital Work, such additional cost amount and such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of each Capital Work would not cause the Upper-tier Municipality to exceed its updated limit and that the approval of each Capital Work, such additional cost amount and such additional debenture authority, by the Local Planning Appeal Tribunal pursuant to such regulation was not required;

AND WHEREAS to provide long-term financing for the Capital Works it is now deemed to be expedient to borrow money by the issue and sale of instalment debentures of the Upper-tier Municipality in the aggregate principal amount of $15,525,400.00 ($1,213,776.00 principal amount of 5 year instalment debentures and $14,311,624.00 principal amount of 10 year instalment debentures) payable at the times and bearing interest at the rates hereinafter set forth, as agreed to by the Upper-tier Municipality on July 7, 2020.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. For the Capital Works, the borrowing upon the credit of the Upper-tier Municipality at large of the aggregate principal amount of $15,525,400.00 ($1,213,776.00 principal amount of 5 year instalment debentures and $14,311,624.00 principal amount of 10 year instalment debentures) and the issue of instalment debentures therefor within the terms of years set out in Column (1) of Schedule “A” in denominations of $1,000.00 and any integral multiples thereof, as hereinafter set forth are hereby authorized.

2. The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause any number of instalment debentures in the aggregate principal amount of $15,525,400.00, as described in section 1 above, (the “Debentures”) payable in annual instalments of principal (July 31) with semi-

annual instalments of interest thereon (January 31 and July 31) to be issued for such amounts of money as may be required for the Capital Works in global and definitive forms, not exceeding in total the said aggregate principal amount of $15,525,400.00. The Debentures shall bear the Upper-tier Municipality's municipal seal and the signatures of the Regional Chair and of the Treasurer of the Upper-tier Municipality, all in accordance with the provisions of the Act. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs. The Debentures shall initially be issued in global fully registered form as part of one certificate in the aggregate principal amount of $34,186,000.00, substantially in the form attached as Schedule "B" hereto and forming part of this By-law (the "Global Debenture"). The Global Debenture shall initially be issued in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and shall provide for payment of principal and interest electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as the Global Debenture is held by CDS.

3. (1) The Debentures shall all be dated the 31st day of July, 2020, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall mature within the terms of years set out in Column (1) of Schedule "A" and the respective amounts of principal and interest payable in each of the years during the currency of the Debentures shall be as set forth in Schedule "C" attached hereto and forming part of this By-law ("Schedule "C""). The Debentures maturing (principal payable) in the year 2021 shall bear interest at the rate of 0.55% per annum, the Debentures maturing (principal payable) in the year 2022 shall bear interest at the rate of 0.65% per annum, the Debentures maturing (principal payable) in the year 2023 shall bear interest at the rate of 0.80% per annum, the Debentures maturing (principal payable) in the year 2024 shall bear interest at the rate of 0.95% per annum, the Debentures maturing (principal payable) in the year 2025 shall bear interest at the rate of 1.05% per annum, the Debentures maturing (principal payable) in the year 2026 shall bear interest at the rate of 1.20% per annum, the Debentures maturing (principal payable) in the year 2027 shall bear interest at the rate of 1.35% per annum, the Debentures maturing (principal payable) in the year 2028 shall bear interest at the rate of 1.45% per annum, the Debentures maturing (principal payable) in the year 2029 shall bear interest at the rate of 1.55% per annum and the Debentures maturing (principal payable) in the year 2030 shall bear interest at the rate of 1.60% per annum.

(2) Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario are not authorized or obligated by law or executive order to be closed (a "Business Day") and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

4. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable both before and after default and judgment. Any amounts payable by the Upper-tier Municipality as interest on overdue principal or interest in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

5. In limited circumstances (as agreed to by both the Upper-tier Municipality and CDS) the Global Debenture shall be exchangeable for certificated Debentures in definitive fully registered form in authorized denominations upon surrender of the Global Debenture to the Treasurer of the Upper-tier Municipality provided that there is at least one definitive Debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive Debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as of the record date for such exchange in accordance with the provisions of the Global Debenture, shall bear the same interest rates and maturity dates, shall bear all unmatured interest obligations and shall have the same benefits and be subject to the same terms and conditions as the Global Debenture (except insofar as they specifically relate to the Global Debenture). In issuing definitive Debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive Debentures shall be in fully registered form, payable as to principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Upper-tier Municipality's bank designated in the definitive Debentures. Prior to maturity, the definitive Debentures shall be payable as to interest by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.

6. (1) In each year in which a payment of an instalment of principal and interest becomes due in respect of the Debentures, there shall be raised as part of the general upper-tier levy the amounts of principal and interest payable in each year as set out in Schedule "C" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality. Without limiting the generality of the foregoing, the lower-tier municipalities that comprise the Upper-tier Municipality (individually a "Lower-tier Municipality", collectively the "Lower-tier Municipalities") shall pay to the Upper-tier Municipality, as part of the general upper-tier levy the amounts required to be paid to the Upper-tier Municipality by the Lower-tier Municipalities in respect of the Capital Works, in accordance with the manner in which the general upper-tier levy is required, from time to time, to be paid to the Upper-tier Municipality. Such amounts constitute debt of the Lower-tier Municipalities to the Upper-tier Municipality and such amounts shall, when combined with any amount payable by the Upper-tier Municipality in the year for repayment of the debt for which the Debentures are to be issued, be sufficient to meet the total amount of principal and interest payable in the year by the Upper-tier Municipality in respect of the Debentures, all in accordance with the provisions of this By-law and the Act.

(2) If any Lower-tier Municipality fails to make any payment or portion of it as provided in this By-law, such Lower-tier Municipality shall pay interest to the Upper-tier Municipality on the amount in default at the rate of 15% per annum, from the date the payment is due until it is made.

(3) There shall be raised, pursuant to this By-law, in each year of the currency of the Debentures, as part of the general upper-tier levy, the amounts required to be paid to the Upper-tier Municipality in any previous year by any one or more of the Lower-tier Municipalities to the extent that the amounts have not been paid to the Upper-tier Municipality in accordance with this By-law and the Act.

7. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

8. The Upper-tier Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures may be recorded and the Upper-tier Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

9. The Upper-tier Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Upper-tier Municipality shall deem and treat registered holders of the Debentures, including the Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Upper-tier Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Upper-tier Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Upper-tier Municipality.

10. The Debentures are transferable or exchangeable at the office of the Treasurer of the Upper-tier Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Upper-tier Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Regional Chair and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

11. The Regional Chair and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity dates and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen, destroyed or dematerialized, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized) furnished the Upper-tier Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Upper-tier Municipality in its discretion; and (c) surrendered to the Upper-tier Municipality any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

12. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity dates and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

13. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Upper-tier Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Upper-tier Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange and (d) in the case of a transfer, enter in the registry the name of the registered holder as directed by the transferor.

14. Subject to an agreement that the Upper-tier Municipality may enter into to the contrary, reasonable fees may be imposed by the Upper-tier Municipality for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized and for the replacement of any of the interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed. When new Debentures are issued in substitution in these circumstances the Upper-tier Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in

substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

15. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.

16. (1) The Regional Chair and the Treasurer are hereby authorized to cause the Debentures to be issued, the execution of a purchase letter in respect of the Debentures dated as at July 7, 2020 by the Treasurer (Commissioner/Treasurer Enterprise Resource Management Services) is hereby ratified, confirmed and approved, one or more of the Treasurer and the Regional Clerk are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to carry out the sale of the Debentures through CDS's book entry only system and the Treasurer is authorized to affix the Upper-tier Municipality's municipal seal to any of such documents and papers.

(2) The money received by the Upper-tier Municipality from the sale of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Works in accordance with this By-law, and to no other purpose except as permitted by the Act.

17. The Upper-tier Municipality reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

18. Subject to the Upper-tier Municipality's statement of investment policies and goals and the applicable legislation, the Upper-tier Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Upper-tier Municipality may in its discretion determine.

19. This by-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____

James Bradley, Regional Chair

_____

Ann-Marie Norio, Regional Clerk

Passed: <>

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
	Term 1-10 Year Instalment Debenture							
	Capital costs in connection with the following Road Capital Works:							
1	69-Wessel/Centre PH3-Li	10RC1559	2015-18			450,000		450,000
2	RR 42 - Ontario Street EA	10RC1562	2015-18			450,000		450,000
3	45-RR4/RR63-WF	10RC1563	2015-100			1,260,000		1,260,000
4	20 Ann-Roads Resurfacing and Strengthening Program	20001122	2019-97			3,343,334		3,343,334
5	McLeod Rd. at Stanley/CNR Tracks - Storm Pumping Station	20000498	2019-97			1,800,000		1,800,000
6	Schisler Road Bridge - Structural Rehabilitation	20000661	2019-97			1,700,000		708,091
	Sub-total for 1-10 year debenture					**$ 9,003,334**	**-**	**$ 8,011,425**
	TOTAL					**$ 9,003,334**	**-**	**$ 8,011,425**

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
	Term 1-10 Year Instalment Debenture							
	Capital costs in connection with the following Niagara Regional Housing (NRH) Capital Works:							
1	NRH - 2020 Annual Building Capital Program	20001103	2019-97			2,524,919		2,524,919
2	NRH - 2020 Annual Grounds Capital Program	20001101	2019-97			775,280		775,280
	Sub-total for 1-10 year debenture					**$ 3,300,199**	**-**	**$ 3,300,199**
	TOTAL					**$ 3,300,199**	**-**	**$ 3,300,199**

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
	Term 1-10 Year Instalment Debenture							
	Capital costs in connection with the following General Government Capital Work:							
1	18-Canada Summer Games [municipal capital works]	20000751	2017-105			3,000,000		3,000,000
	Sub-total for 1-10 year debenture					**$ 3,000,000**	**-**	**$ 3,000,000**
	TOTAL					**$ 3,000,000**	**-**	**$ 3,000,000**

Schedule "A"

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Item No.	**Description**	**Account No.**	**Authorizing By-Law**	**MOE File No.**	**MOE Date**	**Debentures Authorized by Council**	**Debentures Previously Issued**	**Debentures Now Being Issued**
	Term 1-5 Year Instalment Debenture							
	Capital costs in connection with the following Niagara Regional Police (NRPS) Capital Works:							
1	NRPS - IT Continuity Plan	ZPO1114	2011-36 53-2012			63,776		63,776
2	NRPS – NG 911 Equipment Replacement (2020)	20001259	2019-97			700,000		700,000
3	NRPS - Command Post	20001260	2019-97			450,000		450,000
	Sub-total for 1-5 year debenture					**$ 1,213,776**	**-**	**$ 1,213,776**
	TOTAL					**$ 1,213,776**	**-**	**$ 1,213,776**

Schedule "B"

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to The Regional Municipality of Niagara or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & CO., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & CO. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & CO., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

No.GR2020-01 $34,186,000.00

C A N A D A

Province of Ontario

THE REGIONAL MUNICIPALITY OF NIAGARA

FULLY REGISTERED GLOBAL INSTALMENT DEBENTURE

THE REGIONAL MUNICIPALITY OF NIAGARA (the "Issuer"), for value received, hereby promises to pay to

CDS & CO.

as nominee of CDS or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), by the final maturity date of this global debenture (July 31, 2030), the principal amount of

Thirty-Four Million, One Hundred Eighty-Six Thousand Dollars
---------- ($34,186,000.00) ----------

by annual payments on the 31st day of July in each of the years 2021 to 2030, both inclusive, in the amounts set forth in the Schedule on the second page hereof (the "Schedule") in lawful money of Canada, and to pay interest thereon until the final maturity date of this global debenture in like money in semi-annual payments from July 31, 2020, or from the last date on which interest has been paid on this global debenture, whichever is later, at the rates of interest set forth in the Schedule, in arrears on the 31st day of January and the 31st day of July, in each year (each, a "Payment Date") in the manner provided in the Conditions. Subject to the Conditions, interest shall be paid on default at the applicable rate set out in the Schedule both before and after default and judgment. The applicable interest rate, the payments of principal and interest and the principal balance outstanding in each year are shown in the Schedule.

This global debenture is subject to the Conditions.

DATED at the Region of Niagara the 31st day of July, 2020.

IN TESTIMONY WHEREOF and under the authority of By-law No. 2020-45 of the Issuer duly passed on the 23rd day of July, 2020 (the "Debenture By-law"), this global debenture is sealed with the municipal seal of the Issuer and signed by the Regional Chair and by the Treasurer thereof.

Date of Registration: July 31, 2020

_____ (seal) _____
Regional Chair Treasurer

This global debenture is also signed by the Regional Clerk pursuant to the Issuer's internal requirements.

_____
Regional Clerk

Schedule “B”

SCHEDULE

Year	CUSIP No.	ISIN No.	Interest Rate %	Semi-annual Interest Jan 31 $	July 31 $	Principal July 31 $	Total Annual Payment $	Principal Balance Outstanding July 31 $
2020				-	-	-	-	34,186,000.00
2021	65355DP25	CA65355DP251	0.55	192,424.50	192,424.50	3,283,000.00	3,667,849.00	30,903,000.00
2022	65355DP33	CA65355DP335	0.65	183,396.25	183,396.25	3,301,000.00	3,667,792.50	27,602,000.00
2023	65355DP41	CA65355DP418	0.80	172,668.00	172,668.00	3,322,000.00	3,667,336.00	24,280,000.00
2024	65355DP58	CA65355DP582	0.95	159,380.00	159,380.00	3,349,000.00	3,667,760.00	20,931,000.00
2025	65355DP66	CA65355DP665	1.05	143,472.25	143,472.25	3,381,000.00	3,667,944.50	17,550,000.00
2026	65355DP74	CA65355DP749	1.20	125,722.00	125,722.00	3,418,000.00	3,669,444.00	14,132,000.00
2027	65355DP82	CA65355DP822	1.35	105,214.00	105,214.00	3,459,000.00	3,669,428.00	10,673,000.00
2028	65355DP90	CA65355DP905	1.45	81,865.75	81,865.75	3,506,000.00	3,669,731.50	7,167,000.00
2029	65355DQ24	CA65355DQ242	1.55	56,447.25	56,447.25	3,555,000.00	3,667,894.50	3,612,000.00
2030	65355DQ32	CA65355DQ325	1.60	28,896.00	28,896.00	3,612,000.00	3,669,792.00	-
				1,249,486.00	**1,249,486.00**	**34,186,000.00**	**36,684,972.00**	

Schedule "B"

LEGAL OPINION

We have examined the Debenture By-law of the Issuer authorizing the issue of instalment debentures in the aggregate principal amount of $34,186,000.00 dated July 31, 2020 and maturing in ten (10) instalments of principal of varying amounts on the 31st day of July in each of the years 2021 to 2030, both inclusive.

The Debenture By-law has been properly passed and is within the legal powers of the Issuer. The Global Debenture issued under the Debenture By-law in the within form (the "Global Debenture") is a direct, general, unsecured, unsubordinated, joint and several obligation of the Issuer and of its lower-tier municipalities (the "Lower-tier Municipalities"). The Global Debenture is enforceable against the Issuer and the Lower-tier Municipalities subject to the special jurisdiction and powers of the Local Planning Appeal Tribunal over defaulting municipalities under the *Municipal Affairs Act*, as amended. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter delivered on the date of the Global Debenture.

Toronto, July 31, 2020 WeirFoulds LLP

Schedule "B"

CONDITIONS OF GLOBAL DEBENTURE

Form, Denomination, Ranking and Beneficial Interests in Global Debenture

1. The debentures issued pursuant to the Debenture By-law (individually a "Debenture", collectively the "Debentures") are issuable as fully registered Debentures without coupons in denominations of $1,000.00 and any integral multiples thereof.

2. The Debentures are direct, general, unsecured, unsubordinated, joint and several obligations of the Issuer and of the Lower-tier Municipalities. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Issuer except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is a Global Debenture registered in the name of the nominee of CDS and held by CDS. Beneficial interests in this Global Debenture are represented through book entry accounts, to be established and maintained by CDS, on its records for CDS's participants (the "Participants") in accordance with its participant agreement and rules and procedures which are posted on CDS's website.

4. Except in the limited circumstances described herein, owners of beneficial interests in this Global Debenture will not be entitled to have Debentures registered in their names, will not receive or be entitled to receive physical delivery of Debentures and will not be considered registered holders of Debentures under the Conditions. The Issuer does not have any responsibility or liability for maintaining, supervising or reviewing any records of CDS or Participants relating to payments made or to be made by CDS or any Participant on account of beneficial ownership interests in this Global Debenture.

Certificated Debentures

5. This Global Debenture is exchangeable, in whole but not in part, for certificated Debentures in definitive form registered in the name of a person other than CDS or its nominee only upon the occurrence of any of the following events: (a) upon 30 days notice by CDS to the Issuer, CDS may discontinue the eligibility of this Global Debenture on deposit, or cease to hold this Global Debenture in respect of the Debentures; or (b) if CDS ceases to be a recognized clearing agency under applicable Canadian or provincial securities legislation and a successor is not appointed; or (c) if the Issuer gives CDS appropriate notice that it is unable or unwilling to continue to have CDS hold this Global Debenture as a book entry only security or that it desires or has processed an entitlement requiring a withdrawal of this Global Debenture, and the Issuer has all right, power, capacity and authority to do so.

6. Debentures issued in exchange for this Global Debenture shall be issued as certificated Debentures in definitive form in authorized denominations, shall have the same benefits and be subject to the same terms and conditions as this Global Debenture (except insofar as they specifically relate to this Global Debenture as such), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive Debentures are to be registered.

7. Upon the exchange of certificated Debentures in definitive form for this Global Debenture, the Issuer shall receive and cancel this Global Debenture, shall reduce the holdings of CDS & CO. on the registry to nil and shall issue or cause to be issued in exchange for this Global Debenture certificated Debentures in definitive form in an aggregate principal amount equal to and in exchange for the Participants' proportionate interests in this Global Debenture as of the record

date for such exchange, as directed by CDS. On or after any such exchange, but only to the extent reasonably practicable in the circumstances, the Issuer shall make all payments in respect of such certificated Debentures in definitive form to the registered holders thereof, notwithstanding such exchange occurred after the record date for any payment and prior to such payment date.

Registration

8. The Issuer will keep at its designated office in the Region of Niagara a registry in which shall be entered the names and addresses of the registered holders of Debentures and particulars of the Debentures held by them respectively and in which transfers, exchanges and substitutions of Debentures may be registered.

Title

9. The Issuer shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Issuer shall deem and treat registered holders of Debentures, including this Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Issuer on the Debentures to the extent of the amount or amounts so paid.

Payments of Principal and Interest

10. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date, including a maturity date. Principal of and interest on the Debentures are payable by the Issuer to the persons registered as holders in the registry on the relevant record date. The Issuer shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

11. The Issuer shall make all payments in respect of annual principal (July 31) and semi-annual interest (January 31 and July 31) on the Debentures on the Payment Dates commencing with a payment of semi-annual interest on January 31, 2020 electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as this Global Debenture is held by CDS.

12. In the case that certificated Debentures in definitive form are issued, the Issuer shall make all payments in respect of principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Issuer's bank designated in the definitive Debentures, and prior to maturity, shall make payments of interest, by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.

13. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

14. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "Business Day"), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

15. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Issuer.

16. In the case of the death of one or more joint registered holders, despite sections 9 and 15 of the Conditions, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Issuer.

Transfers, Exchanges and Substitutions

17. Debentures are transferable or exchangeable at the office of the Treasurer of the Issuer upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Issuer and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

18. The Issuer shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity dates and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft, destruction or dematerialization, provided that the applicant therefor shall have: (i) paid such costs as may have been incurred in connection therewith; (ii) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized Debenture) furnished the Issuer with such evidence (including evidence as to the certificate number of the Debenture in question) and indemnity in respect thereof satisfactory to the Issuer in its discretion; and (iii) surrendered to the Issuer any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

19. Each Debenture executed and delivered upon any registration of transfer or exchange for or in substitution for any Debenture or part thereof shall carry all the rights to interest, if any, accrued and unpaid which were carried by such Debenture or part thereof and shall be so dated.

20. Subject to an agreement that the Issuer may enter into to the contrary, the Issuer shall not impose any fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the issue of new Debentures in substitution for Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized or for the issue of new cheques, in substitution for interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed.

Purchases

21. Subject to the investment policies and goals of the Issuer and the applicable legislation, the Issuer may, if not in default under the Debentures, at any time purchase Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Issuer may in its discretion determine.

Additional Debentures

22. The Issuer reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

Notices

23. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Issuer or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day then such notice may be given on the next following Business Day.

Time

24. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

25. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

Schedule “C”

REPAYMENT SCHEDULE

Year	Interest Rate %	Semi-annual Interest Jan 31 $	Semi-annual Interest July 31 $	Principal July 31 $	Total Annual Payment $
2020		-	-	-	-
2021	0.55	87,393.85	87,393.85	1,490,400.00	1,665,187.70
2022	0.65	83,295.25	83,295.25	1,499,000.00	1,665,590.50
2023	0.80	78,423.50	78,423.50	1,508,000.00	1,664,847.00
2024	0.95	72,391.50	72,391.50	1,521,000.00	1,665,783.00
2025	1.05	65,166.75	65,166.75	1,535,000.00	1,665,333.50
2026	1.20	57,108.00	57,108.00	1,553,000.00	1,667,216.00
2027	1.35	47,790.00	47,790.00	1,571,000.00	1,666,580.00
2028	1.45	37,185.75	37,185.75	1,593,000.00	1,667,371.50
2029	1.55	25,636.50	25,636.50	1,614,000.00	1,665,273.00
2030	1.60	13,128.00	13,128.00	1,641,000.00	1,667,256.00
		567,519.10	**567,519.10**	**15,525,400.00**	**16,660,438.20**

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 2020-45

A BY-LAW TO PROVIDE FOR THE BORROWING UPON INSTALMENT DEBENTURES IN THE AGGREGATE OF THE PRINCIPAL AMOUNTS AUTHORIZED BY BY-LAW NO. 2020-43 AND BY-LAW NO. 2020-44 IN THE AGGREGATE PRINCIPAL AMOUNT OF $34,186,000.00 ($1,920,776.00 PRINCIPAL AMOUNT OF 5 YEAR INSTALMENT DEBENTURES AND $32,265,224.00 PRINCIPAL AMOUNT OF 10 YEAR INSTALMENT DEBENTURES) AND FOR THE ISSUING OF ONE SERIES OF INSTALMENT DEBENTURES THEREFOR

WHEREAS the *Municipal Act, 2001*, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS the Act provides that if a municipality intends to incur debt for two or more purposes, or if it has passed separate debenture by-laws authorizing borrowing for two or more purposes but has not sold any of the debentures, the municipality may by by-law provide for the issue of one series of debentures for the debt;

AND WHEREAS the Council of The Regional Municipality of Niagara (the "Upper-tier Municipality") has passed debenture by-laws as follows:

(a) By-law No. 2020-43: to authorize the borrowing upon instalment debentures in the aggregate principal amount of $18,660,600.00 ($707,000.00 principal amount of 5 year instalment debentures and $17,953,600.00 principal amount of 10 year instalment debentures) for capital works of the Cities of St. Catharines and Welland; and

(b) By-law No. 2020-44: to authorize the borrowing upon instalment debentures in the aggregate principal amount of $15,525,400.00 ($1,213,776.00 principal amount of 5 year instalment debentures and $14,311,624.00 principal amount of 10 year instalment debentures) for capital works of the Upper-tier Municipality.

both of which by-laws are hereinafter referred to as the "Debenture By-laws";

AND WHEREAS the Act also provides that all debentures issued under a by-law passed by a regional municipality for its own purposes are direct, joint and several obligations of the regional municipality and its lower-tier municipalities;

AND WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403 (7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 of the Act are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the total of the principal amounts authorized to be borrowed by the Debenture By-laws is the aggregate principal amount of $34,186,000.00 ($1,920,776.00 principal amount of 5 year instalment debentures and $32,265,224.00 principal amount of 10 year instalment debentures) and it is desirable to consolidate the said amounts into one aggregate principal amount of $34,186,000.00 repayable in accordance with Schedule “A” attached hereto and forming part of this By-law (“Schedule “A””) and to issue one series of debentures therefor, as agreed to by the Upper-tier Municipality on July 7, 2020.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF NIAGARA ENACTS AS FOLLOWS:

1. The principal amounts authorized to be borrowed by the Debenture By-laws for the respective capital works or classes of works, as the case may be, set out in Schedules “A” to the Debenture By-laws (individually a “Capital Work”, collectively the “Capital Works”) are hereby consolidated into one aggregate principal amount of $34,186,000.00 ($1,920,776.00 principal amount of 5 year instalment debentures and $32,265,224.00 principal amount of 10 year instalment debentures) and instalment debentures are hereby authorized to be issued therefor within the respective terms of years as set out in Columns (1) of such Schedules “A” as one series of instalment debentures in denominations of $1,000.00 and any integral multiples thereof, as hereinafter set forth.

2. The Regional Chair and the Treasurer of the Upper-tier Municipality are hereby authorized to cause any number of instalment debentures in the aggregate principal amount of $34,186,000.00 as described in section 1 above (the “Debentures”), payable in annual instalments of principal (July 31) with semi-

annual instalments of interest thereon (January 31 and July 31) to be issued for such amounts of money as may be required for the Capital Works in global and definitive forms, not exceeding in total the said aggregate principal amount of $34,186,000.00. The Debentures shall bear the Upper-tier Municipality's municipal seal and the signatures of the Regional Chair and of the Treasurer of the Upper-tier Municipality, all in accordance with the provisions of the Act. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs. The Debentures shall initially be issued in global fully registered form as one certificate in the aggregate principal amount of $34,186,000.00, substantially in the form attached as Schedule "B" hereto and forming part of this By-law (the "Global Debenture"). The Global Debenture shall initially be issued in the name of CDS & CO. as nominee of CDS Clearing and Depository Services Inc. ("CDS") and shall provide for payment of principal and interest electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as the Global Debenture is held by CDS.

3. (1) The Debentures shall all be dated the 31st day of July, 2020, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall mature within the terms of years set out in Column (1) of the respective Schedules "A" to the Debenture By-laws and the respective amounts of principal and interest payable in each of the years during the currency of the Debentures shall be as set forth in Schedule "A". The Debentures maturing (principal payable) in the year 2021 shall bear interest at the rate of 0.55% per annum, the Debentures maturing (principal payable) in the year 2022 shall bear interest at the rate of 0.65% per annum, the Debentures maturing (principal payable) in the year 2023 shall bear interest at the rate of 0.80% per annum, the Debentures maturing (principal payable) in the year 2024 shall bear interest at the rate of 0.95% per annum, the Debentures maturing (principal payable) in the year 2025 shall bear interest at the rate of 1.05% per annum, the Debentures maturing (principal payable) in the year 2026 shall bear interest at the rate of 1.20% per annum, the Debentures maturing (principal payable) in the year 2027 shall bear interest at the rate of 1.35% per annum, the Debentures maturing (principal payable) in the year 2028 shall bear interest at the rate of 1.45% per annum, the Debentures maturing (principal payable) in the year 2029 shall bear interest at the rate of 1.55% per annum and the Debentures maturing (principal payable) in the year 2030 shall bear interest at the rate of 1.60% per annum.

(2) Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario are not authorized or obligated by law or executive order to be closed (a "Business Day") and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

4. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable both before and after default and judgment. Any amounts payable by the Upper-tier Municipality as interest on overdue principal or interest in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

5. In limited circumstances (as agreed to by both the Upper-tier Municipality and CDS) the Global Debenture shall be exchangeable for certificated Debentures in definitive fully registered form in authorized denominations upon surrender of the Global Debenture to the Treasurer of the Upper-tier Municipality provided that there is at least one definitive Debenture which matures in each of the remaining years of the currency of the Global Debenture. The definitive Debentures shall aggregate the same principal amount as the principal outstanding balance of the Global Debenture as of the record date for such exchange in accordance with the provisions of the Global Debenture, shall bear the same interest rates and maturity dates, shall bear all unmatured interest obligations and shall have the same benefits and be subject to the same terms and conditions as the Global Debenture (except insofar as they specifically relate to the Global Debenture). In issuing definitive Debentures no change shall be made in the amount which would otherwise be payable in each year under the Global Debenture. The definitive Debentures shall be in fully registered form, payable as to principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch in Canada of the Upper-tier Municipality's bank designated in the definitive Debentures. Prior to maturity, the definitive Debentures shall be payable as to interest by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.

6. (1) In each year in which a payment of an instalment of principal and interest becomes due in respect of the Debentures, there shall be raised as part of the general upper-tier levy the amounts of principal and interest payable in each year as set out in Schedule "A" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality. Without limiting the generality of the foregoing, The Corporation of the City of St. Catharines and The Corporation of the City of Welland, shall pay all instalments of principal and interest payable in each year to the Upper-tier Municipality in accordance with Debenture By-law No. 2020-43 and the lower-tier municipalities that comprise the Upper-tier Municipality (individually a "Lower-tier Municipality", collectively the "Lower-tier Municipalities") shall pay all instalments of principal and interest payable in each year to the Upper-tier Municipality in accordance with Debenture By-law No. 2020-44. The Upper-tier Municipality shall pay the respective amounts of principal and interest payable in each year in accordance with the Debentures by such entities as set out in the Debenture By-laws and the amounts to be raised by levy each year pursuant to the Debenture By-laws shall be raised and collected and such amounts shall be applied to the amounts of principal and interest payable in the respective year pursuant to the Global Debenture to be issued under this By-law in accordance with the Debenture By-laws and the Act.

(2) If any Lower-tier Municipality fails to make any payment or portion of it as provided in this By-law, such Lower-tier Municipality shall pay interest to the Upper-tier Municipality on the amount in default at the rate of 15% per annum, from the date the payment is due until it is made.

(3) There shall be raised, pursuant to this By-law, in each year of the currency of the Debentures, as part of the general upper-tier levy, the amounts required to be paid to the Upper-tier Municipality in any previous year by any one or more of the Lower-tier Municipalities to the extent that the amounts have not been paid to the Upper-tier Municipality in accordance with this By-law and the Act.

7. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.

8. The Upper-tier Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures may be recorded and the Upper-tier Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

9. The Upper-tier Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Upper-tier Municipality shall deem and treat registered holders of the Debentures, including the Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Upper-tier Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Upper-tier Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Upper-tier Municipality.

10. The Debentures are transferable or exchangeable at the office of the Treasurer of the Upper-tier Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Upper-tier Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Regional Chair and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

11. The Regional Chair and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity dates and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen, destroyed or dematerialized, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized) furnished the Upper-tier Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Upper-tier Municipality in its discretion; and (c) surrendered to the Upper-tier Municipality any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

12. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity dates and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.

13. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Upper-tier Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Upper-tier Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange and (d) in the case of a transfer, enter in the registry the name of the registered holder as directed by the transferor.

14. Subject to an agreement that the Upper-tier Municipality may enter into to the contrary, reasonable fees may be imposed by the Upper-tier Municipality for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized and for the replacement of any of the interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed. When new Debentures are issued in substitution in these circumstances the Upper-tier Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in

substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.

15. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.

16. (1) The Regional Chair and the Treasurer are hereby authorized to cause the Debentures to be issued, the execution of a purchase letter in respect of the Debentures dated as at July 7, 2020 by the Treasurer (Commissioner/Treasurer Enterprise Resource Management Services) is hereby ratified, confirmed and approved, one or more of the Treasurer and the Regional Clerk are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Upper-tier Municipality in order to carry out the sale of the Debentures through CDS's book entry only system and the Treasurer is authorized to affix the Upper-tier Municipality's municipal seal to any of such documents and papers.

(2) The money received by the Upper-tier Municipality from the sale of the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall: i) in the case of the balance of such money, be delivered to The Corporation of the City of St. Catharines and The Corporation of the City of Welland in the respective amount that relates to the Capital Works described in Schedule "A" to By-law No. 2020-43 on the basis that each such lower-tier municipality shall apportion and apply its portion of such money to its respective Capital Work(s), as applicable, in accordance with this By-law, and to no other purpose except as permitted by the Act; and ii) in the case of such money that relates to the Capital Works described in Schedule "A" to By-law No. 2020-44 be apportioned and applied to such Capital Works, in accordance with this By-law, and to no other purpose except as permitted by the Act.

17. The Upper-tier Municipality reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

18. Subject to the Upper-tier Municipality's statement of investment policies and goals and the applicable legislation, the Upper-tier Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Upper-tier Municipality may in its discretion determine.

19. This by-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____

James Bradley, Regional Chair

_____

Ann-Marie Norio, Regional Clerk

Passed: <>

Schedule “A”

REPAYMENT SCHEDULE

Year	Interest Rate %	Semi-annual Interest Jan 31 $	Semi-annual Interest July 31 $	Principal July 31 $	Total Annual Payment $	Principal Balance Outstanding July 31 $
2020		-	-	-	-	34,186,000.00
2021	0.55	192,424.50	192,424.50	3,283,000.00	3,667,849.00	30,903,000.00
2022	0.65	183,396.25	183,396.25	3,301,000.00	3,667,792.50	27,602,000.00
2023	0.80	172,668.00	172,668.00	3,322,000.00	3,667,336.00	24,280,000.00
2024	0.95	159,380.00	159,380.00	3,349,000.00	3,667,760.00	20,931,000.00
2025	1.05	143,472.25	143,472.25	3,381,000.00	3,667,944.50	17,550,000.00
2026	1.20	125,722.00	125,722.00	3,418,000.00	3,669,444.00	14,132,000.00
2027	1.35	105,214.00	105,214.00	3,459,000.00	3,669,428.00	10,673,000.00
2028	1.45	81,865.75	81,865.75	3,506,000.00	3,669,731.50	7,167,000.00
2029	1.55	56,447.25	56,447.25	3,555,000.00	3,667,894.50	3,612,000.00
2030	1.60	28,896.00	28,896.00	3,612,000.00	3,669,792.00	-
		1,249,486.00	**1,249,486.00**	**34,186,000.00**	**36,684,972.00**	

Schedule "B"

Unless this certificate is presented by an authorized representative of CDS Clearing and Depository Services Inc. ("CDS") to The Regional Municipality of Niagara or its agent for registration of transfer, exchange or payment, and any certificate issued in respect thereof is registered in the name of CDS & CO., or in such other name as is requested by an authorized representative of CDS (and any payment is made to CDS & CO. or to such other entity as is requested by an authorized representative of CDS), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered holder hereof, CDS & CO., has a property interest in the securities represented by this certificate herein and it is a violation of its rights for another person to hold, transfer or deal with this certificate.

No.GR2020-01 $34,186,000.00

C A N A D A

Province of Ontario

THE REGIONAL MUNICIPALITY OF NIAGARA

FULLY REGISTERED GLOBAL INSTALMENT DEBENTURE

THE REGIONAL MUNICIPALITY OF NIAGARA (the "Issuer"), for value received, hereby promises to pay to

CDS & CO.

as nominee of CDS or registered assigns, subject to the Conditions attached hereto which form part hereof (the "Conditions"), by the final maturity date of this global debenture (July 31, 2030), the principal amount of

Thirty-Four Million, One Hundred Eighty-Six Thousand Dollars
---------- ($34,186,000.00) ----------

by annual payments on the 31st day of July in each of the years 2021 to 2030, both inclusive, in the amounts set forth in the Schedule on the second page hereof (the "Schedule") in lawful money of Canada, and to pay interest thereon until the final maturity date of this global debenture in like money in semi-annual payments from July 31, 2020, or from the last date on which interest has been paid on this global debenture, whichever is later, at the rates of interest set forth in the Schedule, in arrears on the 31st day of January and the 31st day of July, in each year (each, a "Payment Date") in the manner provided in the Conditions. Subject to the Conditions, interest shall be paid on default at the applicable rate set out in the Schedule both before and after default and judgment. The applicable interest rate, the payments of principal and interest and the principal balance outstanding in each year are shown in the Schedule.

This global debenture is subject to the Conditions.

DATED at the Region of Niagara the 31st day of July, 2020.

IN TESTIMONY WHEREOF and under the authority of By-law No. 2020-45 of the Issuer duly passed on the 23rd day of July, 2020 (the "Debenture By-law"), this global debenture is sealed with the municipal seal of the Issuer and signed by the Regional Chair and by the Treasurer thereof.

Date of Registration: July 31, 2020

_____ (seal) _____
Regional Chair Treasurer

This global debenture is also signed by the Regional Clerk pursuant to the Issuer's internal requirements.

_____
Regional Clerk

Schedule “B”

SCHEDULE

Year	CUSIP No.	ISIN No.	Interest Rate %	Semi-annual Interest Jan 31 $	July 31 $	Principal July 31 $	Total Annual Payment $	Principal Balance Outstanding July 31 $
2020				-	-	-	-	34,186,000.00
2021	65355DP25	CA65355DP251	0.55	192,424.50	192,424.50	3,283,000.00	3,667,849.00	30,903,000.00
2022	65355DP33	CA65355DP335	0.65	183,396.25	183,396.25	3,301,000.00	3,667,792.50	27,602,000.00
2023	65355DP41	CA65355DP418	0.80	172,668.00	172,668.00	3,322,000.00	3,667,336.00	24,280,000.00
2024	65355DP58	CA65355DP582	0.95	159,380.00	159,380.00	3,349,000.00	3,667,760.00	20,931,000.00
2025	65355DP66	CA65355DP665	1.05	143,472.25	143,472.25	3,381,000.00	3,667,944.50	17,550,000.00
2026	65355DP74	CA65355DP749	1.20	125,722.00	125,722.00	3,418,000.00	3,669,444.00	14,132,000.00
2027	65355DP82	CA65355DP822	1.35	105,214.00	105,214.00	3,459,000.00	3,669,428.00	10,673,000.00
2028	65355DP90	CA65355DP905	1.45	81,865.75	81,865.75	3,506,000.00	3,669,731.50	7,167,000.00
2029	65355DQ24	CA65355DQ242	1.55	56,447.25	56,447.25	3,555,000.00	3,667,894.50	3,612,000.00
2030	65355DQ32	CA65355DQ325	1.60	28,896.00	28,896.00	3,612,000.00	3,669,792.00	-
				1,249,486.00	**1,249,486.00**	**34,186,000.00**	**36,684,972.00**	

Schedule “B”

LEGAL OPINION

We have examined the Debenture By-law of the Issuer authorizing the issue of instalment debentures in the aggregate principal amount of $34,186,000.00 dated July 31, 2020 and maturing in ten (10) instalments of principal of varying amounts on the 31st day of July in each of the years 2021 to 2030, both inclusive.

The Debenture By-law has been properly passed and is within the legal powers of the Issuer. The Global Debenture issued under the Debenture By-law in the within form (the “Global Debenture”) is a direct, general, unsecured, unsubordinated, joint and several obligation of the Issuer and of its lower-tier municipalities (the “Lower-tier Municipalities”). The Global Debenture is enforceable against the Issuer and the Lower-tier Municipalities subject to the special jurisdiction and powers of the Local Planning Appeal Tribunal over defaulting municipalities under the *Municipal Affairs Act*, as amended. This opinion is subject to and incorporates all the assumptions, qualifications and limitations set out in our opinion letter delivered on the date of the Global Debenture.

Toronto, July 31, 2020 WeirFoulds LLP

Schedule "B"

CONDITIONS OF GLOBAL DEBENTURE

Form, Denomination, Ranking and Beneficial Interests in Global Debenture

1. The debentures issued pursuant to the Debenture By-law (individually a "Debenture", collectively the "Debentures") are issuable as fully registered Debentures without coupons in denominations of $1,000.00 and any integral multiples thereof.

2. The Debentures are direct, general, unsecured, unsubordinated, joint and several obligations of the Issuer and of the Lower-tier Municipalities. The Debentures rank concurrently and equally in respect of payment of principal and interest with all other debentures of the Issuer except for the availability of money in a sinking or retirement fund for a particular issue of debentures.

3. This Debenture is a Global Debenture registered in the name of the nominee of CDS and held by CDS. Beneficial interests in this Global Debenture are represented through book entry accounts, to be established and maintained by CDS, on its records for CDS's participants (the "Participants") in accordance with its participant agreement and rules and procedures which are posted on CDS's website.

4. Except in the limited circumstances described herein, owners of beneficial interests in this Global Debenture will not be entitled to have Debentures registered in their names, will not receive or be entitled to receive physical delivery of Debentures and will not be considered registered holders of Debentures under the Conditions. The Issuer does not have any responsibility or liability for maintaining, supervising or reviewing any records of CDS or Participants relating to payments made or to be made by CDS or any Participant on account of beneficial ownership interests in this Global Debenture.

Certificated Debentures

5. This Global Debenture is exchangeable, in whole but not in part, for certificated Debentures in definitive form registered in the name of a person other than CDS or its nominee only upon the occurrence of any of the following events: (a) upon 30 days notice by CDS to the Issuer, CDS may discontinue the eligibility of this Global Debenture on deposit, or cease to hold this Global Debenture in respect of the Debentures; or (b) if CDS ceases to be a recognized clearing agency under applicable Canadian or provincial securities legislation and a successor is not appointed; or (c) if the Issuer gives CDS appropriate notice that it is unable or unwilling to continue to have CDS hold this Global Debenture as a book entry only security or that it desires or has processed an entitlement requiring a withdrawal of this Global Debenture, and the Issuer has all right, power, capacity and authority to do so.

6. Debentures issued in exchange for this Global Debenture shall be issued as certificated Debentures in definitive form in authorized denominations, shall have the same benefits and be subject to the same terms and conditions as this Global Debenture (except insofar as they specifically relate to this Global Debenture as such), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive Debentures are to be registered.

7. Upon the exchange of certificated Debentures in definitive form for this Global Debenture, the Issuer shall receive and cancel this Global Debenture, shall reduce the holdings of CDS & CO. on the registry to nil and shall issue or cause to be issued in exchange for this Global Debenture certificated Debentures in definitive form in an aggregate principal amount equal to and in exchange for the Participants' proportionate interests in this Global Debenture as of the record date for such exchange, as directed by CDS. On or after any such exchange, but only to the extent reasonably practicable in the circumstances, the Issuer shall make all payments in respect of such certificated Debentures in definitive form to the registered holders thereof, notwithstanding such exchange occurred after the record date for any payment and prior to such payment date.

Registration

8. The Issuer will keep at its designated office in the Region of Niagara a registry in which shall be entered the names and addresses of the registered holders of Debentures and particulars of the Debentures held by them respectively and in which transfers, exchanges and substitutions of Debentures may be registered.

Title

9. The Issuer shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Issuer shall deem and treat registered holders of Debentures, including this Global Debenture, as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Issuer on the Debentures to the extent of the amount or amounts so paid.

Payments of Principal and Interest

10. The record date for purposes of payment of principal of and interest on the Debentures is as of 5:00 p.m. on the sixteenth calendar day preceding any Payment Date, including a maturity date. Principal of and interest on the Debentures are payable by the Issuer to the persons registered as holders in the registry on the relevant record date. The Issuer shall not be required to register any transfer, exchange or substitution of Debentures during the period from any record date to the corresponding Payment Date.

11. The Issuer shall make all payments in respect of annual principal (July 31) and semi-annual interest (January 31 and July 31) on the Debentures on the Payment Dates commencing with a payment of semi-annual interest on January 31, 2020 electronically in final and irrevocable same-day funds in accordance with the applicable requirements of CDS, so long as this Global Debenture is held by CDS.

12. In the case that certificated Debentures in definitive form are issued, the Issuer shall make all payments in respect of principal and outstanding interest in lawful money of Canada at maturity upon presentation and surrender thereof at any specified branch

in Canada of the Issuer’s bank designated in the definitive Debentures, and prior to maturity, shall make payments of interest, by cheque sent by mail to the registered addresses of the registered holders or, if authorized in writing, by electronic transfer.

13. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days, if applicable.

14. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a “Business Day”), and if any date for payment is not a Business Day, payment shall be made on the next following Business Day and no further interest shall be paid in respect of the delay in such payment.

15. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Issuer.

16. In the case of the death of one or more joint registered holders, despite sections 9 and 15 of the Conditions, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Issuer.

Transfers, Exchanges and Substitutions

17. Debentures are transferable or exchangeable at the office of the Treasurer of the Issuer upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Issuer and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder’s duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations will be delivered as directed by the transferor, in the case of a transfer or as directed by the registered holder in the case of an exchange.

18. The Issuer shall issue and deliver Debentures in exchange for or in substitution for Debentures outstanding on the registry with the same maturity dates and of like form in the event of a mutilation, defacement, loss, mysterious or unexplainable disappearance, theft, destruction or dematerialization, provided that the applicant therefor shall have: (i) paid such costs as may have been incurred in connection therewith; (ii) (in the case of a mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized Debenture) furnished the Issuer with such evidence (including evidence as to the certificate number of the Debenture in question) and indemnity in respect thereof satisfactory to the Issuer in its discretion; and (iii) surrendered to the Issuer any mutilated or defaced Debenture in respect of which new Debentures are to be issued in substitution.

19. Each Debenture executed and delivered upon any registration of transfer or exchange for or in substitution for any Debenture or part thereof shall carry all the rights to interest, if any, accrued and unpaid which were carried by such Debenture or part thereof and shall be so dated.

20. Subject to an agreement that the Issuer may enter into to the contrary, the Issuer shall not impose any fees in respect of the Debentures, in the normal course of business, other than reasonable fees for the issue of new Debentures in substitution for Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen, destroyed or dematerialized or for the issue of new cheques, in substitution for interest cheques that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed.

Purchases

21. Subject to the investment policies and goals of the Issuer and the applicable legislation, the Issuer may, if not in default under the Debentures, at any time purchase Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Issuer may in its discretion determine.

Additional Debentures

22. The Issuer reserves the right to issue additional instalment debentures of the same maturities, interest rates and terms and conditions.

Notices

23. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder. If the Issuer or any registered holder is required to give any notice in connection with the Debentures on or before any day and that day is not a Business Day then such notice may be given on the next following Business Day.

Time

24. Unless otherwise expressly provided herein, any reference herein to a time shall be considered to be a reference to Toronto time.

Governing Law

25. The Debentures are governed by and shall be construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in Ontario.

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO REQUIRE MANDATORY FACE COVERINGS IN ENCLOSED PUBLIC PLACES DURING THE COVID-19 PANDEMIC

WHEREAS on March 17, 2020, an emergency was declared by the Government of Ontario ("Province") pursuant to Order in Council 518/2020 under section 7.0.1 of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 ("EMCPA") in response to the outbreak of COVID-19;

WHEREAS on April 3, 2020 The Regional Municipality of Niagara and Niagara's 12 local area municipalities jointly declared a State of Emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act*;

WHEREAS public health authorities at the Federal and Provincial level have recommended that persons where face coverings in public where physical distancing cannot be maintained;

WHEREAS subsection 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority to enable it to govern its affairs as it considers appropriate and to enhance its ability to respond to municipal issues;

WHEREAS The Regional Municipality of Niagara has the authority to enact by-laws for the health, safety and well-being of persons pursuant to section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended; and

WHEREAS the Council of The Regional Municipality of Niagara wishes to enact a temporary by-law to protect the health, safety, and well-being of residents and visitors to Niagara Region as the Province reopens to require individuals to wear a face covering while in certain enclosed public spaces to assist in reducing the spread of COVID-19 in the Region.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. (1) (a) Every person within an enclosed public place shall wear a face covering.

(b) Every person before entering and while riding any municipal public transit vehicle owned or operated by The Regional Municipality of Niagara or the local area municipalities shall wear a face covering.

(2) Every person that is the parent or guardian accompanying a child that is five (5) years old or older in an enclosed public place or a public transit vehicle owned or operated by The Regional Municipality of Niagara or the local area municipalities shall ensure that the child wears a face covering.

(3) A “person” in subsections (1) and (2) of this section shall include any occupant within an enclosed public place or riding a municipal public transit vehicle owned or operated by The Regional Municipality of Niagara or the local area municipalities and shall include, but not be limited to, any owner, operator, employee, worker, customer, patron or other visitor but shall not include any of the following persons:

(a) a child who is under the age of five (5) years old;

(b) a person who is unable to wear a face covering as a result of a medical condition or a disability pursuant to the Human Rights Code, R.S.O. 1990, c. H.19, who is unable to put on or remove a face covering without assistance or for whom a face covering would inhibit the person’s ability to breathe;

(c) a person while consuming food or drink provided by a business that is permitted to operate under the Provincial Emergency Orders and provided that all other conditions of the Emergency Orders are met;

(d) a person while receiving services involving the face and requiring the temporary removal of a face covering provided such services are permitted to operate under the Provincial Emergency Orders and provided 2 metres distance is maintained from all other persons other than the person providing the service;

(e) a person engaged in a sport or other strenuous physical activity;

(f) a person while assisting or accommodating another person with a hearing disability; and

(g) employees and agents for the owner or operator of the enclosed public space within an area not for public access, or within or behind a physical barrier.

(4) No person shall be required to provide proof of any of the exemptions set out in subsections (3) (a), (b) and (f) of this section.

(5) For the purposes of this By-law, an enclosed public place shall mean all or any portion of a building that is located indoors and where the public is ordinarily invited or permitted access to whether or not a fee is charged or a membership is required for entry.

(6) For greater clarity, an enclosed public place shall include the following:

(a) retail stores where goods and services are sold to customers;

(b) businesses that primarily sell food including restaurants, supermarkets, grocery stores, bakeries and convenience stores;

(c) churches, mosques, temples, synagogues and other places of worship, except during a religious rite or ceremony that is incompatible with the face being covered;

(d) shopping malls or similar structures which contain multiple places of business;

(e) lobby areas of commercial buildings;

(f) common areas of hotels and motels and other short term accommodations, such as lobbies, elevators, meeting rooms or other common use facilities but does not include the common areas of residential apartment buildings or condominiums;

(g) laundromats;

(h) concert venues, theatres and cinemas;

(i) fitness centres, gyms, other recreational and sports facilities and clubhouses;

(j) arcades and other amusement facilities;

(k) premises utilized as an open house, presentation centre, or other facility for real-estate purposes;

(l) museums, galleries, historic sites and similar attractions;

(m) businesses providing personal care services;

(n) banquet halls, convention centres, arenas, stadiums and other event spaces; and

(o) municipal buildings.

(7) For greater clarity, a waiting area, lobby, service counter, washroom, hallway, stairwell and elevator are included as part of an enclosed public place prescribed in subsection (6) of this section if they are open to the general public.

(8) For greater clarity, the following places shall not be included as an enclosed public place for the purposes of this section:

(a) day cares, schools, post secondary institutions and other facilities used solely for educational purposes;

(b) hospitals, independent health facilities and offices of regulated health professionals; and

(c) buildings and services owned or operated by the Province of Ontario or the Federal Government of Canada;

(d) an indoor area of a building that is accessible only to employees; and

(e) portions of buildings that are being used for the purpose of providing day camps for children or for the training of amateur or professional athletes.

(9) For the purposes of this by-law, a face covering shall mean a mask or other face covering, including a bandana or scarf constructed of cloth, linen or other similar fabric that fits securely to the head and is large enough to completely and comfortably cover the mouth, nose and chin without gaping.

(10) Every person who is an owner or operator of an enclosed public place shall adopt a policy regarding the wearing of face coverings that prohibits persons from entering, or otherwise remaining, within the enclosed public place unless they are wearing a face covering, subject to the exemptions provided for in this by-law.

(11) Every person who is an owner or operator of an enclosed public place shall ensure that all persons working at the enclosed public place are trained in the requirements of the policy.

(12) Every person who is an owner or operator of an enclosed public place shall provide a copy of the face covering policy for inspection by any persons authorized to enforce this by-law.

(13) Every person who is the owner or operator of an enclosed public place shall post clearly visible signage conspicuously at all entrances to the enclosed public place containing the following text in a minimum font size of 24 point:

Protect each other
Wear a face covering
Cover your nose, mouth, and chin
Required by the Face Covering By-law
Does not apply to children under the age of five and those who are unable to wear a face covering as a result of a medical condition or a disability.

(14) Every person who is the owner or operator of an enclosed public space shall provide hand sanitizer with a minimum 70% alcohol content, at all public entrances and exits at all times for the use of members of the public attending the enclosed public place.

(15) A “person” in subsection (10) of this section shall include, but not be limited to, a corporation.

2. This By-law may be enforced by:

(1) A provincial offences officer of a lower tier municipality or The Regional Municipality of Niagara or other person appointed under the authority of a municipal by-law to enforce municipal by-laws;

(2) A public health inspector acting under the direction of the Medical Officer of Health;

(3) A police officer of the Niagara Regional Police Service;

(4) Such other person as designated from time to time by The Regional Municipality of Niagara.

3. (1) Every person who contravenes any provision of this By-law is guilty of an offence.

(2) Upon conviction, every person who contravenes any provision in this By-law is liable to a fine not exceeding one thousand dollars ($1,000), exclusive of costs, for each offence, recoverable under the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended, or any successor legislation thereto.

4. If any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, only that invalid portion of the By-law shall be severed and the remainder of the By-law shall still continue in force.

5. This By-law shall not be interpreted so as to conflict with a Provincial or Federal statute, regulation, or instrument of a legislative nature, including an order made under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended. For greater certainty, nothing in this By-law shall be construed as permitting the opening or access to an enclosed public place that is not permitted or is restricted by a Provincial Emergency Order. The owner or operator of an enclosed public place is responsible to ensure that it is operated in accordance with all applicable Provincial Emergency Orders and laws, including the Occupational Health and Safety Act and regulations thereunder.

6. This By-law may be cited as the “Face Covering By-law”.

7. This By-law shall come into force and effect on July 31, 2020.

8. This By-law shall be deemed repealed and no longer in force and effect at 12:01 a.m. on October 1, 2020 unless otherwise extended or repealed by resolution of Council.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO DELEGATE THE AUTHORITY FOR SPECIFIC TRAFFIC AND PARKING MATTERS

WHEREAS subsection 8(1) of the Municipal Act, 2001, S.O. 2001, c. 25, provides in part, that the powers of a municipality shall be interpreted to enable the municipality to govern its affairs as it considers appropriate and to the enhance the municipality's ability to respond to municipal issues;

WHEREAS subsection 23.1 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, authorizes a municipality to delegate its powers and duties, subject to certain restrictions;

WHEREAS Niagara Region Council has deemed that the delegation of authority for specific traffic and parking matters would enhance responsiveness to community safety and increase efficiency in process and service delivery.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the Director of Transportation Services, be authorized to request the preparation of an amending by-law to make routine and administrative changes to the schedules of Traffic and Parking By-law 89-2000, as amended, without the requirement of a report to Regional Council, in accordance with the approved policy "Delegation of Authority Respecting Traffic and Parking By-law 89-2000 Matters", as may be amended from time to time.

2. That the Regional Clerk be authorized to prepare the requested amending by-law(s) upon receipt of a memorandum from the Director of Transportation Services in accordance with the policy and present such by-law(s) for passage by Regional Council at the next regularly scheduled meeting of Regional Council.

3. That notwithstanding the delegation of authority provided herein, Regional Council may direct that a report be provided regarding any proposed changes to the schedules of Traffic and Parking By-law 89-2000, as amended from time to time.

4. That the delegation of authority under this By-law shall remain in force until such time that it is revoked by Council.

5. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed: <date>

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO AMEND BY-LAW 48-2012, BEING
A BY-LAW TO REMOVE HIGHWAYS FROM THE REGIONAL ROAD SYSTEM
IN THE TOWN OF GRIMSBY

WHEREAS by By-Law 48-2012 passed on May 24, 2012, the Council of The Regional Municipality of Niagara enacted that certain lands in the Town of Grimsby be removed from the Regional Road System (the "Subject Lands");

WHEREAS the description of the Subject Lands was not precisely set out to contain the information required by the Land Registry Office for registration on title to the Subject Lands;

WHEREAS since the passing of By-Law 48-2012, the Subject Lands have been surveyed, and a more accurate description is now available;

WHEREAS in order to clarify the description of the lands described as Firstly, Secondly and Thirdly in By-law 48-2012, this By-law has been prepared;

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That By-law 48-2012 be amended to reflect the updated description of the Subject Lands, which were removed from the Regional Road System in the Town of Grimsby:

Firstly:
That the Firstly described lands in By-law 48-2012 (Regional Road 39 known as North Service Road from the Westerly Boundary of the Regional Municipality of Niagara in the Town of Grimsby easterly to the Southerly Limited of P.I.N. 46006-0059(LT) in the vicinity of Windward Drive in the Town of Grimsby) be re-described as follows:

P.I.N. 46001-0277
Part Lot 23, Con 1, North Grimsby, and part of the Street; Part of Lots 1 to 6, Registered Plan 456, being Part 4, 30R-13918; Town of Grimsby; and

P.I.N. 46001-0280
Part Lots 21 and 22, Con 1, North Grimsby, being Part 5, on 30R-13918; Town of Grimsby; and

P.I.N. 46006-0430
Part Lots 19 and 20, Con 1, North Grimsby, and Part of the Road Allowance between Lots 18 and 19 and part of the Road Allowance between Lots 20 and 21, North Grimsby, being Part 1, 30R-13975, S/T debts in RO192562; Town of Grimsby

Secondly:
That the Secondly described lands in By-law 48-2012 (Regional Road 39 known as North Service Road as described in P.I.N. 46007-0054(LT) being part of lots 17 & 18 Concession Broken Front North Grimsby; Parts 1, 2, 11 HWY 856, except Part 1 RO620420; Parts 1 to 3 HWY 878; Part 1 HWY875 except Part 1 RO620420; Parts 1 to 3 HWY 878; Part 1 HWY875 except Part 1 30R-1193 in the Town of Grimsby) be re-described as follows:

P.I.N. 46007-0295
Part Lots 17 - 18, Con Broken Front North Grimsby, designated as Part 1, 30R-14226; Town of Grimsby

Thirdly:
That the Thirdly described lands in By-law 48-2012 (Regional Road 39 known as North Service Road from the Southerly Limit of Road Allowance known as Winston Road East of Casablanca Boulevard to the Southerly Limit of Olive Street in the Town of Grimsby) be re-described as follows:

P.I.N. 46007-0289
Part Lot 17, Con 1, North Grimsby and part of the Road Allowance between Lots 16 and 17 North Grimsby being Part 8 on 30R-14226; Town of Grimsby; and

P.I.N. 46007-0290
Part Lot 16, Con 1, and part of the Road Allowance between Lots 16 and 17 North Grimsby being Part 13 on 30R-14226; Town of Grimsby; and

P.I.N. 46007-0292
Part Lot 15, Con 1, and part of the Road Allowance between Lots 14 and 15 North Grimsby being Part 1 on 30R-14664; Town of Grimsby; and

P.I.N. 46012-0207
Part Lot 14, Con 1 North Grimsby being Parts 12 and 13 on 30R-14664; and Part of the Road Allowance Between Lots 14 and 15, Con 1 North Grimsby being Part 14 on 30R-14664; subject to an easement as in R25087; Town of Grimsby; and

P.I.N. 46012-0208
Part Lot 13, Con 1 North Grimsby being Part 7 on 30R-14664; Town of Grimsby; and

P.I.N. 46019-0318
Part Lots 11 and 12, Con 1 North Grimsby and Part of Lots 95, 109, 114 and 115, and all of Cherry Lane, registered Plan 459, being Part 1 on 30R-14665; Town of Grimsby.

2. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed: July 23, 2020

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. < >

A BY-LAW TO ADOPT, RATIFY AND CONFIRM THE ACTIONS OF REGIONAL COUNCIL AT ITS MEETING HELD JULY 23, 2020

WHEREAS subsection 5 (3) of the Municipal Act, S.O. 2001, Ch. 25, as amended, provides that, except if otherwise authorized, the powers of Regional Council shall be exercised by by-law; and,

WHEREAS it is deemed desirable and expedient that the actions of Regional Council as herein set forth be adopted, ratified and confirmed by by-law.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the actions of the Regional Council at its meeting held July 23, 2020, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.

2. That the above-mentioned actions shall not include:
   a) Any actions required by law to be taken by resolution; or
   b) Any actions for which prior Local Planning Appeal Tribunal approval is required, until such approval is obtained.

3. That the Chair and proper officials of The Regional Municipality of Niagara are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.

4. That unless otherwise provided, the Chair and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of The Regional Municipality of Niagara to all documents necessary to give effect to the above-mentioned actions.

5. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

_____
James Bradley, Regional Chair

_____
Ann-Marie Norio, Regional Clerk

Passed: < >